

**New York Environmental Technical Working Group (E-TWG)
Meeting Summary – 9 December 2021**

	<u>Name</u>	<u>Date</u>
Prepared by	Julia Gulka, Biodiversity Research Institute	12/15/2021
Reviewed by	Kate Williams, Biodiversity Research Institute	12/15/2021
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Review by	Farrah Andersen, Cadmus	12/28/2021

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) in 2018 to provide input to the state¹. The fourteenth E-TWG meeting was held via video conference on 9 December, 2021. Twenty-three representatives from 19 member organizations participated (Appendix A).

This summary is intended to capture the key points of discussion and action items identified during the meeting and is loosely organized according to the structure of the meeting agenda (Appendix B). 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

- NYSERDA and support staff will consider E-TWG input in evolving the E-TWG approach and meeting schedule for 2022 as well as in updating the E-TWG Charter. Support staff will reach out to E-TWG members in early 2022 with an update on plans and scheduling.
- NYSERDA and support staff will continue workplan and specialist committee development for guidance for pre- and post-construction assessment of changes in avian habitat use as well as moving forward with the joint regional synthesis workgroup and the State of the Science planning committee.
- E-TWG members are encouraged to send out updates to the group via email as they occur.

Introduction

Bennett Brooks (Consensus Building Institute) provided a brief introduction. New representatives to the E-TWG include Renee Reilly (New Jersey Department of Environmental Protection). Gwen Gallagher (New York Sea Grant) also attended the meeting. The focus of this meeting was to discuss the E-TWG looking forward, including 1) mission and role, 2) meeting effectiveness, and 3) information sharing. There was also an opportunity for updates from E-TWG members.

E-TWG Looking Forward

Mission and Role

Kate McClellan Press (NYSERDA) introduced the topic of the E-TWG moving forward strategically. The offshore wind industry has evolved substantially since the inception of the E-TWG, including the formation of regionally focused groups like the Regional Wildlife Science Entity (RWSE), additional offshore wind players with each new lease sale, and the effects of COVID-19 on how the E-TWG functions and interacts. From NYSEDA's perspective, the E-TWG to-date has been successful in achieving objectives, and progress has already been made in terms of adapting to this changing context. A clear example of this is the joint E-TWG/RWSE workgroup to synthesize regional research priorities and recommendations. This type of collaboration fills a need while the RWSE gets up and running and

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

ensures that efforts aren't redundant across groups. The E-TWG has always had a regional focus, which is a strength, but as the RWSE increasingly fulfills aspects of this role, there may be an opportunity for the E-TWG to focus more heavily on New York-related topics, such as environmental mitigation plans and cabling. In addition, NYSERDA continues to re-assess the project-specific Environmental Mitigation Plan process for effectiveness, and is considering language for the next offshore wind solicitation with feedback from E-TWG members to strengthen mitigation plans.

Discussion

- **Fostering relationships** – *E-TWG members indicated the value of the group for fostering partnerships across sectors and promoting a willingness to work collaboratively on common priorities, while recognizing that it is more difficult to foster these relationships virtually.*
- **Clearly define the roles of the E-TWG and RWSE** – *E-TWG members indicated that clearly defining how the E-TWG differs from the RWSE would be beneficial not only for E-TWG members but also for the broader stakeholder community. The group discussed the current benefits of the E-TWG include inclusivity, strong collaboration across sectors, focus on the New York Bight, the role that the group plays to host conversations on specific development projects as well as more broadly, as a vital link for working staff to advise Administrators on decisions, and the ability to support the RWSE. As the RWSE process evolves, it will be beneficial to clearly define, and revisit as needed, how the E-TWG is unique.*
- **E-TWG Scope** – *E-TWG members cautioned that if the E-TWG becomes more New-York focused, it should still retain some regional focus, particularly given that wildlife doesn't recognize state boundaries and that power procurements are regional. The E-TWG could help to ensure coordination across states, particularly in the case of New Jersey, and help to coordinate between developers with leases in the New York Bight, which will be necessary as new leases come online. The RWSE will be necessarily limited in its scope, so by working in parallel and as partners, we can collectively accomplish more.*
- **Adaptive management** – *E-TWG members recognized that the multi-phased leasing process in the New York Bight, as well as strong existing environmental research in this region, provides an opportunity to integrate data into the development process and adaptively manage the industry to integrate what we learn from research and monitoring.*

Meeting Effectiveness

Kate Williams (Biodiversity Research Institute) and Bennett Brooks introduced a discussion on scheduling future E-TWG meetings given COVID-19 uncertainty, how to think about representation across sectors on the E-TWG, and how to ensure consistent representation on the E-TWG over time.

Proposed Meeting Schedule

Given planned efforts of three E-TWG Specialist Committees (Regional Synthesis Workgroup, Site-specific guidance committee, and 2022 State of the Science Workshop planning committee), as well as associated workshops planned for each of these efforts, support staff recognized that 2022 will be busy. As such, staff proposed holding only two full E-TWG meetings next year – a spring and a fall meeting, ideally in person, with shorter ad hoc virtual meetings scheduled as needed. In addition to looking for feedback on this proposed schedule, E-TWG support staff also noted continued uncertainty due to the pandemic, and requested feedback on how to make virtual E-TWG meetings as effective as possible if we are unable to resume in-person meetings in 2022.

Discussion

- **COVID-19 precautions** – E-TWG members were interested in the degree to which NYSERDA would require proof of a negative test and vaccinations to meet in person. Kate McClellan Press indicated that NYSERDA is unable to require vaccinations, but that it may be possible to use a venue that has such a requirement.
- **Travel permission** – Multiple state representatives indicated the difficulty in gaining travel permission and thus the benefit of access via virtual meetings. Kate McClellan Press indicated that even if the E-TWG transitions back to in-person meetings, NYSERDA will work to ensure more and better virtual participation options than in the past.
- **Meeting efficiency** – E-TWG members suggested that in-person meetings be full day (to maximize time together), while any virtual meeting should be no longer than 2-2.5 hours for efficiency and effectiveness. Meetings generally should prioritize topics that require collaboration and discussion. There may be opportunities to meet in conjunction with larger events and conferences, including the State of the Science Workshop.
- **Form following function** – E-TWG members suggested that meeting structure be dependent on the role of the E-TWG and scope (previous discussion) and ensure that the group isn't meeting for the sake of meeting.
- **State coordination** – Recognizing the importance of this group as a larger regional forum for discussion, a suggestion was made to consider the E-TWG evolving into a group that could be hosted by different states depending on the topic to help with coordination. An E-TWG member indicated that a challenge in state coordination relates to states leasing power from multiple geographies (e.g., New York Bight, Gulf of Maine). Kate McClellan Press indicated interest in thinking creatively about how states are coordinating, and that the RWSE state caucus could play a role in this discussion.
- **2022 meeting schedule and New York Bight leasing** – Several E-TWG members suggested that holding one or more ad hoc virtual meetings in spring 2022 could be beneficial to discuss the new leases in the New York Bight.
- **Email communication** – Some members wanted to conduct most information-sharing via email, while others preferred not to increase email traffic. One member suggested that emails should be sent out when a very specific response is requested, rather than having more general or multi-topic emails. Another member suggested that there be some time allocated during meetings for updates, and that these should not all come via email prior to meetings. There was also a suggestion that relevant updates should be shared with the E-TWG as they come up, rather than waiting for written updates prior to an E-TWG meeting.

Representation Across Sectors and Ensuring Consistent Representation

Recognizing that E-TWG members see the inclusivity of this group as valuable, as the offshore wind industry continues to grow, it is important to consider E-TWG membership. The E-TWG Charter² currently states that the group includes a single point person from each developer and eNGO organization. Since the charter was finalized, NYSERDA has also instituted a practice of designating an alternate representative for interested organizations. Member selection is based on geographic

² E-TWG Charter https://www.nyetwg.com/files/ugd/78f0c4_c5ff2007e0ca4c72a92f83a4a9edb8cf.pdf?index=true

relevance, balance across sectors, and engagement. NYSERDA and the E-TWG have jointly made decisions on adding representatives.

Discussion

- **Developer representation** - *An E-TWG member shared the approach of the RWSE on this topic, which is that developer representatives have the opportunity for membership if they are represented by an active lease, either by virtue of a single company or joint venture. Several developer E-TWG members suggested that while it may not be necessary to have a representative from each lease area as well as representatives that work across portfolios, it can be useful to have the flexibility to do so, particularly for projects from which New York is procuring power.*
- **Balance** – *Given that the E-TWG typically does not hold formal votes, E-TWG members expressed that numerical balance was less important than ensuring all perspectives are represented. In addition, it was suggested that the E-TWG continue to have opportunities to bring in outside experts as needed.*
- **Consistency** – *E-TWG members indicated that flexibility is key given dynamism of activities, and that a primary and alternate representative should continue to be the approach, with the expectation that primary and alternate members are communicating regularly to ensure continuity. This is seen as particularly important when there is turnover in a position to ensure that new representatives are brought up to speed on E-TWG expectations and discussion.*

Updates

Equinor Foundations Update

Laura Morales (Equinor) provided a brief update on the company's current plans for Empire Wind 1 and 2 (OCS-0512). The company has secured a Notice of Intent from the Bureau of Ocean Energy Management and the Environmental Impact Statement (EIS) process has started, with an anticipated public comment period for the draft EIS in August 2022. They expect all federal and state approvals and anticipate starting construction in late 2023. Equinor has recently removed gravity-based foundations as an option for its lease areas, and are now planning on using mono-piles for turbines and jacket foundations for offshore substations. This decision was based on geotechnical study findings that the use of gravity-based foundations would require significant seabed preparation, which in turn would have higher costs and would impact the feasibility of the project. There were also logistical construction challenges related to fabrication and transport, as well as lack of interest from other offshore wind development companies, which affected prospects for the gravity-based foundation supply chain.

Given this change in plans for foundations, Equinor is updating the underwater acoustic model analysis that will replace the current Construction and Operations Plan appendix, and developing a proposal for mitigating pile-driving impacts, which will include standardized practices including seasonal restrictions, daytime-only pile-driving, the use of passive acoustic monitoring (PAM), ramp-up, and double bubble curtains or equivalent technology.

An E-TWG member suggested additional consideration for potential noise impacts to diving birds during pile-driving.

NYSERDA Updates

Kate McClellan Press (NYSERDA) provided updates on NYSERDA activities including:

- A Request for Proposals for acoustic and oceanographic surveys³ to support offshore wind development in the New York Bight to support PAM network development and understanding of the cold pool;
- Newly released stakeholder engagement guiding principles for offshore wind in New York State⁴, which includes new requirements for offshore wind solicitation proposers to develop a stakeholder engagement plan similar to the environmental mitigation plan;
- A planned Request for Information for the draft scope of the cabling study (discussed at previous E-TWG meetings), which will include a public comment period and opportunities for additional E-TWG input as the project moves forward; and
- The Sunrise Environmental Mitigation Plan meeting summary and presentation from the October meeting are available on the E-TWG website⁵.

Additional Updates

- The Nature Conservancy and Inspire Environmental recently released a report on nature-based designs for scour protection and habitat at offshore wind structures⁶.
- The Sunrise Wind marine mammal monitoring plan will be submitted as part of the project's Incidental Take Application and will be published in spring 2022. The long-term PAM monitoring plan will be submitted much later, likely 90 days prior to construction.
- The Massachusetts Fisheries Working Group is meeting on December 10
- A decision is expected on the next Massachusetts offshore wind solicitation by December 17.

³ Request for Proposals for Acoustic and Oceanographic Surveys to Support Offshore Wind Development https://portal.nyseda.ny.gov/CORE_Solicitation_Detail_Page?SolicitationId=a0rt000001PzU3fAAF

⁴ Guiding Principles for Offshore Wind Stakeholder Engagement <https://www.nyseda.ny.gov/All-Programs/Offshore-Wind/Focus-Areas/Connecting-With-New-Yorkers>

⁵ Sunrise Wind Environmental Mitigation Plan <https://www.nyetwg.com/sunrise-wind>

⁶ Turbine Reefs: Nature-Based Designs for Augmenting Offshore Wind Structures in the United States <https://blog.nature.org/science/science-brief/can-offshore-wind-development-enhance-fish-habitat/>

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>
Lisa Bonacci-Sullivan	NY Dept. of Environmental Conservation	State Government	Observer
Colleen Brust	NJ Dept. of Environmental Protection	State Government	Observer
Lisa Engler	MA Dept. of State	State Government	Observer
Michael Evans	Ørsted	Developer	Advisor
Shilo Felton	National Audubon Society	eNGO	Advisor
Gwen Gallagher	New York Sea Grant	State Government	Observer
Elizabeth Gowell	Ørsted	Developer	Advisor
Terra Haight	NY Dept. of State	State Government	Observer
Erin Healy	Mayflower Wind	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
Atma Khalsa	Avangrid Renewables	Developer	Advisor
Carl LoBue	The Nature Conservancy	eNGO	Advisor
Scott Lundin	Equinor	Developer	Advisor
Anne Marie McShea	Ocean Wind	Developer	Advisor
Laura Morales	Equinor	Developer	Advisor
Ruth Perry	Shell New Energies	Developer	Advisor
Paul Phifer	Atlantic Shores	Developer	Advisor
Renee Reilly	NJ Dept. of Environmental Protection	State	Observer
Matt Robertson	Vineyard Wind	Developer	Advisor
Emily Rochon	Vineyard Wind	Developer	Advisor
Howard Rosenbaum	Wildlife Conservation Society	eNGO	Advisor

Support Staff

Farrah Andersen (Cadmus Group)
 Morgan Brunbauer (NYSERDA)
 Bennett Brooks (Consensus Building Institute)
 Laila El-Ashmawy (NYSERDA)
 Julia Gulka (Biodiversity Research Institute)
 Sherryll Huber (NYSERDA)
 Edward Jenkins (Biodiversity Research Institute)
 Kate Williams (Biodiversity Research Institute)

Other Attendees

Gwen Gallagher (New York Sea Grant)

Appendix B: Meeting Agenda

Environmental Technical Working Group (E-TWG) –Meeting Agenda

9 December 2021, 1-3 pm

<u>Time</u>	<u>Agenda Item</u>
1:00-1:10 pm	Welcome and Icebreaker
1:10 – 2:15pm	E-TWG Looking Forward <ul style="list-style-type: none">• Mission and Role Moving Forward• Meeting Effectiveness<ul style="list-style-type: none">○ Scheduling meetings in 2022 and supporting engagement and relationship building○ E-TWG representation○ <i>Group Discussion</i>• Information Sharing
2:15-2:25 pm	Conversation Break
2:25-2:55 pm	Updates <ul style="list-style-type: none">• Equinor Update• NYSERDA Updates• Opportunity to provide additional updates and ask questions on written updates
2:55-3:00 pm	Wrap Up & Next Steps