

# **Empire Wind Offshore Wind Farm OCS-A 0512**

## **Fisheries Liaison & Outline Coexistence Plan**

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# 1 Introduction

## 1.1 About this document

This document is the first draft Fisheries Liaison Plan (FLP) (Document ref. RE-PM710-00001, Version 01) developed to present Statoil's proposed approach to liaison and consultation with the fishing industry in relation to the development of offshore wind farm projects, cable corridors and landfall sites in the New York Lease OCS-A 0512 Wind Energy Area (WEA). This document will continue to be updated and evolve in consultation with the fishing industry as the project(s) moves through the various stages of development, and will conclude with a 'Final' Fisheries Liaison and Communications Plan and Fisheries Coexistence Plan for implementation.

The FLP has been produced for stakeholders from the fishing industry and is intended to provide clarity on Statoil's delivery objectives, as well as the approach to liaison and co-existence.

## 1.2 Background

In 2014, Governor Andrew M. Cuomo launched New York's energy policy, 'Reforming the Energy Vision'. The associated State Energy Plan (SEP) set a goal for 50% of electricity consumed in the state of New York to come from renewable sources by 2030. Offshore wind has the potential to be the most significant renewable energy resource available in the southeast portion of the state where currently only a small proportion of renewable energy is being generated and consumed. In January of 2017, Governor Andrew M. Cuomo committed to develop up to 2.4 gigawatts of offshore wind by 2030. The development of the New York Lease OCS-A 0512 WEA is expected to make a significant contribution towards achieving this objective.

The New York OCS-A 0512 WEA was originally proposed September 2011, as the result of an unsolicited request to the Bureau of Ocean Energy Management (BOEM) from the New York Power Authority (NYPA), Long Island Power Authority (LIPA) and ConEd, for a commercial lease. In June 2012 the WEA was modified to expand the buffer between shipping lanes and proposed wind turbines from one-quarter nautical mile to one nautical mile. In January 2013, BOEM issued a 'Request for Interest' seeking public comments on the proposal, followed by a 'Call for Information and Nominations' in May 2014 seeking public comments on the development authorization process.

In December 15 – 16, 2016, BOEM conducted an auction for the New York WEA, which concluded with Statoil as the successful bidder. Statoil signed the commercial wind energy lease OCS-A 0512 on March 15, 2017.

Statoil has the objective of developing the New York OCS-A 0512 WEA, with the first stage of development involving site characterization surveys, stakeholder engagement and securing the necessary permits and licenses required to construct and operate a utility scale offshore wind farm.

The first step in Statoil's permitting process is to develop and submit to BOEM a Site Assessment Plan (SAP). BOEM requires the SAP to describe the initial activities necessary to characterize a lease site. This includes for example, wind

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resource measurements using meteorological masts or buoys, and/or meteorological and oceanographic (metocean) data collection, as well as any requirements for testing new technology that comes into contact with the seabed.

The next phase is the development of the Construction and Operations Plan (COP). The COP describes all the activities necessary for the construction, operation, and decommissioning of proposed offshore wind farm(s) on the lease. It also outlines the environmental, social and technical information needed for BOEM to undertake Environmental and Social Impact Assessments (ESIA) as part of its review under the National Environmental Policy Act (NEPA).

As part of the ESIA, a wide range of potentially affected receptors, identified through stakeholder engagement and scoping, will form part of the detailed process of information gathering, site investigations, site specific environmental surveys, stakeholder engagement and impact assessments that will inform the federal and state environmental review processes.

In addition to the BOEM SAP and COP submittals, Statoil will seek and obtain authorizations from Federal and State regulatory agencies for the deployment of a metocean data measuring system and construction of the wind energy facility. The SAP and COP phases of the Project are anticipated to occur over the coming years.

### **1.3 Empire Wind OCS-A 0512 Lease**

The New York OCS-A 0512 WEA site extends 14-30 miles southeast of Long Island, spanning 79,350 acres, in water depths between 65 and 131 feet (see map). Subject to environmental and technical constraints, which will be explored as part of the development phase, it is believed that the site has a potential generating capacity of over 1 GW.

The WEA has water depths suitable for conventional, bottom-fixed foundations, such as monopiles or jackets. The exact details of the wind farm design and installation techniques will be determined during the survey and design phase, and will be influenced by consultation with affected parties, for example the fishing community.

The exact location of the electricity grid connection points and associated landfall and electrical export cable routes have yet to be determined, but will be identified during the development phase in consultation with the relevant affected parties.

The offshore wind farm(s) may be developed and constructed in phases, subject to technical, grid and commercial constraints that are yet to be determined.

TABLE 1.1 NEW YORK EMPIRE WIND OCS-A 0512 WEA KEY PROJECT CHARACTERISTICS

Project Information	Detail
Project size	79,350 acres
Project capacity	1-2 GW
Distance from shore	14-30 miles
Water depth range	65 and 131 feet

TABLE 1.2 NEW YORK EMPIRE WIND OCS-A 0512 WEA COORDINATES

NAD83 z18N East / NAD83				
Point	Easting (m)	Northing (m)	Latitude	Longitude
EW1	664,168	4,462,588	40° 17' 51.65"	-073° 04' 06.24"
EW2	652,400	4,450,800	40° 11' 37.54"	-073° 12' 34.52"
EW3	618,319	4,469,085	40° 21' 50.22"	-073° 36' 23.29"
EW4	619,519	4,471,485	40° 23' 07.4"	-073° 35' 30.8"
EW5	664,168	4,462,588	40° 17' 51.65"	-073° 04' 06.24"

**Empire Wind Fisheries Liaison & Outline  
Coexistence Plan**

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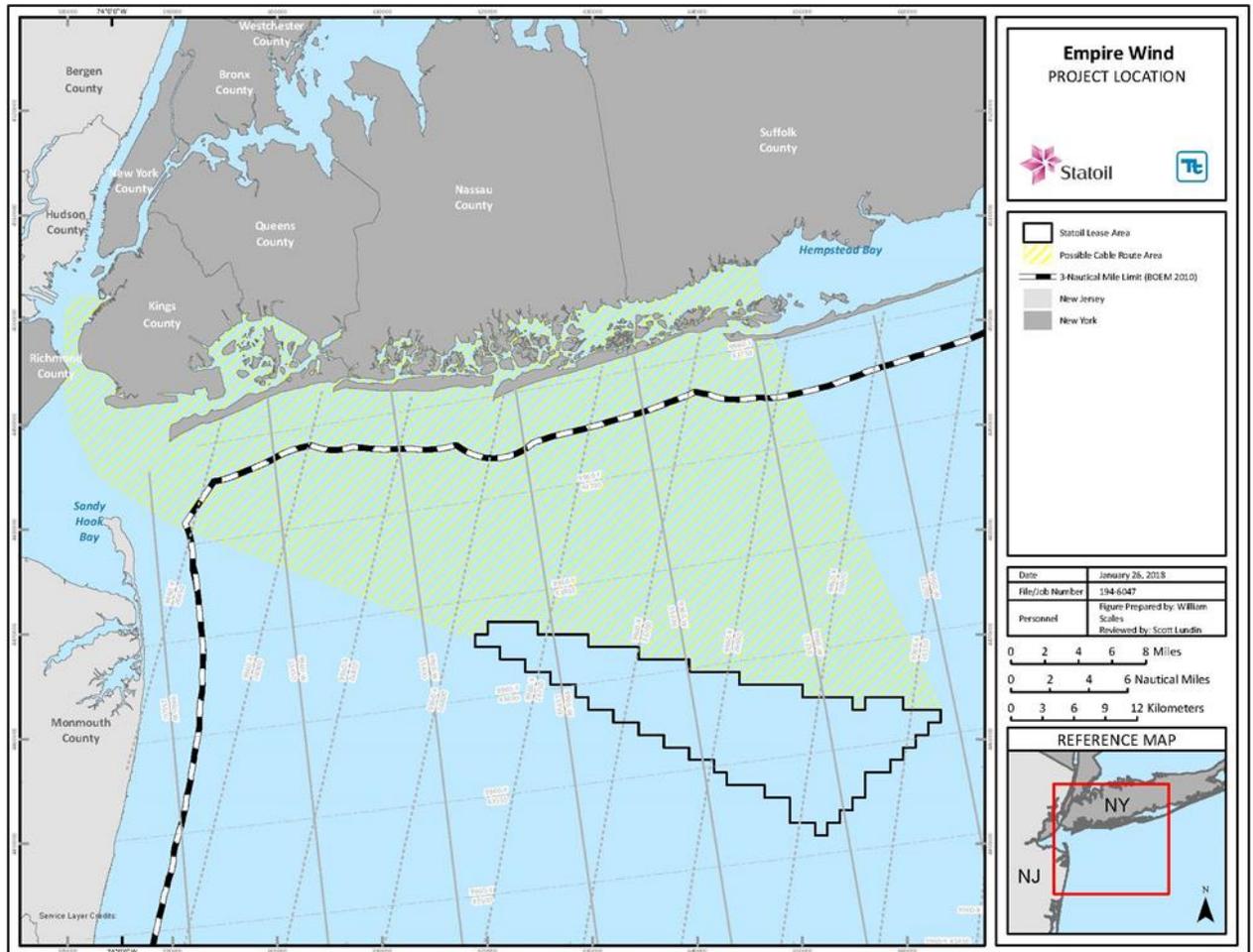
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FIGURE 1 NEW YORK EMPIRE WIND OFFSHORE WIND FARM OCS-A 0512 LEASE AREA

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## **2 Outline Co-existence Strategy**

### **2.1 Co-existence**

Statoil believes that the fishing industry and offshore wind farm developments can co-exist and, as such, sets out with the objective to co-exist with the fishing industry in and around the New York OCS-A 0512 WEA. Statoil has no intentions to restrict or apply for restrictions on fishing activities of any sort within the wind farm area(s), or electrical export cable area(s) post construction. Restrictions, if applicable, will likely be limited to the application for standard safety zones during the construction phase, and operational safety zones around manned or sensitive offshore platforms or in some cases access points to turbines. Co-existence can be achieved through the objective to avoid impacts where feasible and, where this is not feasible, to reduce impacts through mitigation. A successful co-existence strategy will require open and regular communication between Statoil and the fishing industry starting with the development phase leading up to permitting and construction, through construction, operation, and decommissioning of the wind farm.

A Co-existence Plan will be finalized in consultation with the fishing industry at the time of COP submission. This will be at a time when detailed wind farm designs and construction and operation practices will be better understood, as well as a better understanding of the interaction between the fishing industry and the proposed offshore wind farms.

The co-existence plan will present:

- A commitment to continuing consultation and liaison with the aim of assisting fishermen to safely resume their fishing activities within the operational site and along the export cable corridor;
- The sharing of wind turbine and cable locations in a format appropriate to the fishing industry to use in chart plotters and/or the provision of charts with key facility locations appropriately called out;
- A distribution system for ongoing liaison plans and dissemination of information, including construction schedules, survey schedules and planned operations and maintenance activities using a variety of media;
- Mitigation measures (where feasible) to minimize potential impacts on the fishing industry and an execution plan for each measure;
- Details of the main project contacts, including the Fisheries Liaison Officer as the primary point of contact;
- Codes of conduct for vessels undertaking project related activities within the wind farm area and ports;
- Safe operations procedures;
- Emergency response procedures;
- Fishing gear snagging and loss procedures and any required claim procedures thereafter;

## 3 Fisheries Liaison

### 3.1 Fisheries Liaison Strategy

Openness is one of Statoil's core values and will form the basis of the fisheries liaison philosophy. Regular, open consultation will be key to ensuring all parties are well informed, are able to contribute to the discussions and can work towards the joint objective of co-existence.

The FLP will be an evolving plan throughout the project development process. The identification of potential impacts on the fishing industry may change as the wind farm design and installation methodology change or become more detailed during the various phases of development. The FLP will be designed to describe the liaison and coordination of activities appropriate to the life cycle of the wind farm, through the permitting phase, construction, operation and decommissioning phases, where there the requirements and potential impacts may vary in each of these phases.

Liaison activities will be primarily based on best practice guidance and feedback from the fishing industry through consultation. It will also draw on consultation from fisheries bodies, regulators, ports and harbors and legislation, as well as previous experiences of the Statoil team with fisheries liaison work in the offshore wind industry. The best practice guidance will include, but not be limited to:

- Development of Mitigation Measures to Address Potential Use Conflicts between Commercial Wind Energy Lessees/Grantees and Commercial Fishermen on the Atlantic Outer Continental Shelf, BOEM 2014-654;
- Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison - Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW), UK;
- Fishing and Submarine Cables Working Together – published by the International Cable Protection Committee

### 3.2 Fishing Industry Contacts & Affected Parties

Effective dialogue and consultation will be facilitated with the establishment of a comprehensive contact database for local and regional fisheries associations, societies, groups, individual fishermen and the different industry organizations. This database will be maintained and regularly updated by the FLO in conjunction with Statoil's key project team members. It should be noted that the fishing industry 'database' will be used solely for the purposes of Statoil's fisheries liaison activities and will not be made available to any individual or group, outside of Statoil's specific requirements. It is acknowledged and appreciated that some fisheries information, such as fishing sites, can be commercially sensitive. In these circumstances Statoil will work with the individual fishing organization / fisherman to establish confidentiality agreements for the purpose of sharing information with the objective of using it to work towards the objective of coexistence.

### 3.3 Fisheries Liaison Officers

Statoil will contract a Fisheries Liaison Officer(s) (FLO) with the appropriate level of knowledge of or first-hand experience in the fishing industry of the region to aid in communication with, and the dissemination and gathering of information between, Statoil and the fishing industry. The FLO will also support Statoil in the identification of potential impacts, potential mitigation measures, and support with data gathering to inform the environmental and social impact assessments related to commercial and recreational fishing. A FLO will be acting on Statoil's behalf throughout all development stages, including during the operation and decommissioning phases. The primary roles and responsibilities of the FLO are:

- To serve as the primary point of contact between the project and the fleets
- To log all interactions between the project team and fisheries representatives accurately and in a way that can be shared by the project team
- To maintain a fisheries stakeholder database and contacts list for all identified fisheries operating within the vicinity of the offshore wind lease area and export cable throughout all stages the project, covering the following details:
  - Vessel names, owners, registrations and base ports
  - Vessel radio call sign
  - Dominant method(s) of fishing and any new technology developing within the fisheries
  - Static gear surface marker details where applicable
  - Target species as well as key by-catch species
  - Fishing grounds relevant to the project
  - Fishing periods and operating practices of each key fishery
  - Feedback, comments and concerns voiced within consultations
- To arrange meetings with the fishing industry throughout all stages of project development, with frequency, timings and method of communication appropriate to the level of activity at the time.
- To consult the relevant Fishing Industry Representatives (see section 3.4 below).
- To maintain regular liaison with relevant fishermen's associations, individual skippers and vessel owners, the Mid-Atlantic Fishery Management Council, and any relevant fisheries regulatory bodies as appropriate.
- To disseminate project related activities which could potentially interact with fisheries stakeholders. This will include:
  - A description of the survey activity or other works to be undertaken;
  - The location and timing of survey activities;
  - The coordinates of partially and/or fully installed infrastructure;
  - A look ahead of the schedule of works where available;
  - Details of the vessels involved in the works including the vessels contact details;
  - Survey and installation vessels transit routes to and from site;
  - The locations and timings of safety exclusion zones that may be required during installation or maintenance activities;

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- Health & Safety standards and COLREGS obligations;
  - Contractor obligations towards fisheries stakeholders;
  - Conflict avoidance response procedures and reporting procedures.
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- Be available to receive and relay back to Statoil all relevant concerns from the fisheries stakeholders in respect of the various activities associated with the project;
  - To keep fisheries stakeholders updated of any changes in project design, or scheduling;
  - To assess and advise Statoil on the need for, and subsequently support Statoil in organizing, guard vessels and offshore Fisheries Liaison Representatives (see section 3.4 below);
  - Monitor fishing activity within the wind farm site and export cable route during all phases of the project;
  - Support Statoil in making wind farm survey, installation and operations and maintenance contractors aware of relevant fishing activities, including any relevant fishermen's sensitivities, and procedures for communicating with fishing vessels at sea;
  - Advising and supporting Statoil on the procurement of offshore Fishing Liaison Representatives (OFLRs);

### **3.4 Fishing Industry Representatives (FIRs)**

Fishing Industry Representatives (FIRs) will be established as the main point of contact within a fishing industry organization. These representatives should represent the views of the fishermen within his or her remit. The FIRs should have the backing and support of the fisheries stakeholders they represent. The FIRs should be able and willing to disseminate information from the FLO or Statoil to the fishing community and vice versa on a timely and all-inclusive basis. The FIR is normally an individual who has worked extensively within the industry. The primary responsibilities of the FIR are:

To be the main focal point for liaison with fisheries stakeholders;

- To liaise and cooperate with the FLO to ensure the objectives of the FLP and co-existence strategy are achievable;
- To feed back to the FLO any fishermen's concerns, data, or requests for meetings; and
- To assist in the distribution of notices and relevant project information to fisheries stakeholders and to follow up that all relevant parties received such notices.

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### 3.5 Offshore Fisheries Liaison Representatives (OFLRs)

Where required and appropriate, Fisheries Liaison Representatives (FLRs) will be present on vessels that are working on behalf of Statoil in the wind farm related activities, for example survey vessels and installation vessels. The main purpose is to ensure good communications with fishing vessels encountered on site. This may be for the purpose of disseminating information, responding to queries from fishing vessels and acting as a conduit for information offshore between the FLO, FIR and fisheries stakeholders within or near the site. The primary responsibilities of the OFLR are:

- To maintain daily contact with, and keep records of, fishing vessels observed to be within the vicinity of the work areas of wind farm related vessels;
- To keep the masters and watch officers of wind farm related vessels informed of fishing vessels in the vicinity of their working area and the gears and modes of operation of such fishing vessels;
- To keep fishing vessels advised of the wind farm vessels locations, operations, schedules, safety zones and Health & Safety restrictions; and
- To provide on-site adhoc assistance and advice to wind farm related vessel officers with the objective of minimizing hindrance to fishing activities, avoid conflicts and ensuring the commitments in the co-existence plan are adhered to.

### 3.6 Communication Channels

Notices and Information for fishermen will be distributed via the following options:

- Via the FIRs where relevant;
- Fishermen's associations;
- Directly from the FLO to individual fishermen not represented by an FIR, but identified on the FLO's database;
- USCG Notice to Mariners;
- Electronic email distribution to commercial fishing permit holders (NOAA or state agencies)
- Statoil's relevant website page;
- Local harbor masters;
- Newsletters;
- Fishing news publications.

### **3.7 Communications Plan & Scheduling**

Prior to the onset of site surveys and installation activities, a survey specific fisheries communications and emergency response plan will be drafted specifically for the identified fisheries stakeholders. This will include:

- Primary points of contact;
- Points of contact in an emergency situation offshore;
- Follow up / incident reporting procedures.

A scheduling plan will be drafted in consultation with fisheries stakeholders on the appropriate amount of notice required prior to the onset of surveys, installation or operations and maintenance activities. The plan will also detail the agreed effective frequency of general project and project development updates, and how these updates are conducted (e.g. meetings, email, via FIRs etc).