

# CALIFORNIA FISHERMEN'S RESILIENCY ASSOCIATION

1118 6th St.  
Eureka, CA 95501

Rick Robins, Marine Affairs Manager, RWE  
Erik Peckar, West Coast External Affairs, Vineyard Offshore

September 9, 2024

Re: Funded OSW "Fisheries Representatives"

Gentlemen,

The California Fishermen's Resiliency Association Board of Directors and member association representatives met twice to discuss the proposals from RWE and Vineyard Offshore to contract and fund "Fisheries Representatives" as an additional method to communicate fisheries' concerns to the California OSW developers

After in-depth discussions with the board, consultation with the CFRA legal counsel, and a review of the documents submitted by developers, the CFRA Board unanimously moved to "decline acceptance of direct funding from OSW developers for the purpose of direct employment or as a pass through organization for OSW developer funding to employ fisheries representatives at this time".

The CFRA, through its corporate bylaws and the Ocean Protection Council grant funding requirements, was established and state funded to function as the "Point of Contact" between OSW developers and California fishermen's associations for the purpose of transmitting fisheries' concerns. This has been the case continuously since the CFRA/RWE meetings with Rick Robins and Ross Tyler on April 19, 2022 and subsequent meetings via Zoom, telephone conference calls and in-person meeting attendance. On February 14, 2023, CFRA Board Members and staff met with Elisa Levin of Copenhagen Investment Partners (CPI) and Rachel Pachter of Vineyard Offshore when CIP and Vineyard secured a OSW lease on the Humboldt

fishing grounds. This meeting also constituted a “point of contact” between OSW developers and the fifteen member associations of the CFRA.

Fishermen’s legal counsel has repeatedly advised against signing non-disclosure agreements. Both fishing gear loss claims and preliminary meetings with developers to begin Industry-to-Industry dialogues have been subjected to NDA requests by developers, which were not executed by fishermen, nor by commercial fishermen’s associations. The “scope of work” description submitted by both RWE and Vineyard Offshore asks for fisheries information (seasonality, fishing operations, identification of vessels and vessel operators) that is common knowledge within the fishing industry and is not proprietary or confidential. From the fishing industry experience to date, no OSW developers have shared any proprietary or confidential information with fishermen's organizations since our engagement in 2018. We expect no change in this policy on the developers part - so there seems to be no valid reason to sign non-disclosure agreements.

The subject of OSW funding of “fisheries representatives” and directing funding to fishermen’s associations should be addressed at the Coastal Commission’s 7C Working Group forum through negotiated Industry-to-Industry Resiliency Agreements as specified in the State Wide OSW Strategy and as a permitting condition for OSW Coastal development permits.

OSW developers, just like AT&T and Verizon (cable developers), can negotiate an interim Industry-to-Industry agreement with the CFRA and Morro Bay organizations to bridge the time period between today and the actual state permitting process. This would prove to be advantageous to OSW developers to show good faith to the fishing industry that will be negatively impacted by the loss of fishing grounds over the next thirty eight years.

Please be advised that although the CFRA Board has two trawl fishermen, one HMS, one CPS, 3 charter boat operators, 2 Salmon trollers, 4 Dungeness Crab fishermen, no one individual or group acting as fisheries representative can adequately represent California’s diverse fishing industry interests.

The CFRA will continue to represent its fifteen member associations and fishermen’s concerns to OSW developers about impacts and will work to avoid, minimize, and mitigate through cooperation with State and Federal agencies and OSW developers.

For the California Fishermen’s Resiliency Association, Board of Directors  
Sincerely,  
Jake Mitchell, President  
Ken Bates and Linda Hildebrand, Executive Director Services

Crescent City Commercial Fishermen’s Association  
Trinidad Bay Fishermen’s Association

Shelter Cove Fishermen's Preservation, Inc.  
Salmon Troller's Marketing Association of Noyo  
Bodega Bay Commercial Fishermen's Association  
San Francisco Crab Boat Owners Association  
Half Moon Bay Commercial Fishermen's Association  
The Alliance of Communities for Sustainable Fisheries  
Commercial Fishermen of Santa Barbara  
California Wetfish Producers Association  
Santa Cruz Commercial Fishermen's Association  
Pacific Coast Federation of Fishermen's Associations  
Ventura County Commercial Fishermen's Association  
Golden Gate Fishing Association