

MAY 06 | 2022

Appendix V: Fisheries Communications Plan

Coastal Virginia Offshore Wind Commercial Project



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Coastal Virginia Offshore Wind Commercial Project

Fisheries Communication Plan Lease Area (OCS-A 0483)

Rev. 03, May 2022

Prepared for:



**Dominion
Energy®**

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Acronyms and Abbreviations

AIS	Automatic Identification System
ASMFC	Atlantic States Marine Fisheries Commission
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
COP	Construction and Operations Plan
CVOW	Coastal Virginia Offshore Wind (Pilot Project and Commercial Project)
EA	Environmental Assessment
ESA	Endangered Species Act
FCP	Fisheries Communication Plan
FLO	Fisheries Liaison Officer
FIR	Fishing Industry Representative
GARFO	Greater Atlantic Regional Fisheries Office (formerly “Northeast” or NERO)
G&G	Geotechnical and Geophysical
HRG	high-resolution geophysical
HMS	Highly Migratory Species
Lease	Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf OCS-A 0483
m	meter
MAFMC	Mid-Atlantic Fishery Management Council
MMPA	Marine Mammal Protection Act
NEFSC	Northeast Fisheries Science Center
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
OCS	Outer Continental Shelf
OFL	Offshore Fisheries Liaison
Project	Coastal Virginia Offshore Wind Project
SAP	Site Assessment Plan
TD	Time Differential
VHF	Very High Frequency
VMRC	Virginia Marine Resources Commission
VMS	Vessel Monitoring Systems
VTR	Vessel Trip Report
WEA	Wind Energy Area

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1. Introduction

Dominion Energy is the lease holder for Outer Continental Shelf (OCS) Lease Area OCS-A-0483 (Lease). As shown in Figure 1-1, the Lease is located approximately 27-miles off the Virginia coast, encompassing approximately 112,800 acres. The Lease was designated by the Bureau of Ocean Energy Management (BOEM), following a review of existing and targeted environmental studies as well as significant stakeholder engagement and input. The specific activities undertaken and considered when designating the location for Lease Area OCS-A-0483 can be reviewed on the BOEM website, [BOEM Virginia Activities](#).

Dominion Energy is committed to coexistence of the Coastal Virginia Offshore Wind Commercial Project (“Project”) with users of this shared ocean space, including commercial and recreational fisheries. Dominion Energy has assembled and will maintain a fisheries communications team, inclusive of Fisheries Liaison Officers (FLOs), for the duration of the Project. This Fisheries Communication Plan (FCP) is central to the Project’s fisheries engagement strategy and will be foundational to the company’s efforts to develop and implement best practices and build effective relationships with the fishing community.

The FCP establishes the principles Dominion Energy will use to guide outreach and engagement with the region’s marine fisheries. It is a “living document” that will continue to evolve with regular feedback and guidance from fishermen, fishing organizations, and regulatory agencies.

The ongoing participation by fishermen and their representatives will help to inform Project planning activities and Project design while also building relationships to support understanding and, ultimately, coexistence with users of the area. The process of gathering fisheries information to support this effort will be iterative and continuous. It should be understood and expected that credible information received from different sources may be contradictory. Dominion Energy will endeavor to apply the available information to develop fair and equitable plans for shared use of the Lease Area.

For opportunities to provide inputs on improving this plan, receive Project updates or receive updated versions of this FCP when they become available, please visit the page on the [Coastal Virginia Offshore Wind | Dominion Energy](#) website or send an email to the Dominion Energy FLOs:

- Ron Larsen (ronlarsen@searisksolutions.com), and
- Wolfgang Rain (wrain@searisksolutions.com).

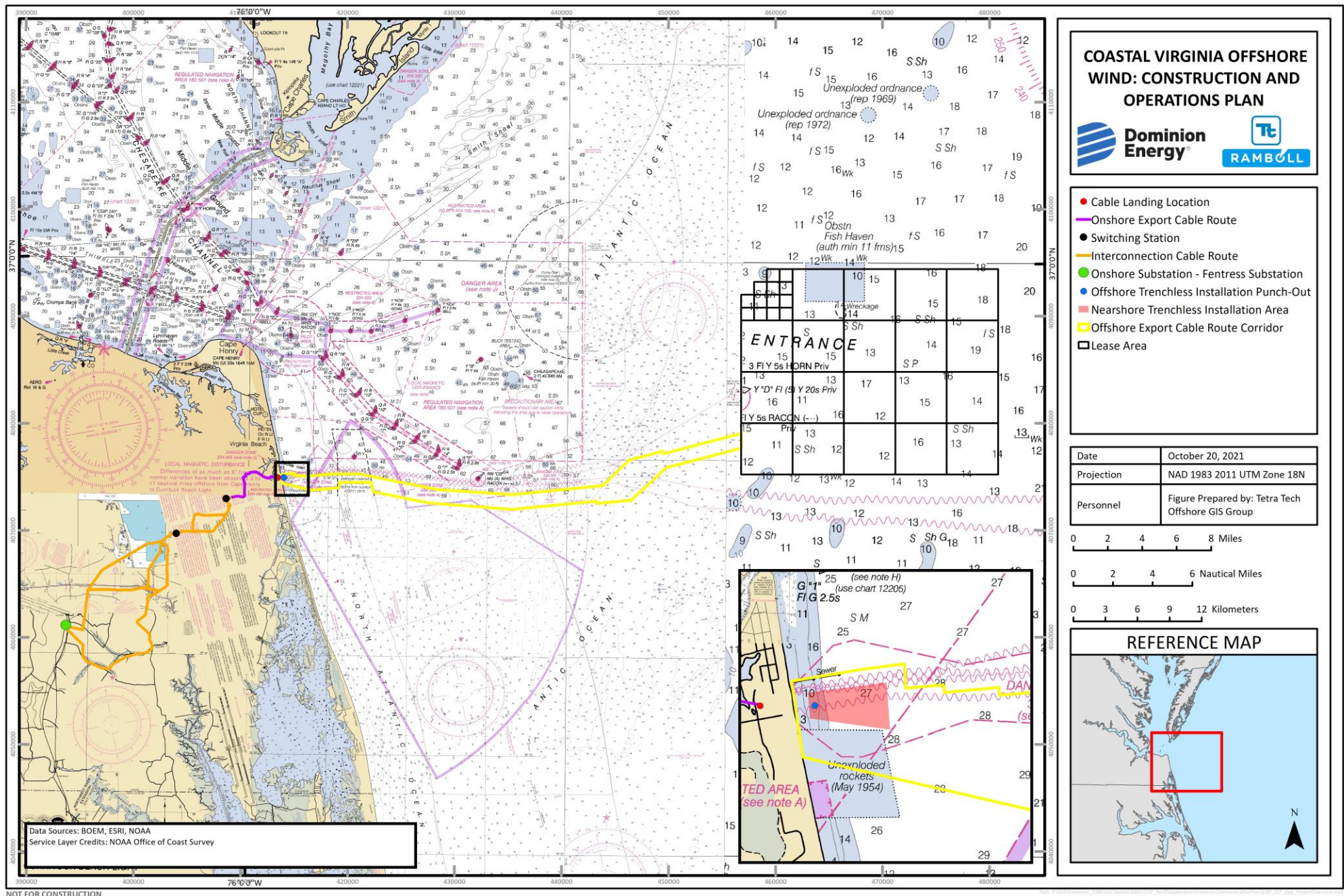


Figure 1-1 Coastal Virginia Offshore Wind Commercial Lease Area (OCS-A-0483)

2. Fisheries Communication Plan Principles and Objectives

Timely communication and information dissemination are essential to identifying and avoiding potential issues during development of the Project. Sharing information on fishing activities, planned infrastructure positions, submarine cable routes, vessel movements, safety zones, etc. can help to reduce and/or prevent the potential for conflicts detrimental to fishing and the Project.

The Dominion Energy FCP has been developed in accordance with the BOEM guidelines and best practices guidance from other relevant resources (Attachment A). The objective is to define outreach and engagement strategies for fisheries interests that may be affected during the planning, construction, operation, and eventual decommissioning of the Project. These strategies will be enhanced with inputs received from the fishing community and updated as the Project progresses.

Development of the Project within the Lease Area and along the export cable route(s) will occur in several stages including Site Assessment and Characterization, Design, COP Preparation and Submission, Construction and Installation, Operations & Maintenance, and Decommissioning. These stages are discussed in greater detail in Section 5.5. The ‘adaptive’ nature of the FCP will allow it to be updated over time as inputs are received and through different phases of Project development and implementation.

The Project has submitted a Construction and Operating Plan (COP) which is currently undergoing regulatory review, with additional opportunities for public input, prior to construction. Fisheries information used to inform the COP is based on the best available and most credible information, which may include anecdotal information from fishermen as well as direct observations from vessels engaged in offshore operations.

2.1 FCP Guiding Principles

The fundamental principle of the Dominion Energy FCP is facilitation of an open, ongoing dialogue among users of our natural resources shared Outer Continental Shelf so that we may coexist in the responsible utilization of offshore resources for the benefit of all users. This will be achieved by focusing the FCP around the following, more defined set of principles:

- Facilitate timely, coordinated, efficient, accurate and transparent two-way communications to promote Project awareness and mariner safety.
- Seek out and utilize the diverse expertise and knowledge of the commercial and recreational fishing communities.
- Acknowledge and respect the concerns, issues, and interests of the fishing community.

2.2 FCP Objectives

Broadly stated, the objective of this FCP is to define outreach and engagement strategies necessary to inform the fishing communities in a timely manner about Project activities while also building reliable, cooperative, working relationships with Dominion Energy. This outreach and engagement will identify and mitigate, to the extent possible, the challenges that come with

coexistence of the Project and fishing activity in the Project area. In order to realize this overall objective, Dominion Energy has identified a sub-set of defined objectives, which include:

- Promote the safety of fishermen, offshore survey crews and construction crews transiting, working, and fishing in the area.
- Seek out fisheries users and their inputs to provide additional details, filling in data gaps regarding the historic, existing, and potential fisheries opportunities in the Lease area.
- Identify potential adverse impacts to fishermen and make informed decisions on how to avoid and/or minimize potential impacts where possible and/or mitigate the extent of effects.
- Provide a pathway to quickly and fairly resolve fisheries related conflicts that may develop during the life of the Project.
- Build an authentic, trusting and working relationship with fisheries users and communities to inform the responsible design, development, construction, and operation of the Project.
- Demonstrate how industry relationships established via the FCP have informed the evolution of the Project as well as the FCP.

3. Fishing Activities Within the Lease Area

Fisheries are regional in nature and fishermen from various east coast states have been known to fish within and/or transit through the Lease Area. The Dominion Energy lease was characterized as being ‘very lightly fished’ in a report prepared by economists from the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) Northeast Fisheries Science Center (NEFSC) that looked at commercial fishing activity (Kirkpatrick et al. 2017). This characterization is consistent with what Dominion Energy has learned during its preparation of the COP and ongoing outreach to the fishing community as well as observations made during offshore survey operations.

The commercial fishing in and around the Lease Area almost exclusively utilizes fixed gear (e.g., pots/traps) to target Black Sea Bass (BSB) and Whelk/Conch, which are the primary commercial species landed from within the lease area. Fixed gear fishing using gillnets to target spiny dogfish is conducted outside the lease area and along the export cable route(s). There is historical evidence that commercial fishing using mobile gear (e.g., trawls and dredges) has occurred in the Lease Area but evidence of mobile gear activity in the last decade is absent from available data. This is consistent with anecdotal information from local fixed gear fishermen. Mobile gear fishing using trawls to target shrimp and dogfish is known to exist in the nearshore areas and along the planned export cable route(s). Additionally, exploratory fishing for Surf Clams in August 2021 identified a potential fishable resource several miles offshore (east) of the lease area that may be subject to future exploitation.

The offshore recreational fishery consists of individual vessel owner/operators as well as a substantial ‘for hire’ (charter) fleet using hook-and-line. Important recreational target species

include flounder, bluefish, BSB, striped bass, scup, tautog, amberjacks, cobia, spadefish, king mackerel, wahoo, shark species, tuna species, billfish species, and other pelagic species (e.g., mahi mahi). Divers, free-diving or with SCUBA, will also utilize the area; SCUBA divers will target seabed structure while free divers will utilize surface structure/buoys.

In addition to vessels fishing within the area, there will also be fishing vessels that will transit through the area to get to/from the outer continental shelf fishing grounds and/or transit between ports. Fisheries research, resource surveys and other oceanographic studies carried out by federal, state and academic organizations also take place in and around the Lease Area.

3.1 Commercial Fishing

The primary commercial fishery conducted in and around the Lease Area is the harvesting of BSB and Whelk/Conch using pots. These vessels typically work from the smaller Virginia Eastern Shore ports of Cape Charles, Oyster, Willis Warf, Wachapreague and Chincoteague as well as the Virginia Beach area ports of Rudee Inlet and Lynnhaven. The BSB fishery is managed via a federally mandated quota system, catch/effort reporting is required, and there is a single fisherman that targets BSB with pots in the Lease Area. The whelk/conch fishery in federal waters, where the Lease Area exists, does not fall under any specific fishery management plan. Fishermen are required to be permitted to land their catch in the Commonwealth of Virginia, landings reporting are required but reporting specific location of effort is not required.

The BSB gear is typically fished from April into January. The fisherman that works this gear is known to Dominion Energy and an ongoing relationship has been established. The whelk/conch fishery typically runs from October through May in the region, and the fishery is heavily dependent on water temperature. Within the lease area, the whelk/conch fishing typically begins in the December timeframe, fishing will slow when water temperatures decrease in the February timeframe and will then pick up again in the Spring as water temperatures warm. Most of the whelk/conch fishermen also fish blue crab in the Chesapeake Bay and, as a consequence, whelk/conch fishing typically ends prior to the opening of blue crab season in April. There are a limited number of fishermen that fish whelk/conch in the lease area, and most are known to Dominion Energy; direct outreach and relationship building is ongoing.

Other commercial fishing gear types that work outside the Lease Area, but along the planned export cable route(s), include bottom tending gillnets targeting spiny dogfish and shrimp trawling. The spiny dogfish fishery is a federally managed, quota driven fishery that will typically run from November through April, closing when the quota allocation for the Commonwealth of Virginia is reached, which can be as early as March. Fishermen operating along the export cable route off Virginia Beach will typically work from the ports of Lynnhaven and Rudee Inlet.

Although trawling is prohibited within the 3-nautical mile limit of the Virginia Commonwealth, a small scale beam trawl fishery for shrimp has been authorized in 2021. This fishery is tightly managed and currently restricted in space to remain south of the planned export cable route(s). Outside of 3-nautical miles, within federal waters, large, twin-rigged, shrimp trawlers have begun working from November through December. The shrimp fishing season is largely water

temperature dependent and fishing seasons may vary slightly. Some trawling for spiny dogfish may also take place along the planned export cable route(s), outside 3-nautical miles.

The surf clam fishery as recently resumed in some discrete areas about seven (7) miles offshore (east) of the lease area. There were as many as four (4) vessels working the area in the Summer/Fall of 2021 with product being offloaded in Cape Charles, VA and Ocean City, MD. The status of this fishery continues to be monitored and Dominion Energy, and their FLOs, will maintain communications with surf clam industry representatives to better understand the future of the fishery in the region and the potential impacts of CVOW development activities.

The Lease Area is also transited by commercial fishing vessels. Automatic Identification System (AIS) data, although not used by all vessels, provides some indication of transit activity within the Lease Area. Most commercial vessels approaching the entrance to Chesapeake Bay from the North/South will use vessel fairways that avoid the lease area. Vessels from the Hampton Roads area and/or other Chesapeake Bay area ports (e.g., Cape Charles, VA), fishing offshore of the Lease Area towards the outer continental shelf or Norfolk Canyon area may transit East/West through the northern portion of the Lease Area. Vessels traveling North/South to and from North Carolina ports, that bypass the Chesapeake Bay, may also transit through the Lease Area. Overall, commercial fishing vessel transit traffic through the Lease Area is minimal.

3.2 Recreational Fishing

The Virginia recreational fleet, primarily using hook and line, are mostly private vessels, although there is a substantial 'For Hire' fleet that consists of Party/Head Boats and Charter Boats. There is also recreational spearfishing conducted by free-divers and divers using SCUBA.

The recreational fleet takes advantage of existing natural and man-made seabed structure inside and outside the Lease Area. This includes the Triangle Reef fish haven contained within the Lease Area as well as the existing CVOW Pilot Turbines, which have become a recreational fishing destination. Recreational vessels will also transit through the Lease Area to reach offshore fishing grounds. Recreational fishing activities are expected to increase within the Lease Area once the wind farm is constructed.

Additionally, there are several offshore fishing tournaments that take place annually, based in Virginia ports, with fishing activity located offshore from the Lease Area; some of these are identified in Table 3-1 below.

Table 3-1 Offshore Recreational Tournaments

Tournament	Website
Virginia Beach Tuna Tournament	www.vbtuna.com
Virginia Beach Billfish Tournament	www.vbbt.com
Virginia Beach Invitational Marlin Tournament	www.vbbt.com
Oceans East Swordfish Tournament	www.oceanseastfishingtournaments.com
McLeskey Memorial Marlin Open	www.wmmo.com

Table 3-1 Offshore Recreational Tournaments

Tournament	Website
Wine, Women & Fishing Billfish Tournament	wine-women-fishing-ladies-only-charity-billfish-tournament
Note: this is a representative list, not intended to be comprehensive of all fishing tournaments.	

3.3 Fisheries Management and Data

Fisheries operating within the Lease Area are subject to a variety of regulations and reporting protocols that result in multiple data sets capturing fishing activity. The regulatory programs and data collection often involve interjurisdictional management between National Marine Fisheries Service (NMFS), regional fisheries management councils (e.g. MAFMC & NEFMC), the Atlantic States Marine Fisheries Commission (ASMFC) and coastal states.

Many of the fisheries conducted within the Lease Area are subject tracking via a Vessel Monitoring System (VMS), which would create a spatial data record of their activities. Other vessels have permits for regulated species that require effort and landings to be reported via Vessel Trip Reporting (VTR). These fisheries dependent data have been used to assess the historical commercial fishing activity inside the Lease Area.

The FLO will consult with local fishermen to interpret and add context to these data to facilitate a mutually agreed and understandable characterization of the fisheries uses of the Lease Area.

4. Site Assessment and Characterization

The Geophysical and Geotechnical (G&G) survey activities required within the lease area for site assessment to inform Project engineering concluded in Summer 2021. Survey activities will resume in 2022 within the Lease Area for the detection of any potential Unexploded Ordinance (UXO) that could pose a hazard to installation and construction activities. During the winter of 2022, two (2) data collection buoys were deployed to collect long term meteorological and oceanographic data within the Lease Area; locations of these buoys are given in Table 4-1.

4.1 Offshore Survey Activities

The G&G surveys initiated in the Spring of 2020, concluded in the Summer of 2021 within the Lease Area and along the proposed Offshore Export Cable Route Corridor. These G&G surveys were conducted by a suite of special purpose survey vessels which were deployed at various times throughout the period. Large, dynamically positioned vessels worked the offshore areas while smaller, shallow draft vessels conducted surveys in the shallow reaches of the export cable corridor.

The G&G survey activities include the following activities:

- Depth sounding (multibeam echo sounder) to determine site bathymetry and bottom contours.
- Magnetic intensity measurements to identify ferrous objects like shipwrecks and

unexploded ordnance.

- Seafloor imaging (side scan sonar) to identify seabed features, natural and/or manmade.
- Shallow and mid-range penetrating sub bottom profiler to map the near geological stratigraphy below the seabed.
- Sediment samples and digital imagery to support interpretation of geophysical data and characterize sediment conditions and benthic habitats, and
- Benthic grab sampling.

In the Summer/Fall of 2022, an additional survey will be conducted in order to identify any UXO that may exist within the Lease Area and along the export cable corridor. These vessels tow survey equipment behind the vessel and are often restricted in their ability to maneuver, and a safety buffer around these vessels is requested. The vessel specifications, operational details and timing are shared via Mariner Updates as schedules are determined and updated as needed.

4.1.1 Survey Team Communications

Prior to survey operations being conducted, the Fisheries Communication Team and the FLOs will continue to develop and distribute Survey Awareness Flyers to the recreational and commercial fishing fleets. They will also continue briefing the Survey Team during survey vessel mobilization to promote awareness of the local recreational and commercial fisheries. This practice will be continued for future survey operations (e.g., unexploded ordinance surveys).

During survey operations, survey vessels will monitor VHF channels 16 and 13 for bridge-to-bridge communications with fishing vessels operating in the survey area. The FLOs interact daily with the survey vessel(s) to provide fisheries updates and receive feedback from the survey team.

The FLOs provide the survey team with the following:

- A description of the commercial and recreational fisheries that may be encountered in the Lease Area.
- A schedule of the recreational fishing tournaments that may overlap the survey in space and time, including communications channels for the tournament fleets.
- A gear entanglement protocol and reporting form for the Client Representative on the survey vessels.

The FLOs will be the primary point of contact and will work to resolve fisheries issues or gear conflicts that may arise. Standardized procedures are available to facilitate the filing of a claim for gear damage or loss that a fisherman may suspect was caused by survey activities. The claim procedure can be found in Attachment D.

4.2 Meteorological Buoys

Two meteorological data collection buoys have been deployed within the Lease Area, their positions have been provided in a Notice to Mariners and they are charted on NOAA nautical charts. The buoy locations are shown in Table 4-1.

Table 4-1 Meteorological Buoy Locations

Met Facility Location	Latitude (decimal degrees)	Longitude (decimal degrees)	Mean Lower Low Water Depth
FL1	36.8451	-75.4305	78 ft (24 m)
FL2	36.9683	-75.2448	105 ft (32 m)

Dominion Energy will collect and analyze meteorological data, inclusive of wind speed and direction at multiple heights, and metocean conditions within the Lease Area as part of site assessment activities. Collection of this data is being performed using an FLS200 buoy, which is a continuous-wave LiDAR system that can provide data across ten user-defined heights above the water from 32.8 feet (ft) to 656.2 ft (10.0 meters [m] to 200.0 m). The buoys are equipped with Automatic Identification System (AIS). The proposed Met Facilities represent state-of-the-art equipment that incorporate the best available technologies, mooring components, and mooring designs; ensuring reliable, quality data collection; robust mooring integrity; safety; and minimal environmental impacts.

5. Fisheries Communication Strategies

The fishing communities that utilize the Lease Area consist of small family businesses, complex multi-vessel companies, and individual fishermen. Vessels using the area may be resident in a local port, operate from a regional port outside of Virginia and/or move seasonally between multiple ports. The fishing industry is complex in that regard.

Dominion Energy acknowledges these complexities and the challenges they present when attempting to disseminate critical information to large numbers of fishermen in reliable, timely manner. Engagement efforts must embrace differences in the needs of these fishing communities. The Fisheries Communication Team will continue to use methods to target both the commercial and recreational users, and sub-groups of the same, in addition to general outreach strategies designed to engage the entire fishing community. Identifying the best ways to communicate with fishermen will be an ongoing process that will evolve over time with the inputs from fishermen, which are encouraged.

The fishing industry itself has a role to play in ensuring that effective communication and interaction takes place in a timely and constructive manner. Fishermen should be willing to engage, and be engaged, to discuss their concerns in an open and transparent way. These engagements will contribute to the assessment of fisheries in the area necessary to avoid and/or minimize negative impacts, develop solutions based on shared information and understanding, and reduce/eliminate conflicts to the greatest extent practicable.

Ongoing communication during all Project phases will be important in resolving issues or conflicts and informing fishermen of activities that could affect their operations.

5.1 Fisheries Communication Team

Dominion Energy has assembled a Fisheries Communication Team (Table 5-1) that is currently comprised of Dominion Energy management, FLOs, and Fishing Industry Representatives (FIRs), if necessary. In this structure, the FLO is responsible for the day-to-day interactions with the fishing community, reporting to the Dominion Energy Management Team. The FLOs are knowledgeable and experienced in local and regional fisheries.

Table 5-1 Fisheries Communication Team

Position	Contact	Company	Email	Tel
Marine Affairs Manager	Jerry Barnes	Dominion Energy	jerry.r.barnes@dominionenergy.com	(757) 266-2939
Environmental Technical Advisor	Scott Lawton	Dominion Energy	Scott.lawton@dominionenergy.com	(804) 205-6077
Fisheries Liaison Officer	Ron Larsen	Sea Risk Solutions, LLC	ronlarsen@searisksolutions.com	(570) 242-5023
Fisheries Liaison Officer	Wolfgang Rain	Sea Risk Solutions, LLC	wrain@searisksolutions.com	(570) 242-5023
Fishing Industry Representative	TBD	TBD	TBD	TBD

Any nominated FIRs will be comprised of a mix of recreational and commercial fisheries representatives. This combination of experience and skills, together with the leadership and resources of the Dominion Energy representative, form the Fisheries Communication Team. As with the entire FCP, this team will not remain static and will evolve over time as the Project progresses.

5.1.1 Fisheries Liaison Officer

The FLO is responsible for overall implementation of the communications plan, communicating project plans and activities that might impact the fishing industry during all phases of project development and implementation. The FLO will have a direct line of communication to the Project's senior management, through which to make recommendations for improvement and address complaints, concerns, and share other input received from the fishing communities.

The primary roles and responsibilities of the FLO are detailed in Attachment B of this document.

5.1.2 Fisheries Industry Representative(s)

The Fishing Industry Representatives (FIRs), if nominated, will be the main point of contact within a fishing industry and/or fishing organization. They do not work for or on behalf of Dominion Energy, but rather represent their respective fishing communities to the Dominion Energy Communication Team. The FIR should have prior acceptance of the fishing industry they represent and provide unbiased representation of the same. The FIR is normally an individual

who has worked extensively within the industry they represent but does not need to be an active fisherman.

Due the relatively small commercial fishing community that utilizes the lease area, Dominion Energy has been communicating directly with the fishing community and/or through the Coastal Zone Management Fishery Representative.

The primary roles and responsibilities of a FIR are detailed in Attachment C of this document.

5.2 General Strategies

The Dominion Energy Fisheries Communication Team will use an array of general outreach strategies designed to engage the entire fishing community. These strategies will offer various opportunities to access and/or receive timely updates on project activities and stress the need for feedback from fishing communities. Feedback from the fishing community will be encouraged, methods and opportunities to provide that feedback will clearly identified and readily available.

General outreach strategies that will be employed include, but are not limited to, the following:

- Maintain the dedicated webpage on the Dominion Energy website specifically for the fishing community with the latest project information, including relevant contact information and opportunities to submit feedback ([Coastal Virginia Offshore Wind | Dominion Energy](#)).
- Continue to update the current comprehensive email distribution list to provide regular project updates and other important Project notices.
- Regularly distribute updated asset and operational awareness bulletins showing the development area, depicted on local nautical charts, with a description of the assets in the area, the activities taking place, timelines and relevant contact information.
- Schedule and hold regular meetings, roundtables, open houses, and webinars with activities designed to educate the public, share project information, and solicit community feedback activities.
- Engage the existing Offshore Wind communications networks of the federal management agencies (e.g. USCG, US Navy, BOEM, NMFS, etc.), the regional fisheries management councils (e.g. MAFMC, NEFMC, etc.) and state agencies (e.g. VMRC, etc.) and provide links to the same.
- Publish announcements and share project updates with print and online industry publications and local news outlets.
- Establish a 24-hour phone line to address real-time operational conflicts and/or safety issues.
- Establish specific methods for communicating with fishermen while they are at sea.
- Issue Local Notice to Mariners (LNTM) ahead of offshore activities, as required.

5.3 Commercial Fisheries Engagement Strategies

In all cases, early identification of the commercial fisheries conducted in the Lease Area and engagement with the specific users is paramount to the success of this FCP. Dominion Energy has engaged with existing commercial fishermen's organizations, local leaders that represent the various gear types used in the area and individual fishermen. Valuable experience and relationships were developed during the CVOW Pilot Research project. The CVOW Pilot project was 2 turbines and 12 MW, all of the aspects of the FCP were implemented throughout the site assessment, construction and operations of that project. Additional engagement strategies for specific commercial fisheries users of the Lease Area include:

- Engage fixed gear fishermen to establish a set of guiding principles and procedures for 1) the identification and/or temporary relocation of fixed gear if/when needed, 2) the process for filing compensation claims associated with lost or damaged gear, and 3) agreed methods to determine any required compensation (where applicable).
- Schedule meetings with local fishermen (e.g. port meetings, webinars, etc.) when offshore operational plans and dates are confirmed to discuss the activity and identify potential conflicts.
- As needed, establish and support regular "Port Hours" with an open-door policy in local ports to encourage regular, local engagement to help identify and characterize important local details regarding fisheries operations and practices
- Based on the successful implementation during the CVOW Pilot project, Dominion Energy expects to utilize local vessels to act as Scout Boats during specific offshore activities. and if required, engage local fishermen to serve as Offshore Fisheries Liaison Representatives.
- Participate in commercial fishing conferences and trade shows, providing an additional point of engagement.

5.4 Recreational Fisheries Engagement Strategies

Recreational fisheries users that may be impacted by operations in the Lease Area are also represented by national organizations (e.g., American Sportfishing Association) local organizations (e.g., Virginia Saltwater Sportfishing Association), clubs (e.g., Virginia Beach Angler's Club) and individual fishermen. Additional engagement strategies specific recreational fisheries users of the Lease Area include:

- Engage the professional associations representing the 'For Hire' fleet of party and charter boats; schedule meetings to share information and obtain feedback.
- Identify and engage local offshore fishing clubs, attend meetings, deliver educational presentations and solicit feedback.
- Identify offshore fishing tournaments and dates; engage with tournament organizers, share operational plans and contact information; identify and monitor VHF channel used

by tournament.

- Participate in recreational fishing trade shows and have a presence during fishing tournaments

5.5 Planning for Subsequent Project Stages

- Site Assessment and Characterization – This stage of Project activity includes the marine G&G surveys as well the deployment of multiple environmental monitoring buoys. The Fisheries Communication Team will work with the regional fisheries community to promote awareness of the site assessment activities; the FCP will likely be updated several times during this phase of the Project.
- Design, COP Preparation and Submission- The Fisheries Communication Team will use the survey data fisheries inputs received to date to inform the Project layout. Continued engagement with the industry to review and understand the proposed layout. The FCP will continue to be refined as needed.
- Construction and Installation – Ahead of construction and installation activities, the FCP will be further refined and reviewed with the industry to facilitate ongoing communication and engagement.
- Operations & Maintenance – Following construction, the FCP will continue to be updated during the operational life of the Project in order to address the changing needs of the industry.
- Decommissioning– Prior to the decommissioning, the FCP will be updated to address this final phase of the Project.

As previously stated, the FCP will evolve over the life of the Project. This evolution will be based on shared experiences of Dominion Energy and the fishing community, regulators, and requires the continued engagement and dedication of all parties to be effective.

6. Compensatory Mitigation

Dominion Energy recognizes that commercial fishing and the CVOW projects share common ocean and both harvest a resource to benefit the citizens of Virginia and the United States. Dominion Energy also recognizes that coexistence of these user groups in this shared ocean may result in interactions between CVOW and commercial fishing activities. We believe that with proper planning, outreach, communication and training, fishing gear interactions can be avoided, minimized and/or mitigated. The following outlines Dominion Energy's approach to managing this issue in the unfortunate event of an interaction that results in a loss.

6.1 Gear Loss and/or Damage

Dominion Energy has implemented a claim process that can be found in Appendix D. This claim process originated under the CVOW Pilot project, has been implemented successfully, and will evolve for continued use during the CVOW Commercial project..

6.2 Lost Opportunity

Dominion Energy is creating a process for filing fishery lost opportunity compensation claims following the same general process outlined in Appendix D. This process will be consistent with Regional/National guidance that may be released on this subject. Until the lost opportunity process is finalized, the general process in Appendix D should be used to make any such request through the FLOs.

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Attachment A - References

This FCP is based on current best practice guidance and has been improved with input from the fishing industry through feedback and consultation. Best practice guidance that were considered includes but are not limited to:

- Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW) Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison, January 2014. Available online: <https://www.thecrownestate.co.uk/media/1775/ei-km-in-pc-fishing-012014-floww-best-practice-guidance-for-offshore-renewables-developments-recommendations-for-fisheries-liaison.pdf>
- Offshore Wind Best Management Practices Workshop, Feb 5-6, 2014, Final Report, Mid-Atlantic Fishery Management Council.
- Ecology and Environment, Inc. 2014. 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 Renewable Energy Programs, Herndon, VA. OCS Study BOEM 2014-654. 98 pp. Available at: <http://www.boem.gov/OCS-Study-BOEM-2014-654>.
- Guidelines for Providing Information on Fisheries Social and Economic Conditions for renewable Energy Development on the Atlantic Outer Continental Shelf Pursuant to 30 CFR Part 585, U.S. Department of The Interior, BOEM, Office of Renewable Energy Program, October 20, 2015.
- Guidelines for Information Requirements for a Renewable Energy Construction and Operations Plan, Attachment A – Version 3.0, BOEM April 2016
- Collaborative Fisheries Planning for Virginia's Offshore Wind Energy Area. OCS Study BOEM 2016-040, prepared by Virginia Coastal Zone Program. Available at: <https://static1.squarespace.com/static/5b3cf461d274cb109aa488d8/t/5eda58d10c46216a6f61cf1c/1591367902358/Virginia-Wind-Energy-Area-Collaborative-Fisheries+Planning-Final-Report.pdf>
- Kirkpatrick, A.J., S. Benjamin, G.S. DePiper, T. Murphy, S. Steinback, and C. Demarest. 2017. Socio-Economic Impact of Outer Continental Shelf Wind Energy Development on Fisheries in the U.S. Atlantic. Volume I—Report Narrative. U.S Dept. of the Interior, Bureau of Ocean Energy Management, Atlantic OCS Region, Washington, D.C. OCS Study BOEM 2017-012. 150 pp.
- Guidelines for Providing Information on Fisheries for Renewable Energy Development on the Atlantic Outer Continental Shelf Pursuant to 30 CFR Part 585, U.S. Department of The Interior, Bureau of Ocean Energy Management, Office of Renewable Energy Programs, June 2019.

- Fishing and Submarine Cables Working Together – International Cable Protection Committee, February 2009, Second Edition

Attachment B - Fisheries Liaison Roles and Responsibilities

The roles & responsibilities of the FLO include but are not limited to:

- Act as the Dominion Energy public outreach representative and principle contact to the fishing communities.
- Effective implementation of the FCP, with support of Fisheries Communication Team.
- Ensure timely communications and dissemination of information to fishermen groups regarding all relevant project activities.
- Support development of communication materials to ensure effective messaging.
- Organize meetings, as necessary, to obtain the fishing community's project feedback and communicate concerns to Dominion Energy management.
- Support development and maintenance of a comprehensive stakeholder database for all identified fisheries operating within the Lease Area throughout all stages of the project. Record relevant project information and communications, including presentations and individual conversations, maintaining confidentiality as appropriate.
- Share, present and discuss this FCP with industry and appropriate agencies; refine and enhance FCP based on real-time fishing industry feedback and ongoing outreach experience(s).
- Maintain awareness and, where possible, participate in meetings with fisheries groups, regulators, non-government organizations, policy makers, contractors working on the Project, and other offshore wind project developers to foster positive working relationships.
- Assess offshore activities and identify the need, if any, for Offshore Fisheries Liaison, static gear clearance and/or Scout Vessel; make recommendations for the same.
- Develop, recommend and/or comment on potential mitigation measures being considered for use during Project design, implementation and operation.
- Investigate and follow-up known complaints or concerns regarding fisheries related issues, including those regarding gear conflicts/interactions with Dominion Energy operational vessels.
- Be available to meet with fishermen representatives in person, via email or social media, phone, or radio outside of regular business hours and on weekends.

Attachment C - Fishing Industry Representative Roles and Responsibilities

The roles & responsibilities of a Fishing Industry Representative (FIR) include but are not limited to:

- Acting as the main point of contact within a fishing industry organization; accurately represent the views of the fishermen within his or her remit
- Liaise in good faith with the FLO to ensure the objectives of the FCP are achieved.
- Reliably disseminate information to and from the fishing community, in a timely and all-inclusive manner.
- Providing the Project with factual, reliable guidance on fishing activity in the area, drawing attention to fishing sensitivities and promoting responsible, equitable mitigation measures.
- Monitoring real time fishing activities and fleet movements in the lease area and inform Communications Team of the same.
- Advising fishermen of development works, activities and associated operational safety measures.
- Facilitate the organization fisheries meetings, as necessary, to obtain fishermen's feedback on project issues, concerns and potential solutions.
- Participate in negotiations on mitigating the effects of construction, operation and decommissioning which may include temporary movement of static gear, the use of scout vessels and/or deployment of an Offshore Fisheries Liaison Representative. Work with the FLO to identify candidates for the same.
- Immediately share known complaints or concerns regarding fisheries related issues, including those regarding gear conflicts/interactions with Dominion Energy operational vessel. Support any investigation and/or follow-up that may be necessary.
- Be available to meet with FLO and Communications Team in person, via phone and/or video conference on a regular basis.

Attachment D - Fishing Gear Damage or Loss Claim Procedure

Dominion Energy recognizes that commercial fishing and the Coastal Virginia Offshore Wind (CVOW) projects share common space and both harvest a resource to benefit the citizens of Virginia and the United States. Dominion Energy also recognizes that coexistence of these user groups in this shared space may result in interactions between CVOW and commercial fishing gear. We believe that with proper planning, outreach, communication and training, fishing gear interactions can be avoided and/or minimized. The following outlines Dominion Energy's approach to managing this issue, and in the unfortunate event of an interaction we have implemented the following claim process.

Outreach - Sea Risk Solutions serves as the Fisheries Liaison Officer (FLO) for the CVOW projects and will be the primary point of contact for fishery related issues. The FLO conducts extensive outreach and interacts with commercial and recreational fishermen, fishermen's associations, recreational tournament organizers, management authorities and support services to identify mariners that operate in areas where project activities are planned. Communications are established directly with identified fishermen, including methods for real-time communications in order to mutually share operational information and updates. The FLO is available for direct telephone inquiries to assist with coordination of activity between fishing and project operations and to address any fishery related questions and concerns.

Communications and Planning – Through the FLO, Dominion Energy provides direct communications, CVOW Mariner Information Sheets (MIS) and information to USCG Local Notice to Mariners to share operational updates, names of active vessels, activities being conducted and the specific areas of operation. This information can be found on the CVOW Project website listed below. CVOW has utilized local fishing vessels to serve as Scout Vessels to proactively survey upcoming work areas for fishing gear. If gear is located within the planned work area, we will try to identify and contact the owner of the gear. Each offshore vessel contracted by CVOW is advised to communicate early and often with fishing vessels operating in the area of survey activities, while always following USCG Rules of the Road.

Fisheries Briefing – CVOW contractors, including survey vessel masters, bridge officers and survey crew are briefed in local fisheries and their respective seasons and gear methods, how to identify and avoid fishing gear, and the importance of coordinating with local and regional fishermen. Fishing observations are recorded by onboard personnel, fixed gear positions are plotted for future reference and avoidance. Fishing vessel sightings and gear information are reported to the FLO for follow-up as necessary. Should an interaction occur, offshore contractors are briefed in how to respond to the event safely and responsibly, document the interaction and report immediately to the FLO. The FLO will follow-up with the fishing vessel operator and gather feedback to improve communication on vessel activities.

Filing a Claim – If you have experienced gear loss, damage or lost opportunity that you believe was caused by or was the result of CVOW activities, please follow the instructions below to submit a claim.

- 1) As soon as safe to do so, report incident via cell phone or email to FLO:
 - Ron Larsen at (570) 242-5023 or ronlarsen@searisksolutions.com and/or
 - Wolfgang Rain at (206) 427-6553 or wrain@searisksolutions.com
- 2) Within 30-days of the incident submit a complete, legible, executed Claim Form to:
 - *[claim-specific email address, to be established]*

Claim Review – All Claim Forms will be reviewed by FLO and Dominion Energy.

- 1) Within 30 days of receipt of a complete Claim Form, the Applicant will receive a written response which may include a request for additional information.
 - a. If the claim is confirmed, payment will be arranged with the Applicant.
 - b. If the claim is denied, a written explanation will be provided to the Applicant.
- 2) Applicants who disagree with the decision may file a written notice of appeal.
 - a. If the disagreement is unresolvable between the Applicant and Dominion Energy, a third-party mediator will be sought and agreed by the Applicant and Dominion Energy to resolve the issue.

Gear conflict prevention methods should be followed by all parties. Dominion Energy reserves the right to deny a claim should an applicant file multiple claims for gear loss in the same area. Any payment in connection with a filed claim will be considered a full release. Dominion Energy reserves the right to request additional information to support review of claim.

[Claim Form Appears on the Next 2 Pages]

Gear Loss Claim Form



Name		Business Name	
Address		Phone #	
		Email	
Home Port		Vessel Doc #	
Vessel Name		Federal License #	
State License #		Date of Incident	
Gear Type		Target Species	

Last Time Gear Set/Hauled	
Specific Gear Location (lat/Lon or TD)	
Gear Description (Markings, polyballs, Highflyers)	
Description of Incident Causing Damage/Loss	
Was any of the gear retrieved?	
How many gillnets, pots, highflyers, trawl, doors, ground cables, scissor legs, etc. are lost/damaged?	
Vessel(s) Observed in Area (Yes/No). If yes, Vessel Name(s)	
If claiming lost time, described normal gear configuration and fishing activity	

Additional information required to process Claim Form:

- ☐ Copy of a valid fishing permit.
- ☐ Proof of landing history through a VTR report, sales slip, or similar type of documentation that the vessel was fishing in the area for period of gear loss/damage
- ☐ Proof of ownership of the vessel capable of fishing area of loss, including photos.
- ☐ Sales slip or gear invoice for replacement or repair gear (must be substantially similar to gear that was lost/damaged).
- ☐ Location of gear loss/damage – either GPS coordinates and/or photo of chart plotter.
- ☐ Completed W-9 form (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>).

Gear Loss Claim Form



I, _____, as the Applicant hereunder authorize Dominion Energy to make whatever reasonable inquiries and investigations it deems necessary to verify my Application and request for compensation. Applicant understands that submitting this Application does not guaranty payment. Applicant further agrees that if this claim is accepted and paid in its entirety, that acceptance of such payment constitutes full, final and complete payment for this particular claim and that neither Dominion Energy, nor any of its affiliates shall have any further outstanding or ongoing obligation with respect to this particular claim and Applicant shall not, directly or indirectly, assert any claim, or commence, join in, prosecute, participate in, or fund any part of, any suit or other proceeding of any kind against Dominion Energy, or any of its affiliates, based upon this particular claim. If a claim is denied in part, Applicant may accept payment for the undisputed part without waiving Applicant's right to appeal the disputed part of the claim. Applicant recognizes that submission of this Application does not affect Applicant's rights concerning matters other than those specifically identified in this particular Application.

I attest, under penalty of perjury, that to the best of my knowledge the information in this Application is true and correct.

Signature

Date

Please return this form and the all required information, including a completed W-9 form, by one of the below methods:

- 1) Delivering an electronic copy via email to the FLOs Ron Larsen (ronlarsen@searisksolutions.com) and Wolfgang Rain (wrain@searisksolutions.com) with a copy to Dominion Energy's Jerry Barnes (jerry.r.barnes@dominionenergy.com); or
- 2) Mail a copy to:
Dominion Energy
707 E. Main St.
Richmond, VA 23219
ATTN: Jerry Barnes

Please note that the payment cannot be processed without a signature and W-9 form. Upon acceptance of the Application and confirmation of the validity of the claim, payment will be issued within 10 business days of such confirmation.

Additional information: