MA Fisheries Working Group on Offshore Wind
Virtual Meeting
Friday, January 20, 2023, 9:00 AM – 12:00 PM

MEETING SUMMARY

Lisa Engler opened the meeting and welcomed attendees.

Offshore Wind Project Status Updates:

Lisa shared several updates and reminders for the group:

- Construction of the South Fork Wind project is planned to start this winter. The Revolution Wind Project is undergoing the National Environmental Policy Act (NEPA) and Massachusetts Federal Consistency process (decision due 4/4/23). The draft Environmental Impact Statement for Sunrise Wind is open for comments and public meetings are scheduled. Discussions about fisheries mitigation are ongoing for both the Revolution and Sunrise projects.
- The New England Wind Project, which includes Park City Wind and Commonwealth Wind, is in the process of obtaining permits through NEPA and state permitting processes. Park City Wind and Commonwealth Wind are going through the state review process separately while the federal process for the New England Wind Project is singular (decision due 7/14/23). Mayflower Wind (now called SouthCoast Wind) is behind the other projects but is undergoing Massachusetts Environmental Policy Act (MEPA) office review and federal consistency review (decision due 5/21/23). All projects are at different stages in the permitting process and further details can be obtained by connecting with the appropriate developer.
- The Regional Fisheries Mitigation Initiative is a collaboration between nine states to establish a regional fund administrator for compensation for the impacts of offshore wind development on the fishing industry. The initiative aims to provide equity, consistency, and transparency in the mitigation process. A Request For Information (RFI) was posted in December with a scoping document asking for feedback from the fishing and offshore wind industries, as well as stakeholders. The comment period has been extended for a week to February 7, 2023, to allow for more substantial feedback. The goal is to gather input on what will and won't work for these industries and stakeholders. For more information see https://offshorewindpower.org/fisheries-mitigation-project.
- A question was raised about the Offshore Energy Modernization Act, which is currently making its way through the U.S. House of Representatives. Lisa Engler shared that she is not aware of the specifics but is aware of similar legislation aimed at addressing mitigation at the point of lease sale rather than project review. She believes the two processes can continue along similar pathways towards the same goal, as the outcome of the proposed legislation is not guaranteed.
- One member suggested creating a map of all the current projects that the FWG might be tracking, and, if possible a second chart with the "status" of each project in terms of *Pre-COP, COP/NEPA, Permitted, Under Construction, Operational* to make it easier to track and present OSW project updates.

Preliminary Fisheries Working Group Survey Results

Pat Field of the Consensus Building Institute (CBI) shared a summary of results from a survey sent out to all Fisheries Working Group (FWG) members about what changes they would like to see in the working group. The survey was sent out to a broad list of members including developers, commercial fishing, fishing agencies, and others, with a total of 29 responses. The majority of respondents work in southern New England and the Gulf of Maine. Highlights included:

- Generally, people felt that the working group was working effectively and several members identified room for improvement.
- Most respondents find the meeting materials helpful and valuable for learning about offshore wind and fishing concerns, getting updates on project studies, and connecting with other sectors.
- Some respondents felt that the meetings were lacking in-depth discussions and dialogue on certain topics before decisions are made.
- The purpose of the FWG, according to the survey, should be to share updates and learn about offshore wind and fishing concerns, but also to engage in problem-solving and debate to find solutions.
- Some respondents felt that the group should have more regional representation, include tribes and private recreational interests, have more interdisciplinary work, and discuss topics before decisions are made.
- To improve the group, some respondents suggested forming subgroups or subcommittees to tackle specific issues and have more in-depth discussions, connecting to other states' efforts, and having more interdisciplinary work.
- The strongest response for meeting preferences was primarily on Zoom, followed by mostly in-person with occasional Zoom use. The state team will consider the results and how to sequence in-person and Zoom meetings in the future.

Fishing Industry Updates

- Angela Sanfilippo (Gloucester Fisherman's Wife Development Program): The Gloucester Fisherman's Wife Development Program has received a federal appropriation to study how to reduce CO_2 emissions in the fishing and seafood industry in Massachusetts. The goal is to achieve a 50% reduction in CO_2 emissions from the industry. The group is still exploring how to support the study and Angela will provide updates on the study in future meetings. More information is available here: https://www.nationalfisherman.com/northeast/massachusetts-energy-efficient-fisheries-gets-2-million-for-emissions-reduction

- Beth Casoni (Massachusetts Lobstermen's Association (MLA): MLA is gearing up for the 2023 Annual Weekend & Industry Trade Show from March 24-26 at the Resort and Conference Center in Hyannis. BOEM [Bureau of Ocean Energy Management] will be giving a presentation at the event and Division of Marine Fisheries (DMF) staff will be there as well. All are welcome, admission is free, and more information is available on lobstermen.com.

Developer Updates

Representatives from OSW developers provided updates on Massachusetts-based OSW projects.

Revolution Wind Layout and Project Refinement Updates:
Kellen Ingalls, Project Development Director for Revolution Wind at Orsted, discussed some of the challenges faced in the layout of the Revolution project including the presence of a significant number of boulders on the lease area, potential jack-up vessel issues, and soft and hard soils. The company has conducted investigations to understand these challenges and avoid any potential safety issues during construction. Orsted has considered various layout considerations in its planning process including the unique shape of the lease area, the presence of surface and subsurface boulders, and potential jack-up issues that could result in punch-throughs in soft-soils. To address these challenges, the team has conducted various investigations and surveys. The project initially submitted 100 positions, but 21 of them are infeasible due to the presence of boulders, leaving 79 available positions for construction. The team plans to install 65 turbines to meet its Power Purchase Agreement (PPA) obligations, but it needs the flexibility to accommodate all the other factors, including electrical feasibility, equal distribution of turbines between two substations, and cultural resources, among others. The reduction in the number of turbines from 100 to 79 has a positive impact on habitat and essential fish habitat, reducing the overall impact on the environment.

- *Members discussed the movement of boulders and how it might affect the fishing industry. One member questioned whether Orsted's benthic data was adequate in identifying problematic bottom types and if the same could happen in future developments. Several members expressed frustration that previously raised concerns about the presence of problematic seafloor conditions in the lease areas that were not taken seriously, leading to the current issues with boulders during construction.*
- *Kellen noted that Orsted will minimize the movement of boulders so that the boulders remain in an area of similar character. Kellen mentioned that they will conduct surveys after construction and provide tools for the fisherman to find their way around the new locations of the boulders.*

Revolution Wind Fisheries Baseline Assessment and Impact Analysis:

Hauke Kite-Powell, Marine Policy Center, Woods Hole Oceanographic Institution (WHOI) delivered a presentation about the Revolution Wind Fisheries Exposure Analysis to measure the value to Massachusetts from commercial and charter fishing and shared how the data is being used and the geographic scope of the analysis. The data for commercial fishing activities come from the National Oceanographic and Atmospheric Administration (NOAA) and the data for charter fishing is based on a survey conducted in 2022 with the help of local fishing industries. The analysis assumes that during the construction of the wind farm, finfish will leave the area during pile driving and shellfish close to the pile driving will be lost to fishing due to noise levels.. WHOI estimates that a total (lump sum) of $1.31 million (2020$) of commercial fisheries and a total (lump sum) of about $270,000 in economic impact from Massachusetts-based charter fishing is potentially exposed during construction and decommissioning activities at Revolution Wind.

- *Q: Why do you assume finfish will leave the area for 1 year? A: It's an assumption. Pile driving will take 6 months so to be conservative, we've given them a year to return. On Block Island, the fish returned much quicker than that but we try to be conservative.*
- *Q: What data are you using to verify these statistical assumptions as your benchmark? A: We have confidence in the data from NOAA and a survey of charter fisheries. When it comes to how long finfish will be away, that is not something we can say with great confidence. We can look at*

what happens elsewhere and then try to make realistic but conservative assumptions about what is likely to happen.

- *A participant noted there is evidence in the North Sea of cod leaving the area and not returning for much longer than a year.*

Sunrise Wind Fisheries Baseline Assessment and Impact Analysis:

Hauke Kite-Powell, Marine Policy Center, WHOI, shared the economic impact analysis results for the Sunrise Wind Development. The charter fishing survey data shows that there's a cluster of activity near the southeast border of the lease area and some activity near the export cable corridor. During operations, 5% of landings are expected to be foregone due to access constraints around the turbine towers, but there are no changes expected to fishing along the cable corridor. The multiplier of 2 used in the study on the Sunrise Wind Development's impact on fishing is based on econometric models that show the relationship between the landed value of fishery products and sales of related items such as fuel, ice, etc. The direct impact on commercial fishing is $2.23 million, and with for-hire fishing added in and with multipliers applied the total impact is $5.25 million on Massachusetts commercial and for-hire fishing for Sunrise Wind Development.

- *One member noted that the analysis assumes that fishermen would return immediately and expressed fear that the fishing industry will permanently lose access to those areas.*
- *Q: Does the analysis account for lost revenue due to COVID years for both commercial & recreational industries? A: The data set ends in 2019 so the peak COVID years are not part of our averages*
- *Q: Does the analysis rely on AIS [Automatic Information System] data which is not comprehensive? A: The NOAA data is based on reports from fishermen about what and where they catch - it is not AIS data which would be misleading.*
- *One member speculated that a significant delta exists in factual real-time data within the non-reportable charter landings and other non-AIS required vessels.*
- *Another member expressed an interest in seeing aggregated results of the economic analysis to see a bigger picture of economic impacts within the region - not just within a single project area.*
- *One member suggested developing maps that highlight a project area within the full set of lease areas to provide a clear visual representation of the project area and its location and relationship to other lease areas.*

Seabed Preparation and Boulder Relocation:

Kristen Trudell, Lead Offshore Cable Installation Specialist, Orsted, provided an overview of seabed preparation activities that take place before cable and foundation installation. Before cable installation, boulders need to be removed if alternate locations are not feasible. Boulder grabs are used in areas with low boulder density to relocate individual boulders less than 7 feet in diameter between 25-50 feet away from a cable route. Boulder plows are used in areas with higher boulder density to relocate boulders approximately 25 feet to either side. Data for all boulders that have been moved are available on their website that can be downloaded and added to a plotter. For cable crossings, concrete mattresses are used to protect the cables at crossing points. Each crossing is engineered specifically for that cable and the existing asset owners are involved in the design.

Chis Sarro, Orsted, also shared information about the cod spawning mitigation and monitoring during construction and bottom-disturbing activities for South Fork Wind. The South Fork Wind Farm has measures in place to minimize the impact on spawning cod during construction and other bottom-disturbing activities. The measures include a monitoring program and avoiding pile driving during the

spawning period. If cod are detected during the monitoring program, activities in that area will be postponed until the spawning period is over. The monitoring program involves deploying a glider with passive acoustic monitoring equipment and ground-disturbing activities will only start once the detection threshold is no longer met. The hope is to avoid encountering any spawning cod during the construction activities.

- *One member expressed serious concerns about risks associated with hundreds of new hangs on the ocean floor and suggested gathering the boulders and creating a rock pile to make it easier for fishermen to avoid these hazards. They also requested that BOEM and the State create a boulder policy to address safety risks associated with boulder relocation.*
- *One member shared several comments about surveying cod grunts. Ongoing research on Cox Ledge has shown that there is a correlation between cod grunts and the lunar cycle. It could be possible to survey an area during the new moon for example and hear no grunts, and then be plowing during the following 2 weeks when activity is more likely. Cod grunts are quiet and an aggregation can go undetected by a glider if it is too far away. The glider tracks should be designed to be offset to cover the most ground.*
- *Q: At what stage is unexploded ordnance (UXO) detected and how is it handled? A: Orsted's approach is to conduct UXO surveys as part of the site investigation process and the preference is to avoid and route around any potential/confirmed UXOs. Confirmed UXO locations are immediately reported to the* **United States Coast Guard (***USCG) and that information is distributed in our mariner's briefings.*
- *Q: How does Orsted define what a boulder is? A: No set definition is used. Each type of rock could weigh slightly differently. The installation tool itself determines what needs to be moved by a plow or a pick to determine the ton of the boulder itself.*

USCG Maine, New Hampshire, Massachusetts Port Access Route Study (MNMPARS) Update
Lieutenant Junior Grade (LTJG) Tom Davis, USCG, gave an update on the progress of the USCG MNMPARS that was initiated in March of the previous year. The study was conducted to analyze traffic patterns and gather feedback from mariners to determine if additional routing measures are needed for safe port access. Six public meetings were held to gather feedback and a draft report was published at the beginning of January. The report includes 10 recommendations, including routing measures and considerations for cable and wind energy impacts on radar.

The Coast Guard is looking for comments from the public regarding their recommendations on the fairway and Traffic Separation Scheme (TSS) regulations. They are looking for input on the recommendations, such as if they are excessive or insufficient, and feedback on the process of gathering information and data. A comment period is open until February 13th and the final report is expected to be completed by the end of March or April. The draft report and additional resources are available online:

- Link for the Federal Register Notice to provide comment: https://www.regulations.gov/document/USCG-2022-0047-0045
- Link to access the draft MNMPARS report: https://www.regulations.gov/document/USCG-2022-0047-0044
- Link to the CFR that defines a Shipping Safety Fairway: https://www.ecfr.gov/current/title-33/chapter-I/subchapter-P/part-166

Vineyard Wind PAM Deployment Activities

- Crista Bank, Vineyard Wind, shared updates on cable installation and PAM deployment activities related to the Vineyard Wind site and information about how to stay informed with project updates. A passive acoustic monitoring device has been deployed in the Vineyard Wind lease area and will be monitored by a fishing vessel over the next three to five years. Development is

still on track to start in the spring. To stay updated on the construction and activities, people can sign up for Mariner updates and text alerts sent out weekly: https://www.vineyardwind.com/fisheries.

BOEM Gulf of Maine Draft Call Area

- Luke Feinberg, BOEM, provided an update on the Gulf of Maine process. He shared an estimated schedule of Gulf of Maine leasing milestones and highlighted future engagement opportunities for members of the public to provide input on the call area: https://www.boem.gov/renewable-energy/state-activities/gulf-maine-draft-call-area-engagement-meetings. The call area will be published in the March/April time frame and will have a 45-day formal comment period. He also announced that there was no competitive interest in the research lease submitted by the State of Maine and the next steps include conducting an Environmental Assessment and negotiating a lease with the State of Maine.

Future FWG Meeting Discussion Topics and Agenda items

Several members shared ideas for future discussion topics and agenda items:

- Economic fishery impacts across the southern New England area in total
- Massachusetts/Rhode Island policies/procedures to address concerns about UXO's communication and boulder removal
- A working group focused on helping this group work better with fishermen

One member suggested that future meetings should remain virtual to reduce the environmental impact and carbon footprint of the group by keeping 60 cars off the road.

Closing

Lisa thanked the participants for attending the meeting and engaging in discussions regarding offshore wind projects. She encouraged participants to keep sending their ideas and suggestions and announced that another meeting will be scheduled in three months.