

US Wind
Offshore Wind Project
Fisheries Communication Plan
Lease Area (OCS-A 0490)

Prepared for:



Prepared by:



REVISION SUMMARY

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Acronyms and Abbreviations

AIS	Automatic Identification System
ASMFC	Atlantic States Marine Fisheries Commission
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
COP	Construction and Operations Plan
EA	Environmental Assessment
ESA	Endangered Species Act
FCP	Fisheries Communication Plan
FLO	Fisheries Liaison Officer
FIR	Fishing Industry Representative
GARFO	Greater Atlantic Regional Fisheries Office (formerly “Northeast” or NERO)
G&G	Geotechnical and Geophysical
HRG	High-resolution geophysical
HMS	Highly Migratory Species
Lease	Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf OCS-A 0490
m	meter
MAFMC	Mid-Atlantic Fishery Management Council
MD DNR	Maryland Department of Natural Resources
MMPA	Marine Mammal Protection Act
NEFSC	Northeast Fisheries Science Center
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
OCS	Outer Continental Shelf
OFL	Offshore Fisheries Liaison
Project	US Wind Offshore Wind Project
SAP	Site Assessment Plan
TD	Time Differential
VHF	Very High Frequency
VMS	Vessel Monitoring Systems
VTR	Vessel Trip Report
WEA	Wind Energy Area

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1. Introduction

US Wind is the lease holder for Outer Continental Shelf (OCS) OCS-A-0490 (the Lease). As shown in Figure 1, the Lease is located approximately 12-miles off the coast of Ocean City, MD, encompassing approximately 80,000 acres. The Lease was designated by the Bureau of Ocean Energy Management (BOEM), following a review of existing and targeted environmental studies as well as significant stakeholder engagement and input. The specific activities undertaken and considered when designating the location for Lease Area OCS-A-0490 can be reviewed on the BOEM website, [BOEM Maryland Activities](#).

US Wind is developing the Maryland Offshore Wind Project (the Project) capable of generating up to 2 gigawatts within the Lease area. The Project includes MarWin, a wind farm of approximately 270 MW for which US Wind was awarded Offshore Renewable Energy Credits (ORECS) in 2017 by the state of Maryland; Momentum Wind, up to 1205.4 MW, which US Wind bid into a second round Maryland OREC process in 2021; and any subsequent development within the Lease area. US Wind has assembled and will maintain a fisheries communications team, inclusive of Fisheries Liaison Officers (FLOs), for the duration of the Project. Additionally, US Wind may nominate one or more Fisheries Industry Representatives (FIRs) to enhance communications with the fishing community. This Fisheries Communication Plan (FCP) is central to US Wind's fisheries engagement strategy and will be essential to the company's efforts to develop and implement best practices and build effective relationships with the fishing community.

The FCP establishes the principles US Wind will use to guide outreach and engagement with the region's marine fisheries. It is a "living document" that will continue to evolve with regular feedback and guidance from fishermen, fishing organizations, and regulatory agencies.

The ongoing participation by fishermen and their representatives will help to inform Project planning activities and Project design while also building relationships to support understanding and, ultimately, coexistence with other waterways users. The process of gathering fisheries information to support this effort will be iterative and continuous. It should be understood and expected that credible information received from different sources may be contradictory. US Wind will endeavor to apply the available information to develop fair and equitable plans for shared use of the Lease area.

For opportunities to provide inputs to support future iterations of this plan, to receive Project updates or receive updated versions of this FCP when they become available, please visit the US Wind [website \(www.uswindinc.com\)](http://www.uswindinc.com) or send an email to US Wind FLOs, Ron Larsen (ronlarsen@searisksolutions.com), Calvin Alexander (calexander@searisksolutions.com) and Wolfgang Rain (wrain@searisksolutions.com).

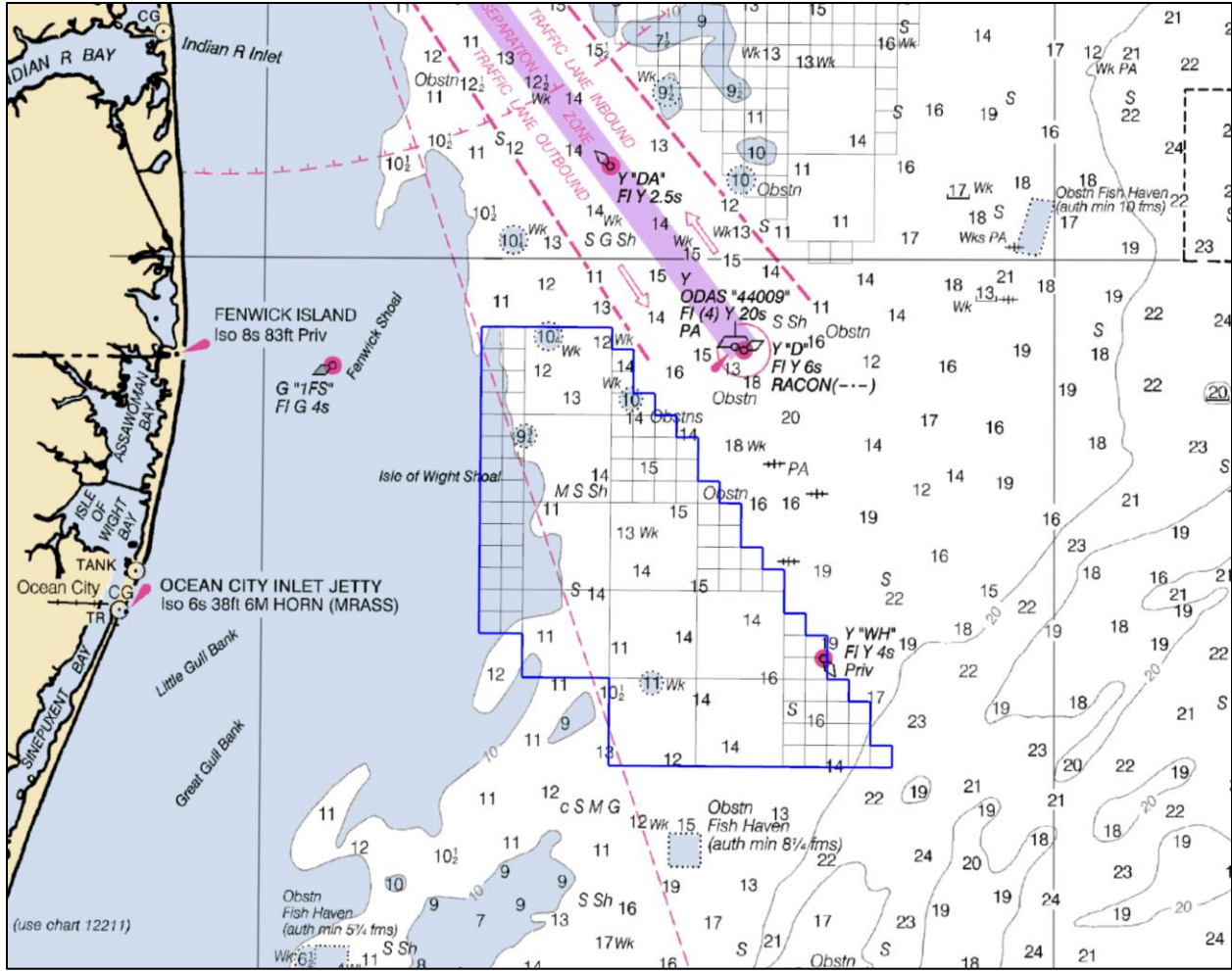


Figure 1: US Wind Lease area (OCS-A-0490)

2. Fisheries Communication Plan Principles and Objectives

Timely communication and information sharing are essential to identify and avoid potential issues during Project development. Sharing information on fishing and survey activities, planned infrastructure positions, submarine cable routes, vessel movements, safety zones, etc. can help to reduce and/or prevent the potential for conflicts detrimental to fishing and the Project.

The US Wind FCP has been developed in accordance with the BOEM guidelines and best practices guidance from other relevant resources (Attachment A). The objective is to define outreach and engagement strategies for fisheries interests that may be affected during the planning, construction, operation, and eventual decommissioning of the Project. These strategies will be enhanced with inputs received from the fishing community and updated as the Project progresses.

Development of the Project within the Lease area and along the export cable route(s) will occur in several stages including Site Assessment and Characterization, Design, COP Preparation and Submission, Construction and Installation, Operations & Maintenance, and Decommissioning. These stages are discussed in greater detail in Section 5.5. The ‘adaptive’ nature of the FCP will allow it to be updated over time as inputs are received and through different stages of Project development and implementation.

The Project will require the development and submission of a Construction and Operations Plan (COP) which will be subject to regulatory review, with additional opportunities for public input, prior to construction. Fisheries information used to inform the COP is based on the best available and most credible information, which may include anecdotal information from fishermen as well as direct observations from vessels engaged in offshore operations.

2.1 FCP Guiding Principles

The fundamental principle of the FCP is facilitation of an open, ongoing dialogue among users of our shared Outer Continental Shelf (OCS) so that we may coexist in the responsible utilization of offshore resources for the National interest. This will be achieved by focusing the FCP around the following, more defined set of principles:

- Facilitate timely, coordinated, efficient, accurate, and transparent two-way communications to promote Project awareness and mariner safety.
- Seek out and utilize the diverse expertise and knowledge of the commercial and recreational fishing communities.
- Acknowledge and respect the concerns, issues, and interests of the fishing community.

2.2 FCP Objectives

Broadly stated, the objective of this FCP is to define outreach and engagement strategies necessary to inform the fishing communities in a timely manner about Project activities while also building reliable and cooperative working relationships with US Wind. This outreach and

engagement will help identify and mitigate, to the extent possible, the challenges that come with coexistence of the Project and fishing activity in the Project area. In order to realize this overall objective, US Wind has identified a sub-set of defined objectives, which include:

- Promote the safety of fishermen, offshore survey crews and construction crews transiting, working, and fishing in the area.
- Seek out fisheries users and their inputs to provide additional details, filling in any data gaps regarding the historic, existing, and potential fisheries opportunities in the Lease area.
- Identify potential adverse impacts to fishermen and make informed decisions on how to avoid impacts where possible and/or mitigate the extent of any effects.
- Provide a pathway to quickly and fairly resolve fisheries related conflicts that may develop during the life of the Project.
- Build an authentic, trusting and working relationship with fisheries users and communities to inform the responsible design, development, construction, operation, and decommissioning of the Project.
- Demonstrate how industry relationships established via the FCP have informed the evolution of the Project as well as the FCP.

3. Fishing Activities Within Lease Area

Fisheries are regional in nature and fishermen from various east coast states have been known to fish within and/or transit through the Lease area. The US Wind lease was characterized as being 'lightly fished commercially' in a report prepared by economists from the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) Northeast Fisheries Science Center (NEFSC) that looked at commercial fishing activity (Kirkpatrick et al. 2017). This characterization is consistent with what US Wind has learned during its own observations and outreach to the fishing community.

The commercial fishing in and around the Lease area almost exclusively utilizes fixed gear (e.g., pots/traps) to target Black Sea Bass (BSB), Whelk/Conch, and to a lesser extent, American Lobster, which are the primary commercial species consistently landed from within the Lease area. Fixed gear fishing using gillnets is conducted seasonally for BSB, spiny dogfish, and other species in and around the Lease area and along the planned export cable route(s). There is historical evidence that commercial fishing using mobile gear (e.g., trawls and dredges) has occurred in the Lease area but evidence of mobile gear activity in the last decade has been minimal. Mobile gear fishing using trawls to target horseshoe crab is known to exist within State waters inshore of the Lease area, while some sporadic trawling for summer flounder (aka fluke) may also take place within the Lease area. Scallop and clam dredging no longer occurs within the Lease area, but vessels targeting these species sometimes deliver catch or re-supply in Ocean City and will transit through the area to reach offshore fishing grounds.

The offshore recreational fishery consists of individual vessel owner/operators as well as a substantial 'for hire' (charter) fleet using hook-and-line. Important recreational target species include flounder, bluefish, BSB, striped bass, scup, tautog, cobia, spadefish, amberjacks, king mackerel, wahoo, shark species, tuna species, billfish species, and other pelagics (e.g., mahi

mahi). Fishing for pelagic species most commonly involves transit through the Lease area to offshore waters, although some sharks are targeted within its boundaries. Divers, free-diving or with SCUBA, will also utilize the Lease area; SCUBA divers will target seabed structure while free divers will utilize surface structure/buoys.

In addition to vessels either fishing within or transiting through the Lease area to get to/from the outer continental shelf fishing grounds, some routinely transit between ports.

Fisheries research, resource surveys, and other oceanographic studies carried out by federal, state, and academic organizations also take place in and around the Lease area.

3.1 Commercial Fishing

The primary commercial fishery conducted in and around the Lease area is the harvesting of BSB and Whelk/Conch using pots set in strings for BSB, and singly for conch. Some fishermen targeting BSB are licensed to fish for lobster and will also incorporate a few lobster traps within a string of gear. These vessels typically work from the ports of Ocean City (MD), Indian River and Lewes (DE), and occasionally, from southern NJ ports of Cape May and Sea Isle City. The BSB fishery is managed via a federally mandated quota system, catch/effort reporting is required, and there are two fishermen known to target BSB with pots in the Lease area. The Whelk/Conch fishery in federal waters, where the Lease area exists, does not fall under any specific fishery management plan, but is overseen to some extent by the Atlantic States Marine Fisheries Commission. Fishermen are required to hold a license and to pay specific fees to land their catch in the State(s) of their intended delivery, and landings reporting are required but reporting the specific location of effort is not required.

The BSB gear is variably fished from April into January, but some fishermen are known to retrieve all their gear and return it to dock if the threat of gear loss during hurricane season appears excessive. The fishermen that work this gear are known to US Wind and an ongoing relationship has been established. The whelk/conch fishery, while open year around, typically runs from October through May in the region, and the fishery is heavily dependent on water temperature. Within the Lease area, whelk/conch fishing typically begins in the December timeframe, fishing will slow when water temperatures decrease in the February timeframe and will then pick up again in the Spring as water temperatures warm. There are a limited number of fishermen that fish whelk/conch in the Lease area, and these are known to US Wind; direct outreach and relationship building is ongoing.

Other commercial fishing gear types that work outside the Lease area, along the planned export cable route(s), include bottom tending gillnets targeting spiny dogfish and some finfish species. The spiny dogfish fishery is a federally managed, quota driven fishery that will typically run from November through April, closing by State when the respective quota allocation is reached, which can be as early as March depending on effort, catch, and export market conditions. Fishermen operating along the potential export cable route(s) off Maryland and Delaware are based primarily in Ocean City, MD, with a small number of fishermen based in Indian River and Lewes, DE.

Although not currently in existence, some fishermen from Maryland have proposed an experimental beam trawl fishery for shrimp, based on the recent establishment of such a fishery in State waters of Virginia that has been successful for the few participants involved. The shrimp fishing season is largely water temperature dependent in the near-shore marine environment, and fishing seasons would be expected to vary slightly. While not taking place in the Lease area, the fishery may have potential to develop near or over the potential export cable route(s).

The Lease area is transited by commercial fishing vessels, primarily in an east-west direction by vessels landing catch in Ocean City, MD. Automatic Identification System (AIS) data, although not used by all vessels, provides some indication of transit activity through the Lease area. Most commercial vessels transiting in a north-south direction to and from distant ports use vessel fairways well inshore of the Lease area. Vessels from the Delaware and Maryland ports heading towards the outer continental shelf Baltimore Canyon and Wilmington Canyon areas may transit east/west through the southern or northern portion of the Lease area. Overall, commercial fishing vessel transit traffic through the Lease area can be considered light to moderate. Scallop and clam dredgers as well as bottom trawlers based in New Jersey ports transit in a north-south direction and generally remain to the east and outside the Lease area.

3.2 Recreational Fishing

The Maryland and Delaware recreational fleets, primarily using hook and line, are mostly private vessels, although there is a more limited 'For Hire' fleet that consists of Party/Head Boats and Charter Boats. There is also recreational spearfishing conducted by free-divers and divers using SCUBA.

The recreational fleet takes advantage of existing natural and man-made seabed structure inside and outside the Lease area, the primary target area being the fish haven structures within the Lease area. Recreational vessels will also transit through the Lease area to reach offshore fishing grounds. Recreational fishing activities are expected to increase within the Lease area once the wind farm is constructed. Additionally, there are several offshore fishing tournaments that take place annually from Maryland and Delaware ports; some of these are identified in

Table 3-1 Offshore Recreational Tournaments

Table 3-1 below.

Tournament	Website
White Marlin Open	www.whitemarlinopen.com
Big Fish Classic	www.bigfishclassic.com
Ocean City Tuna Tournament	www.octunatournament.com
Ocean City Marlin Club Canyon Kickoff	www.ocmarlinclub.com
Mako Mania Shark Tournament (Now Tuna Mania)	www.fishinoc.com

Tournament	Website
Heels and Reels Tournament	www.ocmarlinclub.com

3.3 Fisheries Management and Data

Fisheries operating within the Lease area are subject to a variety of regulations and reporting protocols that result in multiple data sets capturing fishing activity. The regulatory programs and data collection often involve interjurisdictional management between National Marine Fisheries Service (NMFS), regional fisheries management councils (e.g., MAFMC and NEFMC), the Atlantic States Marine Fisheries Commission (ASMFC), and coastal states.

Many of the fisheries conducted adjacent to the Lease area are subject to tracking via a Vessel Monitoring System (VMS), which creates a spatial data record of their fishing and transit activities. Other vessels have permits for regulated species that require effort and landings to be reported via Vessel Trip Reporting (VTR). These fisheries-dependent data have been used to assess the historical commercial fishing activity inside the Lease area.

The FLO will consult with local fishermen to interpret and add context to these data to facilitate a mutually agreed and understandable characterization of the fisheries uses of the Lease area.

4. Site Assessment and Characterization

The site assessment activities will include survey vessels working in the Lease area gathering Geophysical and Geotechnical (G&G) data to inform Project engineering. A data collection buoy will also be deployed to collect long term meteorological and oceanographic data.

4.1 Offshore Survey Activities

The G&G surveys initiated in the Spring of 2021 will continue into 2022 within the Lease area and along the potential export cable routes. These G&G surveys will be conducted by a suite of special purpose survey vessels which will be deployed at various times throughout the year. Large, dynamically positioned vessels will work the offshore areas while a smaller, shallow draft vessels will conduct surveys in the shallow reaches of the potential export cable routes.

The G&G survey activities will include the following activities:

- Depth sounding (multibeam echo sounder) to determine site bathymetry and bottom contours.
- Magnetic intensity measurements to identify ferrous objects like shipwrecks and unexploded ordnance.
- Seafloor imaging (side scan sonar) to identify seabed features, natural and/or manmade.
- Shallow and mid-range penetrating sub bottom profiler to map the near geological stratigraphy below the seabed.
- Sediment samples and digital imagery to support interpretation of geophysical data and characterize sediment conditions and benthic habitats, and

- Benthic grab sampling.

These vessels will often be towing survey equipment behind the vessel and restricted in their ability to maneuver, and a safety buffer around these vessels will be requested. The vessel specifications, operational details and timing will be shared via Mariner Briefings as schedules are determined and updated as needed.

4.1.1 Survey Team Communications

Prior to survey operations being conducted, the Project’s Fisheries Communication Team and the FLOs have developed and distributed Survey Awareness Flyers to the recreational and commercial fishing fleets. They have also briefed the Project’s Survey Teams during survey vessel mobilization to promote awareness of the local recreational and commercial fisheries. This practice will be continued for ongoing and future survey operations.

During survey operations, survey vessels will monitor VHF channels 16 and 13 for bridge-to-bridge communications with fishing vessels operating in the Lease. The FLOs will interact daily with the survey vessel(s) to provide fisheries updates and receive feedback from the survey team.

The FLOs will provide the survey team with the following:

- A description of the commercial and recreational fisheries that may be encountered in the Lease area.
- A schedule of the recreational fishing tournaments that may overlap the survey in space and time, including communications channels for the tournament fleets.
- A gear entanglement protocol and reporting form for US Wind’s Representative on board the survey vessels.

The FLOs will be the primary point of contact and will work to resolve any fisheries issues or gear conflicts that may arise. Standardized procedures are available to facilitate the filing of a claim for gear damage or loss that a fisherman may suspect was caused by US Wind survey activities. The claim procedure can be found in Attachment D.

4.2 Meteorological Buoy and Whale Monitoring Buoy

In May and June 2021, two data collection buoys were deployed within the Lease area that will help inform the development strategy for turbine layouts and better understand large cetacean and other marine wildlife activity in the vicinity. Each buoy could be deployed for up to two years through 2023 within the Lease area. The buoy locations are shown in Table 4-1.

Table 4-1 Meteorological and Whale Monitoring Buoy Locations

Buoy Type	Met Facility Location	Latitude (decimal degrees)	Longitude (decimal degrees)	Mean Lower Low Water Depth
MetOcean	Lease area	N 38.352747	W 74.753546	88.6'
Acoustic Whale Monitoring	Lease area	N 38.303	W 74.645	111.5'

US Wind will collect and analyze meteorological data, inclusive of wind speed and direction at multiple heights, and metocean conditions within the Lease area as part of site assessment activities.

5. Fisheries Communication Strategies

The fishing communities that transit through or utilize the Lease area consist of small family businesses, complex multi-vessel companies, and individual fishermen. Vessels using the area may be resident in a local port, operate from a regional port outside of Maryland, and/or move seasonally between multiple ports. The fishing industry is complex in that regard.

US Wind acknowledges these complexities and the challenges they present when attempting to disseminate critical information to large numbers of fishermen in a reliable and timely manner. Engagement efforts must embrace differences in the needs of these fishing communities. The Fisheries Communication Team will use methods to target both the commercial and recreational users, and sub-groups of the same, in addition to general outreach strategies designed to engage the entire fishing community for robust input. Identifying the best ways to communicate with fishermen will be an ongoing process that will evolve over time with the inputs from fishermen.

The fishing industry itself has a role to play in ensuring that effective communication and interaction takes place in a timely and constructive manner. Fishermen should be willing to engage, and be engaged, to discuss their concerns in an open and transparent way. These engagements will contribute to the assessment of fisheries in the area necessary to avoid and/or minimize negative impacts, develop solutions based on shared information and understanding, and reduce/eliminate conflicts to the greatest extent practicable.

Ongoing communication during all Project stages will be important in resolving any issues or conflicts and informing fishermen of activities that could affect their operations.

5.1 Fisheries Communication Team

US Wind has assembled a Fisheries Communication Team (Table 5-1) that is currently comprised of US Wind management and FLOs, with FIRs to be added as necessary. In this structure, the FLO is responsible for the day-to-day interactions with the fishing community, reporting to the US Wind Management Team. The FLOs are knowledgeable and experienced in local and regional fisheries.

Table 5-1 Fisheries Communication Team

Position	Contact	Company	Email	Tel
Director, Marine Affairs	Benjamin Cooper	US Wind	b.cooper@uswindinc.com	410-340-9602
Director, Permitting	Todd Sumner	US Wind	t.sumner@uswindinc.com	443-240-2824
Fisheries Liaison Officer	Ron Larsen	Sea Risk Solutions	ronlarsen@searisksolutions.com	570-242-5023
Fisheries Liaison Officer	Wolfgang Rain	Sea Risk Solutions	wrain@searisksolutions.com	206-427-6553
Fisheries Liaison Officer	Calvin Alexander	Sea Risk Solutions	calexander@searisksolutions.com	908-967 2080
Fishing Industry Representative	TBD	TBD	TBD	TBD

Any nominated FIRs will be comprised of a mix of recreational and commercial fisheries representatives. This combination of experience and skills, together with the leadership and resources of US Wind, form the Fisheries Communication Team. As with the entire FCP, this team will evolve over time as the Project progresses.

5.1.1 Fisheries Liaison Officer

The FLO is responsible for overall implementation of the communications plan, communicating Project plans and activities that might impact the fishing industry during all stages of Project development and implementation. The FLO will have a direct line of communication to US Wind management, through which to make recommendations for improvement and address complaints, concerns, and share other input received from the fishing communities.

The primary roles and responsibilities of the FLO are detailed in Attachment B.

5.1.2 Fisheries Industry Representative(s)

The Fishing Industry Representatives (FIRs), if nominated, will be the main point of contact within a fishing industry and/or fishing organization. They do not work for or on behalf of US Wind, but rather represent their respective fishing communities to the US Wind Fisheries Communication Team. The FIR should have prior acceptance of the fishing industry they represent and provide unbiased representation of the same. The FIR is normally an individual who has worked extensively within the industry they represent but does not need to be an active fisherman.

The primary roles and responsibilities of a FIR are detailed in Attachment C.

5.2 General Strategies

The US Wind Fisheries Communication Team will use an array of general outreach strategies designed to engage the entire fishing community. These strategies will offer various opportunities to access and/or receive timely updates on Project activities and stress the need for feedback from fishing communities. Robust feedback from the fishing community will be

strongly encouraged. The methods and opportunities to provide that feedback will be clearly identified and readily available.

General outreach strategies that will be employed include, but are not limited to, the following:

- Maintain a dedicated webpage on the US Wind website specifically for the fishing community with the latest Project information, including relevant contact information and opportunities to submit feedback ([US Wind - For Mariners](#))
- Continue to update the current comprehensive email distribution list to provide regular Project updates and other important Project notices.
- Regularly distribute updated asset and operational awareness bulletins showing the development area, depicted on local nautical charts, with a description of the assets in the area, the activities taking place, anticipated timelines, and relevant contact information.
- Schedule and hold regular meetings, roundtables, open houses, and webinars with activities designed to educate the public, share Project information, and solicit community feedback activities.
- Engage the existing Offshore Wind communications networks of the federal management agencies (e.g., USCG, US Navy, BOEM, NMFS, etc.), the regional fisheries management councils (e.g., MAFMC, NEFMC, etc.) and state agencies (e.g., MD DNR, DNREC, etc.) and provide links to the same.
- Publish announcements and share Project updates with print and online industry publications and local news outlets.
- Establish a 24-hour phone line to address any real-time operational conflicts and/or safety issues.
- Establish specific methods for communicating with fishermen while they are at sea.
- Work with the USCG to issue Local Notice to Mariners (LNM) ahead of any offshore activities, as required.

5.3 Commercial Fisheries Engagement Strategies

In all cases, early identification of the commercial fisheries conducted in the Lease area and engagement with the specific users is paramount to the success of this FCP. US Wind has engaged with existing commercial fishermen's organizations, local leaders that represent the various gear types used in the area, and individual fishermen. Additional engagement strategies for specific commercial fisheries users of the Lease area include:

- Engage fixed gear fishermen to establish a set of guiding principles and procedures for: 1) the identification and /or temporary relocation of fixed gear if/when needed, and 2) the process for filing a claims form associated with lost or damaged gear.
- Schedule meetings with local fishermen (e.g., port meetings, webinars, etc.) when offshore operational plans and dates are confirmed to discuss the activity and identify any potential conflicts.

- Establish and support regular “Port Hours” with an open-door policy in local ports to encourage regular local engagement to help identify and characterize important local details regarding fisheries operations and practices.
- Secure local vessels to act as Scout Boats during offshore activities and if required, engage local fishermen to serve as Offshore Fisheries Liaison Representatives.
- Participate in commercial fishing conferences and trade shows, providing an additional point of engagement.

5.4 Recreational Fisheries Engagement Strategies

Recreational fisheries users that may be impacted by operations in the Lease area are also represented by national organizations (e.g., American Sportfishing Association) local organizations (e.g., Atlantic Coast Sportfishing Association), clubs (e.g., Ocean City Marlin Club), and individual fishermen. Additional engagement strategies specific to recreational fisheries users of the Lease area include:

- Engage the professional associations representing the ‘For Hire’ fleet of party and charter boats; schedule meetings to share information and obtain feedback.
- Identify and engage local offshore fishing clubs, attend meetings, deliver educational presentations, and solicit feedback.
- Identify offshore fishing tournaments and dates; engage with tournament organizers, share operational plans and contact information; identify and monitor VHF channel used by tournament.
- Participate in recreational fishing trade shows and have a presence during fishing tournaments

5.5 Planning for Subsequent Project Stages

- Site Assessment and Characterization – This stage of Project activity includes the marine G&G surveys as well the deployment of multiple environmental monitoring buoys. The Fisheries Communication Team will work with the regional fisheries community to promote awareness of the site assessment activities; the FCP will likely be updated several times during this stage of the Project.
- Design, COP Preparation and Submission- The Fisheries Communication Team will use the survey data fisheries inputs received to date to inform the Project layout. Continue engagement with the fishing communities to review and understand the proposed layout. The FCP will continue to be refined as needed.
- Construction and Installation – Ahead of construction and installation activities, the FCP will be further refined and reviewed with the fishing communities to facilitate ongoing communication and engagement.
- Operations & Maintenance – Following construction, the FCP will continue to be updated during the operational life of the Project in order to address the changing needs of the

fishing communities.

- Decommissioning – Prior to the decommissioning, the FCP will be updated to address this final stage of the Project.

As previously stated, the FCP will evolve over the life of the Project. This evolution will be based on shared experiences of US Wind and the fishing communities and requires the continued engagement and dedication of all to be effective.

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Attachment A - References

This FCP is based on current best practice guidance and has been improved with input from the fishing industry through feedback and consultation. Best practice guidance that were considered includes but are not limited to:

- Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW) Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison, January 2014. Available online: <http://www.thecrownestate.co.uk/media/5693/floww-best-practice-guidance-for-offshore-renewables-developments-recommendations-for-fisheries-liaison.pdf>
- Offshore Wind Best Management Practices Workshop, Feb 5-6, 2014, Final Report, Mid-Atlantic Fishery Management Council.
- Ecology and Environment, Inc. 2014. Development of Mitigation Measures to Address Potential Use Conflicts between Commercial Wind Energy Lessees/Grantees and Commercial Fishermen on the Atlantic Outer Continental Shelf Report on Best Management Practices and Mitigation Measures. A final report for the U.S. Department of the Interior, Bureau of Ocean Energy Management, Office of Renewable Energy Programs, Herndon, VA. OCS Study BOEM 2014-654. 98 pp. Available at: <http://www.boem.gov/OCS-Study-BOEM-2014-654>.
- Guidelines for Providing Information on Fisheries Social and Economic Conditions for renewable Energy Development on the Atlantic Outer Continental Shelf Pursuant to 30 CFR Part 585, U.S. Department of The Interior, BOEM, Office of Renewable Energy Program, October 20, 2015.
- Guidelines for Information Requirements for a Renewable Energy Construction and Operations Plan, Attachment A – Version 3.0, BOEM April 2016
- Collaborative Fisheries Planning for Virginia’s Offshore Wind Energy Area. OCS Study BOEM 2016-040, prepared by Virginia Coastal Zone Program. Available at: <http://www.deq.virginia.gov/Programs/CoastalZoneManagement/CZMIssuesInitiatives/OceanPlanning/FishingandVirginiaOffshoreWind.aspx>
- Kirkpatrick, A.J., S. Benjamin, G.S. DePiper, T. Murphy, S. Steinback, and C. Demarest. 2017. Socio-Economic Impact of Outer Continental Shelf Wind Energy Development on Fisheries in the U.S. Atlantic. Volume I—Report Narrative. U.S Dept. of the Interior, Bureau of Ocean Energy Management, Atlantic OCS Region, Washington, D.C. OCS Study BOEM 2017-012. 150 pp.
- Guidelines for Providing Information on Fisheries for Renewable Energy Development on the Atlantic Outer Continental Shelf Pursuant to 30 CFR Part 585, U.S. Department of The Interior, Bureau of Ocean Energy Management, Office of Renewable Energy Programs, June 2019.
- Fishing and Submarine Cables Working Together – International Cable Protection Committee, February 2009, Second Edition

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Attachment B - Fisheries Liaison Roles and Responsibilities

The roles and responsibilities of the FLO include but are not limited to:

- Act as the US Wind public outreach representative and principal contact to the fishing communities.
- Effective implementation of the FCP, with support from the Fisheries Communication Team.
- Ensure timely communications and dissemination of information to fishermen groups regarding all relevant Project activities.
- Support development of communication materials to ensure effective messaging.
- Organize meetings, as necessary, to obtain the fishing community's feedback and communicate concerns to US Wind management.
- Support development and maintenance of a comprehensive stakeholder database for all identified fisheries operating within the Lease area throughout all stages of the Project. Record relevant Project information and communications, including presentations and individual conversations, maintaining confidentiality as appropriate.
- Share, present, and discuss this FCP with industry and appropriate agencies; refine and enhance FCP based on real-time fishing industry feedback and ongoing outreach experience(s).
- Maintain awareness and, where possible, participate in meetings with fisheries groups, regulators, non-government organizations, policy makers, contractors working on the Project, and other offshore wind project developers to foster positive working relationships.
- Assess offshore activities and identify the need, if any, for Offshore Fisheries Liaison, static gear clearance, and/or Scout Vessel; make recommendations for the same.
- Develop, recommend and/or comment on potential mitigation measures being considered for use during Project design, implementation, and operation.
- Investigate and follow-up any known complaints or concerns regarding fisheries related issues, including those regarding gear conflicts/interactions with US Wind operational vessels.
- Be available to meet with fishermen representatives in person, via email or social media, phone, or radio outside of regular business hours and on weekends.

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**Attachment C - Fishing Industry Representative Roles and
Responsibilities**

The roles and responsibilities of a Fishing Industry Representative (FIR) include but are not limited to:

- Act as the main point of contact within a fishing industry organization; accurately represent the views of the fishermen within his or her remit
- Liaise in good faith with the FLO to ensure the objectives of the FCP are achieved.
- Reliably disseminate information to and from the fishing community, in a timely and all-inclusive manner.
- Providing the Project with factual, reliable guidance on fishing activity in the area, drawing attention to fishing sensitivities and promoting responsible, equitable mitigation measures.
- Monitoring real time fishing activities and fleet movements in the Lease area and inform Communications Team of the same.
- Advising fishermen of development works, activities, and any associated operational safety measures.
- Facilitate the organization fisheries meetings, as necessary, to obtain fishermen's feedback on Project issues, concerns, and potential solutions.
- Participate in negotiations on mitigating the effects of construction, operation and decommissioning which may include temporary movement of static gear, the use of scout vessels and/or deployment of an Offshore Fisheries Liaison Representative. Work with the FLO to identify candidates for the same.
- Immediately share any known complaints or concerns regarding fisheries related issues, including those regarding gear conflicts/interactions with US Wind operational vessel. Support any investigation and/or follow-up that may be necessary.
- Be available to meet with FLO and Fisheries Communication Team in person, via phone and/or video conference on a regular basis.

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Attachment D – Fishing Gear Damage or Loss Claim Procedure

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Fishing Gear Loss Claim Procedure

US Wind recognizes that commercial fishing and the US Wind offshore wind project share common space and both harvest a resource to benefit the citizens of the Delmarva region and the United States. US Wind also recognizes that coexistence of these user groups in this shared space may result in interactions between US Wind and commercial fishing gear. We believe that with proper planning, outreach, communication and training, fishing gear interactions can be minimized. The following outlines US Wind's approach to managing this issue, and, in the unfortunate event of an interaction, we have implemented the following claim process.

Outreach - Sea Risk Solutions serves as the Fisheries Liaison Officer (FLO) for the US Wind project and will be the primary point of contact for fishery related issues. The FLO conducts extensive outreach and interacts with commercial and recreational fishermen, fishermen's associations, recreational tournament organizers, management authorities and support services to identify mariners that operate in areas where project activities are planned. Communications are established directly with identified fishermen, including methods for real-time communications, in order to mutually share operational information and updates. The FLO is available for direct telephone inquiries to assist with coordination of activity between fishing and project operations and to address any fishery-related questions and concerns.

Communications and Planning – Through the FLO, US Wind provides project Mariner Information Sheets (MIS) and information related to USCG Local Notice to Mariners to share operational updates, names of active vessels, activities being conducted and the specific areas of operation. This information can be found at www.uswindinc.com. US Wind utilizes local fishing vessels to serve as Scout Vessels to proactively survey upcoming work areas for fishing gear. If gear is located within the planned work area, we will try to identify and contact the owner of the gear. Each offshore vessel contracted by US Wind is advised to communicate early and often with fishing vessels operating in the area of survey activities, while always following USCG Rules of the Road.

Fisheries Briefing – US Wind contractors, including survey vessel Masters, bridge officers, and survey crew are briefed in local fisheries and their respective seasons and gear methods, how to identify and avoid fishing gear, and the importance of coordinating with local and regional fishermen. Fishing observations are recorded by onboard personnel, fixed gear positions are plotted for future reference and avoidance. Fishing vessel sightings and gear information are reported to the FLO for follow-up as necessary. Should an interaction occur, offshore contractors are briefed in how to respond to the event safely and responsibly, document the interaction, and report immediately to the FLO. The FLO will follow-up with the fishing vessel operator and gather feedback in order to improve communication on vessel activities.

Filing a Claim – If you have experienced gear loss or damage that you believe was caused by or was the result of US Wind activities, please follow the instructions below to submit a claim.



Fishing Gear Loss Claim Procedure

- 1) As soon as safe to do so, report incident via cell phone or email to FLO:
 - Wolfgang Rain at (206) 427-6553 or wrain@searisksolutions.com and/or
 - Ron Larsen at (570) 242-5023 or ronlarsen@searisksolutions.com
- 2) Within 30 days of the incident submit a complete, legible, executed Claim Form to the above-listed FLOs.

Claim Review – All Claim Forms will be reviewed by the FLO and US Wind.

- 1) Within 30 days of receipt of a complete Claim Form, the Applicant will receive a written response which may include a request for additional information.
 - a. If the claim is confirmed, payment will be arranged with the Applicant.
 - b. If the claim is denied, a written explanation will be provided to the Applicant.

Gear conflict prevention methods should be followed by all parties. US Wind reserves the right to deny a claim should an applicant file multiple claims for gear loss in the same area. Any payment in connection with a filed claim will be considered a full release. US Wind reserves the right to request additional information to support the review of any claim.

[Claim Form Appears on the Next Page]



Fishing Gear Loss Claim Procedure Form

Name:

Address:

Homeport:

Vessel Name:

State License #:

Gear Type:

Business Name:

Phone #:

Email:

Vessel Documentation #:

Federal License #:

Date of Incident:

Last Time Gear Set/Hauled: _____

Specific Gear Location (Lat/Lon or TD): _____

Gear Description (Markings, Polyballs, Highflyers):

Description of Incident Causing Damage/Loss: _____

Was any of the gear retrieved?

How many gillnets, pots, highflyers, trawl, doors, ground cables, scissor legs, etc. are lost/damaged?

Vessel(s) Observed in Area (Yes/No). If yes, Vessel Name(s):

Describe normal gear configuration and fishing activity:

Total Claim Amount = \$ _____



Fishing Gear Loss Claim Procedure Form

Additional information required to process Gear Loss Claim Form:

- Copy of a valid fishing permit.
- Proof of landing history through a VTR report, sales slip, or similar type of documentation that the vessel was fishing in the area for period of gear loss/damage.
- Proof of ownership of the vessel capable of fishing area of loss, including photos.
- Sales slip or gear invoice for replacement or repair gear (must be substantially similar to gear that was lost/damaged).
- Location of gear loss/damage – either GPS coordinates and/or photo of chart plotter
- Completed W-9 form (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>)

I, _____, as the Applicant hereunder authorize US Wind to make whatever reasonable inquiries and investigations it deems necessary to verify my Application and request for reimbursement. Applicant understands that submitting this Application does not guaranty payment. Applicant further agrees that if this claim is accepted and paid in its entirety, that acceptance of such payment constitutes full, final and complete payment for this particular claim and that neither US Wind, nor any of its affiliates shall have any further outstanding or ongoing obligation with respect to this particular claim and Applicant shall not, directly or indirectly, assert any claim, or commence, join in, prosecute, participate in, or fund any part of, any suit or other proceeding of any kind against US Wind, or any of its affiliates, based upon this particular claim. If a claim is denied in part, Applicant may accept payment for the undisputed part without waiving Applicant's right to appeal the disputed part of the claim. Applicant recognizes that submission of this Application does not affect Applicant's rights concerning matters other than those specifically identified in this particular Application.

I attest, under penalty of perjury, that to the best of my knowledge the information in this Application is true and correct.

Signature

Date



Fishing Gear Loss Claim Procedure Form

Please return this Gear Loss Claim form and the all required information, including a completed W-9 form, by one of the below methods:

1) Delivering an electronic copy via email to the FLOs Wolfgang Rain (wrain@searisksolutions.com) and Ron Larsen (ronlarsen@searisksolutions.com) and with a copy to US Wind's Benjamin Cooper (b.cooper@uswindinc.com); or

2) Mail a copy to:

US Wind, Inc.
401 East Pratt Street, Suite 1810
Baltimore, MD 21202
ATTN: Benjamin Cooper

Please note that the payment cannot be processed without a signature and W-9 form. Upon acceptance of the Application and confirmation of the validity of the claim, payment will be issued within 10 business days of such confirmation.