

Establishing a Fisheries Fund Regional Administrator

Update

February 2024

11 States

(Original 9 plus 2 -
signatories to
Governor's Letter
to President Biden,
June 4, 2021)

1. Maine
2. New Hampshire
3. Massachusetts
4. Rhode Island
5. Connecticut
6. New York
7. New Jersey
8. Delaware
9. Maryland
10. Virginia
11. North Carolina

*Intent is to establish a fund
that is not only accessible to
fisheries porting from or
landing in these states, but all
affected fisheries along the
Atlantic Seaboard*

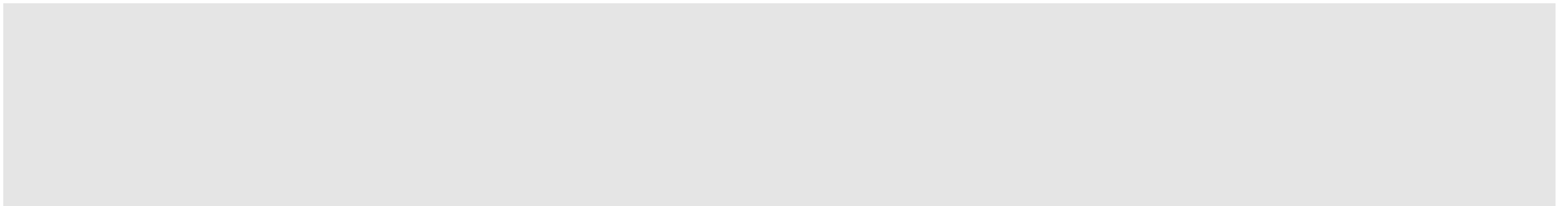
*Have also sought advice from
representatives of the fishing
industry and BOEM, NOAA & ACP*

States' Objective

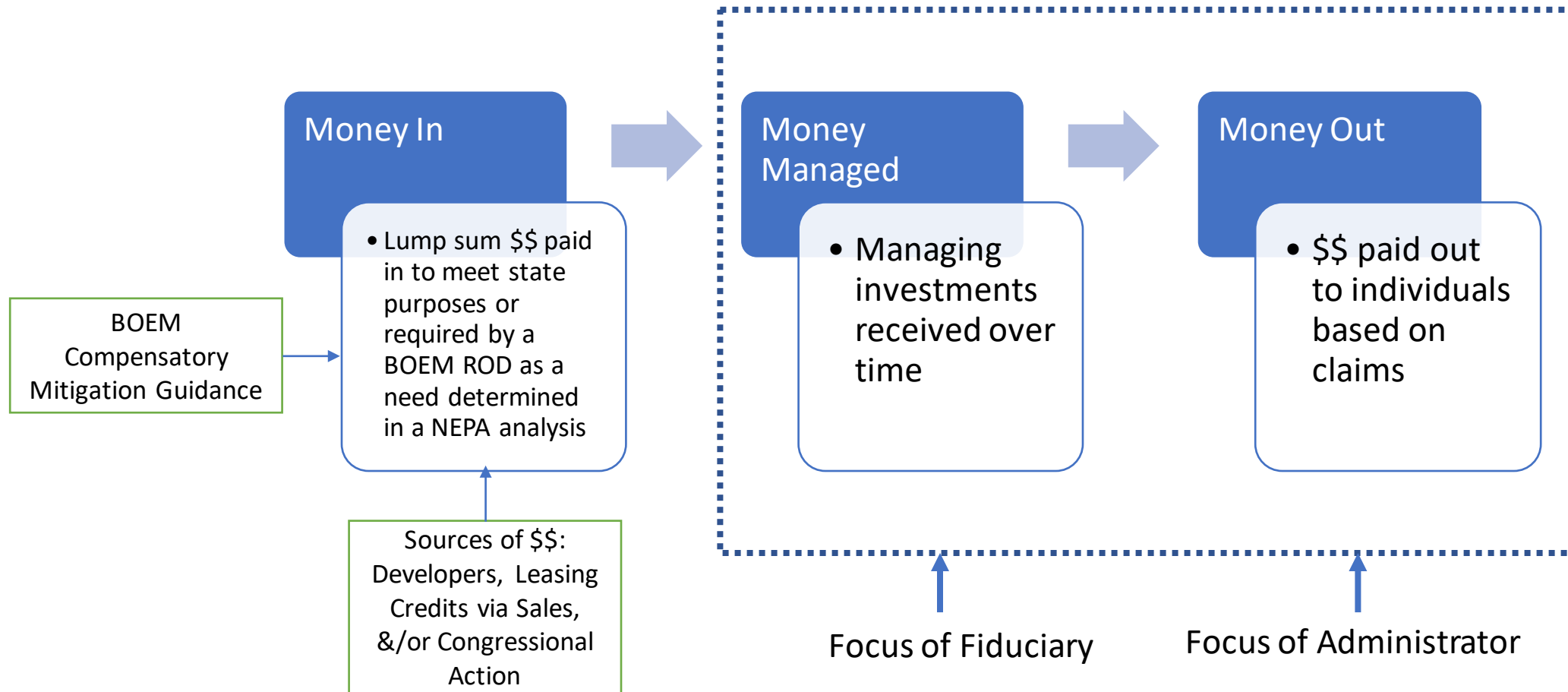
To establish a credible regional administrator for managing and distributing fisheries compensatory mitigation funds for offshore wind for the US eastern seaboard

Mitigation to be used only when avoid and minimizing options exhausted

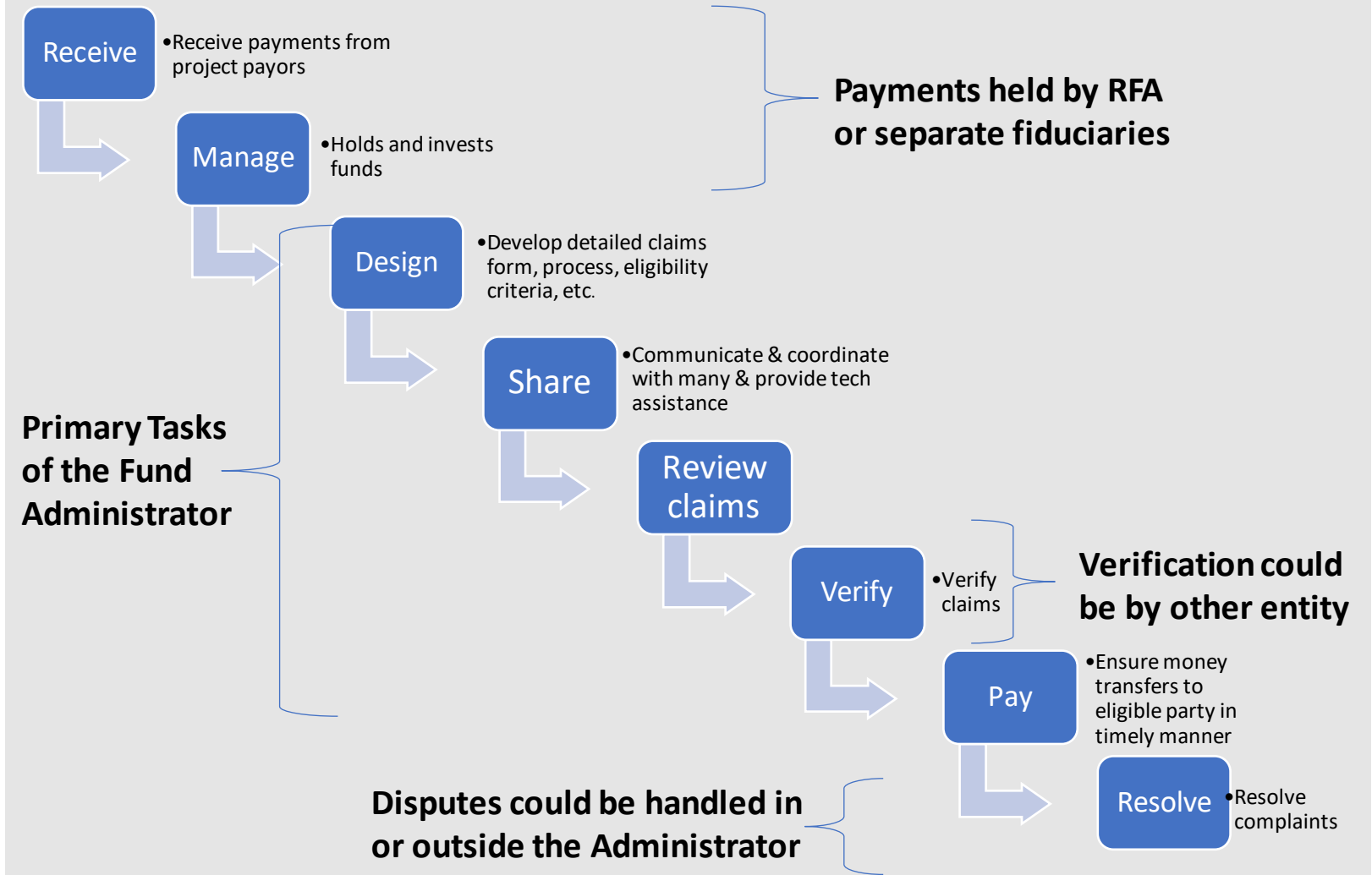
FUND
ADMINISTRATOR
SCOPING



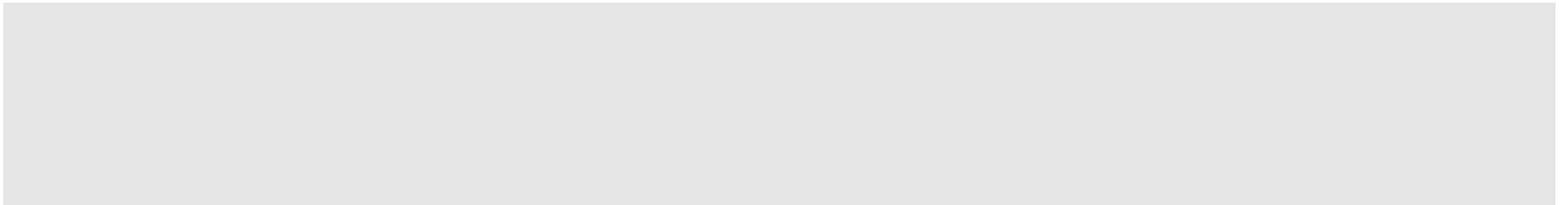
Compensatory Mitigation & Role of Fund Administration



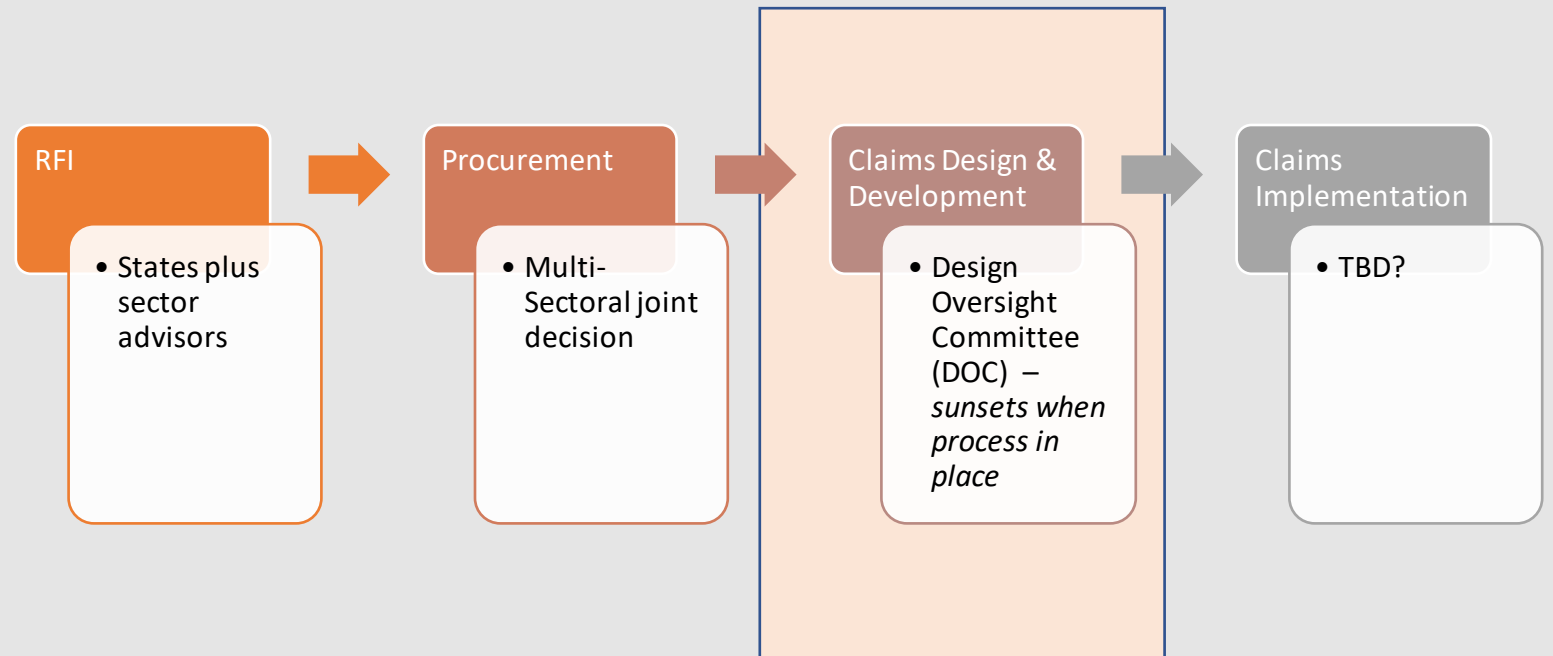
Potential Fund Administrator Tasks



RFA DESIGN & DEVELOPMENT



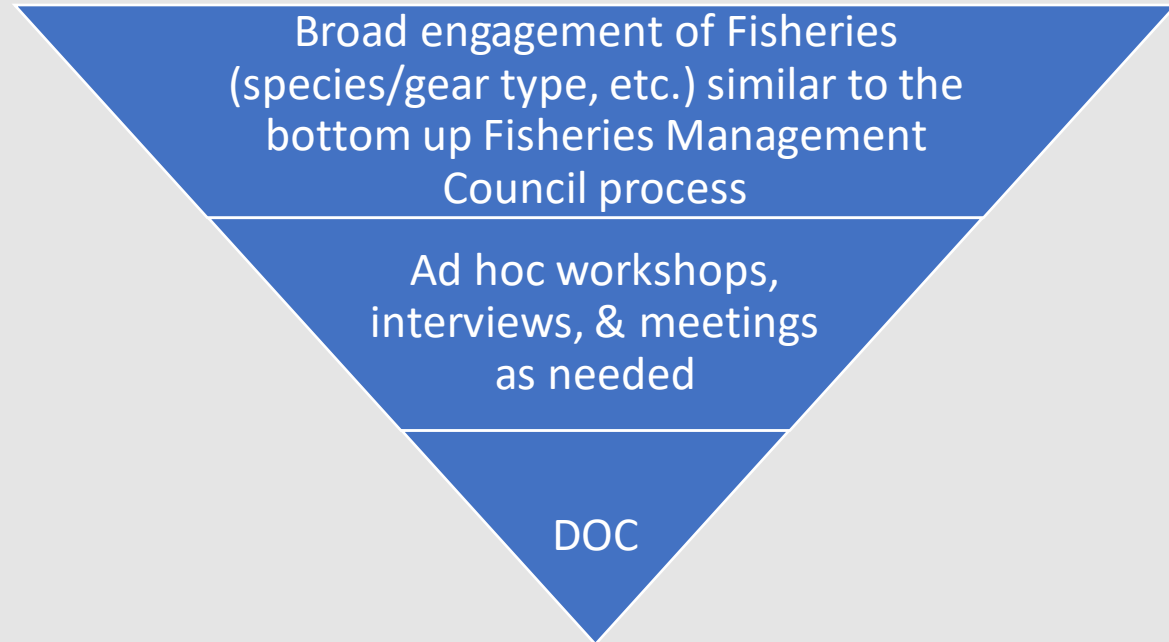
Design & Development Phase



Funding to Design and Develop

- State Support
- ACP members
- Foundation support

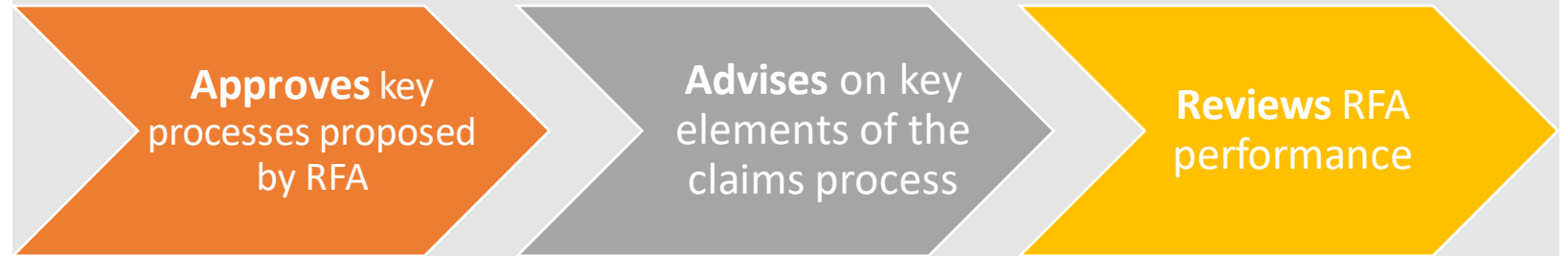
From the Bottom-up D&D Approach



Key DOC Elements to Advise On

- Eligibility
- Evidence of Impacts and Burden of Proof
- Compensable Costs and Losses
- Multipliers and processor compensation
- Data Sources and verification
- Simple, verifiable, efficient claims process
- Other - TBD

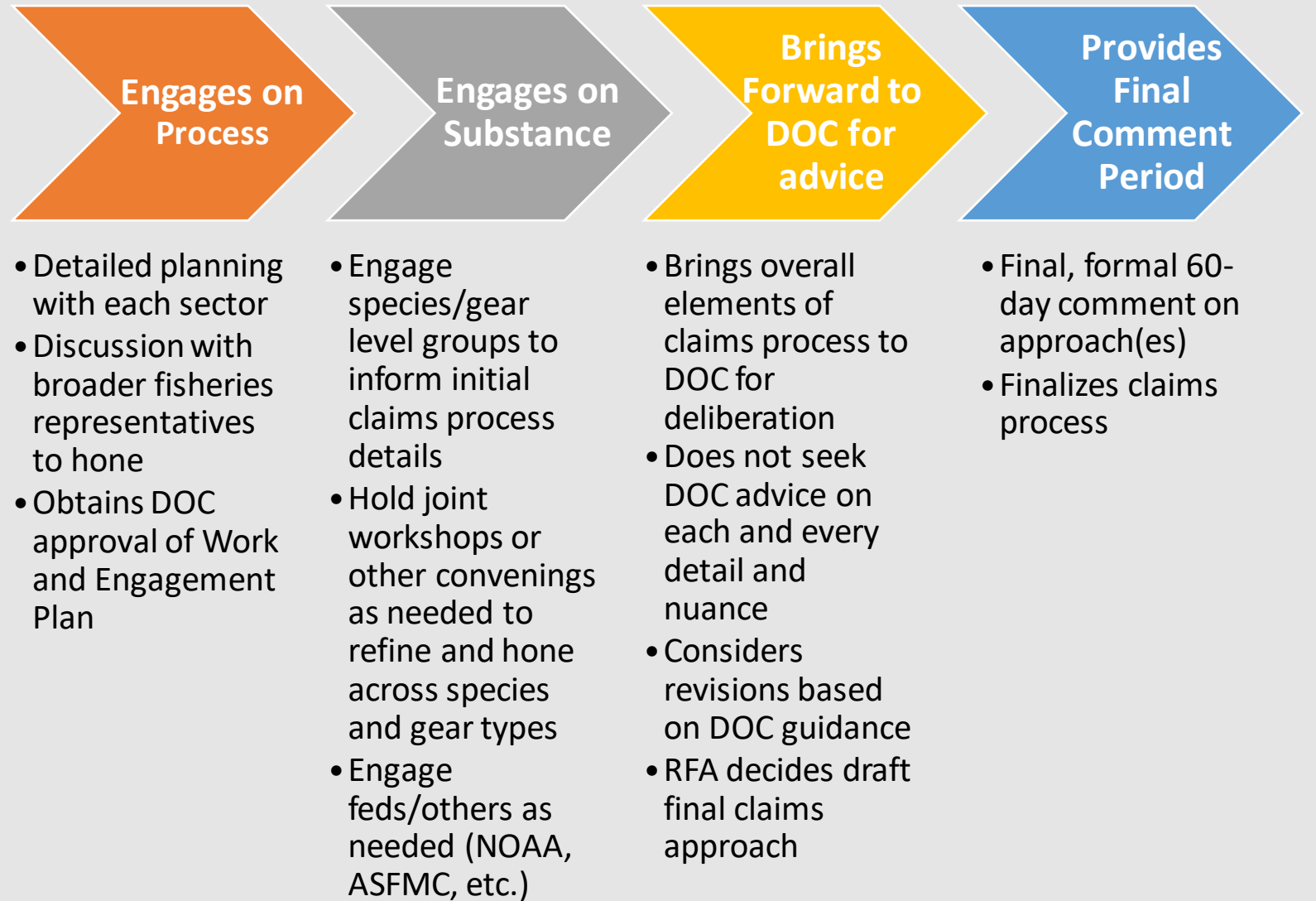
DOC Tasks & Authorities



- Work Plan & Refined Scope
- Stakeholder Engagement Plan

- Advises on the key elements of the draft final claims process built from the robust fisheries engagement process
- DOC seeks to ensure overall a legitimate claims process and RFA that can effectively implement
- There is no formal appeals process to the RFA decisions BUT developers and states retain their individual rights regarding their agreements (states) and monies (developers)

RFA Stakeholder Engagement



DOC Composition

- A. 3 States**
 - By region (NE, Mid, Southern Mid)
 - Across CZM, fisheries, energy offices
- B. 3 Developers with One or More Leases**
 - By region (NE, Mid, Southern Mid)
 - Some other criteria?
- C. 6 Fishermen (complex industries, beneficiaries, legitimacy, etc.)**
 - 2 per region
 - By gear type of fishery (scallops, clams, lobster/fixed gear, groundfish/mixed trawl, HMS & other, trade association) – type of operator, diversity of industry, not just gear (processors)?
 - Some other criteria
- D. Ex-Officio Members**
 - NMFS
 - ASFMC (or ACCSP)
 - BOEM
 - FMCs (?)
- E. Liaison**
 - RFA Procurement State (role in RFA performance only, not an ex-officio, and if state is in this role, cannot also be a DOC member above)

DOC Selection

Each caucus selects its own DOC members

- ACP coordinates OSW members
- SLOW coordinates States
- RODA coordinates a nomination process to select commercial fishing sector members

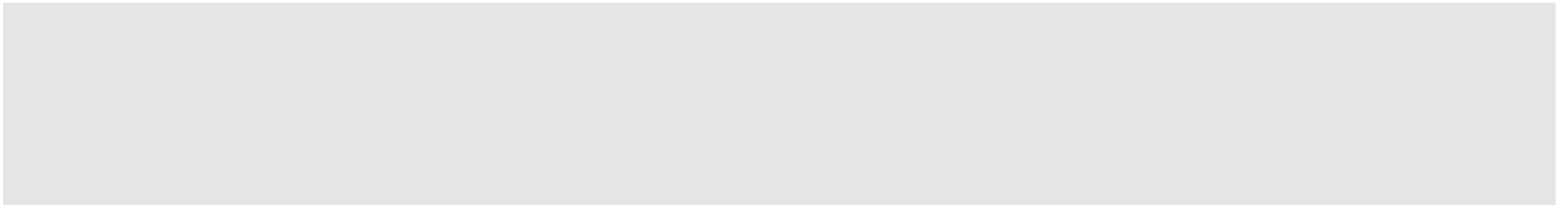
RECREATION FOR-HIRE FISHING

Because recreational fishing is likely 10% or less of total estimated lost revenues and costs AND any commensurate representation would cause them to be outvoted at most turns, options are:

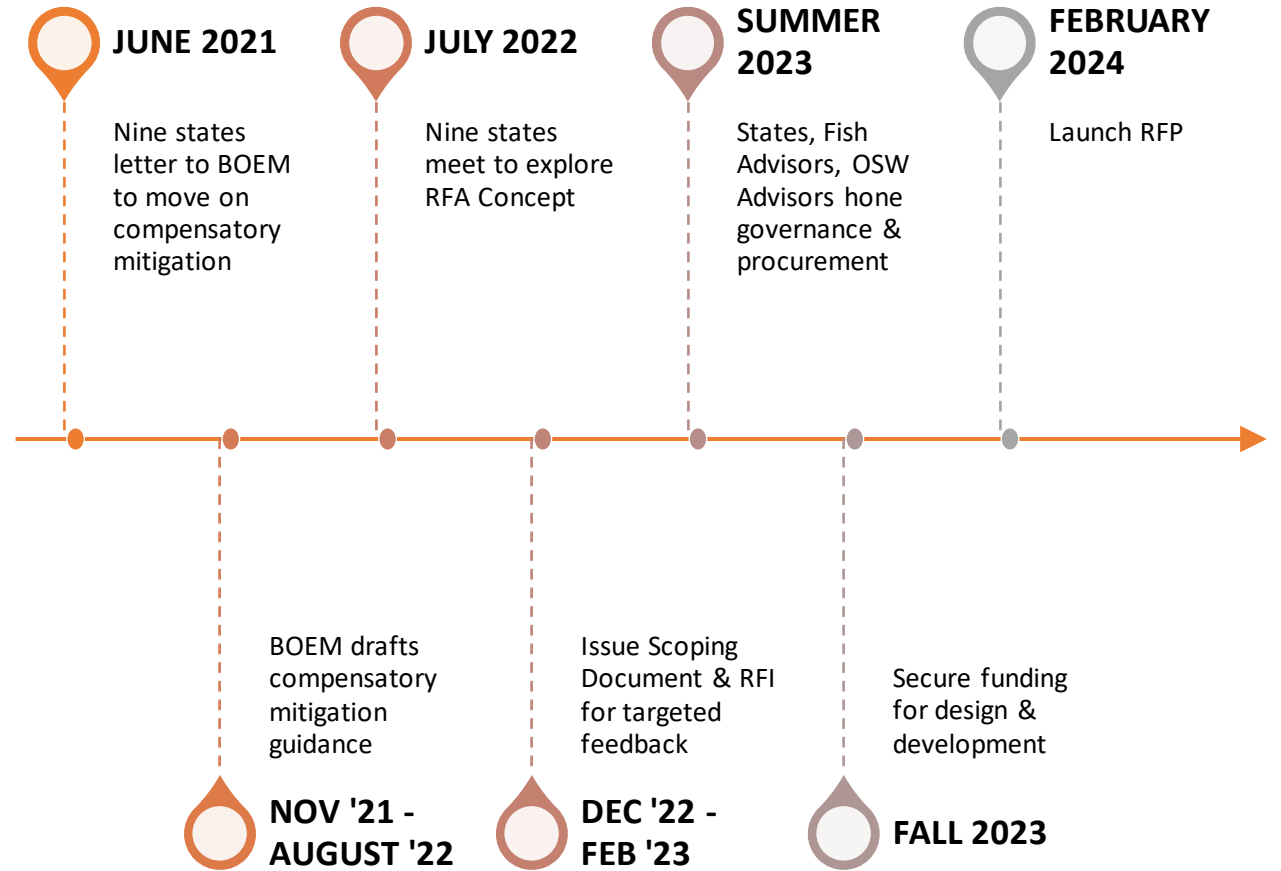
ROBUST WORKING GROUP WITH LIAISON TO DOC OR “REC-DOC” FOR REC FISHING

RFP Proposers must Propose Approach

TIMELINE & NEXT STEPS



Timeline



Next Steps

- Issue Request for Proposals (February 2024)
- Procure RFA for Design and Development (Spring 2024)
- Undertake Regional Fund Design and Development (Summer 2024)

Questions



Questions?