

**INTERGOVERNMENTAL RENEWABLE ENERGY TASK FORCE FOR THE NEW YORK BIGHT
NOVEMBER 28, 2018
MEETING SUMMARY**

DISCLAIMER: This meeting summary was prepared by the Consensus Building Institute (CBI), a non-profit entity contracted by BOEM to facilitate Task Force discussions and draft a discussion summary. This summary is not intended to be a meeting transcript. Rather, it focuses on the main points covered during the meeting.

MEETING IN BRIEF

During the November 28, 2018 meeting, members of the New York Bight Task Force, other regional representatives, and the public heard updates on the Bureau of Ocean Energy Management (BOEM)’s leasing effort in the New York Bight (NY Bight). BOEM staff reviewed the Call for Information and Nominations (Call), which identifies four potential areas for offshore wind leasing, and the development process for the Draft Wind Energy Areas (Draft WEAs). The Task Force heard updates and reactions to the Draft WEAs from the Department of Defense, the U.S. Coast Guard, the National Marine Fisheries Service, and the Responsible Offshore Development Alliance (a new organization representing a broad range of fisheries interests). Representatives from the states of New York and New Jersey presented updates on their procurement plans and reactions to the Draft WEAs. Task Force members had an opportunity to discuss the Draft WEAs in small groups. Representatives of regional wind energy and infrastructure developers also presented updates on their respective activities. The meeting closed with a presentation on the next steps and timeline for this leasing process. The meeting provided two opportunities for public input on topics being considered by the Task Force. A list of meeting participants is attached to the end of this summary. Presentation slides and a meeting recording are available at <https://www.boem.gov/Task-Force-Meeting-November-2018/>.

ACTION ITEMS

Who	What
BOEM	<ul style="list-style-type: none"> • Post all presentation slides, meeting summary, and meeting recording. • Proceed with the leasing process and review comments received.
Task Force members	<ul style="list-style-type: none"> • Continue reviewing Draft WEAs and provide any additional feedback to BOEM as soon as possible

ATTENDANCE

Approximately 26 Task Force members attended the meeting. Additional federal, state, and local representatives also attended. Representatives from the states of Rhode Island and Massachusetts participated to foster a more integrated consideration of regional issues. Approximately 73 members of the public attended the meeting including representatives from the fishing industry, environmental NGOs, and the offshore wind energy industry. Representatives from BOEM lessees, Equinor, and U.S. Wind also participated in the meeting.

DISCUSSION

Below is a summary of key themes and topics discussed during the meeting.

Welcoming Remarks

Walter Cruickshank (Acting Director of BOEM); Alicia Barton (President and CEO of NYSERDA); Jared Snyder (Deputy Commissioner of NYSDEC); and Kenneth Sheehan (Director, Office of Clean Energy, of NJ BPU), offered welcoming remarks to the Task Force and the public. The speakers emphasized the importance of state and local leadership in moving offshore wind development forward, the urgent need to scale up renewable energy capacity to meet state procurement targets and address the challenges outlined in the 4th National Climate Assessment, and the need for meaningful engagement with all NY Bight users throughout the leasing process.

Outer Continental Shelf Wind Energy Leasing in the NY Bight

Jim Bennett and Luke Feinberg (BOEM) reviewed the status of BOEM's Atlantic offshore wind program, the procedural steps of the leasing process, and the delineation of the four Draft WEAs. Regarding the Draft WEAs, BOEM analyzed numerous factors, including developer nominations, recreational and commercial fishing, visual, marine protected species, avian species, cables, radar, wind resource, vessel navigation, Department of Defense exclusion zones, and the cost of development to identify primary (fewer user conflicts) and secondary (greater user conflicts) areas. Portions of the Call Area that were not included in the Draft WEAs may be leased in the future.

Updates and Feedback on the Draft Wind Energy Areas

Department of Defense

Fred Engle (Military Training and Ranges, DOD) presented a preliminary analysis of federal waters in the NY Bight for potential impacts of offshore wind development to military training, testing, and operations. DOD categorized its offshore mission compatibility with offshore wind development as (a) unrestricted, (b) site-specific stipulations, and (c) wind exclusion areas on a map of the Call Areas. DOD staff will release a complete assessment of their equities in the NY Bight area in 2019. Task Force member questions and remarks focused on: (1) how BOEM's leasing timeline aligns with DOD's assessment timeline, (2) DOD's ability to relocate certain training activities to reduce conflict with the Draft WEAs, (3) the need for DOD to review COPs in order to finalize their site-specific stipulations, and (4) how DOD's input will be considered, given that final decision-making power rests with BOEM.

U.S. Coast Guard

George Detweiler (Office of Navigation Systems, USCG) presented an overview of the fairways rulemaking process currently underway in the NY Bight and USCG's reaction to the Draft WEAs. USCG is developing a routing system of safety fairways for tug and barge traffic by converting the navigation corridors identified in the Atlantic Coast Port Access Route Study (ACPARS).¹ While the ACPARS analyzed north-south routes, a forthcoming study will analyze east-west routes. USCG also requested that BOEM not allow development in one of its weapons training areas in the northern section of the Hudson South WEA and may have concerns with other WEAs as it develops an east-west fairway system. Task Force member questions and remarks focused on: (1) timing of the USCG's Notice of Proposed Rulemaking for the fairway system, (2) how the fairway width was determined, and (3) traffic pattern expectations within the fairways.

National Marine Fisheries Service

Standing in for Kathryn Connelly, Sue Tuxbury (NOAA) presented the agency's permit, port, and fishery revenue exposure analysis for the Draft WEAs. The study used Vessel Trip Report (VTR) and Vessel Monitoring System (VMS) data, as well as climate change projection data, to draw preliminary conclusions about fishing effort variability and relative use, revenue exposure of different fisheries, permit exposure, permit dependence, and port revenue exposure. Ms. Tuxbury emphasized that a more detailed analysis of available fisheries data should be conducted, including assessing cumulative regional impacts from other development areas, and a process should be designed to vet these results with industry. Task Force member questions and remarks focused on: (1) interest in seeing this data analyzed by Draft WEA, not only primary and secondary areas and (2) interest in seeing a trends analysis, although this is challenging because fishing effort varies year to year for a variety of reasons (regulations, market, environmental).

Responsible Offshore Development Alliance

Annie Hawkins (RODA) introduced her organization and presented her membership's reactions to the Draft WEAs. RODA is a non-profit alliance of fishing groups, associations, and vessels on the East Coast that formed in June 2018 to address offshore wind development issues. RODA's review of the available data showed that commercial fishing occurs in every acre of the NY Bight and conflict will be inevitable. While RODA

¹ <https://www.navcen.uscg.gov/?pageName=PARSReports>.

appreciates the fisheries analyses that have been completed, it feels that decision-makers are still lacking key information. These data gaps include impacts to thermal stratification (aka the Cold Pool), impacts to fishery resources outside of the lease areas, fisheries costs, impacts to ports, and cumulative impacts. Ms. Hawkins outlined RODA's suggestions about how to address these data gaps and emphasized that BOEM should take the time needed to collect and analyze the necessary data so that development is done correctly. Task Force member questions and remarks focused on: (1) NMFS' plans to coordinate with BOEM about potential overlaps between the Draft WEAs and NMFS fishery survey areas and (2) current NYSDEC research efforts which could collect data that could help clarify what impact turbine layout could have on the Cold Pool's seasonal flow patterns.

State Offshore Wind Updates

New York

Doreen Harris and Greg Lampman (NYSERDA) reviewed their state's renewable energy goal, recent activities undertaken to gather additional input from stakeholders, and New York's recent 800 MW comprehensive solicitation. They also presented their initial reactions to the Draft WEAs, which focused on minimizing conflicts while keeping leases economically feasible and leasing sufficient acreage to competitively meet the region's renewable energy demand. In particular, New York recommends removing the Fairways North and South Draft WEAs from consideration.

New Jersey

Anne Marie McShea (NJ BPU) presented on New Jersey's commitment to 3,500 MW of offshore wind by 2030, its solicitation strategy and schedule, and its reactions to the Draft WEAs. New Jersey will have three solicitation phases in 2018, 2020, and 2022. While New Jersey felt that BOEM was responsive to its comments, some conflicts still need to be resolved and the state would like to see further consideration of fisheries impacts and mitigation measures. New Jersey requested – and was granted at the meeting – an extension of two weeks to analyze more data and gather additional stakeholder input to inform its comments on the Draft WEAs.

Summary of Task Force Round Table Discussions

Task Force members discussed reactions to the Draft WEAs and reflected on public input in small groups facilitated by BOEM staff. Key takeaways from these discussions were grouped by question:

Question 1: What new information did you hear today that informs your perspectives on a preferred configuration of offshore wind energy areas?

- DOD's analysis, although the underlying assumptions about turbine height are a key caveat.
- NMFS' permit, port, and fishery revenue exposure analysis. Some Task Force members would like greater clarity for some of these data sets.
- USCG's initial steps toward converting corridors into fairway systems.

Question 2: Given the perspectives you've heard expressed today, what changes to the Draft WEAs would minimize user conflicts while still providing areas feasible for development?

- Support for continuing with the leasing process while gathering additional data to inform the Final WEAs.
- BOEM should consult with USCG about planning east-west navigation fairways that may overlap with the Draft WEAs. The timing of these parallel processes should be clarified and aligned.
- Remaining concern about Hudson South due to adjacency to the scallop rotational area.
- BOEM should avoid leasing areas that lead into the Hudson Shelf Canyon and its important habitats.
- Revisit and consider minimizing some Traffic Separation Scheme areas.
- Consider eliminating the North and South Fairways from consideration.

Question 3: Are there additional information needs that would be helpful in identifying lease areas that minimize user conflicts?

- Ensure that the rotational aspect of some fisheries management, annual variability in fisheries data, and potential changes in fishing activity due to climate change are studied and taken into account to the extent possible when identifying the Final WEAs.
- DOD activity compatibility and potential mitigation measures.
- A better understanding of BOEM’s prioritization process. For example, were visual impacts weighed more than other user interests?
- Greater clarity on turbine layout and other development specifications. Reducing this uncertainty could help address some outstanding user concerns.
- Industry job projections - both potential losses to fishing industry and possible gains in the wind energy sector.
- Studies on the cumulative and indirect impacts of development on ports, habitats, ocean users, and marine resources. A multiplier effect should be included in analyses.
- Physical oceanography data such as cold pool flow, larval settlement patterns, wake effects, and potential current changes.
- Turbine layout and transmission synergies between developers to minimize user conflicts.
- Improved data on fishing travel patterns and fairway preferences.
- Potential stock assessment and quota impacts if the Final WEAs overlap with NMFS survey areas.

Regional Developer Updates

Francesco Onorio (US Wind), Martin Goff (Empire Wind/Equinor), and Kevin Knobloch (New York OceanGrid LLC, Anbaric) provided updates on their respective leases and/or activities in the NY Bight. The lessee presentations included information on major milestones achieved, developing industry infrastructure including transmission, and study activities. Task Force member questions and remarks focused on: (1) the offshore collector station capacity of two to three 400 MW wind farms, (2) whether this backbone could serve as a backup transmission route if onshore transmission was interrupted by an extreme event, and (3) the status of Anbaric’s outreach to the fishing community.

Next Steps in the Leasing Process

Luke Feinberg (BOEM) reviewed the next steps in the NY Bight leasing process. Input from meeting participants will help BOEM develop documentation to support the Final WEA decision in early 2019. A Notice of Intent to conduct an environmental assessment will be released when BOEM announces the Final WEA decision. A Proposed Sale Notice is expected to be released in summer 2019, along with a Notice of Availability of an environmental assessment, and the Final Sale Notice is expected in late 2019. The Lease Sale is planned for early 2020. Mr. Feinberg noted that the Draft WEA data are available on the Mid-Atlantic and Northeast Ocean Data Portals² and although there are upcoming formal public comment opportunities, BOEM welcomes comments at any point in the leasing process. The next Intergovernmental Task Force meeting will likely be held prior to the Proposed Sale Notice release in summer 2019.

Public Input Opportunity

Below is a summary of public questions and feedback offered during the two public input sessions. The summary represents categories of individual remarks only.

- Addressing potential conflicts with fisheries – Several meeting attendees voiced concern that BOEM is not adequately considering and addressing potential fishing impacts. These concerns, they said, necessitate that BOEM slow down the leasing process to pursue robust stakeholder engagement; collect more data on topics such as the Cold Pool and potential shore-side business impacts; improve its understanding of how fishing activity varies over time; and establish a monitoring, mitigation, and compensation plan. They emphasized that offshore wind development cannot be done both quickly and

² <https://portal.midatlanticocean.org/>, <https://www.northeastoceanandata.org/>.

correctly. The fishing industry has invested time, research, and effort into rebuilding stocks and this success should not be endangered now by offshore wind development. To that end fisheries stakeholders requested an additional setback between the Hudson South draft WEA and the NMFS-designated Scallop Access Area to minimize radar interference with vessels actively fishing that area and to minimize potential obstructions. Fisheries have an important regional economic impact and it is important to communicate total economic activity in the Draft WEAs to potential future lessees.

- Importance of mitigating navigational safety risks – Attendees emphasized the need for design specifications to mitigate associated safety risks (e.g. adequate set-backs, appropriate perimeter marking technology), even if these impact developer profitability. One person asked if fishing vessels will be granted a release from liability (akin to DOD vessels) if there is an accident in a turbine array. Solutions for mitigating radar interference for vessels fishing or transiting near or through a future wind facility also need to be developed. Attendees also stressed the importance of incorporating results of USCG AC PARS into decision-making process.
- Need for offshore wind energy to help address the challenge of climate change – Several attendees voiced support for scaling up development of clean energy sources like offshore wind to address the challenge of climate change while ensuring development is done responsibly. Other attendees, however, noted that offshore wind is not a silver bullet for climate change and has its own negative impacts (e.g., bird mortality).
- Job potential – Attendees emphasized the new jobs that offshore wind could bring to the region. Economically viable WEAs are critical to creating this employment sector.
- Decommissioning requirements – Attendees expressed concern about the standards that BOEM will hold developers to when lease terms conclude and wind farms are decommissioned.
- Minimizing visual impact – One attendee voiced concern about possible visual impacts from offshore wind development.
- Specific feedback on the Draft WEAs and the leasing process – Attendees provided specific feedback:
 - Fairways North and South should be eliminated or reduced because they have conflicts and may not be economically viable.
 - Hudson North and South should be re-evaluated due to proximity to important scallop habitat.
 - BOEM should keep both the primary and secondary Draft WEA recommendations in the Final WEA decision to ensure sufficient lease area is available to meet state energy goals and regional energy demand.
 - Final WEAs should be leased as soon as possible, rather than sequenced.

PARTICIPANT LIST

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Morgan Brunbauer	NYS Department of Environmental Conservation
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