

# CALIFORNIA FISHERMEN'S RESILIENCY ASSOCIATION

1118 6th St.  
Eureka, CA 95501

## **CFRA Board Report #15**

January 6, 2023

The CFRA Board of Directors met on Friday, December 27, 2022 @5:00 via Zoom. This was a special meeting called to discuss amendments to the CFRA bylaws.

The following board members were in attendance:

RB Pincombe, Curtis Wilson, Ken Bates, Linda Hildebrand, Jake Mitchell, Laura Miller, Tony Cannia, Dick Ogg, John Barnett

Absent: Sean Hodges

Quorum: Yes

### **Agenda**

#### **Amend Section 4.17 ( Regional Management Committee) of CFRA Bylaws.**

On December 15, CFRA Board Members received the following letter from Dustin Owens, CFRA Attorney:

*Dear CFRA Board Members,*

*I have reviewed and edited the proposed CFRA Bylaw amendments for the section describing the composition and function of Regional Management Committees. The Board may move and vote to adopt these bylaw changes by the form of a board resolution approved by a three fourths majority of the board members. This must be done at a properly noticed meeting,*

*It is my understanding that the reason for these proposed amendments stem from negative comments from non-member fishermen concerning the operation of the CFRA. The goal of the CFRA is to provide long term benefits to the fishing industry as a whole, and I believe it is important to accommodate non-member fishermen so that the CFRA is inclusive. Without their*

*support, the CFRA will likely struggle. If the CFRA Board is confident that these bylaw amendments will help to allay fisherman's concerns, then I recommend approving them. If it will not allay those concerns, then the Board has the option of dissolving the organization, taking other action, or taking no action. Please keep me informed as to the board action. I can also assist with the drafting of a resolution.*

Ken Bates and Jake Mitchell then called for a special CFRA Board Meeting to discuss and adopt this amended language. The Board discussed the recommendations offered by the attorney.

**Motion:** John Barnett made a motion to accept the CFRA bylaw amendments to Section 4.17 Regional Management Committee that would better define the responsibilities of this committee as per Dustin Owens, CFRA legal counsel.

This motion was seconded by RB Pincombe

Motion passed with a unanimous vote.

On January 5, Dustin Owens sent the drafted resolution to the CFRA, copies will be sent to RB Pincombe, Secretary, for his signature.

### **Other Reports**

Ken Bates is drafting a proposal for a Headwaters Fund mini-grant. The CFRA is asking for \$5000 for the purpose of increasing the cash flow so the the CFRA can better access the OPC grant funding. This grant request is due in late January 2023.

Meeting adjourned at 5:15pm

### **State Management Request to CFRA**

The California Coastal Commission as per Condition #7 contained in The Federal Consistency Determination Report for OSW development in California has required that a "fishermen's working group" (FWG) be formed . The purpose of the FWG is to work directly with OSW developers and California State Agencies to develop guidelines and protocols for OSW developers working in California waters. California port fishermen's associations have requested that the State provide for a per diem honorarium payment for fishermen's representatives on the FWG. The state of California does not have the legal authority to pay fishermen directly. On January 4, 2023, we received an email from Justin Kimball Ph.D., the OPC grant manager for the CFRA. She asked the CFRA Board of Directors if the CFRA would help to facilitate the FWG by assuming the responsibility for the management of honoraria payments to fishermen. This management request would be accomplished by an amendment to the OPC/CFRA grant contract.

The CFRA was formed with the goal to "avoid, minimize and mitigate" impacts to fishing caused by non-fishing offshore developments. With these goals in mind, it seems logical that the CFRA

would agree to manage honoraria funds on behalf of the State, so that by doing so, we would expedite the formation and operation of the FWG.

As of today (January 6, 2023), members of the CFRA executive committee are investigating the possibility of obtaining mini-grants or low interest loans to boost the CFRA working cash balance in order to assist the State in providing honoraria to fishermen. We expect to find a way forward to alleviate the CFRA's cash flow challenge and be in a position to present this additional grant "task" for approval by the CFRA Board of Directors in mid-January. We believe that "time is of the essence" in the formation of the FWG as developers are already beginning to make plans for site survey work in the WEA's and cable lanes.

### **January 4, 2023 - Submission of first Quarterly Report to OPC**

**January 4, 2023 - Submission of first "deliverable" to OPC.** As per our agreement with OPC, we submitted a Fishing Community Benefit Agreement template, and to date we have written fourteen CFRA Board Reports.

### **January 4, 2023 - Meet with Unger LeBlanc Inc. via Zoom**

Barbara and Bob are good friends from the east coast who are journalists working out of New Bedford, Massachusetts. Together they manage Unger LeBlanc Inc., a public relations and communications firm. Among their clients was Orsted, an energy company based in Denmark, who had been considering a project on the East Coast. Barbara and Bob have been writing about wind power for many years and had the opportunity to tour wind energy facilities in Europe.

We were able to compare notes on the status of offshore wind power development on both coasts. Discussions included strategies for mitigation, power provider agreements, relationships with BOEM and local governments, community benefit agreements, use of litigation, how the east coast OSW developers were dealing with fishermen and alliances that were helping fishermen preserve their fishing grounds. They also suggested that fishermen needed to find ways to strengthen ties to their community in order to gain community support for their industry as they compete with the interests of renewable energy.

### **January 4, 2023 - Steve Scheiblaue, OSW Next Steps - Zoom meeting**

This was a general discussion with Steve Scheiblaue, Central Coast fishermen and the CFRA on what the next steps might be now that the OWS developers have been identified for the Humboldt and Morro Bay WEA's.

Topics included:

- Updates of engagement with developers since the auction and strategic plans going forward
- Discussion of mitigation challenges for the East Coast fishermen with wind power projects

- Role of RODA on the West Coast and the addition of Steve Scheiblaue and Dick Ogg to the RODA-Pacific Board of Directors as representatives of California
- Fishermen's Working Group, Condition #7 - CFRA has been asked to manage the honoraria for representatives of the fishing industry who will be attending these meetings. This has been added as a "task" to the OPC grant.

### **January 5, 2023 - Meeting with Lynette Mullen, CFRA/OPC Grant Manager**

On January 5 we had a two hour meeting with Lynette Mullen. She laid out a comprehensive plan that would help guide the CFRA through the two year grant process with an emphasis on organization. She suggested ways in which we could streamline grant timelines, meeting schedules, financial tracking, and the availability and storage of documents. She will be developing systems to enhance community outreach that will include a website, newsletters and the CFRA Board Reports. We greatly appreciated that she knew how to do all of these things that we didn't.

### **January 6, 2023. - Meeting with RWE Renewables, Outreach**

In December, Rick Robins of RWE, soon after winning a bid for one of the Humboldt WEA's, reached out to CFRA board members Linda Hildebrand and Ken Bates requesting an early January meeting. Previously, the CFRA Board met with RWE in May of 2022. On Friday January 6, 2023 @9AM we had a call with Rick Robins and Ross Tyler via Zoom. The call, which lasted about an hour and forty-five minutes was very positive in nature and covered the following general topics:

1. Condition #7, the Fishermen's Working Group which would also include developers and State Agencies
2. State request for CFRA management of fishermen's honoraria payments
3. Modification of CFRA Bylaws to better define Regional Management Committee's function.
4. Desire of both fishermen and developers to "avoid and minimize" impacts to the greatest extent possible
5. Programs or provisions which might keep fishermen on the ocean both for short and long term
6. A brief discussion of "claims based" mitigation under consideration by nine East Coast states.
7. The importance of collectively working with all OSW leasees to present a level and equitable policy
8. RWE requested information on fishing seasonality and areas as they are now working with their engineering staff on the task of site survey work. They were provided with a link to the North Coast Fishermen's Mapping Project and a copy of the FCBA template.

### **January 6, 2023 - Phone Call with Kate Huckelbridge**

We had a brief call with Kate Huckelbridge of the California Coastal Commission congratulating her on her promotion to Executive Director.

We reported on the CFRA meeting with RWE.

We also talked about the Fishermen's Working Group.

**Upcoming**

Additional meetings with RWE

Outreach to Crowley Wind Services and California North Floating (Copenhagen Infrastructure Partners)

Thank you

Ken and Linda Bates

CFRA