



April 9, 2018

His Excellency Charles D. Baker, Jr.
Governor of the Commonwealth of Massachusetts
Office of the Governor
State House, Room 280
Boston, MA 02133

Dear Governor Baker:

We the undersigned are members and supporters of our nation's \$60 billion commercial fishing industry. We are committed to speaking out about the offshore wind energy industry's efforts to develop in the United States, whenever and wherever offshore wind development has the potential to significantly impact our livelihoods.

Now is a particularly critical time for our collective voice to be heard. In April your Administration is scheduled to select a company to construct the nation's first industrial-scale offshore wind project off the coast of Massachusetts. We therefore seek your immediate, direct involvement to ensure that our concerns are promptly given the attention they deserve; and if further time is needed to address these issues, then we ask you to consider delaying the April selection.

It is imperative that the Massachusetts wind project and any that follow, which propose to share those same waters which have been inhabited by our historic fishing industry for centuries, are designed, constructed, and operated in a way that takes into account the activity of the nation's commercial fishing fleet. Based on the past several months of interaction with the offshore wind industry, we do not have confidence that our interests are being adequately taken into account, nor will be in the future.

Three issues of key importance have emerged, first, the project size and number of turbines; second, the lack of a plan or process to study impacts; and third, a lack of coordination or communication among projects. We address these in detail below.

At the same time, there is an increasing consensus among industry members that these specific issues reflect an underlying problem: The "fishing engagement" efforts of offshore wind developers have shown themselves to be woefully insufficient, lacking in transparency, and unnecessarily burdensome on fishermen. We are concerned that our voices are being divided and diluted by the current patchwork of engagement initiatives, and we do not have any confidence that the situation will improve without firm direction from state and federal policy-makers.

Three separate, developer-led outreach efforts have been launched, and all are stumbling to produce meaningful dialogue or move us closer to real solutions in areas ranging from navigation, access, cable routes, radar interference, and gear loss. Equally troubling, it has become clear that offshore wind developers are unwilling or unable to coordinate their interactions with commercial fishermen to tackle issues that cut across multiple project areas. Thus far these efforts have been more akin to “window dressing,” disparate activities designed ultimately to provide a means to *claim* that fishing interests have been considered, rather than an *actual* serious and successful engagement with fishing interests.

In sum, the “engagement process” as presently constituted is proving to be a wholly ineffective means of interacting with the commercial fishing industry—an industry whose members are already required to attend dozens of other regular public meetings on a myriad of regulatory issues related to our profession.

It is ironic that the possibility of oil and gas development off the U.S. East Coast—as problematic as that may be for many fishermen—has not generated nearly the same level of consternation among fishermen recently as the prospect of an offshore wind industry unwilling to undertake the hard work of a serious, substantive engagement with our industry.

We believe a better, simpler path forward exists. We outline such a path in the second half of this letter, and we ask you to endorse our plan

Three Issues of Critical Concern:

1) Project Size/Number of Turbines

We believe Massachusetts should curtail the numbers of turbines associated with first offshore wind project to allow for a robust foundation of impact studies on fisheries and fishing activity before any decisions are made regarding additional offshore wind projects. If a decision is made to approve a wind project this Spring, that project should be as modest in size and scope as possible to facilitate the study of its many impacts through all the phases of the project (before, during, and post-construction).

We are pragmatic and we understand that we do not “own” the ocean where these wind farms are being sited. But we do not believe that a renewable resource like wind energy should be allowed to displace another renewable resource like wild fisheries. To guard against that outcome, a measured, restrained approach to the initial project size is best. It is irresponsible to allow construction of sizable wind farms without a deep understanding of their impacts. That understanding must be informed by a robust analysis of local data—not just extrapolations from the European offshore wind experience. The U.S. Continental Shelf is not the North Sea, and our fisheries and fishing operations are also very different.

We are strongly in favor of a cautious procurement approach that allows U.S. state and federal regulators time to study and then correct policies governing domestic offshore wind projects. We encourage the Commonwealth therefore to award no more than 400 MW in this round of solicitations to allow fishermen, fisheries scientists, and fisheries regulators the opportunity to fully determine the impact offshore wind farms will have on our businesses and the resource.

2) Lack of a Plan or Process to Study Impacts

Even if a smaller wind project is approved, there is not currently a process or plan in place to measure its varied impacts on the fishing industry. To be sure, there are BOEM guidelines that require developers to study fisheries impacts. The problem lies with what the BOEM guidelines lack. For example, there is no framework for deciding who will perform the studies to ensure their rigor and credibility; and nothing to ensure that studies even take into account input from the fishing industry.

The Massachusetts Coastal Zone Management's Fisheries Working Group is making efforts to address the problem, but a detailed Study Plan that enjoys broad support among fishing stakeholders is urgently needed. A Study Plan could lead to analyses that helps developers locate individual turbines within a project area. Under the current process, Construction and Operations Plans (Plans that detail turbine layouts) may be finalized by developers with no input at all from the fishing industry and no impact analysis. Without a Study Plan in place, BOEM's existing guidelines are proving of little value to fishing industry stakeholders.

3) No Coordination or Communication Among Projects

The combination of federal and state processes for selecting and managing offshore wind projects is resulting in narrow, siloed decision-making among developers and regulators alike. The result is little, if any, communication or coordination among projects. This has major implications for the fishing industry. For example, transit lanes for vessels accessing the fishing grounds south and east of the project sites may not align as individual projects are left to pursue their own solutions.

Coordination around cable corridors is likewise absent. Coordinating cable routes can significantly lessen the impact to fishing operations and prevent unnecessary exclusions to mobile gear or prohibitions on grappling for lost fixed gear. The importance of coordinating with the fishing industry on the cable routes is a lesson learned from the European experience, but one that it appears is being ignored here.

The Path Forward: A Standardized Process for Developer Engagement With Fishing Stakeholders

We believe a better path forward exists.

Our view is that a "hitting of the reset button" is needed. If honest communication and effective approaches to issue resolution can be established, that success will broadly disseminate and serve both industries well for years to come. The reverse is also true: if the nascent offshore wind industry fails in its relationship-building in in this first round of procurement, then negative consequences will extend far beyond.

The Port of New Bedford is utilized daily by vessels home ported from Maine to North Carolina. One need only spend a morning in the auction house there to hear a multiplicity of languages, and accents from down-east to southern drawl. As both the nation's most economically valuable fishing port for nearly two decades, and the primary offshore wind staging port on the East Coast, the Port of New Bedford is a logical place to serve as the point of interaction between the offshore wind industry and the commercial fishing industry.

It is in this context that we support having the New Bedford Port Authority take on a leadership position as the central facilitator of communication between the two industries for all offshore wind projects in development in the Massachusetts Wind Energy Area (WEA). This could potentially grow into a role as central facilitator for other wind projects in development along the Northeast seaboard where commercial fishing impacts are anticipated. In our view, establishing the NBPA as the central clearinghouse charged with administering a standardized, consolidated information-exchange and issue-resolution process, can only serve to benefit the interests of both the fishing and offshore wind industries.

The NBPA has the technical expertise and the credibility within our community that is essential to effective communication and problem-solving among stakeholders. Moreover, as a public entity, the NBPA is in a unique, independent position to operate in this role

A standardized, consolidated process for the offshore wind industry's engagement on fisheries issues is the only path forward. We envision the NBPA, as the facilitator of that common process, creating a constructive environment where project plans and information about operations are shared with the fishermen, where issues in need of attention are articulated back to the wind developers, and where potential conflicts are diffused and problems solved.

We also expect that this sustained engagement with the fishing industry can translate into more conciliatory interactions with fishing communities all along the Eastern Seaboard. To be sure, every wind project will have its own unique characteristics, and differing fishing-related impacts, but we are convinced that the framework we are proposing has the greatest chance of success irrespective of the particular issues that may arise.

It is with this goal in mind that we would like you to endorse the following "standard operating procedure" for engagement with the commercial fishing industry for all Massachusetts WEA projects. We also ask for your help in encouraging the federal Bureau of Ocean Energy Management to require other developers pursuing projects along the Eastern seaboard to adopt the same process.

- Each wind project will follow a common, standardized process for fisheries engagement, but with different components that reflect the unique makeup of that project's fisheries stakeholders.
- Each wind project will strictly adhere to the Fisheries Communication Plan process for WEAs (as described in BOEM's 2015 *Guidelines for Providing Information on Fisheries Social and Economic Conditions for Renewable Energy Development on the Atlantic Outer Continental Shelf*), including the holding of quarterly public meetings with fishing interests and monthly meetings with a smaller advisory committee (for the Massachusetts WEA the NBPA Fisheries Advisory Committee on Offshore Wind would assume this role).

- The monthly advisory committee (for the Massachusetts WEA the NBPA Fisheries Advisory Committee) will provide regular advice to the wind project on the following:
 - Affected fisheries;
 - Communication methods and tools;
 - Impact reduction measures for fishery resources and fishing operations;
 - The effectiveness of impact reduction measures;
 - Opportunities for coordination across projects;
 - Best practices for project dismantling/decommissioning at end of project life;
 - Mandatory Mitigation

The concerns we are voicing are serious, but we have confidence in the potential of the process outlined above to successfully address these concerns. Likewise we have confidence in your leadership as Governor in these matters. We are grateful for the willingness you have shown in the past to take sensible steps to ensure that one of great and historic industries of the Commonwealth and our nation--commercial fishing--is respected in the state and federal policymaking process. We appeal to you to take sensible action again on our behalf.

Thank you for your consideration.

Sincerely,

Businesses and Organizations

John F. Whiteside, Jr., General Counsel
 American Scallop Association
*Massachusetts, New Jersey, North Carolina,
 Rhode Island, Virginia*

Jon Williams, President
 Atlantic Red Crab Co.
Massachusetts

Ed Mullis, General Manager
 B&C Seafood
Virginia

Gene Bergson, Executive Vice President
 Blue Harvest Fisheries
Virginia

David Stanley, VP of Operations
 Bergie's Seafood Inc.
 Cape Quality Seafood Restaurant and
 Market
Massachusetts

Rob Newberry, Executive Director
 DelMarVa Fisheries Association
Maryland, Virginia

Michael Quinn, General Manager
 East Coast Fabrication
 Standard Marine Outfitters
 Shoreline Resources
Massachusetts

Jim Lovgren, Board Member
 Fishermen's Dock Co-Op
New Jersey

Greg DiDomenico, Executive Director
Garden State Seafood Association
New Jersey

Bonnie Brady, Executive Director
Long Island Commercial Fisheries
Association
New York

Jeff Reichle, Chairman
Lund's Fisheries
New Jersey

Paul Weckesser, Owner
Mass Fabricating & Welding
Mass Contracting & Construction
W Trading, Inc.
Massachusetts

Harriet Didriksen, President
New Bedford Ship Supply Co.
Massachusetts

Peter Anthony, Fleet Manager
Nordic Fisheries
O'Hara Corporation
Maine, Massachusetts

John Haran, Manager
Northeast Fisheries Sector XIII
Massachusetts

Ken Melanson, CEO
Northern Wind
Massachusetts

Charlie Quinn, CEO
Quinn Fisheries
Massachusetts

Meghan Lapp, Fisheries Liaison
Seafreeze, Ltd.
Rhode Island

Bob Jones, Executive Director
Southeastern Fisheries Association
Florida

Erik Orman, Owner
Tempest Fisheries
Massachusetts

Katie Almeida, Fisheries Representative
The Town Dock
Rhode Island

Ernie Panacek, General Manager
Viking Village
New Jersey

Sigurd Johannessen, President
Warrior Fuel Co.
Massachusetts

Lori Steele, Executive Director
West Coast Seafood Processors
Association
Oregon, Washington

Richie and Ray Canastra, Owners
Whaling City Seafood Display Auction
Massachusetts

Fishing Vessels
*Home ported in Maine, Massachusetts,
Rhode Island, New Jersey, and Virginia*

F/V 1990 Appleby
F/V Adventura
F/V Adventuress
F/V Alexis Martina
F/V Ambition
F/V Angenette
F/V Ann M
F/V Anne Kathryn
F/V Anticipation
F/V Araho
F/V Arcturus
F/V Asher & Ariana
F/V Ashley Gail
F/V Atlantic
F/V Bailey Boy
F/V Beiningen
F/V Bella Rose
F/V Betsy Gals II
F/V Blue Canyon
F/V Blue Cove

F/V Blue Delta
F/V Blue Eastern
F/V Blue Harbor
F/V Blue Harvest
F/V Blue Lagoon
F/V Blue North
F/V Blue Ocean
F/V Blue Pacific
F/V Blue Sea
F/V Blue South
F/V Blue Stream
F/V Blue Water
F/V Blue Wave
F/V Blue Western
F/V Brittany Eryn
F/V Buzzards Bay
F/V C-Venture
F/V Capt John
F/V Capt Ralph
F/V CB Keane
F/V Celtic
F/V Challenge
F/V Charlies Pride
F/V Chief & Clyde II
F/V Coleman
F/V Conor And Michael
F/V CPH
F/V CPH-Titan
F/V CSM
F/V Curlew II
F/V Cygnet
F/V Debbie Ann
F/V Debbie Sue
F/V Destiny
F/V Determination
F/V Donny C
F/V Double Diamond
F/V Drake
F/V Edgartown
F/V Edurance
F/V Elizabeth
F/V Endurance
F/V Enterprise
F/V Ester M
F/V Evan Christine
F/V Evening Prayer
F/V Excalibur
F/V Expectation
F/V Fairwind
F/V Fish Tails

F/V Fisherman
F/V Fjord
F/V Francis Elizabeth
F/V Freedom
F/V Friendship
F/V Frontier
F/V Gabby G
F/V Gambler
F/V Generation
F/V Grand Larson III
F/V Harvester
F/V Hear No Evil
F/V Heritage
F/V Holly & Abby
F/V Holly Jean
F/V Hope & Sydney
F/V Horizon
F/V Hunter
F/V Hustler
F/V Iberia II
F/V Illusion
F/V Imigrante
F/V Immagrante
F/V Incentive
F/V Italian Princess
F/V James & Matthew
F/V Jason & Danielle
F/V John & Nicholas
F/V Joyce D
F/V Justice
F/V Justice
F/V Karen Elizabeth
F/V Karen L
F/V Kathryn Marie
F/V Kathy & Jackie
F/V Kathy Ann
F/V Kathy Marie
F/V Kayla Rose
F/V Kelly Marie
F/V Kingfisher
F/V Lady Deborah
F/V Lady Dee
F/V Langley Douglas
F/V Lena Pearl
F/V Lerano
F/V Let It Ride
F/V Liberty
F/V Lightning Bay
F/V Ligia
F/V Lindsay L

F/V Lori L
F/V Luc Imar
F/V Lucimar
F/V Lucky Thirteen
F/V Luso American I
F/V Luso American II
F/V Madelyn
F/V Maelstrom
F/V Majestic
F/V Majestic
F/V Mandrake
F/V Margaret Holley
F/V Mary K
F/V Mary L
F/V Mattie And Maren
F/V Max & Emma
F/V Mayflower
F/V Megan Marie
F/V Mirage
F/V Mischief
F/V Miss Crockett
F/V Miss Emma
F/V Miss Leslie
F/V Miss Shauna
F/V Miste Rose
F/V Monomoy
F/V Moragh K
F/V MS Many
F/V N. Pride
F/V Nashira
F/V Nellie M Stanley
F/V Neskone
F/V Norseman
F/V Odessa
F/V Olivia Catherine
F/V Orion
F/V Patience
F/V Patriots
F/V Pee Wee
F/V Perception
F/V Phoenix
F/V Pilgrim
F/V Polaris
F/V Pontos
F/V Poseidon
F/V Predator
F/V Prevail
F/V Provider
F/V Provider III
F/V Pyxis

F/V Raiders
F/V Ranger
F/V Rebecca Mary
F/V Reflection
F/V Reliance
F/V Resilient
F/V Resolution
F/V Rhonda Denise
F/V Richard & Arnold
F/V Roanoke Fish Co
F/V Rose Marie
F/V Rost
F/V Ruthie B
F/V Santa Queen
F/V Sao Marcos II
F/V Sao Marcos II
F/V Sao Paulo
F/V Sao Paulo
F/V Sarah Ann
F/V Seafarer
F/V Second Wind
F/V Sereno
F/V Settler
F/V Seven Seas
F/V Shamrock
F/V Sharon Nicole
F/V Shelby Ann
F/V Sirius
F/V Socatean
F/V Sorry Charlie
F/V Sovereign
F/V Sovereign Star
F/V Stardust
F/V Stephanie Bryan
F/V Survival
F/V Susan Rose
F/V T Luis
F/V Tenacity
F/V Thor
F/V Thunder Bay
F/V Thunder Bay
F/V Timberwolf
F/V Tradition
F/V Travis & Natalie
F/V Tucker Roy
F/V Unicorn
F/V United States
F/V Venture
F/V Virginia Clipper
F/V Virginia Dare

F/V Virginia Queen
F/V Virginia Wave
F/V Walker Bay
F/V Warrior

F/V Water Tender
F/V Weatherly
F/V Wisdom
F/V Yankee Pride

cc:

The Honorable Ryan Zinke, Secretary of Interior

The Honorable Wilbur Ross, Secretary of Commerce

The Honorable Rob Bishop, Chairman, Committee on Natural Resources, U.S. House of Representatives

The Honorable Raúl Grijalva, Ranking Member, Committee on Natural Resources, U.S. House of Representatives

The Honorable Paul Gosar, Chairman, Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, U.S. House of Representatives

The Honorable Alan Lowenthal, Ranking Member, Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, U.S. House of Representatives

The Honorable Doug Lamborn, Chairman, Committee on Natural Resources, Subcommittee on Water, Power, and Oceans; U.S. House of Representatives

The Honorable Jared Huffman, Ranking Member, Committee on Natural Resources, Subcommittee on Water, Power, and Oceans; U.S. House of Representatives

Massachusetts Congressional Delegation

The Honorable Jon Mitchell, Mayor, City of New Bedford

Dr. Walter Cruickshank, Acting Director, Bureau of Ocean Energy Management

The Honorable Matthew Beaton, Secretary of Energy and Environment, Commonwealth of Massachusetts

Dr. David Pierce, Director, Department of Marine Fisheries, Commonwealth of Massachusetts

Ms. Judith Judson, Director, Department of Energy Resources, Commonwealth of Massachusetts

Mr. Thomas Brostrom, Bay State Wind

Mr. Jeffrey Grabowski, Deepwater Wind

Mr. Erich Stephens, Vineyard Wind