



**RHODE ISLAND**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

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Rhode Island Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, Rhode Island 02888

**RE: Comments on OSW Docket 22-22-EL**

Dear Commissioners,

Thank you for providing the Department of Environmental Management (DEM) the opportunity to provide comments on OSW Docket 22-22-EL, which is a draft Request for Proposals (RFP) to develop offshore wind capacity. DEM supports efforts to decrease Rhode Island's greenhouse gas emissions through the development of renewable energy resources including offshore wind. However, it is critical that environmental impacts, including impacts to fisheries, be mitigated to the greatest degree feasible.

The draft RFP includes a requirement that bidders include an Environmental and Fisheries Mitigation Plan (the "Plan") as part of their submission (Section 2.3.3.3). DEM supports this requirement and offers several recommendations for bolstering the Plan. Rhode Island General Laws § 39-31-12 requires that bidders pay for the cost of consultants and counsel that state agencies retain to assess impacts related to the procurement required by the amendments to the Affordable Clean Energy Security Act enacted earlier this year up to a maximum of \$200,000 per agency. DEM urges that this statutory requirement be clearly highlighted in the RFP and that bidders demonstrate the ability to comply. DEM also urges that the RFP give preference to bidders that propose utilizing a single cable route to minimize environmental impacts.

Specific to 2.3.3.3 A. *Site and Environmental Data Transparency*, DEM urges that bidders be required to commit to strong communication with stakeholders in addition to making data or other information publicly available in a timely manner. This is particularly important given recent discoveries of unexploded ordnances in Narragansett Bay and elsewhere by offshore wind developers during survey work.

With respect to 2.3.3.3 B. *Fisheries Compensation*, DEM supports the RFP's requirement that bidders agree to follow Bureau of Ocean Energy Management (BOEM) guidance for mitigation of fisheries impacts, but also recommends that bidders commit to working with DEM and the Coastal Resources Management Council (CRMC) to ensure that the best available data is used to

assess impacts. The Plan should also outline a user-friendly process for quickly compensating fishing participants for lost or damaged gear due to offshore wind-related activities. The Plan should also include a provision for bidders to financially support scientific work, with survey designs approved through a process that includes state agencies and stakeholders, conducted in collaboration with the fishing industry when appropriate, to better understand impacts to the environment, resources, and the industry. If there is an opportunity to evaluate proposals based on their willingness or intent to fund research that understands the environmental, biological, and/or fishery impacts from offshore wind development conducted as part of this RFP, DEM would support such an approach.

Finally, the RFP correctly notes that the successful bidder(s) will be required to obtain multiple permits from governmental agencies including DEM. The RFP also requires that bidders submit a reasonable schedule for obtaining the necessary permits. DEM notes that the permits required are likely to be complex and DEM staff are available to answer questions and meet prior to submission of an application. The sooner the bidder(s) begin conversations with DEM and other state agency staff the more smoothly the review process is likely to proceed.

Sincerely,

A handwritten signature in cursive script that reads "Terrence Gray". The signature is written in dark ink and is positioned below the word "Sincerely,".

Terrence Gray, P.E.  
Director