

CALIFORNIA FISHERMEN'S RESILIENCY ASSOCIATION

1118 6th St.
Eureka, CA 95501

CFRA Board Report # 18

March 26, 2023

Year End Summary - 2022

Executive Summary

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Organizational Status

- The CFRA has been up and running for fourteen months.
- Date of Incorporation: January, 25, 2022
- Federal Tax status: 501 c 6 nonprofit mutual benefit corporation
- Bylaws - approval by CFRA Board of Directors, March 31, 2022
- Bylaw amendment requested by HFMA - approved by CFRA Board of Directors on December 27, 2022

Funding and Financial Status

Initial start up funding of \$10,000 was a portion of the Redwork Coast Energy Authority (RCEA) \$20,000 grant to Humboldt Fishermen's Marketing Association to inclusively engage North Coast fishermen in OSW development activities. Secondly, the CFRA has received \$2685 in individual donations from fishermen. As of this date, the CFRA has obtained an Ocean Protection Council Grant of \$99,000 per year for five years (Phase 1 and 2) for the operation of the CFRA. Since this is a reimbursement grant we are using the cash balance of the initial funding to cover the cost of CFRA expenses until reimbursement by OPC. These funds are being "recycled" each month as required.

The CFRA has applied for three funding grants to increase available cash on hand. On January 1, 2023, the CFRA applied to the Humboldt County Headwater's fund for a \$5000 "mini grant". This application has been rejected because of the CFRA 501 c 6 nonprofit tax status.

The CFRA has applications pending with the Central Coast Cable/fisheries Liaison committee and the South Bay Cable Committee. These fund requests are specifically for the newly amended OPC grant requirement that the CFRA manage and disburse honoraria payments to commercial fishermen who will be chosen to sit on the Coastal commission condition #7 Fishermen's working group for OSW permitting.

Administration

- Grant Administrator - On December 16, 2022 the CFRA Board, after a considerable search, hired Lynette Mullen to fill the subcontractor position of grant administrator and CFRA Planner.

- Accounting Services - In September of 2022, The CRFA Board hired Mr Richard Hutchison, Certified Public Accountant of the firm, Hutchison, Hohman and Company. This firm has assisted us with obtaining nonprofit tax status and will be filing our taxes. We have also hired them to handle the honoraria payments for the Condition #7 fishermen's working group.

- Insurance - In June of 2022 the CFRA contacted Ian Weiss of George Peterson Insurance Agency to inquire about insurance needs that would meet the requirements of the newly established CFRA entity and additionally to comply with the requirements of the OPC grant. Ian negotiated and obtained General Liability Claims, Product and Completed Operation Coverage and hired/non-owned Auto Liability insurance for the CFRA. OPC and the State of California are listed as additionally insured.

- Legal Counsel - Mr. Dustin Owens, Esq. of the Owens and Ross Law Firm continues to represent the CFRA. Mr. Owens, a contract law specialist, is responsible for the CFRA bylaws, Articles of Incorporation and legal review of CFRA deliverables and board actions.

OPC Grant

- This OPC Grant was awarded to the CFRA on October 30, 2022
- This is a \$99,000/year grant that will extend through phases 1 and 2 for a five year period.
- The OPC reimbursement grant covers expenses for subcontractor services including legal counsel, paralegal services, accounting and tax services, technical support services, “ADA compliant” document formatting, a part-time grant organization manager, office space rental, general liability and business insurances, meeting and outreach expenses and board of director attendance and travel expenses.

OPC Grant Deliverables

- The OPC grant has required “Deliverables” attached to a yearly timeline. Some of the OPC deliverables include CFRA board reports, CFRA quarterly reports, two Fishing Community Benefit Agreements, various CFRA researched “White Papers” concerning impacts to fishermen and fishing communities from ocean industrialization and, a required commitment from the CFRA to advance cooperation through the use of industry-to-industry agreements to avoid or lessen impacts to California fishermen.
- CFRA Board Reports - The CFRA has released seventeen Board Reports to member fishing port associations, individual fishermen, state agency staffs, local county and municipalities and interested individuals and out of state fishermen. At present, the CFRA board reports are sent to eighty different email addresses. Board reports include public meetings, reports on telephone and in person communications, and CFRA administrative actions.

OPC Grant Amendment - Condition #7 Working Group

On January 24, 2023, the OPC Board of Directors amended the CFRA grant at the request of the California Energy Commission and the California Coastal Commission. The Coastal Commission adopted a Federal Consistency Determination for both the Morro Bay and Humboldt Wind Energy Areas (WEA's). Contained in this Determination document is a requirement to form a “Fishermen's/Developers Working Group” which will meet with state agency staff to guide the rule making and permitting requirements for OSW development. The agencies requested \$45,000 in OPC funding to pay working group fishermen to attend these meeting. The “honoraria” grant is also a reimbursement grant in that the CFRA must pay fishermen and request repayment from OPC. The CFRA Board voted to accept this additional task as it will finally put fishermen at the “table” with funding to offset time and travel expenses. There are no efforts as of March 24, 2023, by the state to begin selection process for this working group.

Other CFRA Projects - Relocation of Redwood Terminal Fishermen Tenants (See Board Report #13.

On 11/22/2022, Ken Bates, relying on long term relationships with the Coastal Conservancy and Coastal Commission staff initiated a conversation concerning the fate of commercial fishing businesses at Redwood Terminal in light of the fact that those tenants will be evicted because of planned OSW development on the Samoa Peninsula. There is good evidence that the CFRA could apply for state funds to pay for the relocation of fishermen and the “build-out” of new facilities on Woodley Island as part of California Coastal Climate Resilience goals. The grant could conceivably be in the neighborhood of \$250,000 to \$500,000. This is a potential project that will require coordination with the City of Eureka and the Harbor District and of course, CFRA Board Approval.

What the CFRA has not done so far.

While most of the CFRA efforts to date have been focused on administrative set up, tax status and OPC deliverables (as per the OPC grant timeline), the CFRA's other activities have been limited to written public comments to BOEM, the CEC and Coastal Commission. The CFRA Board has attended public OSW meetings and has had superficial meetings with two fisheries affairs officers from two wind power developers - RWE Renewables and Avangrid (not a West Coast bidder).

There have been no oral or written agreements, no commitments or “handshake” deals with any OSW developers, or subcontractors both in the Humboldt Wind Energy Area or statewide. The CFRA has not been approached by any OSW developer, agent or subcontractor to discuss, negotiate or execute any contract or agreement concerning any aspect of OSW development. The CFRA bylaws require the formation of a regional management committee if the CFRA is approached by any developer. Additionally, any negotiated “agreements” between OSW developers and individuals or small groups of fishermen will not fulfill the Coastal Commission Conditional requirements for developer outreach to broad-based coastal entities representing multiple fisheries and gear types.

Thank you
Ken Bates, President
for the California Fishermen’s Resiliency Association Board of Directors

