

Atlantic Shores Offshore Wind Fisheries Communication Plan NY Bight Lease OCS-A 0541

Prepared for:



Atlantic Shores Offshore Wind LLC

Prepared by:



Sea Risk Solutions LLC

VERSION SUMMARY

VERS	Date	Prepared by	Checked by	Approved by
1.0	28 AUG 2022	Sarah Hudak	Ron Larsen	

REVISION SUMMARY

REV	Date	Prepared by	Checked by	Approved by

DESCRIPTION OF REVISIONS

REV	Section	Page(s)	Description

This page intentionally left blank

Table of Contents

1.	Introduction	1
2.	Fisheries Communication Plan Principles and Objectives	4
2.1	FCP Guiding Principles	5
2.2	FCP Objectives	5
3.	Fishing Activities within the Lease Area	6
3.1	Commercial Fishing.....	6
3.2	Recreational Fishing.....	7
3.3	Fisheries Management and Data.....	8
4.	Site Assessment and Characterization.....	8
4.1	Offshore Survey Activities	9
4.1.1	Survey Team Communications	9
4.2	Monitoring Buoys	10
4.3	Marine Resource Assessment.....	10
5.	Fisheries Communication Strategies.....	10
5.1	Fisheries Communication Team.....	11
5.1.1	Fisheries Liaison Officer	11
5.1.2	Fisheries Support Staff	12
5.1.3	Fisheries Industry Representative(s).....	12
5.2	General Strategies	12
5.3	Commercial Fisheries Engagement Strategies.....	13
5.4	Recreational Fisheries Engagement Strategies.....	13
5.5	Planning for Subsequent Operational Phases	14
5.6	Coordination of Engagement Across Leases.....	14

List of Tables

Table 1-1	Fisheries Communication Team	2
Table 3-1	Offshore Recreational Tournaments*	8

List of Figures

Figure 1-1	Atlantic Shores Offshore Wind Lease Areas OCS-A-0541	3
------------	--	---

List of Appendices

Appendix A - References

Appendix B - Fisheries Liaison Roles and Responsibilities

Appendix C – Fishing Gear Damage or Loss Claim Procedure

Appendix D – Fisheries Industry Representative Roles and Responsibilities

Acronyms and Abbreviations

Atlantic Shores	Atlantic Shores Offshore Wind, LLC
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
FCT	Fisheries Communication Team
FLO	Fisheries Liaison Officer
FIR	Fishing Industry Representative
GARFO	Greater Atlantic Regional Fisheries Office (formerly “Northeast” or NERO)
G&G	Geological and Geophysical
HRG	high-resolution geophysical
HMS	Highly Migratory Species
Lease 0541	Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf OCS-A 0541
m	meter
MAFMC	Mid-Atlantic Fishery Management Council
MMPA	Marine Mammal Protection Act
NEFSC	Northeast Fisheries Science Center
NJ DFW	New Jersey Division of Fish & Wildlife
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
OCS	Outer Continental Shelf
OFLR	Offshore Fisheries Liaison Representative
OSS	Offshore Substation
SAP	Site Assessment Plan
TD	Time Differential
VHF	Very High Frequency
VMS	Vessel Monitoring Systems
VTR	Vessel Trip Report
WTG	Wind Turbine Generator

This page intentionally left blank

1. Introduction

Atlantic Shores Offshore Wind, LLC (Atlantic Shores), a 50/50 joint venture between EDF-RE Offshore Development, LLC (a subsidiary of EDF Renewables, Inc.) and Shell New Energies US LLC, is the lease holder of three (3) Outer Continental Shelf (OCS) Lease Areas¹. The topic for this Fisheries Communication Plan is OCS-A 0541 (the Lease Area). The Lease Area is located approximately 65 miles south of New York and 27 miles east of New Jersey at its closest points, encompassing approximately 79,351 acres. Atlantic Shores proposes to develop Offshore Wind within the Lease Area in a method that is collaborative and consistent across other Atlantic Shores development sites. At the timing of the initial publication of this Fisheries Communication Plan, Atlantic Shores has three (3) lease areas, and three subsequent Fisheries Communication Plans. Each of the plans, while individually developed to meet filing needs required by BOEM, present a unified approach to communication and engagement with the fishing communities.

The Lease Area 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 0541 can be reviewed on the BOEM website, BOEM New York Bight Activities (<https://www.boem.gov/renewable-energy/state-activities/new-york-bight>).

Atlantic Shores is committed to coexistence with all users of this shared ocean space, including commercial and recreational fishing communities. Atlantic Shores has assembled and will maintain a Fisheries Communication Team (FCT) (Table 1-1), inclusive of a Fisheries Liaison Officer (FLO) and Fishing Industry Representative(s) (FIR), throughout all phases of development (planning, construction, operation, and eventual decommissioning). This Fisheries Communication Plan (FCP), required by BOEM under the lease stipulations (Section 3.1.2.1), is central to the Atlantic Shores' fisheries engagement strategy and will be the foundation of the company's efforts to develop and implement best practices and build collaborative relationships with the fishing community.

The FCP establishes the principles that will guide Atlantic Shores in its outreach and engagement with the region's marine fisheries communities. It is a "living document" that will evolve with regular feedback and guidance from fishermen, fishing organizations, and regulatory agencies.

¹ The three (3) existing Atlantic Shores Offshore Wind LLC Leases include OCS-A 0499, OCS -A 0541, and OCS-A 0549

Table 1-1 Fisheries Communication Team

Position	Contact	Company	Email	Tel
Development Manager	Doug Copeland	Atlantic Shores	doug.copeland@atlanticshoreswind.com	+1 267 535-1366
Fisheries Liaison Officer	Kevin Wark	Atlantic Shores	kevin.wark@atlanticshoreswind.com	+1 609 290-8577
Fishing Industry Representative	Adam Nowalsky	Karen Ann Charters	captadamnj@gmail.com	+1 609 618-0366
Fishing Industry Representative	Brady Lybarger	Scallop Shack Farms	scallopshackfarms@gmail.com	+1 609-602-1417
Fisheries Support	Ron Larsen	Sea Risk Solutions, LLC.	ronlarsen@searisksolutions.com	+1 570 242-5023

Building productive relationships is key to coexisting with users of this area. Participation by fishermen and their representatives is important and will help to inform Atlantic Shores’ project-planning and design activities. Gathering fisheries information will be iterative and continuous. It should be understood and expected that credible information received from different sources may be contradictory. Atlantic Shores will endeavor to apply the available information to develop fair and equitable plans for shared use of the Lease Area.

For opportunities to provide improvements on this plan, receive updates on Atlantic Shores activities, or to receive updated versions of this FCP when they become available, please visit the “For Mariners” page on the Atlantic Shores website (www.atlanticshoreswind.com/mariners/) or send an email to the Atlantic Shores FLO, Capt. Kevin Wark (kevin.wark@atlanticshoreswind.com).

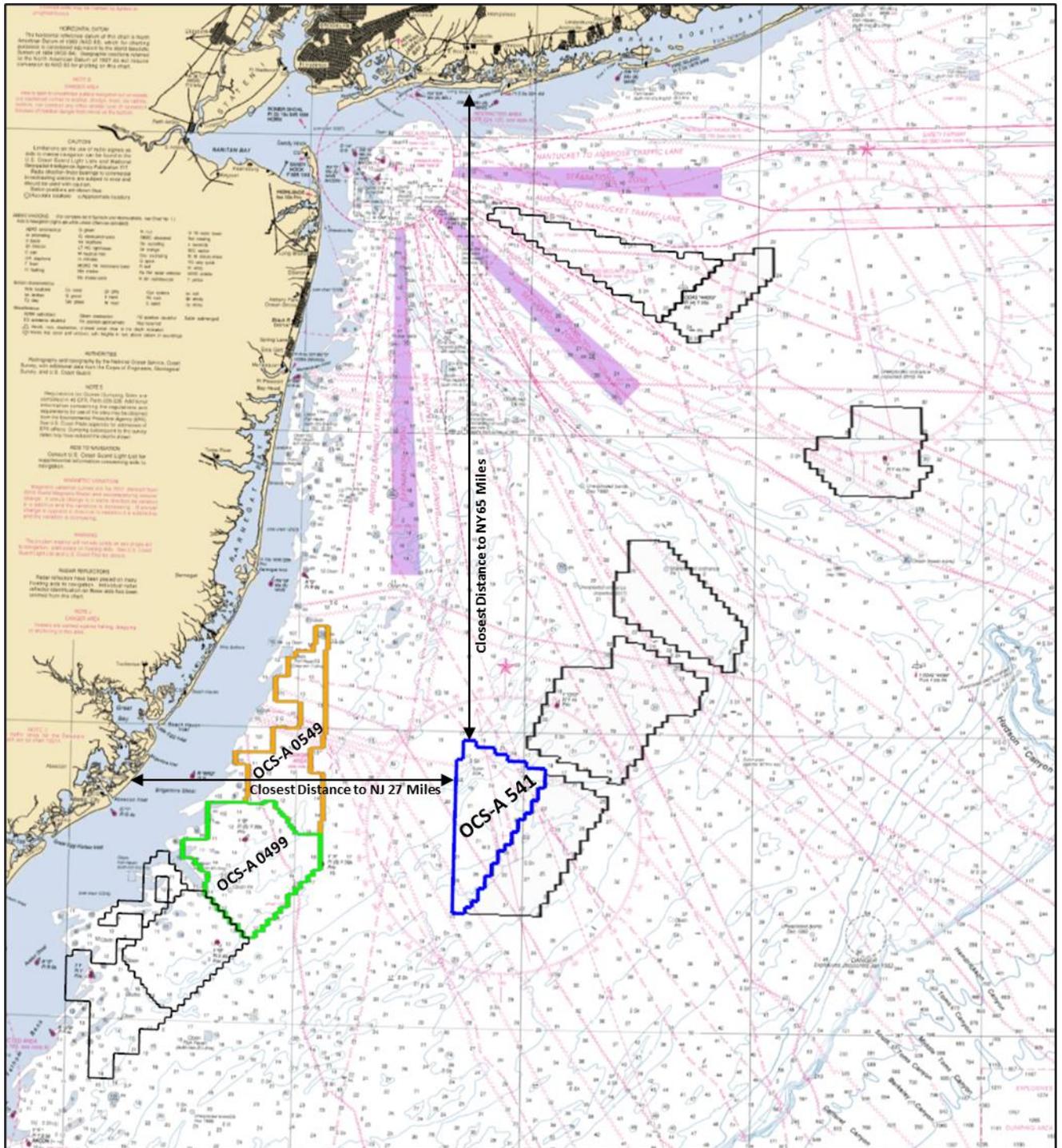


Figure 1-1 BOEM New York Bight Lease Areas and Closest Distance to Land from Atlantic Shores Offshore Wind Lease Area OCS-A 0541.

2. Fisheries Communication Plan Principles and Objectives

Timely communication and information dissemination are essential to identifying and avoiding potential problems during development of Atlantic Shores' Lease Area. The sharing of information on fishing activities, planned infrastructure positions, submarine cable routes, vessel movements, safety zones, etc. can help to reduce and prevent the potential for conflict detrimental to fishing and the activities of Atlantic Shores.

The Atlantic Shores FCP has been developed in accordance with the Lease Stipulations, specifically Section 3.1.2.1, as well as BOEM guidelines and best practices guidance from other relevant resources (Appendix A). The NY Bight Lease stipulations identified in Section 3.1.2.1 of the Lease document reads as follows:

3.1.2.1 Fisheries Communications Plan and Fisheries Liaison: The Lessee must develop a draft FCP and make it publicly available within 120 days of lease execution. The Lessee must update and refine the FCP from time to time, in response to feedback obtained by engagement with Tribes and parties and BOEM consultation. If the Lessee does not develop a project website, the Lessee must make the FCP available to the Lessor and the public upon request. The plan must include the following:

- *A description of the strategies that the Lessee intends to use for communicating with commercial and recreational fisheries prior to and during activities in support of the submission of a plan (e.g. SAP or a COP). This description must include mechanisms to distribute notices to Federal and state fisheries license holders known to operate near the lease area through a local "Notice to Mariners" and outreach to, e.g., Fisheries Management Councils, newsletters, websites, Fisheries Liaison Officers and/or Fisheries Representatives, and applicable state agencies.*
- *The contact information for an individual retained by the Lessee as its primary point of contact with commercial and recreational fisheries (i.e., Fisheries Liaison).*
- *The strategy and general timing of discussions with commercial and recreational fisheries regarding the reduction of conflicts with facility designs, pursuant to Lease stipulation 3.1.1.*
- *A process to file a complaint with the offshore wind operator and seek the replacement of or compensate for lost gear.*
- *Plans to coordinate with commercial and recreational fisheries to identify peak fishing seasons and, to the extent practicable, avoid interaction offshore between survey vessels and commercial fishermen.*

Additionally, the Lessee is required to (i) notify applicable ocean users two weeks in advance of any geological and geophysical survey activities and, (ii) provide an annual summary of filed complaint claims and outcomes to BOEM to better understand the frequency and extent of gear interactions.

The objective of the FCP is to define outreach and engagement strategies for fisheries' interests that may be affected during the planning, construction, operation, and eventual decommissioning within the Lease Area. These strategies will be enhanced with inputs received from the fishing community and updated as Atlantic Shores progresses with the development of the Lease Area.

Development of the Lease Area will occur in several stages. This version of the FCP specifically addresses the site assessment and site characterization activities that will be conducted both within the Lease Area and along the Export Cable Route(s). The “adaptive” nature of the FCP will allow it to be iterative over time as inputs and new information are received and through the different phases of project development and implementation.

Atlantic Shores will prepare a Construction and Operations Plan (COP) which is subject to regulatory review, with additional opportunities for public input, as required by regulation, prior to construction. Fisheries information used to inform the COP are based on the best available and most credible data, science, and stakeholder-received information. The COP for the Lease Area will be made available on the BOEM website.

2.1 FCP Guiding Principles

The fundamental principle of the Atlantic Shores FCP is facilitation of an open, ongoing dialogue among users of our natural resources on the shared OCS so that we may coexist in our responsible utilization of offshore resources for the benefit of all. This will be achieved by focusing the FCP around these set of principles:

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

2.2 FCP Objectives

Broadly stated, the objective of this FCP is to outline outreach and engagement strategies necessary to inform the fishing public in a timely manner about Atlantic Shores' activities, while also building reliable and cooperative working relationships between Atlantic Shores and the fishing communities. These relationships are key to identifying and mitigating, to the extent possible, the inevitable challenges that come with coexistence. In order to work towards effective coexistence, Atlantic Shores 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.

- Proactively seek fishing communities’ 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 for the Project.
- Build an authentic, trusting working relationship with fisheries users and communities to inform the responsible design, development, implementation, and operation of the Project.
- Demonstrate through regular, semi-annual reporting to BOEM how industry relationships established, and inputs received via the FCP have informed the development of the Lease Area as well as the FCP.

3. Fishing Activities within the Lease Area

Fisheries are regional and dynamic; in addition to fishing communities from NY and NJ, vessels from North Carolina to Massachusetts may fish or transit within the Lease Area or along the Export Cable Corridors. Three of the top five ports deriving revenue from the Lease Area are in NJ (Cape May, Atlantic City, and Barnegat Light/Long Beach), the other two ports are Newport News (VA) and New Bedford (MA). The top two primary commercial fisheries within the Lease Area are surf clam / ocean quahog (by weight) and Atlantic sea scallops (by revenue). Together, those two fisheries account for 93% of the revenue derived from the area and ~85% of the landings (by weight). Other species harvested from the area include summer flounder, squid sp., monkfish and other finfish species. The primary gear types utilized are dredges, trawls, gillnets, pots/traps, purse seines, and hook/line.

The offshore recreational fishery consists of individual vessel owner/operators as well as a substantial “for hire” fleet. The top five (5) recreational fishing ports that support offshore activity are Manasquan Inlet (Point Pleasant), Cape May, Barnegat Light Inlet, Shark River Inlet, and Sandy Hook (Raritan Bay). Primary landings and target species for the offshore recreational fisheries are summer flounder, bluefish, black sea bass, striped bass, shark sp., tuna sp. and other pelagic species (e.g., mahi mahi).

In addition to vessels fishing within the Lease Area, there may also be fishing vessels that transit through the Lease Area to get to/from the fishing grounds. 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 (by landings/volume) conducted in and around the Lease Area is overwhelmingly the harvesting of Surfclams and Ocean Quahog (SCOQ) using hydraulic dredges. The fishery is conducted year-round and is well managed using a

harvest quota. Scallop dredging has historically taken place within the Lease Area, but effort has significantly reduced in recent years as scallop populations shift further north and offshore into deeper waters due to the effects of ocean warming. The vessels that work the Lease Area are primarily from Cape May (NJ), Atlantic City (NJ), Newport News (VA), New Bedford (MA), and Barnegat Light (NJ).

Bottom trawling is conducted on a limited basis targeting summer flounder, squid, and scup among others, depending on season. Pots/traps and gillnets are utilized on a very limited basis, primarily targeting for black sea bass, lobster, Jonah crab and monkfish. Occasionally there are high-volume fisheries active in the Lease Area using mid-water trawls and purse seines to target menhaden, herring, mackerel, etc.

The Lease Area is not heavily transited by commercial fishing vessels. Automatic Identification System (AIS) data, although not used by all vessels, provides some indication of transit activity within the Lease Area, which is primarily Atlantic City SCOQ transiting in a generally ENE/WSW direction and scallop vessels from Barnegat Light and Point Pleasant transiting in a SE/NW direction to what used to be the MidAtlantic Scallop Rotational Area.

3.2 Recreational Fishing

Recreational fishing fleets in New Jersey are mainly made up of private vessels, although there is a substantial “For Hire” fleet. The “For Hire” fleet consists of approximately 100 Party/Head Boats and over 300 Charter Boats. The primary method of harvest is hook/line but there is also a small recreational pot/trap fishery. According to data from the Mid-Atlantic Ocean Data Portal (MARCO) and Northeast Ocean Data Portal, recreational fishing effort is minimal in the Lease Area.

Additionally, there are no charted wrecks, obstructions, or artificial reef areas in or adjacent to the Lease Area. There is a small portion in the Northern part of the Lease Area identified as New Jersey Prime Fishing Ground, but minimal recreational activity has been reported in this area.

There are several offshore fishing tournaments that take place on a regular basis, some of these where information was readily available are identified in Table 3-1 below. This should not be considered an all-inclusive list; additional tournaments will be added as they are identified.

Table 3-1 Offshore Recreational Tournaments*

Tournament	Host
South Jersey Shark Tournament	South Jersey Tournaments
MidAtlantic Tuna Tournament	South Jersey Tournaments
MidAtlantic Cup – Blue Marlin Tournament	South Jersey Tournaments
South Jersey Yacht Sales Offshore Showdown	South Jersey Tournaments
Yacht Club of Stone Harbor Marlin Tournament	South Jersey Tournaments
Ocean City Marlin & Tuna Club Overnight Tournament	South Jersey Tournaments
The MidAtlantic	South Jersey Tournaments
Tag One: Research Project	South Jersey Tournaments
Mako/Tuna Fever Tournament(s)	Jersey Coast Anglers
Beach Haven White Marlin Invitational	Beach Haven Marlin & Tuna Club
Bluefin Open	Manasquan River Marlin & Tuna Club
Tuna Mania	Greater Point Pleasant Charter Boat Association
Shark Challenge	Triple Challenge Tournament Series

**We recognize that this list is not inclusive of all tournaments in the New York Bight area. This list only documents tournaments in which fishermen are likely to actively fish in, or transit through, lease area OCS – A 0541.*

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. The regulatory programs and data collection often involve interjurisdictional management between National Marine Fisheries Service (NMFS), regional fisheries management councils (e.g., Mid-Atlantic Fisheries Management Council [MAFMC] and New England Fisheries Management Council [NEFMC]), the Atlantic States Marine Fisheries Commission (ASMFC) and coastal states.

Many of the fisheries conducted within the Lease Area are subject to tracking via a Vessel Monitoring System (VMS), which would create a spatial data record of their 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 and along proposed Export Cable Corridors gathering Geophysical and Geotechnical (G&G) data to support the understanding of seabed characteristics and sensitive resources/habitats as well as to inform site engineering. Data collection buoys may also

be deployed to collect long term meteorological and oceanographic data. Biological and ecological surveys of birds, other marine life and their associated habitats will also be conducted as necessary within the Lease Area and along the Export Cable Corridors.

4.1 Offshore Survey Activities

The G&G surveys have not yet been initiated for the Lease Area. The G&G surveys will be conducted by a suite of special purpose survey vessels deployed at various times throughout the year. Large, dynamically positioned vessels will work the offshore areas while a smaller, shallow draft vessel will conduct surveys in the shallow reaches of the Export Cable Corridors.

The G&G survey activities will include the following:

- 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
- Benthic grab sampling,
- Deep soil boreholes including include downhole P-S logging (compressional and shear wave velocity logging) or seismic cone penetration tests (CPTs) at selected borehole locations within the Lease Area to support the engineering design of future potential wind turbine generator (WTG) and offshore substation (OSS) foundations, and
- Vibrocores along the Export Cable Corridors to ground-truth geophysical interpretation and provide soil characteristics for cable engineering.

These vessels often tow survey equipment behind the vessel and a safety buffer around these vessels is requested. If there is a need for any follow-up survey activities, the vessel specifications, operational details and timing will be distributed to fishing communities no later than 2-weeks prior to conducting the work.

4.1.1 Survey Team Communications

Per the New York Bight lease stipulations, applicable ocean users will be notified two weeks in advance of any G&G survey activities (Form BOEM-0008; Addendum “C”, 3.1.2.1). Prior to survey operations being conducted, the Fisheries Communication Team (FCT) and the FLO will develop and distribute Survey Awareness Flyers to the recreational and commercial fishing fleets. They will also brief the Survey Team during survey vessel mobilization to promote awareness of the local recreational and commercial fisheries.

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

The FLO 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
- Guidelines for avoidance and management of potential contacts with fishing
- A gear entanglement protocol and reporting form for the Client Representative on the survey vessels

The FLO will be the primary point of contact and will work to resolve any fisheries issues or gear conflicts that may arise. Standardized procedures are in place inside Atlantic Shores to facilitate the filing of a claim for gear damage or loss that a fisherman may suspect was caused by survey activities. A draft of the claim procedure can be found in Appendix C. Any and all filed claims and outcomes will be reported to BOEM on an annual basis (Form BOEM-0008; Addendum “C”, 3.1.2.1).

4.2 Monitoring Buoys

Atlantic Shores may deploy data collection buoys to gather meteorological and oceanographic conditions as part of the site assessment activities to help inform the development strategy for turbine layouts. These buoys will be moored in and around the Lease Area. Buoy locations and buoy data will be made accessible on the Project website.

4.3 Marine Resource Assessment

In addition to the deployment of offshore resources to collect site assessment data, Atlantic Shores will also conduct both habitat characterization and resource assessment studies as necessary throughout the Lease Area and Export Cable Corridors. A primary goal of Atlantic Shores is to avoid impacts to not only stakeholders but also the marine resources that exist within and surround the Lease Area and Export Cable Corridors.

The purpose of the habitat characterization and resource assessment studies is to understand the marine resources (both habitats and species) within the area of development and then assess how construction, operation and decommissioning activities may affect these resources. This data collection and assessment will not only support Atlantic Shores with its facility siting efforts, but it will also provide the information necessary to work with regulators and stakeholders to avoid and minimize affects throughout each phase of development.

5. Fisheries Communication Strategies

The fishing communities that utilize the Lease Area consist of small, family businesses, complex multi-vessel companies, and individual fishermen. Vessels using the area may

be residents of a local New Jersey port, operate from a regional port outside of NJ and/or move seasonally between multiple ports. The fishing industry is complex in that regard.

Atlantic Shores acknowledges these complexities and the challenges they present when attempting to disseminate critical information to large numbers of fishermen in a reliable, timely manner. Engagement efforts must embrace differences in the needs of these fishing communities. The Fisheries Communication Team use specific 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. Identifying the best ways to communicate with fishermen will be an ongoing process that will evolve over time with the inputs from fishermen, which are encouraged.

The fishing industry itself will have 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, two-way communication during all phases of development will be important in resolving any issues or conflicts and informing fishermen of activities that could affect their operations.

5.1 Fisheries Communication Team

Atlantic Shores has assembled a Fisheries Communication Team (Table 1-1) that is comprised of Atlantic Shores management, a FLO, Fisheries Support Staff, and Fishing Industry Representatives (FIRs). In this structure, an active commercial fisherman is employed as the FLO with the support of land-based Fisheries Support Staff. This structure combines the experience, credibility and passion of an active commercial fishermen with support staff that is also knowledgeable of and experienced in the region's fisheries.

The FLO in this structure also fulfills many of the same roles as that of a FIR. Additional FIRs have been included in the FCT to represent specific fishing communities that are identified within the Lease Area or along the Export Cable Corridors. This combination of experience and skills, together with the leadership and resources of Atlantic Shores Management, form the Fisheries Communication Team. As with the entire FCP, this team will not remain static and will evolve over time as development of the Atlantic Shores Lease Areas progresses.

5.1.1 Fisheries Liaison Officer

The FLO's primary responsibility is to communicate the issues and concerns raised by the fishing community directly to Atlantic Shores. The FLO is also responsible for overall implementation of the communications plan, communicating project plans and activities that might impact the fishing industry during all phases of project development and implementation. The FLO will have a direct line of communication to the Project's senior

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 Appendix B of this document.

5.1.2 Fisheries Support Staff

The Fisheries Support Staff will assist the FLO with their day-to-day activities, including managing stakeholder databases, providing information support for meetings, preparing and reviewing informational flyers and other communications, etc. As needed, support staff will prepare materials for and/or attend industry management meetings, industry workshops and outreach events. The Fisheries Support Staff will report to the Atlantic Shores Development Manager and have direct lines of communication to Atlantic Shores' senior management.

5.1.3 Fisheries Industry Representative(s)

The Fishing Industry Representatives (FIRs) will serve as additional points of contact where necessary within the fishing community. A 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 the FIRs, commercial and/or recreational, are detailed in Appendix D of this document.

5.2 General Strategies

The Atlantic Shores 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. Feedback from the fishing community will be encouraged, methods and opportunities to provide that feedback will clearly identified and readily available.

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

- Establish and maintain a dedicated webpage on the Atlantic Shores website specifically for the fishing community with the latest information, including relevant contact information and opportunities to submit feedback (www.atlanticshoreswind.com/mariners/).
- Establish a comprehensive email distribution list to provide regular project updates and other important 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, timelines and relevant contact information.

- Schedule and hold regular meetings, 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., BOEM, NMFS, etc.), the regional fisheries management councils (e.g., MAFMC, NEFMC, etc.) and state agencies (e.g., New Jersey Department of Environmental Protection [NJ DEP], etc.) and provide links to the same.
- Publish announcements and share 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.
- Issue Local Notice to Mariners (LNTM) 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 along the Export Cable Corridors and engagement with the specific users is paramount to the success of this FCP. Atlantic Shores has engaged with existing commercial fishermen’s organizations (e.g., Responsible Offshore Development Alliance [RODA]), local leaders that represent the various gear types used in the area and individual fishermen. Additional engagement strategies specific to commercial fisheries users of the Lease Area and proposed Export Cable Corridors 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, 2) the process for filing claims associated with lost or damaged gear, and 3) agreed methods to determine any required mitigations.
- 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
- As necessary, engage local fishermen to serve as Offshore Fisheries Liaison Representatives (OFLR) and secure local vessels to act as scout boats during offshore activities.
- 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 and along the Export Cable Corridors are also represented by national organizations (e.g., Recreational Fishing Alliance), local organizations (e.g., United Boatman of New Jersey,

New Jersey Saltwater Fishermen, etc.), clubs (e.g., Beach Haven Marlin & Tuna Club, Atlantic City Saltwater Anglers, etc.) and individual fishermen. Additional engagement strategies to specific recreational fisheries users of the Lease Area include:

- Engaging the professional associations representing the “For Hire” fleet of party and charter boats; scheduling meetings to share information and obtain feedback
- Identifying and engaging local offshore fishing clubs, attending meetings, delivering educational presentations, and soliciting feedback
- Identifying offshore fishing tournaments and dates; engaging with tournament organizers, sharing operational plans and contact information; identifying and monitoring VHF channel(s) used by tournaments
- Participating in recreational fishing trade shows and having a presence during fishing tournaments

5.5 Planning for Subsequent Operational Phases

This FCP has been prepared for Atlantic Shores’ Site Assessment and Characterization Phase. As the development of the Lease Area progresses, the FCP will continue to be updated ahead of the remaining phases of the Project, including:

- Site Assessment and Characterization –The marine G&G surveys are still being planned. Environmental surveys and environmental monitoring buoys will be deployed. The FCT will work with the regional fisheries community to promote awareness of the site assessment and characterization activities; the FCP will likely be updated several times during this phase of development.
- Design and COP Preparation - The FCT will use the survey data fisheries inputs to inform the wind farm facility layout (e.g., WTG and OSS foundations, inter-array cable, and export cable routes). Continued engagement with the industry will occur to review and, if necessary, adjust the 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 industry facilitate ongoing communication and engagement.
- Operational Life – Following construction, the FCP will continue to be updated during the operational life of the Project to reflect and address the changing needs of the industry.
- Decommissioning – Prior to the decommissioning, the FCP will be updated to address this final phase of the Project.

As previously stated, the FCP will evolve over time based on the activities being executed. This evolution will be based on shared experiences of Atlantic Shores and the fishermen and requires the continued engagement and dedication of all parties to be effective.

5.6 Coordination of Engagement Across Leases

Atlantic Shores welcomes the opportunity to coordinate with other NY Bight offshore wind leaseholders. NY Bight leaseholders have begun to engage with one another in introductory meetings and are committed to continually seek opportunities for

collaboration to reduce burdens on resource limited agencies and stakeholders. We will work together to identify innovative avoidance, minimization, mitigation, and monitoring measures based on lessons learned in the industry both domestically and globally. We will seek opportunities to meet as a group on select topics to reduce the need for individual meetings with agencies, as we recently did with BOEM on the NY Bight Programmatic Environmental Impact Statement (EIS). We will seek to meet jointly in other forums and/or request joint “NY Bight” presentations/agenda items at various working group and stakeholder meetings to reduce the need for individual presentations. We will work together to coordinate port hours so that fishers have consolidated, rather than dispersed, times to discuss issues with NY Bight leaseholders. Atlantic Shores welcomes any suggestions from agencies and stakeholders on how to best coordinate with other NY Bight leaseholders.

This page intentionally left blank.

Appendix A - References

This FCP is based on best practice guidance as well as experience and lessons learned from other development projects. It will continue to be updated and improved with input from the fishing industry through ongoing feedback and consultation. Best practice guidance from other resources includes but is 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.thecrownstate.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, May 27, 2020.
- 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/CZMIssuesInitiative/OceanPlanning/FishingandVirginiaOffshoreWind.aspx>
- A_Justin Kirkpatrick, et al., Socio-Economic Impact of Outer Continental Shelf Wind Energy Development on Fisheries in the U.S. Atlantic, OCS Study BOEM 2017-12.
- 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

This page intentionally left blank.

Appendix B - Fisheries Liaison Roles and Responsibilities

The roles and responsibilities of the Fisheries Liaison Officer (FLO) include but are not limited to:

- 1) Act as Atlantic Shores public outreach representative and principle contact to the fishing communities.
- 2) Effective implementation of the FCP, with support of Fisheries Communication Team.
- 3) Identify and communicate with FIRs via email, in person meetings, and conference calls; provide regular updates to Atlantic Shores management regarding fisheries issues/concerns.
- 4) Ensure timely communications and dissemination of information to fishermen groups regarding all relevant project activities.
- 5) Support development of communication materials to ensure effective messaging.
- 6) Organize meetings, as necessary, to obtain fishermen’s views of project effects and communicate concerns to Atlantic Shores management.
- 7) Support development and maintenance of a comprehensive stakeholder database for all identified fisheries operating within the Lease Area and along the Export Cable Routes throughout all stages of development and implementation. Record relevant information and communications, including presentations and individual conversations, maintaining confidentiality as appropriate.
- 8) 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).
- 9) Maintain awareness and, where possible, participate in meetings with fisheries groups, regulators, non-government organizations, policy makers, contractors working on behalf of Atlantic Shores, and other offshore wind developers to foster positive working relationships.
- 10) Assess offshore activities and identify the need, if any, for an OFLR, static gear clearance and/or scout vessel; make recommendations for the same.
- 11) Develop, recommend and/or comment on potential mitigation measures being considered for use during design, implementation and operation of the Lease Area and Export Cable Routes.
- 12) Investigate and follow-up any known complaints or concerns regarding fisheries related issues, including any gear conflicts/interactions with Atlantic Shores operational vessels.
- 13) 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.

This page intentionally left blank.

Appendix C – Fishing Gear Damage or Loss Claim Procedure

Gear Loss Reimbursement Form

Filing a Claim

Atlantic Shores Offshore Wind, LLC (“Atlantic Shores”) and our contractors will make every attempt to avoid damaging fishing gear in our lease area during surveys, construction, and operations. In the event that a fisherman experiences gear loss or damage that they believe was caused by or the result of Atlantic Shores’ activities, they should complete the attached form. Once the form and attachments are complete, please provide either (1) an electronic copy via email to Kevin Wark, Atlantic Shores Offshore Wind Fisheries Liaison at kevin.wark@atlanticshoreswind.com, with a copy to Doug Copeland at Doug.Copeland@atlanticshoreswind.com **OR** (2) mail a copy to:

Atlantic Shores Offshore Wind, LLC
1 Dock 72 Way
FOA: Atlantic Shores (07-119)
7th Floor
Brooklyn, NY 11205
ATTN: Kevin Wark, Fisheries Liaison

To have a claim reviewed, applicants must:

1. Contact Kevin Wark, Fisheries Liaison. to notify him of incident via cell phone (609) 290-8577.
2. Provide a complete, legible, executed application form.
3. Submit the completed application within 30 days of incident.
4. Include the following with application form:
 - Copy of a valid fishing permit.
 - Proof that the vessel was fishing in the area with a vessel trip report (VTR) for the trip when gear was lost or sales slip for fish landings for period of gear loss/damage.
 - Proof of ownership of the vessel capable of fishing including photos and permit.
 - Copy of receipt for original purchase of fishing gear that was lost/damaged.
 - Sales slip or gear invoice for replacement or repair gear (must be identical to gear that was lost/damaged).
 - Location of gear loss/damage – either GPS coordinates and/or photo of chart plotter

Process for claim review:

- Claims will be reviewed by Atlantic Shores Fisheries Liaison and a representative of Atlantic Shores.
- Applicants will be notified of the result of the review, in writing, within 30 days of receipt of a complete application.
- If the claim is found to be valid, a check will be provided to the Applicant.
- If the claim is denied, a written explanation will be provided to the Applicant.
- Applicants who disagree with the decision may file a written notice of appeal with Atlantic Shores, which Atlantic Shores will provide to a Third Party for review. The Third Party's decision will be final and not subject to any further right of appeal.

Applicants may not file multiple claims for gear loss in the same area. Prevention methods should be followed by all parties. Any payment in connection with will be considered a full release. Atlantic Shores reserves the right to request additional information to support review of claim.

[Application Form Appears on the Next Page]

Application for Gear Loss Reimbursement

Fisherman Name: _____

Phone Number: _____

Fishing Vessel Name: _____

Home Port: _____

State License #: _____

Federal Permit #: _____

Gear Type: _____

Type of Gear Lost: _____

Quantity: _____

Replacement Cost: _____

Total Damage Payment = \$ _____

Attachments to this Application Include:

- Copy of a valid fishing permit.
- Proof that the vessel was fishing in the area with a vessel trip report (VTR) for the trip when gear was lost or sales slip for fish landings for period of gear loss/damage.
- Proof of ownership of the vessel capable of fishing including photos and permit.
- Copy of receipt for original purchase of fishing gear that was lost/damaged.
- Sales slip or gear invoice for replacement or repair gear (must be identical 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, hereby state that I understand that submitting this Application for Gear Loss Reimbursement does not guaranty payment. I further acknowledge and agree that if this claim is accepted and paid, that acceptance of such payment constitutes full, final and complete payment for the claim and that neither Atlantic Shores Offshore Wind, LLC, nor any of its affiliates, contractors, agents and/or employees shall have any further outstanding or ongoing liability or obligation with respect to this claim or the damage of the gear above described, and that I hereby release and discharge Atlantic Shores Offshore Wind, LLC, its affiliates, contractors, agents and employees from any and all such liability as of the date of receipt of the payment. I further acknowledge and agree that I 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 Atlantic Shores Offshore Wind, LLC, or any of its affiliates, based upon this claim.

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

Signature

Date

Please return this form and the attachments, including a completed W-9 form, by: (1) delivering an electronic copy via email to Kevin Wark, Atlantic Shores Offshore Wind Fisheries Liaison at kevin.wark@atlanticshoreswind.com, with a copy to Doug Copeland at Doug.Copeland@atlanticshoreswind.com OR (2) mailing a copy to:

Atlantic Shores Offshore Wind, LLC
1 Dock 72 Way
FOA: Atlantic Shores (07-119)
7th Floor
Brooklyn, NY 11205
ATTN: Kevin Wark, Fisheries Liaison

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.

This page intentionally left blank.

Appendix D – Fisheries Industry Representative Roles and Responsibilities

The primary roles of the Recreational and/or Commercial Fishing Industry Representative (FIR) are outlined below. The FIR reports into the Atlantic Shores Fisheries Team through direct interaction or through the Atlantic Shores Fisheries Liaison Officer (FLO).

- 1) Act as the main point of contact within the NJ based recreational and/or commercial fishing industry; accurately represent the views of the fishermen within his or her remit
- 2) Liaise, in good faith, with the FLO to ensure the objectives of the FCP are achieved.
- 3) Reliably disseminate information to and from the recreational and/or commercial fishing community, in a timely and all-inclusive manner.
- 4) Provide Atlantic Shores with proactive factual and reliable guidance on recreational and/or commercial fishing activity in the area, drawing attention to fishermen sensitivities and concerns, while assisting and informing Atlantic Shores in promoting responsible, equitable mitigation measures.
- 5) Monitor real time recreational fishing activities and fleet movements both nearshore and in the lease area and inform the Fisheries Team of the same.
- 6) Advise recreational and/or commercial fishermen of development works, activities, and any associated operational safety measures.
- 7) Facilitate the organization of recreational and/or commercial fisheries meetings, as necessary, to solicit fishermen’s feedback on Project Area development planning, including how to proactively resolve issues, concerns, and potential solutions.
- 8) Participate in negotiations on mitigating the effects of construction, operations, and decommissioning, which may include temporary movement of static gear, the use of scout vessels and/or deployment of an offshore fisheries representative. Work with the FLO to identify candidates for the same.
- 9) Immediately share any known complaints or concerns regarding recreational and/or commercial fisheries related issues, including those regarding gear conflicts/interactions with Atlantic Shores operational vessel. Support any investigation and/or follow-up that may be necessary.
- 10) Support Atlantic Shores team in reviewing language and attending meetings regarding the Construction and Operations Plan review.
- 11) Serve, as able and willing, on offshore wind developer and fishermen efforts (e.g. Responsible Offshore Science Alliance) to represent views of recreational and/or commercial fishing industry at the request of Atlantic Shores.
- 12) Contribute to and review Atlantic Shores project documents (e.g., Construction and Operations Plan, PPA OREC bid documents, etc.) on sections that pertain to recreational and/or commercial fishing.

- 13) Be available to meet with FLO and Fisheries Team in person, via phone and/or video conference on a regular basis.