

CALIFORNIA FISHERMEN'S RESILIENCY ASSOCIATION

1118 6th St.
Eureka, CA 95501

CFRA Board Report # 22

October 1, 2023

Board Meetings

During most of this quarter many of the CFRA Board and association members spent the summer engaged in their various fisheries. Some were busy trying to salvage their fishing seasons in light of the closures of salmon, Dungeness crab, rockfish and poor albacore fishing. Despite spending most of their summer on the ocean, the board was able to get together for a board meeting on the 14th of August. This meeting was called to discuss the OPC request for additional honoraria payments for 4 - 6 potential tribal member positions on the Coastal Commission 7C Fishermen's Working Group. These are the highlights of that discussion:

- These tribal members should only represent commercial fishing interests.
- A motion was made and seconded that the CFRA would entertain up to two additional seats for tribal commercial fishing interests on the 7C Working Group for honoraria payments. It passed with a unanimous yes vote. Furthermore, Tribes should be encouraged to set up a separate working group to address non-commercial fishing interests, including sacred site and viewshed impacts and subsistence fishing
- Ken also suggested that the CFRA could reach out to OPC to include honoraria payments to the two seats set aside for fishing organizations provided that they are not compensated by their organizations.
- Ken called Holly Wyer to discuss these additional seats on the 7C working group. She said that they had not sent out a request for an application at this time.
- Ken was instructed that he would contact OPC and Holly Wyer via a letter and make the suggestion that tribes would form their own working group for non-commercial fishing tribal impacts. This letter will be available on the CFRA website.

Upcoming Meetings

1. Jody Himango of Crowley Wind Services, has requested a short meeting with CFRA Board members to update CFRA membership as to Crowley's status in Humboldt Bay and staff changes since the departure of Jeff Andreini.
2. RWE Renewables has scheduled a public meeting at the Eureka Wharfinger Building on October 10, 2023 at 5 PM to present the RWE Fisheries Communication Plan documents. At this meeting you can make public comments on the communication plan details. RWE also expects to send the draft plan to the CFRA Board for review before the October 10th meeting. Fisheries Communication plans are a BOEM lease requirement for OSW developers and these plans require some degree of approval from fishing industry representatives. It is noteworthy that Morro and Avila Bay fishermen boycotted the Central Coast OSW communication plan presentations because the three Central Coast developers refused to engage in conversations with the Morro and Avila Bay Associations concerning Industry to Industry Agreements.

News

1. Congressman Mike McGuire's wind power and fisheries Bill SB286, has passed through the legislative process - not totally unscathed, but in a workable condition. It is now awaiting the Governor's signature. Glenn Spain, acting PCFFA Director, has written a comprehensive report on SB 286 status and next steps. The CFRA staff is drafting a support letter to Governor Newsom requesting his signature on SB286.
2. The CFRA has contracted with Hutchison, Hohman and Company, LLC, CPA's for accounting and bookkeeping services. The CFRA contract bookkeeper is Jenny Manfreda.

CFRA Website

The CFRA website is up and running but still a work in progress. Please feel free to visit this site as it contains an archive of all CFRA board reports, public comment letters and 7C Working Group correspondence as well as the CFRA corporate bylaws. Find us at: www.Californiafishermensresiliencyassociation.com

Coastal Commission's 7C Fishermen's Working Group

1. **Interviews** — The Coastal Commission and Fish and Wildlife staff, (Holly Wyer, Heather McNair and Jay Staton) have been interviewing fishermen applicants for the 7C Fishermen's Working Group. There were twenty two applicants for these positions. The CFRA and its member associations wrote letters of support for the following candidates on August 4, 2023. They are: RB Pincombe, Jake Mitchell, John Barnette, Ken Bates, Steve Scheiblauber, Scott Creps and Chris Voss. These individuals have been vetted by the CFRA and are recommended to represent the California fishing Industry for the following reasons:
 1. They show up. They consistently attend meetings, public hearings and conference calls. They respond to email and phone calls.

2. They contribute. They are seriously engaged in the OSW debate, permitting process and understand the challenges fishermen face from the OSW projects.
3. They read and are able to analyze government documents, industry position papers and public comment letters concerning OSW.
4. They are good listeners, speakers and decision-makers and communicate effectively with the members of their associations and communities.
5. They are team players invested in outcomes that will benefit everyone.
6. They are leaders in California's fishermen's organizations.
7. They are purely California fishermen, free of distraction from other venues.
8. They bring multi-generational experience and age diversity to the 7C Working Group. This letter of support for the 7C Working Groups can be viewed on the CFRA website.

2. **Importance of the 7C Fishermen's Working Group** — The California Coastal Commission in its Th8a staff report concerning the permitting of OSW development in state and federal waters presents, as a condition for permitting, the requirement that "BOEM and state agencies facilitate a working group consisting of fishing representatives, offshore wind industry representatives and state and federal agency staff to develop the components of a strategy including a Fishing Agreement Template". The report goes on to state that "fishermen, OSW developers and state and federal agencies will need to work collaboratively towards a common strategy to avoid, minimize, and mitigate impacts to the fishing industry in a consistent and equitable manner". Here, the commission is advocating for a statewide policy for wind power permitting that requires "consistent and equitable" protections for the entire fishing industry and coastal fishing communities. **How did this come about?** — Much of this language and the thoughts behind it are the direct result of the lack of a statewide definition of subsea cable agreements. At present (starting in 1999), state agency permitting conditions require a "Fishing Agreement" between fishermen and subsea cable operators. This requirement consists of a single sentence. It does not define what an agreement consists of, who it protects, what or who qualifies as a fisherman, whether the agreement is broadly inclusive or narrowly exclusive. Because of the vast ocean areas involved, the potential long term OSW impacts involved, and the commission's understanding of what is at stake for commercial fishermen, three things have happened so far: first, the formation of the California Fishermen's Resiliency Association via Coastal Commission support and financial support from Ocean Protection Council, second, the beginning of the formation of the 7C Working Group. And third and equally important, is that the commission is advocating for "industry to industry " contractual agreements as a direct result of ongoing efforts of the Alliance of Communities for Sustainable Fisheries, the Morro and Avila Bay Fishermen's Association, and CFRA Member Associations.

What should fishermen expect and demand during the 7C Working group process?

- a. That the 7C Working Group should convene ASAP

- b. That the 7C Working Group develop a statewide strategy for avoidance, minimization, and mitigation of impacts to fishing and fisheries that prioritizes fisheries' productivity, viability, and long term resilience.
- c. That the above goals are accomplished through state and fishermen supported industry to industry contractual agreement between fishing legal entities (eg. 501 C 3 or 501 C 6 type organizations) and OSW developers. These nonprofit fishing legal entities must be democratic and broad based within the State of California
- d. That industry to industry agreements employ the FCBA template document signed by sixteen fishermen's associations as reflected in the two FCBA draft contracts produced by the CFRA at the request of the Ocean Protection Council.
- e. That no permits for site survey be issued by California State Agencies until the execution of an FCBA between the appropriate fishing legal entities and individual developers
- f. That the term of the 7C Working Group be extended to encompass the term and lifespan of each BOEM wind power lease.

Fishermen get only one chance to try and influence state policy for OSW development. Please be aware of the individuals chosen by the Coastal Commission to represent your interests and speak up. This is it! Let's not blow it! Stay involved, stay informed. Please share these board reports with your associates.

Jake Mitchell, President
CFRA

Ken Bates, Executive Director
CFRA

