Western Coastal Managers Meeting 2009 Notes

CLIMATE CHANGE – 1/26/2009

State Presentations on Climate Change (CC)
Marnie Meyer, Hawaii

- Addressing CC hazards though permits (not considering SLR yet)

Carrie Byron, Washington

- WA is focused in general on GHG reductions, not adaptations
- CC concerns can be integrated with new local plans, but currently no requirements
- UW Climate Impacts group is creating SLR estimates

Kim Kruse, Alaska

- Still looking into what data is needed to address climate change
- So far, creating site specific SLR estimates
- Not yet considering SLR and GHG in environmental review process

Bob Bailey

- Not focused on SLR, looking to integrate CC concerns into land use actions and hazard work

Sam Schuchat, California

- Focusing on conservative SLR projections
- Studying legal rights and ramifications of easements and land that becomes inundated
- CCC is looking at GHG and adaptation in approving permits

Engaging the Public in Climate Change Adaptation
Susi Moser, Susi Moser Research and Consulting

- Recent PEW report on society view of importance of climate change = low
- Need to connect impacts to public well-being
- Public needs to see a path towards a solution or else they will give up

OCRM/CPD UPDATE

- Jane Lubchenco cannot be confirmed until DOC Secretary confirmed
- OMB critique has been an opportunity for different NOAA coastal groups to create a "coastal strategy"
- CPD cannot give specifics until the NOAA CZMA Reauthorization bill clears NOAA
- Jack Dunnigan says the bill is a top priority of NOS
- CSO and NOAA CZMA bills are similar in philosophy
- Big question of how all 35 states would create new programs at once if a lot of changes are made to the program requirements
- New CPD hazards email is

- Plan on level funding for the 09 CZ grants
- For ’09 grant states will use new reporting guidelines
- CPD working on “communication strategy” to go with CZ performance measures
- Performance measure will still be combined into national statistics
- There are some CELCP bills on the hill

ECOSYSTEM AND PLACE BASED MANAGEMENT – 1/27/2009

EBM/PBM Planning and Policy
Bryan Largay, Elkhorn Slough NERR

- Process for determining cause of marsh die-back
- Core science group (~20 indivs) plus ~60 other participants, plus ~ 20 individuals in a decision making group
    - Met to discuss causes, review data/research over 3yr period
- Implementation done in a phased manner to allow for adaptive management (due to uncertainties of system and management options)
- Tidal wetlands migration possibilities around E.S. → points to a need for good data of on-the-ground conditions
- Dialogue with farmers: collaborative context to address water quality problems affecting E.S. e.g. Largay presenting/talking w/ farming communities in the area
- Quantifying and valuing ecosystem services – visitors use survey by economist (one part of value)…have not looked at other services (e.g. wave attenuation, fine sediments capping aquifer)

Paul Klarin, Oregon Coastal Management Program
- Wave energy permitting
- Regulatory regulations – all on different timelines, different regs. Inter agency consultations
- Policy prioritization for marine life and environment (fisheries) → need to know where high value fishing grounds → need participation from fishermen for this
- Rulemaking group – all relevant stakeholders in DLCD
- Mapping: get all zones/uses mapped, then add in fishing areas

Dr. Sarah Kruse, Ecotrust
MSP for the human dimension of EBM
- Evaluation process involves checking data w fishermen prior to analysis (QC)
- MPA center’s panel on human uses – overlap w ecostrust? Not on this project…
- Paying fishermen: not in MLPA process, but OR is going to pay for fishermen’s time

Meg Caldwell, Center for Ocean Solutions, Stanford University
- How does CA do integrative comprehensive planning? Taking a proactive approach to marine planning…if peeps have input on this, now is the time to contact MC

- Her experiences on CCC and SCC board and thinking about human and natural environments/structures → how to adopt some of the useful mngt mechanisms from land and apply to water.
- But different circumstances: land = largely private w/ public sprinkled in; water = largely public, public trust issues
- Using MLPA as means of determining what data and infrastructure needed for proactive MSP → learning from the process: e.g. was almost impossible to use ecotrust and taskforce data together because they didn't overlay well together with other info. Also, state lands houses (in physical files, not in singular map) info about subtidal ownership and key info for proactive marine planning. Also, we have species use data for CA coastal waters → allows us to think dynamically about how we responsibly and coherently plan
- Development of ecological principles that would shape how we manage – that all institutions use to guide decision making **legally enforceable standards** → small group of scientists to develop rules of thumb, e.g. which uses are compatible with ecological systems, which incompatible.
- Integrated decision making – exploring where IDM occurs, where it works well, where it needs change, then developing recommendations for the state
- Need to accommodate adaptive management
- MLPA process: lessons learned: transparency was key; law has strong statutory regs for using good science and establishing requirements for proving that the use wont cause a problem…

Question and Answer

- Notion of "freedom of the Sea" and the notion of zoning different uses on the water → how to reconcile…
- Using lens of state waters being public trust resource; state has obligation to ensure long-term sustainability of resources
- Hurdle: science hasn't collected the needed info, like the key features of functional marine ecosystems → how to promote healthy systems and what are the metrics, and human needs, that are relevant to healthy systems
- Natural capital project: Stanford, WWF and _____ → starting to value services in marine environment
- E.S. looking to partner with nearby quarry for sediment; e.g. of interesting new options to come out of EBM approach
- Q. Place Based Management challenges in the marine environment (travis)
    - Zoning hasn't worked on land
    - Marine environment changing
    - Institutional complexity beyond belief
    - PBM has been around forever and still hasn't come to pass

  A. in thinking through comprehensive MSP, we benefit a lot particularly with site assessment (e.g. thinking about what areas should be taken off the map for certain uses) i.e. there are some highly beneficial interim and incremental outcomes

     Zoning in OR has not failed, particularly for protecting resource lands…it is adding a new dimension

If states don't examine different uses and ecosystems for placement of energy facilities, energy companies will choose the sites. Why we need to be proactive

- Q. the human uses data from fishermen is based on conditions now and under Climate Change, they will likely change.
- A. Need adaptive management approach
- Q EcoTrust data assumes no relocation of effort by fishermen and that will happen… do you need to redo effort now that MPAs are in place to have accurate data? And more generally how often do you have to go out and survey?
- A. channel islands is an example: economic impacts have been much less than predicted; ability to rebound depends so much on species life span
- Q. greatest barrier to Ebm/MSP implementation?
- A. $$$$$$$
- Q. Is there effort to redefine our approach to renewable energy development?
- A. Yes, but big scale energy production is needed…how CA addresses aquaculture is model for how we approach alternative energy.

EBM/PBM Tools

Dave Stein, NOAA CSC

- Does the MBWG have project-specific data (which is often collected on a local scale as part of the regulatory process)? If not, it would be great to capture this data somehow in the MSP planning tools so there is an available cumulative data set at the local level along stretches of coastline.

  Dave responded that at the moment they don't have much project-specific date but they are trying to strike a balance between data scales. It's often difficult to clean up, modernize, and integrate local project date but may be possible in the future

Rick Kvitek, CSUMB Mapping Lab

- Goal of the sea floor mapping project is to visualize ecosystems in order to know how to better preserve them; mapping the terrain can help managers understand where the prime resource extraction areas will be, where land-based pollution sources connect with the marine environment, circulation patterns, types of subtrate and habitat are present, etc.

Questions and Comments:

- Will San Francisco Bay be mapped as part of the CA Sea Floor Mapping Project? Rick responded that they would eventually like to map SF Bay but to attract funding, they chose the outer coast first. Sam Schucat from the SCC also said the Bay has already been mapped south of the San Mateo Bridge as part of the South Bay Salt Ponds project and that SCC would like to have the whole Bay mapped as some point too.

- Given that the Sea Floor Mapping Project has mapped state waters thus far (not including the surfzone along the coast) do they intend to map the surfzone? Rick responded that ultimately they would but they need to prove the utility of the other mapping data first and also need to have funding restored (CA bond money is currently frozen) to finish the original mapping effort.

Pete Giencke, Google

- Google offers several free geoweb tools that support different types of GIS and spatial files. Users can create interactive movies of their mapping data using Google Earth API. The goal of Google's geospatial applications are to make it easy for the public (or managers in this case) to create their own geospatial data and share it.

Questions and Comments:

- Many managers handle sensitive data for projects that they are reviewing (i.e. private landowners may not want their property mapped and available on the web). How can managers use these tools and not violate this sensitivity? Pete responded that you can use settings on you browser to make your data only viewable to people you intend to view it.

- What about licensing issues for the maps that managers and regulators make create using Google tools? Pete responded that he didn't know enough about all the licensing aspects but would look into it. He did say that the images Google uses for Google earth and maps, they do not own (they "rent" these images). But, if managers wanted to publish and distribute maps they created with Google tools, he is not sure how that would work.

General Discussion

- What is a ballpark figure for the cost per unit of the Sea Floor Mapping Project? Rick responded that it really varies depending on the depth of the marine environment, topography, etc. Basically, to do the data collection for the CA coast is about $15-20 million which does not include and interpretive work or cleaning of the data; usually that's another 25% of the total cost.

- What kind of habitat classification does the CA Sea Floor Mapping Project use? Rick stated that they are using "green et al scheme"; these classifications are based on landforms rather than species.

MARINE ALTERNATIVE ENERGY - 1/28/09

Mirko Previsic, re vision llc

- Wind power is the greatest resource we have in the US as far as alternative energy.
- The North American west coast is very well situated for wind and energy resources.
- There is a quite sizeable potential, up to 5% of US total energy consumption could be produced by tidal energy.
- Wind/wave resources could be combined to produce 15% of total US energy consumption.
- These technologies are in the beginning stages of development but the current regulatory process is not adequate for the environmentally friendly development of these technologies.
- If this resource proves reliable than infrastructure elements can easily be added later.
- Who would be re-building the grid? Not a key limitation for ocean energy resources right now or in the next 5-10 ears.
- This energy resource is very site-specific and it is too early to actually choose that particular site for research.

- There are environmental considerations taken into account in research.
- How will you join with the expertise of environmental agencies? The companies developing technologies are outreaching to agencies later on in the development of the technology.
- It has been helpful to create a committee to oversee the progress of this technology and would be a helpful option for these companies to engage the governmental agencies that oversee the coast and oceans.

Greg McMurray, Principal Marine Scientist, Oregon Coastal Management Program

- Is there a way that all the coastal state agencies can work together? This must be done.
- Explain the settlement agreement? Come with a settlement agreement then we will expedite a license that should take 5 years within 1 year.
    - A settlement agreement introduces every party and problem of the issue and offers solutions to every party and problem and as long as no one else comes forward to dispute the agreement, the permit will be granted within 1 year.
- When does an array get too big or too many? This is the biggest question facing this issue right now.
- What is the status of the current settlement agreement? On hold at the company right now; one more meeting and then they will all sign and recommend a 35 year license.
- Oregon wave energy trust? Will be talked about it later but a quick overview is that it is a private/pubic trust given 4 million dollars used for research, regulatory analysis and some for mapping.

Kaety Hildenbrand, Marine Fisheries and Energy, Oregon Sea Grant

- Social element of wave energy is inherent in its development.
- Decisions are being made without local communities that depend on the sea.
- What is the value of the fishing industry to local economies?
    - Probably the most vital industry that exists even more valuable than tourism.
- What type of technology is being formed?
    - Columbia power is rumored to be the developer currently engaged in talks.
- Fishing groups in Oregon are a disenfranchised group but really surprised everyone by their level of productive conversation and their engagement of the issues with each other.
- Not an option for WA to setup groups such as OR for just one single issue however, in Oregon, it is not for a single issue, these groups have worked on other issues and it is important that they do not exceed their scope and purpose. The most important need of the groups is to reach consensus between all the groups on this issue and to form a voice.
- The difference here is these groups were organically formed local groups and existing formed organizations are not adequate and need someone on the ground in the communities to be a voice such as these groups.
- In Oregon, easy to see how one formed group can set the seed for the same groups to pop up all over the state.
- How do you structure this issue in forming groups? Don’t take a particular side or outcome. However, the mission of Sea Grant is going to be focused on alternative ocean energy.
- It is the goal Sea Grant to eventually make these formed groups self-sufficient.

Maruice Hill, Minerals Management Service
There is to be a new complex study focused on the outer continental shelf funded by MMS. However, they are prevented from talking about it until the requests are out. The focus will be looking at fishing groups and into conflict areas and will be addressed by EIS.

- New "rule" adaptive management philosophy that we the agency embrace and support its projects.
- How to design → as an example the EIS format

Jim Hastreiter, FERC's program for Hydrokinetic Projects

- Ocean energy projects
- Held technical conference on infrastructure in D.C. to vet what are the issues with the technology with focus on whether is it possible? (The conference brought together bankers, scientists, and environmental advocates).
    - Preliminary permit program – allows site banking (ex. FL 15K sq miles w/o giving detailed description of technology = issue)
    - Don't have a lot of information on the technology and its environmental impacts.
    - Tailored existing program to new field
    - Regularly scheduled progress reports within the preliminary permit program and they are strictly construed specifically with regard to the Hydokinetic Projects more so than any other type of project FERC does.

- Integrated is the default process for standard licensing process there is two types traditional and alternative (see slide for the details.)
- It is often times more time effective – it might not be the best for the Hydrokinetic projects because the timeframes for the decision are very tight and the data might not be available or accurate. Thus for these types of projects a traditional licensing process is more effective.
- TEST projects require NO FERC license

Jennifer: There have been no tests yet.
Maurice: Can you use a cable? Just can't put the electricity into the grid but have to go through the state process if it is on state lands. Depending on where you are running the cable it could take up to three permits.

- Applicant does a lot of upfront work before working with resource agencies. The license is short term (approx. 5 months and can be modified if necessary).
- Intensive monitoring (all types of agencies involved)
    - If harm is detected (state agencies and FERC) the project would be shut down immediately.
    - ONLY available for small projects
    - Strive not to put project in sensitive area
        - In the "eye of beholder" it is determine at the time and over the course of project
    - Project must be easily removed and land restored however, if the project is work with minimal environmental impacts can then petition for a longer permit.

Questions:

- Pilot process does all a license to sell electricity (eliminates the 3 -5 year process of waiting). There is a multiphase approach with gives more flexibility.
- McCabbe project did start with all the design features it did at the end the concerns and modification were only illuminated by the consultation process with the agency.
- F&G CA, Becky -- from agencies perspective looking at state agency involvement want to be involved finding out how FERC sees it going (small projects buoys is much different that if the project was bigger and longer in duration). How and Who does the environmental review process for the longer/bigger picture. Is it FERC?
    - FERC – use the information obtained from the smaller pilot project and ask for an amendment or modification or new project with FERC. It is the responsibility of the developer to deal with the agency and FERC with help out if they are asked but the responsibility is on the developer/creator.

Therese Hampton, Pacific Ventures

- Scoping phase: work with different constituent groups (resource agencies NOAA, USFWS specifically across the nation collectively).
- More comments and cooperation from different agencies the more robust the project outcome will be. It is not a competitive process but rather a collective process.

Questions:

- DOE is funding this project and how are they involved… there is a team person. (Maurice) There needs to be more interaction. This wants to be a project DOE and FERC are comfortable with. There is still internal discussion on the how the will be involved.
- Trying to get the word out awareness if key.
- CSO (coastal states organization) alternative working group

General Discussion

The jurisdiction issues are still very relevant. Wind in federal waters. Within State (3 miles) waters FERC is dealing with wind and allowing the State to have deference. If w/in 3 miles it is FERC and States and if its (9 miles) then MMS is involved need to work together. It might take Congress to give a directive time will tell.

What happens if a project comes in and is hydrokinentic and wind and outside of 3 miles. At this point it is conjecture, Grace Harbor project straddling state and federal waters and both hydro and wind. The MMS filed petition against FERC that they do not have jurisdiction so there is already conflict brewing in the air and water. It is a 3 year permit and will be worked out within that time.

How should the agency's work? From preliminary perspective the problems have been identified and are currently working towards a solution.