

DOC MEETING SUMMARY NOTES

Date: September 26, 2025

Location: Hybrid Meeting, Virtual and In-Person at Massachusetts Department of Marine Fisheries

Objectives:

- Reach consensus on the Guiding Principles to Compensation Framework Design
- Develop cross-caucus understanding of priorities and concerns regarding loss valuation and the viability of a multi-phase, two-track claims process approach
- Explore consensus regarding a potential companion process for claims related to the offshore export cable corridor (OECC)
- Report on claimant eligibility consensus and design refinement
- Provide opportunity for RFA to meet DOC members and other key stakeholders in-person

Agenda:

8:00 *Light Breakfast Provided*
8:30 Meeting Purpose, Goals, and Guidelines
8:40 Recap of Caucus Discussions
8:45 Additional Agenda Items, Approval of DOC Meeting Minutes, and Process for Generating Ideas and Options
9:00 Guiding Principles of Regional Design
9:15 Overview of Compensation Framework Design
9:30 Loss Valuation Key Questions
9:45 Two-Track Compensation Option
10:45 *Break*
11:00 OECC Compensation Options
11:30 Brief Updates from Transfer/Shoreside Subgroups
11:45 *Lunch*
12:30 Claimant Eligibility Discussion
1:30 Looking Ahead: Documenting a Claim
1:40 Review of Upcoming Engagement Schedule
1:50 Final Comments
2:00 Next Steps and Adjourn

Actions:

- DOC members to provide feedback on Guiding Principles by October 10.
- RFA to revise Guiding Principles following DOC feedback deadline, incorporating input from DOC, data collection language, revised language on 90-10 rule, and revised language on operation continuity.
- RFA to convene subgroup meetings focused on two-track approach for construction phases.
- Caucuses to assign two members each for two-track subgroup
- RFA to continue subgroup meetings on shoreside businesses and permit transferability
- RFA to continue caucus meetings

- DOC members to provide feedback on additional data sources for eligibility and loss
- Fishing caucus to draft suggested edits to guiding principles language, and approaches to establishing and documenting fishing activity/history location concept
- RFA to revise claimant eligibility document according to DOC feedback

Participants:

Commercial Fishing				States	Developers	Ex-Officio	Project Team
Hank Soule				Joe Cimino*	Brian Krevor	Doug Christel	Pat Field
Vincent Balzano				Todd Janeski*	Emily Rochon*	Morgan Brunbauer	Orran Brown, Jr.
Joe Gilbert*				Brad Schondelmeyer	Rick Robins	Ursula Howson*	Olivia Burke
Wes Townsend*				Erin Wilkinson	Ross Pearsall*	Emma Chaiken*	Jan Matthiesen
Beth Casoni				Julia Socrates*		Brian Hooker*	Caroline Coccoli*
Bonnie Brady*				Carrie Kennedy*			Laura Singer
Jeff Kaelin							Deirdre Boelke
Lane Johnston				Sydney Gustafson			
				Charlotte Goeb*			
							Justin Wind
							Joli Millner*

**On-line participation.*

Discussion:

1. Introduction

The RFA team welcomed both in-person and online attendees before providing a detailed overview of the meeting agenda. To align meeting expectations, the project team then addressed meeting purpose, goals, and ground rules. The RFA team gave a high-level recap of recent caucus group discussions and encouraged DOC members and alternates to provide recommendations and designs for caucus refinement.

2. Revised Guiding Principles

The RFA presented revised Guiding Principles to Compensation Framework Design to the DOC for feedback. To add context, the RFA emphasized the importance of the mitigation hierarchy, and direct compensation as the last step in such hierarchy. In response to a question from a fishing representative, the RFA clarified the definition of “administrative burden” as an excessive drain on the administrator resulting in decreased compensation fund amounts. The attendees discussed the principles’ language, with a number of fishing representatives advocating for stronger language (i.e., “should” instead of “will”). DOC representatives also brought forth questions about operation continuation and data collection, suggesting that the principles expand

on these elements. In response to feedback from the DOC, the RFA agreed to revise the Guiding Principles to Compensation Framework Design to reflect suggested language edits and expand on data collection, the 90-10 rule, and operation continuation.

3. Overview of Compensation Framework Design

The RFA presented a diagram depicting an overview of compensation framework design. The diagram depicts questions essential to program design, including claimant eligibility considerations; loss eligibility and valuation considerations; and data collection and submission considerations.

4. Loss Valuation Key Questions

To continue the overview of program design, the RFA highlighted key questions regarding loss valuation and eligibility. The RFA posed questions about whether/how a claimant should have to prove harm and whether/how a claimant should have to prove causation.

5. Two-Track Compensation Option

The RFA previewed a potential two-tiered approach to compensation. The proposed two-tiered process would allocate compensation according to either: (1) a quicker, lower burden of proof claim option during the construction process, which could potentially yield a lesser (or greater) payment amount than a fisherman's actual losses, and (2) an individualized claim option, during both construction and operation, that aims to compensate fishermen for 100% of their losses during the relevant loss period, but requires full documentation of those losses for recoupment. The DOC, and more specifically the fishing caucus provided feedback that they would be interested in having the lower burden of proof option available, and asked whether it could be available during both the construction and operation phases of OSW projects.

6. OECC Compensation Options

The RFA then previewed a proposal for a separate Offshore Export Cable Corridor (OECC) compensation program. The proposed OECC approach would provide a one-time payment for fishers in the OECC during its construction phase. This one-time payment would not require any demonstration of loss or causation, and in turn payees would agree not to fish in the OECC during its construction phase.

The attendees first defined the bounds of an OECC, specifying its distinction from the inter array cables and contemplating whether a buffer would be applied to the area. Some representatives expressed concerns about the impact of OECC construction and operation on gear, which would ultimately be covered in a separate developer-specific gear loss compensation program. Representatives also voiced concern about long term or unforeseen impacts from the OECC, and effects to fisheries from the OECC during operation, which is not currently contemplated in the proposed OECC program. The RFA suggested that the caucuses consider how the 90-10 rule may apply, and if not, how to resolve concerns into revisions to the OECC program proposal. There was suggestion that the OECC program could be folded into the general RFA process.

7. Brief Updates from Transfer/Shoreside Subgroups

The RFA provided an overview of recent subgroup meetings on permit transferability and shoreside businesses. The RFA proposed an additional subgroup for the two-tier program proposal and requested each caucus to elect two representatives.

8. Open Invitation for Discussion

Before the DOC broke for lunch, the RFA team opened the floor for additional discussion topics not on the agenda. One member raised concerns over addressing the differences between fixed and floating offshore wind turbines. Current guidance for offshore wind compensation does not address floating wind as it is a relatively new technology and impacts are therefore not fully known. DOC members and alternates considered that floating wind construction may be handled as a de facto closure and should be handled in advance by

developers and government partners. Members and alternates ultimately agreed that since floating wind is a nascent technology, the RFA process should focus on fixed wind until sufficient guidance is released for floating wind.

The DOC also discussed cumulative impacts. Attendees discussed how cumulative impacts from offshore wind development, particularly for shoreside support businesses. The RFA pointed to a recent SCOTUS ruling that NEPA decisions will not consider cumulative impacts (*Seven County Infrastructure Coalition v. Eagle County*).

9. Claimant Eligibility Discussion

After lunch, the attendees reviewed the following eligibility components and where they stand for DOC feedback. The RFA reminded the group that eligibility components should focus on identifying businesses that are most impacted in an area.

- **Reference and Loss Period:** Current consensus leans towards qualification based on a reference period and period(s) of economic loss.
- **Establish Document Requirements:** Current consensus leans towards permit, title, registration, and business license as required documents for both reference and loss periods. It was clarified that proof of authority to conduct business would be articles of incorporation or other corporate documentation.
- **Fishing History Location:** The RFA presented VMS, AIS, VTR, and verified/time-stamped chart plotter records as options for proof of fishing history as the current leaning of the DOC. Representatives from each caucus weighed these data sources hierarchically. A federal partner offered the potential use of NEFOP data and shared that about 80% of landings on the east coast are documented through VMS. Some fishing representatives raised the issue of data poor fisheries, relatedly suggesting that logbooks are considered as a data source for fishing history. The RFA will send this component back to the caucuses for further discussion.
- **Trigger for Reference Period:** The RFA presented the financial investment decision (FID) as the current leaning of the DOC. In response to a question, the RFA clarified that the COP date in this instance is when the developer submits the construction and operation plan (COP) for review by BOEM. One fishing representative expressed concern about developers possibly delaying construction after the FID, to which a developer representative reasoned that it would be less beneficial for a developer to delay construction than keeping to their established timeline. The RFA will send this component back to the caucuses for further discussion.
- **Length of Lookback Period:** The RFA presented seven years as the current leaning of the DOC, indicating that a longer lookback would increase the burden of collecting data on fishermen, a third-party administrator, and any external data source management. A number of fishing representatives suggested that a longer lookback period (upwards of twenty years) would be adequate instead. Another fishing representative voiced support for a lookback period in an “x years out of x years” format. Support for a longer lookback period largely answered the issue of cyclical stock and migratory species, and the potential for loss of fishing opportunity that would not be shown in a seven-year lookback. In response, a developer representative highlighted the importance of recency and suggested that loss of opportunity is accounted for through resiliency funds. The RFA commented that the lookback period could be different for the two-track compensation period: potentially something shorter for the expedited option and something longer for the individual option. Furthermore, the RFA suggested that the 90-10 rule may be applicable in this instance to account for migratory species and cyclical patterns of some stocks. Though this has been discussed already at prior DOC meetings, the RFA will send this component back to the caucuses for further discussion.

- **Frequency Requirement for Fishing in Lookback Period:** Consensus is limited in this area, but leans towards no frequency requirement for fishing during the lookback period, depending on the length of the lookback period, as indicated above. However, there were some suggestions to use the best year or an average of best years during the lookback period.

The design components still under consideration will be brought back to the caucuses. The fishing caucus offered to develop their own proposal for the above eligibility components.

10. Looking Ahead: Documenting a Claim

Related to the prior discussion on data sources for fishing history, the RFA requested feedback from committee members on additional data sources that stakeholders find useful.

11. Final Comments/Next Steps

At the close of the meeting, the RFA gave an overview of their upcoming engagement schedule and aligned with the DOC on action items. The RFA noted that their current cycle of in-person engagement commenced on September 24 and will continue until October 8.