

CALIFORNIA COASTAL COMMISSION

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY
455 MARKET STREET, SUITE 300
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September 4, 2024

Re: Invitation to participate in Offshore Wind and Fisheries Working Group

Dear Honorable Tribal Leaders,

Thank you for your time and continued consultations on offshore wind development off the California coast.

The California Coastal Commission (Commission) has established the Offshore Wind and Fisheries Working Group (Working Group) to develop a strategy to address commercial, recreational, and tribal fisheries impacts from offshore wind development from the five Bureau of Ocean Energy Management (BOEM) lease areas off of Humboldt and San Luis Obispo Counties. The Commission has heard consistently the concerns from tribes of the potential impacts of offshore wind on tribal fisheries and wants to continue to ensure tribes with tribal fisheries are represented on the Working Group.

As part of this work, we are seeking nominations for one additional representative statewide from California Native American tribes with affected tribal fisheries for the Working Group. We respectfully request that your Tribe nominate a representative to officially serve in this Working Group. Please note, this Working Group does not substitute for the Commission staff's desire and obligation to conduct meaningful tribal consultation. As established and memorialized in the Commission's Tribal Consultation Policy, we are committed to early, frequent, and meaningful consultation with tribes in all of our work.

Background

BOEM has issued [five offshore wind energy leases](#) off the coast of California. As part of BOEM's consultation and review process before its lease sale, the Commission reviewed the proposed leasing and offshore wind development for potential impacts to California's coastal resources, including the fishing industry. To address adverse coastal impacts, including to fisheries, the Commission's concurrence included seven conditions, which may be found in the Commission's [concurrence letter](#). Condition seven focused on anticipated adverse impacts to commercial and recreational fisheries and called for the formation of a Working Group to develop a strategy to address such impacts.* [State Senate Bill 286](#) has further refined the charge and membership of the Working Group to include representatives from California Native American tribes with affected tribal fisheries.

Working Group Charge

*A separate condition, Condition six, focused on lessee engagement with California Native American tribes to address impacts of wind-related development including potential adverse impacts to cultural resources and opportunities for tribal economic enterprise.

The charge of the California Offshore Wind and Fisheries Working Group, as described by Condition 7c of the Coastal Commission's concurrence with BOEM's lease sale, is to develop a statewide strategy for avoidance, minimization, and mitigation of adverse impacts to fishing and fisheries that prioritizes fisheries productivity, viability, and long-term resilience. The strategy is expected to include:

- Protocols for communication;
- Best practices for surveys and data collection;
- A methodology for comprehensive socioeconomic analysis of direct and indirect impacts to fishing;
- A framework for compensatory mitigation for unavoidable adverse impacts; and
- A fishing agreement template that memorializes the elements of the strategy.

The strategy will also include specific consideration of those fisheries that are disproportionately and/or directly affected by offshore wind development. After the strategy is complete, the Commission will review the strategy for consistency with [Chapter 3 of the Coastal Act](#) and consider its adoption.

The Commission will also perform a second review of individual proposed offshore wind projects in each lease during BOEM's review of each lessee's construction and operations plan. During this second review, the Commission will assess whether the developers have designed their projects and mitigation packages to be consistent with the strategy developed by the Working Group.

Overall Working Group Organization and Membership

The working group consists of eight fisheries representatives, three fisheries associations representatives, three representatives from California Native American tribes with potentially affected tribal fisheries, five wind lessee representatives, and eleven representatives from various State and Federal Agencies in an advisory (non-voting or decision making) capacity.

We are seeking to fill one of the seats for representatives of California Native American Tribes. Each representative is allowed an alternate. The fisheries representatives and California Native American tribe representatives are eligible to receive stipends for their participation to offset their costs. Stipends are provided to primary representatives, or alternates that are serving in the primary seat at a meeting.

Nomination for Representatives from California Native American Tribes

The Commission respectfully requests your Tribe to nominate a representative to serve on this Working Group.

To nominate a representative, please submit a completed copy of the attached nomination form by October 11th to osw@coastal.ca.gov and attach either a signed letter or resolution from the Chairperson or Tribal Council. Please don't hesitate to reach out if your Tribe needs an extension of this deadline.

Logistics, Stipends, and Time Commitment

The Working Group is expected to meet for up to two years to develop the strategy. The initial meetings began in late 2023, focusing on agreements and best practices needed to address impacts to commercial, recreational, and tribal fisheries during site assessment and survey activities. Subsequent meetings will focus on addressing impacts during the construction and operations phase. The Working Group meets quarterly, and the majority of these meetings will be virtual. The Working Group will have one in-person meeting in Sacramento in 2025.

Fishing, seafood processing, and tribal representatives will receive a stipend at a rate of fifty dollars (\$50) per hour, up to no more than five hundred dollars (\$500) per day for virtual full working group meetings. For in-person meetings, representatives may also receive up to \$1000 as a stipend for travel expenses. Each virtual and in-person meeting is expected to take one and a half to two days.

The total time commitment for fishing, seafood processing, and tribal representatives would include four full Working Group meetings totaling eight days and two two-hour subgroup meetings totaling four additional hours between each full Working Group meeting, with additional time outside of meetings for travel to the in-person meeting, review of materials, and communication with stakeholders and other Working Group members. There may be a need for additional sub-group meetings in between the full Working Group meetings to complete preparatory work, including drafting language for strategy sections. At this time, there is no funding for participation in sub-group meetings. Working Group members would volunteer to participate in the sub-group meetings most relevant to them. We have a subgroup specific to representatives from California Native American Tribes which is charged with developing a tribal fisheries agreement, and we encourage participation in that subgroup.

Working Group Selection Criteria and Process

Working Group Members are expected to have the following attributes:

1. Able to bring first-hand knowledge and experience in one or more of the affected fisheries of California Native American tribes.
2. Able to access and use an effective communication network to coordinate with the members of the Tribe that the nominee represents on the Working Group.
3. Willing to joint problem solve, express fundamental interests (as opposed to fixed positions), and to clearly convey the interests of one or more of the fishing sectors listed above.
4. Capable of working collaboratively, seeking to integrate the interests of the full range of Working Group member constituencies.
5. Willing to work toward consensus and committed to completing all aspects of the charge of the Working Group.
6. Ability to participate consistently for each of the quarterly meetings, including travel.

Working group nominations will be reviewed by Commission staff and evaluated against the above criteria. Selection of the tribal fisheries Working Group members will be made by Commission staff and will take place by November 22, 2024.

The next full Working Group meeting (held virtually) is scheduled for January 2025. It is anticipated that the representative would be onboarded and attend one subgroup meeting in either December or January prior to attending the full Working Group meeting.

Agency Contacts

Please submit completed nomination forms and letters of support for nominees to osw@coastal.ca.gov and reach out with any questions about this letter or the nomination process to Margaret Campbell at margaret.campbell@coastal.ca.gov.

Thank you for your consideration and please do not hesitate to reach out with any questions.

Sincerely,

Margaret Campbell
California Coastal Commission
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