

California Coastal Commission

California Offshore Wind Energy Fisheries Working Group Meeting #4

December 2, 2024

Introduction

In accordance with [Condition 7c of the California Coastal Commission's concurrence](#) the five offshore wind energy lease sales issued by the Bureau of Ocean Energy Management (BOEM) and [Senate Bill 286](#), the California Coastal Commission convened the fourth California Offshore Wind Energy Fisheries Working Group meeting over two days on September 30 and October 1, 2024. The goal of the California Offshore Wind and Fisheries Working Group is to develop a statewide strategy for avoidance, minimization, and mitigation of impacts to fishing and fisheries that prioritizes fisheries productivity, viability, and long-term resilience. The strategy is expected to include: protocols for communication; best practices for surveys and data collection; a methodology for comprehensive socioeconomic analysis of direct and indirect impacts to fishing; a framework for compensatory mitigation for unavoidable impacts; and a fishing agreement template that memorializes the elements of the strategy.

Meeting Objectives

The fourth meeting of the Working Group included the following objectives:

- Receive overview of subgroup progress and discuss and provide input on draft text and work products being developed by the subgroups.
 - Subgroup 1: Draft Survey and Data Collection Best Practices to Avoid and Minimize Impacts to the Fishing Industry
 - Provide Working Group levels of support
 - Subgroup 3: Avoidance and Minimization Measures
 - Subgroup 4: Tribal Fisheries Agreement
 - Subgroup 5: Methodology for comprehensive project-level socioeconomic analysis
- Discuss draft Protocols for Communication.
- Discuss objectives and timing for Working Group meeting #5, and identify interim tasks to Working Group members, subgroup members, and support staff as needed.
- Review and approve updates to the Working Group Charter.

Meeting Date, Time, and Location

Virtual Meeting on Zoom

Monday, September 30, 2024

9:00 am – 3:00 pm PT.

Tuesday, October 1, 2024

9:00 am – 3:00 pm PT.

Meeting Format

The meeting was conducted online on Zoom over the two days. During the meeting, Working Group members reviewed and discussed the revised Working Group Charter. They also heard from subgroups on activities and updates to several draft documents, including: the Offshore Wind and

Fisheries Strategy Outline, the Survey and Data Collection Best Practices to Avoid and Minimize Impacts to the Fishing Industry, Avoidance and Minimization Measures, the Methodology for Comprehensive Project-Level Socioeconomic Analysis, Tribal Fisheries Agreement Template, and Protocols for Communication. Working Group members provided input to subgroups and were notified of next steps for each subgroup. During the meeting, Working Group members shared their level of support on the revised Charter and the Draft Offshore Wind and Fisheries Strategy Outline. Working Group members were invited to share questions, comments, and perspectives throughout the meeting.

Key Topics and Themes

Working Group Charter

Major themes of the input and comments received by Working Group members on the Working Group Charter over the two-day meeting are included below:

- Working Group members asked for clarification on the use of straw polls and whether they should be used to make decisions. The group confirmed that straw polls should be used primarily to test where the group is on a particular issue, rather than a decision-making tool.
- Working Group members requested greater specificity in the section on confidentiality, with recommended additions on how the lessees should appropriately coordinate with one another. They also discussed sharing documents externally within Working Group member organizations where appropriate, such as board members or subject matter experts if Working Group members need guidance on a particular topic or issue.

The draft Working Group Charter was revised to reflect the above comments. Later in the meeting, Working Group members shared their level of support for the revised Charter. All members present shared general or qualified support for the document. Following the meeting, the two Working Group members who missed the meeting also provided their general or qualified support for the updated Charter.

Subgroup 1 - Survey and Data Collection Best Practices to Avoid and Minimize Impacts to the Fishing Industry

Subgroup 1 leads provided an update on the progress achieved regarding the Draft Survey and Data Collection Best Practices to Avoid and Minimize Impacts to the Fishing Industry document. Major themes of the input and comments received by Working Group members are included below:

- Working Group members discussed the use of “should” versus “must” in the document, especially as it relates to state and federal permitting. Questions were raised about whether this document’s language will be incorporated into permitting or primarily used as guidance.
- Some Working Group members highlighted the need for additional language and clarity in the document on best practices for the fishing industry, specifically around gear interaction.
- Some Working Group members noted technical and feasibility considerations around best practices for AIS, UTPs, and moorings.
- Working Group members discussed the need to improve the language around lost gear in the document, strengthening the language on best practices.

- In general, Working Group members noted that the document language will need to be cleaned up and aligned with other Working Group deliverables.
- Working Group members shared their level of support. All members present shared general or qualified support.

Subgroup 3 – Avoidance and Minimization Measures

Subgroup 3 leads provided updates on the progress achieved regarding the updated Draft Avoidance and Minimization Measures document. Major topics and comments from Working Group members related to the work of Subgroup 3 are included below:

- Working Group members discussed the use of the terms “potential impacts” versus “impacts” throughout the document, where some expressed that the use of “potential impacts” can lessen the impact of the document.
- Some Working Group members highlighted the importance of monitoring to address impacts, and that this should be identified more specifically in the document. They also asked for more clarity on the ecological monitoring working group and how that will align with this process.
- Working Group members brought up the issue of feasibility around certain avoidance and minimization measures, noting there is still uncertainty around the use of some measures such as burying inter-array cables.
- Working Group members suggested several language changes to include “inside and adjacent to” lease areas and standardizing language overall.
- Some Working group members noted the importance of reviewing the BOEM California Draft Programmatic Environmental Impact Statement (PEIS) and ensuring consistency between the documents, where possible.
- Other comments by Working Group members focused on cumulative impacts on fisheries, fisheries data, transit corridors, lighting, and second order effects. Some Working Group members recommended focusing on more primary impacts in the document.
- The Working Group discussed next steps for Subgroup 3, which include reviewing key documents such as the Representative Project Design Envelop (RPDE) and incorporating Working Group members’ feedback into the draft document and preparing a version for levels of support at Meeting #5 and providing guidance to Subgroup 5’s work on the socioeconomic analysis.

Subgroup 4 – Tribal Fisheries Agreement

California Coastal Commission staff presented an overview of the work completed so far and next steps for the Tribal Fisheries Agreement subgroup. Major topics and comments from Working Group members are included below:

- Working Group members asked for more information and context on the Tribal Fisheries Agreement priorities.
- Working Group members noted that Tribes have not been given the same level of consideration in existing documents or discussions as fishing communities.
- Working Group members noted the importance of Tribal representation in this process and that lessees should consider outreach and communication to Tribes in the same manner done for fishing communities.

- Working Group members discussed challenges and best ways for communication between lessees and Tribes.
- Working Group members discussed Tribes participating in resiliency funds discussions and if BOEM bid credits could be used to address priorities in the Tribal Fisheries Agreement.
- The Working Group discussed the next steps for Subgroup 4, which include additional subgroup meetings and development of the Draft Tribal Fishing Agreement Template.
- Subgroup 4 members will provide an update on the Draft Tribal Fishing Agreement Template at the next Working Group meeting.

Subgroup 5 - Methodology for Comprehensive Project-Level Socioeconomic Analysis

California Coastal Commission staff presented an overview of Subgroup 5's objectives, the goal of the Methodology for Comprehensive Project-Level Socioeconomic Analysis, and the scope of work for the anticipated contractor, Northern Economics. Major topics and comments from Working Group members related to the work of Subgroup 5 are included below:

- Working Group members provided feedback on the proposed scope of work for Northern Economics and the socioeconomic analysis. Comments were focused on:
 - How the socioeconomic analysis will assess losses, such as loss of time, loss of value of areas over time, and loss of related industries (e.g., deck hands, restaurants).
 - The use of qualitative information in the analysis, and where it may be appropriate to consider that.
 - Assessment methodologies and if Northern Economics would be reviewing work done by NOAA's National Marine Fisheries Service.
 - Concerns around relying too heavily on East Coast agreements and recommendations, given the unique aspects of West Coast fisheries and Tribes.
 - Considerations around what types of data to consider, particularly looking into data beyond ex-vessel prices.
 - The focus of interviews and what types of questions would be asked.
- Some Working Group members asked about the process of working with Northern Economics and when the Working Group would have an opportunity to meet with them. Others recommended Northern Economics review previous fishing agreements for reference in their analysis.
- The Working Group discussed the next steps for Subgroup 5, which include additional subgroup meetings, discussions with Northern Economics, and providing feedback on the proposed methodology for socioeconomic analysis. Subgroup 5 members will provide an update on the methodology at the next Working Group meeting.

Draft Protocols for Communication

Drafting Team members presented an overview of the Draft Protocols for Communication document. Major topics and comments from Working Group members related to the draft document are included below:

- Working Group members discussed fishing representatives and considerations for working with associations versus multiple or single points of contacts.

- Working Group members discussed methods and levels of communication to reach fishermen and share relevant information with them.
- Working Group members recognized that this is a work in progress and noted the importance of building appropriately on existing communications plans and lessons learned.
- Working Groups members will share their level of support at the next full Working Group meeting.

Planning for Working Group Meeting #5

The facilitation team reviewed the proposed subgroup meeting schedule before the next Working Group meeting, which will focus on Subgroups 3 (Avoidance and Minimization Measures), 4 (Tribal Fisheries), 5 (Methodology for Socioeconomic Analysis), and 6 (Framework for Compensatory Mitigation). Working Group members shared the following feedback:

- Some Working Group members expressed concern about the timing of Subgroup 2 (Fishing Agreement Template) and recommended prioritizing work on the Fishing Agreement Template. In response, the Planning Team mentioned the option of convening a meeting between lessee and fisheries representatives to discuss their priorities for the Fishing Agreement Template.

The facilitation team presented two options for the proposed schedule of Working Group meetings #6-8 and invited Working Group members to share their perspectives on the two options.

- Working Group members suggested allowing for ample time after Meeting #8 for wrapping up deliverables.
- Several Working Group members noted that a meeting in July would have low attendance due to conflicts with fishing seasons.