



Responsible Offshore Development Alliance

August 19, 2020

New Jersey Board of Public Utilities
Joseph Fiordaliso, President
44 South Clinton Avenue, 9th Floor
Port Office Box 350
Trenton, New Jersey 08625-0305

**Re: New Jersey BPU Solicitation #2 Draft Guidance Document - Section 10:
Fisheries Protection Plan**

Dear President Fiordaliso;

The Responsible Offshore Development Alliance (RODA) submits the following comments regarding the Fisheries Protection Plan in the New Jersey BPU Solicitation #2 Draft Guidance Document.

RODA is a membership-based coalition of fishery-dependent companies and associations committed to improving the compatibility of new offshore development with their businesses. Our approximately 170 members are comprised of major fishing community groups, individual vessels, and shoreside dealers operating in federal and state waters of the New England, Mid-Atlantic, and Pacific coasts.

We commend the inclusion of a Fisheries Protection Plan (FPP) as a required portion of the application solicitation for offshore wind projects. In particular, RODA supports the scientifically rigorous plan to detect impacts to marine resources and measures to avoid, minimize and mitigate potential impacts on fish, and on commercial and recreational fisheries required in the application. As voiced numerous times by the commercial fishing industry, the impacts to this industry should not be overlooked, nor addressed at the last minute in the development process.

Gathering “scientifically rigorous” information takes a significant amount of time, and it is unclear whether this is a one-time requirement to collate information known at the time of application, or how errors or omissions in a plan will be addressed post-procurement. Moreover, the FPP does not clarify who will be reviewing submissions to determine whether they are indeed scientifically rigorous. RODA recommends the addition of an external review panel for the FPP portion of the solicitation. It is critical that such reviewers have extensive technical and scientific experience specific to New Jersey and regional fisheries.

A working group that reviews and scores submitted FPPs could advise the BPU on fisheries issues regarding which BPU does not have relevant in-house expertise. At a minimum, the NJ Department of Environmental Protection should hold ultimate authority to determine the merits of FPP proposals. Ideally, independent external reviewers would be included. The New Jersey Marine Fisheries Council could be an initial starting point for the review of the FPP as the group already advises the commissioner on policies and planning relating to marine resources. The NJ Offshore Wind Environmental Resources Working Group could also serve this role, as could a new purpose-built review panel. Regardless of which group leads on the evaluation of effectiveness of FPP’s, we

strongly encourage the use of public hearings and citizen panels for holistic inclusion of all potentially impacted parties including the large range of the state's at-sea and shoreside fishing-dependent businesses.

Thank you for your consideration of these submitted comments. Please feel free to reach out with any clarifying questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lane Johnston".

Lane Johnston, Programs Manager

A handwritten signature in blue ink, appearing to read "Annie Hawkins".

Annie Hawkins, Executive Director
Responsible Offshore Development Alliance