



Fisheries Compensation Program  
for Atlantic Coast Offshore Wind

# DOC Meeting

December 19, 2025

10:00 a.m., ET

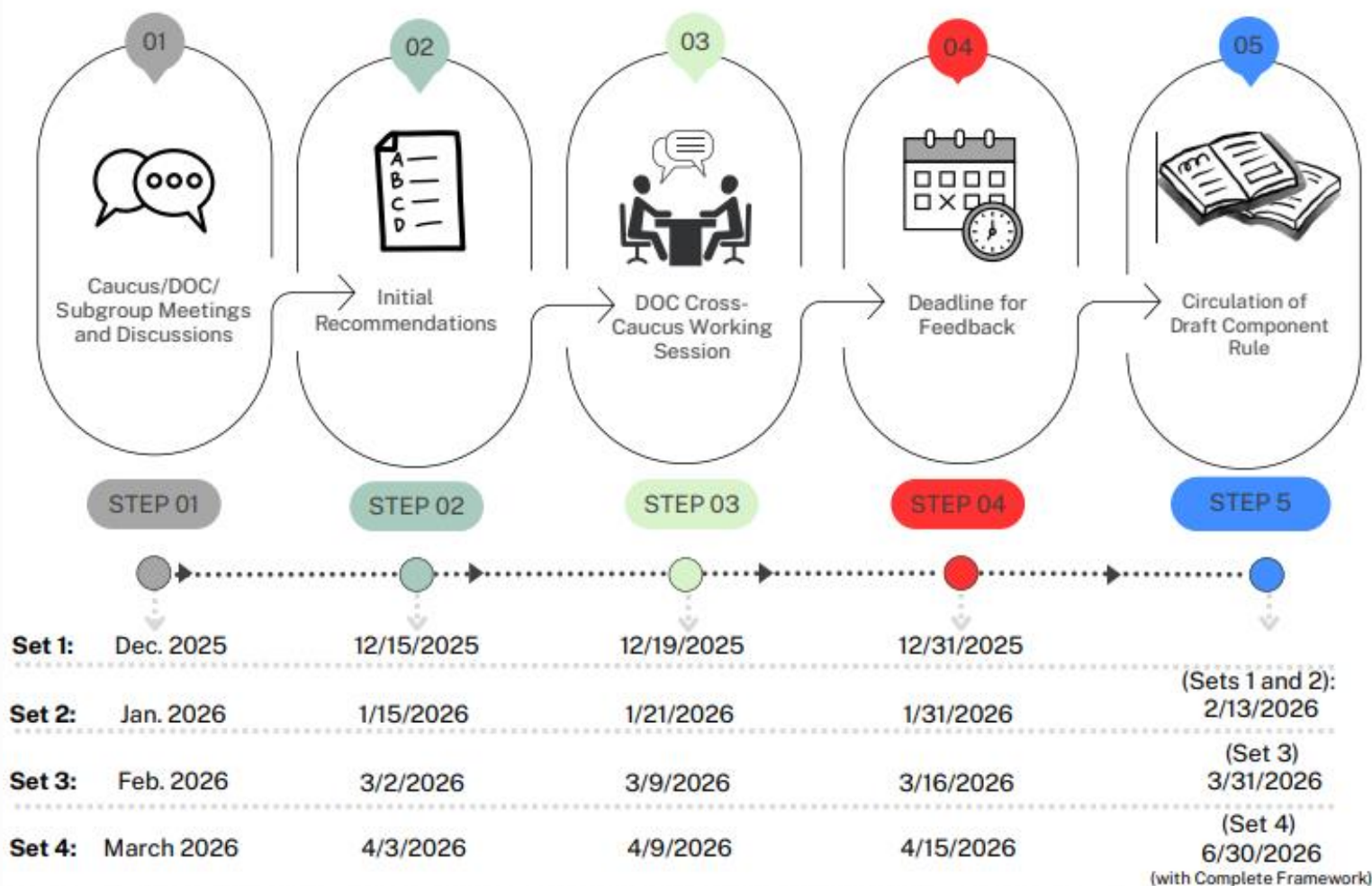
Virtual Meeting



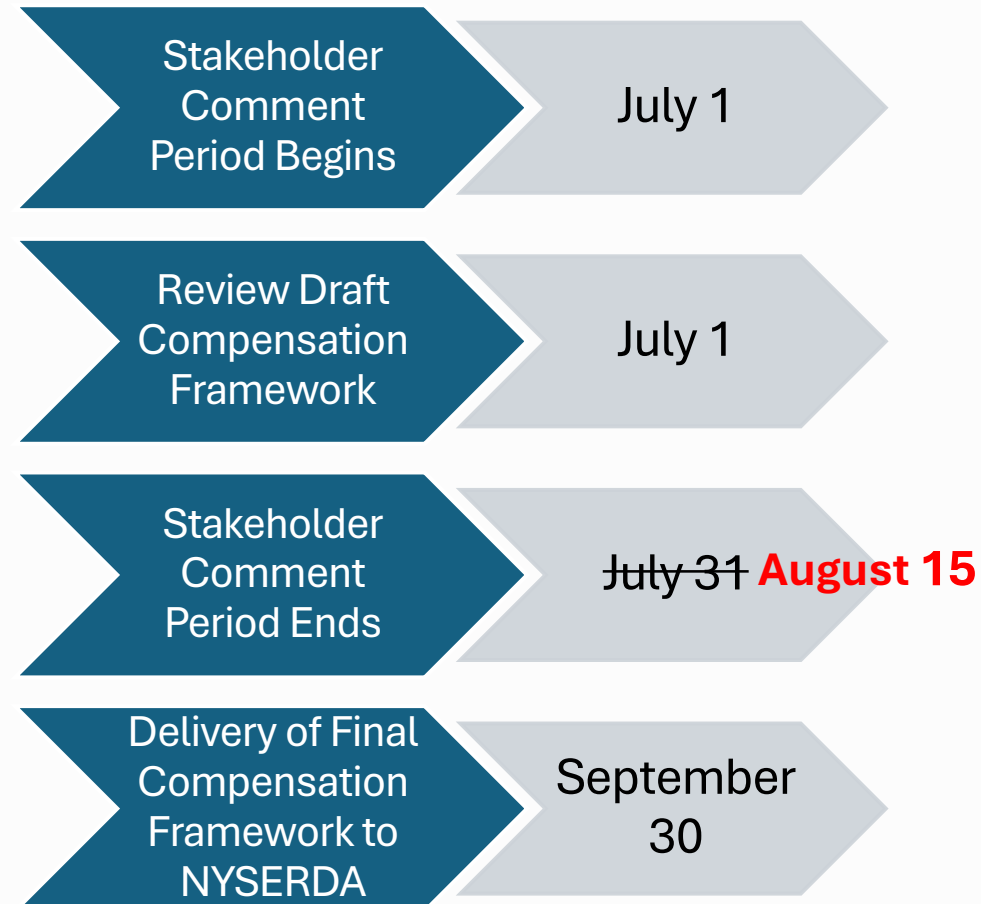
# Meeting Agenda

1. Process to Resolve Framework Questions and Advance Program Rules. (5 mins)
2. Timeline for the Second Year of the RFA Project. (10 mins)
3. Subgroup Updates. (5 mins)
  - a. Shoreside
  - b. Business Transfers
  - c. Expedited Construction Disruption
4. Preview of Primary Design Questions (Set 1). (60 mins)
  - a. Design Principles
  - b. Overall Process Design (OECC/Expedited/Individual)
  - c. Definitions
    - i. Construction
    - ii. Project Area/Offshore Export Cable Corridor
    - iii. Other Definition Questions
5. Administrative Items. (5 mins)
6. Upcoming Schedule. (5 mins)
  - a. DOC Meetings:
    - i. 1/9, 9:30am-12:00pm (substantive subgroup work update; reactions to consolidated written principles/definitions)
    - ii. 1/21, 10:30am-11:30am (1-hour cross-caucus meeting highlighting lookback period/claimant eligibility)
  - b. 2/2, 4pm-5:30pm, open Zoom meeting for public update/feedback

## PROCESS TO RESOLVE FRAMEWORK QUESTIONS AND ADVANCE PROGRAM RULES



## Timeline for Year 2 of RFA Project: Post-Publication



# Question Sets

## **Set 1: Overall Process Design; Definitions; and Claimant Eligibility Components**

(e.g., design principles, crewmember eligibility, etc.) *Feedback Due 12/31/2025*



**Set 2: Remaining Claimant Eligibility Components** (e.g., lookback period, "affected area," level of effort, etc.) *Feedback Due 1/31/2026*

**Set 3: Compensation Calculation Framework and Document Requirements** (e.g., two-track process details, compensable claim types, etc.) *Feedback Due 3/16/2026*

**Set 4: Program Mechanics** (i.e., questions concerning how to submit, complete, and pay out claims) *Feedback Due 4/15/2026*

## Subgroup Updates

**1**

**Shoreside Fishing Support Businesses**

**2**

**Fishing Business Transfers**

**3**

**Expedited Construction Disruption Claim Track**

# Set 1 Questions (for January 9 DOC Meeting): Principles and Process Design

*Feedback Due 12/31/2025*

## 1. Are the draft design principles ready for publication to the RFA website?

### ***Quick Answer:***

No.

### ***Explanation:***

The fisheries and developer caucuses have provided detailed feedback. The period for feedback from other caucuses and stakeholders will remain open through 12/31/25, and the RFA will adopt a revised version in early 2026 to guide framework design through the close of this project.

# Set 1 Questions (for January 9 DOC Meeting): Principles and Process Design

*Feedback Due 12/31/2025*

## 2. Should the regional framework incorporate different claims procedures for the Offshore Export Cable Corridor?

### **Quick Answer:**

Yes.

### **Explanation:**

We have received broad support from the DOC, FHC, and other stakeholders for separating Offshore Export Cable Corridor claims from array-related claims. The period for feedback will remain open through 12/31/25, but the RFA currently plans to proceed with a standalone OECC claims process. The contours of that process require attention and discussion and will be part of upcoming engagement.



# Set 1 Questions (for January 9 DOC Meeting): Principles and Process Design

*Feedback Due 12/31/2025*

## **3. Should the regional framework incorporate different claims procedures for the “construction” and “operations” phases of an OSW project?**

### ***Quick Answer:***

Yes.

### ***Explanation:***

We have received broad support from the DOC, FHC, and other stakeholders for acknowledging material distinctions between project construction and operation, inclusive of strong support for offering an expedited construction disruption path alongside an individualized review path for both construction and operations claims. The RFA plans to proceed with the multi-phase, two-track approach. The expedited construction disruption subgroup will continue to focus on the development of that path, and Question Set 3 focuses on individualized claim valuation, etc.

# Set 1 Questions (for January 9 DOC Meeting): Principles and Process Design

*Feedback Due 12/31/2025*

4. Should claimants have to demonstrate an economic loss/harm?
5. Should claimants have to prove that any economic loss/harm was caused by the OSW project?
6. Should the regional framework incorporate both “No Harm” and “Show Harm” optionality for claimants? If so, should those options be available in the construction phase, operations phase, decommissioning phase, or some combination?

## ***Summary Answer:***

For an individualized review, there has been effectively universal support for requiring demonstration of loss caused by OSW projects (*i.e.*, “show harm”). Similarly, for the expedited construction disruption track, there has been effectively universal support for *not* requiring demonstration of loss caused by OSW projects (*i.e.*, “no harm”). As noted on the previous screen, the RFA plans to proceed with developing the expedited construction disruption “no harm” path, as well as an individualized review “show harm” path, affording optionality to fishermen.

# Set 1 Questions (for January 9 DOC Meeting): Definitions

*Feedback Due 12/31/2025*

## **How should the regional framework define the following?**

- Project Phases
  - 7. Construction
  - 8. Operations
  - 9. Decommissioning
- Geographic Locations
  - 10. Offshore Export Cable Corridor
  - 11. Project Area
  - 12. *Nearby Non-Project Area*



# Set 1 Questions (for January 9 DOC Meeting): Claimant Eligibility

**Feedback Due 12/31/2025**

The April 2023 [“Scoping Document”](#) provided that, “[i]n addition to permit holders and vessel crew members, shore-side fisheries-related businesses (processors, manufacturers, distributors, and haulers of seafood products) would be eligible for compensation if their claims demonstrate that their businesses experienced loss of income due to unrecovered economic activity resulting from displacement of fisheries in the OSW energy project area.”

## 13. What claimant categories can submit claims and receive direct compensation?

- Commercial fishing businesses?
- For-hire recreational fishing businesses?
- Shoreside support businesses?
- Crew/employees?

### Summary Answer:

Eligible commercial fishing businesses, for-hire recreational fishing businesses, and shoreside fishing support businesses can submit claims for direct compensation. The RFA will collect any additional feedback on crew claims and will present for discussion on 1/9/26 a proposed treatment for reaction.

## 14. What is the claim accrual period?

The April 2023 [“Scoping Document”](#) indicated that “the initial intended purpose of compensation would be to compensate for losses and increased costs incurred by individual fishing industry entities from impacts from OSW development during construction and at least the first five (5) years of project operation of said losses and increased costs as borne by the industry.”

### Summary Answer:

This question bears upon claim valuation and will be continued into Set 2 and Set 3 dialogue.

## 15. Must a claimant have fished a specific geographic area previously to be eligible to participate?

### Definitive Answer:

Yes.

# Set 1 Questions (for January 9 DOC Meeting): Definitions

Feedback Due 12/31/2025

## Construction.

- (1) **Construction**: all installation-related activities, as outlined in a project's BOEM-approved Construction and Operations Plan. See [30 CFR §§ 585.620, 585.626, and 585.631](#).
- (2) **Construction Period**: the period when physical installation and commissioning activities occur offshore in a project area, beginning with the first seabed disturbing activity in a project area, following approval of a project's COP, and continuing until **95% of project capacity** is installed and delivering power to the grid. Construction period activities include, but may not be limited to, pre-lay grapnel runs, scour protection installation, cable laying, pile driving, and wind turbine and offshore substation installation. Construction period activities do not include **geophysical, geotechnical, biological, or cultural surveys or environmental monitoring** before the commencement of physical construction.

### Discussion Focus

What triggers the close of construction?

### Discussion Focus

What are pre-construction activities and how should they be handled?

# Set 1 Questions (for January 9 DOC Meeting): Definitions

Feedback Due 12/31/2025

## A. **Decommissioning.**

- (1) Decommissioning: encompasses the removal of BOEM and BSEE approved facilities, projects, cables, pipelines, and obstructions and returning the site of the lease or grant to a condition that meets the requirements under 30 CFR § 285.900 et seq. Unless otherwise authorized under 30 CFR § 285.909, Decommissioning is expected to take place within two years following the termination of a lease or grant, or earlier if BSEE determines a facility is no longer useful for operations.
- (2) Decommissioning Period: the period following the submission of decommissioning notice to BSEE, which is at least 60 days before decommissioning activities begin.

### **Supplemental Question**

What about “recommissioning,”  
or an indicator for what  
happens if the project is  
recommissioned?

# Set 1 Questions (for January 9 DOC Meeting): Definitions

Feedback Due 12/31/2025

## **(A) Offshore Export Cable Corridor (OECC).**

A designated route on the seabed where high-voltage export cables are installed to carry electricity from an offshore wind farm to the onshore grid connection point. The “OECC Qualifying Area” is the length of the OECC easement approved by BOEM; and the width of the OECC easement approved by BOEM, multiplied by a factor of three. For example, if the OECC easement is 500 meters **wide**, the width of the OECC **qualifying area** for the program would be 1.5 kilometers (**3x the width of the approved OECC easement**).

## **(B) Project Area.**

The portion of the lease area where a project is being installed, **exclusive of the OECC**.

### ***Discussion Focus***

Caucuses have weighed in on concepts of compaction/increased competition in nearby areas; considerations relevant to transiting through an OSW project; and exploration of an array “buffer” like the one described for the OECC. What factors do the caucuses consider most relevant around these topics?



## Set 2 Questions (for January 9 DOC Meeting): Claimant Eligibility, cont.

- 1. What specific geographic area (or “affected area”) is required?** (Project Area vs. Lease Area, OECC construction-phase claims, Buffer zones, etc.)
- 2. What milestone triggers the lookback period for claimant eligibility?**
- 3. How far back in time from the lookback date should fishing activity be considered?**
- 4. In how many of those lookback years must a claimant have fished in the affected area(s) before the lookback trigger date?**



## Set 2 Questions (for January 9 DOC Meeting): Claimant Eligibility, cont.

5. What level of historic fishing effort in any particular year qualifies that year for the fisherman?
6. Must a claimant's past fishing activity be the same or similar to the allegedly impacted fishing activity?
7. How does a business/vessel/permit transfer affect the seller's and purchaser's potential eligibility to participate in the program? Do transfers warrant differing treatment if they occur:
  - During the lookback period?
  - During construction?
  - During operations?

**Q7 Note:**

The Business Transfer subgroup is focusing on this issue and will release proposed treatment to full DOC.

# Administrative Items

**1. Deadline to Submit 2025 Time for Compensation by RFA: January 15, 2026**

**2. Other?**

# Upcoming Schedule

## **1. DOC Meetings:**

- a) 1/9, 9:30am-12:00pm (substantive subgroup work update; reactions to consolidated written principles/definitions)
- b) 1/21, 10:30am-11:30am (1-hour cross-caucus meeting highlighting lookback period/claimant eligibility)

## **2. Public Meeting:** 2/2, 4pm-5:30pm, open Zoom meeting for public update/feedback

## **3. Supplemental Engagement**