



Responsible Offshore Development Alliance

January 12, 2023

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

New Jersey Department of Environmental Protection
Shawn M. LaTourette, Commissioner
401 E. State St., 7th Floor, East Wing
P.O. Box 402
Trenton, NJ 08625-0402

Re: New Jersey Third Solicitation for Offshore Wind Renewable Energy Certificates;
Docket No. QO22080481

Dear President Fiordaliso;

The Responsible Offshore Development Alliance (RODA) submits the following comments regarding the New Jersey Board of Public Utilities (BPU) Solicitation #3 for Offshore Wind Renewable Energy Certificates.

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 200 members are comprised of major fishing community groups, individual vessels, shoreside dealers operating in federal and state waters of the New England, Mid-Atlantic, Gulf of Maine and Pacific coasts.

In response to the guidance for the 3rd solicitation for offshore wind, RODA provides the following input to the Department of Environmental Protection (DEP) and BPU. We strongly urge BPU to include consideration and support for fisheries mitigation through their evaluation of prospective energy certificates, in the manner described below or otherwise. RODA hopes guidance for any future solicitations from NJ BPU will formalize evaluation criteria for fisheries mitigation agreements such as presented here.

Recommendation: Include an “evaluation criteria” with reasonable weighting (suggested 10%) for bids that propose joint projects with state or regional commercial fishing associations. These efforts would identify, improve, and supplement existing project mitigation requirements. Such proposals would be submitted as part of the bid package and specify the nature of the partnership, expected cost to the developer, and specify the fishing industry partner(s). Named entities would be consulted by BPU during review to verify proposed agreements.

Alternative Recommendation: To require such agreements, with a spending floor (e.g., solicitation would mandate bids include \$5 million of direct project work with fishing industry, under same general terms as above).

Rationale: There are currently limited to no incentives at the federal, regional, or state level for developers to directly partner with commercial fishing industry members on projects of mutual interest. Permitting processes typically include one-way communications requirements (from developer to fishermen), leading to lost opportunities for innovation. Stakeholder fatigue and the large scope of projects have led to the fishing industry prioritizing engagement with tangible benefits and outcomes to their interests. This strategy would incentivize developers to work collaboratively and empower fishing industry members to identify topics that most directly benefit them.

Examples of possible mitigation strategies/areas for improvement:

- Co-develop and employ improved fisheries communication plans with the fishing industry
 - Information sharing in formats identified as appropriate by the industry (at sea and shoreside)
 - Identified engagement practices that promote greater equality in communications
- Working authentically with impacted users on project design, including but not limited to:
 - Turbine layout design
 - Interarray and export cabling locations
 - Areas of no surface occupancy (e.g. sensitive habitat, high fisheries value)
 - Gear loss programs
 - Fisheries monitoring plan development and implementation
 - Possible shared port and facility usage
 - Other topics related to navigational safety and risk management
- Projects designed to improve fisheries resilience, such as:
 - Fishery-specific research
 - Business investment projects
 - Seafood marketing and promotion
 - New entrant programs
 - Innovations in gear or resource design

Considerations to clarify in language:

- Benefits for working with regional fisheries groups or multiple sectors, versus projects with more limited beneficiaries
- Explicit partnerships with named groups should be vetted by BPU during review process to ensure acceptability of project scope and terms
- Promote regional, or at least inclusive, agreements to the maximum extent practical and possible.
- Developers could consider consulting with regional Fishery Management Councils and Commission to identify or communicate with sector participants if a fishery does not have a strong association or other form of collective representation

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

Sincerely,



Lane Johnston, Programs Manager



Annie Hawkins, Executive Director
Responsible Offshore Development Alliance