

Coastal Virginia Offshore Wind Compensation Program

INSTRUCTIONS

Economic Loss Claim Form: Shoreside Business

Read the Economic Loss Claim Form Instructions carefully. Complete the appropriate sections. Return your completed Economic Loss Claim Form and all accompanying documents to the Program Administrator.

To file a claim form for an economic loss caused by offshore wind development, you must complete and submit an Economic Loss Claim Form within two calendar years of the year of claimed loss. For example, claims for 2023 would be due by December 31, 2025. You must complete and submit a separate Economic Loss Claim Form for each year that you seek compensation from the CVOW Fisheries Compensatory Mitigation Program (the "Program").

Examples of Documentary Proof You Need to Attach to Your Form:

Proof of Revenues for
Qualifying Period AND
Claimed Loss Year

- Tax documents
- Profit/Loss statements
- Receipt of Sales
- Logbooks of Dates of Operation and Sales



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DEFINITIONS

- (1) Claimant.** A commercial or for-hire fishing business (which can be an individual operating a sole proprietorship or a standalone legal entity) or vessel that advances the claim. All Program notifications will be addressed to “the claimant,” and all payments will issue to “the claimant,” even if an authorized representative of the business completes the Claimant Qualification Form.
- (2) Commercial Fishing Entity.** A vessel or business entity (corporation, limited liability company, partnership, sole proprietorship, or similar legal form) engaged in commercial fishing operations and all its assets (vessels, equipment, etc.).
- (3) Construction.** The period from the first seabed disturbing activity following approval of the Coastal Virginia Offshore Wind (“CVOW”) project’s Construction and Operations Plan (“COP”), which occurred on February 11, 2024. The Construction period ends on the date on which all turbines are installed, and the Project is delivering commercial power to the point of interconnection.
- (4) For-Hire Fishing Entity.** A vessel or business entity (corporation, limited liability company, partnership, sole proprietorship, or similar legal form) engaged in for-hire recreational fishing operations.
- (5) Historical Period.** For Qualified Surfclam Fishing Entities, the period of time before January 28, 2024, in which they lawfully fished for surfclams within Virginia coastal waters or federal waters offshore from Virginia or North Carolina.
- (6) Loss Period.** The period from February 11, 2024, through December 31, 2059. The Fund and Surfclam Fund cover Qualified Fishing Entities’ Eligible Economic Loss Claims experienced during the Loss Period. Claims could not accrue before Construction began. Each claim relates to all qualifying losses experienced within a single calendar year from January 1st through December 31st.
- (7) Offshore Project Area.** The Lease Area and the Offshore Export Cable Route Corridor. See [Section 3.1 and Figure 3.1-1 of the COP](#) for an overview and detailed description of the Lease Area’s location.
- (8) Permit.** Any federal or state authorization, license, or approval required for lawful commercial or for-hire recreational fishing activity.
- (9) Program Administrator.** BrownGreer PLC serves as the neutral, third-party administrator contracted to “receive claims, make claims determinations, and pay or deny claims, as appropriate” for the Program and the Surfclam Program, in accordance with the Construction and Operations Plan for the Project.
- (10) Project.** The Dominion Energy Virginia (“Dominion Energy”) Coastal Virginia Offshore Wind (“CVOW”) Commercial Project.
- (11) Qualifying Permit and Fishing History.** The record of fishing activities associated with an individual, business, or vessel, including all prior holders, transfers, or renewals relevant to demonstrating lawful fishing activity within the Qualifying/Historical Period or Loss Period, including, but not limited to:
 - a. the information which is required to be reported to VMRC pursuant to 4VAC20-610-60(H); and/or
 - b. that which is associated with National Marine Fisheries Service Greater Atlantic Regional Fisheries Office and/or Southeast Regional Fisheries Office permit number.



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- (12) Qualified Fishing Entity.** A Commercial or For-Hire Fishing Business or a vessel with Qualifying Permit and Fishing History that demonstrates satisfaction of the criteria set out in Sections III.3 and IV.B.1 of the Protocol and has been approved by the Program Administrator as eligible to submit claims.
- (13) Qualified Surfclam Fishing Entity.** A Commercial Fishing Business or a vessel with Qualifying Permit and Fishing History that demonstrates satisfaction of the criteria set out in Sections III.3 and V.B.1 of the Protocol and has been approved by the Program Administrator as eligible to submit claims.
- (14) Qualifying Period.** The three-year period of October 30, 2020, through October 30, 2023.
- (15) Shoreside Businesses.** Shoreside businesses that either: (a) lawfully supported through direct, first-transaction sales to, or purchases from, those Commercial Fishing Businesses and/or For-Hire Fishing Businesses impacted by the Construction, Maintenance and Operations, or Decommissioning of the CVOW Project within the three-year period of October 30, 2020, through October 30, 2023; or (b) lawfully supported through direct, first-transaction sales to, or purchases from, those Surfclam Fishing Businesses impacted by the Construction, Maintenance and Operations, or Decommissioning of the CVOW Project before January 28, 2024.



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I. CLAIMANT INFORMATION

- (1) CVOW Program Claimant Number (if known).** If the business has previously interacted with the Program and received a Claimant Number from the Program Administrator, enter that number in the designated space. Skip this field if you do not have or know your CVOW Program Claimant Number.
- (2) Demographic Information.** Provide the Shoreside Business’s name, the name of the Authorized Representative completing the claim on the business’s behalf (if applicable), and the business’s mailing address.
- (3) Is this claim for compensation from the CVOW Surfclam Fund?** The CVOW Surfclam Compensatory Mitigation Fund (the “Surfclam Fund” or the “Surfclam Program”) provides up to \$3 million in monetary compensation to qualified commercial Atlantic surfclam fishing businesses and commercial shoreside Atlantic surfclam fishing support businesses that experience eligible documented economic losses resulting from the construction, operations and maintenance, or decommissioning of the Project. The Surfclam Fund is capped at \$3 million.

Select “Yes” if you incurred primarily reductions in first-transaction sales to, or purchases from, Qualified Surfclam Fishing Entities. Otherwise, select “No.”
- (4) Did you incur third-party costs associated with the preparation of your claim?** Reasonable third-party costs associated with preparing claims (such as accounting services) are also eligible for reimbursement by the Compensatory Mitigation Fund. Third-party costs do not include those incurred by family members. If Yes, complete (a) and (b) below:
 - (a) Name of Third Party Claims Preparer:** Provide the name of the business and/or individual that you paid to help prepare your Claim Form and/or supporting documentation for the Program Administrator’s review.
 - (b) Amount Incurred:** State the amount that you paid to the Third-Party Claims Preparer to prepare your Claim Form and/or supporting documentation for the Program Administrator’s review. You must submit proof of this transaction, which may include receipts, invoices, bank statements, images of cancelled checks, etc.

II. SHORESIDE BUSINESS ECONOMIC LOSS ELIGIBILITY

A. Economic Loss Type

A documented economic loss resulting from the Construction, Operations and Maintenance, or Decommissioning of the Project, may include:

- (1) Reductions in fishing processing volume;
- (2) Reductions in marina sales; or
- (3) Other losses caused by the Project.

Check all that apply, and for each checked reason, enter your best estimate for lost income or revenues. If you indicated that your losses were for reasons that were not otherwise described, you must provide a brief description of the reason. If you need additional space, you may attach any additional pages to your completed Economic Loss Claim Form.



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B. Economic Loss Year

You may file only one claim for losses experienced within a single calendar year (the “Claimed Loss Year”). Your claim must be filed within two years of the claimed loss (i.e., claims for 2023 would be due by December 31, 2025). If you experience Eligible Economic Losses in more than one calendar year, you may file a new claim for each year in which the Eligible Economic Loss occurred. The filing deadline for all claims is December 31, 2061.

Enter the beginning and ending dates of the year for which you seek compensation for your economic losses in this format: [MM/DD/YYYY].

In the following space, you must explain why, in your view, any economic loss experienced was caused by the Project. If you need additional space, you may attach any additional pages to your completed Economic Loss Claim Form.

C. Level of Effort

“Proof of level of effort” demonstrates the resources and practices used to support Commercial, Surfclam, or For-Hire Fishing Entities that harvest fish or surfclams. You must describe the level of effort made to support Qualified Fishing Entities for calendar years 2020, 2021, 2022, and 2023 (or for the relevant Historical Period for Qualified Surfclam Fishing Entities); AND the Claimed Loss Year. This can include an explanation of the resources used to support the Entities, such as consistent operating hours and efforts made to continue business, and attract business, in the ordinary course. If those efforts changed between the Qualifying/Historical Period and the Claimed Loss Year, explain why those efforts changed.

If you need more space, include any additional pages with the Economic Loss Claim Form.

D. Revenues

You must provide proof of revenues during the Qualifying/Historical Period AND the Claimed Loss Year. Proof of such includes, but is not limited to profit/loss statements, receipt of sales, and tax documents.

For the Qualifying/Historical Period, you may have already submitted your proof of revenues to the Program Administrator when submitting an Economic Loss Claim Form for a previous Claimed Loss Year. If you have no additional documentation to support revenues in the Qualifying/Historical Period, you may check the indicated box and the Program Administrator will review the documents that are already on file to determine economic baseline economic activity based on historical revenues. However, if your claim package does not include proof of revenues during the Qualifying/Historical Period AND the Claimed Loss Year, your claim will be deficient and you will not receive a compensation amount until the deficiency is resolved.



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III. CERTIFICATION AND SIGNATURE

Sign the Economic Loss Claim Form and return it to the Program Administrator by one of the following methods:

Mail

CVOW Program Administrator
P.O. Box 85006
Richmond, VA 23285-5006

Email

Contact@CVOWFisheriesCompensation.com

IV. NEXT STEPS

The Program Administrator will review your claim submission. **You will be notified if any required information is missing.**

The Program Administrator will maintain records of Shoreside Businesses. If the business is deemed a Qualified Shoreside Business and later is sold, leased, traded, replaced, or otherwise disposed of, any such transfer of interest must be registered with the Program Administrator. **It is your responsibility, as the Qualified Shoreside Business, to provide the Program Administrator with documentation of the sale, lease, or other change in ownership,** including the contract and any information about the Shoreside Business that has changed (e.g., new owner, business, licenses, etc.).

V. CONTACT US

You may email Contact@CVOWFisheriesCompensation.com if you need assistance completing the Economic Loss Claim Form.

END OF ECONOMIC LOSS CLAIM FORM INSTRUCTIONS