

Larry: Thank you. My name is Larry Thevik. I live in Ocean Shores. I'm the vice president of the Washington Dungeness Crab Fishermen's Association, headquartered in Westport. I'm one of two commercial fishing representatives on the WCMAC. I certainly did not expect to be the only one offering formal testimony today. And based on previous experience in hearings, generally, we are really restricted in time and what it is we can present orally. So, I've prepared testimony with the idea in mind that it would be relatively short. I was pleased to hear that we were going to be granted time over five minutes, which is actually an exception to every hearing I've been participating in. but also, if I'd have known I had the whole floor for the whole evening, I would have had a lot more to say. But I'm not going to do that. I'm going to stick with what it was I've prepared to say. And it'll take about eight to ten minutes.

Larry: While I have not had a chance to thoroughly review the marine spatial draft plan and the draft EIS presented with the plan, I am concerned that what I have reviewed has not completely captured either the legislative intent or statutory requirements of the WCMAC and the MSP enabling legislation for the policies of ORMA, the Ocean Resources Management Act. Especially the policies of ORMA pertaining to requirements and standards of new ocean uses and the limitations of potential impacts of those new uses on existing sustainable ocean uses. I do understand we've been hearing a lot of language and I appreciate a lot of what Jennifer has to say. But I also feel that the intent to protect isn't necessarily correlated specifically with the legislative mandates.

I'm also concerned the documents as presented have not adequately reflected our state [inaudible] input during discussions leading up to this draft plan. As an example, of 16 recommendations I offered for section 2.4, as far as I can see now, only about three of them are included in the draft. And I don't presume to say that every recommendation I had was a perfect one and should be included. But 3 out of 16, I think, is a little narrow or slim.

I also believe that the comment period is inadequate for careful review of these lengthy documents and for a clear understanding of potential stakeholder impacts.

As Jennifer said earlier, for most who gaze upon the ocean from the shoreline, the ocean seems a vast and foul place. Those of us who have lived and worked on the ocean have a different view. We see it, as Jennifer said, as a busy, limited, and already utilized space. The marine spatial plan process and the WCMAC process has helped to support our view and our [inaudible] and I appreciate that. The maps within these documents demonstrate that no use of our ocean space could be sited anywhere without conflict with an existing use and in most cases, conflicts with many uses. Further, the maps demonstrate that Washington has the shortest coastline than any of the three coastal states at about 136 nautical miles. It

encompasses something over 5,800 square nautical miles. And the vast areas within those 5,800 square miles, over 4,000 square miles are under co-management with coastal tribes. The marine spatial plan also includes 2,400 miles under marine sanctuary guidelines and large areas of military operating zones. The documents as presented do not adequately describe or reflect in the text and in the narrative these existing spatial limitations and the expected impact on space available for potential new use because of them. The maps show a pretty good description but there needs to be a narrative interpretation of those maps as well.

The legislature charge those who would develop an MSP to look for areas off our coast that a new use could be placed that would avoid conflict with existing uses or identify areas of minimal conflict with existing uses. The legislative authority also provided that existing sustainable ocean uses be protected and preserved. This legislative directive is the first and primary order of the MSP process. Many uses must prove the merits and need of their case and demonstrate no significant adverse impact on existing uses. The legislature did not command to find areas for new uses that minimize conflict as is described in the documents but to provide a search for potential areas that have minimal conflict with existing uses if they could be found.

A lot of time has been spent developing these documents, many parts are informative and on point. But there are a lot of shortcomings that I see in these documents. And I had this in here earlier. I should direct it. It said this form does not allow for a complete discussion of these issues. But frankly, I guess I could stay here for a long time but I'm not going to. So, I am going to be submitting written comment later.

But I would like to briefly discuss of the mapping presented in the documents based on Marxan. The reliance on a computer-generated model for site analysis called Marxan and the resulting maps in the documents mainly to be ill-informed decisions and misleading interpretation of potential conflicts between proposed new uses and existing ones. The Marxan model based on the number of uses and intensity of uses can lead to visual presentations that miss, as Doug Furdy pointed out, the importance of areas having fewer uses, yet may be extremely valuable to that use and to coastal communities and economies depended on that use. Additionally, Marxan is grading on a curve. Marxan goals identify areas that have less conflict than another area as a quote "preferred or least conflict or low-cost area for placement of a new use". The fact is, Marxan only identifies an area that exhibits conflicts something less than another area and not necessarily an area with a minimal impact on existing uses. The legislature made it clear that there is not an expectation to force a new use in the areas that will displace or harm existing uses such as fishing, specifically referenced, and harm communities dependent on existing uses. Marxan does exactly what the legislature has directed the MSP to avoid. The assumption and purpose of Marxan is it will find an area with less conflict and/or impact. The best we can expect from Marxan for this MSP is to identify areas where new uses could not be placed without significant conflict and/or impacts and

not expect Marxan to identify areas where the uses could be placed with minimal conflict and/or impact. Contrary to the author's claims, Marxan modeling and resulting mapping does not meet the requirements of RCW 43.372.040, paragraph six, section C. Map 3-17 on page 3-40. For a monopole energy fund is in the middle of the most concentrated of area of use of the most highly valued fishery on the Washington coast. That 3-17 demonstrates how poor the best results of Marxan truly are. The authors, recognizing that Marxan cannot locate areas of minimal conflict because there are none, have elected to interpret the clean language of the legislature to change the minimal conflict standard to find areas minimizing conflict. I believe the statute does not allow for that discretion. I believe the document needs to either eliminate or better explain the shortcomings of the preferred new use site maps based on Marxan.

I have fished off the Washington/Oregon/California/Alaska coasts for over 45 years. I have seen the bounty our coastal waters can provide. Fishermen and their families endure a great deal to capture and sustain the marine resources we are fortunate to have. And the ill-conceived marine spatial plan could potentially set the stage for a major spatial displacement and disruption of our existing coastal economies and culture for a long time to come. We have a shared responsibility to ensure this MSP is well-thought, well-reviewed, and adequately preserves and protects existing uses. And, like I said earlier, we will follow up with written comment. I do not want to leave the room without recognizing the good work that has been done. I just think there's more work that has to be done to make this a better product. Thank you.