Fisheries Compensation Program
for Atlantic Coast Offshore Wind

# Regional Compensation Fund for Offshore Wind

Maine Fishermen's Forum
March 6, 2026

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# Meeting Agenda

1. Welcome and Introductions ~ *10 minutes*
2. Introduction to the Regional Fund Administrator (RFA) Project ~*20 minutes*
3. Facilitated discussion on fund considerations and design ~*40 minutes*
4. Next Steps ~ *5 minutes*

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# Background

**11-state initiative** to establish a credible regional administrator for managing and distributing fisheries compensatory mitigation funds for impacts from offshore wind for the US eastern seaboard

**Brown Greer**, together with **Carbon Trust**, selected to serve as the **Regional Fund Administrator (RFA)** in Nov. 2024

**Laura Singer** and **Deirdre Boelke** are working under Carbon Trust on regional engagement

The RFA is tasked with developing a process for distributing financial compensation to address potential economic losses from offshore wind development

**Scope** –This process is focused on future compensation programs and does not affect programs already in place. It addresses how money is distributed out of a regional fund, not on how money comes into such a fund.

This is different from compensation programs to date, as it has **a regional scope** and is **informed by input**.

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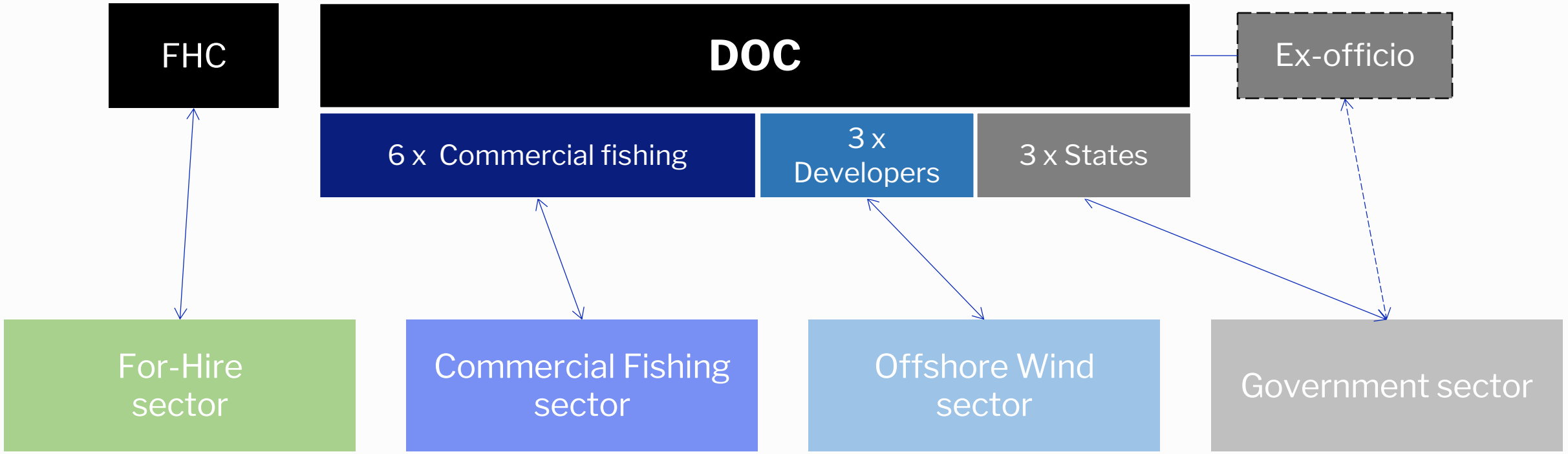
# Supporting Members of the RFA Initiative




- RFA team facilitates regular meetings between DOC members and their sector
- Fisheries sector includes stakeholders from diverse fisheries, regions and ports

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# Advisory Committees

## Design Oversight Committee ("DOC")

### Commercial Fishing Industry

- **Hank Soule, Vincent Balzano, Joe Gilbert, Roy Diehl, Wes Townsend, Jeff Kaelin**
- *Alternate Members: Beth Casoni, Bonnie Brady, Lane Johnston, Peter Hughes*

### States

- **Brad Schondelmeier, Joe Cimino, Todd Janeski**
- *Alternate Members: Erin Wilkinson, Julia Socrates, Carrie Kennedy*

### Offshore Wind Industry

- **Brian Krevor, Rick Robins, Samuel Asci**
- *Alternate Members: Elizabeth Kordowski, Ross Pearsall*

## For-Hire Committee ("FHC")

### Recreational Fishing Industry

- **Rick Bellavance, Bob Rush, Rom Whitaker**
- *Alternate Member: Mike Cerchio.*

### States

- **Renee Zobel**
- *Alternate Member: Joe Cimino*

### Offshore Wind Industry

- **Brian Krevor**
- *Alternate Member: Ron Larsen*

Members from Maine highlighted

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# Overview of stakeholder engagement approach

The RFA team have been:

- Considering feedback from individuals / DOC and FHC on the preferred mechanism for engagement
- Facilitating regular DOC and FHC meetings
- Organizing 1-2-1 and group meetings with individuals in each sector
- Actively growing the network of individuals feeding into the RFA project
- Ensuring feedback is captured and reflected in the fund design and claims process
- Adjusting our approach to maximize accessibility across the region

DOC and FHC meetings, working meetings with caucuses

Events, such as:
- Maine Fishermen's Forum
- NHF&G Advisory Committee

Port-side meetings with members of the fishing industry in ME, RI, NH, MA, MD, NJ, CT, NC, and NY.

Webinars / online meetings, such as:
- NEFMC Habitat Committee / Advisory Board – Sep '25
- MAFMC – Oct '25
- Public Webinar – Feb '26

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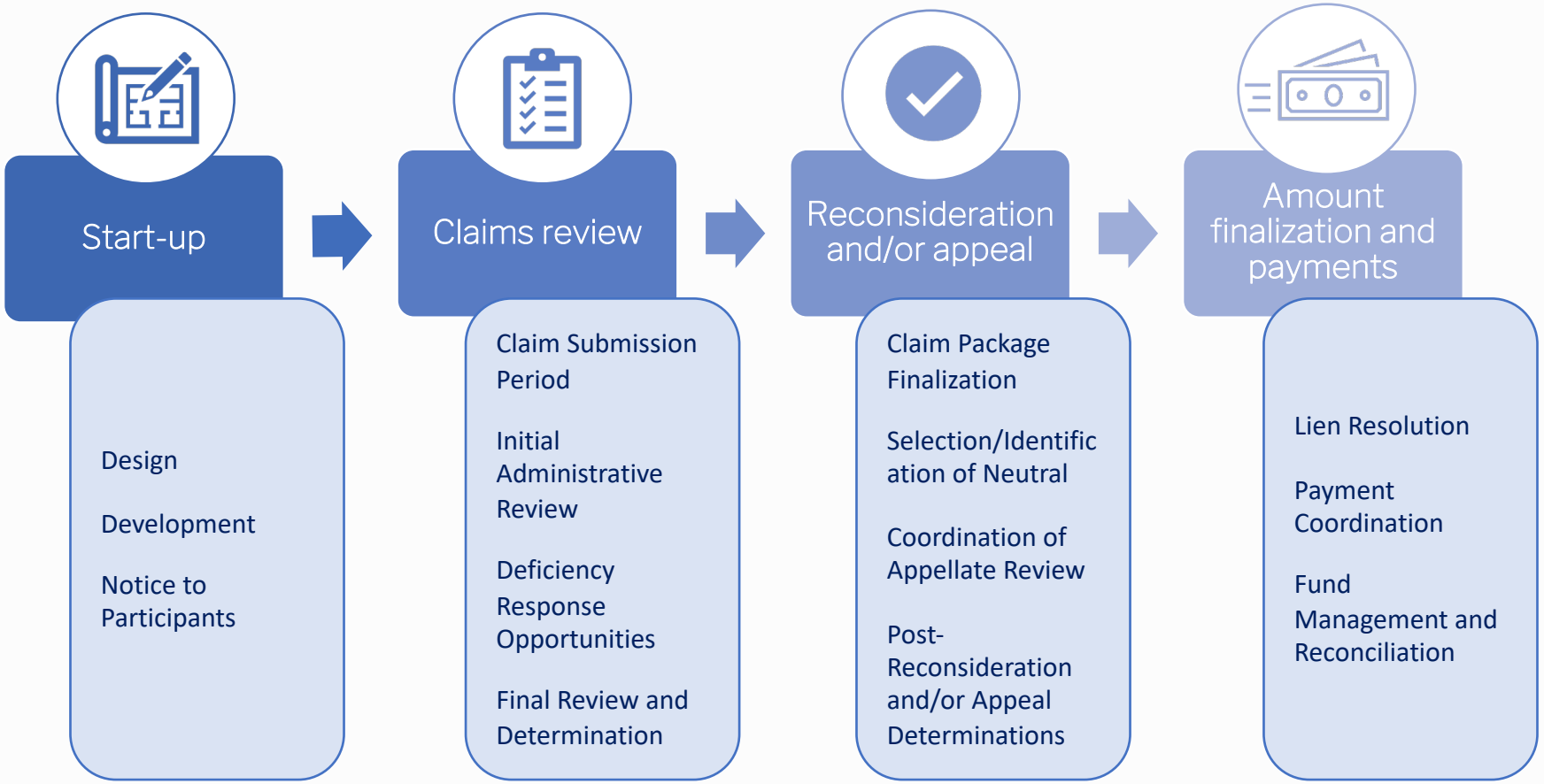
# Compensation Funds and the Role of Administrators

## What is a Compensation Fund?




## What Does an Administrator Do?

- Inform the public about the compensation fund.
- Assess eligibility and compensable injuries.
- Define required proof of loss or injury.
- Develop the claims program structure and valuation methods.
- Create web platforms for participant interaction.
- Issue payments and oversee the program fund.

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# Guiding Program Principles for Regional Design

*Summary Snippets of Detailed Draft*

## Consistent

Consistent in how to apply for, determine, and allocate monies to eligible recipients

## Fair

Compensation, participation criteria, and processes that are fair and reasonable

## Impact

Fairly and reasonably compensate those active fishing enterprises that suffer verifiable losses by OSW development

## Intuitive

Straightforward, accessible, and easy to understand program

## Incentives

Designed to sustain active commercial fishing operations and protect the long-term viability of the fishing industry and fishing communities, not incentivize withdrawal or reduction in effort

## Equitable

Treat impacted fishermen equitably, regardless of fishery, home or landing port, or state affiliation

## Transparent

Clearly explainable, its methods publicly available, and its aggregated results publicly shared while protecting the confidentiality of proprietary data

## Efficient

Administratively limit burden for all relevant parties, but will not use efficiency as a justification to deny or undercompensate legitimate claims

## Authentic

Rely on objective, verifiable, and best available data/evidence and discourage manipulation that would disadvantage affected fishing businesses

## Comprehensive, aka the 90/10 rule

Program rules will reflect inclusiveness of the vast majority of likely claim scenarios and should afford restrained flexibility for outlier cases

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# What questions are involved in designing a compensation framework?

How should claimants submit claims?

What are potential causes of lost revenue?

Will impacts from the lease area be treated the same as impacts from the cable area?

How do crew members get considered?

What data will I need to submit to be eligible?

How long will payments last?

How will shoreside business be considered?

Will there be an appeals process?

Will there be different tiers for vessels that are more impacted?

Which fishing vessels are eligible?

What losses count as a claim?

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# Summary of conversations to date

- *Separate programs for the export cable route and offshore project area.*
- *Separate programs for the construction and operations phase of the project.*
- *An "expedited" program offered during construction phase that does NOT require a vessel to "show harm", impact is assumed and vessels receive a one-time payment. The data requirements and claims process for this track are intended to be minimal.*
- *An "individual" claims process offered that enables a vessel to demonstrate harm if impacts are greater than expedited claims track would cover. If a claim is approved, this would be an annual process.*

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# In Development: Phase-Based/Multi-Track Approach

## Construction Phase

**Track 1**

*Two Options*

**Track 2**

### Expedited "Disruption" Payment

- Claimant eligibility required
- Criteria for payment least burdensome
- One-time, fixed payment amount for assumed construction disruption
- No requirement for causality
- Claimant may still file an individual claim for actual losses/increased costs

### Individualized Loss Compensation Payment

- Claimant eligibility required
- Must demonstrate harm caused by OSW construction
- Payment amount based on proven, documented, individual losses
- Could be subject to reduction or enhancement factors
- 90/10 Rule will allow some exceptions for extraordinary circumstances

## Operations Phase

*One Option*

### Individualized Loss Compensation Payment

- Claimant eligibility required
- Must demonstrate harm caused by OSW project operation
- Payment amount based on proven, documented, individual losses
- Could be subject to reduction or enhancement factors
- 90/10 Rule will allow some exceptions for extraordinary circumstances
- Can be filed for each year of actual loss/increased costs

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# In Conceptual Exploration: Standalone OECC Claims Process

*A complementary compensation framework under the RFA umbrella specifically for impacts to fishing vessel owners and operators caused by offshore export cable corridor (OECC) construction.*

- No demonstration of causation or proof of harm/loss required.
- Available to active commercial fishing vessel owners/operators historically engaged in fishing activities in the OECC (plus spatial buffer).
- One-time payments made in exchange for agreement not to fish in an OECC during OECC construction when notified by developers.
- Payment amounts determined through OECC impact analysis.
- Potential use of local fisheries advisors to supplement efforts to identify potentially impacted fishermen and support verification of fishing activity data.
- OECC impact analysis:
  - (1) identifies potentially impacted fisheries by assessing the fixed and mobile gear fisheries active along an OECC;
  - (2) uses best available data; and
  - (3) accounts for a project's permit conditions.

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# Project Timeline: 2026

| Timeline for RFA Project – Design and Development of the Regional Compensation Fund | |
|---|---|
| **Jan – March 2026** | Compensation calculation and document requirements |
| **April 2026** | Program mechanics and administration considerations |
| **~April/May 2026** | Public webinar on progress |
| **May – June 2026** | Finalize draft compensation framework |
| **June 2026** | Public webinar & circulation of complete draft compensation framework |
| **July – August 2026** | Public comment period |
| **September 2026** | Public webinar & delivery of the final compensation framework |

*Webinars*

*RFA Periodic Updates*

*In-person meetings*

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# Current Project Focus

## *Loss Eligibility and Valuation*

- What claims are compensable? (*i.e.*, lost fishing effort due to gear loss, potential causes of increased costs, bankrupt fishing businesses, etc.)
- Are non-economic losses compensable? (*i.e.*, Personal injury? Inconvenience? Other?)
- Should costs incurred to prepare a claim be reimbursed?
- Should the Program include an Expedited Construction Disruption Claim Track ("No Harm" Option)? How?
- How should the Program calculate a claim's value under individualized review?
- If crew is not compensated directly, does a vessel owner's claim include an amount designated specifically for them?
- What documentation must a claimant provide to demonstrate eligibility? Harm?
- How can a claimant access data/documentation if not already in their possession?

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# Upcoming Project Focus

## *Compensation Program Mechanics*

- How should claimants submit claims to the Program?
- What support services should the Program provide to claimants?
- What deadlines should apply to the initial submission of a claim?
- Should a claimant who has exhausted all claim review opportunities with the administrator have an option to appeal to a neutral?
- How should claimants be paid?

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# Feedback – Prompt Questions

1. *Do you have direct experiences with claims processes you would like to share?*

   *Any lessons learned or thoughts about how those programs could have worked better?*

2. *Any experience with wind farms in southern New England?*

   *Lessons learned or best practices you have heard about?*

3. *Expedited Construction Disruption Claim:*
   - Who should qualify to submit an expedited construction disruption claim?
   - Should the Regional Program pay differing expedited amounts? If so, how?

4. *Individualized Claim for Construction and/or Operations Phase*
   - How should the Regional Program determine whether an individual claimant experienced an economic loss?
   - What should qualify as a loss and what should be out of bounds?
   - What information and data sources should be considered?
   - How should the Regional Program determine whether loss is caused by offshore wind or alternate causes?
   - How can those impacts be separated from external factors like management changes, natural variation in catch, ecosystem changed, etc.?

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# Next Steps

- *Next DOC meeting on March 19 – Open to listen (see website)*
- *Continue development of draft design framework*
- *Additional public engagement later in spring and then in June, primarily through public webinars and a few meetings like this and fishery council meetings*
- *Draft design framework by June 2026 with 45-day public comment period*
- *Final design framework in Fall 2026*

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# Contact Us

## VISIT RFA WEBSITE FOR UPDATES

- Public meeting links posted in advance of DOC and FHC meetings
- List of DOC members and their contact details
- Common FAQs
- Summary of current topics under discussion
- Stakeholder engagement plan and engagement summaries by quarter

**Link to RFA Q&A**

RFA Website

Email Questions and Comments Here

www.RFAInfo.com
contact@rfainfo.com

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