

# WASHINGTON COASTAL MARINE ADVISORY COUNCIL MEETING

October 23, 2013 ~ 10:00 am – 3:00 pm  
Columbia Room – Capitol Building, Olympia WA

## MEETING SUMMARY

### Attendance

#### Council Members Present

Mark Plackett, Citizen Representative	Brian Sheldon, Shellfish Aquaculture Representative
Dale Beasley, Commercial Fishing Representative	Rich Osborne, Science Representative
Ray Toste, Commercial Fishing Representative	Marc Horton, Ports Representative
RD Grunbaum, Conservation Representative	Garrett Dalan, Grays Harbor MRC Representative
Linda Rotmark, Economic Development Representative	Rod Fleck, N. Pacific MRC Representative
Casey Dennehy, Recreation Representative	Doug Kess, Pacific MRC Representative
Mark Cedergreen, Recreational Fishing Representative	Carol Ervest, Wahkiakum MRC Representative
Miles Batchelder, WA Coast Sustainable Salmon Partnership Representative	Michal Rechner, Dept. of Natural Resources Representative
Stephen Sewell, Dept. of Commerce Representative	Michele Culver, Dept. of Fish & Wildlife Representative
Sally Toteff, Dept. of Ecology Representative	JT Austin, Governor's Representative
Susan Gulick, Sound Resolutions, <i>facilitator</i>	Scott Percival, Cascadia Consulting, <i>notetaker</i>
Jennifer Hennessy, WCMAC Staff (Dept. of Ecology)	

#### Council Members Absent

Dave Fluharty, Educational institution Rep.	Penny Dalton, Sea Grant
Energy industry (VACANT)	Coastal Energy (VACANT)
Shipping (VACANT)	

#### Observers

Dick Sheldon	Pete Stauffer
Bridget Trosin	Gretchen Glaub
Eric Delvin	Key McMurry
Al Carter	George Galasso
Jamie Stanton	Brian Lynn
Joel Carben	
Katrina Lassiter	
Katie Wrubel	

! **NOTE: Items in bold and italics indicate a decision or action by the WCMAC**

#### 1. Welcome and Agenda Review

- JT Austin from Governor Inslee's office welcomed the WCMAC and introduced Susan Gulick of Sound Resolutions, who facilitated the meeting. Susan reviewed the agenda with the Council.

## 2. Ground Rules

- ❑ Susan reviewed the proposed ground rules. She noted that these would be approved for this meeting only; final ground rules will be part of the by-laws, which will be developed and adopted by WCMAC at a future meeting.

! ***The proposed ground rules were approved by consensus for use at this meeting.***

## 3. Governor's Charge and Expectations

- ❑ JT Austin of the Governor's office provided an overview of the Governor's charge and expectations for the WCMAC. Key points included:
  - The Washington Coastal Marine Advisory Council provides a forum to bring together the stakeholder and community perspectives for the coast with those of state government and academia. Consensus advice and recommendations formed by the Council will have the greatest effect.
  - Advisory boards do not have authority to enforce policy, create rules, or administer policy, programs or services, but their analysis and recommendations can play an important role in furthering the effective operation of state government.
  - The WCMAC's primary focus is to assist the Governor's Office and state agencies in crafting the marine spatial plan. While there are many other important, coast-wide ocean policy issues that this group could address, the Governor believes the creation of the marine spatial plan will require our focused attention over the next two years. We have limited capacity and resources to address everything at once and need to prioritize our efforts to make progress, use our resources efficiently, and capitalize on this opportunity. Other issues can be discussed by the Council as time and resources allow.
  - The Governor is interested in substantive, solution-oriented advice from this Council. He strives for establishing and supporting processes that are effective, efficient, and productive.
  - While the Governor believes strongly in and encourages local participation in specific projects and decisions occurring at the local level, this Council is not the appropriate forum for that type of interaction. Those efforts are best directed at the regulatory process and decision-makers involved in those specific efforts. Similarly, the Council should aim to discuss ocean policy issues of coast-wide significance, rather than specific issues affecting a particular locale.
  - Serving the Governor and the state on this Council is a great opportunity and privilege that comes with great responsibility. Being a representative and member of the Council requires:
    - ◇ Reaching out to the sector you represent and actively serving the sector or population you represent on the council over your individual interests.
    - ◇ Serving as a communication liaison between your sector and Marine Resource Committees, the WCMAC, and state agencies.
    - ◇ Actively listening to each other and being open to ideas, regardless of the source
    - ◇ Collaborative problem-solving -- not saying, "no," but, rather, "how can we make this work?"
    - ◇ Seeking consensus and compromise and considering the greatest good for all.
    - ◇ Ensuring that the overall direction of the marine spatial planning process is appropriate and consistent with the goals/objectives and the law, including overseeing and advising, but not directing, the spending plan.
  - Operating as a council under the Governor's office comes with high expectations and standards on decorum and ethical behavior. While you may disagree on the

substance of an issue, members must treat each other and staff respectfully at all times. Disrespectful language or disruptive behavior will not be tolerated.

- Several laws apply to how this Council must operate, including the Open Public Meetings Act, Public Disclosure laws, Public Records, and Ethics Laws. These are highlighted in the online materials for Boards and Commissions. Know that the Governor's legal counsel, policy staff, and Ecology staff are working to ensure that these requirements are met through the operation of the Council. If you have questions, we can identify specific questions and respond to them as needed.
- As Council staff, Ecology provides the support services for this Council. Ecology staff can help notify board members of pertinent issues and legislative activity. They may also arrange meetings, prepare meeting materials, compile background information and conduct research. Members must keep in mind that staff have other job responsibilities outside of their council duties.
- ❑ JT noted that Tribes were not included as WCMAC members as part of the enabling legislation but that the Governor would be happy to invite them to serve as liaisons, as outlined in the statute.
- ❑ JT recognized that there were some "elephants" in the room in terms of items that are different from the former council. She noted that the Governor would not be appointing alternates to the WCMAC. She also noted that new by-laws will need to be developed and adopted. The draft by-laws presented were prepared to comply with the legislation as well as with protocols for Governor's Boards and Commissions. WCMAC members will have the opportunity to revise and refine the draft by-laws.
- ❑ It was noted that a decision on ongoing facilitation will be discussed at the end of the meeting.
- ❑ WCMAC members were invited to ask questions or provide comments following JT's remarks.
- ❑ WCMAC members expressed interest in inviting the Tribes as liaisons as soon as possible.
- ! ***A decision to invite the four coastal treaty tribes to serve as liaisons to the WCMAC as sovereign governments was approved by consensus.***
- ❑ Some WCMAC members expressed concern about vacancies on the council and expressed disappointment that some previous members were not reappointed. JT said that the Governor is actively reviewing potential energy and shipping nominees and will make those appointments soon.

#### 4. WCMAC Operations

- ❑ Draft Bylaws
  - The WCMAC discussed the draft bylaws, which are an adaptation of previous bylaws.
  - Some members requested a track-changes version of the bylaws so that they can see what changes were made. This will be supplied to the Council.
  - The WCMAC agreed to convene an operations subcommittee, with the goal of recommending revised bylaws for approval at the next meeting.
    - ◊ Volunteers to serve on this committee include: Rod Fleck, Doug Kess, Miles Batchelder, Casey Dennehy, and JT Austin.
- ! ***The committee will develop a revised version of the bylaws to send to the WCMAC. A conference call with interested WCMAC members will be held to discuss the revised bylaws.***
  - If necessary, an additional revision will be prepared, and possibly an additional conference call.

- ❑ Selection of Chair and Vice-Chair of the WCMAC
  - The WCMAC discussed the process to elect a Chair and Vice-Chair. Nominees will be accepted for both positions.
  - WCMAC members discussed that the bylaws, which are not finalized, will contain details about the role and responsibilities of the Chair. Members expressed interest in knowing more about the time commitment required by the Chair prior to finalizing the process.
  - It was also noted that the Chair will automatically be a member of the other Advisory Council regarding ocean acidification. That will group will have 4 meetings in fiscal year 2014 and 6 meetings in fiscal year 2015.
  - The process will start after the bylaws committee releases its first draft of the bylaws so that members will have a better sense of the potential role, responsibilities and time commitments for the Chair and Vice Chair.
- ! ***The WCMAC agreed to a process that will include a call for nominees for Chair, contact with each nominee to be sure they are willing to serve, and then an e-mail vote. This will commence after the bylaws committee releases its initial revisions to the draft bylaws.***
  - The process will then be repeated for Vice-Chair.
  - The vote will be publicized to be open and transparent (i.e. each member's vote will be noted; the votes will not be anonymous).

## 5. Public Comment

- ❑ The WCMAC should elect a Chair today and not wait.
- ❑ Agency staff have worked to undermine the WCMAC, which was designed to be a bottom-up entity. You have some of the best members possible on the WCMAC. Agency efforts to corral WCMAC members will wear these people out.

## 6. Marine Spatial Planning (MSP) Overview

- ❑ Jennifer Hennessey provided an overview of Marine Spatial Planning. The presentation is included with this meeting summary as separate document. Some of the key points include:
  - MSP provides a process to:
    - ◇ Balance the needs of society, environment and economy
    - ◇ Bring together information for decision-making
    - ◇ Proactively consider future and emerging issues
  - The statutory definition of Marine Spatial Planning is “a public process of analyzing and allocating the spatial and temporal distribution of human activities in marine environments to achieve ecological, economic and social objectives.”
  - MSP uses data on the location of important marine resources, human activities, and other key components to determine the most appropriate locations for particular marine uses. The planning process develops a shared vision, goals and objectives to guide the evaluation of all of this information, develop and assess management options, and create a plan.
  - The plan will not make any final determinations about particular uses or projects, this will continue to be handled by the permitting process.
  - Marine spatial planning is non-regulatory according to Washington State law. It will rely on existing authorities to be implemented and will not create new regulations.
  - The required elements of MSP include: ecosystem assessment indicators, management measures, a series of maps (ecology, human issues, renewable

- energy), state recommendations for federal waters, an implementation plan, and a framework for renewable energy.
- The law calls for an interagency team (State Ocean Caucus) to coordinate on MSP. Ecology is designated as the lead coordinator for the planning process.
  - WCMAC's role is to advise the state on variety of ocean policy issues, including marine spatial planning.

—Lunch Break—

## 7. Funding Allocations

- Katrina Lassiter of DNR gave an overview of Marine Spatial Planning (MSP) funding. The presentation is included with this meeting summary as separate document.
- DNR manages the marine resources stewardship trust account, which was appropriated \$3.7 million to support MSP.
- Funding must be consistent with recommendations of WCMAC. The statute allows DNR to fund activities including:
  - Mapping
  - Ecological assessment
  - Data Tools
  - Stakeholder engagement
  - Other work identified by the Council
- Katrina reviewed the activities conducted during fiscal year 2013.
- Katrina also reviewed some of the identified data gaps for MSP. These include data on the following topics:
  - Ecosystem services
  - Oceanography
  - Shorebirds
  - Forage fish
  - Coastal erosion
  - Recreational uses
  - Socio-economic issues.
- The WCMAC asked questions and discussed the data gaps.
- Mike Rechner of DNR suggested that the WCMAC focus on identifying topic or study areas that should be targeted for funding and create a committee to discuss specific deliverables needed within each topic.
- Staff provided a recommendation that would start with funding the elements required by law:
  - Ecosystem Assessment and Indicators
  - Supporting the planning process (e.g. outreach, technical tools, plan development)
  - Identifying important ecological areas (e.g. sensitive or unique species or biological communities)
- Staff also recommended proceeding with funding for high priority information needs:
  - Sector analyses
  - Coastal economic analysis
  - Seabirds and marine mammals
  - Habitat: seafloor maps
  - Other high priorities of the WCMAC.
- The WCMAC discussed the staff recommendations.

- ❑ It was noted that priorities should include the need to protect and preserve the coastal economy.
- ❑ Each sector in the sector analysis will be studied separately (i.e. separate RFPs for each sector).
- ❑ The WCMAC urged that the coastal economic analysis receive more funding than the low estimate provided by staff.
- ❑ Casey Dennehy advocated that an economic survey of recreational uses be added as a priority information need. He stressed that recreation is major economic driver for the coast. A similar study in Oregon would be the model and many agreed that it would be beneficial to the WA coast. Some WCMAC members, while supporting the need for the recreational study, wanted to have more information on remaining funds and needs before designating this as a priority item. This will be reconsidered at the next WCMAC meeting.
- ❑ A committee will be established to provide guidance to DNR on the desired deliverables/outcomes from the RFPs and scopes of work developed for each topic area.
  - Volunteers to serve on this committee include: Dale Beasley, Rick Osborne, Marc Horton, Linda Rotmark, Mark Plackett, and Casey Dennehy.
- ❑ The WCMAC would like an overview of the funding allocations: what has been committed, what are the projected outcomes, and how much remains.
- ! ***The WCMAC agreed that staff should move forward with the required elements and high priority needs as noted in the staff recommendation:***

**1. Recommend funding the required elements in the marine spatial planning law**

The following MSP elements are remaining gaps that are required by law:

- Developing the Ecosystem Assessment and Indicators
- Supporting the planning process (e.g. outreach, technical tools, plan development)
- Identifying Important Ecological Areas - sensitive/unique species or biological communities.

Funding for these essential activities will reduce the remainder of funds available for data gaps and other important analyses.

**2. Identify and recommend funding high priority information needs**

Information that is essential to identify and analyze conflicts and compatibilities with resources or existing uses. Staff recommends including:

- Sector analyses
- Coastal economic analysis
- Seabirds and marine mammals
- Habitat: seafloor maps

***DNR will work with the WCMAC committee to identify desired deliverables/outcomes for each item funded. The coastal and economic analysis should be given additional funding as necessary to do a thorough economic assessment.***

- ❑ It was noted that the forage fish survey is included in the elements required by law. Michelle Culver gave an overview of the project, why it needs a decision before the next meeting, and why it is required by law. She noted that the cost will be about \$250,000.
- ❑ Some WCMAC members didn't realize this was included in the items required by law and objected, disagreeing that it was required by law and believing it was too expensive.
- ❑ WCMAC members noted that this project had been discussed at numerous meetings and that there is strong disagreement among WCMAC members.

- ❑ Susan noted that the legislation requires WCMAC to attempt to reach consensus before voting on items. Susan did not believe that the discussion at today's meeting was an attempt to reach consensus but perhaps those efforts had been comprehensive at past meetings.
- ❑ WCMAC members agreed that a decision should be made on the forage fish study and asked Susan to hold a majority vote.
- ! ***The WCMAC voted 11-5 in favor of authorizing the forage fish survey.***

#### **8. Meeting Closure/Next Steps**

- ❑ Susan reviewed the decisions that had been made at the meeting.
- ! ***It was agreed that future meeting will be held on Wednesdays in Aberdeen on the following dates:***
  - **January 29, 2014**
  - **April 23, 2014**
  - **July 9, 2014**

#### **9. Public Comment**

- ❑ It was noted that there are strong objections to Fish and Wildlife receiving funding of forage fish survey.
- ❑ A citizen pointed out that environmental impact assessments of energy projects would be adequate to determine if forage fish spawning grounds are in jeopardy.
- ❑ A member of the Surfrider foundation voiced support for the recreation study. He described his involvement with the Oregon study and emphasized that the study was useful and vital for recreational planning in Oregon. He encouraged WCMAC to make a decision soon to move forward with this.
- ❑ A citizen emphasized that the committee should decide on goals before making any financial allocation decisions. She would like to see projects tied to goals. She also encouraged the committee to increase the number of meetings.
- ❑ Another citizen expressed concerns over the decision of not allowing alternates, and believes the decision is short-sited. He believes efficiency would increase with alternates.

#### **10. Facilitation decision**

- ❑ Susan left the room to allow the WCMAC to make a decision on whether to continue with Sound Resolutions' facilitation contract (\$60,000 per year).
- ! ***WCMAC voted in favor to keep Susan Gulick as neutral convener for WCMAC for one year (until October 1, 2014).***