FHC Meeting Summary

Date: September 23, 2025

Location: Online Meeting

Agenda:

1. **Introduction**
    a. Meeting Purpose, Goals, and Guidelines
    b. Guiding Principles to Regional Design
2. **Overview of Compensation Framework Design**
3. **Loss Valuation Key Questions**
    a. Harm
    b. Causation
4. **Two-Track Compensation Approach**
5. **OECC Compensation Approach**
6. **Review of Upcoming Engagement Schedule**

Actions

- RFA to develop and circulate meeting notes to FHC
- RFA to receive any further FHC input on Guiding Principles for Regional Design and consider additions/modifications where appropriate
- RFA to consider divergence in OECC claims process for for-hire/recreational fisheries
- Fishing representatives to submit timesheets for work done on behalf of the RFA

Participants

Recreational/For-Hire Fishing	States	Developers	Ex-Officio	Project Team
Rom Whitaker	Joe Cimino	Ron Larsen	Doug Christel	Kris Ohleth
Rick Bellavance	Renee Zobel		Ursula Howson	Orran Brown, Jr.
Bob Rush			Brian Hooker	Deirdre Boelke
				Justin Wind
				Charlotte Goeb

1. **Introduction**

At the start of the meeting, the RFA gave an overview of the meeting agenda, purpose, goals, and guidelines.

The RFA then shared the draft Guiding Principles for Regional Design with the FHC for feedback. The RFA noted the position of direct compensation as the last step in the mitigation hierarchy; the overall goal for fisheries to continue operations; the addition of “fair” and “incentives” principles; and

the overview of the 90-10 rule. In response to operation continuation, the FHC discussed to what extent fishers can operate in affected areas. One representative mentioned how inclement weather may affect safety in regard to operating in a project area. One FHC member suggested that while avoidance of a project area is understandable, it should not necessarily be compensable, while another argued that if someone is engaged in their fishing business activity while avoiding a project area due to weather, they should be compensated for losses.

2. **Overview of Compensation Framework Design**
   Before beginning the more substantive conversation on loss eligibility and valuation, the RFA presented a diagram showing an overview of compensation framework design.

3. **Loss Valuation Key Questions**
   The RFA presented a diagram depicting questions about loss eligibility for a regional fisheries compensation program. The diagram shows essential considerations of whether a fisherman must prove economic loss and/or causation, and how these losses may be proven. If a fisherman does not have to prove economic loss, the question of how compensation is determined remains.
   In response to types of compensable losses, one fishing representative suggested that less tangible impacts — such as changes to business management, longer hours, etc. — should be considered.

4. **Multi-Track Compensation Approach**
   The RFA previewed a potential two-track approach to compensation. The proposed multi-track process would address distinctions between construction and operation of OSW projects and would, for construction-related claims, allocate compensation according to either: (1) a quicker, lower burden of proof claim option, which could potentially yield a lesser payment amount than a fisherman's actual losses, and (2) an individualized claim option that aims to compensate fishermen for 100% of their eligible losses during the relevant loss period, but requires full documentation of those losses for recoupment.

   One FHC member asked if an expedited process claimant could elect to submit an individualized loss claim later on and deduct the earlier expedited payment from their claim amount, and the RFA explained that this is a theoretically viable design approach. Another representative mentioned the complexity of fishing in multiple project areas, with the RFA noting that money-in and impact assessment considerations have historically been done on a project-specific basis. The recreational fishing representatives supported the two-track approach overall and mentioned its flexibility as an asset yet noted remaining concerns about cumulative impacts of multiple project areas and claimant/administrative burden. Another shared that a simplistic approach is important for the for-hire fishery because data is limited and it is very challenging to determine a value for the "softer" impacts related to modifying business plans and uncertain impacts on fishery resources and habitat.

5. **OECC Compensation Approach**
   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 fishermen in the OECC during its construction phase. This one-time payment would not require any

demonstration of loss or causation, and payees would agree, with developer notification, to fish outside of the active construction areas of the OECC during its construction phase.
Representatives from both fishing and developer caucuses mentioned that impacts on recreational fisheries from OECC construction and operation are still largely unknown. One representative voiced concern about unknown impacts of the OECC on species like flatfish and pelagic fish, and how cooling systems may affect fish stocks. FHC members reasoned that, because effects of OECC construction are still speculative for recreational fisheries, it would be difficult to determine an accurate one-time payment amount for OECC construction. One shared that because cable installation is moving and for a relatively short period of time, displacement impacts on the for-hire fishery may be more minimal.

6. **Review of Upcoming Engagement Schedule**

To close the meeting, the RFA engagement team gave an overview of their upcoming in-person engagement schedule. The RFA pointed to past engagement summaries from June and July on the program's website and detailed their focus on New England during their in-person engagement cycle from September 24 to October 9. The RFA also reminded fishing representatives about submitting their timesheets for compensation by the RFA for work done as an FHC representative.