

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) held on Monday, September 9, 2019 at 5:00 p.m. in the Coastal Hazards Room, University of Rhode Island, Bay Campus, South Ferry Road, Narragansett, RI.

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

Mr. Fugate began the meeting explaining that the CRMC was reviewing the project for Federal Consistency with CRMC and BOEM regulations. Mr. Fugate explained that a Stay Agreement between CRMC and Orsted was entered into extended the 6 month Federal Consistency review time.

Mr. Fugate gave an update of the Vineyard Wind project stating that BOEM is looking at the cumulative aspect of the wind farm.

US Coast Guard is conducting port research on wind farm layouts as well as port safety.

Mr. Fugate stated that Orsted has been informed of the issues that the FAB has regarding the Orsted project and that a presentation will be made on the project status.

2. ORSTED Presentation - Melanie Gearon–Orsted

Ms. Gearon introduced the Orsted Team and made opening remarks explaining the Agenda and began a presentation on the South Fork Wind Farm overview and updates. Ms. Gearon talked about the layout of the farm, Fisheries research and monitoring and Orsted's next steps.

Ms. Gearon stated that Orsted was committed to responsible development of offshore wind and is committed to open communication in all avenues. Ms. Gearon pointed out that Orsted's fisheries advisor/liaison was Rodney Avila who was available in the fisheries network. Ms. Gearon stated that they instituted more port hours in Newport and Point Judith for availability for communication.

Mr. Delanger (FAB Chair) requested that Orsted research vessels give a more descriptive communication on areas of daily research as the research vessels are having a negative effect of the fisheries industry. Mr. Delanger explained that the vessels are not necessarily paying attention to fishermen's gear in the area which can be detrimental to that person fishing business. Ms. Gearon explained that fishermen with concerns can call the Fisheries Liaison. Ms. Gearon also agreed to increase communication with the fisheries community. Mr. Delanger asked for communication as to where the research

vessels will be and what days they will be there and how many days they will be there and that if they move locations during that period, notification is sent out – increase in “at-sea” communication. Mr. Avila explained the research vessel arrangement with Orsted stating that there were three people on each boat, using mobile gear and that the vessels only work during the day. Mr. Thibeault disagreed with the premise that the vessels were only working during the day as he had come upon the vessels at 3:00 a.m. Mr. Thibeault also asked for discretion from the research vessels when communicating over a public broadcast. Ms. Gearon appreciated the feedback and stated that Orsted would work on the discussed issues.

Ms. Gearon pointed out that Responsible Offshore Development Alliance (RODA) is a great platform for communication and education. Mr. Fugate made a point to say that the communication part of the process should remain as is to make sure there communication stays open and timeframes are reasonable.

Ms. Gearon stated that Ed LeBlanc from the Coast Guard will be joining their team for marine affairs and his position will work solely with safety in navigation and drive the communications with the Coast Guard as well as strategic planning and implementation of planning. Ms. Gearon talked about the success of their first drill at Block Island for search and rescue and that many more drills will happen. Ms. Gearon stated that John O’Keefe and Ed LeBlanc were being educated by counterparts in Europe to become more rounded about search and rescue around wind farms.

Mr. Mataronas asked about VHF communication and stated that it is the primary means of contacting anybody while at sea. Mayday calls can be quite extensive and VHF reception can be effected by weather, distance, spinning rotors, electromagnetic reflectivity. Mr. Mataronas stated that communication could be of major concern.

Mr. Dellinger expressed concern about the Coast Guard conducting search and rescue around and between the turbines; also, concern that insurance companies will start cutting wind farm areas from policies.

Ms. Gearon took note of concerns on visibility and radar comments.

Further discussion on May Day procedures.

Mr. Fugate stated that CRMC met with the Coast Guard within the last week and that they would like to see a grid layout with a uniform distance and enough operability so they can send their air squadron down. Mr. Fugate stated that all these issues are being looked at in terms of cumulative impact of the farms. Ms. Gearon stated that Orsted was

watching the study closely as it could have major implications for the wind farm industry.

Mr. Eagles reminded Orsted that the fishing industry was asking for no less than one mile apart between turbines and that a minimum of a four-mile width transit lane should be established. Mr. Eagles expressed concern of using VHF for smaller vessels. Mr. Eagles asked for a study to be done on line of sight interference from the wind turbines. Ms. Gearon stated that they are watching the study on cumulative impacts regarding the transit lane.

There was discussion on radar ghosting and Mr. Mattera asked for further studies to be done using radar. Ms. Gearon acknowledged that there are issues and will go forward with studies.

Mr. Dellinger expressed concern regarding the size of US Atlantic wind farms versus the European wind farms and that it is a completely different environment in Europe and while we can learn from some of their experiences, these wind farms here are completely different.

Ms. Gearon assured the FAB that Orsted is listening to their concerns and thanked them for their feedback.

Mr. Dellinger returned back to the subject of research vessels and their working at night and during the fog which is going against what is stated on the BOEM website. Mr. Dellinger expressed concern for the cost of lost fishing gear to fishermen. Ms. Gearon stated that at the meeting of September 30, 2019 they will be in a better position to explain what the vessels are doing and what gear they are towing. Short discussion on precautions for protected species during research towing. Mr. Bellavance asked for the modifications of the survey plan. Ms. Gearon stated that they would provide it to the board members. Mr. Marchetti relayed a story about his experience with the research boat Enterprise on a foggy day. Mr. Fugate asked for information back to the FAB prior to the next meeting.

Mr. Dellinger asked about the BOEM study and where the wind farms stand in regards to consistency processing. Mr. Fugate stated that CRMC is having discussions with Orsted to extend the stay agreement to accommodate the BOEM cumulative impact study and that the FAB will be kept in the loop.

Mr. Beutel stated that a baseline assessment and research model can all be done while everything else is on hold due to BOEM cumulative impact assessment. Mr. Dellinger would have liked the baseline study to happen sooner in the process rather than after

seismic survey activity, drilling, boring and barges being jacked up. Mr. Dellinger asked that the wind farm developers acknowledge the damage that has already been done to the fishing industry while doing the fishery studies of what is there now. Ms. Gearon acknowledged the request and stated that it has been started already.

Ms. Gearon went back to her presentation giving background on the project and the developers, Orsted and Eversource – 50/50 joint venture partnership. Ms. Gearon presented on the layout and spacing of the turbines, and the cable and land areas.

Mr. Mataronas asked about cable laying. Mr. Murphy stated that it is their intention to bury the cable and explained the planning, burial and finish process of cable burial.

Mr. Dellinger expressed concern over the mortality and displacement of fishery stock after the effects of pounding the monopoles. Mr. Dellinger expresses concern that the fishing industry will be penalized for decrease in fishery stock without the consideration of what caused the decrease. A decrease in fishery stock could lead to more restrictions on the fishing industry by no fault of their own. Ms. Gearon stated that they need to address this on a regional level with a fisheries manager to see how this will be dealt with. Mr. Dellinger asked for the answers prior to the start of the project.

Mr. Mattera expressed concern over the impact that the pile driving will have on the juveniles of the species. FAB members discussed the mitigation measures for certain species.

Mr. Mattera also asked why toxin testing is not done when doing core sampling of the sediment. He expressed concern of toxic chemicals that could be brought up through pounding of monopiles.

Paul Murphy introduced himself as a veteran member of Orsted design team beginning his employment with Deepwater Wind.

Mr. Murphy presented on consideration for layout of South Fork with 15 turbines, one offshore substation with supporting cables.

- Boulder mapping and microsite to avoid what is considered important habitat
- Feedback received from fishermen regarding the east to west grid layout with one nautical mile between turbines to support safe transit and access.

Mr. Mataronas asked about the use of this particular area, stating that the fishermen have never veered from their need for an east west north south grid layout with one nautical mile between turbines. Mr. Mataronas stated his concerns that the Orsted

projects will not line up causing navigation and safety concerns. Mr. Murphy stated that Orsted's goal is to support transient safety through a navigational risk assessment. Members questioned Orsted's layout between different sections of the lease area. Mr. Avila explained how the layout for Orsted got to be an east-west layout, through feedback from fishermen in RI, CT and MA ports. Mr. Dellinger stated that the FAB has been saying from the beginning of the wind farm review process that they need east west north south grid layout with at least one nautical mile between emails. Many members of the board and audience agreed that they have always been asking for one nautical mile. Mr. Dellinger stated that the one nautical mile is a minimal ask, absolute minimal ask for the RI fishing community. The members expressed their concern when Mr. Murphy stated that the average distance between turbines is and average of .7 nautical miles which means some of the turbines are at .6 nautical mile.

Mr. Murphy talked about navigation requirements having AIS on the corners of the wind farm. Mr. Mataronas asked for lights on every pole. Mr. Murphy thanked him for his feedback. Mr. Mataronas asked why they did not use one nautical mile between each turbined. Mr. Murphy stated that they were micrositing around the existing geology on the site (boulders present).

Ms. Gearon introduced Drew Carey from Inspire Environmental.

Mr. Carey stated that the existing monitoring plan is available and has not changed since a revision in June. Mr. Carey stated that they are meeting with a lot of groups and getting a lot of information on different subjects. Mr. Carey stated that they would like to start monitoring in the fall after meeting with all factions. Mr. Carey stated that they started with a gillnet plan for monitoring. The plan that was distributed in the fall received almost 100 comments. Through the comments, they came up with a revised draft gillnet plan. They also introduced a beam trawl survey. Mr. Murphy stated that they got strong feedback that both fillnet and beam trawl are both feasible and well-timed and tuned into the nature of the site. Mr. Murphy stated that other suggestions were being looked at in a more regional setting.

Mr. Mataronas expressed his concern regarding the term regional. He feels it is somewhat a way of "passing the buck". It is being talked about but not done. Mr. Mataronas stated that they need all surveys and monitoring done in this vicinity as it is not being done by regional organizations.

Mr. Carey talked about other types of surveys that are planned for specific areas such as ventless trapping, scallop dredging along the cable lines, and trawling.

Mr. Dellinger asked that no decisions be expected from the Board that evening.

Mr. Brewer asked about the surveys by the cables. Ms. Gearon stated that they recognize that the cable areas need to be surveyed and that they want to remain flexible with the surveying plans.

Ms. Almeida asked that the post-construction survey last the lifetime of the project as species are cyclical.

Mr. Bellavance asked why a rod and reel survey was not considered. Ms. Gearon answered by saying that they have been really good about communicating, conversations and surveying and that long discussions were had regarding implementing plans. Ms. Gearon stated that she is open to hearing how a plan could be executed for the high migratory species. Mr. Bellavance stated that he knew scientists that could provide information.

Discussion on Cox's Ledge which Mr. Mattera stated as the most prolific of spawning grounds in Southern New England – everything migrates through there. It's imperative that different types of gear survey are used in this area.

Mr. Carey stated that they were hoping to have a final plan by September 23 so that can go through the process and request information which will be geared towards scientists and fishermen to respond to a Request for Proposal (RFP).

Mr. Carey stated that he will make sure all species area involved when surveying.

David Summers of Orsted asked if the layout was not one nautical mile between turbines would the Board members and who they represent vote the project down. Board members responded by saying that for years, they have been advocating for at least one nautical mile bare minimum or more between turbines because they have to contend with the riprap around the base of the monopiles.

Mr. Dellinger stated that the fishermen are extremely concerned about any development in this area as it is critical habitat and that he thinks it is the wrong place for a wind farm.

Mr. Mattera stated that they wouldn't refute it over 25 feet off of one nautical mile.

Mr. Summers asked about transit routes for escape. Members came back with one nautical mile for escape route.

Ms. Gearon ended the presentation stating that much information was gained through discussion and to bring back to the table for the September 30th meeting.

Mr. Dellinger asked if the FAB and Orsted could sit down with CRMC staff and get the fishing gear COP with prevention worked out. Ms. Gearon stated that it's a dedicated effort and that between John O'Keefe, Rodney Avila and other people in the fisheries outreach team; a meeting needs to happen to get everyone through the plan. Mr. Dellinger stated that perhaps their attorney and Orsted attorney, industry people and CRMC need to review it. Mr. Thibeault agreed that the document is not good for compensation on lost gear.

Mr. Thibeault asked if they would draw the four corners on the plan where the next phase, Revolution, will be so they can plan for it. Trying to be pro-active rather than re-active.

Mr. Murphy stated that Revolution was still in the planning process and still involved in surveying.

3. ADJOURN

Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Lisa A. Turner
Recording Secretary