

*Fishermen Interested in Safe Hydrokinetics*  
(*FISH Committee*)  
Jim Martin, Coordinator  
P.O. Box 2420  
Fort Bragg CA 95437  
(707) 964-8326 office  
(707) 357-3422 cell  
[flatland@mcn.org](mailto:flatland@mcn.org)

**DATE: FEBRUARY 28, 2008**

**RE: FERC PROJECT NO. 12779-000, PACIFIC GAS AND ELECTRIC COMPANY (PG&E), APPLICATION FOR PRELIMINARY PERMIT FOR THE HUMBOLDT WAVECONNECT PROJECT, FERC NOTICE OF APPLICATION ACCEPTED FOR FILING AND SOLICITING MOTIONS TO INTERVENE, PROTESTS, AND COMMENTS ISSUED APRIL 17, 2007**

**SUBJECT: MOTION FOR LATE INTERVENTION**

This is a motion pursuant to 18 CFR 385.214 for late intervention in the above-referenced proceeding by *Fishermen Interested in Safe Hydrokinetics*, an unincorporated association based in Fort Bragg, California, hereinafter referred to as the “*FISH Committee*.”

The *FISH Committee* was formed following the “Wave Energy Forum” held in Fort Bragg, California on January 19, 2008. The Wave Energy Forum was organized by the City of Fort Bragg and by Mendocino County, California. It was attended by representatives of FERC, other federal, state, and local agencies, fishing groups, and other interested parties. At the forum, we heard a presentation by County Commissioner Terry Thompson of Lincoln County, Oregon, who described the benefits to all parties of having organized committees representing coastal fishing communities in the geographic areas of wave energy projects. Following the meeting, with the encouragement of representatives of the City of Fort Bragg and Mendocino County, we organized the *FISH Committee*.

The ***FISH Committee*** is intended to represent the Mendocino County coastal fishing community, including fishermen, sea harvesters, fish processors, and other fishing-related businesses, as a stakeholder organization in the above-referenced proceeding. Our mission is to represent the Mendocino County coastal fishing community in negotiations over wave energy projects on the Mendocino Coast, and in other coastal areas where our members have interests. Our current membership includes representatives from the following organizations: North Coast Fishing Association, Salmon Trollers Marketing Association, the Recreational Fishing Alliance, California Sea Urchin Harvesters Commission, Sonoma County Abalone Network, Salmon Restoration Association, Caito Fisheries, and the Fishermen's Marketing Association. Other fishing-related groups have been invited to join, and will be added to the committee in the near future.

On February 11, 2008, the ***FISH Committee*** filed a Motion for Late Intervention in the sister project to this project, PG&E's Mendocino WaveConnect Project, FERC Project No. P-12781-000. The proposed project area for that project is 68 square miles of ocean off Mendocino County, California, near the City of Fort Bragg.

In this proceeding (P-12779), PG&E's preliminary permit application covers 136 square miles of ocean off Humboldt County, California, near the City of Eureka. The project application describes the project as including 8-200 wave-energy conversion buoys, integrated generators, anchoring devices, and interconnection transmission lines, all of which have the potential to interfere with fish and/or fishing.

The ***FISH Committee's*** members conduct numerous fishing-related activities in

the area of the proposed project, and have both direct and indirect economic interests related to fishing in the area. Onshore businesses of *FISH Committee* members in Fort Bragg depend in part on fish taken off Humboldt County in the proposed project area. Members of the Recreational Fishing Alliance live in Humboldt County and fish out of Eureka every year. The Fishermen's Marketing Association's members place a high value on the sandy bottom crabbing grounds within the proposed project area, and its members fish this area each season. The Salmon Trollers Marketing Association of Fort Bragg represents members who fish salmon off Eureka in the proposed project area. Finally, migratory salmon transit the proposed project area and supply the fishing fleets of Fort Bragg as well as Eureka. All *FISH Committee* members are concerned about navigation hazards and impediments in the proposed project area. Without appropriate precautions, the project has the potential to adversely affect our members' at-sea fishing activities as well as their onshore fishing-related businesses.

In addition, members of the *FISH Committee* have specialized knowledge of the seabed and other ocean conditions that should be taken into account by FERC and PG&E. The *FISH Committee* is uniquely qualified to provide advice on appropriate siting of test technologies, and to participate in collecting data that may be required for future project buildout.

FERC has good cause to waive the time limitation on intervention. First, we just became organized as a stakeholder committee, after we learned from the Fort Bragg "Wave Energy Forum" held on January 19, 2008 about the advantages to FERC, to our members, to PG&E, and to other interested parties of becoming organized as a stakeholder organization. Second, the proceeding will not be disrupted by permitting our

intervention. To the contrary, we expect that our participation in the process will be unobjectionable to the other parties, and that our participation will provide a desirable channel for communication and negotiation that would not otherwise exist. Third, because of our members' specialized knowledge and experience with ocean conditions in the area, and our economic dependence on fisheries in the proposed project area, our interests are not adequately represented by other parties to the proceeding. Fourth, there will be no prejudice to, or additional burdens upon, existing parties. Rather, we expect that the other parties will benefit from our participation as an organized stakeholder in the proceedings. We note that PG&E and its technology providers have repeatedly emphasized their desire to work with local stakeholders, the fishing community in particular.

Respectfully submitted, on behalf of the *FISH Committee*, this 28<sup>th</sup> day of February, 2008,

Jim Martin  
Coordinator  
FISH Committee