

**New York Environmental Technical Working Group (E-TWG)
Meeting Summary – 29 July 2020**

	<u>Name</u>	<u>Date</u>
Prepared by	Julia Gulka, Biodiversity Research Institute	8/5/2020
Reviewed by	Kate Williams, Biodiversity Research Institute	8/27/2020
Reviewed by	Bennett Brooks, Consensus Building Institute	9/2/2020
Reviewed by	Kate McClellan Press, NYSERDA	9/2/2020
Revised by	Julia Gulka, Biodiversity Research Institute	9/8/2020

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) in 2018 to provide input to the state on environmental topics¹. The eighth meeting of the E-TWG was held via video conference on 29 July, 2020. Twenty-seven 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

The following action items to advance E-TWG objectives were identified during the meeting:

- Additional **feedback on the Environmental Mitigation Plan process** should be sent to Kate McClellan Press.
- To continue discussing E-TWG priorities, **members will receive an online survey to fill out** in preparation for further discussion at the **August 18 E-TWG meeting**.
- **Additional ideas regarding remote participation and updates to share at the August meeting** should be sent to Kate Williams.

Welcome

Bennett Brooks (Consensus Building Institute) opened with a brief review of the overall aims for the meeting, which were to:

- Begin discussions around reassessing E-TWG priorities,
- Discuss proposed changes to the Environmental Mitigation Plan (EMP) process,
- Provide an opportunity for E-TWG members to give updates, and
- Discuss ways to improve virtual meetings moving forward.

NYSERDA Offshore Wind Procurement Update

Kate McClellan Press (NYSERDA) provided an update on the New York offshore wind procurement process. The current New York Phase 2 offshore wind solicitation reaffirms the importance of continued engagement in the TWGs, includes a requirement of financial support for regional monitoring of wildlife and fisheries, and introduces a revised template for required environmental mitigation plans.

Recognizing that the solicitation is currently open, she noted that any questions regarding the request for proposals should be directly to Greg Lampman, Adrienne Downey, or to environmentandoffshorewind@nyserda.ny.gov.

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

Discussion

Multiple E-TWG members noted that New York is setting a great precedent and that other states should also consider requiring funding for regional monitoring.

Environmental Mitigation Plans

NYSERDA is working to evolve the Environmental Mitigation Plan (EMP) process based on feedback from stakeholders, including the following modifications:

- Moving forward, offshore wind projects selected under New York Procurements will provide short (5-10 min) updates at E-TWG meetings to keep stakeholders informed.
- EMP-specific meetings will be held after major milestones and/or changes, so developers can provide more detail and E-TWG members can ask questions and provide feedback. NYSERDA is considering holding these major milestone meetings with both the E-TWG and F-TWG together.
- NYSERDA will continue to develop meeting summaries for milestone meetings, but is seeking input on the process of receiving and incorporating oral and written feedback on EMPS from E-TWG members.

Discussion

Combining brief updates and major milestones - E-TWG members indicated that frequent short updates would be a good idea. Morgan Brunbauer (NYSERDA) indicated that this approach was taken at the last F-TWG meeting in June and it worked well.

Combining E-TWG and F-TWG Milestone Meetings - E-TWG members raised concerns about group size for a combined meeting, but indicated that stakeholders might appreciate the opportunity to hear updates on both environmental and fisheries topics. Several E-TWG members suggested a hybrid approach where updates from the developers could be given to both TWGs at once, and then the meetings could split to discuss topics specific to each group in more detail.

Approaches to EMP feedback - E-TWG members suggested that the feedback process include:

- Opportunity for pre-meeting planning/preparation, in which 1) stakeholders provide questions and flag topics that the developers should cover in their presentation, and 2) the developers ask questions of stakeholders on topics such as major concerns or the state of the knowledge for different mitigation approaches
- Opportunity for stakeholders to see the presentations from developers in advance, as questions may be answered through that process
- One defined point for written feedback in relation to each milestone meeting

E-TWG Priorities

The E-TWG last discussed priority focus areas for the group in February 2019. NYSERDA and support staff felt this was a good point to reassess priorities for the group moving forward. In preparation for this discussion, Kate Williams (Biodiversity Research Institute) had preliminary conversations with a subset of E-TWG members in June of 2020 to brainstorm potential future priority topics. Prior to breaking into groups to brainstorm a list of priorities moving forward, the group reviewed existing and past priorities as identified in early 2019, including 1) guidance on mitigation and monitoring practices,

2) State of the Science workshops, 3) Environmental Mitigation Plans, and 4) the Regional Wildlife Science Entity. To frame the discussion of future priorities, Bennett started by discussing the strengths of the E-TWG, including:

- Use of common ground – where there are common interests among stakeholders, the group may be able to come together to provide guidance, collaborate, and share information
- Sharing differing perspectives – there is value in having honest conversations among stakeholders, to learn from each other and appreciate why there may be differences of opinions
- Relationship building – there is value in developing relationships among stakeholders

Discussion and Brainstorm

The goal of discussion during this meeting was to brainstorm a “laundry list” of priorities - getting all possible ideas on the table – with an eye towards a subsequent prioritization conversation in August. The following topics/themes emerged from breakout group discussions on E-TWG priorities. Note: topics have been condensed and therefore may represent input from multiple E-TWG members/breakout groups.

- **Continue to develop best management practices for wildlife.** This could include one or both of the existing taxonomic foci (e.g., marine mammals and sea turtles, birds and bats), and may include a modified process, new scope, and/or change in end products relative to the initial efforts of the BMP Committees in 2019-2020.
- **Improve regional coordination.** Greater regional coordination would help avoid duplication of effort, share lessons learned, and promote regional consistency. Efforts in this regard could focus on coordination and information exchange with other regional groups and/or with state-led advisory groups such as those in New Jersey, Connecticut, and Massachusetts.
- **Develop guidance for monitoring.** This could include both site-specific monitoring or a more regional focus to ensure adequate data, stakeholder engagement, and a holistic regional approach to monitoring.
- **Focus on emerging technology for monitoring and mitigation.** Many E-TWG members mentioned the importance of technology development. This could take many forms, including 1) informing stakeholders about the capabilities and limitations of existing and emerging technologies, 2) designing a field study to help validate new technology to help accelerate the field, or 3) developing a set of standards or criteria for successful deployment of offshore mitigation and monitoring technologies to streamline the process of new technology adoption and clarify the requirements for technology validation.
- **Develop a mechanism or framework for compensatory mitigation.** The E-TWG could oversee development of a framework for how and when to implement off-site mitigation approaches, in coordination with federal regulators and other stakeholders.
- **Continue to organize State of the Science Workshops.** The State of the Science Workshops can be an important forum for information dissemination and discussion.
- **Assess and help coordinate state requirements for offshore wind energy development.** Each state may have a different role, procedures, and requirements in the offshore wind energy development process. An assessment of these variations between states, and an effort to better align requirements between states where feasible, could help ensure consistency and make it easier for developers to navigate the regulatory and permitting processes.

- **Develop guidance for standardizing site-specific data.** Guidance on the ways in which site-specific data are recorded, managed, and reported could help ensure consistency across projects, help developers navigate monitoring processes, and ensure that new data are collected in such a way as to allow for future meta-analysis.
- **Help to direct the use of funding for regional wildlife monitoring that will arise from the New York Phase 2 procurement.**
- **Continue to develop environmental mitigation plans.** Recognizing that the process for EMPs continues to evolve, the task of consultation on environmental mitigation plans remains important and will continue to grow with current and future procurements.
- **Oversee a study to better understand cumulative impacts.** While cumulative impacts are a difficult topic, a project to model the cumulative impact for potential full offshore wind build-out could build off existing State of the Science efforts on cumulative impacts.

Next Steps

Following this meeting, support staff will send out an online survey to assess which topics (from this E-TWG discussion as well as earlier conversations) the group is most interested in pursuing. At the E-TWG meeting on August 18, we will discuss survey results and aim to come out of the discussion with a clear direction. It was also noted that there is a need to be cognizant of E-TWG member time commitments.

Member Updates

The first E-TWG annual bulletin² has gone out to stakeholders, as directed by the E-TWG Communications and Outreach Plan³. The bulletin includes updates on E-TWG activities in 2019-2020 and on other regional activities. E-TWG member updates during the meeting included:

BOEM Updates

- Construction was completed on the Coastal Virginia Offshore Wind pilot project, a two-turbine project that represents the first installation in federal waters. Environmental studies on the site are ongoing, including in relation to pile driving and the use of bubble curtains, as well as studies of corrosion, biofouling, and turbidity.
- The Vineyard Wind Supplemental Environmental Impact Statement (SEIS) was released in June, and the public comment period recently closed, with over 13,000 comments submitted.
- BOEM has received its seventh Construction and Operations Plan (COP)⁴.
- Changes have been made to NEPA regulations regarding aspects of the process' applicability, obligation, statutory authority and definitions. The summary of these changes will be made available to the E-TWG when there is a public document available to share.

Connecticut Update

- In 2019, a similar entity to the E-TWG and F-TWG (Commission on Environmental Standards or CES) was formed to advise the state on environmental and fisheries mitigation plans. The CES is made up of wildlife experts, legislative representatives, and fisheries representatives. No developers are included on the CES (consistent with its enabling legislation), though all meetings are public so developers can participate in meetings as well as provide public comments.

² https://media.wix.com/ugd/78f0c4_389f2615460e42cebefd7f5c17aba8d5.pdf

³ <https://www.nyetwg.com/e-twg-products>

⁴ <https://www.boem.gov/renewable-energy/state-activities>

- In 2018, Connecticut had its first offshore wind procurement (Revolution Wind, Ørsted). In December 2019, Park City (Vineyard Wind) was selected under the second procurement and was the first required to submit an environmental and fisheries mitigation plan. This process includes quarterly consultations with the CES, with the first two consultations occurring in April and July 2020. These are public meetings that are available online. In addition, the second procurement included direct funding for mitigation.

New Jersey Update

- New Jersey recently released its draft Offshore Wind Strategic Plan⁵ which incorporates the state's goal of 7,500 MW of wind energy. The plan is currently open for public comment and there is a meeting on August 3 to learn more.
- New Jersey recently released a draft solicitation for its second offshore wind procurement (1200-2400 MW). The solicitation, currently open for public comment, includes some aspects of environmental and fisheries plans. There is a public meeting on August 5 for more information.

Developer Update

- The Offshore Environmental Working Group is a developer-focused effort that kicked off a few weeks ago.
- A small, informal initiative of offshore wind energy developers in the northeastern U.S. are working to collaborate and have set up the North East Coast - Developers Environmental Collaborative (NEC-DEC).

Remote Meeting Strategies

Given the current global pandemic, it is likely that E-TWG meetings will be occurring remotely at least for the remainder of 2020. Farrah Andersen (Cadmus Group) led a discussion regarding how best to preserve the important elements of in-person meetings with this group, including personal connections and interactive discussions. The following topics/themes emerged from group discussion:

- Multiple members emphasized the effectiveness of breakout sessions, including use as a networking opportunity (e.g., “fun” breakouts like happy hour or coffee chat). It is more effective to network virtually in smaller groups.
- Newer E-TWG members may not have relationships from previous in-person meetings, and we should help to foster relationship development virtually.
- Recording meetings could be useful, allowing members to go back to content later.
- Maximum virtual meeting time should be 3 hours, including any networking activities.
- Including your organization in your name on Zoom is very useful.
- Poll and chat functions help more introverted individuals to engage in discussion.
- There is a benefit of virtual meetings in that participation is no longer linked to travel restrictions, particularly for state agencies.

⁵ Available here: <https://www.nj.gov/bpu/>

Appendix A: List of Participants

Point of Contact	Organization	Stakeholder Type	Role
<i>Kate McClellan Press</i>	<i>NYSERDA</i>	<i>State Government</i>	<i>Convener/chair</i>
Anthony Bevacqua	NJ Board of Public Utilities	State Government	Observer
Catherine Bowes	National Wildlife Federation	eNGO	Advisor
Jenny Briot	Avangrid	Developer	Advisor
Louis Brzuzy	Shell New Energies	Developer	Advisor
Koen Broker	Shell New Energies	Developer	Advisor
Ali Chase	Natural Resources Defense Council	eNGO	Advisor
Emily Chou	Wildlife Conservation Society	eNGO	Advisor
Lisa Engler	MA Dept. of State	State Government	Observer
Elizabeth Gowell	Ørsted	Developer	Advisor
Kevin Hassell	NJ Dept. of Environmental Protection	State Government	Observer
Scott Johnston	U.S. Fish and Wildlife Service	Federal Government	Observer
Sherryl Huber Jones	NY Dept. of Environmental Conservation	State Government	Observer
Shannon Kearney	CT Dept. of Energy and Environmental Protection	State Government	Observer
Francine Kershaw	Natural Resources Defense Council	eNGO	Advisor
Kristi Lieske	DE Dept. of Natural Resources and Environmental Control	State Government	Observer
Jillian Liner	Audubon New York	eNGO	Advisor
Carl LoBue	The Nature Conservancy	eNGO	Advisor
Pam Loring	U.S. Fish and Wildlife Service	Federal Government	Observer
Joe Martens	NY Offshore Wind Alliance	Nonpartisan NGO	Advisor
Laura McKay	VA Dept. of Environmental Quality	State Government	Observer
Laura Mensch	DE Dept. of Natural Resources and Environmental Control	State Government	Observer
Laura Morales	Equinor Wind US	Developer	Advisor
Paul Phifer	Atlantic Shores	Developer	Advisor
Mindi Rekdahl	Wildlife Conservation Society	eNGO	Advisor
Matt Robertson	Vineyard Wind	Developer	Advisor
Brandi Sangunett	Bureau of Ocean Energy Management	Federal Government	Observer

Support Staff present

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

Appendix B: Meeting Agenda

New York Environmental Technical Working Group (E-TWG)

1:00-4:00 pm EDT, 29 July 2020

Meeting objectives:

- Begin the discussion of re-assessing E-TWG priorities – develop the “laundry list” of topics to include in an online survey
- Discuss proposed environmental mitigation plan process and options
- Provide opportunity for relevant updates
- Discuss virtual meeting approaches

<u>Start Time</u>	<u>Agenda Item</u>
1:00-1:10	Welcome
1:10-1:30	NYSERDA Procurement Update
1:30-2:10	Environmental Mitigation Plans: Process Updates
2:10-2:15	<i>Break</i>
2:15-3:00	E-TWG Priorities Discussion
3:00-3:10	<i>Break</i>
3:10-3:30	Other Updates
3:30-4:00	Discussion on Remote Meeting Strategies and Wrap Up