



Mid-Atlantic Fishery Management Council

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MEMORANDUM

Date: March 26, 2024
To: Council
From: Julia Beaty, staff
Subject: Offshore Wind Fisheries Compensation Programs and Data Needs

On Tuesday, April 9, the Council will discuss fisheries compensatory mitigation programs for offshore wind energy projects and the data requirements for fishermen to demonstrate eligibility. The discussion will focus on the [Vineyard Wind 1 fisheries compensatory mitigation program](#), but will also be relevant for other wind projects. Vineyard Wind 1 is especially of interest given the June 3, 2024 deadline for fishermen to qualify for compensation from this program. NOAA Fisheries is expected to receive a high volume of data requests associated with this and other compensation programs as more offshore wind projects begin construction over the upcoming years. Some commercial fishery stakeholders have raised concerns about the ability of NOAA Fisheries to respond to data requests in a timely manner and are concerned that this will pose challenges for fishermen to demonstrate eligibility for compensation, especially for programs with strict deadlines such as Vineyard Wind 1.

The goal of the Council discussion on April 9 is to better understand the data requirements, process for obtaining data, and associated challenges. Representatives from NOAA Fisheries and Vineyard Wind 1 will be available to assist with this discussion. The Council may also discuss potential actions the Council could take with the goal of improving the process. This could take the form of additional outreach to help raise awareness among fisheries stakeholders about these compensation programs, a Council letter expressing concerns with the process, or other potential Council action.

To assist with this discussion, details on the data needed to demonstrate eligibility for compensation from the Vineyard Wind 1 program are provided below. This information was obtained from the [Vineyard Wind 1 fisheries compensatory mitigation program website](#) (accessed 3/20/2024).

To qualify for the Vineyard Wind 1 fisheries compensatory mitigation program, applicants must apply by June 3, 2024 and demonstrate that they:

- Are the owner/operator of a commercial fishing vessel homeported in Massachusetts, Rhode Island, Connecticut, New York, or New Jersey.
- Have a 2023 commercial fishing permit from NOAA Fisheries.

- Have a valid government-issued vessel registration that shows vessel ownership, or a vessel lease agreement.
- Fished in the Vineyard Wind 1 lease area, OCS-A 0501 (see map below), for at least three years between 2016 and 2022.
- Have annual revenue from fishing activities for the corresponding three years between 2016 and 2022.

The eligibility period, which closes on June 3, 2024, is the only time that commercial fishing vessel owner/operator applications will be accepted. Applications submitted outside of the eligibility period will not be considered and applicants will not have another opportunity to qualify for the program.

Commercial fishing vessel owners/operators must include evidence of fishing activities in the Vineyard Wind 1 lease area, OCS-A 0501, with their application. This evidence may include, but is not limited to the following:

- Vessel Trip Reports
- Vessel Monitoring System information
- Automatic identification system information
- Fishery Observer or At-Sea Monitoring information
- NOAA Fisheries Cooperative Research Study Fleet information
- Time-stamped chart plotter data/images
- Logbooks (supported by additional data)
- Other trip-level reporting information that establishes fishing activity in the Vineyard Wind 1 lease area, OCS-A 0501

NOAA Fisheries has provided the following contacts for fishing activity data requests:

- Logbook and fishing footprint data requests: NMFS.GAR.Data.Requests@noaa.gov
- Vessel Monitoring System data requests: ole.helpdesk@noaa.gov
- Northeast Fisheries Observer Program data requests: chris.tholke@noaa.gov
- GARFO permit data requests: NMFS.GAR.Permits@noaa.gov

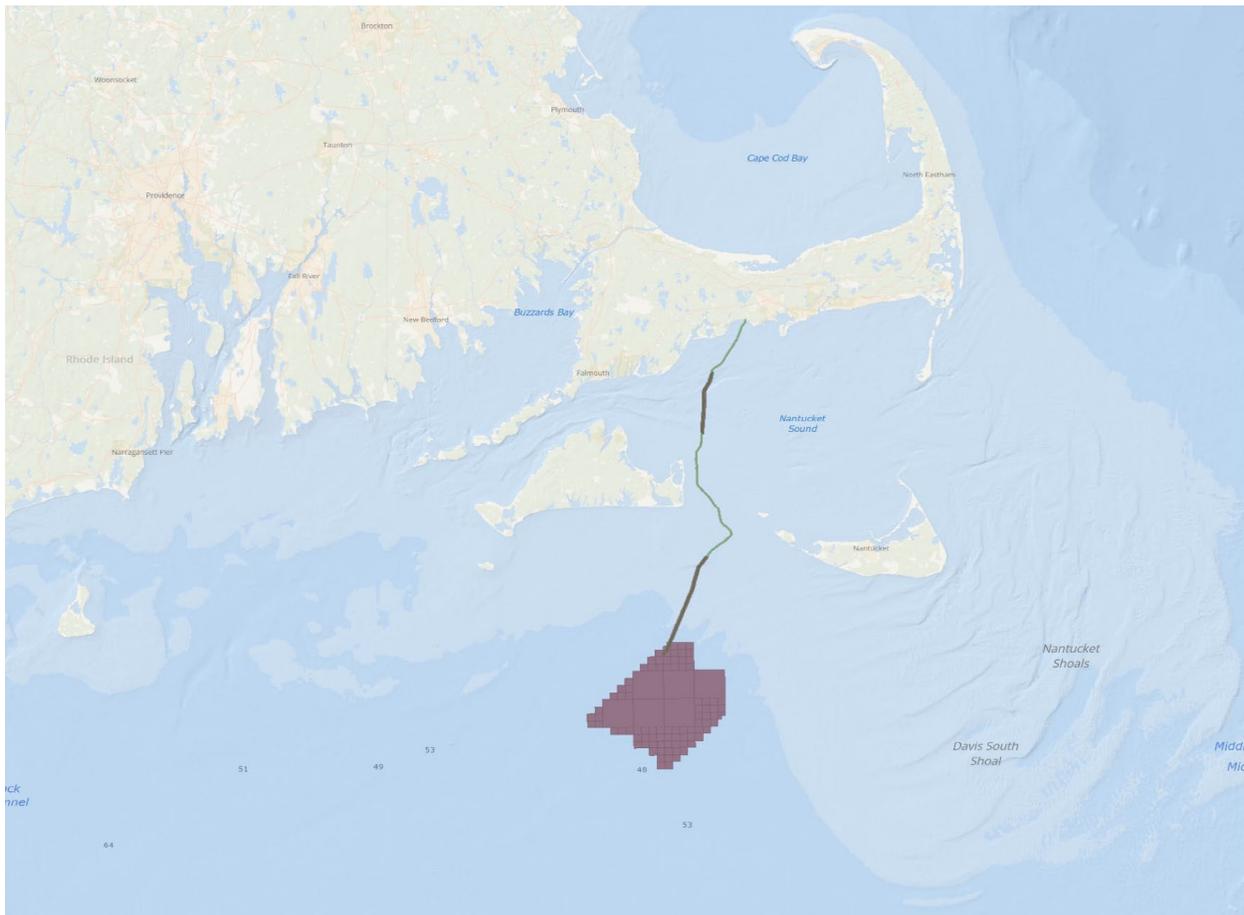
NOAA Fisheries has provided the following guidance for fishing activity data requests:¹

- Be very clear about what you are requesting
- Ensure your request includes all of the necessary information:
 - Contact information for the person requesting the data
 - Permit number and vessel name for data requested
 - Data requested (e.g., logbook landings, fishing revenue, permit issuance)
 - Date range for the data requested (e.g., fishing or calendar years 2016 – 2022)
 - Area to which the data applies (e.g., logbook data when fishing in the Vineyard Wind 1 lease area, OCS-A 0501)
- Identify expected data output (e.g., spreadsheet or map)
- Specify if data are needed by a certain date

¹ If you are requesting data for permits for which you were not the owner in all relevant years, NOAA Fisheries may require proof that you have permission from the previous permit holder(s) to access their historical fishing data.

The [frequently asked questions page](#) for the Vineyard Wind 1 fisheries compensation program (accessed 3/20/2024) states “Provided that your application is submitted during the eligibility period and is otherwise deemed completed by the third-party administrator, your application will not be rejected if fishing activity data from NOAA Fisheries remains outstanding. Once the fishing activity data is received from NOAA Fisheries, you will have the opportunity to amend your application and provide the outstanding data. The third-party administrator will then review your application and render an eligibility determination.”

Additional details about the Vineyard Wind 1 fisheries compensatory mitigation program are available on the program’s [frequently asked questions page](#).



Map: Vineyard Wind 1 lease area and cable corridor. Source: [MARCO data portal](#) (accessed 3/20/2024).