



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
OFFICE OF COASTAL ZONE MANAGEMENT
251 Causeway Street, Suite 800, Boston, MA 02114-2136
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July 15, 2021

South Fork Wind, LLC
c/o Melanie Gearon
Manager, Permitting and Environmental Affairs
50 Exchange Terrace
Providence, RI 02903

Re: CZM Federal Consistency Review of the South Fork Wind, LLC (f/k/a Deepwater Wind South Fork, LLC) (“SFW”) Wind Farm and South Fork Export Cable Project– Bureau of Ocean Energy Management (BOEM) Action, U.S. Army Corps of Engineers (USACE) Action.

Dear Ms. Gearon:

The Massachusetts Office of Coastal Zone Management (CZM) has completed its review of the proposed project to build, operate, and decommission 12 wind turbine generators (WTGs, turbines) with a nameplate capacity of 6 to 12 megawatts (MW) per turbine, submarine cables between the WTGs (inter-array cables), and an offshore substation (OSS), all of which will be located within federal waters on the Outer Continental Shelf (OCS), specifically in BOEM Renewable Energy Lease Area OCS-A 0517 (Lease Area), approximately 19 miles (30.6 kilometers [km], 16.6 nautical miles [nm]) southeast of Block Island, Rhode Island, and 35 mi (56.3 km, 30.4 nm) east of Montauk Point, New York. SFW also includes an O&M facility that will be located onshore at either Montauk in East Hampton, New York or Quonset Point in North Kingstown, Rhode Island. The South Fork Export Cable (SFEC), an alternating current (AC) electric cable, will connect the SFWF to the existing mainland electric grid in East Hampton, New York. The SFEC includes both offshore and onshore segments. The submarine segment of the export cable is proposed to be buried beneath the seabed within federal waters on the OCS from the OSS to the boundary of New York State territorial waters.

To inform our federal consistency review, CZM reviewed the Construction and Operations Plan, Draft Environmental Impact Statement (DEIS), and the Preliminary Final Environmental Impact Statement (PFIES) developed pursuant to the National Environmental Policy Act; and, pursuant to the Coastal Zone Management Act, the federal consistency certification, the U.S. Army Corps of Engineers (USACE) Clean Water Act Section 404/Section 10 permit application, and lease/easement/right-of-way application to BOEM under the Outer Continental Shelf Lands Act. Over the course of the state and federal review process, CZM has received the data and information necessary to make a consistency determination. In our role as a designated cooperating agency, CZM will continue to review and comment on future BOEM submissions including the Final Environmental Impact Statement (FEIS), scheduled for release in August 2021.



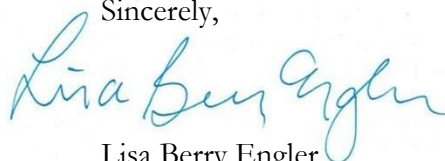
In the applicant's mitigation proposal, South Fork Wind, LLC acknowledged the need for mitigation to impacted fishermen to meet the CZM's enforceable policy under Ports and Harbors Policy #4. CZM cannot require monetary compensation for mitigation as part of CZMA federal consistency. Therefore, CZM could not object for failure to pay a compensation amount or include a condition that an applicant must pay a compensation amount. However, CZM and South Fork Wind, LLC can mutually agree upon a monetary compensation package to meet the applicable enforceable policies. As a result of extensive mitigation negotiations conducted between CZM, the Massachusetts Division of Marine Fisheries, the EEA Fisheries Working Group on Offshore Wind ("FWG"), key stakeholders, and South Fork Wind, LLC from January 2021 through July 2021, South Fork Wind, LLC has entered into an agreement with the Massachusetts Executive Office of Energy and Environmental Affairs (EEA) to provide funds totaling \$2,600,000 over the life of the project. The agreement includes the Massachusetts Fisheries Direct Compensation Program, the Coastal Community Fund, and the Navigation Enhancement and Training Program. The Massachusetts Fisheries Direct Compensation Program (\$2,100,000) will be used to offset economic impacts to Massachusetts commercial and charter/for hire fishing and is intended for claims of direct impact to compensate Massachusetts fishermen for loss of access or reduction of harvest. The Coastal Community Fund (\$200,000) will provide funding for initiatives, research, and projects that will support the co-existence of the fishing and wind sectors in the offshore environment. The Navigation Enhancement and Training Program (\$300,000) will support upgrades to navigation equipment, professional training opportunities, experiential learning, and other initiatives to further a positive co-existence of the fishing and offshore wind industries. The Agreement Regarding the Establishment and Funding of the Massachusetts Fisheries Direct Compensation Program and Coastal Community Fund and Navigation Enhancement and Training Program is attached.

Based on our review, all aspects of the project, including those project elements located in federal waters, and the project's effects on resources and uses in the Massachusetts coastal zone, we concur with the certification that the activity as proposed is consistent with the CZM enforceable program policies.

If the above-referenced project is modified in any manner, including any changes resulting from permit, license or certification revisions, including those ensuing from an appeal, or the project is noted to be having effects on coastal resources or uses that are different than originally proposed, it is incumbent upon the proponent to notify CZM, submit an explanation of the nature of the change pursuant to 15 CFR 930, and submit any modified state permits, licenses, or certifications. CZM will use this information to determine if further federal consistency review is required.

Thank you for your cooperation with CZM.

Sincerely,



Lisa Berry Engler
Director

RLB/pb
CZM# 18265

cc:

Mary Boatman, Bureau of Ocean and Energy Management, US Department of the Interior

Michelle Morin, Bureau of Ocean and Energy Management, US Department of the Interior

Brian Krevor, Bureau of Ocean and Energy Management, US Department of the Interior

Christine Jacek, U.S. Army Corps of Engineers

Dennis Deziel, US Environmental Protection Agency

Tim Timmermann, U.S. Environmental Protection Agency

Chris Boelke, National Marine Fisheries Service, National Oceanic and Atmospheric Administration

Susan Tuxbury, National Marine Fisheries Service, National Oceanic and Atmospheric Administration

Wendi Weber, US Fish & Wildlife Service

Kathleen Theoharides, MA Executive Office of Energy and Environmental Affairs

Stephanie Moura, MA Department of Environmental Protection

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