

April 13, 2023

The nine Atlantic Coast States of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Maryland, and Virginia (the States) are pleased to release the Final Scoping Document for establishing a Regional Fund Administrator (RFA) for fisheries compensatory mitigation and offshore wind.

The States have been working together to advance and ultimately implement a consistent regional approach for administration of financial compensation paid by developers to address adverse effects of offshore wind energy development on the U.S. Eastern Seaboard's (i.e., Atlantic Coast) commercial and for-hire recreational fishing industries. This effort was developed in part to fill a gap in the applicable federal authorities.

In December 2022, the States developed and released a Scoping Document and companion Request for Information (RFI) to solicit feedback on the design of an RFA from members of the commercial and for-hire recreational fishing industries, renewable energy industry, corporate and financial management, and others with direct involvement in issues regarding offshore wind energy siting and development, as well as interested members of the public. Feedback was received from 41 respondents.

Based on the feedback received, the original Scoping Document has been updated and, along with the original RFI and RFI responses can be found at:
<https://offshorewindpower.org/fisheries-mitigation-project>.

The States intend to move forward with the following activities:

- Based on the Final Scoping Document, develop a Request for Proposals (RFP) to retain a firm or firms to design and develop the framework for the proposed RFA. This competitive procurement process will be coordinated by a singular state and with sector participation by the States, fishing, and offshore wind developers. A thoughtful and inclusive stakeholder engagement approach for receiving input from the fishing industry will be a critical component of the RFA development process. The intent is to release this RFP in the third quarter of 2023.
- Based on the Final Scoping Document, there will be creation of an interim oversight or governance entity to inform the RFA during the mid- to long-term design and development phase of the initiative. The States, working with fishing interests and offshore wind developers, will seek to outline this oversight approach and for it to be established once the RFA is selected through the RFP process. Participants in this interim group would provide advice and insights born of their members' experience and make recommendations to ensure that the RFA meets the needs the States, fishing industries, and offshore wind developers prior to the implementation of the desired plan.

- To provide sufficient funding for the design and development of the claims process, the States are actively seeking funds from diverse sources to cover the initial cost of standing up the RFA. Once the fund is established, it will be seeded by contributions from the offshore wind developers.

Additional details are provided in the Final Scoping Document, and a robust engagement effort will take place later this year to gather more information needed to fully design and develop the claims process. For answers to additional questions or to comment or discuss, please contact Kris Ohleth at: kris@offshorewindpower.org.