

Joint Industry Task Force Inaugural Meeting Summary

Date: June 17, 2019, 10:00 am – 5:00 pm

Location: Cozen O'Connor Law Office, One Liberty Place, 1650 Market Street, Ste 2800, Philadelphia, PA 19103

Attendees: Crista Bank, Bonnie Brady, Beth Casoni, Doug Copeland, Tom Dameron, Greg DiDomenico, Steve Drew, Martin Goff, Annie Hawkins, Peter Himchak, Lane Johnston, John O'Keeffe, Rachel Pachter, Ruth Perry, Eric Reid, Guy Simmons

On phone: Mary Beth Tooley

Facilitation: Pat Field – CBI

AGENDA

Welcome, Introductions and Rules of Engagement:

Attendees introduced themselves and affiliations. Pat Field reviewed the agenda and went over the ground rules and rules of engagement for the meeting. Attendees then gave a more in depth explanation of “why I am here”, what my organization intends to get out of participation in the RODA Joint Task Force.

Comments included but were not limited to:

- Recognition of the need for direct conversations and potential collaboration
- Need to be in the same room to address issue areas
- Improve communication exchange between industries, RODA as conduit to synthesize information and messaging from developers
- Need for fishing industry to understand what is negotiable and what is not, where is there flexibility?
- Need to find equitable solutions for both industries
- How to minimize impacts to fisheries
- Understanding technical issues to support coexistence
- Not waste time in discussions regarding the merits of offshore wind versus commercial fishing
- Task Force not the end of the line, need for engagement with legislators or regulators when compatibility cannot be reached (although it was noted that neither RODA nor the Task Force are lobbying groups)
- Need to look at short term and long term impacts to fishing and how to mitigate
- Opportunity to come up with quicker and more creative solutions than agencies can

Key terms: problem-solving, direct interaction with each other, communication from now through operations including decommissioning, coexistence, efficiency, how to manage conflict, build, preserve, and maintain relationships.

Charter Development: Objectives and Principles:

Reviewed, discussed and revised draft objectives and draft principles and objectives. Addressed who are the participants: RODA and fishing representation, and lease holding offshore wind developers. Discussion followed on the objectives of the Agreement. Principles were closely reviewed and discussed to ensure they sufficiently captured the intention of the Task Force. During break for lunch, facilitator and RODA worked to incorporate edits. Reviewed following lunch with full group.

See *Charter* attachment.

Charter Development: Terms of Reference

To determine governance structure of Task Force, attendees discussed the following:

- Membership composition
- Meeting inclusivity and notice
- Round table, plenary, ‘town hall’, and working group approach
- Facilitation leadership: RODA, CBI
- Policies, code of conduct, and general procedures: consensus-based
- Inclusion of other parties: states, technology experts, non-lease holding developers
- How to handle “associate members” (non-lease holding developers who have the intention of obtaining a lease or right of way)
- Issue prioritization strategies and techniques
- Communicating results
- Meeting logistics: who, where, how often, location
- Confidentiality and dissemination of information discussed during Task Force meetings
- Need for anti-trust language

See *Terms of Reference*.

Priorities for our Work Together

The group listed all areas that they would like the Task Force to consider addressing in the short and medium term. This extensive list was grouped into the following areas:

Construction and Surveying:

- *Array design* – what is the spacing, orientation, and alignment for wind turbine arrays that might reasonably allow fishing by some or all gear types, vessel sizes, and fisheries while also ensuring viable wind energy projects, taking into account storms, currents, tides, and other marine features?
- *Foundation design* – what is the latest in various foundation designs for turbines (monopiles, pylons, etc.) and what are the various pros and cons for various fisheries, gear types, vessels sizes, and wind development?

- *Surveys* – what are the current survey requirements and protocols for wind energy areas, what issues do they cause with fishing, how can the protocols be improved to avoid or minimize fishing-survey conflict?

Operations and Navigation:

- *Aids to navigation* – what aids to navigation are needed or desired on offshore wind structures to ensure safe and efficient navigation through and near wind turbine arrays?
- *Radar interference* – in what ways do turbines interfere or potentially interfere with radar, and specifically, with what kind of radar systems or technologies, and what are mitigations, improvements or changes that will address the interference?
- *Cabling* – what is the depth of burial necessary to avoid uncovering by currents and storms and gear? What coverings or protections may be laid over cable, where, to what end, and what are interactions with various gear types and tools for avoidance, minimization, or mitigation?
- *Transit* – how do we ensure safe and efficient transit through, near, or around wind energy areas and projects?

Mitigation Framework

- *Mitigation Plans* – what are the common and key components expected in a fisheries mitigation plan? What is the process that is expected to be used to develop one? By which criteria can a mitigation plan be considered sufficient and complete?
- *Fishing Activity and Effort* – what are the tools, techniques, and data needed to identify who is fishing where, when, to what extent to address mitigation and potentially compensation while protecting industry and vessel specific data? How to account for past years bounded by environmental conditions, regulatory constraints (closures, openings, restrictions, etc.), and unknowns?

Communications and Engagement

- *BOEM Best Management Practices* – what is working well, working, not working, and can be improved regarding the current use, role and actions of fishery representatives and liaisons and what is the industries' advice to BOEM for updating their guidelines?
- *State to Region* – how can developers and fishermen find ways to improve communication, coordination, and efficiencies among all the various state, Councils, and federal agencies working groups on fishing and offshore wind development?

Informational Exchange

- Improve understanding between industries through Fisheries Management 101 – fishing practices, management, economics and Offshore Wind Energy 101 – technology, economics, implementation, etc.
- Engage with the Special Initiative for Offshore Wind to co-host a special Task Force meeting to improve the two industries' knowledge of each other's operations, technology, and decision making; meeting participants requested this to occur as soon as possible

Next steps:

RODA will finalize Charter and Terms of Reference for approval by convening group in the next 2 weeks (via conference call). RODA will appoint official fishing industry Task Force members before next meeting. RODA will prioritize issues based on time sensitivity, some longer-term issues, and to ensure a cohesive agenda for the next regular Task Force meeting and circulate a draft in advance for input. RODA will work with SIOW to organize special “101” meeting as soon as feasible. Annual meeting will convene in January to address annual prioritization (ie. 2020 priority areas will determined at January 2020 meeting). RODA will collate other organizations identifying BMPs.

Attached Documents:

RODA Joint Industry Task Force Charter

RODA Joint Industry Task Force Terms of Reference