



Pacific Whiting Conservation Cooperative

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A Partnership to Promote Responsible Fishing

June 18, 2021

Mr. Marc Gorelnik, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

RE: Administrative Agenda Item C.4 – Marine Planning

Chair Gorelnik:

I am writing on behalf of the Pacific Whiting Conservation Cooperative (PWCC) about the importance of Pacific Fishery Management Council (Council) engagement in marine planning issues, with a specific focus on offshore wind (OSW) development, and our recommendations for Council action. The PWCC is a voluntary harvest cooperative comprised of the three companies eligible to participate in the catcher-processor sector of the Pacific whiting fishery. PWCC member companies participate in all aspects of the fishery, including harvesting, processing, research, and bilateral management, and will be affected by future offshore development activities, especially those that displace fishery participants.

The PWCC recommends that the Council (1) state in a letter to the Bureau of Ocean Energy Management (BOEM) that displacement of Council-managed fisheries and the scientific research that supports sustainable fisheries is a conservation and management concern for the Council, (2) indicate that meaningful engagement in the offshore development arena is important to the Council and Council process, (3) establish a new advisory body tasked with addressing offshore development, and (4) seek opportunities to collaborate with the National Marine Fisheries Service (NMFS) and other federal and state agencies in a coordinated effort to ensure an effective balancing of new offshore development with Council managed fisheries, including identifying and securing resources and staff to support these efforts.

Offshore development, including aquaculture and OSW, are a burgeoning concern for participants in Council-managed fisheries, as the Biden Administration, federal agencies, and state governments promote these activities. NMFS is faced with the competing (and conflicting) mandates to promote resilience in fisheries and fishing communities¹ and to promote offshore development activities that will potentially reduce resilience in those same fisheries and fishing communities,² both of which are contained in [Executive Order on Tackling the Climate Crisis at Home and Abroad](#).

¹ “Sec.216 (c). The Secretary of Commerce, through the Administrator of the National Oceanic and Atmospheric Administration, shall initiate efforts in the first 60 days from the date of this order to collect input from fishermen, regional ocean councils, fishery management councils, scientists, and other stakeholders on how to make fisheries and protected resources more resilient to climate change, including changes in management and conservation measures, and improvements in science, monitoring, and cooperative research.”

² “Sec. 207. Renewable Energy on Public Lands and in Offshore Waters. The Secretary of the Interior shall review siting and permitting processes on public lands and in offshore waters to identify to the Task Force steps that can be taken, consistent with applicable law, to increase renewable energy production on those lands and in those waters, with the goal of doubling offshore wind by 2030 while ensuring robust protection for our lands, waters, and biodiversity and creating good jobs.”

Offshore development activities have the potential to significantly displace research surveys and Council-managed fisheries, resulting in harm to participants and communities dependent upon those fisheries. The Council process provides a forum to broadly consider a cross section of perspectives and to develop win-win solutions that promote sustainable fisheries and support fishery participants and fishing-dependent communities. For these reasons, it is critical that the Council prepare to meaningfully and effectively engage in marine planning, generally, and offshore development, specifically, because Council participation is essential to ensuring proposed projects do not negatively impact Council-managed fisheries nor displace commercial and recreational fishery participants. As highlighted in the [Four-States Report](#), “fisheries representatives and other marine experts that participate in the Council process are uniquely positioned to provide valuable and regionally-informed input on fisheries activities across the West Coast and Exclusive Economic Zone.” The PWCC agrees with the Four States that “deeper Council engagement in marine offshore development and planning processes will lead to more robust and informed decision-making.”

In considering the need for Council engagement, it is important to understand the general need for, and form, of this engagement and how it can be applied to specific circumstances. First, relative to National Ocean Policy (NOP) processes under previous administrations, the fishing industry expressed deep concerns about the NOP because of the absence of meaningful stakeholder involvement in the development of the NOP and its implementation. Concerns were also expressed about the creation of a new federal bureaucracy that could usurp existing Regional Fishery Management Council authorities. Moreover, while the fishing industry heard from previous administrations that fishery managers and scientists would be integral participants in NOP processes, our experience with OSW development in other regions and off the west coast appears to demonstrate that federal officials with no fisheries management expertise are vested with the authority to approve projects that could potentially harm vibrant and sustainably-managed fisheries. West coast fishery participants are proud of our progressive and innovative approaches to sustainably managing ocean resources. We are also proud of our collaborative working relationship with state and federal fishery managers. However, we are concerned that this successful and collaborative working model will be ignored as new ocean industries are given priority over sustainably-managed fisheries and developed with scant input from existing ocean users and managers. A multitude of Council-managed fisheries occurs along the Pacific coast. Displacement of those fisheries will inflict significant economic harm. Therefore, it is incumbent upon BOEM and NMFS to ensure that proposals for west coast offshore development projects are fully considered within the current fishery management framework and that the Council is a full partner in this process.

Specifically, the PWCC is concerned about the direct impact of OSW projects on access to productive Pacific whiting fishing grounds. Success in the whiting fishery requires a balance between catching whiting and avoiding incidental catch of non-whiting species (including rockfish, sablefish, and ESA-listed salmon). Loss of fishing areas creates an imbalance where the whiting fishery can be precluded from operating in areas of high catch per unit effort (CPUE) and low incidental catch, and forced to fish in areas with marginal CPUE and a greater risk of catching incidental species³. The result of this imbalance is the potential for greatly increased operating costs and tens of millions of dollars in lost revenue if the whiting fishery is precluded from accessing productive fishing grounds.

³ For example, during planning for the now defunct [WindFloat Pacific - Offshore Wind Pilot Project](#), analysis of data from the whiting fishery demonstrated that significant amounts of whiting were harvested within the proposed lease site and that the site was adjacent to voluntary closure/avoidance areas developed by industry to minimize bycatch of species of concern (see [letters](#) from PWCC, United Catcher Boats, and other fishery participants).

BOEM spoke to this problem in – [*Identification of Outer Continental Shelf Renewable Energy Space-Use Conflicts and Analysis of Potential Mitigation Measures*](#) – the following statement pertains to all fisheries and fishing areas along the U.S. west coast:

“Although fishermen in a given fishery may seek the same kind of habitat, the actual location (e.g., in state waters, on the OCS) can vary considerably given the variability in the North Coast’s ocean environment and conditions. Moreover, and especially important, fish move (some more than others) intra- and inter-annually. In order to catch them, fishermen move as well – they “follow the fish.” As a result, fishermen highly value broad access to the ocean to better enable them to apply and build their cumulative knowledge of ocean conditions, fishing areas, and fish distribution and behavior, knowledge that is central to their safety and success.”

These general concerns are shared widely amongst west coast fishing interests and were spoken to previously by the Council. The PWCC provides a copy of a 2013 letter from the Council to the U.S. Department of Energy that details several areas of concern. Most relevant to this Marine Planning action, the Council letter highlights the critical need to consult with the fishing industry at the early stages of offshore energy development. Moreover, the 2013 Council letter details the importance of considering negative environmental impacts (particularly to Essential Fish Habitat, which the Council is mandated to protect) that could result from offshore development. In addition to these direct impacts on fisheries and their habitat, offshore development has the potential to significantly impact research surveys that form the foundation of sustainable fisheries management. For example, research surveys have been conducted for several decades on the Pacific coast and rely upon following the same transect lines to produce the data used to develop biomass indices for Council-managed fisheries. Displacement of these research surveys will increase uncertainty – uncertainty in biomass indices and stock assessments – which will result in lower allowable harvest levels further harming fishery participants. Increased scientific uncertainty impairs the Council’s ability to fulfill mandates to effectively manage Council fisheries and achieve optimum yield for the benefit of the nation because the information that forms the foundation of the management process will be less accurate as research surveys are displaced by offshore development activities.

To reiterate, the PWCC recommends that the Council (1) state in a letter to BOEM that displacement of Council-managed fisheries and the scientific research that supports sustainable fisheries is a conservation and management concern for the Council, (2) indicate that meaningful engagement in the offshore development arena is important to the Council and Council process, (3) establish a new advisory body specifically tasked with addressing offshore development, and (4) seek opportunities to collaborate with the NMFS and other federal and state agencies in a coordinated effort to ensure an effective balancing of new offshore development with Council managed fisheries, including identifying and securing resources and staff to support these efforts.

Specific to number 3 above, the PWCC appreciates the information provided by Council staff in [*Agenda Item C.4, Attachment 1*](#) in response to the April 2021 Four-State Report. However, in establishing a new advisory body, the PWCC thinks it will be important to create a relatively small committee that has the appropriate expertise, and is sufficiently nimble, to track offshore development activities and provide timely input to the Council. The composition described under Option C in the staff report may result in an overly large committee that, while comprised of competent representatives, might not be appropriate to a rapidly expanding area of concern because, for example, a committee largely comprised of agency employees will have inherent conflicts of interest (e.g., because of the conflicting mandates described above) and could be hobbled by bureaucratic inertia. The PWCC recommends a hybrid approach where the advisory body is comprised of fishery participants and tasked with specific responsibilities such as –

coordinating data and mapping information about potentially affected fisheries, tracking recent developments off the west coast states, learning from the experiences in other regions (e.g., New England and Gulf Coast), and engaging with the Northwest and Southwest Science Centers to, *inter alia*, ensure current fishery data is included and research survey displacement is avoided as part of the offshore energy development process. It is likely the Council will spend considerable time discussing this specific issue because of the breadth of information provided in the staff report and the range of stakeholder perspectives. The time spent on considering the formation of a new advisory body is important. However, the PWCC recommends the Council not lose sight of the equally important effort to consider how to coordinate optimally with their federal and state partners to ensure their successful fishery management is not hindered by offshore development activities.

Thank you for providing this opportunity to comment and for considering our views.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel A. Waldeck", is written over a faint, light blue background that resembles a document header or watermark.

Daniel A. Waldeck
Executive Director

Enclosure: PFMC letter to Michael Hahn, DOE – October 10, 2013