

The Coastal Resources Management Council (CRMC) convened a meeting of the Fishermen's Advisory Board (established under the CRMC's Ocean Special Area Management Plan) was held on Tuesday, January 15, 2019 at 5:00 p.m. in the Coastal Hazards Room, University of Rhode Island, Bay Campus, South Ferry Road, Narragansett, RI.

Fishermen's Advisory Board Members Present

Lanny Dellinger, Chair

Chris Brown

Brian Thibeault

Greg Mataronas

Mike Marchetti

Rick Bellevance

1. WELCOME – Grover J. Fugate, CRMC Executive Director

Mr. Fugate opened the meeting explaining that the FAB acted in an advisory capacity to the Coastal Resources Management Council regarding fisheries relative to the Ocean Special Area Management Plan (OSAMP) area.

Mr. Fugate introduced Lars Pedersen, CEO of Vineyard Wind (VW) and his team stating that there would be discussion regarding the process to go forward with mitigation and the FAB had not yet received documentation for mitigation.

Mr. Fugate offered the suggestion of an additional Stay Agreement to allow for more time to negotiate with the FAB on behalf of RI fisheries. The Stay Agreement, if accepted, would allow for FAB members to review the mitigation proposal, disseminate it throughout the fishing community, listen to feedback, and meet with VW prior to the FAB meeting scheduled for Monday, January 28, 2019 and the CRMC Full Council Semimonthly meeting scheduled for Tuesday, January 29, 2019.

Mr. Fugate explained that the OSAMP was designed to try to get industries to coexist with the understanding that mitigation/compensation may be necessary to do that. Mr. Fugate distributed OSAMP regulation on mitigation process.

Introductions of meeting participants and attendees.

2. FISHERMEN'S ADVISORY BOARD DISCUSSION WITH CRMC STAFF – status of negotiations for mitigation (compensation) from VW to commercial fishermen that will be affected by Vineyard Wind's proposed wind farm layout.

Lanny Dellinger, Chair of the Fishermen's Advisory Board (FAB), thanked everyone for attending, and explained that a mitigation package had not been received to be able to discuss. Mr. Dellinger invited Mr. Pedersen to speak.

Mr. Pedersen thanked the FAB for the opportunity to speak, explained that VW agreed to the additional stay agreement, and stated that VW had been trying to work with RIDEM to come to a common understanding. Mr. Pedersen stated that VW did not agree with the January 14, 2019 study by RIDEM for a number of reasons; one of which was that the study made assumptions for assessing impacts of the fisheries industry.

Mr. Pedersen stated that VW would like to be able to discuss the mitigation proposal with the FAB members and CRMC staff in a more informal forum.

Chair Dellinger stated that with such a short time remaining before the CRMC decision process, the FAB needs to have a package to discuss so they can get feedback from the fishermen they represent. Chair Dellinger expressed his frustration at not receiving the mitigation information that was requested of Vineyard Wind at the FAB's previous meeting on Thursday, January 3, 2019. Chair Dellinger also stated that the process for negotiation was outlined in the CRMC OSAMP and negotiations were supposed to occur as directed by the CRMC Council at their meeting of November 27, 2018. Chair Dellinger asked Mr. Pedersen if he was willing to accept the negotiation process as defined in the OSAMP and stated that the FAB would like to have their own economic analysis done by an expert who would be working on behalf of the fishing industry with the cost being paid through the escrow account that was supposed to have been set up by Vineyard Wind earlier in the process. Mr. Pedersen stated that he understood the process.

Mr. Brown expressed his frustration that the world renowned OSAMP process was not being acknowledged as the mechanism by which negotiations and talks of mitigation were supposed to take place. Mr. Brown stated that the negotiations need to include the fishermen who are the very people that the project will impact.

Mr. Thibeault asked if there was a different document that the FAB can review (other than the RIDEM study that VW is not in agreement with) and if so, why has it not been made available to the FAB members. Mr. Thibeault expressed his concern with the short timeframe for review.

Al Eagles spoke reiterating a point from the meeting of January 3, 2019 in which there was discussion regarding RI fishermen want the ability to continue to fish as opposed to receiving compensation for loss of fishing area through a mitigation situation. Mr. Eagles expressed his concern about the safety of the fishermen if they continue to fish in the wind farm area after construction.

Mr. Marchetti asked if Vineyard Wind planned a presentation to give the FAB members to discuss the mitigation package as there was no time to read and digest VW's answer to RIDEM's January 14, study.

Mr. Pedersen stated again that he would be willing to have an informal meeting between VW, FAB members and CRMC staff to discuss a mitigation package. Chair Dellinger asked for a written mitigation document that the FAB members can review.

Mr. Fugate asked when a written document on VW's mitigation proposal could be ready to review by the FAB.

Mr. Pedersen was firm on the fact that VW wanted to have an informal meeting to discuss the mitigation process/package with FAB members, VW and CRMC staff.

Chair Dellinger explained that the Fishermen's Advisory Board acts as a conduit for the fishing community and that every person in that community needs to understand what is at stake.

There was discussion regarding the Coastal Resources Management Council's directive to Vineyard Wind regarding negotiating with the Fishermen's Advisory Board and the lack of negotiation on the part of Vineyard Wind.

Dan Pronk, of Nantucket, expressed his concern that the wind farm will be very close to his home and fishing area as well.

Chair Dellinger stated that no decision will be made by this board without the fishing community knowing what is planned.

Chair Dellinger asked Mr. Pedersen to set up the required escrow account for the FAB's use to hire an attorney and economist to go over the mitigation package.

Mr. Pedersen stated that VW would follow the process as stated in the OSAMP. Mr. Fugate stated that once the Mitigation documentation is submitted it becomes part of the record and will be public information.

Mr. Pedersen agreed to a further stay agreement.

Short break.

Mr. Fugate stated that a written Mitigation Package will be made by Vineyard Wind. Vineyard Wind will set up an escrow account for the FAB's use.

Once the Mitigation Package is received a meeting will be set up for FAB and VW to negotiate.

Mr. Fugate stated that the FAB vote would be on Monday, January 28, 2019 and the Coastal Resources Management Council will hold a special meeting on Tuesday, January 29, 2019 unless a further stay agreement is signed.

Chair Dellinger stated that both meetings would be in Corless Auditorium.

Mr. Fugate confirmed for Mr. Eagles that the Council staff would act as a facilitator for the meetings and a conduit to the Council. Mr. Fugate assured Mr. Eagles that the CRMC would not be in a decision making role regarding the Mitigation package.

Chair Dellinger stated decisions on the Mitigation Package would not be made without everyone being informed.

After further discussion on the negotiation process and meeting timeframes, Mr. Brown made a motion that the FAB denies Vineyard Wind a finding of federal consistency. Mr. Thibeault seconded the motion.

After Discussion on the motion to deny federal consistency, Chair Dellinger asked that the motion be tabled to give the developer time to work on the mitigation package. Mr. Marchetti made a motion to table Mr. Brown's previous motion to deny Federal Consistency. Mr. Mataronas seconded Mr. Marchetti's motion to table previous motion. Motion to table carried on unanimous voice vote.

Chair Dellinger ended the meeting stating that the FAB was anxious to see the written proposal.

6. ADJOURN

Meeting ended at 6:05.

Respectfully submitted,

Lisa A. Turner
Recording Secretary