



Leading Light Wind

# Leading Light Wind Project

Fisheries Communication Plan



Prepared By:

**Invenergy Wind Offshore LLC**

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## 1.0 Introduction

The Fisheries Communication Plan (FCP) develops the strategies and procedures to guide communication with the commercial and recreational fishing communities that could be affected by the development of the Leading Light Wind Project (the project). This FCP will evolve with continuous feedback and guidance from fishers, fishing organizations, regulatory agencies, and Tribes. The FCP will be updated and refined over time and made available to the fishing community and public via the Leading Light Wind Project webpage (<https://leadinglightwind.com>). Robust engagement with fisheries stakeholders will help Leading Light Wind with the following:

- Reduce user conflict.
- Inform project design.
- Build a better understanding between the project and fisheries interests.
- Improve public perception.
- Contribute to the creation of industry standards for the offshore wind industry.

This FCP complies with the terms of Lease OCS-A-0542 (Addendum C, Section 3.1.2.1) between Invenergy Wind Offshore LLC and the Bureau of Ocean Energy Management (BOEM). Development of Lease OCS-A-0542 will follow the requirements of offshore renewable energy and alternate use regulations at 30 CFR Part 585 as well as other applicable statutes and regulations in existence.

### 1.1 Overview of Project Sponsors

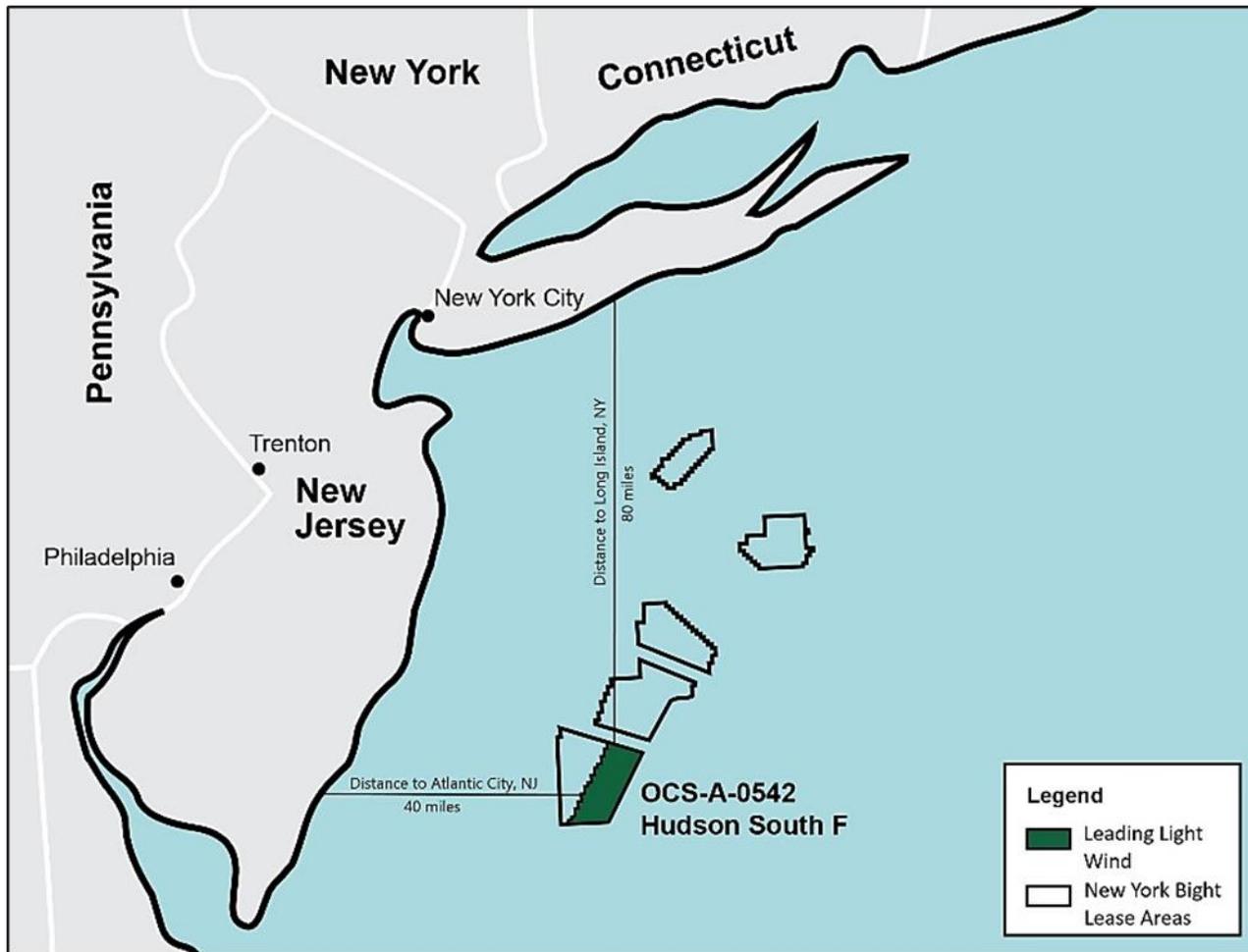
Invenergy Wind Offshore LLC (Invenergy), a global renewable energy developer, and New York-based energyRe are collectively referred to as the project sponsors in this plan. Invenergy and its affiliates have successfully developed more than 30 gigawatts of projects that are in operation, construction, or are contracted, including more than 890 megawatts of wind, solar, and advanced energy storage projects in New York. These projects align with the goals set forth by the state of New York's renewable energy policy, which requires that 70 percent of the state's energy come from renewable sources by the year 2030. Invenergy's New York projects operate under the supervision and regulatory authority of the New York State Public Service Commission and the Federal Energy Regulatory Commission.

energyRe is an independent New York company that focuses on solving complex challenges and providing clean energy solutions. The team at energyRe has expertise in infrastructure, engineering, and development.

### 1.2 Overview of Project

The project sponsors executed an offshore wind lease (OCS-A 0542) in the New York Bight in April 2022. The lease location is approximately 40 miles (35 nautical miles) east of Atlantic City and 80 miles (69 nautical miles) south of Long Island and encompasses ~84,000 acres of the outer continental shelf.

**Figure 1. Leading Light Wind Project Lease Area**



The Leading Light Wind Project will include wind turbine generators as well as an export cable connecting to the onshore grid. The development of the cable to export power and to interconnect with the electrical grid will occur within the power procurement process, which is underway in New York and New Jersey. The project is anticipated to produce over 2,000 megawatts that could power over 650,000 homes annually.

The project sponsors are establishing protocols for offshore and onshore data collection and surveys. The data will support preparation and submittal of a Construction and Operations Plan (COP) to the BOEM. Upon approval of the COP, BOEM will provide a Notice of Intent to prepare an Environmental Impact Statement (EIS), which will analyze potential impacts of the project and identify proposed avoidance, minimization, and mitigation measures.

### 1.3 Principles and Objectives

The project sponsors' overall approach and philosophy to development is based on the belief that the fishing industry and offshore wind energy development can mutually coexist and thrive. The project sponsors believe that coexistence can be achieved by careful evaluation of existing uses in the lease area and waters adjacent to the lease area and offshore

export cable routes (the project area), avoiding impacts where feasible, and as needed, reducing impacts through mitigation.

Timely communication and information dissemination are essential to identifying and avoiding potential conflicts during development of the project. Sharing information on fishing activities, planned infrastructure positions, submarine cable routes, vessel movements, and safety zones, among other information, can reduce and prevent potential conflicts detrimental to fishing activities in and around the project area.

This FCP is developed in accordance with BOEM guidelines as well as best practices guidance from other relevant resources, such as:

- 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.
- The Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW). 2014. FLOWW Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison.
- National Marine Fisheries Service's (NMFS) Office of Science and Technology.

Interactive participation from the fishing industry will help the Leading Light Wind Project reduce and avoid stakeholder conflict, create a positive narrative, and hopefully serve as an “industry standard” for offshore wind farm developments in the future.

## 1.4 Fisheries Communication Plan Guiding Principles

The fundamental principle of this FCP is to create and promote a straightforward, professional, open and ongoing dialogue among fishing stakeholders and other users of the natural resources in the shared project area. The goal is to promote compatible shared use through responsible development of the offshore resources. Consistent with the BOEM expectations for all leaseholders, the FCP achieves accountability and transparency through a continual engagement, reporting, feedback, and refinement, illustrated in Figure 2.

Figure 2. Principles for Successful Communication



Source: BOEM New York Bight Planning and Analysis, Office of Renewable Energy Programs 2022

To achieve this goal, the FCP will focus on a set of core principles:

- **Transparency and Accountability.** Facilitate open, efficient, timely, and transparent communications to promote awareness and safety.
- **Diverse Experiences.** Seek out and apply the diverse expertise and knowledge of the commercial and recreational fishing communities in the shared project area.
- **Respectful Communication.** Acknowledge and respect the concerns and interests of fishing interests and their supporting businesses.

## 1.5 Fisheries Communication Plan Objectives

This FCP defines outreach and engagement strategies necessary to inform the fishing stakeholders in a timely manner about project activities, while building reliable and cooperative working relationships between project sponsors and fishing communities. These relationships are the foundation for identifying and addressing the challenges that arise with coexistence in the shared ocean space. To work toward effective shared use, the project sponsors have identified the following objectives for the FCP:

- Promote the safety of fishers, offshore survey crews, and construction crews transiting, working, and fishing in the project area.
- Proactively solicit fishing stakeholder concerns and strive for open, transparent communication to avoid conflicts before they develop, and quickly and equitably resolve conflicts that do develop.
- Identify potential adverse impacts to fishers and related industries; understand, as fully as possible, historic, current, and potential fisheries in the affected area; and make informed decisions on how to avoid, minimize, and/or mitigate effects.
- Identify potential opportunities to enhance the safe and productive shared use of the project area.
- Provide a pathway to quickly and fairly resolve fisheries related conflicts that may develop during the life of the project.
- Create an authentic and professional coexistence of fishing and wind energy in which both will prosper on a long-term basis.
- Establish a single point of contact to serve as a facilitator between project sponsors and fisheries stakeholders (i.e., the Fisheries Liaison Officer [FLO]).

## 2.0 Fishing Activities Within the Project Area

### 2.1 Commercial Fishing

The commercial fishing industries in and around the project area consist of mobile and fixed fishing gear operations. Vessels that work in the project area typically travel from Beaufort, North Carolina, to New Bedford, Massachusetts, and all fishing ports in between. Fisheries that have been determined as the most economically significant for the project area include: (1) surf clam/ocean quahog, (2) sea scallop, (3) illex and longfin squid, (4) summer flounder, (5) scup, (6) monkfish, and (7) black sea bass.<sup>1</sup>

**Mobile fishing gear operations** include the following:

- **Hydraulic Dredges:** Surf clam/ocean quahog fishing is conducted in the project area using hydraulic dredges. The dredges are towed directly behind the vessel and generally penetrate the seabed to a depth of 6 to 18 inches. When a dredge is on the bottom and the clammer is working, maneuverability of the vessel is limited. The fishery is managed using a harvest quota system, and the vessels fishing the project area generally sail out of Point Pleasant, Atlantic City, and Cape May, New Jersey. The typical size of a clammer is 120 to 160 feet in length.
- **Steel Dredges:** Scallop fishing typically uses two (2) steel dredges up to 14 feet wide, which are towed directly behind the vessel at speeds of ~5 knots (6 miles per hour). The vessels generally tow in a straight line for approximately 1 to 4 nm, and then turn around and tow in the opposite direction. The scallop dredge weighs between 2,000 and 3,500 pounds and is towed along the seabed. When gear is deployed, the scallop vessel is restricted in its ability to maneuver. A typical scallop vessel is between 50 and 80 feet.
- **Dragging:** The dragging fishery uses nets known as trawls. The draggers target different species of fish based on the time of year. Draggers tow nets behind them at speeds of 2 to 3.5 knots. Once deployed, bottom trawls sweep a swath of seabed for a width of between 150 and 500 feet, and up to 50 feet off the seabed, depending on vessel size. Midwater trawls do not sweep the seabed, but remain in the pelagic zone. As in all mobile fishing gear, draggers are restricted in their ability to maneuver when gear is deployed. Dragger sizes range from 50 to 120 feet.

**Fixed fishing gear operations** include the following:

- **Gillnet:** Typically, a net section is 300 feet in length and anchored to the seabed with weights on each end. The top of the net may be 15 feet above the bottom. The nets are hauled and reset every 48 to 72 hours, depending on species and water temperature. A single string of gillnets may consist of up to 15 net sections tied together.
- **Lobster traps:** Lobster traps are set in “trawls” (groups) of 20 to 50 traps long, covering up to half a mile. The traps sit on the seabed and depending on fishing are hauled and reset every three to seven days.
- **Fish traps:** Fish traps are set in strings/trawls similar to lobster gear. Their soak time (time between hauls) can be significantly longer since they are not baited traps. Trawls of 12 to 20 traps that soak for 2 weeks or more. Depending on the type of fishing and time of year, traps can be worked hourly, daily, and biweekly.

Note that the project area is heavily transited by commercial fishing vessels. Although required only by commercial vessels greater than 65 feet in length, Automatic Identification System (AIS) data indicates transit activity within the

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<sup>1</sup> [https://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/WIND/WIND\\_AREA\\_REPORTS/OCS\\_A\\_0542.html#Species\\_Dependence](https://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/WIND/WIND_AREA_REPORTS/OCS_A_0542.html#Species_Dependence)

project area. AIS however is only required to be actively transmitting within 12-nm from shore. Commercial vessel traffic while transiting the project area will generally travel northeast/southwest to reach the offshore fishing grounds and return to regional ports. Vessel Monitoring Systems are required by vessels participating in some federally managed fisheries. Fixed-gear fishers who work in the project area typically travel from Cape May up to Point Pleasant, New Jersey, and all fishing ports in between.

## 2.2 Recreational Fishing

The primary method of recreation fishing harvest is hook and line. Two groups of recreational fishers use hook and line:

- “Sport” fishing – mainly made up of privately owned fishing vessels
- Professional “for-hire” fishing fleet – consists of party/head boats and charter boats

This recreational fishing fleet organizes one- to two-day fishing trips for the public with smaller vessels. Charter boats can take up to six people, while party head boats can handle upward of 120 people. All captains on recreational fishing vessels must be licensed by the U.S. Coast Guard.

Recreational vessels fish in and around the project area within hard bottom outcroppings and artificial reef areas in addition to several shipwreck areas where such structures result in greater abundance of desirable fish species. Additionally, several offshore fishing tournaments occur in the project area. Fishing tackle manufacturers sponsor these fishing tournaments, which are held at various marinas in Ocean City, Maryland; Atlantic City, and Point Pleasant, New Jersey, and Jones Beach on Long Island, New York.

## 2.3 Fisheries Management and Data

The following data sources were used for site characterization:

- NOAA data (fish stock assessments, population and ecosystems monitoring and analysis division, fishery monitoring, and research)
- Atlantic Coast Fishery Management Plans and Amendments (<https://www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-hms-fishery-management-plans-and-amendments>)
- Atlantic States Marine Fisheries Commission (<http://www.asmfc.org>)
- NOAA Descriptions of Selected Fishery Landings and Estimates of Vessel Revenue from Areas: A Planning-level Assessment ([https://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/WIND/WIND\\_AREA\\_REPORTS/OCS\\_A\\_0542.html#Species\\_Dependence](https://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/WIND/WIND_AREA_REPORTS/OCS_A_0542.html#Species_Dependence))
- National Marine Fisheries Service (NMFS) Species Information System (<https://www.st.nmfs.noaa.gov/sisPortal/sisPortalMain.jsp>)
- NMFS fisheries stats (<https://www.st.nmfs.noaa.gov/st1/index.html>)
- Atlantic Coastal Cooperative Statistics Program ([www.accsp.org](http://www.accsp.org))
- NMFS Fishery Independent Survey Data (<https://www.st.nmfs.noaa.gov/st4/ifso/index.html>)

- NMFS Atlantic Highly Migratory Species database (<https://www.fisheries.noaa.gov/topic/atlantic-highly-migratory-species>)
- NOAA Fisheries Office of Science and Technology independent survey system (<http://www.st.nmfs.noaa.gov/st4/ifso/index.html>)
- Renewable Energy Research Completed Studies ([boem.gov/renewable-energy-research-completed-studies](http://boem.gov/renewable-energy-research-completed-studies))
- Essential Fish Habitat Mapper (<https://www.fisheries.noaa.gov/resource/map/essential-fish-habitat-mapper>)

Fisheries operating within the project area are subject to regulations and reporting protocols that result in multiple data sets. The regulatory programs and data collection often involve interjurisdictional management between NMFS, regional fisheries management councils (e.g., Mid-Atlantic Fisheries Management Council and New England Fisheries Management Council), the Atlantic States Marine Fisheries Commission, and coastal states.

Many of the fisheries conducted within the project area are subject to tracking via a Vessel Monitoring System, which creates 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. These fisheries' dependent data<sup>2</sup> will be used to further assess the historical fishing activity inside the project area and help direct project engagement needs.

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<sup>2</sup> [https://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/WIND/WIND\\_AREA\\_REPORTS/OCS\\_A\\_0542.html#Species\\_Dependence](https://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/WIND/WIND_AREA_REPORTS/OCS_A_0542.html#Species_Dependence)

## 3.0 Offshore Surveys and Data Collection

The project sponsors will use existing fisheries data from multiple publicly available sources to provide initial baseline information for site characterization and future development of the COP. Existing fisheries data will be supplemented through fisheries engagement between the FLO and Fisheries Representatives (FRs) and the commercial and recreational fishing communities. Section 4.1.1 and Section 4.1.2 describe opportunities for the FLO and FRs to obtain secondary fisheries data. Fishing locations, catch data, gear usage, and other data will be obtained through community engagement. Additional data on fishing activities, fisheries, and fish habitat will be obtained during survey campaigns for other resource areas (such as benthic, geophysical, and geotechnical survey campaigns). For example, the project sponsors have already conducted a light geotechnical survey with fisheries observers onboard the survey vessels collecting data. Additional offshore surveys for geotechnical and geophysical and benthic and invertebrates are being planned. In accordance with lease requirements, the project sponsors will notify applicable ocean users two weeks in advance of any field survey activities.

## 4.0 Fisheries Communication Strategies

### 4.1 Fisheries Communication Team

The project sponsors will conduct fisheries communication described in this FCP via an established FLO and FRs, whose roles are further described in Sections 4.1.1 and 4.1.2. The primary role of the FLO is to provide two-way communication to and from the fishing community directly to the project sponsors regarding issues and concerns raised whereas the FRs serve as additional points of contact to the fishing communities. The FLO and FRs will work together to review, evaluate, and improve the effectiveness of fisheries related outreach and communication. BOEM has defined a Project Coordinator that will serve as the primary point of contact for other federal, state, and local government agencies, developers, and other stakeholders. Additionally, BOEM will perform project review, internal and external coordination, and stakeholder outreach for renewable energy projects on the outer continental shelf. Table 1 provides the points of contact for the Fisheries Communication Team. The Fisheries Communication Team is made up of experienced fishers who understand offshore wind and have existing relationships with the fishing communities. This will enable the project sponsors to build mutually respectful lines of communications with the fishing communities.

**Table 1 – Project Primary Points of Contact**

Role	Organization	Contact Name	Contact Information
Senior Project Director	Leading Light Wind	Wesley Jacobs	<a href="mailto:wjacobs@invenergy.com">wjacobs@invenergy.com</a>
BOEM Project Coordinator	BOEM Office of Renewable Energy Programs	Annette Ehrhorn	<a href="mailto:Annette.ehrhorn@boem.gov">Annette.ehrhorn@boem.gov</a>
Fisheries Liaison Officer (FLO)	Sea Risk Solutions	Sarah Hudak	<a href="mailto:shudak@searisksolutions.com">shudak@searisksolutions.com</a>
Fisheries Representative(s) (FR(s))	To be identified based on need	TBD	TBD

#### 4.1.1 Fisheries Liaison Officer (FLO) – Onshore Coordination

BOEM requires an individual be retained by the lessee to serve as its primary point of contact with commercial and recreational fisheries (i.e., FLO). The FLO communicates issues and concerns raised by the fishing community directly to the project sponsors. The FLO is responsible for overall implementation of the FCP and communicating project plans and activities that might affect the fishing industry during the project development, construction, and operations. The FLO will have a direct line of communication to the project sponsors' senior management to make recommendations for coordination improvement, to address complaints and concerns, and to share other input received from fishing stakeholders. The FLO will be responsible for the following:

- Facilitate the work of the FRs by serving as the FRs primary point of contact.

- Communicate across fishery communities and regions inside and outside of the FR network in order to educate and timely disseminate information regarding the project and to receive input.
- Validate fisheries information through cross-referencing among the best available data sources.
- Develop relationships and direct lines of communication with individuals who are representative of fishing regions, industries, and interests to the project area.
- Convey current fishing industry concerns and feedback to the project development team so they can identify and work toward solutions, as needed.
- Organize meetings, as necessary, to garner fishers' views of project effects on their industry and navigational rights.
- Develop a stakeholders' list in consultation with the FR that includes relevant fishery community individuals, officials, and organizations for communication efforts.
- Serve as the primary point of contact and coordinate resolution of issues regarding gear conflicts that may arise. Appendix A provides a draft of the standardized claim procedure established to facilitate the filing of a claim for potential gear damage or loss.

The FLO will be employed by the project sponsors and will work on behalf of the project.

#### **4.1.2**

#### **Offshore Fisheries Liaison Representatives (OFLR) – Offshore Campaigns**

The project sponsors will employ OFLRs on vessels involved in project-related offshore activities as appropriate. Typically, an OFLR will be available offshore if there is a Protected Species Observer onboard a vessel. The OFLR will coordinate with any survey vessel crew and provide general information about potential fishing vessels and equipment types in the area based on consultations with fishing stakeholders prior to survey start. As needed, the OFLR will be called on to perform the following:

- Establish and maintain professional, respectful, and friendly communication directly with fishing vessels in the project area.
- Contact any fishing vessels working or transiting in the area while survey vessel is in the project area and gear is deployed.
- Document the communications with fishing vessels, as part of survey reporting

#### **4.1.3**

#### **Fisheries Representatives (FR)**

Designated FRs will serve as additional points of contact where necessary within the fishing community. FRs represent a particular fishery, organization, gear type, port, region, state, or sector(s), and are responsible for communicating concerns, issues, and other input to the FLO. FRs will not work for or on behalf of project sponsors; however, they will represent their respective fishing communities as defined points of contact. In addition, FRs are:

- Available during project planning and construction phases.
- Able to provide the project sponsors with guidance, through the FLO, on fishing activity in the area and an understanding of particular fishing sensitivities, etc.
- Knowledgeable about different fishing sectors, seasons, key species, fishing patterns, and gear types and have fishing experience in the region.

The project sponsors may compensate FRs for their time and expenses. An FR is typically an individual who has worked extensively within the industry they represent but is not necessarily an active fisher. The FLO will solicit the FRs through an equitable process and will ensure these individuals or organizations adequately and fairly represent their respective industry, gear type, port, or region and have the support of the fishing stakeholders they speak for

## 4.2 General Strategies

The Fisheries Communication Team will use outreach strategies designed to effectively engage fishing stakeholders. These strategies will offer opportunities to access or receive timely updates on project activities and encourage feedback from fishing communities regarding fishing activities (e.g., peak fishing seasons) and, to the extent practicable, means to avoid interaction offshore between survey vessels and fishermen.

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

- Establish and maintain a dedicated tab/page on the project website specifically for fishing stakeholders to access the latest FCP. The page will include updated Notice to Mariner(s), the latest information on operations, and provide relevant contact information to submit feedback. This tab/page will have an RSS feed link so that interested parties can receive instant notifications on any device through social media platforms (e.g., Facebook/Meta, Twitter, and LinkedIn).
- Establish a comprehensive fishing stakeholder email and text distribution list to provide regular project updates and other important notices. This contact list will be updated throughout the project timeline.
- Regularly distribute bulletins showing the project area (depicted on local nautical charts) with a description of vessels and operations in the area, the activities taking place, the timelines, and the relevant contact information.
- Schedule and hold regular “town hall” type (open to the public) meetings and webinars regarding project activities designed to educate fishing stakeholders, share project information, and solicit feedback.
- Attend Mid-Atlantic Fisheries Management Council and New England Fisheries Management Council meetings to be readily available to answer questions for those in attendance.
- Participate in existing offshore wind meetings where federal (e.g., BOEM, NMFS) and state (e.g., New York State Energy Research and Development Authority, New Jersey Department of Environmental Protection) agencies participate. The Fisheries Communication Team will be in attendance and will be available to answer questions from those in attendance.
- Publish announcements and share project updates with print and online industry publications and local news outlets.
- Establish specific methods for communicating with fishers while they are at sea.
- Issue Local Notice(s) to Mariners ahead of any offshore activities, as required.
- Use BOEM Progress Reports, submitted every six months as required by the project lease, to document engagement with fishing interests, potential adverse effects stemming from the project to the interests of fishing community, and how, if at all, the design or implementation of the project has been informed by or altered to address these potential effects (including by investing in, or directing benefits to fishing interests).

### 4.3 Commercial Fisheries Engagement Strategies

In all cases, early identification of the commercial fisheries within and in proximity to the project area and engagement with the specific users is paramount to the success of this FCP. The Fisheries Communication Team is responsible for engaging with commercial fishing organizations (e.g., Responsible Offshore Development Alliance), local leaders who represent the various gear types used in the area, and individual fishers. Additional engagement strategies specific to commercial fisheries users of the project area include the following:

- Engage fixed-gear fishers to establish a set of guiding principles and procedures for the (1) identification of fixed gear to work around or temporary relocation if needed; (2) process for filing claims associated with lost or damaged gear; and (3) agreed upon methods to determine any required mitigations.
- Schedule meetings with local fishers (e.g., port meetings, webinars) when offshore operational plans and dates are confirmed, to discuss the activity and identify 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.
- Engage local fishers to serve as OFLRs on vessels working in the project area, and secure local vessels to function as scout boats during offshore activities.
- Participate in commercial fishing conferences and trade shows as a vendor to provide an additional point of engagement

### 4.4 Recreational Fisheries Engagement Strategies

Recreational fisheries users who may be affected by project activities in the project area are represented by national organizations (e.g., Recreational Fishing Alliance and American Sportfishing Association), local organizations (e.g., United Boatman of New Jersey, New Jersey Saltwater Fishermen), clubs (e.g., Beach Haven Marlin & Tuna Club, Atlantic City Saltwater Anglers), and individual fishers. Through these organizations, the Fisheries Communication Team will:

- Engage the professional associations representing the “for-hire” fleet of party and charter boats and 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; and identify and monitor the VHF channel used by the tournament.
- Participate in sportfishing conferences and trade shows as a vendor to provide an additional point of engagement and educate the recreational fishing community.

### 4.5 Planning for Subsequent Project Stages

As the development of the project progresses, the FCP will be updated in accordance with the project phases identified below. These updates will reflect the shared experiences of project sponsors and the Fisheries Communication Team, and ongoing engagement with the fishing community, regulatory agencies, and Tribes. The project sponsors will make an updated and refined version of the FCP available to the fishing community and public via the Leading Light Wind webpage

(<https://leadinglightwind.com>). The project website will act as a vehicle for receiving public comments and addressing those comments. The website will house the FCP that will be periodically updated as the project responds and addresses comments on a rolling basis.

- **Surveys and Data Collection** – In addition to analyzing existing fisheries data, this phase of activity will include data collection and survey campaigns which may include but is not limited to geophysical, geotechnical, and benthic surveys. The Fisheries Communication Team will be apprised of the timing and scope of any resource surveys. The Fisheries Communication Team will notify applicable ocean users two weeks in advance of any field survey activities.
- **Design and COP Preparation** - The project sponsors will use survey data and fisheries inputs resulting from engagement undertaken by the Fisheries Communication Team to inform the project design and layout (e.g., wind turbine generators, offshore substation foundations, inter-array cable, and export cable routes) and reduce conflicts. The FCP will be adjusted as necessary to reflect continued engagement with agencies during the design and COP preparation phases of the project.
- **Construction and Installation** – The Fisheries Communication Team will be apprised of any construction-related surveys. Ahead of construction and installation activities, the Fisheries Communication Team will facilitate ongoing communication and engagement with the fishing community and adjust activity timing and scope as appropriate to reduce conflicts. In accordance with BOEM’s Survey Guidelines for Renewable Energy Development, the project sponsors will perform, as required, pre-construction fish trawl surveys.
- **Decommissioning** – Prior to the decommissioning, the FCP will be updated to address this final phase of the project. As part of planning for project decommissioning, the Fisheries Communication Team will facilitate ongoing communication and engagement with the fishing community and adjust activity timing and scope as appropriate to reduce conflicts.

The FCP will evolve based on project activities being executed. This evolution will be based on feedback and guidance from fishers, fishing organizations, agencies, and Tribes and the shared experiences of the project sponsors and stakeholders involved in the project and will require the continued engagement and dedication of all parties to be effective.

## 5.0

### Coordination of Engagement Across Leases

New York Bight leaseholders have begun to engage with one another in introductory meetings, with the shared goal of reducing burdens on resource-limited agencies and stakeholders. The project sponsors continue to collaborate with these leaseholders and agencies, specifically agreeing to the following shared objectives:

- To work together to identify innovative avoidance, minimization, mitigation, and monitoring measures based on lessons learned in the industry both domestically and globally.
- To seek opportunities to meet as a group on select topics to reduce the need for individual meetings with agencies, as was recently done for the New York Bight Programmatic Environmental Impact Statement (PEIS).
- To seek to meet jointly in other forums and/or request joint “New York Bight” presentations/agenda items at various working group and stakeholder meetings to reduce the need for individual presentations.
- To work together to coordinate port hours so that fishers have consolidated, rather than dispersed, times to discuss issues with New York Bight leaseholders.
- To participate in BOEM convenings of Native American Tribes.

The project sponsors welcome agency comments and suggestions to further coordinate with New York Bight leaseholders throughout this effort.

## Appendix A. Gear Loss Claim Form: Leading Light Wind

### I. Filing a Claim

Invenergy Wind Offshore LLC (“Leading Light Wind”) and its contractors will make every viable attempt to avoid damaging fishing gear during development activities (survey, construction, operation).

In the event that a party (“Applicant”) experiences gear loss or damage that they believe can reasonably be attributed to Leading Light Wind’s activities, the Applicant should complete the attached claim form.

### II. Requirements for Filing a Claim

1. Notify Fisheries Liaison Officer, Sarah Hudak of gear loss or damage within 3 days of the incident via cell phone at 919-302-8559. Please provide name and contact information.
2. Fill out “Gear Loss Claim Form” (attached); form must be legible and completed in its entirety.
3. Include the following attachments with the claim form:
  - (1) Copy of a valid fishing permit
  - (2) A vessel trip report (VTR) for the trip in which the gear loss/damage occurred, or sales slip for fish landings for period of gear loss/damage showing that the vessel was fishing in the area at the time of the incident
  - (3) Proof of vessel ownership
  - (4) Proof of fishing permit
  - (5) Photos of vessel/damaged gear
  - (6) Copy of receipt for original purchase of fishing gear that was lost/damaged.
  - (7) Sales slip or gear invoice for replacement or repair gear (must be identical to gear that was lost/damaged)
  - (8) Location of gear loss/damage – either GPS coordinates and/or photo of chart plotter.
  - (9) Completed W-9 form (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>)
4. Submit the completed claim form and the required attachments within 30 days of incident through one of the following methods:
  - Email to:  
  
Fisheries Liaison Officer, Sarah Hudak, at [SHudak@searisksolutions.com](mailto:SHudak@searisksolutions.com)  
  
Leading Light Wind Project Director, Wes Jacobs, at [WJacobs@invenergy.com](mailto:WJacobs@invenergy.com)
  - Mail to:  
  
Invenergy Wind Offshore LLC  
One South Wacker Drive  
Suite 1800  
Chicago, IL 60606

### III. Process for Claim Review

1. Claims will be reviewed by Invenergy Fisheries Liaison Officer and an Invenergy Representative.
2. Applicants will be notified of the result of the review, in writing, within 30 days of receiving the completed claim form and required attachments.
  - If the claim is found to be valid, payment will be remitted to the Applicant within 10 business days of approval by Leading Light Wind.
  - If the claim is denied, a written explanation will be provided to the Applicant.
3. Applicants who wish to contest the decision may file a written notice of appeal with Leading Light Wind. The appeal will be deferred to a third party for review. The decision of the third party is final and not subject to any further right of appeal.

Invenergy Wind Offshore LLC will not be held liable for gear loss or damages that could have reasonably been prevented by Applicant. If Applicant accepts payment from Invenergy Wind Offshore LLC as a result of a claim, Invenergy Wind Offshore LLC will be deemed fully released from the respective claim. Invenergy Wind Offshore LLC reserves the right to request additional information to support review of a claim; the review process will be extended by 15 days upon receiving any additional information.

**[Claim Form Attached]**

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**Gear Loss Claim Form (Page 1 of 2)**

Applicant Name: \_\_\_\_\_

Applicant Phone Number: \_\_\_\_\_

Applicant Email: \_\_\_\_\_

Date and Approximate Time of Incident: \_\_\_\_\_

Vessel Name: \_\_\_\_\_

Home Port: \_\_\_\_\_

State License #: \_\_\_\_\_

Federal Permit #: \_\_\_\_\_

Fishing Gear Type: \_\_\_\_\_

Description of Gear Lost/Damaged: Include as much detail as possible to describe lost/damaged gear and extent of damage. Continue writing on back if necessary.

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Quantity of gear lost (if applicable): \_\_\_\_\_

Replacement Cost: \$ \_\_\_\_\_

Total Damage Cost: \$ \_\_\_\_\_

Include the following attachments: \_\_\_\_\_

- |  |  |
|--|--|
| <input type="checkbox"/> Copy of a valid fishing permit.   | <input type="checkbox"/> Copy of receipt for original purchase of fishing gear that was lost/damaged.                                |
| <input type="checkbox"/> A vessel trip report (VTR) for the trip in which the gear loss/damage occurred, or sales slip for fish landings for period of gear loss/damage showing that the vessel was fishing in the area at the time of the incident. | <input type="checkbox"/> Sales slip or gear invoice for replacement or repair gear (must be identical to gear that was lost/damaged) |
| <input type="checkbox"/> Proof of vessel ownership   | <input type="checkbox"/> Location of gear loss/damage – either GPS coordinates and/or photo of chart plotter                         |
| <input type="checkbox"/> Proof of fishing permit   | <input type="checkbox"/> Completed W-9 form  |
| <input type="checkbox"/> Photos of vessel/damaged gear   | <input type="checkbox"/> ( <a href="https://www.irs.gov/pub/irs-pdf/fw9.pdf">https://www.irs.gov/pub/irs-pdf/fw9.pdf</a> )           |

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### Gear Loss Claim Form (Page 2 of 2)

I, \_\_\_\_\_, as Applicant hereunder, hereby understand that submitting this Gear Loss Claim Form does not guarantee payment. I further acknowledge and agree that (i) if this claim is accepted and paid by Invenergy Wind Offshore LLC, my acceptance of such payment constitutes full, final, non-appealable and complete payment for the claim and that neither Invenergy Wind Offshore LLC nor any of its affiliates, and its and its affiliates' contractors, agents or employees shall have any further outstanding or ongoing liability or obligation with respect to this claim or the loss of or damage to the gear described above, and (ii) I hereby release and discharge Invenergy Wind Offshore LLC and its affiliates, contractors, agents and employees from all liability related to the claim as of the date of acceptance 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 Invenergy Wind Offshore LLC or any of its affiliates, based upon this claim. Additionally, I understand that any payment is the result of a compromise of a disputed claim, and that neither this release nor any payment shall be considered an admission of liability by Invenergy Wind Offshore LLC with respect to the disputed claim.

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

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Submit this completed claim form and the required attachments within 30 days of incident through one of the following methods:

Email to:

Fisheries Liaison Officer, Sarah Hudak, at [SHudak@searisksolutions.com](mailto:SHudak@searisksolutions.com)

Leading Light Wind Project Director, Wes Jacobs, at [WJacobs@invenergy.com](mailto:WJacobs@invenergy.com)

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