

## Summary of RFA's discussions with DOC/FHC members and individuals in the wider sectors –

Dec-Feb 2025

**Number of meetings:** 22 one-to-one meetings, including meetings with 14 DOC members (primary and alternates) and 2 FHC members, 1 sub-group (developer) meeting, 1 presentation at a public event (Maine Fishermen's Forum). Meetings held with people in ME, RI, NH, MA, MD, NJ

**Objectives of these meetings:** Introductions, overview of the RFA Project scope, outline of activities and future schedule, discussion of concerns and initial thoughts on design components linked to the development of the compensation fund.

**Summary of emerging themes:** The following topics have emerged as key discussion points throughout this first phase of engagement. These topics will help guide discussions and option development for the structuring of the fund. This summary is not exhaustive. Instead, this summary is intended to provide context and direction for the initial phase of fund development.

### 1. Compensation/mitigation

- Scope of the RFA project is to design a fair, equitable structure to compensate for impact. Interest in understanding how this could integrate/align with other initiatives linked to mitigation (e.g., gear loss, innovation, resiliency and community benefit funds).
- Concerns about fairness of money-in: is it sufficient overall? Does it account for all fishermen regardless of port? What if it isn't sufficient?
- How are existing funds & COPs going to be rolled into regional efforts?
- How funds are distributed. If Developer A operating in State 1 contributes, will fisher in State 2 be able to participate?
- Voluntary buy-out of vessels (outside of RFA scope) could help people leave the industry and be cost efficient in the long-run. Project team noted this would need to be considered outside of the RFA discussions.
- Some reluctance to have direct compensation conversations before having more general discussion about other mitigation options (i.e., not just cutting checks but the full breadth of mitigation)
- General confusion with terms and scope of RFA work. Multiple references in RFA documents to fisheries mitigation which is viewed as different from direct compensation.

### 2. Eligibility

- Who should be eligible? Particularly whether crew should be eligible. Suggestions for crew eligibility included consideration for the length of time crew have served on a vessel. Consideration of wider seafood supply chain, e.g., seafood processors. What is the level of effort to process crew requests versus vessel owner or operator?
- How should eligibility be determined? Consider current fishing effort and cut off for historical effort (e.g. last 5 years, or active permit status of X out of X years?). Proving evidence of income should allow participation. BOEM guidance suggests determining loss based on revenue exposure, comparing most recent 12 months to average annual revenue

for 5 years before impact of OSW – this needs to be discussed more as part of the RFA consultation. What about if new fisheries arise or existing ones shift?

- Income or financial stability should not impact eligibility to participate in program.

### 3. Documenting loss/compensation (data)

- Data that could be used or required to document effort include AIS, VTR, e-VTR, VMS, dealer reports and NMFS footprint. Each data source has trade-offs in terms of quality/accuracy and ease of use. There are concerns about the availability of data and how supportive it will be to document fishing activity and confidentiality considerations.
- Data can be used as an opportunity to pre-qualify claims or support claims with evidence of fishing evidence. It could also be used as a validating tool to confirm the authenticity of the claims.
- Need to consider how to establish a baseline for a declining fishery or a fishery where management has changed significantly over the recent past – BOEM guidance recommends evaluating this compared to overall regional trends to account for potential income loss due to various factors.

### 4. Participation in the fund once established

- Options for individual claims (more administration) versus captain/owner applying on behalf of the crew.
- How to facilitate participation: hiring individuals to help fishermen apply, pre-filled forms and workshops to guide application, guidance materials in multiple languages, long period of time for application and consider non-virtual application options.
- Considerations: filing method (i.e., online, in-person, by mail), application period timeframe, two-step approach (upfront compensation based on limited required proof, followed by additional compensation based on more detailed evidence), appeals process, waivers, releases and how they potentially relate to future claims

### 5. General – not linked to the design components of the fund

- Transparency is key to progressing the RFA work. Engagement with the DOC/FHC but also wider sector is important.
- Flexibility in working with DOC and FHC members. Convening caucus meetings between DOC/FHC where appropriate and working with members to setup appropriate meetings with others.
- Fisheries caucus interested in organizing outside of DOC to strategize.
- Reporting back on progress regularly, ensuring accessibility to consolidated information (e.g. website, presenting at meetings, webinars, in-person, state list-serves, social media), updated schedules
- Expectations that there are regular updates and feedback loop.
- Desire to talk through options, not just open-ended questions.
- Where possible, align with the processes of the Council meetings, as these are familiar.

**Next steps:**

- RFA to discuss feedback with DOC/FHC to agree focus for the next 3 months.
- RFA will develop options on design elements based on DOC/FHC feedback.