



Even Keel Wind

# Fisheries Communications Plan - Draft

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# Invenergy

Prepared For:

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**Change Log**

Date	Description	Revision Location

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## Acronyms/Abbreviations

BOEM	Bureau of Ocean Energy Management
CDFW	California Department of Fish and Wildlife
CPFV	Commercial Passenger Fishing Vessel
COP	Construction and Operations Plan
EIS	Environmental Impact Statement
EKW	Even Keel Wind
FCP	Fisheries Communications Plan
FCT	Fisheries Communications Team
FLO	Fisheries Liaison Officer
FR	Fisheries Representative
NOAA	National Oceanic and Atmospheric Administration
NOAA Fisheries	National Marine Fisheries Service
OFLR	Offshore Fisheries Liaison Representatives
OCS-P	Outer Continental Shelf-Pacific
PFMC	Pacific Fisheries Management Council
Project	Even Keel Wind, Lease Area OCS-P 0565
WEA	Wind Energy Area

# 1 Introduction

This Fisheries Communications Plan (FCP) provides the strategies and procedures to guide communication with commercial and recreational fishing communities that could be affected by the development of the Even Keel Wind (EKW) Project (Project). This FCP will evolve with continuous feedback and guidance from commercial and recreational fishermen (i.e., men or women who fish), fishing organizations, related industries, regulatory agencies, and Native American Tribes and Tribal Nations (Tribes). *(Details of EKW's Native American Tribes Communications Plan are in development and the FCP will be updated as appropriate, based on discussions with Tribes.)* The FCP will be periodically updated, refined, and made available on the EKW Project webpage (<https://evenkeelwind.invenergy.com/>). The principles of this FCP will facilitate robust engagement with fisheries stakeholders to help EKW:

- Reduce user conflict
- Inform Project design
- Build a better understanding between the Project and fisheries interests
- Improve public understanding of the Project
- Contribute to the creation of standards for the offshore wind industry



This FCP complies with the terms of Lease OCS-P 0565 (Addendum C, Section 3.1.2.1) between Invenergy California Offshore LLC (Invenergy) and the Bureau of Ocean Energy Management (BOEM). Development of Lease OCS-P 0565 will follow the requirements of offshore renewable energy and alternate use regulations at 30 CFR Part 585 as well as other applicable statutes and regulations.

## 1.1 Overview of Project Sponsor

Invenergy, a global renewable energy developer and the EKW Project sponsor, is a leading, privately held developer and operator of sustainable energy solutions. Invenergy has successfully developed more than 200 projects, including wind, solar, transmission infrastructure, green hydrogen, natural gas power generation, and advanced energy storage. Invenergy and its affiliates have successfully developed more than 31 gigawatts of energy by projects that are in operation, construction, or are contracted, including more than 890 megawatts of wind, solar, and advanced energy storage projects nationwide. These

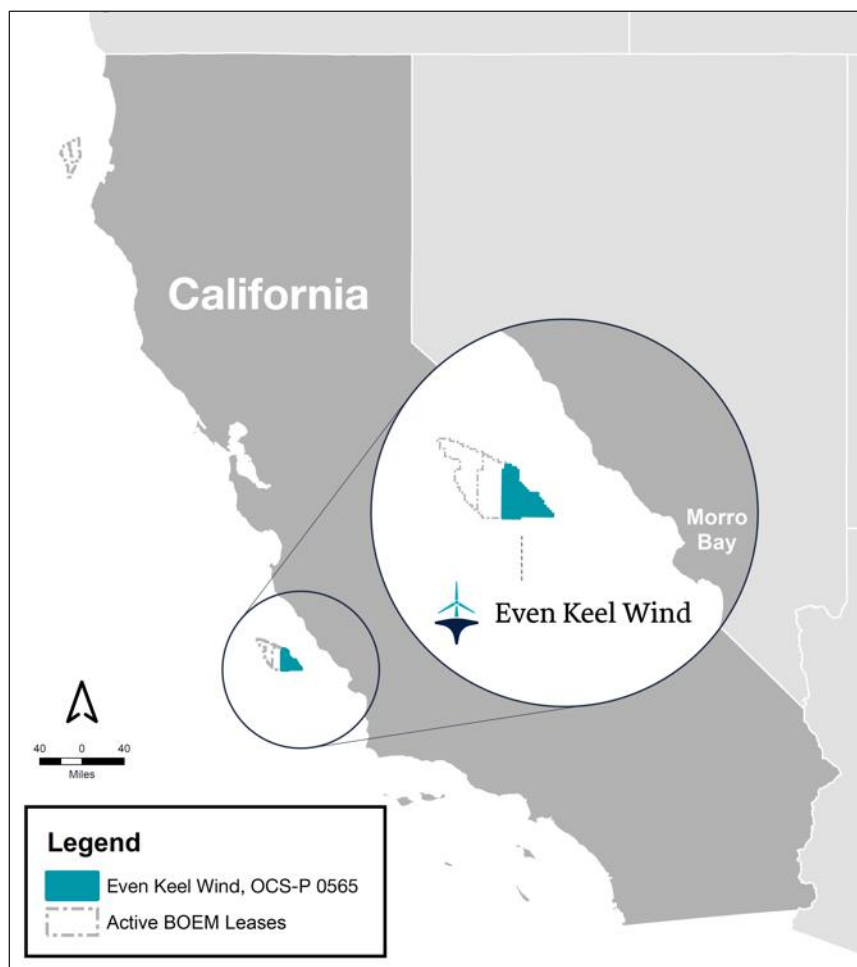
## 1 Introduction

projects align with the goals set forth by the state of California's renewable energy policy, which requires 60 percent of the state's energy to come from renewable sources by 2030. California is expected to reach its goal of 100 percent clean electricity by 2045<sup>1</sup>. Invenergy's EKW Project operates under the supervision and regulatory authority of BOEM as the lead federal agency and [TBD] as the lead state agency.

### 1.2 Overview of Project

In December 2022, BOEM provisionally awarded Invenergy the 80,000-acre Lease Area OCS-P 0565 in federal waters offshore San Luis Obispo County, California. A final lease, with an estimated installation capacity of 2,000 MW, was executed for the EKW Project on June 1, 2023.

**Figure 1** Invenergy's Project Lease Area OCS-P 0565



<sup>1</sup> [SB 100 Joint Agency Report \(ca.gov\)](https://www.energy.ca.gov/sb100): <https://www.energy.ca.gov/sb100>

## 1 Introduction

The Project is anticipated to consist of offshore wind turbine generators and an export cable interconnecting to an onshore substation that will deliver power to the regional electrical grid (collectively, these components represent the “Project area.” The Project is anticipated to provide power to over 650,000 homes in California annually.

### 1.3 Principles and Objectives

The principle guiding the FCP is that the fishing industry and offshore wind energy development can coexist and thrive. EKW’s strategy is to thoroughly evaluate existing uses in the Lease Area, adjacent waters, and cable routes; avoid impacts where feasible; and reduce impacts through mitigation. Timely communication and information sharing are essential to identify and avoid potential conflicts among users in the Lease Area. By sharing information on fishing activities, planned infrastructure locations, cable routes, vessel movements, and safety zones, fisheries stakeholders and EKW can work together to identify, mitigate, and prevent potential conflicts.

This FCP is developed in accordance with BOEM guidelines, as well as best practices guidance from other resources, such as:

- *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* (Ecology and Environment, Inc. 2014)
- *The Fishing Liaison with Offshore Wind and Wet Renewables Group Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison* (FLOWW 2014)
- National Oceanic and Atmospheric Administration Marine Fisheries Service Office of Science and Technology

Active engagement with the fishing industry will help the Project reduce and avoid stakeholder conflict, create a positive narrative, and strive to serve as an “industry standard” for future offshore wind farm developments.

### 1.4 Fisheries Communications Plan Guiding Principles

This FCP is intended to create and promote a straightforward, professional, open, and ongoing dialogue among fishermen and related industries in and around the Project area. The goal is to promote compatible shared use through responsible development of the offshore resources. Consistent with BOEM expectations for all leaseholders, the FCP achieves accountability and transparency through continual engagement, reporting, feedback, and refinement.

## 1 Introduction

To achieve this goal, the FCP will focus on a set of core principles:

- **Transparency and Accountability.** Facilitate open, efficient, timely, and transparent communications to promote awareness and safety.
- **Diverse Experiences.** Seek out and apply the diverse expertise and knowledge of the commercial and recreational fishing communities in the shared Project area.
- **Respectful Communication.** Acknowledge and respect the concerns and interests of fishing interests and their supporting businesses.

### 1.5 Fisheries Communications Plan Objectives

This FCP defines outreach and engagement strategies necessary to inform commercial and recreational fishermen about Project activities in a timely manner and build reliable and cooperative working relationships between EKW and fishing communities. These relationships are the foundation for identifying and addressing the challenges that arise with coexistence in the shared ocean space. To work toward effective shared use, EKW has identified the following objectives for the FCP:

- Promote the safety of fishermen, offshore survey crews, and construction crews transiting and working in the Project area.
- Proactively solicit fishery stakeholder concerns and strive for open, transparent communication to avoid conflicts before they develop, and quickly, fairly, and equitably resolve fisheries-related conflicts that may develop during the life of the Project.
- Identify potential adverse impacts to fishermen and related industries; understand, as fully as possible, historic, current, and potential commercial and recreational fisheries in the affected area; and make informed decisions on how to avoid, minimize, and/or mitigate effects.
- Identify potential opportunities to enhance the safe and productive shared use of the Project area.
- Create an authentic and professional coexistence of fishing and wind energy in which both will prosper on a long-term basis.
- Establish a single point of contact to serve as a facilitator between EKW and fisheries stakeholders (i.e., the Fisheries Liaison Officer [FLO]).



## 2 Fishing Activities Within the Project Area

## 2 Fishing Activities Within the Project Area

*(Information in this section will be updated once EKW's Fisheries Assessment, in progress, is complete.)*

### 2.1 Commercial Fishing

The commercial fishing industries in and around the Project area consist of both mobile and fixed fishing gear operations. Vessels that work in the Project area typically travel along the coastline to fishing ports between Alaska and the Mexico border. Mobile fishing gear operations include trawl and seine. Fixed or static gear operations include hook and line, trap, and drift gillnet. Fishing gear types that are most economically significant for the Project area include trawl, seine, hook and line, gillnet, trap, harpoon, hand, and other non-specified gear types, though the primary gear are trawl and seine. According to the California Department of Fish and Wildlife's (CDFW's) Marine Fisheries Data Explorer, of these gear types, Morro Bay seine fisheries have captured the most pounds of seafood over the last ten years (2012-2022; 15,909,165 pounds) whereas trap style fisheries generate the most revenue (\$35,845,292). Trawl fisheries harvested 4,730,298 pounds of seafood for a revenue of \$5,401,132. Some of the historically significant fisheries to Morro Bay fishermen are Dungeness crab, sablefish, market squid, Pacific hagfish, thornyhead, pink ocean shrimp, lingcod, California halibut, white seabass, spot prawn, rockfish, swordfish, and tuna.



The Project area is used for transit by commercial fishing vessels. Automatic Identification System<sup>2</sup> data indicate some commercial fishing vessels move through the Project area in a northeasterly or southeasterly direction to and from offshore fishing grounds. Fishermen who work in the Project area often travel to fish other areas, and may collectively cover the length of the West Coast and all fishing ports in between.

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<sup>2</sup> Automatic Identification Systems are only required on commercial vessels greater than 65 feet in length and must be actively transmitting within 12 nautical miles from shore. Vessel Monitoring Systems are required by vessels participating in some federally managed fisheries.

## 2 Fishing Activities Within the Project Area

### 2.2 Recreational Fishing

The primary method of recreational harvest in and around the Project area is hook and line with some use of fixed gear methods, including traps. Two groups of recreational fishermen who use hook and line are “sport” fishermen, typically piloting privately owned and operated vessels, and professional captains-for-hire, who guide commercial passenger fishing vessels (CPFV) that generally organize one- to two-day fishing trips for the public, who pay for the service and hold recreation fishing licenses. The CPFVs can take up to six people, while the larger vessels (commonly referred to as “party boats”) can accommodate up to 49 people. All CPFV captains who lead these chartered fishing boats for recreational fishing trips must be licensed by the U.S. Coast Guard. Private recreational vessels fish in and around the Project area within hard bottom outcroppings where such structures result in greater abundance of desirable fish species.

### 2.3 Fisheries Management and Data Collection Sources

The management of commercial fisheries in California involves a comprehensive approach to sustainably utilize and protect marine resources. This includes regulations on fishing seasons, quotas, gear types, and catch limits. The CDFW oversees these regulations, working in collaboration with federal agencies like the National Oceanic and Atmospheric Administration Marine Fisheries Service (NOAA Fisheries) in state waters, out to 3 nautical miles offshore. Fishing activities that occur in federal waters from 3 to 200 nautical miles offshore are managed by NOAA fisheries. The OCS-P 0565 Lease Area primarily occurs in Federal waters; however, Project infrastructure, including cable routes, extend into waters regulated by the state of California.

Commercial and recreational fisheries operating in and around the Project area are subject to regulations and reporting protocols that result in numerous data sets. These regulatory programs and data collection often involve interjurisdictional management between NOAA Fisheries and regional fisheries management councils (e.g., Pacific Fisheries Management Council [PFMC], CDFW). In addition, many of the fishing vessels operating in and around the Project area are subject to tracking via a Vessel Monitoring System, which creates a spatial data record of vessel activities in the form of a GPS location and time, which is then relayed through a communication service provider to NOAA fisheries. Other vessels have permits for regulated species that require effort and landings to be reported via Vessel Trip Reporting. The project will use these fisheries-dependent data to assess the historical fishing activity inside the Project area and will also use the information to help direct Project engagement needs.

Several sources will be used to characterize fishing activity in and around the Project area, including, but not limited to:

- CDFW, Marine Fisheries Data Explorer (<https://wildlife.ca.gov/Conservation/Marine/Data-Management-Research/MFDE>)
- NOAA Fisheries West Coast Region (<https://www.fisheries.noaa.gov/west-coast/resources-fishing/vessel-monitoring-system-west-coast>)

## 2 Fishing Activities Within the Project Area

- NOAA Fisheries fisheries stats  
(<https://www.st.NOAA Fisheries.noaa.gov/st1/index.html>)
- NOAA Fisheries Essential Fish Habitat Mapper  
(<https://www.fisheries.noaa.gov/resource/map/essential-fish-habitat-mapper>)
- NOAA Fisheries Fishery Independent Survey Data  
(<https://www.st.NOAA Fisheries.noaa.gov/st4/ifso/index.html>)
- NOAA Fisheries Species Information System  
(<https://www.st.NOAA Fisheries.noaa.gov/sisPortal/sisPortalMain.jsp>)
- NOAA data (fish stock assessments, population and ecosystems monitoring and analysis division, fishery monitoring, and research)
- NOAA Fishing Gear: Purse Seines  
(<https://www.fisheries.noaa.gov/national/bycatch/fishing-gear-purse-seines>)
- NOAA Fishing Gear: Bottom Trawls  
(<https://www.fisheries.noaa.gov/national/bycatch/fishing-gear-bottom-trawls>)
- NOAA California Market Squid  
(<https://www.fisheries.noaa.gov/species/california-market-squid>)
- NOAA Fisheries Office of Science and Technology independent survey system  
(<http://www.st.NOAA Fisheries.noaa.gov/st4/ifso/index.html>)



## 2 Fishing Activities Within the Project Area

- PFMC Fishery Management Plans  
(<https://www.pcouncil.org/fishery-management-plans/>)
- PFMC Amendments  
(<https://www.pcouncil.org/groundfish-fishery-management-plan-and-amendments/>)

### 3 Offshore Surveys and Data Collection

EKW will use fisheries data from the aforementioned sources to inform site characterization and development of the Constructions and Operations Plan (COP). Additional data will be gathered through fisheries stakeholder engagement and field surveys. Information on fishing locations, catch, and gear usage will be obtained through community engagement among the FLO, Fisheries Representatives (FR),<sup>3</sup> and commercial and recreational fishing communities. These engagement activities are described further in Section 4.1.1 and Section 4.1.2. Offshore surveys for benthic, geophysical, and geotechnical will be conducted, and in accordance with lease requirements, EKW will notify applicable ocean users in advance of any field survey activities.



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<sup>3</sup> Fisheries Representatives nominated by fishing industry, may be funded by lessee (not employed by) who is responsible for communication planning, identifying those methods and frequency, outreach meeting facilitation, support, and engaging the fishermen (BOEM Fishing BMPs 2014). The FR represents a particular fishery, organization, gear type, port, region, state, or sector and are responsible for communicating feedback from their represents a particular fishery, organization, gear type, port, region, state, or sector and are responsible for communicating feedback from their stakeholder group to the FLO. An FR is typically an individual who has worked extensively within the stakeholder group they represent but does not need to be an active fisherman.



## 4 Fisheries Communication Strategies

### 4.1 Fisheries Communication Team

The Fisheries Communication Team (FCT) is comprised of EKW, the FLO, and FRs. The FCT will work together to provide fishery stakeholders with up-to-date, relevant details about the Project and its potential to affect fishing activities within the Project area. The FRs and FLO will lead fisheries communication, and BOEM and EKW will serve in support roles. BOEM will appoint Project Coordinators for Lease Area OCS P-0565 and for the Morro Bay WEA, who will each serve as the primary point of contact for other federal, state, and local government agencies, developers, and other stakeholders regarding fisheries and other relevant topics. FRs represent a particular fishery, organization, gear type, port, region, state, or sector and are responsible for communicating feedback from their stakeholder group to the FLO. The FLO and FRs will work together to review, evaluate, and improve the effectiveness of fisheries-related outreach and communication. EKW may designate an Offshore Fisheries Liaison Representative (OFLR) to communicate with fishermen ahead of and during offshore field surveys. Table 1 outlines contact information for the FCT.

**Table 1 Project Primary Points of Contact for the EKW Fisheries Communication Team.**

Role	Organization	Contact Name	Contact Information
Senior Manager, Environmental Compliance & Strategy	EKW	Kristen Hislop	<a href="mailto:khislop@invenergy.com">khislop@invenergy.com</a>
Fisheries Liaison Officer	EKW (contracted through Stantec)	Laura Casali	<a href="mailto:Laura.Casali@stantec.com">Laura.Casali@stantec.com</a>
Offshore Fisheries Liaison Representative	Members of the fishing community	TBD	TBD
Fisheries Representative(s) [including from Tribal Fisheries]	To be identified based on need	TBD	TBD

## 4 Fisheries Communication Strategies

**4.1.1 EKW ENVIRONMENTAL COMPLIANCE TEAM**

As the project sponsor, EKW will attend leaseholder and fishing community stakeholder meetings and coordinate closely with the FLO, FRs to receive, integrate, and disseminate information relevant to the engagement process. The Senior Manager of Environmental Compliance & Strategy will serve as EKW's point of contact throughout the engagement process. The FLO will be contracted by EKW and will work on behalf of the Project.

**4.1.2 BOEM PROJECT COORDINATOR AND MORRO BAY WEA COORDINATOR**

BOEM will identify two coordinator roles within its agency—a coordinator unique to the Project and a coordinator for all three leases within the Morro Bay WEA. [To be updated.] The former will serve as the primary point of contact for other federal, state, and local government agencies, developers, and other stakeholders regarding the Project, and the latter will serve in a similar function but coordinate activities across and represent all three leaseholders in the Morro Bay WEA.

**4.1.3 FISHERIES LIAISON OFFICER – ONSHORE COORDINATION**

The FLO is responsible for the coordination and communication of site activities with affected commercial, recreational, and subsistence fishing communities and harbor districts. BOEM requires an individual be retained by the lessee to serve as its primary point of contact with commercial and recreational fisheries (i.e., FLO). The FLO is responsible for overall implementation of the FCP and communicating Project plans and activities that might affect the fishing industry during Project development, construction, and operations. The FLO will make recommendations to EKW senior management concerning coordination strategies and stakeholder complaints, input, and concerns. The FLO will be responsible for:

- Serving as primary point of contact for FRs.
- Networking among all fisheries stakeholders to receive input and disseminate information regarding the Project.
- Validating fisheries information through cross-referencing data sources and stakeholder engagement.
- Developing relationships and fostering communication with individuals who represent fishing regions, industries, and interests within the Project area.
- Conveying current fishing industry concerns and feedback to the Project team so they can identify and work toward solutions.
- Communicating Project offshore surveys with the fisheries stakeholder communities.
- Organizing meetings to garner fishermen's views of Project effects on their industry and navigational rights.

#### 4 Fisheries Communication Strategies

- Developing a stakeholder list, in consultation with the FR, that includes relevant fishery community individuals, officials, and organizations for communication efforts.
- Serving as the primary point of contact for, and coordinating resolution of, gear conflicts, such as equipment damaged or lost because of Project infrastructure. Appendix A provides a draft of the standardized claim procedure established to facilitate the filing of a claim for potential gear damage or loss.

The FLO is contracted by EKW and will work on behalf of the Project.

##### **4.1.4 OFFSHORE FISHERIES LIAISON REPRESENTATIVES – OFFSHORE CAMPAIGNS**

EKW may employ OFLRs on vessels involved in Project-related offshore activities that use towed gear to reduce conflicts between Project-related survey vessels and fishermen working within a survey area as needed. Ahead of each survey effort the OFLR will gather information from fishermen about fishing vessels and equipment types in the survey area and communicate this to the survey vessel crew to avoid working in the same areas where fishing gear are deployed. The OFLR will perform the following:

- Establish and maintain professional, respectful, and friendly communication with fishing vessels in the Project area.
- Communicate between survey crews and fishing vessels working in the same area to prevent interactions between both parties' gear.
- Document communications with fishing vessels.

##### **4.1.5 FISHERIES REPRESENTATIVES**

FRs represent a particular fishery, organization, gear type, port, region, state, or sector and are responsible for communicating feedback from their stakeholder group to the FLO. An FR is typically an individual or organization who has worked extensively within the stakeholder group they represent but does not need to be an active fisher. The FRs are tasked with adequately and fairly representing their respective stakeholder group of which the FRs also support.

In addition, FRs:

- Facilitate communications during Project planning and construction phases.
- Provide EKW with guidance, through the FLO, on fishing activity and fishing sensitivities in the Project area.
- Are knowledgeable about different fishing sectors, seasons, key species, fishing patterns, and gear types and have fishing experience in the region.



## 4 Fisheries Communication Strategies

These representatives are part of the fishing community and do not work for or on behalf of EKW, but EKW may compensate FRs for their time and expenses.

### 4.2 General Strategies

The FCT will effectively engage with fisheries stakeholders by offering opportunities to receive regular updates on Project activities and encouraging feedback regarding fishing activities (e.g., peak fishing seasons) and ways to avoid offshore conflicts between survey vessels and fishing vessels. In addition, EKW and other Morro Bay leaseholders are engaging with one another under the shared goal of consolidating communications with resource-limited stakeholders.

The primary outreach strategy will be threefold, consisting of a fisheries-specific portion of the Project website, face-to-face public meetings or virtual webinars, and direct engagement through “dock visits” and dock hours.

The fisheries-specific section of the EKW website will include:

- FCP contact information, a feedback submittal form, and the ability to sign up for Project notifications via text and email. EKW will submit regular updates to the mailing list and social media platforms.
- Up-to-date Notices to Mariners and information on activities in the Project area (depicted on local nautical charts) with a description of vessels, activities, schedules, and contact information.

In-person and virtual meetings will include:

- Regularly scheduled public engagements (e.g., dock hours) and webinars on Project activities designed to educate fisheries stakeholders, share Project information, and solicit feedback.
- FCT attendance at PFMC meetings so stakeholders can provide feedback as issues arise throughout discussions.
- FCT participation in agency-led meetings regarding the Project.

The FCT will also submit announcements to print and online industry publications and local news outlets; establish methods for communicating with fishermen while they are at sea; and establish methods to submit input for inclusion in EKW’s biannual BOEM Progress Reports. BOEM progress reports, submitted every six months in compliance with the Project lease, will document engagement with fishermen.

### 4.3 Commercial Fisheries Engagement Strategies

Early engagement with the commercial fisheries in and around the Project area is paramount to the success of this FCP. Commercial Fishing Associations include:

- Alliance of Communities for Sustainable Fisheries (ACSF)
- California Wetfish Producers Association
- Carmel River Steelhead Association

#### 4 Fisheries Communication Strategies

- Central California Joint Cable/Fisheries Liaison Committee
- Central Coast Women for Fisheries, Inc.
- City of Monterey Harbor
- City of Morro Bay
- City of Morro Bay Harbor
- Commercial Fishermen of Santa Barbara
- Fishermen's Alliance
- Golden Gate Fishermen's Association
- Half Moon Bay Fishermen's Marketing Association
- Monterey Fishermen's Marketing Association
- Morro Bay Commercial Fishermen Organization
- Moss Landing Commercial Fishermen's Association
- Moss Landing Harbor District
- Pacific Coast Federation of Fishermen's Associations
- Pillar Point Commercial Fishermen
- Pillar Pt. Harbor, San Mateo County Harbor District
- Port San Luis Commercial Fishermen's Organization
- Port San Luis Fishermen's Marketing Association
- Port San Luis Harbor District
- Recreational Fishermen of America
- Responsible Offshore Development Alliance (RODA)
- San Diego Fishermen's Working Group
- Santa Cruz Fishermen's Marketing Association
- Santa Cruz Port District
- Southern California Trawlers' Association
- Ventura County Commercial Fishermen's Association
- Western Fishboat Owners Association

The FCT is responsible for engaging with fishery advocacy organizations (e.g., Morro Bay Commercial Fishermen's Organization, Port San Luis Commercial Fisherman's Organization, Pacific Coast Federation of Fishermen's Associations), regional fishery councils (e.g., PFMC), and individual fishermen. The FCT will use the following strategies to engage specifically with commercial fisheries:

- Work with fixed-gear fishermen to establish a set of guiding principles and procedures to:
  - Establish a method to identify the location of fixed gear for the purpose of routing offshore wind-related activities around or temporary relocation of such gear.
  - Develop a process for filing claims associated with gear loss or damage sustained while fishing near Project infrastructure.
  - Compile agreed upon mitigation measures to reduce Project impacts on fishermen.
- Schedule meetings with local fishermen (e.g., port meetings, webinars) ahead of each key Project milestone to discuss the activity and identify potential conflicts.

#### 4 Fisheries Communication Strategies

- Establish regular “port hours” in stakeholder ports to encourage consistent, local engagement to identify and characterize important details regarding local fishermen operations. Port hours may be coordinated with other leaseholders.
- Engage local fishermen to serve as OFLRs (Section 4.1.4) on vessels working in the Project area, and secure local vessels to function as scout boats during Project-related offshore activities.
- Participate as a vendor in commercial fishing conferences and trade shows to provide an additional point of engagement.

### 4.4 Recreational Fisheries Engagement Strategies

Recreational fishermen who may be affected by Project activities are represented by the following organizations:

- |                                     |  |
|-------------------------------------|--|
| • Recreational Fishing Alliance     | • Fishermen In Business (Christian Anglers Club) |
| • American Sportfishing Association | • High Desert Salt Water Anglers                 |
| • San Diego Anglers Club            | • Dana Angling Club                              |
| • Avalon Tuna Club                  | • Glendora Rod & Reel Club                       |
| • Balboa Angling Club               | • Inland Salt Water Anglers Club                 |
| • Dana Point Kayak Fishing Mafia    | • Mission Bay Marlin Club                        |
| • Dana Wharf Lady Anglers           | • The Marlin Club                                |

Through these organizations, the FCT will:

- Solicit feedback and meet with professional associations representing CPFVs.
- Engage local offshore fishing clubs to attend their meetings, deliver educational presentations, and solicit feedback.
- As needed, identify offshore fishing tournaments and dates, engage with tournament organizers, share operational plans and contact information, and identify and monitor the VHF channel used by the tournament.
- Attend regional sportfishing conferences and trade shows to provide an additional point of engagement and educate the recreational fishing community.

### 4.5 Coastal Resources Management

EKW will engage with coastal resources management bodies as appropriate. (e.g., PFMC, CDFW, California Coastal Commission). *(List forthcoming.)*

### 4.6 Planning for Subsequent Project Stages

The FCP will evolve as the Project reaches key development milestones, and as dictated by the shared experiences of EKW and the FCT and ongoing feedback from the fisheries stakeholders, regulatory

#### 4 Fisheries Communication Strategies

agencies, and Tribes. EKW will submit a refined version of the FCP on the Project fisheries-specific webpage (<https://evenkeelwind.invenenergy.com>) following each update.

The Project includes the following phases:

- **Surveys and Data Collection.** This phase includes data collection and survey campaigns, such as surveys for geophysical and geotechnical characteristics and benthic topography, sediments, and habitat; submerged aquatic vegetation; marine mammals and sea turtles; offshore birds and bats; underwater noise; sediment transport and water quality; and a suite of terrestrial surveys and other studies which will support the Project's COP. The FCT will notify applicable ocean users before any field survey activities which may affect fisheries stakeholders.
- **Design and COP Preparation.** EKW will use survey results, fisheries data, and inputs derived from engagement undertaken by the FCT to inform the Project design and layout (e.g., wind turbine generators, offshore substation foundations, inter-array cable, and export cable routes) and reduce conflicts.
- **Construction and Installation.** The FCT will communicate consistently with the fishing community ahead of and throughout construction and installation activities and provide feedback to EKW concerning proposed adjustments to activity timing and scope that may reduce conflicts with fishermen.
- **Operations and Maintenance (O&M):** The FCT will communicate consistently with the fishing community throughout the O&M phase. A dedicated line of communication will be established and will be adapted over time to serve the needs of marine stakeholders for the life of the active Project.
- **Decommissioning:** Decommissioning is anticipated to occur 25-35 years following construction, though its effects must be disclosed ahead of time in the Project's environmental documents. Prior to decommissioning, the FCP will be reestablished to communicate with the fishing community ahead of decommissioning-related surveys or activities.

## 5 Coordination of Engagement Across Leases

EKW and other Morro Bay leaseholders are engaging with one another with the shared goal of consolidating communications with resource-limited agencies and stakeholders and obtaining feedback from these parties concerning strategies for communications and information sharing throughout the development and permitting processes. EKW pledges to adhere to the following principles during collaborations with adjacent leaseholders:

- To work together to identify innovative avoidance, minimization, mitigation, and monitoring measures based on lessons learned in the industry both domestically and globally.
- To seek opportunities to meet as a group on select topics to reduce the need for individual meetings with fisheries stakeholders.
- To seek to meet jointly in other forums and/or request joint Morro Bay WEA presentations/agenda items at various working group and stakeholder meetings to reduce the need for Project-specific presentations.
- To work together to coordinate port hours so that FRs, fishermen have consolidated times to discuss issues with Morro Bay WEA leaseholders.



## **Appendix A Gear Loss Claim Form: Even Keel Wind**

### **I. Filing a Claim**

Invenergy Wind Offshore LLC (“Even Keel Wind”) and its contractors will make every viable attempt to avoid damaging fishing gear during development activities (survey, construction, operation).

In the event that a party (“Applicant”) experiences gear loss or damage that they believe can reasonably be attributed to Even Keel Wind’s activities, the Applicant should complete the attached claim form.

### **II. Requirements for Filing a Claim**

1. Notify Fisheries Liaison Officer, Laura Casali, of gear loss or damage within 3 days of the incident via cell phone at (831) 246-2181. Please provide name and contact information.
2. Fill out “Gear Loss Claim Form” (attached); form must be legible and completed in its entirety.
3. Include the following attachments with the claim form:
  - (1) Copy/proof of a valid fishing permit
  - (2) A vessel trip report (VTR) for the trip in which the gear loss/damage occurred, or sales slip for fish landings for period of gear loss/damage showing that the vessel was fishing in the area at the time of the incident
  - (3) Proof of vessel ownership
  - (4) Photos of vessel/damaged gear
  - (5) Copy of receipt for original purchase of fishing gear that was lost/damaged.
  - (6) Sales slip or gear invoice for replacement or repair gear (must be identical to gear that was lost/damaged)
  - (7) Location of gear loss/damage – either GPS coordinates and/or photo of chart plotter.
  - (8) Completed W-9 form (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>)
4. Submit the completed claim form and the required attachments within 30 days of incident through one of the following methods:
  - Email to:
    - a. Fisheries Liaison Officer, Laura Casali, at Stantec  
[Laura.Casali@stantec.com](mailto:Laura.Casali@stantec.com)
    - b. Even Keel Wind Project Director, Kristen Hislop, at Invenergy  
[KHislop@invenenergy.com](mailto:KHislop@invenenergy.com)
  - Mail to:  
Address TBD

### **III. Process for Claim Review**

1. Claims will be reviewed by Even Keel Wind Fisheries Liaison Officer and an Even Keel Wind Representative.
2. Applicants will be notified of the result of the review, in writing, within 30 days of receiving the completed claim form and required attachments.
  - If the claim is found to be valid, payment will be remitted to the Applicant within 10 business days of approval by Even KeelWind.
  - If the claim is denied, a written explanation will be provided to the Applicant.
3. Applicants who wish to contest the decision may file a written notice of appeal with Even Keel Wind. The appeal will be deferred to a third party for review. The decision of the third party is final and not subject to any further right of appeal.

Invenergy Wind Offshore LLC will not be held liable for gear loss or damages that could have reasonably been prevented by Applicant. If Applicant accepts payment from Invenergy Wind Offshore LLC as a result of a claim, Invenergy Wind Offshore LLC will be deemed fully released from the respective claim. Invenergy Wind Offshore LLC reserves the right to request additional information to support review of a claim; the review process will be extended by 15 days upon receiving any additional information.

**[Claim Form Attached]**

**Gear Loss Claim Form (Page 1 of 2)**

Applicant Name: \_\_\_\_\_

Applicant Phone Number: \_\_\_\_\_

Applicant Email: \_\_\_\_\_

Date and Approximate Time of Incident: \_\_\_\_\_

Vessel Name: \_\_\_\_\_

Home Port: \_\_\_\_\_

State License #: \_\_\_\_\_

Federal Permit #: \_\_\_\_\_

Fishing Gear Type: \_\_\_\_\_

Description of Gear Lost/Damaged: Include as much detail as possible to describe lost/damaged gear and extent of damage. Continue writing on back if necessary.

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Quantity of gear lost (if applicable): \_\_\_\_\_

Replacement Cost: \$ \_\_\_\_\_

Total Damage Cost: \$ \_\_\_\_\_

Include the following attachments: \_\_\_\_\_



- ☐ Copy of a valid fishing permit.
- ☐ A vessel trip report (VTR) for the trip in which the gear loss/damage occurred, or sales slip for fish landings for period of gear loss/damage showing that the vessel was fishing in the area at the time of the incident.
- ☐ Proof of vessel ownership
- ☐ Proof of fishing permit
- ☐ Photos of vessel/damaged gear
- ☐ Copy of receipt for original purchase of fishing gear that was lost/damaged.
- ☐ Sales slip or gear invoice for replacement or repair gear (must be identical 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 (Page 2 of 2)**

I, \_\_\_\_\_, as Applicant hereunder, hereby understand that submitting this Gear Loss Claim Form does not guarantee payment. I further acknowledge and agree that (i) if this claim is accepted and paid by Invenergy Wind Offshore LLC, my acceptance of such payment constitutes full, final, non-appealable and complete payment for the claim and that neither Invenergy Wind Offshore LLC nor any of its affiliates, and its and its affiliates' contractors, agents or employees shall have any further outstanding or ongoing liability or obligation with respect to this claim or the loss of or damage to the gear described above, and (ii) I hereby release and discharge Invenergy Wind Offshore LLC and its affiliates, contractors, agents and employees from all liability related to the claim as of the date of acceptance of the payment. I further acknowledge and agree that I 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 Invenergy Wind Offshore LLC or any of its affiliates, based upon this claim. Additionally, I understand that any payment is the result of a compromise of a disputed claim, and that neither this release nor any payment shall be considered an admission of liability by Invenergy Wind Offshore LLC with respect to the disputed claim.

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

\_\_\_\_\_

Printed Name

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

Submit this completed claim form and the required attachments within 30 days of incident through one of the following methods:

Email to: Fisheries Liaison Officer, Laura Casali, at [Laura.Casali@stantec.com](mailto:Laura.Casali@stantec.com) and Even Keel Wind Senior Manager, Environmental Compliance and Strategy, Kristen Hislop, at [KHislop@invenenergy.com](mailto:KHislop@invenenergy.com)

Mail to:

TBD