



DRAFT

Fisheries Communications Plan

December 2024

Version 1.0

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Maine Research Array

Draft

Fisheries Communications Plan

BOEM Lease OCS-A 0553

Version 1.0

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December 2024



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Abbreviations

ASMFC	Atlantic States Marine Fisheries Commission
BOEM	Bureau of Ocean Energy Management
DMR	Maine Department of Marine Resources
FCP	Fisheries Communications Plan
FL	Fisheries Liaison
FR	Fisheries Representative
FWG	Fisheries Working Group (Maine Offshore Wind Roadmap)
GEO	Maine Governor's Energy Office
GOM	Gulf of Maine
MeRA	Maine Research Array
NEFMC	New England Fishery Management Council
NMFS	National Marine Fisheries Service
OFL	Onboard Fisheries Liaison
RODA	Responsible Offshore Development Alliance
USCG	United States Coast Guard

1.0 INTRODUCTION

The State of Maine (State) was awarded a Research Lease for Lease Area OCS-A 0553 (Lease Area) in the Gulf of Maine (GOM) by the Bureau of Ocean Energy Management (BOEM) for the purpose of developing and operating the Maine Research Array project (MeRA or Project). Maine has designated Pine Tree Offshore Wind (PTOW) as the Operator and local agent (Designated Operator) for the Project with full authority to act on the State's behalf to perform activities to comply with the OCS Lands Act, terms of the lease, and applicable regulations. Ongoing information about the Project including notices to mariners and updates of survey and pre-construction activities can be found on the MeRA website, <https://www.maineresearcharray.com>.

This Fisheries Communications Plan (FCP or Plan) is prepared in fulfillment of Condition 4.1.3.1 of the Research Lease Agreement (Lease). The FCP describes the strategies PTOW will use for communicating with fisheries stakeholders related to the Lease Area, and outlines specific methods for engaging with and disseminating information. The purpose of the FCP is to ensure early and active information sharing, focused discussion of potential issues, collaborative identification of solutions to improve the quality and efficiency of various decision-making processes, and to promote the sustainable development of offshore wind energy projects.

This FCP is a living document that will be in effect for the life of the Project, from design and planning, construction, operations and maintenance, through decommissioning. The FCP will be periodically updated as the siting and engineering design of the Project progress, and to reflect ongoing stakeholder feedback. The FCP will be shared with additional fishing community participants and resource agencies that become involved over the course of the Project to solicit and incorporate their input.

Additional communications plans include a Native American Tribal Communications Plan that will be developed with Tribal government input, and an Agency Communications Plan that describes the strategies PTOW will use for communicating with federal, state, and local Agencies.

PTOW is committed to an integrative approach to fisheries engagement that is inclusive of stakeholders in the GOM, including, but not limited to, fisheries participants, fisheries organizations, coastal communities, Tribes, shoreside infrastructure, and state and federal agencies.

1.1 MAINE RESEARCH ARRAY

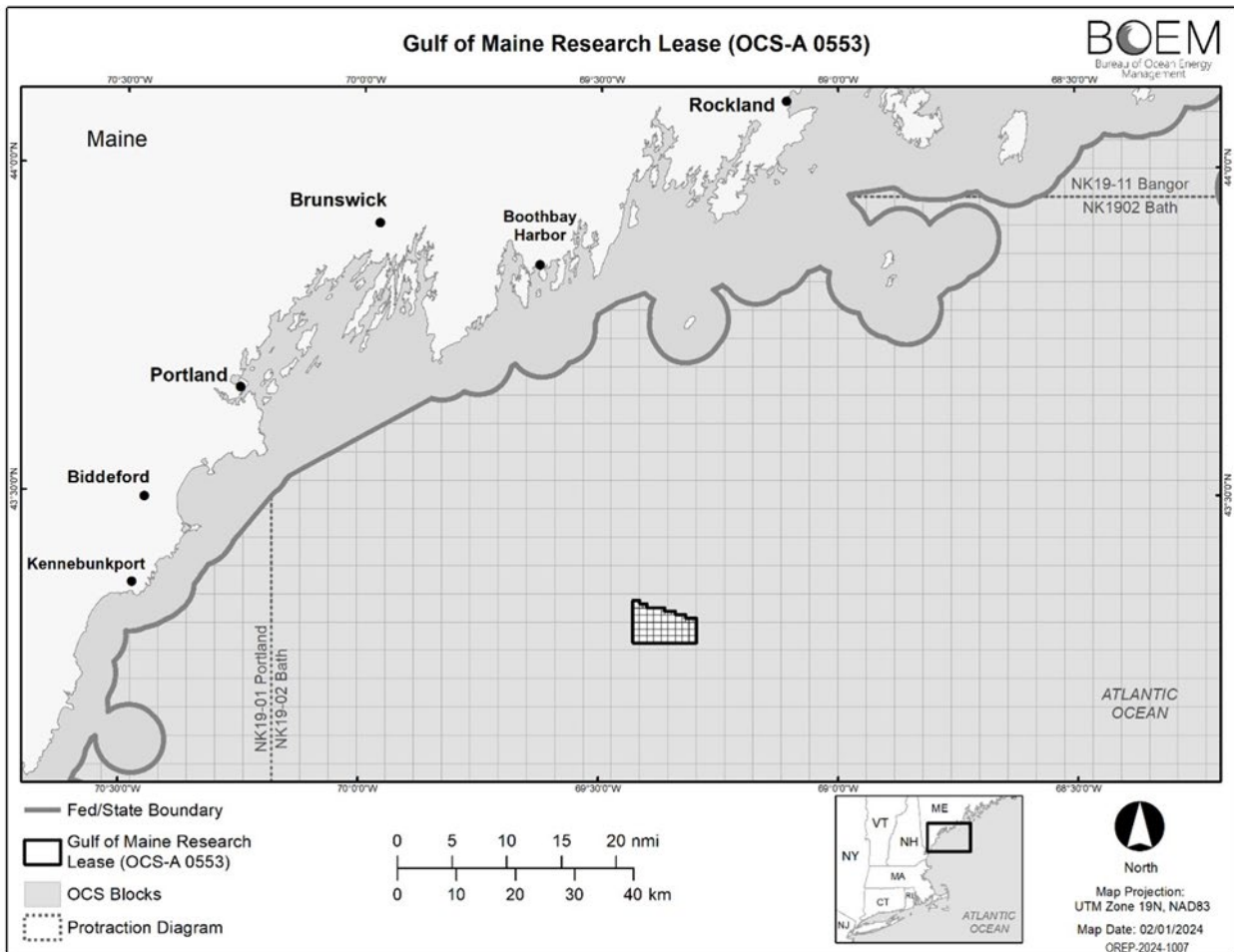


Figure 1. Location of MeRA Lease Area OCS-A 0553. Effective September 1, 2024.

In 2021, the State of Maine took several important steps to solidify its commitment to responsible floating offshore wind research and development. The Governor signed [Public Law 2021 c. 327](#), An Act To Encourage Research To Support the Maine Offshore Wind Industry, which passed the legislature with bipartisan support, and directs the Maine Public Utilities Commission to work with the utilities to negotiate a power purchase agreement for up to 144 MW from MeRA.

In response to concerns raised by the fishing community about potential offshore wind development in state waters, where up to 75 percent of lobster activity occurs, the Governor introduced legislation to limit new offshore wind projects in state waters, which are three miles from the coast, prioritizing future offshore wind development for federal waters. [Public Law 2021 c. 407](#), An Act To Prohibit Offshore Wind Power Development in Territorial Waters and Submerged Lands of the State, prohibits new full-scale offshore wind projects in state waters and sets a clear path forward for interconnecting

federal projects into State managed waters. The law also establishes the Maine Offshore Wind Research Consortium to strategically manage the research strategy for MeRA, with engagement from stakeholders, including the fishing community.

In October of 2021, the State applied to the BOEM for an Outer Continental Shelf Renewable Energy Research Lease for a limited, 15.2 square mile location in federal waters of the GOM. The State was awarded a Research Lease for Lease Area OCS-A 0553, executed on September 1, 2024.

The objective of MeRA is to optimize the co-existence of floating offshore wind with the human and ecological environment with the following specific objectives:

- Reduce conflicts with existing ocean uses, with emphasis on fisheries;
- Support education, workforce and supply chain development;
- Maintain coastal community culture and heritage while creating socioeconomic opportunities;
- Monitor ecosystem change at the research array and inform future projects by providing recommendations for socially and environmentally responsible development;
- Advance floating wind technology and reduce the levelized cost of offshore wind energy.

The State is the lease holder for MeRA. More information about the State of Maine's Offshore Wind initiative can be found on the website of the Maine Governor's Energy Office (GEO). <https://www.maine.gov/energy/initiatives/offshorewind>

As the State's designated operator, PTOW will manage all aspects of construction and assembly, deployment and ongoing operations for MeRA, and will be the contracting agent and project manager of offshore surveys, construction and operations. Diamond Offshore Wind (DOW) is a subsidiary of the Diamond Generating Corporation based in Boston, Massachusetts. PTOW is DOW's project company for MeRA.

Ongoing information about the project including notices to mariners and updates of survey and pre-construction activities can be found on the MeRA website. <https://www.maineresearcharray.com/>

1.2 DEVELOPMENT OF THE FISHERIES COMMUNICATIONS PLAN

The objective of the FCP is to arrive at a set of informed best practices and standards that optimizes co-existence with traditional marine users and the ecosystem, ahead of and throughout the project's life.

PTOW is committed to transparent and frequent communication with the fishing community to ensure the inclusion of stakeholder feedback throughout all stages of project development, construction, and operations. PTOW recognizes that effective engagement relies on respect and mutual understanding, and that a successful process often involves difficult conversations. The FCP is a living document that is adaptive and receptive to feedback and will be updated and refined as the project continues.

The communication and engagement strategies the team proposes to use incorporate recommendations made by the **Fisheries Working Group (FWG) of the Maine Offshore Wind Roadmap**, which consists

of several members of Maine’s commercial and recreational fishing fleets. **The team is grateful for this guidance, and of the time and effort members of the fishing community, state agencies, and others put forth into developing these recommendations.** FWG recommendations that are applicable to MeRA will be incorporated by PTOW to the extent practical and feasible, and subject to the terms and conditions of an approved Research Activities Plan, state and federal permits, and other authorizations. (For example, recommendations regarding marking, lighting and radar may require review and approval from the United States Coast Guard (USCG), the Federal Aviation Administration, and the Department of Defense). Therefore, incorporation and adaptation of FWG recommendations is expected to be an iterative process as input from various agencies and stakeholders is received and reflected in the Project plans.

Guidance documents used in the development of the FCP include the following resources:

- FLOWW Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison. January 2014.
- BOEM Request for Information: Guidance for Mitigating Impacts to Commercial and Recreational Fisheries from Offshore Wind Energy Development. November 2021.
- RODA Impact Fees for Commercial Fishing from Offshore Wind Development: Considerations for a National Framework. December 2021.
- BOEM Draft Guidelines for Mitigating Impacts to Commercial and Recreational Fisheries on the Outer Continental Shelf Pursuant to 30 CFR Part 585. June 2022.
- Maine Offshore Wind Roadmap: Fisheries Working Group Recommendations. February 2023.

The objective of the FCP is to ensure that fisheries stakeholders are informed of the Project and have the opportunity to offer input throughout the Project life. It is important that the project team develops a comprehensive understanding of regional fisheries and their social and economic significance to communities within the region. By seeking input from fishermen, PTOW hopes to characterize current and historical uses, better understand and evaluate fisheries and environmental impacts, and use this valuable input to guide survey, configuration and installation decisions that will minimize impacts to important habitat or fishing grounds in the GOM.

1.3 FISHERIES TEAM

Team members in the following roles will be responsible for communications between PTOW and the fishing community. Because the Project is at an early planning stage, the specific individuals that will fill these roles have not yet been retained, although PTOW has identified qualified candidates. These roles will be filled as the Project makes further commercial progress, and in any event well in advance of any planned or anticipated survey or outreach activities:

A **Fisheries Liaison (FL)** will serve as the Project’s primary point of contact employed or contracted by PTOW and serve as the lead public outreach representative from PTOW to the fishing community.

A **Fisheries Representative (FR)** will serve as the fishing community's primary point of contact for communicating its concerns to PTOW. To avoid concerns about conflicts of interest, BOEM recommends that the FR not be an employee of PTOW, however, the FR may be funded by PTOW.

Onboard Fisheries Liaisons (OFLs) will be present onboard survey and construction vessels to ensure there is effective real time communication with fishing vessels, and to provide assistance to project vessel operators and fishermen during offshore project activities. OFLs report to the FL and will be employed or contracted by PTOW.

The FL will be funded as a full- or part-time position throughout the life of the Project, as needed depending on the level of Project activity and outreach occurring at any given time. The FL will ensure timely dissemination of information regarding Project activities by communicating with fishing community groups and maintaining communication channels (e.g. website, email lists, etc.). The FL will organize meetings to garner fishermen's views of Project effects on their community and navigational rights, communicate fishermen concerns to management, and work with the community and the Project developers to resolve issues as they arise. The FL will work directly with the FR, who will have specific knowledge and understanding of the local fishing communities' concerns. The FL, in consultation with the FR and the Maine Department of Marine Resources (DMR), will develop a stakeholders list, including relevant fishery community individuals, officials, and organizations for future communication efforts.

The FR will serve as the fishing community's primary point of contact for communicating its concerns to PTOW. The FR will be selected in consultation with members of the fishing community and DMR with the goal of ensuring that the FR will have the trust of the fishing community to represent their interests. The FR will be funded as a full- or part-time position, as needed, throughout the planning, construction, and operations phases. To avoid the perception of a conflict of interest, the FR will not be an employee of PTOW, but the role will be funded by the Project. The FR will provide PTOW, via the FL, with guidance on fishing activity in the area and an understanding of particular fishing sensitivities, including the different environmental and biological concerns related to impacts from offshore wind development in the region. The FR will be knowledgeable about the different fishing sectors, seasons, key species, fishing patterns, and gear types, and have fishing experience in the region. The responsibilities of the FR include helping the FL disseminate Project information to the FR's constituency and providing feedback to the FL regarding the effectiveness of various best management practices and/or mitigation methods implemented by PTOW. The FR will keep the FL informed of any potential conflicts.

Contact information for the above roles will be provided as an appendix to the FCP (Appendix A).

1.4 FISHERIES STAKEHOLDERS IDENTIFICATION

Information used to identify fisheries stakeholders includes initial stakeholder webinars and research array informational and work sessions hosted by the GEO while planning the lease application,

meetings of the FWG of the Maine Offshore Wind Roadmap, publicly available data and other guidance about fishermen operating in the vicinity of the Lease Area from DMR, virtual and in-person meetings hosted by the BOEM, as well as outreach by the FL, via the FR, to individual commercial and recreational fishermen, aquaculture lease holders, and fishing organizations.

2.0 FISHERIES COMMUNICATION STRATEGIES

PTOW recognizes the high stakeholder engagement burden given the number of concurrent issues affecting fisheries stakeholders in the GOM, is aware of the time constraints on fisheries participants, and will strive to assure communication is delivered efficiently and is of value.

PTOW is committed to understanding and being responsive to the differing communication preferences among fisheries stakeholders. The FL will work with the FR, fisheries management agencies, fishing associations, and fisheries participants to develop the most appropriate methods to reach the greatest number of stakeholders and will use strategies that are adaptable to the needs of fisheries participants and that result in effective outreach.

The MeRA website, <https://www.maineresearcharray.com/>, will serve as a central information hub to view real-time notices of survey activity, fisheries focused FAQ's, printable forms, and project updates.

The following recommendations from the **FWG of the Maine Offshore Wind Roadmap** specifically regarding communications are adopted by PTOW and incorporated into this FCP:

RECOMMENDATION: The State will work with BOEM and other federal agencies to strongly encourage or require offshore wind developers to develop and implement clear communications plans and notification procedures.

Communications – Outline clear protocols for communication by offshore wind developers with the fishing industry that include the following elements including but not limited to BOEM guidance on these matters:

- 1) OSW developers shall establish Fishing Liaison Officers (FLOs) and Fishing Industry Representatives (FIRs) prior to beginning survey, G&G, or other activity on the ocean. The fishing industry should have a meaningful role in selecting the FLO and FIR to ensure they represent and can be legitimate intermediaries with the Maine fishing industry.
- 2) OSW developers shall establish a clear communications plan for outreach to fishermen during the life of the project and such plan shall be reviewed by BOEM in consultation with the appropriate states and fishermen advisors. The plan should be updated periodically through the life of the project, including adjustments made to account for lessons learned. Such plans should have clear metrics that measure understanding, engagement, and joint

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problem solving rather than being limited to quantifying outreach conducted (i.e., # of meetings, # of fact sheets, etc.).

Notification – Establish notification requirements for offshore wind developers with the following criteria:

- 1) Stakeholders (fishermen, recreational ocean users, aquaculture businesses, and abutters to shoreline) shall be given adequate and effective notice (at least 90 days) on season, distance from shore, and nature of fishing activity in the area) of any survey work conducted by developers or their contractors (geophysical, geotechnical, biological, oceanographic, or other) for general awareness and to move fishing gear.
- 2) Aquaculturists shall be given adequate and effective notice (at least 45 days) of any survey work conducted by developers or their contractors (geophysical, geotechnical, biological, oceanographic, or other) for general awareness.
- 3) Developer survey and vessel activities shall be shared in multiple formats on a real-time basis through such tools as a mariners' notice, web-based application, texts, and other means.
- 4) The survey route provided should include not only track lines but also anticipated buffers for vessel operations and maneuvering outside of survey route, as well as an area for vessel anchoring, jogging or other holding patterns. Communications plans should clearly identify these work area designations (e.g. where gear will be in water) and estimated timelines for disruption that are comprehensive and finite.
- 5) Multiple projects and developers should develop common and standard communication protocols and tools across projects for consistency and clarity.

2.1 COMMERCIAL FISHERIES COMMUNICATIONS

Methods to communicate with the commercial fishing fleet include but are not limited to: USCG notices to mariners; text and email digital communication to fisheries participants via appropriate state agency communication lists; distribution of paper notices to fisheries participants via direct mail; distribution of email notices for print to shoreside businesses and municipalities; posting of paper notices at appropriate locations; and providing content opportunities to fishing community newsletters and publications to print information as they deem appropriate.

State fisheries license holders and aquaculture lease holders will receive communications using the contact information provided on their license or lease application. This will include distribution of paper notices via direct mail, and digital text and email notices via publicly available contact information provided to state agencies for purposes of licensure.

Federal permit holders will receive information using the contact information publicly available in the federal permit database, utilizing the same means as state license holders. More work needs to be done

to identify permit holders who are, or potentially may be, operating or transiting in the Lease Area and export cable route, whether based in Maine or out-of-state.

2.2 COMMERCIAL FISHERIES ASSOCIATIONS

Commercial fisheries associations with members operating in and around the vicinity of the Lease Area and export cable route include, but may not be limited to, the Maine Lobstermen’s Association, Maine Coast Fishermen’s Association, Maine Aquaculture Association, the Maine Lobstering Union, and the New England Fishermen’s Stewardship Association.

The FL will work with the FR to provide notices pertaining to project activities to associations for distribution to their membership, attend association meetings as appropriate and requested, and be available as a resource.

2.3 RECREATIONAL FISHERIES COMMUNICATIONS

Recreational fishermen receive information from many of the same sources as commercial fishermen. The FL will work with the FR and recreational users to identify communication methods appropriate for recreational stakeholders.

Recreational fishing tournaments pursuing Highly Migratory Species may potentially transit through the Lease Area. In the event an offshore tournament is scheduled, the FL and as appropriate the FR, will provide coordinators with information describing any ongoing project activities.

2.4 SHORESIDE INFRASTRUCTURE

Shoreside infrastructure such as docks, dealers, harbormasters’ offices, marine supply stores and boatyards are important communication hubs for commercial and recreational stakeholders. The FL and FR will communicate with shoreside entities and provide information about project activities that can be shared with their customers and constituencies.

2.5 STATE AND FEDERAL MANAGEMENT AGENCIES

PTOW values the knowledge and experience of fisheries management entities and seeks to integrate their expertise into the FCP. Fisheries in the GOM are managed by the DMR, Atlantic States Marine Fisheries Commission (ASMFC), NOAA’s National Marine Fisheries Service (NMFS), and the New England Fishery Management Council (NEFMC).

PTOW recognizes the importance of fisheries assessment surveys. The fisheries team will work with state and federal agencies to align project activities with these critical resource surveys to minimize any potential interference.

2.5.1 Maine Department of Marine Resources

The FL will collaborate with DMR on updates to the FCP and specific strategies at each stage of the project to solicit feedback and incorporate agency expertise.

The DMR advisory councils, including but not limited to, the DMR Advisory Council, the Maine Commercial Fishing Safety Council, Maine Lobster Advisory Council and Maine Lobster Zone Councils have a unique role in co-management of fisheries in the GOM and serve as an important pathway of communication and source of local expertise. PTOW's FL will be available, as appropriate and requested, to participate in advisory and zone council meetings.

2.5.2 National Marine Fisheries Service

NMFS manages fishery resources from 3 to 200 miles off the coasts of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut, in collaboration with other state and regional partners. PTOW's fisheries team will work with NMFS to provide project updates as appropriate and to determine effective methods and frequency of communications.

2.5.3 Regional Fishery Management Entities

NEFMC and ASMFC work in partnership with state and federal fisheries agencies to develop and implement regulations that promote the sustainability of fisheries in the GOM.

NEFMC and ASMFC have extensive communication and stakeholder engagement networks, and the fisheries team will work with both councils to provide project updates as appropriate and to determine effective methods and frequency of communications.

3.0 OFFSHORE PROJECT OPERATIONS

Survey and pre-construction activities will occur in the Lease Area and potential export cable corridors. These activities may involve multiple vessels depending on location and water depth, and depending on the type of assessment, may include corridors that exclude the placement of fixed gear while work is conducted.

PTOW's fisheries communications team will be proactive in issuing notifications and coordinating with fisheries participants and stakeholders so that negative impacts are avoided, and to protect the safety of fishermen and Project crews. Pre-construction notifications will provide information about the vessel or vessels performing survey activity, the types of gear being used, potential interactions with fishing gear or fishing activity, anticipated timeline of Project activity, track lines, survey and exclusion corridors, and coordinates.

The FL, in coordination with the FR, will coordinate with fisheries participants, state and federal agencies, and others, to provide advanced notice of survey activity, and to determine anticipated fisheries activity. Please see Appendix 2 for more information.

3.1 SURVEY TEAM COMMUNICATIONS

The fisheries communication team will be actively involved in all project phases to ensure fishery considerations are integrated in the design and execution of those Project activities that may affect the fishing community. Beginning at the pre-design site characterization and survey phase, PTOW, its FL and contractors, in consultation with the FR and DMR, will characterize spatial and seasonal fisheries activity, and identify mitigation measures to avoid, minimize, and mitigate any specific fisheries risks identified. These measures will be established well in advance of survey work beginning. Mitigation measures will include determining a process for handling active or ghost gear encountered by the survey vessel, communication methods for contacting fishing vessels and their captain or crew (and vice versa), and other measures as appropriate for specific risks or fishing activities.

Notices of anticipated activity including survey routes, vessel descriptions, type of equipment being used, and the expected duration of activities will be distributed to the fishing community in advance of surveys. As recommended by the FWG, notices will be provided at least **90 days in advance of any scheduled survey or site assessment activity. When possible, notices will be provided earlier, especially when the removal of fishing gear is requested.**

The FL will serve as the primary contact for the FR, the fishing community and the survey team during survey activities. The FL will participate in daily briefings with survey vessels to effectively relay real time information between fisheries participants and survey vessels, and to identify and resolve any issues that occur during survey operations.

OFLs will be employed to monitor interaction with fishing activities and fishing gear during survey activities, to serve as an onboard source of information to fishing vessels and their crews operating near survey vessels, and to provide assistance and advice to survey vessel operators with the objective of minimizing impacts to fishing activities. Survey vessels will monitor VHF channel 16 at all times during survey operations. The names and direct contact information of OFLs via cell phone and email will be provided in advance of survey activities.

This section of the FCP will be updated as the project advances beyond site assessment to construction and operations.

4.0 GEAR INTERACTIONS AND LOSS

PTOW and its contractors are committed to avoiding interactions with fishing gear. Every effort will be made to avoid negative fisheries impacts and gear loss throughout the duration of survey activities.

The following accountability recommendations from the **FWG of the Maine Offshore Wind Roadmap** are adopted by PTOW and incorporated into this FCP:

Accountability – To ensure guidelines are adhered to and issues addressed, develop a verifiable grievance or complaints mechanism that includes a timeline for, and documentation of complaints and response taken; regular public reporting of this information; and alternative dispute resolution mechanisms.

1) Repercussions to the developer and/or contractor should work activity persist outside of established area and timeline.

2) Establish a compensation procedure for gear loss that is transparent, accessible, timely and fair.

i. Forms should be made available through several avenues (online webform, downloadable pdf, print forms at town halls/industry groups).

ii. Data collected in forms should include variety of details (gear loss to include rope, buoys, poly balls, traps and other materials) with estimate of value, number of harvest days missed due to lost gear, travel related to replacing lost gear, location of lost gear (also attributable to aquaculture losses).

iii. Forms and processes should be standardized across project.

iv. Evaluation, processing, and payment of claims should be timely.

v. Costs should be determined as replacement costs at time of payment, not at filing of request for payment because of potential changes in pricing over that time.

vi. Develop a transparent process for determination of value of lost gear, product and opportunity that reflects true costs of the loss.

vii. If gear loss claim is denied, a written justification should accompany the claim denial.

Proactive communication and coordination of anticipated Project activities with fisheries participants is the key to avoiding negative interactions and gear loss. The fisheries communication team is committed to effective outreach to inform fisheries stakeholders of survey activity through the use of notices to mariners, digital notifications, hard copy mailers to fishermen, website updates, community newsletters, and additional means as recommended by fisheries participants. Notifications will be detailed, provided with advance notice and widely distributed. Survey vessels will maintain detailed track lines and records of any gear encountered/entangled.

These notifications are a mechanism to ensure that fishermen have the information needed in order to avoid gear loss. **If fisheries participants choose not to move gear, and do not notify the Project team of the reason why it cannot be moved in a timely manner, the Project will not be able to move it, and if gear is lost, the owner will not be eligible for compensation.**

A Fishing Gear Incident Report will be generated by contracted survey vessels to report any gear interactions. Reports will document whether an incident occurred due to work activity outside of the established area and timeline. In the event gear loss does occur, PTOW has established a gear loss claim procedure (Appendix 3.) The FL is the point of contact to assist fishermen with filing a gear loss claim. Claim documents will be evaluated by the FR, the FL, and a representative from PTOW. A majority of these three individuals is necessary to approve a claim. Claimants will receive a response of decision within 60 days of application. If the claim is found to be valid, a check will be provided to the claimant. If the claim is denied, a written explanation will be provided. Claimants who disagree with the decision may file a written notice of appeal for reconsideration within 60 days. In disputed cases a third-party reviewer or facilitator with appropriate subject matter expertise will be engaged to consider the appeal. Upon further review, PTOW's decision will be final and not subject to further right of appeal.

At such time as a comprehensive regional fisheries compensatory mitigation program is developed by the [Special Initiative on Offshore Wind's Fisheries Mitigation Project](#), this guidance will be welcome and considered for incorporation in future revisions of the FCP.

5.0 CONFLICT PREVENTION AND RESOLUTION

PTOW seeks to avoid negative fisheries impacts to the greatest extent possible. A primary objective of the FCP is to develop channels of communication that will identify potential areas of conflict early in the process and help to identify solutions to avoid, mitigate, or minimize negative impacts. Methods to prevent conflicts that might arise include but are not limited to the following:

- With the FL and FR, engage fishing communities in discussions of options for array configuration, export and inter-array cable route and layouts, as well as installation and burial techniques, in order to minimize impacts to fishing activities and habitats.
- Through FL and FR communications channels, seek input from fishing participants regarding the seasonal and geographic extents of fisheries operations so they can be considered by PTOW and its contractors in the scheduling of site assessment and construction activities.
- Provide ample notice and communication ahead of any planned site assessment surveys, installation, construction, or other project activities.
- Implement a fair, equitable, and responsive gear loss claims program in the event fishing gear is damaged or lost by developer-led activities.

In recognition that it may not be possible to avoid all conflicts, PTOW will implement a stepwise approach to resolve disputes. This process will begin with the fisheries team working to address differences within a reasonable timeframe, followed by an intermediate step allowing for external consultations as needed, and a final step of engaging a professional facilitator to assist in the

identification of potential resolutions. The intent is to provide members of the fishing community with a clear and equitable process to address disagreements. PTOW is committed to successful, long-term coexistence with the fisheries, and to meaningful efforts to work through any potential conflicts.

5.1 COMMUNICATIONS TRACKING

PTOW records efforts across Project communications to track stakeholder concerns and requests. Engagement is documented by engagement type, stakeholder category, relevance and specific input provided. The fisheries team will detail how input from fisheries participants has been communicated and the outcome of those discussions. This information will be included in the semi-annual progress reports to BOEM as specified in the Lease.

Appendix A Fisheries Team Contact Information

Until the project is ready to retain a professional FL and begin outreach activities, DOW's Director of Environmental Affairs will serve in an acting capacity to oversee development of the FCP and other pre-outreach efforts. His contact information is as follows:

Dave Cowan
Director of Environmental Affairs
Diamond Offshore Wind
1 International Place
Boston, MA 02110
Email: dcowan@dowind.com
Cell: 857-762-1040

Appendix B Survey Communication Plans

EVENT: Recon Survey

Does not require fixed gear fisheries to move gear.

Stakeholders

- Harvesters: lobster, scallop, multispecies, highly migratory species, aquaculture leaseholders
- Associations: Maine Lobstermen’s Assoc. (MLA), Maine Coast Fishermen’s Assoc. (MCFA), Maine Aquaculture Assoc. (MAA), Maine Lobster Union (MLU), New England Fishermen’s Stewardship Assoc. (NEFSA)
- Maine Fisheries Advisory Councils – if a meeting is scheduled and participation welcome.
 - Commercial Fishing Safety Council
 - DMR Advisory Council
 - Lobster Advisory Council
 - Lobster Zone Councils
- Shoreside Infrastructure: wholesale dealers, harbormasters, marinas
 - *GEO Lease Application, Table 5 – Ports Likely to be Impacted by Activities within the AOI.*

120 – 90 Days Prior

- Draft notice to mariners and accompanying maps and graphics.
- Create materials for distribution including content for website, hard copy mailers and flyers, digital communications.

At Least 90 Days Prior

- Finalize Notice to Mariners.
- Maine Commercial Fishing Safety Council – meets quarterly.
 - Provide overview of safety protocol for recon survey.
- Provide content opportunity to fishing community publications:
 - *Maine Commercial Fisheries News, Landings, National Fisherman*
- Convene call with fisheries leaders.

60 Days Prior

- Issue 60-day Notice to Mariners
 - MeRA website
 - Hard copy mailers to affected harvesters with lead time for delivery.
 - DMR digital notification system.
 - Distribution to fishing community newsletters – MLA, MCFA, MAA, MLU, NEFSA.
 - Distribution to shoreside infrastructure, dealers, and municipalities.

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30 Days Prior

- Issue 30-day Notice to Mariners
 - Same distribution as above

Day of and During Survey

- Utilize DMR notification system as a courtesy to announce the survey has started, direct recipients to MeRA website.
- Provide real-time updates on MeRA website for duration of activity.
- Utilize DMR notification system as a courtesy to announce survey has completed.

Post Survey

- Evaluate overall process and stakeholder impacts.
- Determine whether additional communication is needed for G&G survey.

EVENT: G & G Survey

Requires fixed gear fisheries to move gear.

Stakeholders

- Harvesters: lobster, scallop, multispecies, highly migratory species, aquaculture leaseholders
- Associations: Maine Lobstermen's Assoc. (MLA), Maine Coast Fishermen's Assoc. (MCFA), Maine Aquaculture Assoc. (MAA), Maine Lobster Union (MLU), New England Fishermen's Stewardship Assoc. (NEFSA)
- Fisheries Advisory Councils – if meeting is scheduled and participation welcome.
 - Commercial Fishing Safety Council
 - DMR Advisory Council
 - Lobster Advisory Council
 - Lobster Zone Councils
- Shoreside Infrastructure: wholesale dealers, harbormasters, marinas
 - *GEO Lease Application, Table 5 – Ports Likely to be Impacted by Activities within the AOI.*

120 – 90 Days Prior

- Draft and finalize notice to mariners and accompanying maps and graphics.
- Create materials for distribution including content for website, hard copy mailers and flyers, digital communications.

At Least 90 Days Prior

- Issue 90-day Notice to Mariners
 - MeRA website
 - Hard copy mailers to affected harvesters with lead time for delivery.

MAINE RESEARCH ARRAY

DRAFT FISHERIES COMMUNICATIONS PLAN V.1

- DMR digital notification system.
- Distribution to fishing community newsletters – MLA, MCFA, MAA, MLU, NEFSA.
- Distribution to shoreside infrastructure, dealers, and municipalities.
- Provide content opportunity to fishing community publications:
 - *Maine Commercial Fisheries News, Landings, National Fisherman*
- Convene call with fisheries leaders.
- Maine Commercial Fishing Safety Council
 - Provide overview of survey exclusion corridor and safety protocol.
- Maine Lobster Advisory Council / Maine Lobster Zone Councils
 - Provide overview of survey exclusion corridor, safety protocol, and gear claims process.
 - Discussion about IHA permit and marine mammal observation.

60 Days Prior

- Issue 60-day Notice to Mariners
 - Same distribution as above

30 Days Prior

- Issue 30-day Notice to Mariners
 - Same distribution as above

Day of and During Survey

- Utilize DMR notification system as a courtesy to announce the survey has started, direct recipients to MeRA website.
- Provide real-time updates on MeRA website for duration of activity.
- Utilize DMR notification system as a courtesy to announce survey has completed.

Post Survey

- Evaluate overall process and stakeholder impacts.
- Determine whether additional communication is needed for construction operations.

Appendix C Gear Loss Claim Application

Claim Filing Process

If a fisherman has experienced gear loss as a result of operations initiated by PTOW, they are encouraged to file a claim using the Gear Loss Claim Application.

The completed application and supporting documentation must be submitted by email to:

Or by certified mail to:

To have a claim reviewed, applicants must provide a complete, signed application form and supporting documents within 90 days of the gear loss incident.

Gear damage or loss claim applications will be reviewed by:

If an application is deemed to be incomplete, the applicant will be notified within 30 business days so they may submit the additional information needed to process the claim.

Applicants will be notified of the result of the review, in writing, within 60 days of receipt of a complete application.

- If the claim is found to be valid, a check will be mailed to the applicant at the address provided.
- If the claim is denied, a written explanation will be provided to the applicant at the address provided.

Claimants who disagree with the decision may file a written notice of appeal for reconsideration within 60 days. In disputed cases a third-party reviewer or facilitator with appropriate subject matter expertise will be engaged to consider the appeal. Upon further review, PTOW's decision will be final and not subject to further right of appeal.

PTOW reserves the right to request additional information to support application materials.



Information about gear loss should be provided using the applicant's best available information. It is not required to provide responses to all the information requested in order to submit a claim, but inclusion of all requested information will help to validate and expedite the claim. Please also provide any additional information the applicant wishes to have considered.

Name of applicant:

Address:

Email:

Phone:

Date of gear loss incident (observed or estimated, please specify):

Vessel name:

Vessel homeport:

State fisheries license number:

Vessel documentation number, if applicable:

Federal fishing permit number, if applicable:

Fishing gear type (traps, gillnet, etc.):

Gear description and buoy color (trap/net size, configuration, number of traps/nets, type of buoy, etc.):

Description of incident causing gear loss believed to be attributable to operations associated with the project:

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Description of offshore wind vessels and any other vessels in area of gear loss (please specify source—observation, AIS, etc.):

Location of gear loss (lat/long):

Depth at gear loss location:

Image or copy of documentation (chart plotter, logbook, etc.) of location of gear damage incident:

Description of geographical location:

Claim amount requested for damaged or lost gear:

Provide completed W-9 form for tax purposes. (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>).

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This section only needs to be completed if Applicant is claiming lost fishing time:

Date of gear loss:

Date of gear replacement:

Amount of claim for lost fishing time, including time spent rigging replacement gear:

Cost of gear tag replacement, if applicable.

Description of lost fishing time and revenue:

Legal Disclaimer

Signature _____

Date _____

Application Checklist

- Completed and signed application
- Completed and signed W-9 form
- Additional section completed if applicant is submitting a claim for lost fishing time.
- Any additional information applicant wishes to have considered in support of application

Our fisheries liaisons are here to help. Please let the fisheries liaison know if you have any questions completing the application. Please return this form and attachments by submitting a copy via email to:

or by sending certified mail to:

Please note that the payment cannot be processed without a signature and completed W-9 form.