

**New York Environmental Technical Working Group (E-TWG)  
Meeting Summary – 22 April 2021**

	<u>Name</u>	<u>Date</u>
Prepared by	Julia Gulka, Biodiversity Research Institute	4/26/2021
Reviewed by	Kate Williams, Biodiversity Research Institute	6/9/2021
Reviewed by	Bennett Brooks, CBI	6/10/2021
Reviewed by	Kate McClellan Press, NYSERDA	6/14/2021
Reviewed by	Farrah Andersen, Cadmus	6/15/2021

*Disclaimer: While all efforts were made to accurately represent E-TWG discussions, the views expressed in this summary may not represent the views of all E-TWG members.*

## Background

As part of New York State's efforts to responsibly develop offshore wind energy, the New York State Energy Research and Development Authority (NYSERDA) convened the Environmental Technical Working Group (E-TWG) to provide input to the state<sup>1</sup>. The eleventh E-TWG meeting was held via video conference on 22 April, 2021. Thirty-one E-TWG members participated in this meeting (Appendix A).

This meeting summary is intended to capture the key points of discussion and input from the E-TWG, as well as action items identified during the meeting. This summary is loosely organized according to the structure of the meeting agenda (Appendix B). Specific comments are organized by topical relevance, not necessarily the part of the agenda in which the comments were made. Opinions are not attributed to specific E-TWG members unless there is a clear reason to do so. For topics where there were differences of opinion among E-TWG members, this summary identifies areas of agreement as well as the different perspectives offered during meeting discussions.

## Action Items

- E-TWG members are encouraged to sign up for the NYSERDA "Learning from the Experts" Webinar series, and send any suggestions for topics, speakers, and existing resources to Kate McClellan Press ([Kate.McClellanPress@nyserda.ny.gov](mailto:Kate.McClellanPress@nyserda.ny.gov)). Support staff will share the link to the webinar library when available.
- Support staff will begin moving forward on the regional research and monitoring topic. E-TWG members should send any recommendations for Specialist Committee expertise to Kate Williams ([kate.williams@briloon.org](mailto:kate.williams@briloon.org)). Support staff will solicit E-TWG volunteers via email.
- NYSERDA will continue to pursue conversations with federal agencies on the topic of pre- and post-construction monitoring.
- Support staff will disseminate additional information on a project selected for funding by the National Offshore Wind Research and Development Consortium when it becomes available.
- NYSERDA will share information on the selected proposer for Regional Wildlife Science Entity Request for Qualifications when available.
- NYSERDA will share the final report from the passive acoustics workshop when available.

## Introductions

Bennett Brooks (Consensus Building Institute) provided a brief introduction. New members to the E-TWG include new primary representatives from the Delaware Department of Natural Resources and Environmental Control (Kristi Lieske) and the New York Department of Environmental Conservation (Lisa Bonacci-Sullivan), as well as new alternates for the Maine state representative (Stephanie Watson) and Atlantic Shores (Kyle Hilberg).

## Updates

A series of E-TWG updates and regional offshore wind-related topic updates were presented.

### BOEM New York Bight Update

Luke Feinberg (Bureau of Ocean Energy Management; BOEM) provided an update on federal activities in

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<sup>1</sup> For meeting agendas, summaries, and presentations, see: <http://nyetwg.com/>

the New York Bight, including the recent New York Bight Task Force meeting and the identification of eight new lease areas<sup>2</sup>. With this announcement, the public comment opened for the environmental assessment (EA), whereby BOEM is seeking input on the scope of environmental site characterization and site assessment to be considered, including geographic scope as well as temporal and methodological scope (e.g., level of survey effort needed). The public comment period closes April 28; comments can be submitted at <http://regulations.gov> (Docket number BOEM-2021-0021). Following this step, there will be a separate 60-day public comment period for the proposed sale notice this summer, with the goal of a lease sale in late 2021/early 2022. During the proposed sale notice process, BOEM will be looking for input regarding how best to coordinate consultation among the potential 8 new lease areas to increase predictability and avoid scheduling issues.

In addition to submitting comments during formal comment periods, informal input can also be sent to BOEM via email. Comments submitted during formal comment periods that aren't directly related to the EA may be marked as "non-relevant," but are part of the public record. Informal input can occur at any time and is not public record, nor does it require an official response from BOEM, but it can still be useful for informing BOEM processes.

Greg Lampman (NYSERDA) indicated that New York is in general alignment with BOEM on proposed lease areas with the exception of the Fairways sites. The Hudson North, Hudson South, and Central Bight lease areas represent enough capacity to satisfy New York, New Jersey and New England's renewable energy goals in a competitive manner.

*An E-TWG member asked about tribal representation at the Task Force meeting. There were no official tribal representatives at the meeting; however, Luke indicated that there are interactions with tribes and other groups via other mechanisms.*

## Development of Environmental Mitigation Plans

Kate McClellan Press (NYSERDA) provided an update on the Environmental Mitigation Plan (EMP) process. Following discussions with developers, NYSEDA plans to take a flexible approach, scheduling EMP meetings only around significant updates/milestones. Between these major updates, developers will present project status updates at E-TWG meetings. For major updates, revised versions of mitigation plans will be disseminated and NYSEDA will solicit questions from the E-TWG and Fisheries Technical Working Group (F-TWG) in advance, such that meetings can focus on addressing these questions. Following each meeting there will be a meeting summary and redline updates to the EMPs posted on the E-TWG website. If combining meetings between the E-TWG and F-TWG is efficient, this strategy will be pursued. The next EMP meetings will be in summer 2021 at the earliest, and may replace a scheduled E-TWG meeting depending on timing. This process will continue to be adapted over time, particularly with new projects. NYSEDA welcomes feedback at any point.

*E-TWG members indicated the value of past EMP meeting presentations in providing additional information and context beyond what is included in the written plans. Pre-recorded overview presentations for viewing by TWG members prior to EMP meetings may help save time and aid in the identification of questions for a more targeted discussion during meetings.*

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<sup>2</sup> <https://www.boem.gov/boem-advances-offshore-wind-major-us-east-coast-energy-market>

## Regional Wildlife Science Entity Status Update

The Regional Wildlife Science Entity (RWSE) Request for Qualifications has closed and NYSERDA and the Massachusetts Clean Energy Center have selected a proposer and are currently in negotiations. The RWSE steering committee meets next week to review the proposal, and once approved there will be a public announcement. In the meantime, NYSERDA and the selected proposer are coordinating with the science teams submitting proposals to the Department of Energy Funding Opportunity Announcement.

## IUCN Guidelines for Renewable Energy Development

Koen Broker (Shell New Energies) and Howard Rosenbaum (Wildlife Conservation Society) provided an overview of the recently completed International Union for Conservation of Nature (IUCN) effort to develop high-level guidelines for solar, onshore wind, and offshore wind energy development<sup>3</sup>. The report follows the mitigation hierarchy, with discussion of project planning, technology, impacts, mitigation, offsetting, and assessing monitoring. The report also includes over 30 case studies. Two of the case studies that are particularly relevant to the E-TWG include one on North Atlantic right whales and another on the NYSERDA process. The target audience includes developers, policy makers, and financiers.

*An E-TWG member was interested in the connection between this effort and UN sustainable development goals. Koen and Howard indicated that while the guidelines are not framed according to these goals, they were heavily influenced by these large-scale global targets.*

## Study on Construction Timelines

NYSERDA is interested in pursuing a study of the factors involved in offshore wind construction timelines, including how potential wildlife-related and societal restrictions may influence these timelines. The study would focus on foundation installation, cable laying, and interconnection, and would aim to be regionally applicable (not site-specific). The end product would not be a prescriptive product with guidelines, but rather would aim to outline all of the components that must be considered when developing construction timelines, and could be a tool for both expert communities and the general public. NYSERDA sought input from the E-TWG on the overall utility and scoping of this study.

*E-TWG members generally indicated support for this initiative. Additional comments included: 1) a recommended change in language to recognize that timing restrictions are one possible tool in a broader toolbox for wildlife mitigation (rather than a given); 2) the importance of considering linkages between different construction activities, “shoulder” periods, and the potential economic costs of delays and/or decoupling of activities; 3) inclusion of the role of permitting in construction timelines; 4) a synthesis of existing wildlife data (e.g., digital aerial survey data) could inform the species that may influence construction timelines; 5) the importance of keeping the focus high-level and to consider geographic scope, as seasonal restrictions may vary as you move across the region; and 6) a need to focus on the co-occurrence of other marine activities such as fishing and synthesize timing information across a broad range of activities. NYSERDA indicated that they would continue to consult the E-TWG at future meetings as plans develop.*

## Passive Acoustics Monitoring Workshop

Mindi Rekdahl (Wildlife Conservation Society) provided an update on the outcomes of the passive

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<sup>3</sup> <https://portals.iucn.org/library/sites/library/files/documents/2021-004-En.pdf>

acoustic monitoring (PAM) workshop, which was held in October 2020 with support from NYSERDA. The impetus for the workshop related to the large number of organizations collecting passive acoustics data in New York waters and the need for coordination among these efforts to ensure data compatibility, support opportunities for collaboration, identify data gaps, and improve the ability to present comprehensive results to decisionmakers. It was a small technical workshop primarily made up of data holders. A survey was also circulated to get developer perspectives. Workshop participants developed a list of research ideas and priorities as well as considerations for the development of a regional monitoring framework. The workshop report will be available shortly.

## **E-TWG Priorities Discussion**

### **Webinar Series and Library**

In March, NYSERDA officially started its “Learning from the Experts” webinar series<sup>4</sup>. All webinars are recorded and available on NYSERDA’s website. Webinars will be scheduled every 2-4 weeks. Upcoming topics include transmission systems, cabling, visibility, climate resiliency, and digital aerial surveys, as well as topics suggested by E-TWG members in the recent survey. Survey responses provided NYSERDA and support staff with an extensive list of existing resources as well as topics of interest to the E-TWG, including those related to permitting and planning, existing data, potential impacts from development, and technology and mitigation. NYSERDA and support staff will also use the survey results to build out a webinar library on the E-TWG website as a central location for webinars specific to environmental topics related to offshore wind. E-TWG members are encouraged to continue to send suggestions for topics and potential speakers, as well as links to existing webinars to be added to the library.

### **Development of guidance for regional research and monitoring**

As discussed at previous E-TWG meetings, the group has identified the value of conducting monitoring and research at a regional scale, including areas inside and outside of offshore wind lease areas. NYSERDA and support staff are continuing to refine the work plan for this topic, which includes:

- 1) **Developing interim guidance for regional research and monitoring** to inform decisions about allocation of regional research funds.
- 2) **Supporting the development of specific regional research monitoring plans** via inclusion of this topic in a future NYSERDA offshore wind research solicitation.

#### Developing interim guidance for regional research and monitoring

A Specialist Committee (SC) will be convened to help develop interim guidance. Given the need for coordination with the RWSE and others, there is flexibility in both the process and timeline, with an aim to start a 6-12 month process in summer 2021. The SC will include E-TWG members and outside experts. The end product will be a publicly available interim guidance document that likely includes definitions of terminology, rationale, a list of priority regional-scale questions based on those identified from other efforts, and methodological considerations. While the guidance document will primarily be developed at the SC level, the full E-TWG will have opportunities for review and input. Support staff sought input on 1) the use of the terms “monitoring and research” collectively and synonymously for this process, 2) readiness to move forward with this effort, and 3) expertise for inclusion on the SC.

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<sup>4</sup><https://www.nyserdera.ny.gov/All%20Programs/Programs/Offshore%20Wind/Focus%20Areas/Connecting%20With%20New%20Yorkers/Webinar%20Series>

*Regarding terminology, E-TWG members suggested the addition of a qualifier (i.e. regional research and monitoring to understand of impacts to wildlife from offshore wind development), and indicated the importance of using both terms together (rather than one or the other), given the different views on the definitions of these terms. NYSERDA suggested that the Responsible Offshore Science Alliance (ROSA) interim guidance document<sup>5</sup> may be a useful resource for definitions and terminology.*

*E-TWG members indicated general comfort with beginning to form a Specialist Committee, and suggested adding the formation of the SC to the workplan timeline. Suggested expertise by E-TWG members included those with a background in study design, spatial analytics and quantitative ecology, those involved in developing the ROSA interim guidelines, developers, federal partners, and RWSE members. E-TWG members also voiced concern regarding the urgency of collecting baseline data pre-construction in relation to the timeline for guidance development, as well as reiterating the importance of coordination with the RWSE. NYSERDA indicated the intent for this to be a collaborative effort to the degree possible with the RWSE and that regional funding, particularly from New York and New Jersey procurements, will be ongoing potential sources of regional funding moving forward.*

#### Supporting the development of specific regional research monitoring plans

NYSERDA is planning a research solicitation for late 2021/early 2022. As with development of the previous solicitation, the E-TWG will have opportunities to provide input. The research solicitation may include a topic focused on development of a study design and implementation plan for a regional monitoring network.

#### **Development of guidance for pre- and post-construction monitoring**

The need for additional guidance on pre- and post-construction monitoring was previously identified as a priority by the E-TWG. Following discussions at the last E-TWG meeting regarding the need for buy-in from relevant federal agencies (BOEM, US Fish & Wildlife Service, National Marine Fisheries Service), support staff and NYSERDA have been in discussions with these federal agencies regarding these topics. A potential initial step to address this need could be a letter from the E-TWG to these federal agencies identifying the need for additional site-specific pre- and post-construction monitoring guidance. The Atlantic Marine Bird Cooperative recently submitted a letter to BOEM with suggestions to improve existing avian survey guidelines. The E-TWG could choose to develop a letter to submit to federal agencies expressing the need for additional guidance for pre- and post-construction monitoring, and recognizing NYSERDA's willingness to help support this type of guidance effort.

*Some E-TWG members indicated support for drafting a letter, while others expressed a need for additional feedback from federal agencies before deciding whether this is the right approach. Additional comments included 1) the connection with regional monitoring, 2) the challenges associated with placing the burden of designing and implementing protocols on each individual developer, which may not result in standardized data collection and therefore requires additional coordination; 3) the importance of focusing on areas of agreement among stakeholders in the content of recommendations; 4) the degree to which this approach is within or outside of the scope of the E-TWG; 5) potential inclusion of other state entities as well as NYSERDA in discussions with federal agencies; and 6) recognition that the recent*

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<sup>5</sup> [https://4d715fff-7bce-4957-b10b-aead478f74f6.filesusr.com/ugd/99421e\\_b8932042e6e140ee84c5f8531c2530ab.pdf](https://4d715fff-7bce-4957-b10b-aead478f74f6.filesusr.com/ugd/99421e_b8932042e6e140ee84c5f8531c2530ab.pdf)

*change in administration may have altered federal agency priorities and activities. NYSERDA and support staff indicated that they would continue discussions with federal agencies.*

### **Technology advancement for mitigation and monitoring**

Technology advancement for mitigation and monitoring was identified as a priority by the E-TWG, including topics such as the identification of technology readiness and validation status of different technologies, development of performance standards, and designing of field studies. In 2020, the National Offshore Wind Research and Development Consortium (R&D Consortium) issued a Request for Proposals (RFP) that included funding for technology advancement, and projects funded under this area have recently been announced<sup>6</sup>. Two projects are relevant to the E-TWG: a project from Cornell University entitled “Right Wind: Resolving Protected Species Space-Use Conflicts in Wind Energy Areas”, and a project by Advisian Worley Group entitled “Technology Development Priorities for Scientifically Robust and Operationally Compatible Wildlife Monitoring and Adaptive Management.” Contracting is ongoing for these projects. The latter of these two projects aims to develop targeted recommendations for bird and marine mammal monitoring to inform future R&D funding. The project will use a combination of workshops and literature review to identify main conflict concerns from stakeholders (including the E-TWG), develop a database of existing monitoring technologies, identify factors affecting scientific robustness and integration with turbine structures and offshore wind farm operation and maintenance procedures, and identify high-priority targets for technology development. Sarah Courbis (Advisian Worley Group) was on the call to answer questions.

*E-TWG members indicated that the Advisian project may help meet the need identified by the E-TWG, but more information would be beneficial. There were some additional recommendations on the types of impacts of interest (e.g., collision detection) and on opportunities for potential collaboration among developers and academics. Sarah and Kate will provide written information on the project to the E-TWG once contracting is complete.*

### **Wrap Up and Next Steps**

- NYSERDA and support staff will move forward with the regional research and monitoring topic, and continue conversations with federal agencies regarding pre- and post-construction monitoring guidance.
- E-TWG members are encouraged to participate in NYSERDA’s “Learning from the Experts” webinar series, and can continue to send suggestions for topics, speakers, and resources for the webinar series/library via email.
- The next E-TWG meeting is June 29, 1-4 pm EDT
- The State of the Science Culmination Webinar will be held on May 21 from 12-2 pm EDT. E-TWG members are encouraged to [register](#) if they have not already done so.

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<sup>6</sup> <https://www.energy.gov/eere/wind/articles/national-offshore-wind-rd-consortium-announces-projects-totaling-8-million>

## Appendix A: List of Participants

Point of Contact	Organization	Stakeholder Type	Role
Kate McClellan Press	NYSERDA	State Government	Convener/chair
Greg Lampman	NYSERDA	State Government	Convener/chair
Anthony Bevacqua	NJ Board of Public Utilities	State Government	Observer
Lisa Bonacci-Sullivan	NY Dept. of Environmental Conservation	State Government	Observer
Catherine Bowes	National Wildlife Federation	eNGO	Advisor
Jenny Briot	Avangrid Renewables	Developer	Advisor
Koen Broker	Shell New Energies	Developer	Advisor
Ali Chase	Natural Resources Defense Council	eNGO	Advisor
Michael Evans	Ørsted	Developer	Advisor
Shilo Felton	National Audubon Society	eNGO	Advisor
Luke Feinberg	Bureau of Ocean Energy Management	Federal Government	Observer
Elizabeth Gowell	Ørsted	Developer	Advisor
Kevin Hassell	NJ Dept. of Environmental Protection	State Government	Observer
Erin Healy	Mayflower Wind	Developer	Advisor
Kyle Hilberg	Atlantic Shores	Developer	Advisor
Scott Johnston	U.S. Fish and Wildlife Service	Federal Government	Observer
Shannon Kearney	CT Dept. of Energy & Environmental Protection	State Government	Observer
Francine Kershaw	Natural Resources Defense Council	eNGO	Advisor
Kristi Lieske	DE Dept. Natural Resources & Environ. Control	State Government	Observer
Jillian Liner	Audubon New York	eNGO	Advisor
Scott Lundin	Equinor	Developer	Advisor
Carl LoBue	The Nature Conservancy	eNGO	Advisor
Joe Martens	NY Offshore Wind Alliance	Nonpartisan NGO	Advisor
Catherine McCall	MD Dept. of Natural Resources	State Government	Observer
Laura McKay	VA Dept. of Environmental Quality	State Government	Observer
Laura Morales	Equinor	Developer	Advisor
Melinda Rekdahl	Wildlife Conservation Society	eNGO	Advisor
Matt Robertson	Vineyard Wind	Developer	Advisor
Howard Rosenbaum	Wildlife Conservation Society	eNGO	Advisor
Brandi Sangunett	Bureau of Ocean Energy Management	Federal Government	Observer
Stephanie Watson	ME Governor's Energy Office	State Government	Observer

### Support Staff present

Farrah Andersen (Cadmus Group)  
Morgan Brunbauer (NYSERDA)  
Bennett Brooks (Consensus Building Institute)  
Julia Gulka (Biodiversity Research Institute)  
Edward Jenkins (Biodiversity Research Institute)  
Kate Williams (Biodiversity Research Institute)

### Other attendees

Sarah Courbis (Advisian Worley Group)  
Emily Davis (Natural Resources Defense Council)  
Julia Socrates (NY Dept. of Environmental Conservation)

## Appendix B: Meeting Agenda

### New York Environmental Technical Working Group (E-TWG)

1-4 pm EST, 22<sup>th</sup> April 2021

<u>Time</u>	<u>Agenda Item</u>
12:45-1 pm	<b>Coffee break/networking</b>
1-1:10 pm	<b>Welcome</b> <ul style="list-style-type: none"><li>• Introductions</li><li>• Meeting agenda &amp; ground rules</li><li>• Icebreaker</li></ul>
1:10-2:10	<b>Updates</b> <ul style="list-style-type: none"><li>• BOEM New York Bight update</li><li>• Development of Environmental Mitigation Plans</li><li>• RWSE Status Update</li><li>• IUCN Guidelines for Renewable Energy Development</li><li>• Study on construction time restrictions and timelines</li></ul>
2:10-2:25	<b>Networking Break</b>
2:25-3:40	<b>E-TWG Priorities Discussion</b> <ul style="list-style-type: none"><li>• Webinar series</li><li>• Development of guidance for regional research and monitoring</li><li>• Development of guidance for pre- and post-construction monitoring</li><li>• Technology advancement</li></ul>
3:40-3:55	<b>Updates (Part 2)</b> <ul style="list-style-type: none"><li>• Report out on Passive Acoustic Monitoring Workshop</li></ul>
3:55-4 pm	<b>Wrap Up &amp; Next Steps</b>