

Joint Equinor and F-TWG Meeting: FMP Follow-up Summary

Thursday, December 1, 2022, from 1:00 to 3:00 PM

Virtual Meeting

Background

This meeting summary describes key discussion points and action items from the Equinor, and Fisheries Technical Working Group (F-TWG) virtual meeting held on Thursday, December 1, 2022, through a virtual meeting platform.

This meeting is a follow up discussion between Equinor and the other non-developer members of the F-TWG on their Fisheries Mitigation Plan (FMP). Goals for the meeting include an update to the F-TWG on key Equinor activities and NYSERDA updates.

There were 35 attendees present on the Zoom meeting/conference line, including F-TWG members, Equinor staff, and NYSERDA staff. TetraTech, Cadmus Group, and the Consensus Building Institute (CBI) provided technical, facilitation, and logistic support.

This summary is organized to align with the meeting agenda structure and captures questions, answers, and discussion points covered during the call. To view the presentation content, please visit the F-TWG website. Opinions below are not attributed to specific F-TWG members or Equinor staff. This summary includes both areas of agreement and different perspectives offered during discussions.

Rules of the Road, Purpose, and Intent

The meeting opened with welcoming remarks, a review of meeting ground rules, F-TWG goals, and the meeting agenda. Equinor representatives noted the goal of the meeting was to do a deeper dive on the Empire Wind project as it is two years more mature than Beacon Wind. This is an opportunity to visit with the F-TWG specifically about how some of the Empire Wind plans are developing and maturing, get feedback, and answer questions. Equinor noted that the Beacon Wind project is being developed by the same team as Empire Wind and they are happy to take questions and answer any information requests about how Beacon is being approached as well.

Empire Wind II and Beacon Wind PSA Monitoring & Research Funds

Purchase and sale agreement monitoring plan background

Signed for Empire Wind II and Beacon Wind I, part of those agreements required NYSERDA's consent by January 2023 on how research and monitoring funds would be allocated.

- \$5,000 per MW towards commercial fish studies and \$5,000 per MW for regional wildlife studies with some other stipulations.
- \$12.45 million for fish and \$12.45 million for wildlife studies. Roughly speaking about 15% of funds will go to administrative costs for each team over a 6-year period starting in 2023. About \$10.5 million will go to research for each team.

Part of the stipulations of the PSA agreement: at least 50% of that funding committed by January 2024 and commit the remaining funding by January 2025.

They are currently in talks with the Responsible Offshore Science Alliance (ROSA) and the Regional Wildlife Science Collaborative (RWSC) on how to leverage their subject matter experts to help allocate and decide how to use these funds. This is a proposal, and it is not finalized yet. The idea would be to work with ROSA for the allocation of \$12.45 million for fisheries research and work with RWSC to devote the \$12.45 million for wildlife research.

With input and guidance from NYSERDA, Equinor would rely on ROSA and RWSC to develop research proposals, convene panels using their subject matter experts to select the awardees, and then would administer funds and manage the products, collect the data from the projects, turn them into reports, and take additional steps.

Summary of Questions & Discussion

Question: What is the reasoning behind ROSA being chosen as opposed to other entities?

Response: We looked at several different options and programs. They had a large list of research priorities and search gaps in the region and so they were already set up along those lines with some regional advice.

Question: They gave regional advice, but do they have researchers?

Response: ROSA has a panel they will rely on to evaluate the projects. They will not necessarily be doing the research, but they would be helping administer the program. They would put out the Requests for Proposals (RFPs), then review those proposals and select the awardees through that process. The awardees could be whoever submitted the projects, the various researchers, the universities, and research programs.

Question: So, would there be another layer of administration on top of this by whomever is doing the research? An F-TWG member shared concerns about the 15% that is available for research going to overhead for somebody that is not doing the actual research.

Question: Any thought on an open call to see who applies as opposed to having just RWSC and ROSA?

Response: Equinor was trying to get as many regional people involved that are already involved as possible.

Empire Wind Fisheries and Benthic Monitoring Plans

Equinor contracted with Inspire to develop pre- and post-construction fisheries and benthic monitoring plans. One week after meeting in September, the draft plan was submitted to NYSERDA and ROSA. The plan was posted on the website, and they asked for feedback until the end of October but continued accepting comments for several weeks after the deadline. Many of the comments consisted of questions to clarify procedures or processes and clarification on why certain surveying times were chosen and recommendations. Equinor revised the plan and changed some of those surveyed dates and target dates to align with the feedback.

Fisheries Monitoring Plan

The fisheries monitoring plan is proposing:

- Bottom Otter Trawl targeting Longfin Squid. Equinor received much feedback on squid being a concern within the lease area. Looking into non extractive techniques.

- Baited Remote Underwater Video (BRUV)
- eDNA collection
- Acoustic Telemetry
- Atlantic Sea Scallop

Trawls and extractive type surveys raise concern about protected species, so Equinor proposes using a cable turtle excluder device (TED) being tested and worked on by the National Oceanic and Atmospheric Administration (NOAA). They are in contact with NOAA about the process and the gear with hopes to use the survey as a collaboration to provide data to aid in their testing.

Benthic Monitoring Plan

1. Novel Hard Bottom Monitoring
 - a. Epifaunal growth on Wind Turbine Generator (WTG) foundations, scour protection
 - b. Epifaunal growth on cable protection materials
2. Soft Bottom Monitoring

Seafloor surrounding WTG foundations (Organic matter environment)

 - a. Seafloor around cable (physical disturbance)

Summary of Questions & Discussion

Comment: An F-TWG member expressed concern about the squid net using a cable TED. TED's have never been used commercially in the squid industry. Cable TEDs will lose a lot of products and downplay the number of squid in the area. Squid behave differently in shallow water versus deeper water at different times of the year. The F-TWG member said they would likely not be able to support the results.

Question: Why was July selected versus June when squid are starting to come to the shelf earlier in May?

Response: Open to June and can continue to discuss the timeline.

Comment: Extractive methods are becoming more difficult to permit and Equinor is trying to find a balance for the trawl.

Question: Why would there be a rejection for the use of legal small mesh gear fishing for squid during the permitting process and why would you have to use the TEDs? An F-TWG member shared concerns that if the proper gear is not being used to begin with, they cannot trust the results.

Comment: There was a suggestion to increase BRUVs to longer than an hour because there may not be any activity in the short window. They also recommended a study compiled by NOAA "Comparative studies of the catch loss of Longfin inshore squid when using cable grid." The study says it took them 3 months to tune in to the cable TED.

Empire Wind Draft Environmental Impact Statement

Equinor presented on the draft environmental impact statement (DEIS), background on the research done to understand the sea back conditions, and Alternate F – Wind Resource Optimization with Modifications for Environmental and Technical Considerations.

- The comment period is open from November 18, 2022, through January 17, 2023.

- DEIS virtual public hearing meeting information and registration may be found at: <https://www.boem.gov/renewable-energy/stateactivities/empire-wind>

Summary of Questions & Discussion

Question: Have surveys been completed in the Empire Wind II area?

Response: Yes

Question: Will you be able to add to the DEIS?

Response: Yes

Comment: Layout considerations for Empire Wind 1 and 2 were discussed. Equinor highlighted where these alternatives were presented in the DEIS (Draft Environmental Impact Statement). Further questions about the rationale used to adjust the layouts for Empire Wind 1 and 2 should be directed at Equinor. They can provide insight on the information used to make those considerations.

NYSERDA Updates

New York and New Jersey reached out to the Bureau of Ocean Energy Management (BOEM) to discuss how to advance the topic of Unexploded Ordnances (UXOs) and available information. One solution may be an outreach approach in the early part of next year.

The fisheries compensation fund administrator is advancing, and the Request for Information will be public December 12th.

NYSERDA thanked all F-TWG members who left a comment on Master Plan 2.0. NYSERDA is currently working through the comments on the blueprint and will release an update early next year. They will reach back out to the TWGs about what type of engagement is needed moving forward.

The meeting adjourned at 2:44pm.