

“David and Goliath was a much fairer fight.”

These are the words of Chris Brown, a lifelong Rhode Island commercial fisherman, talking about an on-going lawsuit against the Department of the Interior. Nearly 40 plaintiffs, from whale conservation non-profits to fishermen like Brown, are suing over the offshore wind permitting process. The concern in this suit is the North Atlantic Right Whale, but Brown’s sentiments extend beyond this one issue.

Brown has spent decades organizing and advocating for fishermen. He has long considered himself an environmentalist, carrying on his grandfather’s legacy of “leaving no trace”. When the US first dipped its toes into offshore wind with the Block Island Wind Farm, he saw an opportunity for fishermen to be active collaborators. He hoped fishermen could share their decades of firsthand knowledge of the environment, advocate for the health of the ecosystem, and protect their legacy.

Brown says that he and many other fishermen came to the Block Island project with an open mind. Recreational fishermen, too, expressed interest because offshore wind turbines can potentially serve as artificial reefs and boost local fish stocks. Rich Hittinger, a recreational fisherman and retired environmental consultant, wrote about the potential benefits of planned artificial reefs while he was supporting the development of Rhode Island’s Ocean Special Area Management Plan (Ocean SAMP). When the Block Island Wind Farm was built, he was hopeful for the future of fishermen’s collaboration. Hittinger and Brown were members of the Fishermen’s Advisory Board (FAB) established by the Ocean SAMP. This kept them involved in the development process for years to come.

After Block Island, offshore wind development picked up pace. Wind farms were now being leased in federal waters, at much greater scales. The state-level permitting process in place for Block Island did not apply to the federal projects. While the FAB still advised the federal projects, Hittinger felt they no longer had much influence. He felt his hope quickly fade away. Now, Hittinger says, he felt that fishermen “just got steamrolled.”

In the late-2000s, the Coastal Resources Management Council (CRMC) and the RI General Assembly found it necessary to address two key issues coming down the pipeline for the state: the intensifying use of marine resources and a need to meet renewable energy targets.

To address these concerns, in 2008-2011 the CRMC developed a plan. It covered state waters and extended its reach out into federal waters, 30 miles from shore, to include the areas most likely to impact, and be impacted by, Rhode Island residents.

This plan set the stage for the first years of offshore wind. It outlined the Renewable Energy Zone that would become the Block Island Wind Farm, the very first of its kind in the United States.

Block Island was the first test of the strengths and limitations of the procedures outlined in the Ocean SAMP. These turbines went through extensive scientific evaluation before, during, and after construction, and withstood direct stakeholder engagement.

Some fishermen felt that the first outcomes of the Block Island project were cause for optimism because they had a hand in shaping it. At this point, Brown had his reservations about offshore wind, but he kept an open mind. As if he were navigating a treacherous storm, he thought, “if we are lucky, we can steer this” and remained at the helm.

The FAB was tasked with providing the CRMC advice on mitigating potential impacts to fisheries of offshore wind projects. Hittinger thought this was a great idea. Fishing interests played a key role through the development of the Ocean SAMP. Hittinger felt their input on the Block Island project had been central all the way through to when it became operational in 2016. The FAB held a seat at the table for fishermen as development moved into federal waters and the number and size of projects increased.

According to several founding members of the FAB, fishermen brought forward concerns about each project they advised. Vineyard Wind 1 was the first. Hittinger, Brown, and other members say their concerns were acknowledged, but no further action was taken, and the CRMC continued forward with approval. Hittinger said South Fork Wind and Revolution Wind were the same story. At this point, he felt that he could not continue as a member. Just after the CRMC approved the project, he resigned from the FAB. Within a week, the entirety of the Fishermen’s Advisory Board had resigned en masse.

To Brown, it felt like, “where science was viewed as essential to the first five, once big business kicked in, science was considered an obstacle to progress. Everything became a function of a timeline and a budget”

To Hittinger, it wasn’t that they were doing offshore wind, it was *how* they were doing it.

To Fred Mattera, Executive Director of the Commercial Fisheries Center of Rhode Island, it seemed the Council just wasn’t taking fishermen seriously.

The resignation of the FAB seems to have been an inflection point for how fishermen engaged on this issue. Several fishermen restructured their efforts. New players entered the scene, most notably groups like Green Oceans, a Little Compton-based citizen group opposed to offshore wind. Some fishermen have joined forces with these opponents. Others are concerned about what aligning with groups with different priorities might do to future collaboration efforts.

Green Oceans is leading the ongoing lawsuit against the Department of Interior over the offshore wind permitting process. This group is primarily comprised of coastal residents with a host of concerns about offshore wind development, chiefly claimed potential impacts to whales. Science has yet to prove these claims, and the courts have thus far ruled against the plaintiffs in this lawsuit. Although it is not directly related to fishing concerns, many fishermen are signed on

alongside Green Oceans. Their participation has brought together interests who are not usually aligned in a very public fashion.

Sarah Schumann, a commercial fisherman in Rhode Island and Alaska who runs the Fishery Friendly Climate Action campaign, says these efforts have made it difficult for her to find common ground in her work. “Climate action led by people in boots, not in suits” reads the promotional t-shirt of the Fishery Friendly Climate Action campaign. Schumann is deeply concerned about the potential impacts of offshore wind on fisheries. However, she also expresses a sense of urgency about the climate crisis.

By promoting alternative climate mitigation strategies and shining a spotlight on fishermen’s environmental interests, Schumann hopes to create a new pathway to collaboration. She feels fishing interests and environmental concerns have historically been pitted against one another, but is working to reframe this narrative.

Herein lies the challenge for Erica Fuller, Senior Counsel of the Conservation Law Foundation’s Ocean Program. For many fishermen, her organization is one that has advocated for environmental issues at the fishing industry’s expense. One fisherman referred to CLF and other environmental advocacy organizations collectively as “conservangelists” who have been paid off by unspecified groups or individuals. More broadly, many fishermen feel that conservation groups have pushed the issue of offshore wind too far.

Yet Fuller sees similarities between CLF’s past work and Green Oceans’ ongoing lawsuit against the Department of the Interior. Marine mammal conservation is one of CLF’s primary concerns. Fuller recounts years working for the protection of whales. Today, she is involved in the permitting process for offshore wind development in the Gulf of Maine. She is working to mitigate harm to marine mammals, just as this lawsuit hopes to do. And yet, in many ways, CLF and the plaintiffs are still at odds.

The role of misinformation is one of Tricia Jedelev’s biggest concerns when it comes to offshore wind. Jedelev is The Nature Conservancy’s Offshore Wind Policy Manager. Before this, Jedelev spent years with the Rhode Island Attorney General’s office. She explains that fact-based decision-making is top of mind for her. When “we all come to data differently,” Jedelev explains, working with different sets of facts, she feels it can be challenging to build consensus.

Working to overcome these gaps through relationship building is Crista Bank, Fisheries Manager for Vineyard Wind. She calls herself a “renewable energy person,” but her background as a fisheries scientist, fisheries observer, and deckhand demonstrates her experience in and alongside the fishing industry. Prior to starting at Vineyard Wind, Bank explains how she saw the potential challenges coming up the pipeline for fishermen and “didn’t want to see the country’s appetite for renewables hurt an already stressed industry.” She describes herself as proactive and selective, choosing a job at Vineyard Wind because she felt they alone were trying to build a bridge with fishermen. Bank knows she can’t control the engagement strategies of other developers in the area, but feels that the standards she holds herself and her organization to still

suffer if others don't do their part. She speaks of her work as driven by a commitment to minimizing potential impacts to fishermen.

"With the fishing industry," Bank said, "everything is personal."

It is uncertain where this conflict will go from here. Development continues to unfold, though lawsuits, increased public opposition and Vineyard Wind I's blade failure over the summer create additional challenges for the industry. The incoming Trump Administration creates a new level of uncertainty for the future of offshore wind. Yet there is no clear plan for how to resolve conflict between fisheries and offshore wind, and many are not optimistic. When asked about the potential future for improved collaboration between fisheries, developers, and other stakeholders, Hittinger said, "I don't see any future for collaboration."