

FREQUENTLY ASKED QUESTIONS ("FAQS")

A. Basic Purpose & Scope.

1. What is the CVOW Project?

For the purposes of this Fisheries Compensatory Mitigation Program, CVOW stands for the "[Coastal Virginia Offshore Wind - Commercial Project](#)." CVOW is Dominion Energy's commercial offshore wind project located in a federal [Lease Area](#) (OCS-A-0483) on the Outer Continental Shelf approximately 27 miles off the coast of Virginia Beach, inclusive of the offshore export cable route corridor connecting the offshore turbine array to the electric grid on shore. The Lease Area and the export cable corridor together are called the "Offshore Project Area." Learn more about the CVOW Project at www.CoastalVaWind.com.

2. What is the CVOW Fisheries Compensatory Mitigation Program?

The CVOW Fisheries Compensatory Mitigation Program (the "Program") is part of the [CVOW Fisheries Compensatory Mitigation Plan](#). It provides up to \$40 million in monetary compensation to eligible commercial fishing businesses, for-hire recreational fishing businesses, and shoreside direct fishing support businesses that experience documented economic losses resulting from the construction, operations and maintenance, or decommissioning of the CVOW Project. The Program also provides up to \$3 million in monetary compensation to eligible commercial Atlantic surfclam fishing businesses and shoreside support businesses.

3. What impacts does the CVOW Fisheries Compensatory Mitigation Program cover?

The Program covers eligible documented economic losses that result from the construction, operations and maintenance, or decommissioning of the CVOW Project. These may include fewer fishing trips, reduced harvest or catch-per-unit-of-effort, increased expenses, displacement from the Offshore Project Area, or other direct or indirect losses caused by the Project. It also covers, increased expenses, displacement from the Offshore Project Area, or other direct or indirect losses caused by the Project.

4. Will the Program reimburse me for costs I incur in preparing my claim?

Yes. The Program will reimburse claimants for reasonable, third-party costs associated with preparing claims (such as accounting services). Such fees must be reasonably related to the complexity and time attributable to preparing the claim and based on market rates for the services provided. Only fees incurred by established third-party entities and/or professionals/persons are eligible for reimbursement. Compensable third-party costs do not

include those incurred by a claimant’s family member, unless that family member operates a claims preparation or accounting business and the costs for which the claimant seeks reimbursement are comparable to those incurred in the family member’s ordinary course of business.

5. Does this Program cover gear loss/damage?

No. This Program does *not* include the Gear Loss Compensation Program that is a separate part of the CVOW Fisheries Compensatory Mitigation Plan. Fishermen who have experienced lost or damaged fishing gear as a direct result of CVOW construction activities may file a separate claim for reimbursement through the Gear Loss Compensation Program using the claim form available here: https://coastalvawind.com/resources/docs/gear_loss_claim_form.pdf. Anyone with questions about the Gear Loss Compensation Program may contact the CVOW Marine Affairs Team: <https://coastalvawind.com/community/maritime#contacts>.

B. Eligibility.

1. I fish for a living. Am I eligible to apply for compensation?

To receive compensation as a commercial or for-hire fisherman (other than participants in the Atlantic surfclam fishery (see below)), you must show both that you (1) fished in the Offshore Project Area during the Qualifying Period and (2) experienced a compensable economic loss during the Loss Period. The Qualifying Period ran from October 30, 2020, through October 30, 2023. The Loss Period runs from February 11, 2024 (the date construction commenced on the CVOW Project), through December 31, 2059.

Commercial surfclam fishermen also must have experienced a compensable economic loss during the Loss Period, but they have different historical fishing requirements. They must have Atlantic surfclam fishing history before January 28, 2024 (the date of the Construction and Operations Plan’s approval), anywhere in Virginia coastal waters or Federal waters offshore from Virginia or North Carolina.

2. Can recreational fishermen receive compensation?

Other than commercial fishermen, only vessels or businesses engaged in *for-hire* recreational fishing operations (e.g., charter boats) can qualify to receive compensation. Persons who themselves fish only recreationally and not as a paid-for fishing service cannot receive compensation.

3. I do not fish for a living, but my business supports people who do fish for a living. Am I eligible to apply for compensation?

Shoreside businesses that lawfully supported commercial fishing businesses or for-hire fishing businesses through direct, first-transaction sales to them or purchases from them during the period of October 30, 2020, through October 30, 2023 (the “Qualifying Period”)

can participate in the Program. To receive compensation, a qualifying fishery-related shoreside business must have experienced a compensable economic loss during the period of February 11, 2024, through December 31, 2029 (the “Loss Period”).

Shoreside businesses that supported Atlantic surfclam fishing vessels also must have experienced a compensable economic loss during the Loss Period, but they have different historical support requirements. They must have supported Atlantic surfclam fishing that occurred within Virginia coastal waters or federal waters offshore from Virginia or North Carolina through direct, first-transaction sales to, or purchases from, occurring before January 28, 2024.

4. If I fish near—but not inside—the Lease Area, can I still qualify?

You may qualify to receive compensation from the Fisheries Compensatory Mitigation Fund if you lawfully fished (a) within the Offshore Project Area (the Lease Area plus the export cable corridor) during the Qualifying Period; or (b) within three Nautical Miles of the Lease Area during the Qualifying Period and your economic loss resulted from increased competition due to displacement of fishing activity from the Offshore Project Area.

C. Documentation Requirements.

1. What documents do I need to provide to prove I qualify to participate?

To qualify for the Fisheries Compensatory Mitigation Program, Commercial and For-Hire Fishing Businesses or vessels must provide:

- (a) A completed Claimant Qualification Form;
- (b) Proof of authority to fish commercially (*e.g.*, valid VMRC Commercial Fisherman Registration License and Seafood Landing License, GARFO/SERO permit, fisheries permit) or, for for-hire recreational fishing businesses, proof of authority to take charters (*e.g.*, a valid charter boat license and/or permit) during the Qualifying Period;
- (c) Proof of vessel ownership/lease (*e.g.*, valid title) during the Qualifying Period;
- (d) Proof of authority to operate vessel (*e.g.*, GARFO operator’s permit, valid vessel registration, etc.) during the Qualifying Period;
- (e) Proof of authority to conduct business (*e.g.*, valid business license) during the Qualifying Period;
- (f) Proof of fishing location history (*e.g.*, VMS/VTR/AIS data, harvester/personal logbooks, chart plotter records, proof of homeport, NMFS or VMRC Observer data, etc.) during the Qualifying Period, or a sworn statement where other records are not available or complete;
- (g) Documentation of species type targeted or harvested during the Qualifying Period, authorized by the state or federal permits required above;

- (h) Authorization(s) as requested by the Program Administrator for access to the entity's fishing history data held by government or other entities; and
- (i) Count of crew routinely and customarily employed and how such crew were paid (e.g., % share, day rate, etc.) during the Qualifying Period.

To qualify for the Compensatory Mitigation Fund, Shoreside Businesses must provide:

- (a) Completed Shoreside Claimant Qualification Form;
- (b) Proof of authority to conduct business (e.g., valid business license);
- (c) Proof of business location (e.g., utility bills);
- (d) List of Commercial Fishing Business(es) and For-Hire Fishing Business(es) supported through direct, first-transaction sales to, or purchases from, during the period of October 30, 2020, through October 30, 2023.

2. What documents do I need to provide to prove I experienced a compensable economic loss?

For economic loss incurred during the Loss Period, Qualified Fishing Entities must provide:

- (a) A completed Economic Loss Claim Form; and
- (b) Proof of an Eligible Economic Loss, as follows:
 - (1) Proof of level of effort, fishing location, landings, and revenue from commercial fishing in the Offshore Project Area or nearby non-Lease area for the calendar year of the claimed economic loss;
 - (2) Sworn written statement explaining why, in claimant's view, any economic loss experienced was caused by the Project; and
 - (3) As needed, a sworn written statement attributing demonstrated revenues to commercial fishing.

For economic loss incurred during the Loss Period, Qualified Shoreside Businesses must provide:

- (a) A completed Shoreside Economic Loss Claim Form; and
- (b) Proof of an Eligible Economic Loss, as follows:
 - (1) For the calendar year of the claimed loss, proof of reductions in first-transaction sales to, or purchases from fishing entities that would be eligible to qualify for compensation from the program;
 - (2) Sworn written statement demonstrating efforts to support fishing entities that would be eligible to qualify for compensation from the program, during both

the Qualifying Period and the calendar year of the claimed economic loss, and explaining why those efforts may differ between the time periods;

- (3) Sworn written statement explaining why, in claimant’s view, any economic loss experienced was caused by the Project; and
- (4) As needed, a sworn written statement attributing portions of pooled revenues to Qualified Fishing Entities.

D. Compensation Levels & Payment.

1. How much money is available in each fund?

The CVOW Fisheries Compensatory Mitigation Program (the “Program”) provides up to \$40 million in monetary compensation to eligible commercial fishing businesses, for-hire recreational fishing businesses, and shoreside direct fishing support businesses that experience documented economic losses resulting from the construction, operations and maintenance, or decommissioning of Dominion Energy Virginia’s Coastal Virginia Offshore Wind (“CVOW”) Commercial Project. The total amount held by the Compensatory Mitigation Fund at any one time will not exceed \$20 million. If the fund drops below \$5 million, it will be restored to \$5 million in accordance with annual funding, and subject to a \$40 million total life-of-fund contribution cap.

The Program also provides up to \$3 million in monetary compensation to eligible commercial Atlantic surfclam fishing businesses and shoreside support businesses.

2. How much money will I receive?

The CVOW Fisheries Compensatory Mitigation Fund will pay a percentage of validated economic loss claims as presented in the table below, depending on the phase of the CVOW project (*i.e.*, construction, operations and maintenance (“O&M”), or decommissioning) when the loss occurs:

Phase	Total Years	Anticipated Calendar Years	Percentage of Claim Payable
Construction	3	2024-2026	100%
Operation	1	2027	100%
O&M	1	2028	80%
O&M	1	2029	70%
O&M	1	2030	60%
O&M	26	2031-2056	50%
Decommissioning	3 years	2057-2059	100%

Subject to the \$40 million life-of-fund cap, valid Fisheries Compensatory Mitigation Fund claims will be paid in accordance with the above percentages, excluding reasonable claims preparation costs that will remain fully recoverable. For example, an approved claim for

\$1,000 made in year three of the O&M phase, with \$150 in associated claims preparation costs, would be paid as follows: $(70\% * \$1,000) + \$150 = \$850$.

Subject to the \$3 million life-of-fund cap, the Surfclam Compensatory Mitigation Fund will pay 100% of valid claims regardless of project phase.

3. Do I have to sign a release to receive compensation?

Yes. You must accept your award and execute a required release agreement in order to receive payment.

4. When will I receive payment once my claim is approved?

Payments are made in monthly batches and issue within approximately 30 days after the Administrator verifies your acceptance and completed release.

E. Filing Process & Deadlines.

1. When can I start filing claims, and what is the deadline?

Claims may be filed annually for losses occurring during the Loss Period (February 11, 2024 – December 31, 2059). Claims must be filed within two years of the calendar year of the loss (example: 2024 losses are due by December 31, 2026). No claims may be filed after

December	31,	2061.
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2. Can I file multiple claims?

You may file one claim per calendar year in which you experienced an Eligible Economic Loss or Losses. If you have losses in multiple years, you may file a new claim for each year.

F. Dispute Resolution.

1. What happens if my claim is denied or if I do not agree with the compensation amount?

You have several options:

- (a) Opportunity to Cure: Claimants whose initial submissions were deficient have 60 days for a one-time opportunity to submit additional materials and/or information to cure the deficiency. The Program Administrator will evaluate additional materials submitted in the same manner as initial claims, provided above.
- (b) Reconsideration: Claimants who disagree with the Program Administrator's determination have 60 days following issuance of notice of either (a) initial eligibility denial or (b) a post-deficiency cure denial to submit, to the Program

Administrator, a written request for reconsideration of that determination and provide any additional information/materials in support of their argument. The Program Administrator will evaluate requests for reconsideration and additional materials submitted in the same manner as initial claims, provided above.

- (c) Appeal: Appeals of denied claims may be mediated or submitted to binding arbitration in the Commonwealth of Virginia and in accordance with the laws of Virginia. Within six months of notice of denial after reconsideration, claimant, or the claimant's agent, may file a written notice of appeal with the Program Administrator and submit the appeal to the Appeals Neutral. The Appeals Neutral will manage the appeal and issue a final, non-appealable decision that is binding on the parties involved. Dominion Energy will pay costs of the arbitrator. The claimant will bear its own costs of appeal but, if the appeal is successful, Dominion Energy will reimburse the claimant for such costs, including reasonable attorney's fees.