

Fisheries Mitigation Plan
for
Sunrise Wind
Version 1.0

Prepared Pursuant to
Section 12.05 of the Offshore Wind Renewable Energy
Certificate Purchase and Sale Agreement by and Between the
New York State Energy Development and Research Authority
and Sunrise Wind LLC dated October 23, 2019

Albany, NY

Prepared by
Sunrise Wind LLC



October 23, 2019

Communication Officers, Contact Information, Links

| Name/Title | Role | Contact Information |
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| Rodney Avila Corporate Fisheries Liaison | Collect data about the structure of fishing communities associated with the Project area. | Phone: 857-332-4479 Email: RODAV@orsted.com |
| Julia Prince NY/CT Fisheries Liaison | Collect data about the structure of fishing communities associated with the Project area. | Phone: 857-348-3263 Email: JULPR@orsted.com |
| Julie Evans (NY) | Fisheries Representative- Collect and disseminate information and serve as a conduit for concerns. | jevansmtk@gmail.com |
| Sid Holbrook (CT) | Fisheries Representative- Collect and disseminate information and serve as a conduit for concerns. | sidholbrook@gmail.com |
| Massachusetts Lobstermen Association (MA) | Fisheries Representative- Collect and disseminate information and serve as a conduit for concerns. | beth.casoni@lobstermen.com |
| Martha’s Vineyard Fishermen Preservation Trust (MA) | Fisheries Representative- Collect and disseminate information and serve as a conduit for concerns. | shelley.edmundson@gmail.com |
| New Bedford Port Authority (MA) | Fisheries Representative- Collect and disseminate information and serve as a conduit for concerns. | Pamela.Lafreniere@newbedford-ma.gov |
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|--|---|---------------------------------|
| Fisheries Science Coordinator – Role Advertised | Receive, process and disseminate scientific data collected in the Lease Area(s) | Contact details to be confirmed |
|--|---|---------------------------------|

Links to project information:

Project website: <https://us.orsted.com/Wind-projects>

Fisheries website: <https://us.orsted.com/Mariners>

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1. Fisheries Mitigation Plan Summary

1.1. Overall philosophy and principles

This section should describe the overall philosophy and principles the Developer will follow to avoid, minimize, restore, and off-set potential fisheries impacts.

- Sunrise Wind is committed to maintaining a strong working relationship with all commercial and recreational fishermen who may be affected by a wind farm or wind farm activities in and around a lease area. Sunrise wind believes that good communication is essential to creating understanding between those who provide food for our tables and those who provide electricity for our homes. While not all conflicts can be resolved through communication alone, open and honest interaction helps to manage conflicts when they arise and identify ways to avoid or mitigate impacts that may occur.
- Communications, coordination, collaboration, and coexistence are the core principles of Sunrise Wind’s fisheries engagement philosophy.

1.2. Overall approach to incorporating data and stakeholder feedback

This section should describe how the Developer will use research, data, and stakeholder feedback to update the FMP and support decision-making throughout the life cycle of the project (pre-construction, surveys, site design, construction, operations, and decommissioning).

- Sunrise Wind will build sustainable working relationships with stakeholders throughout the phases of the Project – with a focus on meaningful engagement that produces mutual benefits;
- Sunrise Wind will adopt a collaborative science approach with the fishing industry throughout all phases of the Project and share non-proprietary research and information;
- Sunrise Wind will engage and listen to representatives of the many different types of fishing activities that take place in the Project area;
- Sunrise Wind will aim, where possible, to mitigate and reduce potential impacts to fishing activities;
- Sunrise Wind will share relevant information about the proposed activities that could affect the fishing industry and coordinate activities with a view to minimizing impacts on fishermen;
- Sunrise Wind will seek input from Fisheries Representatives and Liaisons and other industry organizations to continually improve coordination with commercial and recreational fishermen of all gear types;
- Sunrise Wind will strive to fairly and quickly resolve conflicts between the Project and individual fishermen; and

1.3. Existing guidance and best practices that will be followed

This section should present a list of existing guidance documents, publications, tools, and/or plans that will be followed to support the FMP. Include links, if available, for all references.

- Sunrise Wind will follow the “Fisheries Communication and Outreach Plan” developed by Ørsted. This plan guides engagement and feedback with the commercial and recreational fishing community.
 - <https://orstedcdn.azureedge.net/-/media/WWW/Docs/Corp/US/Mariners/Fisheries-Plan-Final.ashx?la=en&rev=6af2139ac2d549d683fc2a0f7f2ae532&hash=8804EF50129A9F89DE961546C61F24EB>
- Sunrise Wind will implement mitigation strategies as discussed in:
 - Bureau of Ocean Energy Management (BOEM) Guidelines for Providing Information on Fisheries Social and Economic Conditions for Renewable Energy Development on the Atlantic Outer Continental Shelf Pursuant to 30 Code of Federal Regulations (CFR) Part 585.
 - <https://www.boem.gov/Social-and-Economic-Conditions-Fishery-Communication-Guidelines/>
 - Development of Mitigation Measures to Address Potential Use Conflicts between Commercial Wind Energy Lessees/Grantees and Commercial Fishermen on the Atlantic Outer Continental Shelf Report on Best Management Practices and Mitigation Measures: A final report for the U.S. Department of the Interior, Bureau of Ocean Energy Management, Office of Renewal Energy Programs, Herndon, VA. OCS Study BOEM
 - <https://www.boem.gov/OCS-Study-BOEM-2014-654/>
- Sunrise Wind will seek input from the New York State Fisheries Technical Working Group (NYSERDA 2019) pursuant to Section 12.04 of the Agreement.
 - <https://nyfisheriestwg.ene.com/>

2. Communications and Collaboration Approach

2.1. Overview and communication plan objectives

This section should provide an overview of the communication plan and objectives and its importance in fisheries migration.

- It is the goal of Sunrise Wind is to establish a “good neighbor” working relationship with commercial and recreational fisheries operating in and near our projects. The Ørsted “Fisheries Outreach and Communication Plan” (linked in Section 1.3) outlines how the Sunrise team seeks to minimize disruption of fishing activities during all phases of development and maximize ease of access and safe navigation for fishing activities during wind farm operations.
- Additionally, Sunrise Wind intends to develop a Project-specific appendix to the “Fisheries Communications and Outreach Plan” (linked in Section 1.3), consistent with the approach used by Ørsted in other offshore wind projects, and with location-specific details.

2.2. Communication officers/positions, responsibilities, and contact information

This section will provide a list of roles, name, and contact information. The list should provide stakeholders with an understanding of who should be called for a particular issue or question. It will also include links to the project and fisheries website so readers know where to find additional information.

| Name/Title | Role/Responsibilities | Contact Information |
|--|--|--|
| John O’Keeffe Head of Marine Affairs | Lead for marine stakeholder communications and fisheries department; F-TWG attendee | Phone: 857-332-4485 Email: JOHNO@orsted.com |
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Project website: <https://us.orsted.com/Wind-projects>

Fisheries website: <https://us.orsted.com/Mariners>

2.3. Identification of fishing industry stakeholders

This section should describe the process by which stakeholders relevant to fisheries and the fishing industry will be identified and classified by stakeholder group.

- Sunrise Wind will collect data about the structure of fishing communities associated with the Project area through its extensive network of Fisheries Liaisons (FLs) and Fisheries Representatives (FRs), as described in the “Fisheries Outreach and Engagement Plan” (linked in Section 1.3). This plan includes a detailed outline of the responsibilities and qualifications of the FLs and FRs and recognizes the importance of these roles and credentials for successful outreach due to the complexities of the fishing industry with multiple gear types, port sizes, locations, and many small businesses.
- Regulatory/agency and other stakeholders will be identified based on assessments to determine permits, approvals, authorizations, or consultations required for the Project at the local, state or federal levels.
- Sunrise Wind will also work with the New York State Fisheries Technical Working Group (F-TWG) pursuant to Section 12.04 of the Agreement to identify relevant stakeholders including advocacy groups and research entities.
- Sunrise Wind also recognizes the Responsible Offshore Development Alliance (RODA) and Responsible Offshore Science Alliance (ROSA) as important regional stakeholders working on behalf of the commercial fishing community.

2.4. Participation in stakeholder and technical working groups

2.4.1. Communication with F-TWG

This should describe the communication and collaboration approach with members of the F-TWG and consultations.

- Sunrise Wind’s Project representatives attended the F-TWG kick off meeting in November 2018.
- Sunrise Wind will continue working with the F-TWG and attend future meetings and workshops pursuant to Section 12.04 of the Agreement.
- Updates to this Plan are anticipated based on engagement with the F-TWG.

2.4.2. Communication with other New York State agencies

This should describe communication with New York State agencies during each phase of the project.

- Sunrise Wind will consult with NYS agencies pursuant to Section 12.03 of the Agreement.
- Pursuant to Section 12.03 of the Agreement, Sunrise Wind anticipates consulting with NYSDEC Division of Fish and Wildlife, the Marine Resources Advisory Council, and the New York State Department of State (DOS). Such communication is anticipated to include discussion of potential impacts to fisheries from survey activities and construction of the Project, including communication protocols.

2.4.3. Communication with other stakeholder and working groups

This should describe any relevant participation with other stakeholder groups, such as international fisheries groups that would help inform the FMP.

- Sunrise Wind will coordinate with Massachusetts Department Marine Fisheries (MADMF), Massachusetts Coastal Zone Management (MACZM), the Massachusetts Fisheries Working Group, Rhode Island Department Marine Fisheries (RIDMF), Rhode Island Coastal Resources Management Council (RICRMC), and the Rhode Island Fisheries and Habitat Advisory Boards regarding the identification and engagement of fishery stakeholders.
- Sunrise Wind is committed to collaborating with Responsible Offshore Development Alliance (RODA) and Responsible Offshore Science Alliance (ROSA) as well as local, state and federal agencies in development of regional science strategies.

2.5. Communication methods and tools

2.5.1. Methods by phase

This section should describe the communication and outreach methods and tools that will be employed for each stakeholder group during each phase of the project.

| Proposed Outreach Methods/Tools | Phase* | | | |
|---|--------|---|---|---|
| | 1 | 2 | 3 | 4 |
| Notices and facilitation (as necessary) of discussions and meetings with local fishermen in Project-associated ports | X | X | | |
| Notification and information about survey activities distributed through digital listservs | X | X | | |
| Notification and information about survey activities directly to fishermen active in the survey area | X | X | | |
| Wide distribution of contact information for Fisheries Representatives/Liaisons | X | X | | |
| Engagement of a network of Fisheries Representatives/Liaisons for information distribution | X | X | | |
| When appropriate, placement of experienced fishing captains on survey vessels to assist in communications and de-confliction during survey activities | X | X | | |
| Use of very high frequency (VHF) to communicate vessel intentions at designated intervals during on water activity | X | X | | |
| Local Mariners Briefings posted on website | X | X | | |
| Develop and follow written procedures for gear interactions that may occur in the Project Area | X | X | X | X |

| Proposed Outreach Methods/Tools | Phase* | | | |
|---|--------|---|---|---|
| | 1 | 2 | 3 | 4 |
| Work with fishing gear groups to consider potential conflicts with gear types in the context of seasonal schedules | X | X | | |
| Social mapping through interviews and other information sources | X | X | | |
| A Marine Coordination Center that will be used as a base of communications for all Project vessel activity to maritime stakeholders which may include technology such as VHF/UHF marine radio and AIS monitoring. | | X | X | X |
| Regular stakeholder meetings to provide information on non-routine maintenance and servicing activities (if necessary), to identify issues or concerns. | | | X | X |
| Fisheries Liaison to enable prompt response to stakeholder questions or concerns. | X | X | X | X |
| The Fisheries Outreach network for distribution of information on operations activities and maintenance vessel deployment as needed. | | | X | X |
| An open-door policy for feedback on the Project | X | X | X | X |
| <i>*Phase: 1: Survey/Design; 2: Construction; 3: Operation; 4: Decommission</i> | | | | |

2.5.2. Communication with vessels

This section should describe communication methods/tools with vessels actively fishing in areas in or adjacent to the Project area during site assessment and construction activities and facilitate proper notification to vessels and resource managers.

- The “Fishing and Outreach Plan” (linked in Section 1.3) describes the Project team’s communication objectives, methods and tactics and during site assessment and construction activities.
- Additionally, a fishing captain or other experienced representative from the fishing industry will be onboard survey vessels, when available, to advise the vessel master and crew on fishing activity encountered. Representation depends in part on berth availability on vessels.
- The fisherman or other experienced representative from the fishing industry, chosen for his/her depth of knowledge of the local fishery, assists in avoiding gear interactions, serves as a trustworthy point-of-contact for fishermen on the marine radio, and collects valuable data on vessels and fisheries active in the survey area.

2.5.3. Protection of confidential information

This section should describe how confidential information shared by stakeholders will be protected.

- Sunrise Wind follows a company protocol for protection of confidential information shared by stakeholders.

3. Monitoring and Research Pre-, During, and Post-Construction

3.1. Identification of scope of monitoring activities/studies

This section should provide an overview of the anticipated monitoring activities, including how the specific scope of monitoring activities will be identified and what types of scientific questions will be addressed.

- Sunrise Wind will develop study topics and methodologies through an iterative process that includes input from fisheries stakeholders, the F-TWG, and regulatory authorities.
- The “Fisheries Outreach and Engagement Plan” (linked in Section 1.3) further describes the Developer’s commitment to collaborative science and monitoring to better understand the impact of offshore wind projects on fish and fish habitats.

3.2. Baseline data and characterization approach

This section should describe how baseline data will be established on the spatial and temporal presence of fish and invertebrates in the proposed area of the Project at multiple life history stages included egg, larval, juvenile, adult, and spawning stages, as well as associated fish and invertebrate habitats.

3.2.1. Existing literature and data of benthic and fisheries resources

Describe existing literature and datasets that are available for baseline characterization.

- Without limitation, the following studies are available to assess the baseline characteristics for fish, invertebrates and their habitats occurring within the Project area, including but not limited to:
 - NYSERDA and/or NYSDEC studies on marine wildlife;
 - BOEM studies on marine species and lobsters and crabs;
 - NOAA studies on trawl surveys, sea scallops, and clams;
 - Other state and regional studies on ocean trawls surveys;
 - Additional studies by, RICRMC, RIDMF, MADMF, and MACZM in the waters of the northeast Atlantic related to offshore wind development; and
 - Studies that Sunrise Wind or its affiliates have conducted in the Lease Areas and surrounding waters of the north Atlantic.
- Based on the existing literature and datasets:
 - The relevant Lease Area(s) can be characterized as: Complex ecosystem with multiple commercially valuable species including scallops, longfin squid, surf clam, etc.
 - Finfish within the vicinity of the Project Area can be categorized in two groups based on vertical habitat use: demersal and pelagic.
 - Demersal fish likely to occur in Project Area include: American plaice, Atlantic cod, black sea bass, haddock, monkfish, ocean pout, red hake, scup, skates (barndoor, little, thorny, winter), smooth dogfish, spiny

dogfish, silver hake, summer flounder, tautog, windowpane flounder, winter flounder, witch flounder and yellowtail flounder.

- Pelagic fishes likely to occur include: Sharks, tunas (including the Atlantic Bluefin tuna), bluefish, butterfish, cobia, American eel, American shad, Atlantic herring, Atlantic mackerel, blueback herring, king mackerel, menhaden, Spanish mackerel, and striped bass
- Common commercially harvested species in the relevant Lease Area(s) include: several species of skate and shark, longfin squid, red and silver hake, monkfish, scup summer flounder, yellowtail flounder, black sea bass, Atlantic herring, Atlantic mackerel, butterfish, bluefish, striped bass, tunas, mahi mahi, swordfish, American lobster, soft shell clam, Atlantic surf clam, blue crabs, horseshoe crabs, blue mussels, bay scallops, sea scallops, conch, eastern oyster, and northern quahog.
- The relevant Lease Area(s) contain known spawning area for commercially harvested squid
- Juveniles of several species of flounder have been observed in the relevant Lease Areas.
- Winter flounder “are suspected” of spawning in the relevant Lease Area(s)
- Since August 2016, Sunrise Wind and its affiliates have been completing geophysical, geotechnical, and benthic surveys, as well as desktop analyses, to identify areas of sensitive benthic habitat in relevant Lease Area(s). As part of the regulatory process, Sunrise Wind will continue to conduct these surveys within the remainder of the Project Area, and along the proposed export cable route to New York.

3.2.2. Data collected of benthic and fisheries resources

This section should describe survey activities undertaken or that will be undertaken by the Developer that will inform the baseline characterization of benthic and fisheries resources.

- Since August 2016, Sunrise Wind and its affiliates have been completing geophysical, geotechnical, and benthic surveys, as well as desktop analyses, to identify areas of sensitive benthic habitat in the relevant Lease Area(s). As part of the regulatory process, Sunrise Wind will continue to conduct these surveys within the remainder of the Project Area, and along the proposed export cable route to New York.
- Sunrise Wind will conduct additional surveys as part of the permitting process to inform the baseline characterization including:
 - benthic habitat surveys to characterize the benthic habitat; and
 - geotechnical and high resolution geophysical (HRG) surveys.
- Sunrise Wind will coordinate with federal and state agencies and other stakeholders (e.g., universities) to further develop a baseline characterization of the Project Area.

3.2.3. Existing literature and data of the fishing industry

This section should describe the existing literature and data that are available for baseline characterization of the commercial and recreational fishing industry.

- Without limitation, the following studies are available to develop a baseline characterization of the commercial and recreational fishing industry in the area:
 - Public AIS, VMS and landings data, WindPlot data from fishermen, NMFS VTR and VMS data, and by consulting with various fishing stakeholders to determine where and how they fish and how they transit to and from their fishing grounds.

3.2.4. Data collected by the Developer or the fishing industry

This section should describe data collected, or will be collected, to support baseline characterization.

- Sunrise Wind will rely on information from interviews with fishermen that frequent the Project Area which have been conducted, as well as future interviews.
- Sunrise Wind will log data and information collected during other outreach activities and feedback from the fishing industry.
- Sunrise Wind believes that the more data that can be collected and interpreted will help both industries coexist together.
- Additionally, the Sunrise Wind will rely on the other forms of data collection described in section 3.2.

3.3. Monitor for potential impacts during each phase

This section should describe how potential impacts will be monitored on these types of life history stages during each phase of physical work for the Project (site assessment, construction, operation, and decommissioning) to inform mitigation planning for later phases of the Project as well as for future Projects.

- Sunrise Wind plans to conduct site-specific studies during each project phase, the scope and methodologies for which will be determined in collaboration and fisheries stakeholders.
- Sunrise Wind will work with local stakeholders, including fishermen, to identify assessment priorities using outreach, surveys and questionnaires to assist in building consensus.
- Sunrise Wind also intends to use other agencies and stakeholder groups (e.g., E-TWG and F-TWG) to identify research needs and opportunities.

3.4. Assess and quantify changes to fishery resources

This section should describe how changes to fisheries resources will be quantified using statistically sound methods

- Sunrise Wind plans to conduct site-specific studies and the scope will be determined with commercial and recreational fishermen, regulatory authorities, and the F-TWG.

3.5. Assess potential changes to commercial and recreational fishing activities

3.5.1. Current and historical usage

This section should describe how the proposed Project area is used by commercial and recreational fisheries in the region, including current and historic usage as well as associated transit routes.

- Sunrise Wind will conduct research to assess current use of Project Area using the methods outlined below;
- Sunrise Wind will proactively set up and engage in discussions and participate in workshops with fishermen and local organizations to inform the mapping of typical transit routes taken by fishermen.
- Sunrise Wind is committed to reviewing public AIS, VMS and landings data, view WindPlot data from fishermen, and consulting with various fishing stakeholders to analyze where and how they fish and how they transit to and from their fishing grounds, and intends to incorporate such information into project design, layout and navigational risk assessments.

3.5.2. Changes in usage

This section should describe how changes in commercial and recreational fishing patterns will be calculated postconstruction using statistically sound methods.

- Sunrise Wind is committed to monitoring navigation data and information and continuing to consult with fishery stakeholders to analyze the extent and impact of deviations to transiting routes and fishing patterns resulting from the Project Area.
- Sunrise Wind will engage with fishermen to gain a greater understanding of how commercial and recreational fisheries are used in waters in and around the Project Area.

3.6. Addressing data gaps

This section should describe how data gaps will be addressed.

- Sunrise Wind will work with stakeholders, including regulatory agencies and local groups, in the design phase of the Project to identify data gaps to be addressed through surveys or permitting applications.

3.7. Data availability

This section should describe how fisheries data will be made available in accordance with Section 2.2.5 of the RFP.

- Sunrise Wind will make environmental data available in accordance with Section 12.07 of the Agreement which reflects Section 2.2.5 of the RFP.

4. Supporting Other Research

4.1. Support of collaborative research

This section should describe how opportunities for developing or investing in collaborative research with the fishing industry to collect ecological and/or fishing data will be identified and undertaken. The description must account for the need to coordinate with members of the F-TWG during data gathering and assessment.

- Sunrise Wind is committed to supporting third party research associated with development of the Project and intends to take a collaborative approach to science. Sunrise Wind has committed to providing funds to support third party research as outlined in Section 4.4.
- Sunrise Wind supports the Responsible Offshore Science Alliance (ROSA), which establishes science priorities collaboratively with agencies and the fishing industry and maximizes the value of the investment spent on fisheries science.
- Sunrise Wind will engage with the F-TWG, in accordance with Section 12.04 of the Agreement, regarding potential research topics, scopes and methodologies.
- Sunrise Wind intends to participate in transit studies and discussions as part of the F-TWG.
- Sunrise Wind will use a Science Coordinator to facilitate reasonable requests for data and other forms of participation in science initiatives designed to enhance understanding of impacts from offshore wind.

4.2. Handling/processing requests

This section should describe how requests for coordination with third-party supported scientists will be processed - including providing reasonably-requested Project data and access to the Project area for independent scientists examining environmental and fishery sensitivities and/or the impacts of offshore wind energy development on fish, invertebrates and fisheries for the purpose of publication in peer reviewed journals.

- Sunrise Wind will use a designated Science Coordinator to receive, process and collaborate on reasonable requests for Project data.
- Sunrise Wind will establish a workspace to coordinate and facilitate data sharing.
- Sunrise Wind intends to coordinate with other vessels, including research vessels, for independent scientists to examine any environmental sensitivities as a result of the project.

4.3. Proposed restrictions

This section should describe any restrictions on data provision or access that may be required to protect trade secrets or maintain site security.

- Sunrise Wind will use a Science Coordinator who will consider any restrictions on data provision or access that Sunrise Wind believes may be required to protect trade secrets or maintain site security as part of that process.

4.4. Financial commitment for third party research

This section should provide a level of financial commitment, if elected, that will be appropriated to leverage third-party environmental research funding related to fish, invertebrates and fisheries, including federal or State-supported research. Or, if elected, provide the level of commitment to a general fund for supporting third-party research into relevant fish and invertebrate communities and associated commercial and recreational fisheries and the effects of offshore wind energy development.

- Sunrise Wind has made commitments to third-party environmental research funding. The details of these commitments are being finalized and will be announced at a future date.

4.5. Proposed or existing commitments/collaborations

This section should describe proposed or existing commitments and collaborations with third-party researchers in support of monitoring activities and assessing impacts.

- Sunrise Wind is developing site-specific studies which would examine fisheries and benthic resource topics, such as larval distributions, benthic habitat quality, distribution of nonindigenous/invasive species, and distribution and abundance of selected commercial fisheries species within the region of influence of the Project
- Sunrise Wind will coordinate with research vessels, including fishing vessels used for research, for independent scientists to examine fishery sensitivities and other environmental topics.
- Sunrise Wind will use commercial fishing vessels for the research it conducts whenever feasible, available, and appropriate.
- Sunrise Wind is developing additional commitments and collaborations with third-party researchers which will be announced when details of the collaborations are finalized.

5. Proposed Mitigation of Impacts to Benthic/Fishery Resources

5.1. Potential impacts/risks and mitigation measures by project stage

The table below should list the potential impacts and risks to benthic/fishery resources and proposed mitigation measures. To this end, a description of how the potential adverse impacts of infrastructure design elements (e.g., turbine spacing and layout, turbine foundation type, cable burial and protection methods, and cable crossing designs) on fishing in the proposed Project area will be considered in mitigating impacts should be included. The mitigation measures should also demonstrate that the Project area and proposed site design allows for reasonable flexibility in the site layout (e.g. orientation of turbine lines, distance between turbines, and navigation areas) to accommodate changes that may be needed in the future. The section should also describe the planned operational protocol to avoid, minimize, and mitigate impacts to fish, invertebrates and fisheries during Project construction and operation phases, such as vessel transit routes, designation and monitoring of safety zones, gear monitoring and retrieval, and communication with fishing vessels and resource managers.

| Potential Impacts | Proposed Mitigation Measures ⁴ | Phase* | | | |
|--|--|--------|---|---|---|
| | | 1 | 2 | 3 | 4 |
| Micro-siting conflicts with habitats and fishery resources | <ul style="list-style-type: none"> Conducting geophysical and geotechnical surveys, benthic surveys, and desktop analyses to inform site design and layout Seeking input from regulators, the fishing industry, and maritime industry to locate foundations and cable routes in the least impactful manner that is practicable | X | | | |
| Temporary, alteration of the seabed and localized increases in noise and turbidity | <ul style="list-style-type: none"> Mobile fish and invertebrates are expected to temporarily leave the area in response to construction or decommissioning activity. Because identical habitat is widely available in the immediate area, the temporary displacement is not considered significant. Committed to noise attenuation technologies to reduce sound from pile driving of foundations, pursuant to regulatory concurrence | | X | | X |

⁴ All proposed mitigation measures are subject to applicable regulatory processes and applicable permit requirements. This list of proposed mitigation measures is a good faith statement of currently anticipated mitigation measures. Actual mitigation measures will be pursuant to applicable permits and may vary from this list.

| Potential Impacts | Proposed Mitigation Measures ⁴ | Phase* | | | |
|---|---|--------|---|---|---|
| | | 1 | 2 | 3 | 4 |
| | <ul style="list-style-type: none"> Time of year restrictions on construction will reduce impacts on some biological resources. Time of year restrictions will be pursuant to regulatory concurrence. | | | | |
| Changes to water quality from accidental spills and/or releases, and erosion and run-off during onshore construction | <ul style="list-style-type: none"> Implementation of a Stormwater Pollution Prevention Plan (SWPPP) Implementation of a Spill Prevention, Control, and Countermeasure (SPCC) Plan Implementation of an Oil Spill Response Plan (OSRP) Implementation of an Erosion and Sediment Control Plan | | X | X | X |
| Long-term changes to seabed, and habitat | <ul style="list-style-type: none"> Populations of benthic organisms would not be significantly diminished by the small area of sea floor that will be disturbed by the Project construction Use of horizontal direction drill at the landfall to minimize impacts to sensitive shoreline vegetation and shellfish resources. | | X | X | |
| Colonization of encrusting invertebrates on wind turbine generators (WTG), which will quickly lead to the development of biogenic habitat and associated communities centered on the structures | <ul style="list-style-type: none"> The shift toward a structure-based community is considered desirable because it supports higher trophic level fish that are of commercial and recreational value. | | X | X | X |
| Mobile fish and invertebrates expected to leave area and return within several months of construction | <ul style="list-style-type: none"> Because identical habitat is widely available in the immediate area, the temporary displacement is not considered significant. | | X | | |
| Distribution of mobile species, including lobsters, groundfish, and pelagic predators | <ul style="list-style-type: none"> Within several months of completion of construction, the abundance and distribution of benthic invertebrates is expected to return to pre-construction conditions Methods under evaluation to limit impacts include: <ul style="list-style-type: none"> Micrositing WTG and export cable locations to avoid sensitive habitats where feasible; | | X | X | X |

| Potential Impacts | Proposed Mitigation Measures ⁴ | Phase* | | | |
|---|--|--------|---|---|---|
| | | 1 | 2 | 3 | 4 |
| | <ul style="list-style-type: none"> ○ Burying cables wherever feasible using the most appropriate tools and methods; ○ Conducting pre- and post-construction surveys and assessments; ○ Slow start (ramp up) of pile driving equipment; ○ Emplacement of scour protection; and ○ Reduction of marine debris. | | | | |
| EMF Impacts | <ul style="list-style-type: none"> ● Cable shielding to minimize EMF ● Target burial depths for the export cables and inter-array cables will minimize EMF impacts | | X | X | |
| <i>*Phase: 1: Survey/Design; 2: Construction; 3: Operation; 4: Decommission</i> | | | | | |

5.2. Coordination with F-TWG and other stakeholders

This section should describe how the Developer will engage with stakeholder groups such as the F-TWG and other regional fishermen and shipping and navigation to determine Project layouts that address stakeholder concerns. Specifically, describe the key types of information and design decisions where feedback will be solicited from stakeholders.

Sunrise Wind will coordinate with the F-TWG (in accordance with Section 12.04 of the Agreement) and stakeholders to address concerns and mitigate impacts to benthic/fisheries resources as follows:

- Engage with stakeholder groups and F-TWG, regional fishermen and other maritime stakeholders such as maritime experts, consultants and marine safety committees to refine Project layouts.
- Undertake Navigational Safety Risk Assessment (NSRA) with the USCG and other agencies.
- Work with fisherman and other stakeholders through the dedicated Marine Affairs Department to address key concerns such as navigation, vessel access and safety.
- Obtain input and feedback on project design through membership and presentation in maritime committees, organizations and associations along the US East Coast, including the Propeller Club which has a chapter in New York.

6. Proposed Mitigation of Impacts to the Recreational and Commercial Fishing Industry

6.1. Potential impacts/risks and mitigation measures by project stage

The table below should list the potential impacts and risks to recreational and commercial fishing and proposed mitigation measures. To this end, this section should describe how the potential adverse impacts of infrastructure design elements (e.g., turbine spacing and layout, turbine foundation type, cable burial and protection methods, and cable crossing designs) on fishing in the proposed Project area will be considered in mitigating impacts. The mitigation measures should also demonstrate that the Project area and proposed site design allows for reasonable flexibility in the site layout (e.g. orientation of turbine lines, distance between turbines, and navigation areas) to accommodate changes that may be needed in the future. The section should also describe the planned operational protocol to avoid, minimize, and mitigate impacts to fish, invertebrates and fisheries during Project construction and operation phases, such as vessel transit routes, designation and monitoring of safety zones, gear monitoring and retrieval, and communication with fishing vessels and resource managers.

| Potential Impacts | Proposed Mitigation Measures ⁵ | Phase* | | | |
|--|--|--------|---|---|---|
| | | 1 | 2 | 3 | 4 |
| Fishing gear loss | <ul style="list-style-type: none"> • Training and communication following Gear Loss Prevention and Claim Procedure • Will bury export cables to appropriate depth to minimize risk. If depth cannot be reached, will add protective materials over cable | | X | X | |
| Fishing vessel accidents/impacts during construction | <ul style="list-style-type: none"> • Engage in notification campaigns to alert fishermen of the schedule of construction activities • Communicate with vessels, including fishing vessels near construction areas using “multiple forms of media” | | X | | |
| Transit routes for fisherman | <ul style="list-style-type: none"> • Design elements for consideration include spacing between turbines and developing a layout with east-west rows of turbines, which will allow easier transit | X | X | X | |
| EMF Impacts | <ul style="list-style-type: none"> • Cables will be buried to an appropriate depth range, and where achieving target burial depths is prevented due to | X | X | | |

⁵ All proposed mitigation measures are subject to applicable regulatory processes and applicable permit requirements. This list of proposed mitigation measures is a good faith statement of currently anticipated mitigation measures. Actual mitigation measures will be pursuant to applicable permits and may vary from this list.

| Potential Impacts | Proposed Mitigation Measures ⁵ | Phase* | | | |
|----------------------------|---|--------|---|---|---|
| | | 1 | 2 | 3 | 4 |
| | constraints, for example hard bottom, practical low impact solutions such as appropriate cable mattresses will be utilized <ul style="list-style-type: none"> Will use cable shielding to minimize EMF | | | | |
| Impacts to sensitive areas | <ul style="list-style-type: none"> Work with stakeholders to collect data and avoid siting the project in sensitive areas to the extent reasonably practicable | X | X | | |
| General impacts | <ul style="list-style-type: none"> Utilize Marine Coordination Center to consider and take into account stakeholder concerns | | X | X | |

*Phase: 1: Survey/Design; 2: Construction; 3: Operation; 4: Decommission

6.1.1. General approach to avoiding and mitigating fishing gear loss

This section should describe how potential loss of fishing gear due to snags on turbine structures, associated cables or cable mattresses, or related structures installed or deployed as a result of offshore wind energy development, will be minimized.

- Sunrise Wind published a “Gear Loss Prevention and Claim Procedure”, which it will follow. <https://orstedcdn.azureedge.net/-/media/WWW/Docs/Corp/US/Mariners/Fishing-Gear-Conflict-Prevention-and-Claim-Procedure-FINAL.ashx?la=en&rev=176e942db6bd421c92f54923683004c5&hash=2CFFBF24BBABC8CF80893829A1D19501>
 - Sunrise Wind will engage with communication and training to seek to minimize impacts.
 - Sunrise Wind’s communication activities to prevent potential fishing gear loss will include:
 - Dockside: Fisheries Liaisons work with port Fisheries Representatives to identify mariners who fish in areas where on-water work is planned and to communicate with those fishermen directly
 - Website: Information for Mariners page will include project specific information and details for on water activities including vessel names and how to contact them: <https://us.orsted.com/Mariners>
 - Jump drives will be loaded with locations of existing facilities.
 - VHF updates will be provided daily
 - Transit routes: Project vessels will attempt to follow general transit routes to and from port, as safe navigation practices permit
- Sunrise Wind will undertake the following training activities:
 - Personnel working offshore will be trained on the procedures and on how to identify/avoid fishing gear.

- Contractors will be given a briefing on the importance of the local fishing communities and instructed to communicate early and often with fishing vessels while always following USCG Rules of the Road.
- Sunrise Wind will gather feedback on lessons learned, which will be incorporated into training and communications.
- Sunrise Wind will bury export cables to appropriate depth to minimize risk. If the “appropriate depth” cannot be reached, Sunrise Wind will add protective materials over cable.

6.1.2. Processing claims for lost fishing gear

This section should describe how the Developer will approach claims of lost gear in the event of a snag that provides for a fair and timely review of the claim and appropriate compensation of impacted parties.

- The Fisheries Liaisons and Fisheries Representatives will be key members of the gear claim review process.
- A qualified, independent third-party will be engaged for any claims appeals.
- The Fishing Gear Conflict Prevention and Claim Procedure can be found on the Ørsted Mariners page and on the following link https://orstedcdn.azureedge.net/-/media/WWW/Docs/Corp/US/Mariners/Gear-Plan-Redesign_Sept-2019.ashx?la=en&rev=3de711f948dc47a8bc41a1cc4e58a418&hash=BA81853C5418891FB65BC512879D7DB6

Strategies to develop alternate protocols

This section should describe the process for determining when mitigation strategies are insufficient and under what conditions they might elect to rehabilitate or restore fisheries in an alternative location or when the provision of compensation of some form may be appropriate.

- Sunrise Wind will engage with BOEM, NOAA Fisheries, and other fisheries stakeholders to identify and implement appropriate and practicable measures to avoid, minimize, and/or mitigate impacts throughout all phases of the Project as required by applicable permits.
- Following identification of potential impacts, Sunrise Wind will work with regulators to establish processes for evaluating the effectiveness of selected mitigation strategies. Additionally, it will coordinate with federal and state agencies to identify additional mitigation strategies or potential modifications to selected mitigation measures that may be implemented in the event the base mitigation strategies are determined to be insufficient by relevant regulatory agencies.

6.2. Coordination with F-TWG and other stakeholders

This section should describe how the Developer will engage with stakeholder groups such as the F-TWG and other regional fishermen and shipping and navigation to determine Project layouts that address stakeholder concerns. Specifically, describe the key types of information and design decisions where feedback will be solicited from stakeholders.

Sunrise Wind will coordinate with the F-TWG (in accordance with Section 12.04 of the Agreement) and stakeholders to address concerns and mitigate impacts to the fishing industry as follows:

- Engage with stakeholder groups and F-TWG, regional fishermen and other maritime stakeholders such as maritime experts, consultants and marine safety committees to refine Project layouts.
- Undertake Navigational Safety Risk Assessment (NSRA) with the USCG and other agencies.
- Work with fisherman and other stakeholders through the dedicated Marine Affairs Department to address key concerns such as navigation, vessel access and safety.
- Obtain input and feedback on project design through membership and presentation in maritime committees, organizations and associations along the US East Coast, including the Propeller Club which has a chapter in New York.

7. Project Decommissioning

7.1. Potential impacts based on available information and experience

This section should describe potential impacts to benthic/fisheries and the fishing industry from decommissioning the project, based on available information and relevant experience (if any).

- In March 2017, Orsted became the first developer to decommission an offshore wind project, the Vindeby Offshore Wind Farm near Lolland, Denmark (Vindeby Project).
- Sunrise Wind waste handling processes during decommissioning will focus on re-use or recycling and use disposal as the last option.
- Sunrise Wind anticipates that impacts to marine mammals, sea turtles, birds, bats and fisheries would be similar to the construction phase.

7.2. Approach for developing plan and coordination with stakeholders

This section should describe how a decommissioning plan will be developed to identify and mitigate potential impacts, including coordination with fisheries stakeholders, and any elements of its contemplated decommissioning plan that can be identified at this stage.

- Sunrise Wind will decommission the project in accordance with a detailed Project-specific decommissioning plan that will be developed in compliance with applicable laws, regulations, and generally-accepted industry practices that exist at the end of the Project's operational life.
- Sunrise Wind will develop the decommissioning plan in coordination with stakeholders including regulatory agencies, fisheries and marine stakeholders, and local communities.

8. (Optional) Fisheries Compensation Plan

8.1. Consideration of compensation plan

If a fisheries compensation plan is being considered to offset impacts, this section should describe how it will determine instances where all reasonable attempts to avoid and minimize Project impacts, or restoration to predevelopment conditions are not feasible and some type of fisheries compensation plan is warranted.

- Sunrise Wind will make a decision on whether to implement a fisheries compensation plan (and if so, the relevant details) at a later date, and in connection with the permitting process.

8.2. Approach to developing compensation plan

8.2.1. Coordination with stakeholders

This section should describe how a fisheries compensation plan was, or will be developed; how the Developer will coordinate with the F-TWG and other entities in the design or review of the fisheries compensation plan.

- Sunrise's first priority is to ensure co-existence with the fishing industry in a positive and pro-active open dialogue.
- In the event a compensation plan is determined to be warranted, Sunrise will consider a fund approach, versus individual compensation approach, which has been recommended by the fishing industry. The decision to create a fund, as well as the development of an allocation framework for such a fund would be informed by engagement with the F-TWG and the fishing industry.

8.2.2. Third-party administration

This section should describe how the compensation plan will be administered by a nongovernmental third-party to provide reasonable and fair compensation for impacts that cannot be sufficiently addressed through other means.

- Sunrise Wind will make a determination of whether to create a fund, following the open dialogues with interested parties outlined throughout this document and will identify a third-party fund manager if an overall decision to implement a fund has been made.

Sunrise Wind will ensure that the third party has the appropriate qualifications and capacity to make fair and reasonable decisions for impacts that the offshore wind farm may have.

9. Additional Considerations

9.1. Additional mitigation strategies and FMP refinement

This section should describe any additional mitigation strategies not otherwise described herein that would improve the Plan and reduce impacts on the fishing community. In addition, describe how the FMP will be updated and refined based on additional information and stakeholder feedback.

- Sunrise Wind will update and refine the FMP, pursuant to Section 12.05 of the Agreement, in response to additional information on the Project area that is collected through additional survey work and outreach, as well as further development of the permit applications and Project design.

9.2. Process for updating the FMP

This section should describe how feedback from the fishing industry stakeholders, F-TWG, and other agencies and working groups will be incorporated and updated in the FMP.

- Sunrise Wind anticipates that stakeholder feedback will play an integral role in shaping study scopes and protocols to support fisheries mitigation measures that may be needed in response to assessment findings.
- Updates to the FMP are anticipated, pursuant to Section 12.05 of the Agreement, on a bi-annual basis and on an ad-hoc basis in connection with milestone events, such as preparation for permitting filings or finalization of study plans.
- Updates to the FMP are intended to reflect the results of iterative exchanges with members of the F-TWG, E-TWG and relevant stakeholders, and to be made in a manner consistent with Section 12.05 of the Agreement.