

**INTERGOVERNMENTAL RENEWABLE ENERGY TASK FORCE FOR THE NEW YORK BIGHT  
MAY 9, 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 May 9, 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, as well as next steps for Area Identification. The Task Force heard subject matter presentations on visual impacts, avian and marine protected species, navigation and technical analysis, and fisheries. Representatives from the states of New York (NY) and New Jersey (NJ) presented updates on state initiatives, procurement, and stakeholder engagement efforts. Representatives of developers with leases in the region also presented updates on their respective lease activities. Task Force members had an opportunity to discuss the Call Area in small groups. 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-May-9-2018/>.

**ACTION ITEMS**

Who	What
BOEM	<ul style="list-style-type: none"> <li>• Post all presentation slides, meeting summary, and meeting recording.</li> <li>• Proceed with the leasing process and review comments received.</li> </ul>
Task Force members	<ul style="list-style-type: none"> <li>• Submit comments on the Call to BOEM by July 30 (revised deadline).<sup>1</sup></li> </ul>

**ATTENDANCE**

Approximately 25 Task Force members attended the meeting, including federal, state, and local representatives. In addition to Task Force members and BOEM staff, representatives from the states of Connecticut, Rhode Island, and Massachusetts participated to foster a more integrated consideration of regional issues. Approximately 55 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 Ørsted, US Wind, and Empire 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); and Joseph Fiordaliso (President of NJ BPU), offered welcoming remarks to the Task Force and the public. The speakers emphasized the importance of state leadership in moving offshore wind development forward, the capacity of NJ and NY to be strong partners and national leaders in offshore wind development, and the need for meaningful engagement with all NY Bight users – particularly the fishing community – 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 and the procedural steps between the Call and Wind Energy Area (WEA) selection. There are 11 current Atlantic leases. BOEM expects construction off of Virginia in 2020 and up to four additional projects online by 2022.

BOEM used the following criteria to delineate the NY Bight Call Area: water depth, formal navigational routing measures, Department of Defense exclusions, Hudson Shelf Valley, disposal areas, the Scallop Mid-Atlantic Access Area,

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<sup>1</sup> Comments can be submitted online by visiting <http://www.regulations.gov>. In the entry titled “Enter Keyword or ID,” enter *BOEM– 2018-0004*, and then click “search.”

and NYSERDA's *Areas for Consideration*, among others. During the upcoming Area Identification process, BOEM will analyze how specific ocean uses could conflict with offshore wind and how those impacts could be mitigated. Approximately 20% of the Call Areas would be needed to satisfy NY's lease area request. The BOEM Acting Director and the Secretary of the Interior will select the final WEA(s). BOEM highlighted several topics for which they are soliciting additional information, as highlighted in the Call.<sup>2</sup>

### **Subject Matter Presentations by BOEM and Partners**

#### Visual Impacts and Avian and Marine Protected Species

Isis Johnson-Farmer (BOEM) presented preliminary analyses of potential visual, avian, and marine mammal impacts from offshore wind development in the Call Area. Mary Kruger (National Park Service (NPS)) discussed NPS equities in the region. Task Force member questions and remarks focused on: (1) a need for better data and analyses of potential impacts to migrating bat and whale populations, (2) the importance of analyzing cumulative effects of wind development, and (3) necessary revisions to BOEM's data on sea turtle distribution.

#### Navigation and Technical Analysis

Arianna Baker (BOEM) presented BOEM's preliminary analyses of impacts of wind development on radar interference, presence of buried cables, and vessel traffic. Michele DesAutels and Chris Scraba (U.S. Coast Guard (USCG)) discussed the USCG's role in offshore wind development, provided a status update on USCG guidance on traffic separation scheme buffers, and highlighted two key documents: (a) the Atlantic Coast Port Access Route Study and (b) a forthcoming Request for Information on converting specific navigation corridors to fairways. Task Force member questions and remarks focused on: (1) the need to consider future waterway requirements (e.g. navigation needs for larger cargo vessels) and (2) whether the USCG guidance will be applied consistently across the coast or on a port-by-port basis.

#### Fisheries

Brian Hooker (BOEM) presented BOEM's preliminary data on existing uses of the Call Area for recreational and commercial fishing. BOEM is seeking feedback on a number of topics as well as suggestions for how to mitigate potential impacts of wind development. Julia Livermore (RIDEM) presented RIDEM's analysis of fishing activity in three of the four Call Areas. This dataset incorporates Vessel Monitoring System (VMS), Vessel Trip Reports (VTR), and landings data to map where the density of fishing effort is greatest and calculate the value generated in each of the Call Areas.<sup>3</sup> Task Force member questions and remarks focused on: (1) if and how BOEM is analyzing potential shifts in fishing operations due to climate change and (2) a desire to see the RIDEM analysis of the Hudson South Call Area, which was not included in RIDEM's current analysis.

### **Summary of Task Force Round Table Discussions**

Task Force members discussed the subject matter presentations and reflected on public input in small groups facilitated by BOEM staff. Key takeaways from these discussions were:

- Need for more data: Data on climate impacts, lobster, bats, sediment and dredge material, recreational fisheries, herring, cumulative impacts, Fisheries Management Council/NMFS data, mixed species fishing, scallop spawning and distribution, fishing features, North Atlantic Right Whale migration corridors, USCG guidance on buffers, vessel corridors for returning to port in bad weather, risks associated with cables, and tug/barge traffic across the Call Area.
- BOEM should consider excluding Fairways South due to navigation concerns.
- Need for more time to submit comments and discuss mitigation options: NJ stakeholders emphasized the need to extend the public comment period, gather the necessary data, engage stakeholders, and address conflicts proactively.
- Need for more stakeholder engagement: BOEM should strive to talk with all potentially affected stakeholders in the region (e.g. hold meetings in NJ fishing ports). BOEM could ask fishing industry captains of large vessels, and other stakeholders for feedback on its existing datasets.
- Support for taking a regional and ecosystem-wide approach to data gathering and WEA identification.

<sup>2</sup> <https://www.boem.gov/NY-Bight/>

<sup>3</sup> The technical report of and raster files for this analysis are available at <http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/>.

- BOEM’s framing of the task: Is BOEM identifying the least-worst areas or the best areas for wind development? BOEM should look for multiple benefits in an area when identifying WEAs.

## State Offshore Wind Updates

### New Jersey

Paul Flanagan (NJ BPU) reviewed recent milestones in NJ’s efforts to develop offshore wind energy. NJ Governor Murphy signed Executive Order No. 8 directing state agencies to take a number of major steps to accelerate a clean energy agenda which includes a goal of 3,500 MW of offshore wind by 2030. The state is currently in the process of developing its Offshore Wind Strategic Plan and an OREC Funding Mechanism Rule. NJ is also undertaking a number of scientific research and monitoring activities.

### New York

Doreen Harris and Greg Lampman (NYSERDA) updated the Task Force on NY’s progress toward achieving the state’s offshore wind goal of 2,400 MW by 2030. The state released its Offshore Wind Master Plan in January 2018, initiated Public Service Commission proceedings, and began issuing solicitations for 2018 and 2019 to develop 800 MW of offshore wind projects. NY is also conducting a number of ongoing studies and participates in four technical working groups.

## Regional Developer Updates

Marcus Cross (Ørsted), Jennifer Banks (US Wind), and Martin Goff (Empire Wind) provided updates on their respective leases in the NY Bight. The presentations included information on their stakeholder (e.g. fishing and navigation communities) engagement efforts, survey activities, and site design plans. Task Force member questions and remarks focused on: (1) the importance of outreach to all regional fishing and navigation stakeholders – not only NJ stakeholders, (2) whether Ørsted will pursue FAST-41 status<sup>4</sup> for its Ocean Wind project, and (3) lessons learned from European projects (e.g. role of liaisons, utility of navigation simulations, permitting efficiency).

## Next Steps in the Leasing Process

Luke Feinberg (BOEM) reviewed the next steps in the NY Bight leasing process. After the Call closes (now extended to July 30), BOEM will process comments and nominations and refine its analysis to reflect the input received. BOEM plans to further engage with the Task Force during its reviews of comments, nominations, and analysis. Mr. Feinberg noted that while BOEM’s leasing process includes a total of three formal opportunities for Task Force members and the public to provide comments, the agency welcomes comments at any point in the process.

## Public Input Opportunity

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

- Addressing potential conflicts with fisheries – Voicing concern that BOEM is not adequately considering and addressing potential fishing impacts. These concerns necessitate that BOEM slow down the leasing process, pursue robust stakeholder engagement, collect data with industry participation, and hold a serious discussion about mitigation and compensation. There is a sense that offshore wind development cannot be done both quickly and correctly. The Atlantic surfclam industry has also requested site design specifications (e.g. spacing between turbines) that would potentially allow fishing within a lease area.
- Importance of mitigating safety risks – Emphasizing the need for careful consideration of lease location and design specifications to mitigate associated safety risks (e.g. radar interference, challenging weather). Set backs and safety corridors are essential.
- Potential impact on towing vessel navigation – Appreciation for BOEM’s outreach to the towing industry but voicing concern that leases within the Call Area may eliminate existing “cross” tow routes through the NY Bight, posing serious safety risks or increased operating costs to operators by forcing vessels into denser areas inshore or much farther offshore.
- Promise of wind energy – Voicing support for scaling up development of clean energy sources like offshore wind but ensuring development is done responsibly and includes a robust stakeholder engagement process.

<sup>4</sup> I.e. coverage under Title 41 of the Fixing America’s Surface Transportation (FAST) Act.

**PARTICIPANT LIST**

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Karen Chytalo	NYS Department of Environmental Conservation
Michele DesAutels	U.S. Coast Guard
Joseph Fiordaliso	NJ Board of Public Utilities
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James Bennett	BOEM
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