

RODA Joint Industry Task Force Terms of Reference

As approved July 2019

Task Force Structure

- 1.1 The Task Force is a balanced group comprised of offshore energy lease-holders and RODA members. All lease-holding developers are eligible to join so long as they hold at least one Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf issued by the United States Bureau of Ocean Energy Management (BOEM).
- 1.2a For sitting members on the Task Force, each lease-holder will have two seats. In order to maintain a balanced Task Force, for each developer representative there will be a complementary fishing representative achieving rough parity. Therefore, if additional energy developers join the Task Force, fishing representatives will also be added if necessary to maintain balance. However, due to the importance of having a comprehensive range of target fisheries, fishing and homeport locations, vessel sizes, and gear types represented, there may be slightly more fishing industry representatives than developers in order to ensure full inclusion.
- 1.2b RODA will strive for fishing representatives who: 1) provide continuity of participation; 2) have expertise across the diversity of geography, gear types, and fisheries; and 3) abide by the ground rules and purpose of the Task Force.
- 1.3 The Task Force may include associate members of non-lease holding offshore wind developers. Associate membership is available to a company that does not yet hold an OCS renewable energy lease or right of way, but is demonstrably working to obtain one, and which BOEM has deemed to have the necessary legal, technical, and financial qualifications to do so. Such associate members shall fully contribute and have a meaningful role, but participation may be more limited as appropriate given the absence of specific project plans.
- 1.4 To address specific concerns, conflict areas, or opportunities for collaborative efforts, the Task Force may establish work groups to focus efforts and find solutions. Membership of these work groups should be balanced in the same way that the general Task Force is, with rough parity of developers and fishing industry representatives (if appropriate). Work Groups can provide recommendations to the Task Force but those must be approved by the Task Force to be considered a Task Force product.

Meeting Procedures

- 2.1 At the first annual meeting, the Task Force shall identify initial priority areas for the year and establish project leads and timelines for that year (or multi-year as necessary). General meetings will meet at least once in New England and once in the Mid-Atlantic each year.

- 2.2 RODA staff will facilitate (or coordinate facilitation support for) Task Force meetings.
- 2.3 Work Groups will meet as needed and may meet during general meetings. The Task Force will set a clear charge to any Work Group it forms, including expected milestones, scope, and end date.
- 2.4 To promote transparency and information sharing, the Task Force may hold workshops and open meetings. Task Force meetings are assumed to be by invitation only unless otherwise noted. Task Force meeting notifications, agendas and meeting summaries without attribution will be posted in advance and after. The Task Force may issue press releases, reports, and recommendations as needed with the consensus of participants.
- 2.5 Task Force members may send alternates or bring an observer with reasonable justification if the RODA coordinator is notified ahead of time.
- 2.6 Associate members (i.e., non-leaseholding developer Task Force members) may participate in all open meetings and closed meetings unless confidentiality considerations demand otherwise. They may provide insight and comments to ongoing projects and may bring forth other potential priority areas not already evaluated by the Task Force members and RODA coordinator. Opinions of associated members that oppose consensus of the Task Force members can be noted, but will not prevent any joint recommendations and actions by the Task Force.
- 2.7 The Task Force may, at times, invite non-members to participate directly in its deliberations pertinent to specific action items and topics. Such participants must agree to the procedures, confidentiality, and “rules of engagement” to participate.
- 2.8 The Task Force will operate by consensus, meaning all Task Force members can live with, or at least not oppose, joint recommendations and actions. Opposing views and reasoning will be noted, if such are expressed. Should consensus not be reached but an outcome strongly desired, a report reflecting the range of views and reasoning may be issued.
- 2.9 The Task Force will focus its funds on practical, working meetings and priorities, and gathering information in support of those meetings. Therefore, it will spend conservatively on events and utilize low or no-cost space whenever possible.

Additional Meeting Logistics

- 3.1 Task Force meetings will operate in a Board-like fashion.

- 3.2 Meetings will be held quarterly (4 in total). Meetings will be one to two days. Although meetings may be held by webinar, at least one meeting per year will be held in person in each of the New England and Mid-Atlantic regions.
- 3.3 All or part of the biannual Task Force meetings in New England and the Mid-Atlantic may be open to the public.
- 3.4 Meeting locations and times will be sequenced and organized to maximize participation and minimize cost and may be held in conjunction with other meetings (such as fishery management council meetings, etc.). In general, meetings will be in Boston to Warwick or Philly to Baltimore, unless opportunities arise to create travel efficiencies in conjunction with other meetings.
- 3.5 The Task Force or its work groups may hold additional meetings in person or via webinar or teleconference in between meetings as needed.
- 3.6 Meetings will focus on dialogue and deliberation, not project updates, presentations or work that can be done away from face-to-face meetings.

Confidentiality

- 4.1 Information gathered by the Task Force, which is identified by either fishing industry or energy developers as confidential, shall be deemed proprietary and confidential and shall not be publicly released under any circumstances, unless allowed in writing by the source.
- 4.2 No video, photographs, social media, or audio recordings are permitted in Task Force meetings, unless permission is granted by all prior to the meeting.
- 4.3a Parties will have an opportunity to review written documentation such as meeting summaries, documents, reports, press releases or formal correspondence regarding any consensus, position, or recommendation of the Task Force. Certain documents may require ratification or approval within organizations' management, public affairs and/or legal teams.
- 4.3b Participation in the Task Force otherwise incurs no restrictions on a member's ability to speak on their personal behalf or that of their employer.
- 4.3c Recommendations consented on by the Task Force are joint recommendations of the whole, and members should not disparage those recommendations in other fora. That does not prevent the Task Force and its members from noting the existence of dissensions that were expressed during deliberations.
- 4.4 In order to encourage the free flow of information, any statement or idea submitted by a Task Force member should not be interpreted as an official position of that member nor their employer unless expressly noted otherwise.

- 4.5 Task Force participants shall follow the Anti-Trust Guidelines for Discussions established by the American Wind Energy Association, at <https://www.awea.org/Awea/media/About-AWEA/AWEAAntiTrustPolicy.pdf>, insofar as they do not conflict with the terms of reference and RODA's bylaws.