



October 6, 2023

Ryan Chaytors
Sunrise Wind, LLC
By its agent,
Orsted North America LLC
437 Madison Avenue, Suite 1903
New York, NY 10022

Re: CZM Federal Consistency Review of the Sunrise Wind Farm and Sunrise Wind Export Cable – Bureau of Ocean Energy Management (BOEM) Action, U.S. Army Corps of Engineers USACE) Permit, and U.S. Environmental Protection Agency (USEPA) National Pollutant Discharge Elimination System (NPDES) Permit; Massachusetts. 15 C.F.R. Part 930, Subpart E – Consistency for Outer Continental Shelf (OCS) Exploration, Development and Production Activities and Subpart D Consistency for Activities Requiring a Federal License or Permit; Massachusetts.

Dear Mr. Chaytors:

The Massachusetts Office of Coastal Zone Management (CZM) has completed its review of the proposed project to build, operate, and decommission the Sunrise Wind Farm (SRWF), which includes up to 84 wind turbine generators (WTGs, turbines) with a nameplate capacity of between 8 and 11 megawatts (MW) per turbine, up to 87 possible positions for the WTGs and offshore converter station (OCS-DC) with uniform 1 nautical mile by 1 nautical mile spacing between wind turbine foundations, up to 180 statute miles (mi)(290 km) of inter-array cables between the WTGs, OCS-DC, and one DC submarine export cable bundle (SRWEC) comprised of two cables located within an up to 104.6 mi (168.4 km) long corridor, all of which will be located within federal waters on the Outer Continental Shelf (OCS), specifically in BOEM Renewable Energy Lease Area OCS-A 0487 (Lease Area), approximately 18.9 mi (30.4 km) south of Martha's Vineyard, Massachusetts, approximately 30.5 mi (48.1 km) east of Montauk, New York (NY), and 16.7 mi (26.8 km) from Block Island, Rhode Island. The SRWF also includes an onshore converter station (OnCS-DC) in Brookhaven, Long Island. The SRWEC, a direct current (DC) electric cable, will connect the SRWF to the existing mainland electric grid at Holbrook substation, also located in Brookhaven, Long Island, New York. The SRWEC 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 OCS-DC to the boundary of New York State territorial waters.

To inform the federal consistency review, CZM reviewed the Construction and Operations Plan, Draft Environmental Impact Statement (DEIS), and the Preliminary Final Environmental Impact Statement (PFEIS) developed under the National Environmental Policy Act; and, under 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, the Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) permit, and lease/easement/right-of-way application to BOEM under the Outer Continental Shelf Lands Act. Throughout the state and federal review process, CZM received the data and information necessary to make a consistency determination. However, as a designated cooperating agency, CZM will continue to review and comment on future BOEM submissions for the SRWF including the Final Environmental Impact Statement (FEIS), scheduled for release in late October 2023.



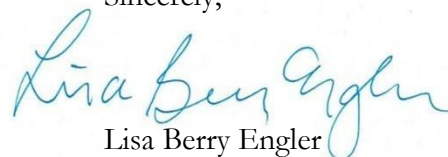
In addition to the documents reviewed above, the SRWF fisheries impact analysis acknowledged the need for mitigation to impacted fishermen to meet the CZM's enforceable policy under Ports and Harbors Policy #4. Because CZM cannot require monetary compensation for mitigation as part of CZMA federal consistency, 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 Sunrise 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 Sunrise Wind, LLC, Sunrise Wind, LLC has entered into an agreement with the Massachusetts Executive Office of Energy and Environmental Affairs (EEA) to provide funds totaling \$11,288,000 for impacts over the life of the project. The agreement includes the Massachusetts Fisheries Direct Compensation Program including a Decommissioning Fund, the Coastal Community Fund, and the Navigation Enhancement and Training Program. The Massachusetts Fisheries Direct Compensation Program (\$8,788,000 net present value (NPV)) will be used to offset economic impacts to Massachusetts commercial and charter/for-hire fishing and is intended for claims of direct economic loss to compensate Massachusetts fishermen for loss of access or reduction of harvest during construction and operation of SRWF. The Massachusetts Fisheries Decommissioning Fund (\$1,000,000 NPV) will be used to offset direct losses/impacts during decommissioning. The Coastal Community Fund (\$1,000,000 NPV) will provide funding for initiatives, research, and projects that will support the co-existence of the fishing and wind industries in the offshore environment. The Navigation Enhancement and Training Program (\$500,000) 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, Coastal Community Fund, and Navigation Enhancement and Training Program is attached.

Based on CZM's 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, CZM concurs 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 in ownership or those 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 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 # 5821

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