

WASHINGTON COASTAL MARINE ADVISORY COUNCIL MEETING

Draft Summary

Wednesday, June 24, 2015 9:30 am – 3:30pm

Location: Montesano High School Library, 303 N. Church St, Montesano

Council Members Present	
Brian Sheldon, Shellfish Aquaculture	Michal Rechner, DNR
Carol Ervest, Wahkiakum MRC	Michele Culver, Dept. of Fish and Wildlife
Casey Dennehy, Recreation	Penny Dalton, WA Sea Grant
David Fluharty, Educational Institution	Randy Kline, WA State Parks
Doug Kess, Pacific MRC	Ray Toste, Commercial Fishing
Garrett Dalan, Grays Harbor MRC	RD Grunbaum, Conservation
Jeff Ward, Coastal Energy (phone)	Rich Osborne, Science
Julie Horowitz, Governor's Office	Rod Fleck, N. Pacific MRC (phone)
Mark Cedergreen, Recreational Fishing	Sally Toteff, Dept. of Ecology
Mark Plackett, Citizen	Stephen Sewell, Department of Commerce

Council Members Absent	
Alla Weinstein, Energy Industry	Dale Beasley, Commercial Fishing
Charles Costanzo, Shipping	
Miles Batchelder, WA Coast Sustainable Salmon Partnership	

Liaisons Present	
Katie Krueger, Quileute Tribe Liaison (phone)	

Others Present (as noted on the sign-in sheet)	
Brice Boland, Surfrider Foundation	Jessi Doerpinghaus, WDFW
Bridget Trosin, Washington Sea Grant	Katie Wrubel, Makah Tribe
Cheryl Chen, Point 97	Katrina Lassiter, DNR
Christine Duffy, Cascadia Consulting, Note-taker	Kevin Decker, Washington Sea Grant
Corey Niles, WDFW	Libby Whiting, DNR
George Hart, Navy Region Northwest	Melissa Poe, WSG/NWFSC
Gus Gates, Surfrider Foundation	Susan Gulick, Sound Resolutions, Facilitator
Jennifer Hennessey, Ecology (WCMAC Staff)	

Welcome & Introductions, Agenda Review

- Garrett Dalan welcomed everyone to the meeting. All attendees introduced themselves, and were invited to provide a coastal update.

Coastal Updates

- Doug Kess shared a comment on behalf of Dale Beasley that Pacific County is still interested in how the marine special plan will protect and preserve commercial fishing.

- Pacific County has distributed its first draft of the Shoreline Master Program. Many hours of volunteer activity has gone back to the watershed group.
- Doug Kess is looking for WCMAC support on efforts to support Neil Banas (UW) on harmful algal blooms. This issue has significant economic impact on the coastal communities. Doug will distribute a draft letter of support, and requests that WCMAC members add their name and affiliation.
- Salmon fishing has been open for a month and getting better all the time!
- Today is the last day to nominate for the Coastal Leadership Program. The date can be extended if you have great nominations. Questions? Contact Casey Dennehy.
- With the loss of permit to spray for shrimp, the shellfish industry will be devastated. Brian Sheldon asks that WCMAC has open mind about pesticides, based on fact not fiction. This is an industry defining moment. Oyster growers and farmers in general are people who like to farm -- communicating with social media is not our strength.
- Species diversity is being maintained through shoreline master planning. There is a push to increase public access to shorelines but this also brings garbage and pollution. We do not want to keep people off the shorelines, we just want to make sure it's done responsibly.
- Sally Totteff explained that Washington has low snowpack which has resulted in a statewide drought declaration. This is impacting streamflow. Sally passed around information showing the USGS National Water Information System comparison of water flows from year to year for the past 60 years. To learn more about streamflows like the Quinnault or Queets river visit: <http://waterdata.usgs.gov/wa/nwis/current/?type=flow>.
- Michele Culver noted that the Sol Duc River is closed to fishing. The Department of Fish and Wildlife is monitoring other rivers. Further closures and increased enforcement presence due to low water levels is expected.
- There is concern that a state budget has not been finalized. Employees are working on contingency plans in case a budget decision is not reached by legislature. The Department of Fish and Wildlife is trying to identify other funding sources to stay open.
- Wahkiakum MRC is reviewing grants, 10 have been received.
- Ocean Shores' biggest festival, Sand and Sawdust, is this weekend.
- North Beach, Ocean Shores, and Westport (outer coasts) have July 5th beach cleanups (through MRCs and state parks) Register at: <http://www.coastsavers.org/>
- Citizens for a Clean Harbor have a July 5th event at Zelasco Park to celebrate and honor the earth. Afterwards a community fundraiser will take place at the Veterans of Foreign Wars Post 224.
- Fires have already started in Washington State and the number is already ahead of last year's pace. Please be careful and remember that dunes are explosive!
- Ray Toste discussed how domoic acid is causing harm to coastal industries. Ray would also like WCMAC to discuss sport priority vs. commercial fishing conflicts at some point.

Agenda and Meeting Summary:

- Susan Gulick went over the agenda.
- The following changes were made to the April Meeting Summary in the packet:
 - On page 3, the quote that was removed will be included and changed from Mark Cedergreen to Mark Plackett.
 - Carol's name is misspelled on page 1.
 - Craig Zora was present and asked to be added as a citizen.

! The April Meeting Summary was approved as amended.

Public Comment:

- Rich Osborne: The NOAA grant to look at oceanographic modeling and forecasting for Harmful Algal Blooms was in the top three to fund four years ago when the government was shut down at the federal level. At that time, it was passed over. This past year they are back up to funding the grants. This is an important forecasting model grant to predict algae outbreaks. I recommend everyone support this.

Overview of Use Analysis – Jennifer Hennessey

- Jennifer Hennessey reviewed the MSP & Use Analysis project. She provided an overview of the Use Analysis approach and scoring criteria. The draft Marine Spatial Plan Table of Contents was included in the packet. Jen noted that the Use Analysis methods and outputs will be summarized in Section 3 of the plan and will assist in providing recommendations for Section 4.3.1.
- The final products will include: 1) a conflict map that provides a general sense of where higher levels of conflict may occur with new uses and 2) recommendations for planning regarding new uses (spatial recommendations).
- Jennifer Hennessey gave an example of converting shipping data into draft conflict maps using input from sector experts. This included navigation lanes (e.g. tug and tow, federally-designated channels), dredge disposal sites as well as vessel transit data for various classes of vessels (cargo, tug and towboat) and a draft conflict map that combined all the conflict data.
- The presentation is posted on the website at:
<http://www.ecy.wa.gov/programs/sea/ocean/advisorycouncil.html>

The Next Steps are:

- Continue to get sector input for conflict map production.
- Continue GIS work.
- Opportunity for tribal input and review.
- Additional WCMAC input and review.
- Develop recommended actions and alternatives.

Questions and Comments

- Brian expressed concern over the boundary of the plan's study area and how that related to capturing uses in the plan. Jen explained that the boundaries were developed during the MSP scoping process and were based on where new uses were feasible and anticipated as well as other factors. She indicated that the plan will provide context on existing uses occurring outside of that area. The plan can also be amended to cover potential new uses outside the boundaries.
- Doug Kess expressed concern about the mapping process that was used in Oregon. Jen explained that WA is not using the human use mapping for this process. We are using more detailed maps with richer data for this process.
- Dave Fluharty encouraged the state to use a temporal dimension in the use analysis, even though it is not required. Dave also suggested taking the intensity maps and making them economically geo-spatial. An economic analysis of spatial tradeoffs could be useful down the road.
- RD Grunbaum asked why there is a gap in the north for the tug and tow lanes. Jen explained that there is a gap in the data for that area.
- David Fluharty suggested using the term "potential conflict" versus the "conflict".
- Data on collisions are from the Coast Guard. Near misses are not tracked. Steve Sewell thought that some data on near misses may be available if needed.

- WCMAC members discussed the conflict designations. It was suggested that in areas where there are high potential for conflict, WCMAC can recommend that new uses are not permitted in those areas.
- Doug asked for clarification on Geographic Locator Descriptions (GLD). A Geographic Locator Description is a tool that allows the state to get notification and approval to review a federal activity occurring in a particular area when there are reasonably foreseeable effects to state coastal uses or resources. A GLD does not indicate what the state decision would be.
- WCMAC members discussed how conflict designations are developed. For example, is a medium conflict with shipping comparable to a medium conflict with crab fisheries? Mike explained that the conflicts are ranked with the input of the experts in each industry, recognizing that one size does not fit all. Medium conflict are viewed the same (as medium, between high and low) but the criteria within in each use that gets to that ranking are different.
- WCMAC members discussed the desire for and value of tradeoff analyses. Mike and Michelle explained that is not what the use analysis is attempting to do. The use analysis will provide information that displays all the existing uses that occur in particular locations. This provides a “heads up” to applicants, as well as to Federal permitting authorities. A trade-off analysis will occur on the project level—i.e. when a project application is developed and reviewed. The MSP will depict all the existing uses and rank areas for high to low potential conflict with potential new uses.

Social Indicators Study

Melissa Poe of Sea Grant presented on the results of the social indicators study. The presentation is available at <http://www.ecy.wa.gov/programs/sea/ocean/advisorycouncil.html>.

Melissa discussed the human well-being and social indicators model, including explanation of domains, results (coast-wide comparisons and in-depth County Assessment), community engagement in social development and next steps. Melissa thanked MRCs for their involvement in and feedback on the project. The final report is due June 30th.

Questions and Comments:

- WCMAC members discussed missing data on beach closures, and suggested that Melissa contact WDOH. Julie Horowitz has some names she can give to Melissa. County health departments may also have some useful data.
- The impervious cover data are from the Coastal Atlas that Ecology maintains.
- Uses in marine spaces might affect social well-being on-land. The social indicators will be useful for baseline decision making. We can't complete an analysis of a hypothetical right now but may be able to apply these indicators to different scenarios in the MSP.
- What about social impact assessments (SIAs)? How does your work compare to what is required to be in those?
 - Melissa Poe: I'm not very familiar with SIAs. What we've presented today is more robust.
- Did you include data on occupation mortality?
 - Melissa Poe: Yes, Dale raised this issue and we used some regional data.
- Will you include a list of data needs or analyses that you'd like to see added to this in the future?
 - Melissa Poe: Yes, these tools can only go so far. We've provided other tools that can take this work farther or be applied later.

Existing Policies and Authorities for the Marine Spatial Planning

Ecology, DNR, and Parks presented a panel discussion on the existing laws and policies that guide their roles in marine management.

Sally Toteff (Ecology) explained her presentation would cover authorities that apply to WCMAC conversations. Ecology has three areas of focus: environmental protection, preservation and enhancement. Her presentation focused on water quality, quantity and resources and she referenced the aquatic permitting page included in packets. Existing Ecology authorities include:

- SEPA (State Environmental Policy Act): Allows communities and states a review step before making permit decisions about proposals. SEPA is a disclosure process. It is usually carried out at the local level. For a project that involves an EIS, SEPA is where you can ask questions and provide input on what should be studied.
- Water Quality Certification: State law is based on the federal Clean Water Act. The water quality certification identifies if a project will meet water quality standards.
- Coastal Zone Federal Consistency Determination: Evaluates any proposal triggered by a federal permit or federal activity. To evaluate if that project is in compliance with 6 acts (umbrella over six acts.) Evaluation tool for projects and is a powerful tool with local government partners.
- Stormwater permits: Delegation of the clean water act. Varying stormwater requirements and permits may apply.
- Wastewater permits: Permits for plants or industry (example: seafood processors) to meet state water quality standards. Includes employing best management practices, etc.
- Spill response: Prevention and response, no permit requirements. Authorizations and approvals for facilities that handle certain types of industrial liquids or for transferring liquids over water.

Clarifying Questions

- Rich Osborne: Any off-shore projects involved with SEPA?
 - Sally Toteff: Only if they occur within three miles off the coast. National environmental policy act (national environmental review) is conducted for projects outside of that area.
- Penny Dalton: The state's coastal program only contains enforceable policies administered through Ecology?
 - Jennifer Hennessey: Yes.

Michal Rechner (DNR) focused on the management of state owned aquatic lands. The Department of Natural Resources manages lands on behalf of all the people in the State of Washington. The agency is led by an elected Commissioner of Public Lands, Peter Goldmark, who reports to the people of the state. DNR is not under the Governor's purview and is not a cabinet agency.

- DNR is a proprietary agency not a regulatory agency.
- Marine waters are considered anything that is subject to the ebb and flow of the tides.
- Mike talked about the 1984 Aquatic Lands Act, leasing (focus on stewardship), DNR authorities including Aquatic Land Statutes (RCW) and Aquatic Lands Administrative Code (WAC).
- As a proprietary land manager, DNR authorizes uses on state-owned aquatic lands. In applying for a use authorization:
 - A Joint Aquatic Permit Application (JARPA) is used to request private use
 - Regulatory requirements must also be met – state, local or federal

- DNR staff consider uses that provide public use and access, water-dependent uses, environmental protection, and production of renewable resources.
- Additionally, authorizations provide compensation to the state
- If you have questions about other programs, speak with Mike.

Clarifying Questions:

- Rich Osborne: What happens to state ownership with sea-level rise?
 - Michal Rechner: Some believe that the law sets up that wherever the line is surveyed at the time, as water moves landward, so does the title. This is a question that our courts have yet to answer: There are ownership boundaries that have been fixed by a plat. In other part of the country, the landward boundary moves with the tide.
- Brian Sheldon expressed concern about how DNR manages aquaculture leases.

Randy Kline (Parks) spoke about Seashore Conservation Area, the mission and management structure of the Parks Department.

- The Seashore Conservation Area was established in 1967 by statute. It provides for recreational use and public enjoyment. It runs from the mouth of the Columbia to the Quinault reservation, from the extreme low tide line to the mean tide line. Every 10 years we survey the shoreline area, which changes over the course of time.
- The beach is also an established highway. 40% of the shore must be reserved for non-motor vehicle uses. This year Parks updated the administrative code to allow wind-power vehicles.
- State Parks is not a regulatory agency. Regulations apply on Parks lands but our regulations do not apply outside that land.

Questions and Comments

- Jeff Ward: Within a three mile boundary, could you explain how JARPA works?
 - Sally Toteff: Before state and federal agencies consider a JARPA application, it must meet all local requirements. Typically, a team of state agencies work together to address state requirements (shoreline permit, hydraulic approval, aquatic lands lease, clean water act, water quality, etc.) and issue their permit decisions. The process varies by project.
 - The Shoreline permit is the first decision and the others follow.
- Mark Cedergreen: There is lots of private property on ocean beaches. The first 200 feet you can't do anything with it, correct?
 - Randy Kline: The 200 feet you are referring to is about the shoreline management act. You may be able to do something but you have to get a permit.

DFW will be presenting their permitting processes at the September meeting.

Technical Committee Update

- Rich Osborne gave an overview of the Technical Committee's approach to developing options for WCMAC recommendations to the MSP.
- Meetings occur the second Wednesday of every month from 2:30-4:30 PM.
- The Technical Committee will have a key role in developing draft options and recommendations for WCMAC to consider. The Technical Committee will take the first cut at drafting problem statements and options/draft recommendations.

- The problem statement should clearly communicate the issue the recommendation is designed to address. It must be clear and succinct—something that very busy policy-makers can quickly understand. The options/draft recommendations should clearly state WHO should do WHAT. This will allow everyone to know who is responsible for implementing the recommendation
- The Technical Committee will brainstorm a variety of options to address each problem statement. They will not debate the relative merits of the recommendations; this will be left for the full WCMAC. The full WCMAC will refine the work of the Technical Committee Meeting and adopt the final recommendations. This may mean choosing among options, merging multiple options and/or developing new options.
- At the last meeting we developed a suite of options to address economic issues. The meeting was highly productive. We hope to address technology concerns at the next meeting.
- We encourage members to participate in the Technical Committee calls, particularly when you feel passionate about the topics. Please check the agendas (sent to the WCMAC Listserv) for each month's topics.

Recreational Use Study

Gus Gates of Surfrider and Cheryl Chen of Point 97 gave a briefing on the results of the Recreational Use Study to better understand the uses on our coastlines. Including a look into data collection—opt-in survey and panel survey—and results. Thanks were given to DNR and Ecology as well as Parks, MRC's, Recreational Stakeholders and OCNMS Staff. The presentation is available at <http://www.ecy.wa.gov/programs/sea/ocean/advisorycouncil.html>.

A one-page summary and the full report can be downloaded at <https://washington.surfrider.org/rec-use/>

Questions and Comments

- If local planners or others are interested in this information, Surfrider can present it to other groups. Check with Gus.
- The group discussed the differences between the recreational fishing economic values provided by a recent study (by Hans Rahdke), the Surfrider/Point 97 study, and Cascade economics. There was additional question about the overall estimate of 4.1 million recreational trips and how accurate that might really be.
- These studies clearly had different methodologies and cannot be combined, but many in the group agreed it would be useful to compare the differences in their methodologies to better understand why the numbers are not the same.

Updates

- State Budget/WCMAC Funding: The legislature has not yet passed a budget. All state employees received layoff notices yesterday. If the current versions of the budgets pass, it appears that WCMAC funding will be included. Susan will send out information to the listserv when a decision is made.
- Jen presented the updated Work Plan, which is included in attendee packet. The proposed future meeting dates include:
 - September 23rd
 - December 9th
 - February 10th
 - April 20th
 - June 15th

- MRAC (Ocean Acidification Panel): Not a lot of action by the group. If you would like to share or bring something up to that group, a request for your ideas will be sent to the WCMAC listserv.
- Doug Kess reminded the group that he will be reaching out to the listserv to gather support for the harmful algae blooms grant.
- MSP Projects Status Report: All of the projects that are on-going will be completed June 30 except marine mammal modeling with NOAA NCCOS. This will be completed in the fall.
- The science panel will continue work in the next biennium to address future needs. However, it will complete review of the social indicators and economic indicators by June 30th.
- The following activities will be continued (extending the contract) into the next biennium:
 - Facilitator
 - Outreach with Sea Grant
 - Technical assistance from Libby and writing from Kelsey.

Public Comment:

- Brian Sheldon: The economic analysis is lacking some data. I don't want to see us without economic funding. We should talk to the consultants about what it would take to get what we need, using some of the funds for the next biennium.

Upcoming Meetings

- Agenda Topics for Next Meeting
 - Start looking at draft recommendations for Marine spatial plans.
 - The burrowing shrimp threat to the shellfish industry.
 - Next steps on the economic analysis.
 - Presentation on how the state is engaging the federal agencies and the tribal nations along the marine spatial planning.
 - Lessons learned from the Oregon MSP.

PUBLIC COMMENT:

- This Saturday is get into your sanctuary day – yoga on the beach, beach cleanup!

Meeting adjourned at 3:34 PM.

Summary of Decisions:

- ! The February Meeting Summary was approved as amended.

Upcoming Meetings
<ul style="list-style-type: none"> • September 23, 2015 • December 9, 2015 • February 10, 2016 • April 20, 2016 • June 15, 2016

Meetings will be held in Aberdeen unless otherwise noted