



Responsible Offshore Development Alliance

December 18, 2018

Mr. Lars Thaaning Pedersen, CEO  
Vineyard Wind, LLC  
700 Pleasant Street, Suite 510  
New Bedford, MA 02740

**Re: Fisheries Mitigation**

Dear Mr. Pedersen,

The Responsible Offshore Development Alliance (RODA) is a membership-based 501(c)(6) coalition of fishing industry associations and fishing companies with an interest in improving the compatibility of new offshore development with their businesses. Our Board of Directors consists of representatives of commercial fishing businesses and vessels from federally- and state-permitted Atlantic fisheries from North Carolina to Maine. RODA does not advocate for or represent any one particular fishery; rather, it actively supports those positions that are common amongst commercial fishing industry participants, and it offers a platform for gathering input from a broad range of fishery representatives when multiple viewpoints exist.

A core tenet of RODA's philosophy is the belief that the only way to achieve a level of "coexistence" between offshore wind energy development and traditional, historic fishing is for the two industries to work together, with support from federal and state government partners, to identify mutually agreeable, data-supported solutions to potential conflicts. Part of this approach entails discussion regarding the most appropriate methods to address the short- and long-term impacts to the commercial fishing industry that will result from wind energy facility construction and operations.

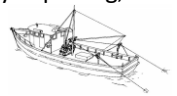
First and foremost, the development of a common framework for such "mitigation" must be done in a transparent, holistic, and well-structured manner. There has yet to be a comprehensive, inclusive process for determining best practices for mitigation applicable to Atlantic wind energy projects. Nor is there even necessarily a common definition of "mitigation" specific to fisheries and offshore wind. The National Environmental Policy Act implementing regulations<sup>1</sup> and the Rhode Island

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<sup>1</sup> "'Mitigation' includes: (a) Avoiding the impact altogether by not taking a certain action or parts of an action; (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation; (c) Rectifying the impact by repairing,



Navigating Together into the Future



Executive Director: Anne Hawkins

Chairman: Peter Hughes

Treasurer: Eric Reid

For Information, Contact [Annie@RodaFisheries.org](mailto:Annie@RodaFisheries.org)



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Ocean Special Area Management Plan provide some of the best available guidance.<sup>2</sup> Both suggest a step-wise path that follows the principles of *avoiding* conflicts, *minimizing* those that are unavoidable, *mitigating* the impacts from new development, then—and only once those have been adhered to—consider *compensation* for any residual losses.

While some developers and fishing industry representatives have begun preliminary dialogues regarding these difficult topics, there is a wide diversity of opinions and preferences, particularly with regard to compensation schemes that may arise. This is not a time for rushed agreements based on nothing but political compromise; a fact made even more salient by your company’s recent success in the auction for OCS-A 0522, the rapid pace and scope of offshore wind energy development overall, and the precedent that decisions made now may set for the future.

We strongly believe that a coordinated, regional, evidence-driven process to address mitigation, including but not limited to compensation, will provide the best opportunity for equitable and lasting outcomes. We therefore request that Vineyard Wind, along with the other Atlantic offshore wind energy lease holders, commit to work with us to develop this fair, transparent, and consistent framework.

It will admittedly take substantial time to establish this process, inform it through collection and analysis of appropriate data, deliberate the full implications of various approaches, and ultimately, provide recommendations regarding best practices. While we understand that Vineyard Wind has rapidly-approaching deadlines and project milestones, we also strongly urge BOEM and the states to join us in supporting this approach. This should include by exercising all available flexibility in the relevant regulatory processes such that environmental reviews and approvals are not delayed, but that premature and poorly informed decisions can be obviated by a commitment to implement best management practices for mitigation and compensation in the future once duly identified.

Sincerely,

A handwritten signature in blue ink, appearing to read "Annie Hawkins", is written over a light blue horizontal line.

Annie Hawkins, Executive Director  
*Responsible Offshore Development Alliance*

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rehabilitating, or restoring the affected environment; (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; (e) Compensating for the impact by replacing or providing substitute resources or environments.” 40 C.F.R. § 1508.20.

<sup>2</sup> “Proposed activities shall be designed to avoid impacts and, where unavoidable impacts may occur, those impacts shall be minimized and mitigated . . . Mitigation measures may include, but are not limited to, compensation, effort reduction, habitat preservation, restoration and construction, marketing, and infrastructure improvements.” SAMP at 113, 154.



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cc: Dr. Walter Cruickshank, Acting Director, BOEM  
Mr. Chris Oliver, Acting Administrator, NMFS  
Adm. Karl Schultz, Commandant, United States Coast Guard  
Mr. Grover Fugate, Executive Director, RI CRMC  
Ms. Lisa Engler, Acting Director, MA CZM  
Mr. Rob Klee, Commissioner, CT DEEP  
Ms. Alicia Barton, CEO, NYSERDA  
Ms. Catherine McCabe, Commissioner, NJ DEP  
Mr. Mark Belton, Secretary, MD DNR  
Mr. David Paylor, Director, VA DEQ  
Mr. Michael Regan, Secretary, NC DEQ  
Ms. Nancy Sopko, Director for Offshore Policy & Siting, AWEA  
Messrs. Thomas Brostrøm and Jeff Grybowski, Co-CEOs, Ørsted US Offshore Wind  
Mr. Christer af Geijerstam, President, Equinor US Wind  
Mr. John Hartnett, Director, Mayflower Wind Energy  
Mr. Doug Copeland, Regional Development Manager, EDF Renewables  
Mr. Paul Rich, Director of Project Development, US Wind  
Mr. Craig Poff, Development Director, Kitty Hawk Offshore Wind  
Mr. Chris Wissemann, U.S. Offshore Wind Representative, Innogy