

## DEPARTMENT OF THE ARMY PERMIT

Permittee Michael Clayton – Park City Wind LLC

Permit No. NAE-2021-01301

Issuing Office New England District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

### Project Description:

The construction and maintenance of a commercial-scale offshore wind facility within an 63,012 acre Bureau of Ocean Energy Management (BOEM) Renewable Energy Lease Area identified as OCS-A 0534. The project shall consist of: 1) up to sixty two (62) wind turbine generators (WTGs) and up to two (2) electrical service platforms (ESPs) with up to seventy four (74) acres associated scour protection for the structures 2) approximately 133 nautical miles (NM) of inter-array cables connecting the WTGs and inter-link cable connecting the ESPs to the WTGs with eleven (11) acres of associated scour protection for the cables 3) up to two (2) export transmission cables within a single forty two (42) NM offshore export cable corridor (OECC) with approximately 2.5 acres of cable scour protection on the outer continental shelf (OCS) and 21.5 acres of subtidal fills associated with cable scour protection and sand wave relocation activities. Each of the two cables will have a 12 foot (ft.) wide disturbance zone associated with installation and would be estimated to result in a disturbance area involving up to 75 acres of subtidal waters. Cable protection will consist of a rock berm, concrete mattresses, fronded mattresses, and/or rock bags 4) the refilling of two horizontal directional drilling (HDD) exit pits to be excavated for the HDD work associated with the shore to landfall. Each HDD exit pit will be approximately 10,000 square feet (sq. ft.) in size with approximately 20,000 sq. ft. of total impacts associated with HDD 5) HDD installation of the transmission cables under the Centerville River.

Estimated impacts from the discharge of dredged or fill material regulated under Section 404 of the Clean Water Act within the 3 NM limit of the territorial seas include up to 20,000 sq. ft. of subtidal impacts associated with the backfill of HDD exit pits and up to 21.5 acres of subtidal impacts associated with export cable scour protection and sand wave relocation.

Impacts regulated under Section 10 of the Rivers and Harbors Act (RHA) of 1899 for structures, work, and dredging in navigable waters within the 3 NM limit of the territorial seas are estimated to include: 1) excavation and refilling of the HDD pits and HDD installation of transmission cable for the landfall cable resulting in up 20,000 sq. ft. of impact associated with material removal and replacement 2) Boulder relocation, cable lay and burial trials, the pre-lay grapnel run, the installation of the two cables and cable joints, and the placement of secondary cable protection as needed. This work will occur within the overall OECC that is 5,500 feet wide. Each of the two cables will have a 12 ft. wide disturbance zone associated with installation and would be estimated to result in a disturbance area involving up to 75 acres of subtidal waters 3) The applicant is planning to avoid any unexploded ordnances (UXOs) but should any unexpected UXOs be found and need to be dealt with, this work would also be regulated under Section 10 of the RHA 4)The HDD installation of the transmission cable under the Centerville River.

Estimated impacts under S. 10 of the RHA for structures on the OCS include: 1) a maximum of 62 WTGs, two ESPs, and 74 acres of subtidal seabed impacts associated with scour protection for WTGs and ESPs 2) Inter-array cables and the OSS-link cable resulting in approximately 133 NM of inter-array and inter-link cable with associated secondary cable protection over the inter-array cables and the inter-link cables resulting in 11 acres of cable protection 3) up to two export cables within the 23NM OECC on the OCS resulting in 48 NM of cables attached to the seabed with associated secondary cable protection over the two export cables resulting in 2.5 acres of cable protection on the OCS 4) The applicant is planning to avoid any unexploded ordnances (UXOs) but should any unexpected UXOs be found and need to be relocated, this relocation would be regulated under Section 10 of the RHA on the OCS.

The work is shown on the enclosed plans titled, "PHASE 1 OF NEW ENGLAND WIND" on twenty four (24) sheets and dated "JULY 21, 2022."

**Project Location:**

A majority of the work will occur in the Atlantic Ocean within the BOEM Renewable Energy Lease Area OCS-A 0534, which is approximately eighteen (18) NM south of Martha's Vineyard, Massachusetts. Export cable work would occur within a forty one (41) NM long offshore export cable corridor extending from the lease area, through the Muskeget Channel and Nantucket Sound with cable landfall at Craigville Beach, Barnstable, Massachusetts. The export cables would also cross the Centerville River in Barnstable, Massachusetts.

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on **July 31, 2029**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions (1-45):**

1. The permittee shall ensure that a copy of this permit is at the work site (and the project office) authorized by this permit whenever work is being performed, and that all personnel with operational control of the site ensure that all appropriate personnel performing work are fully aware of its terms and conditions. The entire permit shall be made a part of any and all contracts and sub-contracts for work that affects areas of Corps jurisdiction at the site of the work authorized by this permit. This shall be achieved by including the entire permit in the specifications for work. The term "entire permit" means this permit (including its drawings, plans, appendices and other attachments) and also includes permit modifications.

If the permit is issued after the construction specifications, but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. If the permit is issued after receipt of bids or quotes, the entire permit shall be included in the contract or sub-contract. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps jurisdiction.

2. The permittee shall complete and return the enclosed Work Start Notification Form to this office at least two weeks before the anticipated starting date.

3. The permittee shall complete and return the enclosed Compliance Certification Form to this office at least within one month following the completion of the authorized work.
4. The permittee must contact USACE well in advance of proposed decommissioning to determine permitting requirements. Decommissioning is required at the end of the life of project and is not authorized by this DA permit.

**(continued on page 5)**

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - ( ) Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
  - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from Natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
  - a. You fail to comply with the terms and conditions of this permit.
  - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
  - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interested decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.


Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this

permit  
**Michael Clayton**  
(Permittee)  
Digitally signed by Michael Clayton  
DN: cn=Michael Clayton, c=US, o=US  
Offshore, ou=Avangrid Renewables,  
email=michael.clayton@avangrid.com  
Date: 2024.07.15 09:04:27 -04'00'

7/15/2024

(Date)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

  
**Justin R. Pabis, PE**  
**Colonel, Corps of Engineers**  
**District Engineer**  
**PABIS.JUSTIN.ROBERT**  
**0606**  
**2024.07.17 10:26:33 -04'00'**

7/17/2024

(Date)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(Transferee)

(Date)



Special conditions (continued from page 3)

**General Provision Special Conditions**

5. Submissions: All plans and reports submitted to USACE in relation to this permit must include “New England Wind – Phase I – NAE-2021-01301” on the title page. Unless otherwise stated, the Permittee shall provide all required submissions to referenced agencies using the following agency contacts:

a. USACE:

1. General offshore wind email: [cenae-r-offshorewind@usace.army.mil](mailto:cenae-r-offshorewind@usace.army.mil)
2. Project manager: [Christine.M.Jacek@usace.army.mil](mailto:Christine.M.Jacek@usace.army.mil)
3. In the event file sizes are too large for email (generally larger than 15 MB), submissions shall be provided to the USACE contacts listed in 1 and 2 above using the Department of Defense SAFE site at:  
<https://safe.apps.mil/>.

b. National Marine Fisheries Service (NMFS):

1. NMFS Greater Atlantic Regional Fisheries Office – Protected Resources Division (GARFO-PRD) at [nmfs.gar.incidental-take@noaa.gov](mailto:nmfs.gar.incidental-take@noaa.gov).
2. NMFS Office of Protected Resources (NMFS-OPR) at  
[PR.ITP.MonitoringReports@noaa.gov](mailto:PR.ITP.MonitoringReports@noaa.gov).
3. NMFS GARFO Habitat and Ecosystem Services Division (GARFO-HESD) at [NMFS.GAR.HESDOffshorewind@noaa.gov](mailto:NMFS.GAR.HESDOffshorewind@noaa.gov).

c. U.S. Fish and Wildlife Service (USFWS)

1. USFWS New England Field Office: [newengland@fws.gov](mailto:newengland@fws.gov)

6. Territorial Seas: Unless otherwise specified in these special conditions, the term “territorial seas” refers to areas between the high tide line (HTL) and the 3 nautical mile (NM) mark where USACE has S. 10 and S. 404 authority.

7. Outer Continental Shelf (OCS): Unless otherwise specified in these special conditions, the term “outer continental shelf (OCS)” refers to areas from the 3 NM mark to the edge of the OCS where USACE has S. 10 authority.

8. Annual compliance reporting: The Permittee shall submit an annual report to USACE detailing the work that has occurred to date and the status of compliance with all of the conditions of the DA permit. Reports for each year are due by February 15 of the following year.

9. Construction and Operation Plan (COP) Approval: The Permittee must submit BOEM's COP approval to USACE within 30-days of receipt. As USACE also has

jurisdiction on the OCS and BOEM was the lead for NEPA and several agency conditions, numerous DA permit conditions are analogous to BOEM's anticipated conditions of the COP approval. USACE will review BOEM's final conditions of COP approval to determine if a permit modification will be required to align these DA permit conditions with the analogous conditions in the COP approval.

10. Record of Decision (ROD): All mitigation measures referenced in the ROD (i.e., the mitigation measures identified in Appendix H of the Final Environmental Impact Statement) for this Project are incorporated herein and are considered terms and conditions of this DA permit. In the case of a discrepancy between the mitigation measures referenced in the ROD and a specific DA permit condition, the language of the DA permit condition will prevail.

11. Consistency with Other Agreements and Authorizations: In the event that these conditions are, or become, inconsistent with the terms and conditions of the Project's Biological Opinion (BO) issued by National Oceanic and Atmospheric Administration (NOAA) NMFS on February 16, 2024; the BO issued by the USFWS on August 31, 2023; the Letters of Authorization (LOAs) issued for the Project under the Marine Mammal Protection Act (MMPA); the Section 106 Memorandum of Agreement (MOA) executed in March 2024, or amendments to or superseding versions of any of these documents; the language in the NMFS BO, USFWS BO, LOAs, Section 106 MOA or amendments to or superseding versions of any of these documents, will prevail. To the extent the permittee identifies inconsistencies within or between the language in the NMFS BO, USFWS BO, Incidental Take Authorizations (ITAs), Section 106 MOA or amendments to or any superseding versions of any of these documents, it must direct questions regarding potential inconsistencies to the Bureau of Safety of Environmental Enforcement (BSEE), BOEM, and USACE. BSEE, in consultation with BOEM and/or USACE, will determine how the Permittee must proceed.

### **Technical Special Conditions**

12. Munitions and Explosives of Concern (MEC) and Unexploded Ordnance (UXO) Investigation: The Permittee must investigate the areas of potential disturbance for the presence of MEC/UXO and implement the As Low as Reasonably Practical (ALARP) risk mitigation principle. The ALARP risk mitigation principle requires (1) a desktop study (DTS); (2) an investigation survey to determine the presence of objects and report of findings; (3) an identification survey to determine the nature of the identified objects and report of findings; (4) MEC/UXO mitigation (avoidance, disposition, or relocation); and (5) a certification that MEC/UXO risks from installation and operation of the facility have been reduced to ALARP levels. The Permittee must implement the mitigation methods identified in the approved COP, the DTS, and the subsequent survey report(s) following the resolution of all comments provided by BOEM and Bureau of Safety and Environmental Enforcement (BSEE) for activities on the OCS and by USACE for activities on the OCS and within the territorial seas. In the event archaeological discoveries are made during the MEC/UXO Investigation, the Permittee must notify

BOEM within 24 hours of discovery (pursuant to 30 C.F.R. § 585.702). As part of the Fabrication and Installation Report (FIR) and prior to commencing seabed preparation activities, such as pre-lay grapnel run, and boulder relocation, and installation activities, the Permittee must make available for review to the approved Certified Verification Agent (CVA), BOEM, BSEE, and USACE the complete and final versions of information on implementation and installation activities associated with the ALARP mitigation process, including the: (1) DTS; (2) investigation surveys to determine the presence of objects; (3) identification surveys to determine the nature of the identified objects; and (4) MEC/UXO relocation and/or construction re-routing.

13. MEC/UXO Identification Survey Report: The Permittee must submit an Identification Survey Report to BOEM and BSEE for activities on the OCS and to USACE for activities on the OCS and within the territorial seas for each agency's review and concurrence prior to seabed disturbing activities and the installation of facilities in the area of potential disturbance. The report must include the following:

- a. A detailed discussion of methodologies.
- b. A summary and detailed description of the findings and information on all planned mitigations necessary for MEC/UXO risks to reach ALARP levels, such as: detailed information on MEC/UXO relocation activities, micro-siting of facilities, changes to installation or operational activities, and cable re-routings.
- c. A separate list of findings that identify conditions different from those anticipated and discussed in the DTS.
- d. A statement attesting that the installation methods and MEC/UXO mitigation strategies discussed in the FIR, DTS, and/or Investigation Survey Report are consistent with the results of the Identification Survey Report, accepted engineering practices, and applicable best management practices. Alternatively, the Permittee may submit a detailed discussion of alternative installation methods and/or MEC/UXO mitigation strategies that the Permittee has determined to be appropriate given the results of the Identification Survey, accepted engineering practices, and applicable best management practices.

14. MEC/UXO Discovery Notification: In the event of a confirmed MEC/UXO, the Permittee must coordinate with the U.S. Coast Guard (USCG) to ensure the MEC/UXO discovery is published in the next version of the Local Notice to Mariners (LNM) for the specified area and provide BOEM and BSEE a copy of the LNM once it is available. The Permittee must also provide the following information to BOEM (BOEM\_MEC\_Reporting@boem.gov), BSEE (via TIMSWeb and [env-compliance-arc@bsee.gov](mailto:env-compliance-arc@bsee.gov)), USACE, and relevant agency representatives within 24 hours of any such discovery made during activities, such as seabed clearance, construction, and operations:

- a. A narrative describing activities that resulted in the identification of confirmed MEC/UXO;
- b. A description of the activity taking place at the time of discovery (survey, seabed clearance, cable installation, etc.);
- c. A description of the location (latitude (DDD°MM.MMM'), longitude (DDD°MM.MMM)), Lease Area, and block) of the discovery;
- d. The water depth (meters (m)) of the confirmed MEC/UXO;
- e. A description of the MEC/UXO type, dimensions, and weight; and
- f. The MEC/UXO vertical position (description of exposure or estimated depth of burial).

15. Munitions Response Plan for Confirmed MEC/UXO on the OCS and within the territorial seas: In the event the Permittee plans to mitigate confirmed MEC/UXO, the Permittee must implement methods identified in the approved COP and as described in the MEC/UXO Investigation (as referenced in special condition 12) for MEC/UXO mitigation activities. The Permittee must avoid confirmed MEC/UXO through micro-siting of planned infrastructure (e.g., WTGs, ESPs, inter-array cables, or export cables) or must demonstrate to BSEE's, BOEM's, and USACE's satisfaction that such avoidance is not feasible. For confirmed MEC/UXO on the OCS and the territorial seas, where avoidance through micro-siting is not feasible, the Permittee must provide a Munitions Response Plan. The Munitions Response Plan must include the following:

- a. A description of the method of munitions response and an analysis describing the identification and determination of the method chosen for each confirmed MEC/UXO;
- b. A hazard analysis of the response activities;
- c. A description of the type and designation of work vessels, remotely operated vehicles, unmanned surface vehicles, or craft planned to be used in proximity to the MEC/UXO;
- d. The contact information of the identified munitions response contractor;
- e. The contractor qualifications and competencies to safely carry out the response work;
- f. A proposed timeline of activities;
- g. The position of confirmed MEC/UXO and, if applicable, planned relocation position;
- h. A description of the potential impact of weather and sea state on munitions response operations;

- i. A description of the potential for human exposure;
- j. A medical emergency procedures plan;
- k. A description of the protective measures to be implemented to reduce risk and/or monitor effects to protected species and habitats or other ocean users; and
- l. A plan for accidental detonation.

16. Munitions Response After Action Report: The Permittee must submit a Munitions Response After Action Report detailing the activity and outcome to BOEM and BSEE for activities on the OCS and to USACE for activities on the OCS and within the territorial seas. The report must include the following information:

- a. A narrative describing the activities the Permittee undertook, including the following:
  - 1. The as Found Location and, if applicable, As Left Location (latitude [DDD°MM.MMM'], longitude [DDD°MM.MMM]), lease area, and block);
  - 2. The water depth (in meters) of munitions response activities;
  - 3. The weather and sea state at the time of munitions response;
  - 4. The number and detailed characteristics (e.g., type, size, classification) of MEC items subject to response efforts;
  - 5. The duration of the munitions response activities, including start and stop times.
- b. A summary describing how the Permittee followed its Munitions Response Plan and any deviations from the plan;
- c. A description of safety measures used, including but not limited to the presence of a USCG safety-zone, notices to mariners, other USCG safety actions in place prior to taking any munitions response actions, and how security call protocols were used;
- d. The results of the munitions response;
- e. A description of any threats and effects to health, safety, or the marine environment;
- f. A description of any effects on protected species, marine mammals, and essential fish habitat and measures implemented to reduce risk and monitor effects;
- g. The details and results of any geophysical surveys conducted after the completion of the munitions response activities; and

h. If applicable, a description of anticipated future munitions response activities.

17. Cable Routings: The Permittee must submit the final Cable Burial Risk Assessment (CBRA) package and engineered cable routings for all cable routes on the OCS to BSEE and for all cable routes on the OCS and within the territorial seas to USACE for review and concurrence. The final CBRA package must include a summary of final information on (1) natural and man-made hazards; (2) sediment mobility, including high and low seabed levels, from both mobile and stable seabed, expected over the Project lifetime; (3) feasibility and effort level information required to meet burial targets; (4) profile drawings of the cable routings illustrating cable burial target depths, and (5) minimum burial depths from stable seabed to address threats to the cable including, but not limited to, anchoring risk, military activity, third party cable crossings, and fishing gear interaction. Detailed supporting data and analysis may be incorporated by reference or attachments, including relevant geospatial data.

18. Post-Installation Cable Monitoring: The Permittee must conduct an inspection of each inter-array, interconnector, and export cable to determine cable location, burial depths, and site conditions, and to assess the state of the cable. Inspections must occur within 6 months following installation of the export, interconnector, or inter-array cables, and additional inspections within 1 year following completion of the post-construction inspection and every 3 years thereafter. These inspections must also be conducted within 180 days of a storm event. The Permittee must provide BSEE and BOEM, for the cables within the OCS, and to USACE, for the cables within the OCS and the territorial seas, with a cable monitoring report within 90 days following each inspection. Inspections of the cable location and burial must include high resolution geophysical (HRG) methods, involving, for example, multibeam bathymetric survey equipment; and must identify seabed features, natural and man-made hazards, and site conditions along federal sections of the cable routing. Inspections of the state of the cable must evaluate degradation to cable integrity and operational performance, including assessments of thermal, electrical, mechanical, and ambient stress factors acting on the cables.

### **Navigation and Aviation Safety Conditions**

19. Marking: The Permittee must mark each WTG and ESP with Private Aids to Navigation (PATON). No sooner than 60 and no fewer than 30 days before foundation installation, the Permittee must file an application (form CG-2554 or CG-4143, as appropriate), with the Commander of the First Coast Guard District to establish PATON, as provided in 33 C.F.R. Part 66. USCG acceptance of the application must be obtained before the Permittee begins installation of the facilities. The lighting, marking, and signaling plan and the design specifications for maritime navigation lighting must be included in the PATON application. Each individual WTG and ESP must be marked with clearly visible, unique, alpha-numeric identification characters consistent with the Rhode Island and Massachusetts Structure Labeling Plot. The Permittee must additionally display this label on each WTG nacelle, visible from above. If the Permittee's ESP

includes helicopter landing platforms, the Permittee must also display this label on the platforms visible from above. The Permittee must:

- a. Mark each individual WTG and ESP with clearly visible, unique, alpha-numeric identification characters consistent with the attached Rhode Island and Massachusetts Structure Labeling Plot, as identified in the lighting, marking, and signaling plan. The Permittee must additionally display this label on each WTG nacelle, visible from above. If the Permittee's ESP includes helicopter landing platforms, the Permittee must also display this label on the platforms visible from above.
- b. For each WTG, install red obstruction lighting that is consistent with the Federal Aviation Administration (FAA) Advisory Circular 70/7460-IM (Nov. 2020).
- c. Provide signage that is visible to mariners in a 360-degree arc around the structures to inform vessels of the vertical blade-tip clearance (also referred to as Air Gap) as determined at Highest Astronomical Tide.
- d. Immediately report discrepancies in the status of all PATONs to the local USCG Sector Command Center (a timeline of when discrepancies can be resolved must be sent to USCG within 14 days of identifying the discrepancy).

20. Blade/Nacelle Control: The Permittee must equip all WTG rotors (blade assemblies) with control mechanisms constantly operable from the Permittee's control center.

- a. Control mechanisms must enable the Permittee to immediately initiate the shutdown of any WTG upon emergency order from the Department of Defense (DoD) or USCG. The Permittee must initiate braking and shutdown of each requested WTG immediately after the shutdown order. The Permittee may resume operations only upon notification from the entity (DoD or USCG) that initiated the shutdown.
- b. The Permittee must work with the USCG to establish the proper blade configuration during WTG shutdown for USCG air assets conducting search and rescue operations.

21. Structure Micrositing: The Permittee must not adjust approved WTG or ESP structure locations in a way that narrows any linear rows and columns oriented both northwest-southeast or northeast-southwest to less than 0.6 nautical miles, nor to a layout that eliminates two distinct lines of orientation in a grid pattern. The Permittee must submit the final as-built structure locations within 60-days of installation completion to USACE.

22. Installation Schedule: No less than 60 days prior to commencing offshore construction activities, the Permittee must provide USCG and USACE with a plan that describes the schedule and process for seabed preparation, export, substation interconnector and inter-array cable installation, and the WTGs and ESP installation,



including all planned mitigations to be implemented to minimize any adverse impacts to navigation while installation is ongoing. Appropriate submissions must accompany the plan and its revisions.

23. Design Modifications: Any changes or modifications in the design of the structures within the Lease Area or within the offshore export cable corridor that may impact navigation safety (including, but not limited to a change in the number, size, or location of WTGs, or a change in construction materials or construction method), requires written approval by BSEE. A permit modification from USACE would also be required.

24. Nautical Charts/Navigation Aids: The Permittee must submit the as-built cable burial reports (containing precise locations and burial depths), ESP locations, and WTG locations to USCG and NOAA, to facilitate government-produced and commercially available nautical charts and aid USCG cross-reference structures and navigation aids.

25. Complaints: On a monthly basis, the Permittee must provide BSEE with (1) a description of any complaints received (written or oral) by boaters, fishermen, commercial vessel operators, or other mariners regarding impacts to navigation safety allegedly caused by construction or operations vessels, crew transfer vessels, barges, or other equipment; and (2) a description of remedial action(s) taken in response to complaints received, if any. BSEE reserves the right to require additional remedial action consistent with 30 C.F.R. Part 285.

### **National Security Issues**

26. Radar Adverse Impact Management (RAM) Scheduling: To mitigate impacts on North American Aerospace Defense Command's (NORAD's) operation of the Falmouth, MA, Air Surveillance Radar-8, the Permittee must complete the following:

a. NORAD Notification: At least 30, but no more than 60, days prior to the completion of commissioning of the last WTG (i.e., that date by which every WTG in the Project is installed with potential for blade rotation), the Permittee must notify NORAD for RAM scheduling.

b. Funding for RAM Execution: At least 30, but no more than 60, days prior to completion of commissioning of the last WTG (i.e., that date by which every WTG in the Project is installed with potential for blade rotation), the Permittee must contribute funds in the amount of \$80,000 to NORAD toward the execution of the RAM. For each phase of the Project, if the time gap between the commissioning of the first and last WTG is anticipated to be 3 years or greater, the Permittee must contribute funds in the amount of \$80,000 to NORAD toward the execution of the RAM when 50 percent of the WTGs are commissioned, and an additional \$80,000 to NORAD toward the execution of additional RAM when the last WTG is commissioned. This allows NORAD to manage radar adverse impacts over an extended period of construction.

**27. Distributed Optical Fiber Sensing (DOFS) Technology and Acoustic Monitoring**

**Devices:** The Permittee must provide all information necessary for evaluation of the potential submarine power cables, data cables, and acoustic monitoring devices to be used in the Project to [osd.dod-siting-clearinghouse@mail.mil](mailto:osd.dod-siting-clearinghouse@mail.mil) and [opnavn4imissioncompatibility@us.navy.mil](mailto:opnavn4imissioncompatibility@us.navy.mil) for review. The Permittee must coordinate with the DoD utilizing the contacts listed above to determine the timing for the Permittee to provide all information to DoD for review. The Permittee must provide DoD with notice of the intent to change this information at least 30 days prior to any change. If the DoD requests additional information, the Permittee must provide it within 15 days of the request. The following information must be provided:

- a. Sensor deployment dates and duration;
- b. Siting routes and locations of acoustic monitoring devices;
- c. Shore station location;
- d. DOFS and acoustic monitoring capabilities;
- e. Make and model of integrated (or planned integration/deployment of) and standalone scientific sensors;
- f. Manufacturers and vendors;
- g. Plans for data storage;
- h. Transmission and usage; and
- i. Associated physical and cybersecurity protocols.

**Protected Species and Habitat Special Conditions**

**28. Anchoring Plan:** The Permittee must prepare and implement an Anchoring Plan(s) for all areas where anchoring or buoy placement occurs and jack-up barges are used during construction and operations/maintenance within 1,640 feet (ft) (500 meters (m)) of habitats, resources, and submerged infrastructure that are sensitive, including sensitive benthic habitats; boulders greater than or equal to 0.5 m; ancient submerged landform features (ASLFs); known and potential shipwrecks; potentially significant debris fields; potential hazards; third-party infrastructure, and any related facility installation activities (such as cable, WTG, and ESP installation).

The Permittee must provide to all construction and support vessels the locations where anchoring or buoy placement must be avoided to the extent technically and/or economically practicable or feasible, including sensitive benthic habitats, boulders greater than or equal to 0.5 m, ASLFs, known and potential shipwrecks, potentially significant debris fields, potential hazards, and any related facility installation activities (such as cable, WTG, and ESP installation). If avoidance and minimization is determined to be infeasible, the plan(s) must describe in detail the rationale for such infeasibility. Dynamic positioning systems should be used in these areas instead of

anchoring, as practicable. If anchoring is necessary at these locations, then all vessels deploying anchors must extend the anchor lines to the extent practicable to minimize the number of times the anchors must be raised and lowered to reduce the amount of disturbance to the sensitive resources listed above, unless the anchor chain sweep area includes sensitive benthic habitat that may be impacted by the chain sweep. On all vessels deploying anchors, the Permittee must use mid-line anchor buoys to reduce the amount of anchor chain or line that touches the seabed, unless the Permittee demonstrates, and BOEM, BSEE, and USACE accept, that (1) the use of mid-line anchor buoys to reduce the amount of anchor chain or line that touches the seabed is not technically practical or feasible; or (2) a different alternative is as safe and provides the same or greater environmental protection.

If placement of jack-up barge spud cans is necessary in sensitive benthic habitats, locations for the spud cans must be selected to avoid or minimize impacts according to the following list, including complex habitat sub-types (using NMFS complexity categories), prioritized from highest to lowest priority: complex habitats with high density large boulders, complex habitats with medium density large boulders, complex habitats with low density large boulders, complex habitats with scattered large boulders, complex habitats with no large boulders, as technically feasible and practicable. Benthic habitat (NOAA complexity categories) and benthic feature/habitat type maps in conjunction with backscatter, bathymetry, and boulder layers should be used to inform the anchoring plan.

29. Boulder Identification and Relocation Plan: The Permittee must submit a Boulder Identification and Relocation Plan(s) to BOEM and BSEE for activities on the OCS and to USACE for activities on the OCS and within the territorial seas for the agencies' 60-day review (in coordination with NMFS GARFO-HESD), 120 days prior to boulder relocation activities within the scope of the plan. The Permittee must resolve all comments on the Boulder Identification and Relocation Plan to BOEM's, BSEE's, and/or USACE's satisfaction prior to implementation of the plan. If BOEM, BSEE, or USACE do not provide comments on the plan within 60 days of its submittal, then the Permittee may presume concurrence with the plan. Concurrence with the plan will be determined by BSEE for activities on the OCS and by USACE for activities within the territorial seas. The plan(s) must detail how the Permittee will avoid or minimize impacts to sensitive benthic habitats and fishing operations. The plan(s) must provide for relocation of boulders as closely as practicable to the original location, in areas of soft bottom (i.e., low backscatter areas) that are immediately adjacent to existing similar habitat from which the boulder originated. The plan(s) must include multibeam backscatter data and boulder (greater than or equal to 0.5 m in diameter) data layers to inform the siting of boulders and areas for relocation. The plan must include sufficient scope to mitigate boulders for facility installation and operational risks. The plan must include the following for boulders that are proposed to be relocated:

- a. A summary and detailed description of locations along the cable routes and wind turbine areas where surface and subsurface boulders greater than 0.5 m in diameter have been found.
- b. A detailed summary of methodologies used in boulder identification, including geological and geophysical survey results;
- c. Figures of the location of boulder relocation activities specified by activity type (e.g., pick or plow, removal, or placement). Separate submissions of these depictions overlaid on multibeam bathymetry and backscatter data and fishing activity data must also be submitted;
- d. A description of boulder removal and/or relocation methods for each type of boulder relocation activity and technical feasibility constraints, including, but not limited to, the capacity of the crane used in grab systems, vessel specifications and metocean limits on operations;
- e. The areal extent of the environmental footprint of disturbance activities by habitat type and specific measures taken to avoid further adverse impacts to archaeological resources, complex habitat and fishing activity, and a description of how information regarding these resources is shared with vessel operators;
- f. A comprehensive list and shapefile of locations of boulders that would be relocated (latitude, longitude), boulder dimensions (m), buffer radius (m), areas of active (within last 5 years) fishing (latitude, longitude), areas where boulders greater than 2 m in diameter are anticipated to occur (latitude, longitude), and identification of approximate areas to which boulders would be relocated (latitude, longitude);
- g. The specific strategies and measures taken to minimize the impacts to complex habitats and quantity of seafloor obstructions from relocated boulders in areas of active fishing, as technically and/or economically feasible;
- h. A description of safety distances or zones to limit boulder relocation activities near third party assets;
- i. A description of MEC/UXO ALARP Certified areas, which should be consistent with MEC/UXO ALARP Certification;
- j. A summary of any consultation and outreach with resource agencies and the fishing industry in the development of the plan (e.g., notifications to mariners); and
- k. A statement of consistency with the Micrositing Plan.
- l. The Permittee must provide USCG, NOAA, and the local harbormaster with a comprehensive list and shapefile of positions and areas to which boulders

greater than 2 m would be relocated (latitude, longitude) at least 60 days prior to boulder relocation activities.

m. Protocols and figures depicting areas of complex habitat, backscatter data, and fishing operations shall be provided to the vessel operators executing the Boulder Relocation Plan to facilitate compliance with this plan(s).

30. Boulder Relocation: The Permittee must implement methods identified in the approved COP and described in the Boulder Identification and Relocation Plan for boulder relocation activities. The Permittee must consider the spatial extent of boulder relocation in the micrositing of WTGs and ESP foundations and inter-array and export cables for this Project and must relocate boulders as closely as practicable to the original location, in areas of soft bottom (defined as areas with low backscatter) immediately adjacent to existing similar habitat. The relocation of boulders must be consistent with the Project easement.

31. Boulder Relocation Report: The Permittee must provide a Boulder Relocation Report to BSEE, BOEM, USACE, NMFS GARFO-HESD, and the approved CVA. The report must include a post-relocation summary of the boulder relocation activities and information to certify boulder risks related to the installation and operation of the facility have been properly mitigated. The report must also identify boulders that could not be relocated with documentation of technical feasibility concerns, including information on how, if at all, the final boulder placement differs from the Boulder Relocation Plan and why such changes were necessary. The report must be submitted within 60 days of completion of the boulder relocation activities and prior to or with the relevant FIR. The Permittee must also provide BOEM and BSEE a comprehensive list and shapefile of boulder locations to which boulders were relocated (latitude, longitude), boulder dimensions (m), any safety distances or zones to limit boulder relocation near third-party assets (m), and areas of active (within last 5 years) fishing (i.e., as a raster file for use in ArcGIS).

32. Micrositing Plan(s): The Permittee must prepare and implement a Micrositing Plan(s) that describes how inter-array cables, export cable routes, WTGs, and ESPs will be micrositied to avoid or minimize impacts (as technically and/or economically practicable or feasible) to archaeological resources, sensitive benthic habitats including complex habitats and benthic features, rock substrates, shell substrates, vegetated habitats, bathymetric features, and other areas of high habitat heterogeneity and complexity (complex habitats are defined by medium to high backscatter), boulders greater than or equal to 0.5 meters in diameter, and potential and confirmed MEC/UXO. The plan(s) must describe MEC/UXO ALARP Certified areas, which should be consistent with MEC/UXO ALARP Certification.

To the extent practicable, cables should cross sensitive benthic habitat areas perpendicularly at the narrowest points; cables unable to avoid benthic features such as sand waves should be sited along natural benthic contours within troughs/lows, to

maximize cable burial while minimizing disturbance to local submarine topography. The Permittee must submit detailed supporting data and analysis, including relevant geophysical and geospatial data. The Micrositing Plan(s) must be consistent with all other required plans, as applicable.

a. The Micrositing Plan(s) must include a figure for each micrositied cable segment, including benthic habitat delineations showing sensitive benthic habitat and locations of boulders greater than or equal to 0.5 m. The plans must include a figure encompassing the lease area, depicting large boulder locations, benthic habitat delineations, and the proposed micrositied locations for cables, WTGs, and ESPs. Benthic habitat (NOAA complexity categories) and benthic feature/habitat type maps in conjunction with multibeam backscatter, bathymetry, side-scan sonar, ground truthing (grab sample and video) and boulder layers should be used to inform the Micrositing Plan.

b. For cables, ESPs, and/or WTGs that cannot be micrositied to avoid impacts to sensitive benthic habitat or boulders greater than or equal to 0.5 m, detailed rationale must be provided for infeasibility. The micrositing plan must identify technically and/or economically practicable or feasible impact minimization measures and use the following prioritized list, including complex habitat sub-types (using NMFS complexity categories), to avoid during micrositing:

- i. Complex habitats;
- ii. Heterogeneous complex habitats;
- iii. biogenic habitat;
- iv. areas with benthic features (e.g., sand waves) or bathymetric features (e.g., ridge crest, ridge flank, swale/trough/depression).

c. The Micrositing Plan(s) must be submitted to BOEM, BSEE for activities on the OCS and USACE for activities within the territorial seas for a 60-day review (in coordination with NMFS GARFO-HESD), 120 days prior to site preparation activities for cables, WTGs, and ESP(s) within the scope of the plan. The Permittee must resolve all comments on the Micrositing Plan(s) to BOEM's and BSEE's satisfaction on the OCS and to USACE's satisfaction for activities in the territorial seas prior to implementation of each plan(s). If there are fewer than 120 days between site preparation activities and this COP approval, the Permittee must submit the plan as soon as practicable and no later than 60 days prior to commencing activities. The final version of each Micrositing Plan must be provided to BOEM, BSEE, NMFS, and USACE. Additionally, the plan must describe how information regarding sensitive benthic habitats is shared with vessel operators.

33. Scour and Cable Protection Plan: The Permittee must prepare and implement a Scour and Cable Protection Plan(s) that includes descriptions and specifications for all

scour and cable protection materials. The plan(s) must include a depiction of the location and extent of cable protection, the habitat delineations (multibeam backscatter data, bathymetry, and boulder layers  $\geq 0.5\text{m}$  in diameter) for the areas of cable protection measures, and detailed information on the proposed scour or cable protection materials for each area and habitat type including anticipated height of scour protection above the seafloor. The Scour and Cable Protection Plan(s) must demonstrate consistency with the Micrositing Plan(s), as appropriate.

a. The Permittee must avoid the use of engineered stone or concrete mattresses in complex habitat, as practicable and feasible. The Permittee must ensure that all materials used for scour and cable protection measures consist of natural or engineered stone that does not inhibit epibenthic growth and provides three-dimensional complexity in height and in interstitial spaces, and mimics natural seafloor substrates as practicable and feasible. Any exposed surface layer should be designed and selected to provide three-dimensional structural complexity that creates a diversity of crevices (e.g., mixed stone sizes) and rounded edges (e.g., tumbled stone). If concrete mattresses are necessary, bioactive concrete (i.e., with bio-enhancing admixtures) must be used as practicable as the primary scour protection (e.g., concrete mattresses) or veneer to support biotic growth.

b. Cable protection measures must have tapered or sloped edges to reduce hangs for mobile fishing gear. The Permittee must avoid the use of plastics/recycled polyesters/net material (i.e., rock-filled mesh bags, fronded mattresses) for scour protection.

c. The Scour and Cable Protection Plan(s) must be submitted to BOEM, BSEE for activities on the OCS and to USACE for activities in the territorial seas for a 60-day review (in coordination with NMFS GARFO-HESD), at least 120 days prior to placement of scour and cable protection within the area covered by the scope of the Plan(s). BOEM and BSEE must concur with the Scour and Cable Protection Plan(s) prior to BSEE issuing a no-objection covering the scour and/or cable protection materials for activities on the OCS. USACE must concur with the Scour and Cable Protection Plan(s) for activities within the territorial seas.

d. The Permittee must resolve all comments on each Plan to BOEM's, BSEE's, and USACE's satisfaction before placement of the scour and cable protection materials. The final version of the Scour and Cable Protection Plan(s) must be provided to BSEE, NMFS, and USACE.

34. Post Installation Micrositing Report: The Permittee must provide a post-installation Micrositing Report to BOEM and BSEE for activities on the OCS and USACE for activities in the territorial seas for coordination with NMFS GARFO-HESD. The report must include a summary of the micrositing activities for WTGs, ESPs, inter-array cables, and the export cable and demonstrate (i.e., figures of as-built locations overlaid on



multibeam echosounder backscatter survey data) how impacts to complex habitats and benthic features were avoided and/or minimized within the lease area and export cable corridors. The report must also identify and depict (i.e., figures) areas in which WTGs, ESPs, or cables could not be micrositied to avoid complex habitats with a description of the complex habitat sub-types impacted (see prioritized list of complex habitat sub-types listed under the Micrositing Plan Special Condition 32) and include documentation of technical feasibility issues encountered. The report must be submitted within 60 days of completion of all WTG, ESP, and cable installations. The Permittee must also provide BOEM, BSEE, and NMFS GARFO-HESD a shapefile of as-built WTGs, ESPs, inter-array cables, and the export cables, as well as best-available multibeam echosounder backscatter survey data (i.e., as a raster file for use in ArcGIS).

35. Berm Survey and Report: Where plows, jets, grapnel runs, or other similar methods are used, post-construction geophysical surveys required as part of the Post-Installation Cable Monitoring must be capable of detecting bathymetry changes of 0.5 meters or less and must be completed to determine the height and width of any created berms. The Permittee must capture bathymetry changes greater than 3 feet during the first and second post-installation surveys along the cable routes. If there are bathymetric changes in berm height greater than 1 meter above grade after the second survey, the Permittee must develop and implement a Berm Remediation Plan to restore created berms to match adjacent natural bathymetric contours (isobaths), as technically and/or economically practical or feasible. The Permittee must submit the Berm Remediation Plan to BOEM and BSEE for activities on the OCS and to USACE for activities within the territorial seas for a 60-day review (in coordination with NMFS GARFO-HESD) within 90 days of completion of the post-construction survey where the change was detected. The Permittee must resolve all comments on the Berm Remediation Plan to BOEM's and BSEE's satisfaction for activities on the OCS and to USACE's satisfaction for activities in the territorial seas prior to initiating restoration activities. The final version of the Berm Remediation Plan must be provided to BOEM, BSEE, NMFS GARFO-HESD, and USACE.

36. Benthic Habitat Monitoring Plan (BHMP): The Permittee must conduct benthic habitat monitoring consistent with the Permittee's BHMP (Appendix III-U of the COP) dated February 2024 (as applicable to Phase 1) to assess benthic habitat in the Project area pre-, during, and post-construction. The Permittee must submit any revisions to the BHMP to BOEM, to BSEE with status updates of submittals in the Annual Certification, and to NMFS GARFO-HESD. Benthic monitoring plan reports and resulting data should also be submitted to NMFS GARFO-HESD.

37. UXO Detonation Prohibition: UXO detonation shall not commence until BOEM has notified the Permittee that all necessary Magnuson-Stevens Act (MSA) Essential Fish Habitat (EFH) consultations addressing this action have concluded. The Permittee must also implement any conservation recommendations adopted by BOEM and USACE as part of the reinitiated EFH consultation.

38. NMFS Section 7 Consultation Under the Endangered Species Act (ESA): This DA permit does not authorize the Permittee to take any marine threatened or endangered species. In order to legally take a listed species, the Permittee must have a separate authorization under the ESA (e.g., an ESA Section 10 permit or a BO under ESA Section 7, with “incidental take” provisions with which the Permittee must comply). The enclosed NMFS BO dated February 16, 2024 contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with “incidental take” that is also specified in the BO. The Permittee’s authorization under this DA permit is conditional upon their compliance with all of the mandatory terms and conditions associated with “incidental take” of the enclosed BO (or any future BO that supersedes it), which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with “incidental take” of the BO, where a take of a listed species occurs, would constitute an unauthorized take, would also constitute non-compliance with this DA permit. The NMFS is the appropriate authority to determine compliance with the terms and conditions of its BO and with the ESA.

39. USFWS Section 7 Consultation Under the ESA: This DA permit does not authorize the Permittee to take any terrestrial threatened or endangered species. In order to legally take a listed species, the Permittee must have a separate authorization under the ESA (e.g., an ESA Section 10 permit or a BO under ESA Section 7, with “incidental take” provisions with which the Permittee must comply). The enclosed USFWS BO dated August 31, 2023 contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with the “incidental take” that is also specified in the BO. The Permittee’s authorization under this DA permit is conditional upon their compliance with all of the mandatory terms and conditions associated with “incidental take” of the enclosed BO (or any future BO that supersedes it), which terms and conditions are incorporated by reference in this DA permit. Failure to comply with the terms and conditions associated with the “incidental take” of the BO, where take of a listed species occurs, would constitute an unauthorized take, would also constitute non-compliance with this DA permit. The USFWS is the appropriate authority to determine compliance with the terms and condition of its BO and with the ESA.

40. Submerged Aquatic Vegetation (SAV) Surveys and Avoidance within the Territorial Seas: No more than one year prior to the commencement of the proposed landfall work including cable installation, vessel anchoring, barge spud deployment, and HDD exit/entrance pit work, the Permittee will perform an SAV survey to determine the location and extent of the SAV bed to the east of the landfall site. The SAV survey shall be performed in accordance with the enclosed “Joint Federal Agency Submerged Aquatic Vegetation Survey Guidance for the New England Region” updated on August 11, 2016. The survey results shall be submitted to USACE for review at least 60 days prior to the commencement of work. The Permittee shall provide the vessel operators and the HDD work contractor an anchoring plan showing SAV locations with instructions to maintain a 100-ft buffer from these areas during construction, staging, and mooring activities.

41. HDD Material Management within the Territorial Seas: The Permittee shall store dredged materials from HDD exit pits on a barge or above the high tide line. The HDD exit pit dredged materials shall be used to backfill the excavated HDD pit areas or removed to a suitable upland disposal site if the material contains elevated levels of contaminants. HDD exit pits shall be restored to pre-construction conditions with native and/or clean, compatible material once construction and installation is complete.

42. Frac-Out Plan for HDD Activities within the Territorial Seas: A copy of the final HDD frac-out plan for the project shall be provided to USACE and NMFS GARFO-HESD at least 60-days prior to initiation of HDD work.

**Commercial Fisheries, For-Hire, and Recreational Fishing Special Conditions**

43. Federal Survey Mitigation Program: There are 14 NMFS scientific surveys that are impacted by overlap with wind energy development in the northeast region. Ten of these surveys overlap with the Project. Consistent with NMFS and BOEM survey mitigation strategy actions 1.3.1, 1.3.2, 2.1.1, and 2.1.2 in the “NOAA Fisheries and BOEM Federal Survey Mitigation Implementation Strategy - Northeast US Region,” within one year plus 120 days of COP approval, the Permittee must submit to BOEM a survey mitigation agreement between NMFS and the Permittee. The survey mitigation agreement must describe how the Permittee will mitigate the Project impacts on the ten NMFS surveys. The Permittee must conduct activities in accordance with such agreement. If the Permittee and NMFS fail to reach a survey mitigation agreement, then the Permittee must submit a Survey Mitigation Plan to BOEM and NMFS that is consistent with the mitigation activities, actions, and procedures described in the content for the survey mitigation agreement, within one year plus 180 days of COP approval. BOEM will review the Survey Mitigation Plan in consultation with NMFS Northeast Fisheries Science Center (NEFSC). The Permittee must resolve comments to BOEM’s satisfaction and must conduct activities in accordance with the plan.

a. As soon as reasonably practicable, but no later than 30 days after the issuance of the Project’s COP approval, the Permittee must initiate coordination with NMFS NEFSC at [nefsc.survey.mitig@noaa.gov](mailto:nefsc.survey.mitig@noaa.gov) to develop the survey mitigation agreement described above. Mitigation activities specified under the agreement must be designed to mitigate the Project impacts on the following NMFS NEFSC surveys: (a) Spring Multi-species Bottom Trawl survey; (b) Autumn Multi-species Bottom Trawl survey; (c) Ecosystem Monitoring survey; (d) Aerial marine mammal and sea turtle survey; (e) Shipboard marine mammal and sea turtle survey; (f) ocean quahog survey; (g) Atlantic sea scallop survey; (h) Seal survey; (i) North Atlantic right whale (NARW) survey; and (j) Sea Turtle Ecology survey. At a minimum, the survey mitigation agreement must describe actions and the means to address impacts on the affected surveys due to the preclusion of sampling platforms and impacts on statistical designs. NMFS has determined that the project area is a discrete stratum for surveys that use a random stratified design. This agreement may also consider other anticipated

Project impacts on NMFS surveys, such as changes in habitat and increased operational costs due to loss of sampling efficiencies.

b. The survey mitigation agreement must identify activities that will result in the generation of data equivalent to data generated by NMFS's affected surveys for the duration of the Project. The survey mitigation agreement must describe the implementation procedures by which the Permittee will work with NEFSC to generate, share, and manage the data required by NEFSC for each of the surveys impacted by the Project, as mutually agreed upon between the Permittee and NMFS NEFSC. The survey mitigation agreement must also describe the Permittee's participation in the NMFS NEFSC Northeast Survey Mitigation Program to support activities that address regional-level impacts for the surveys listed above. The agreement must include provisions that provide criteria for changing mitigation activities over time, or timeframes for review and reconsideration of the agreement, based on updated information, or both.

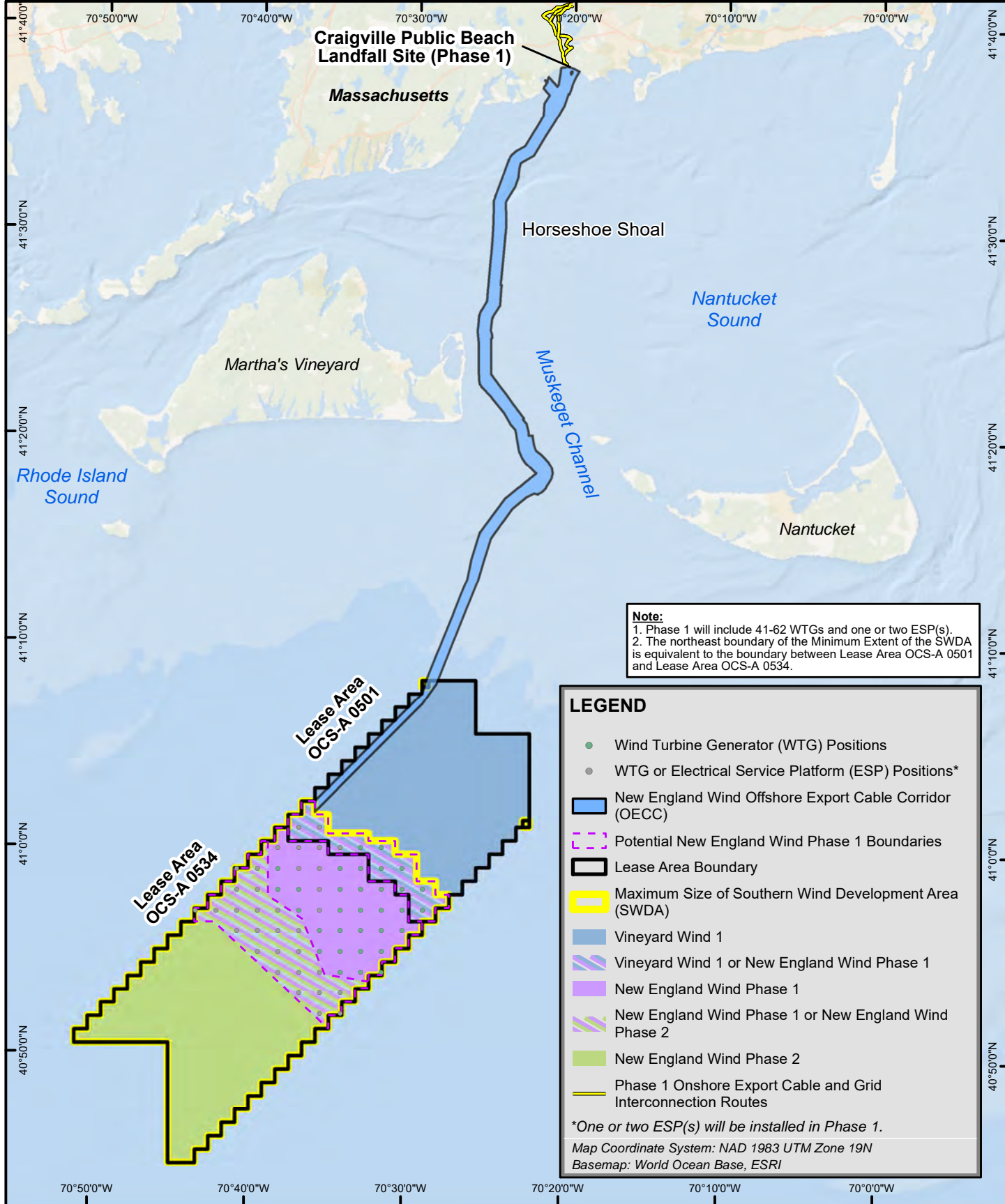
#### **Visual and Cultural Resources Special Conditions**

44. Section 106 of the National Historic Preservation Act (NHPA): The Permittee shall comply with the enclosed Memorandum of Agreement (MOA) titled, "Memorandum of Agreement Among the Bureau of Ocean Energy Management, Mashpee Wampanoag Tribe, Mashantucket (Western) Pequot Tribal Nation, the Massachusetts State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the New England Wind Offshore Wind Energy Project (Lease Number OCS-A 0534)" executed in March 2024. The purpose of the MOA is to avoid, minimize, and mitigate adverse effects to historic properties as required under Section 106 of the NHPA.

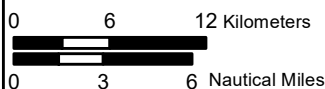
#### **Federally Recognized Tribal Nations Conditions**

45. Environmental Data Sharing with Federally Recognized Tribal Nations: No later than 90 days after COP approval, the Permittee must make a request to both the BSEE Tribal Liaison Officer and the Eastern Seaboard Tribal Liaison at the same email address, [tribalengagement@bsee.gov](mailto:tribalengagement@bsee.gov), to coordinate with federally recognized Tribal Nations with geographic, cultural, or ancestral ties to the project area (hereinafter "interested Tribal Nation"), including, but not limited to the: Delaware Nation, Delaware Tribe of Indians, Mashantucket (Western) Pequot Tribal Nation, Mashpee Wampanoag Tribe of Massachusetts, Mohegan Tribe of Indians of Connecticut, Narragansett Indian Tribe, The Shinnecock Indian Nation, and Wampanoag Tribe of Gay Head (Aquinnah). The purpose of this coordination is to (1) solicit Tribal Nation interest in participating as an environmental liaison during construction and/or maintenance activities, so the environmental liaison can safely monitor, and participate in postmortem examinations of mortality events, as a result of these activities; and (2) provide open access to the following: reports of NARW sightings; injured or dead protected species reporting (sea turtles, NARW, sturgeon); NARW Passive Acoustic Monitoring; Protected Species Observer (PSO) reports (e.g., pile-driving reports); pile-driving schedules and schedule

changes; and any interim and final SFV reports, and their associated data. If an interested Tribal Nation expresses interest in participating as an environmental liaison, the Permittee must provide the interested Tribal Nation information regarding training(s), certification(s), and safety measures, required for participation. Environmental liaisons must be invited to monitor/participate from a safe platform, such as a vessel. The Permittee must provide to the interested Tribal Nation, in a manner suitable to the Tribal Nation, access to all ESA reports (e.g., the NMFS BO reports), Post Review Discovery Plans, and other documents listed in this paragraph no later than 30 days after the information becomes available. The Permittee may redact or withhold a document(s) listed in this paragraph when it includes information that the Permittee would not generally make publicly available and the disclosure of which the Permittee considers to be contrary to the Permittee's commercial interests. The Permittee must submit a justification for the request to redact/withhold in writing to the BSEE Tribal Liaison Officer and the Eastern Seaboard Tribal Liaison at [tribalengagement@bsee.gov](mailto:tribalengagement@bsee.gov). Only upon approval of such request by BSEE may the document be redacted/withheld.



Scale 1:472,440  
 1 in = 12 kilometers



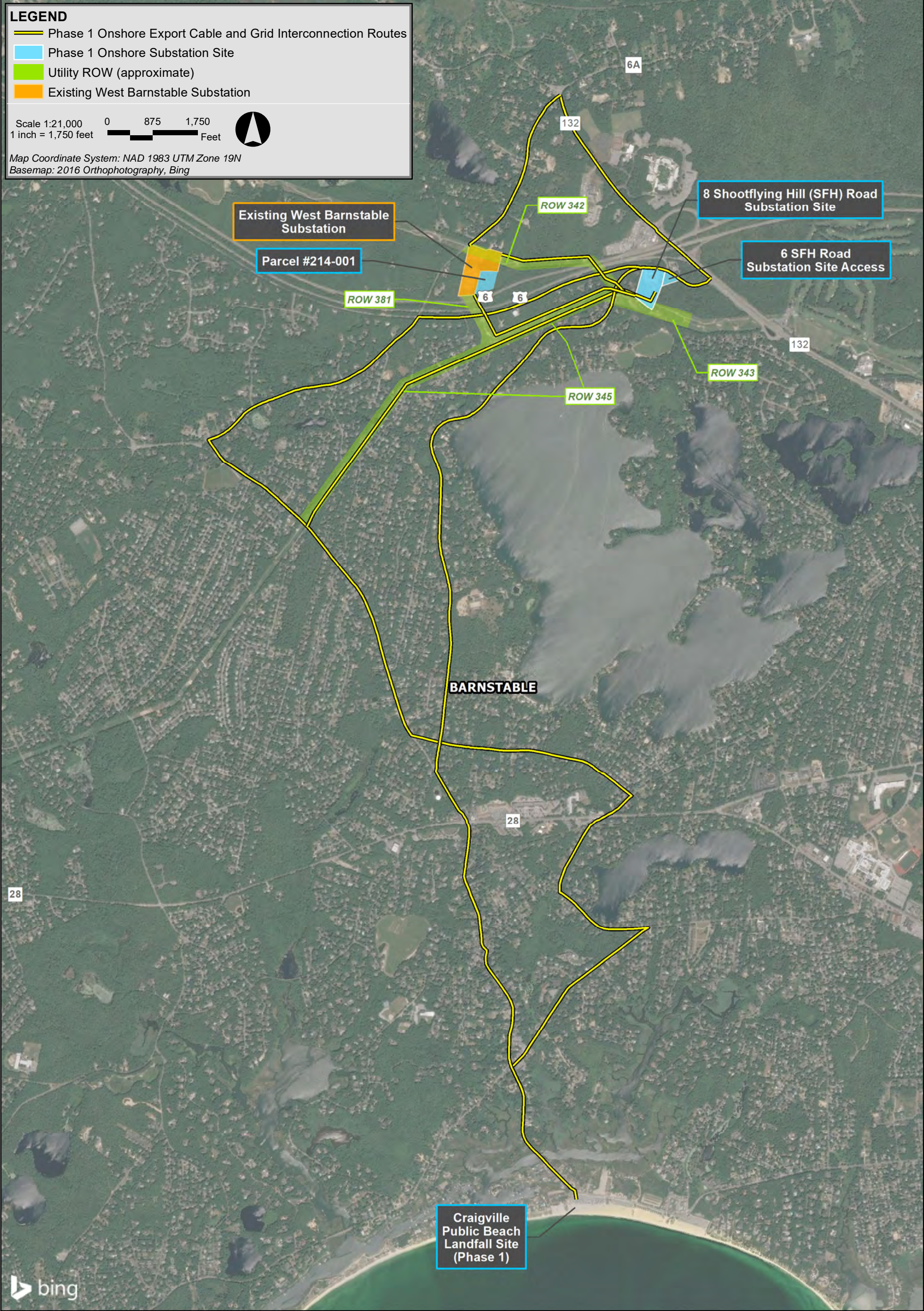
## PHASE I OF NEW ENGLAND WIND

PHASE 1 OFFSHORE LOCATION PLAT  
 USACE PERMIT APPLICATION SHEET 1

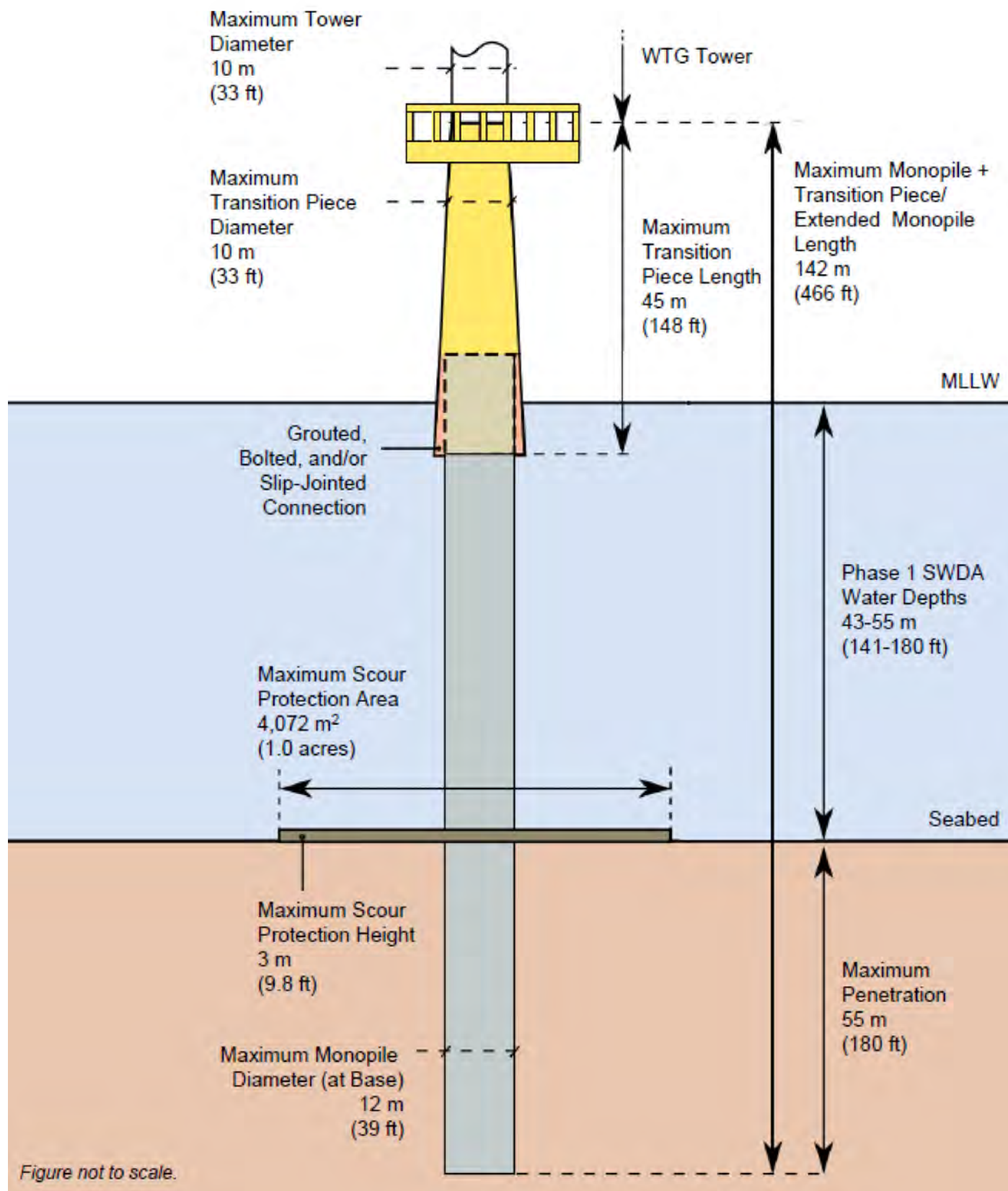
IN: ATLANTIC OCEAN AND NANTUCKET SOUND  
 AT: SOUTHEAST MASSACHUSETTS  
 JULY 21, 2022









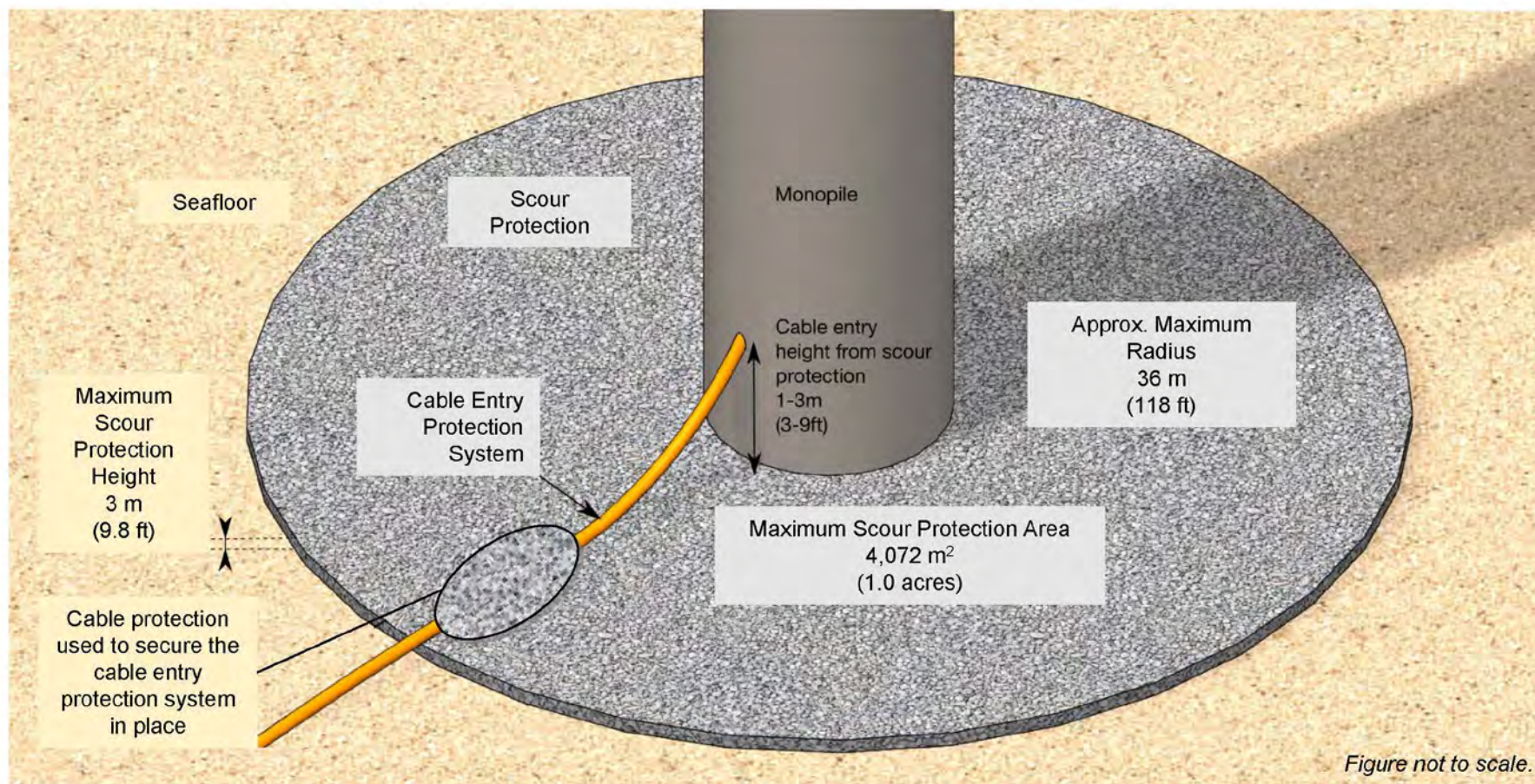


NOT TO SCALE

### **PHASE I OF NEW ENGLAND WIND**

PHASE 1 WTG FOUNDATION - MONOPILE  
USACE PERMIT APPLICATION SHEET 3

IN: ATLANTIC OCEAN AND NANTUCKET SOUND  
AT: SOUTHEAST MASSACHUSETTS  
JULY 21, 2022



Note: Conceptual drawing provided for Phase 1 monopile foundations only; scour protection dimensions for jacket foundations are provided in Tables 3.2-5 and 3.2-6 and may not be circular.

NOT TO SCALE

**PHASE I OF NEW ENGLAND WIND**

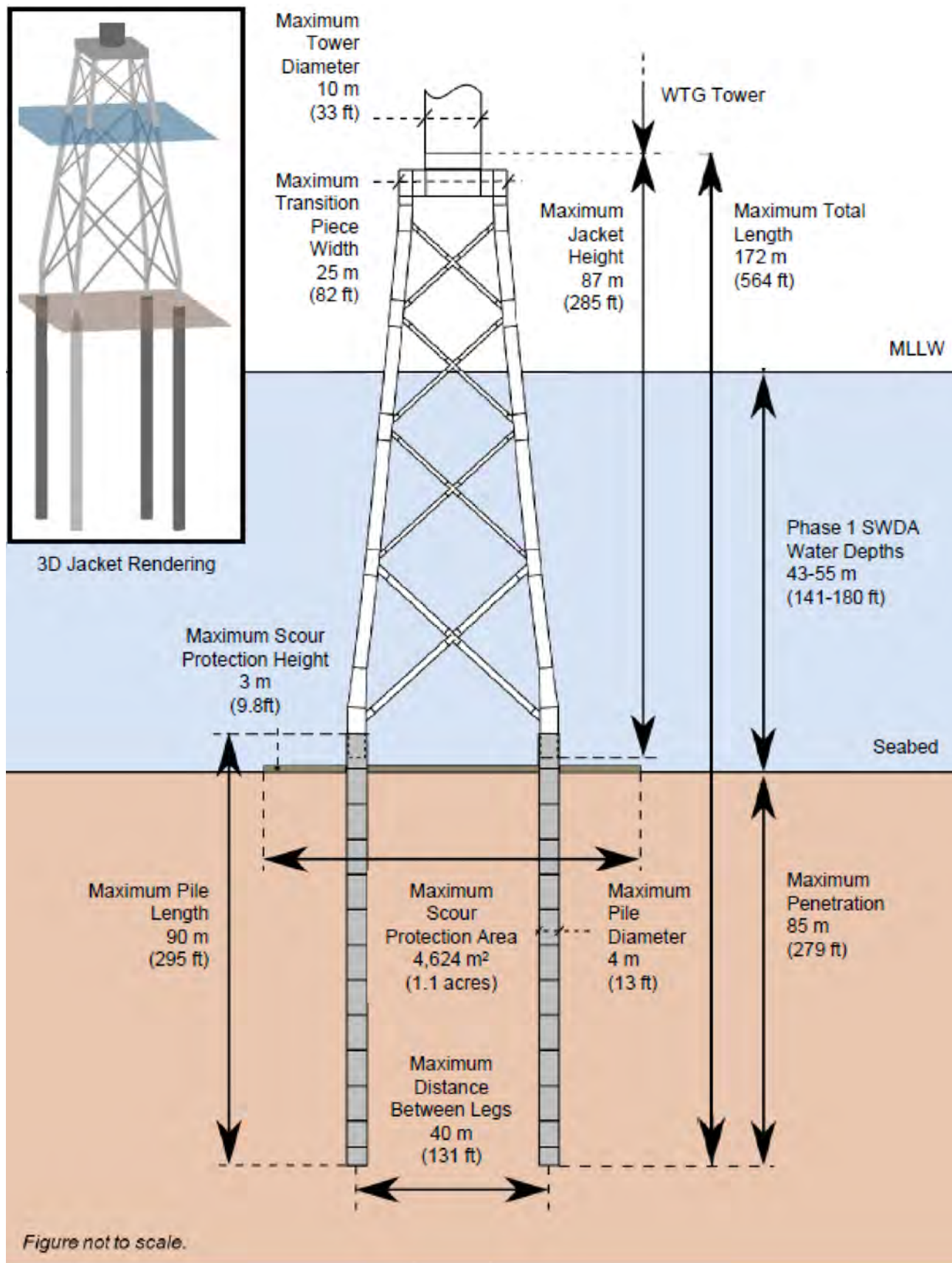
TYPICAL SCOUR PROTECTION FOR PHASE 1 MONOPILE FOUNDATIONS

USACE PERMIT APPLICATION SHEET 4

IN: ATLANTIC OCEAN AND NANTUCKET SOUND  
AT: SOUTHEAST MASSACHUSETTS  
JULY 21, 2022





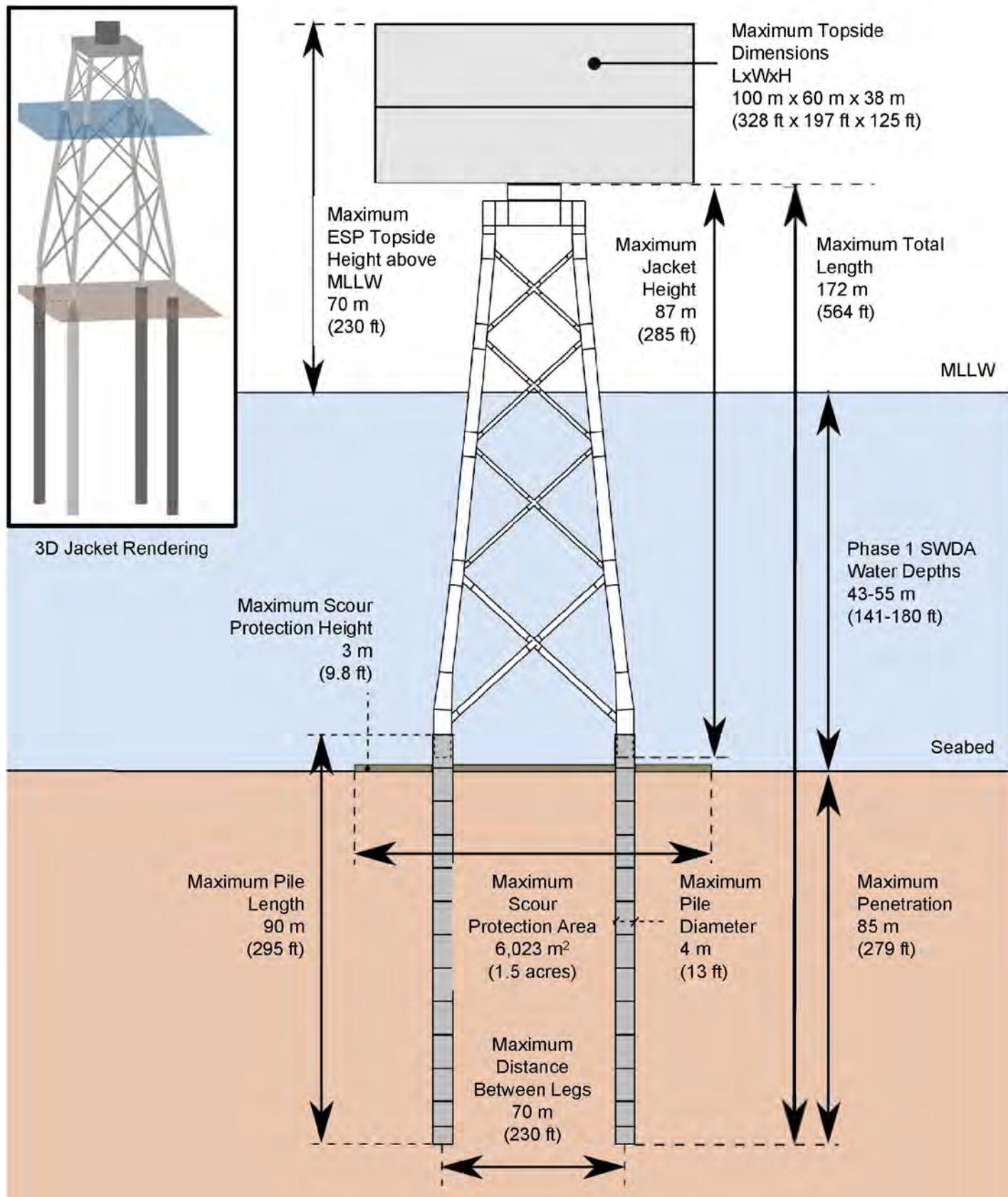


NOT TO SCALE

**PHASE I OF NEW ENGLAND WIND**  
 PHASE 1 WTG FOUNDATION - PILED JACKET  
 USACE PERMIT APPLICATION SHEET 5

IN: ATLANTIC OCEAN AND NANTUCKET SOUND  
 AT: SOUTHEAST MASSACHUSETTS  
 JULY 28, 2022





NOT TO SCALE

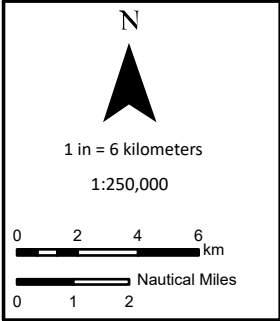
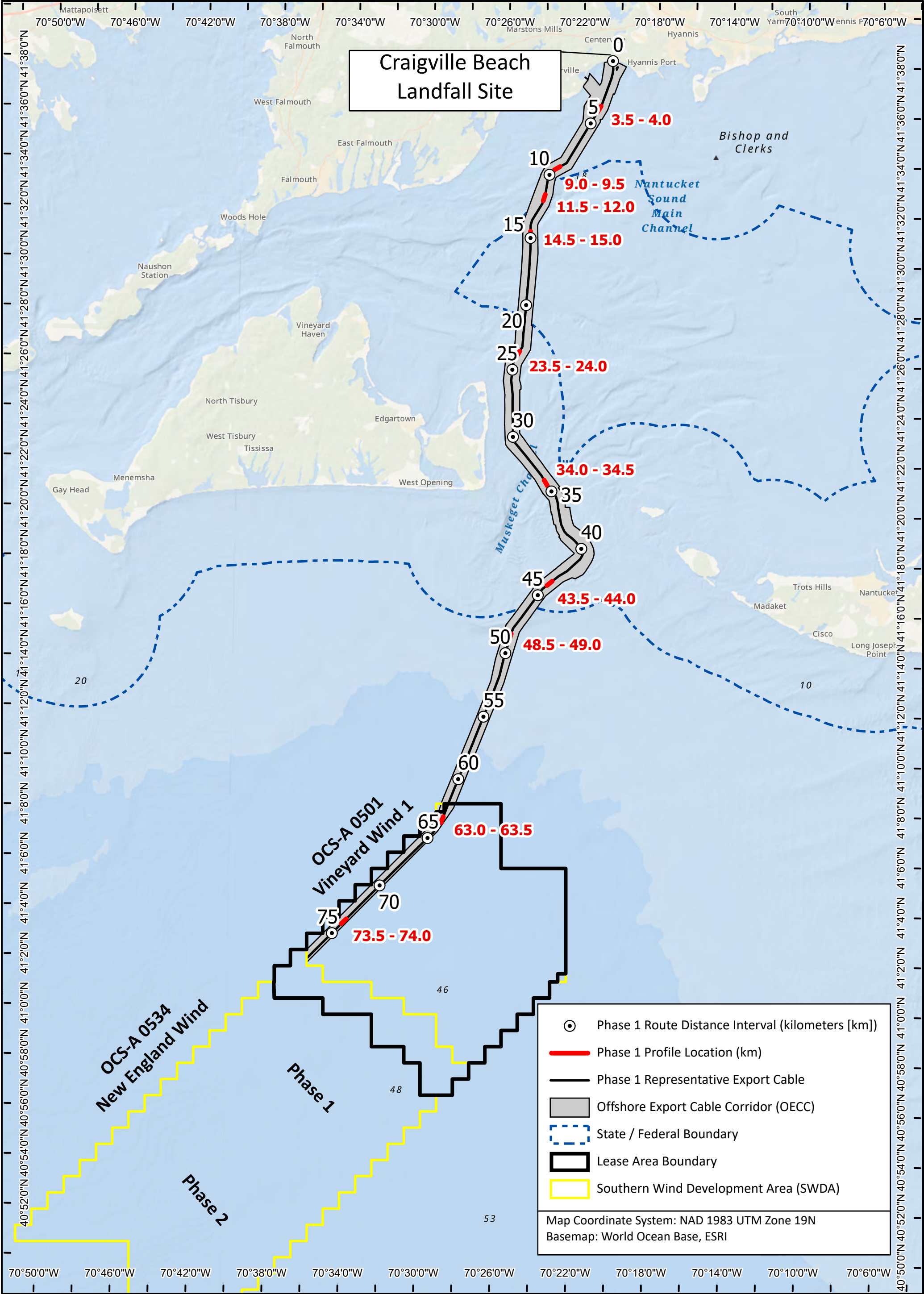
## PHASE I OF NEW ENGLAND WIND

PHASE 1 ESP TOPSIDE AND FOUNDATION - PILED JACKET  
USACE PERMIT APPLICATION SHEET 6

IN: ATLANTIC OCEAN AND NANTUCKET SOUND  
AT: SOUTHEAST MASSACHUSETTS  
JULY 21, 2022



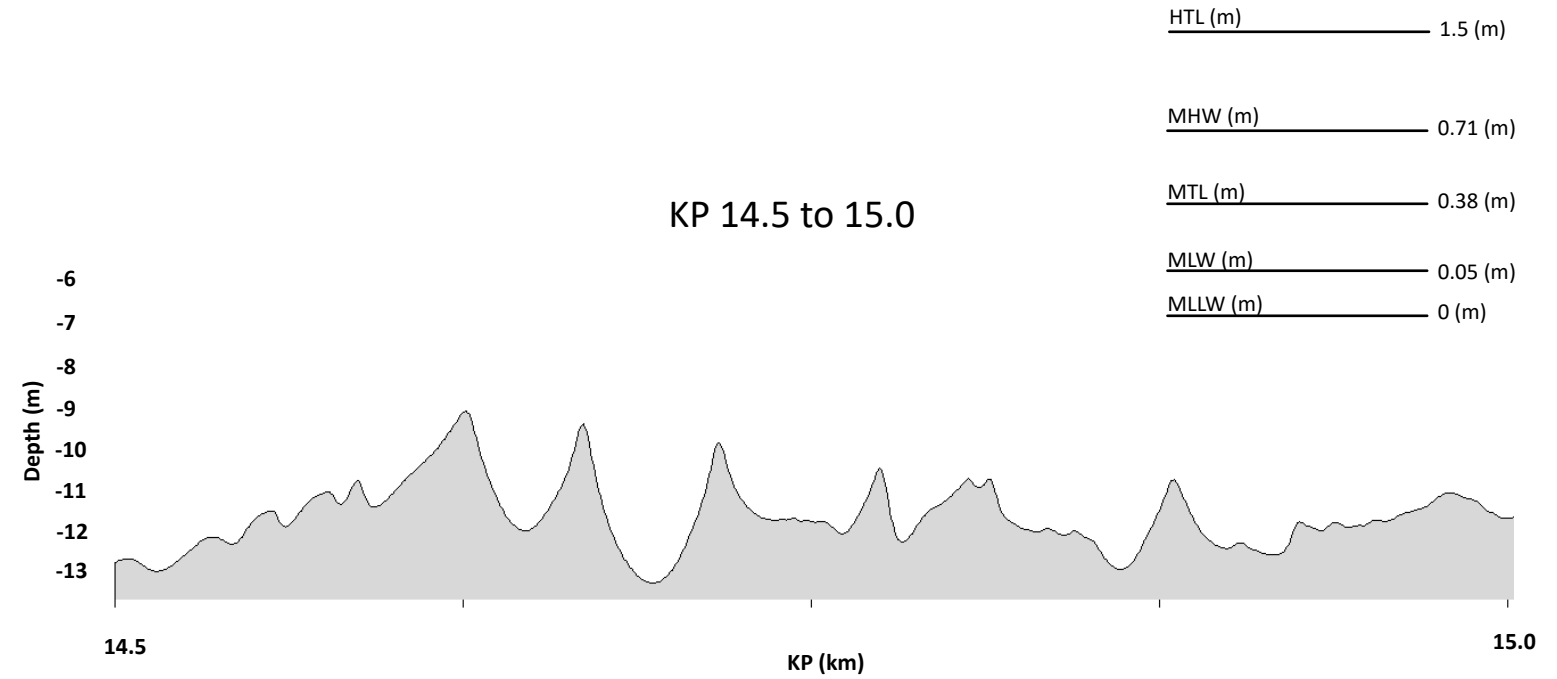
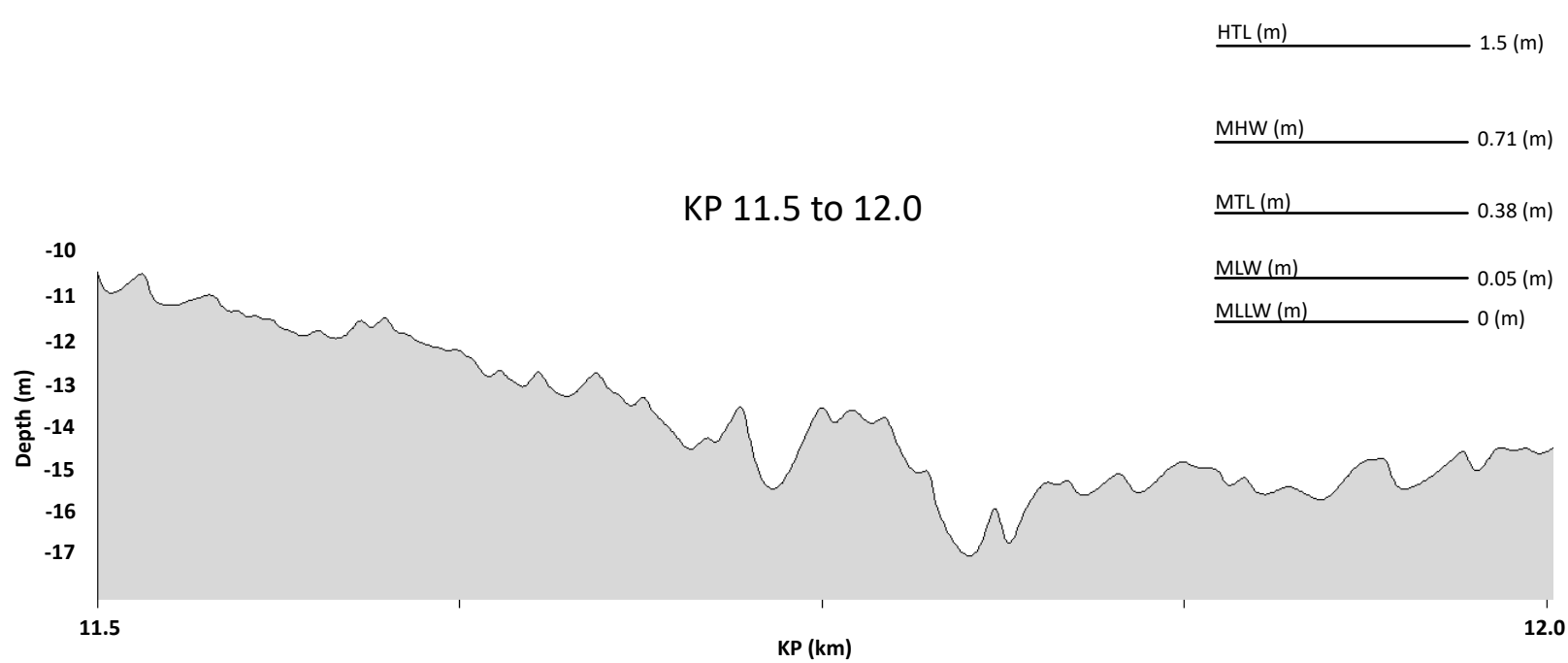
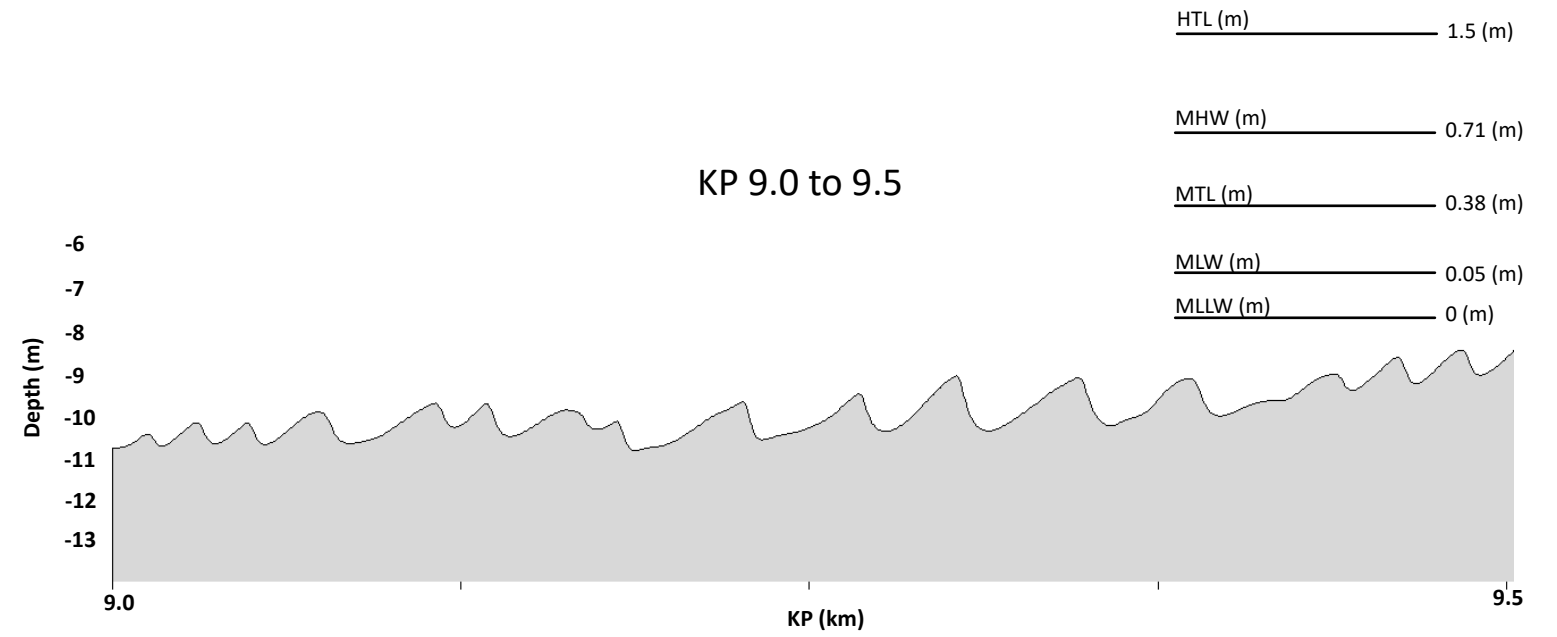
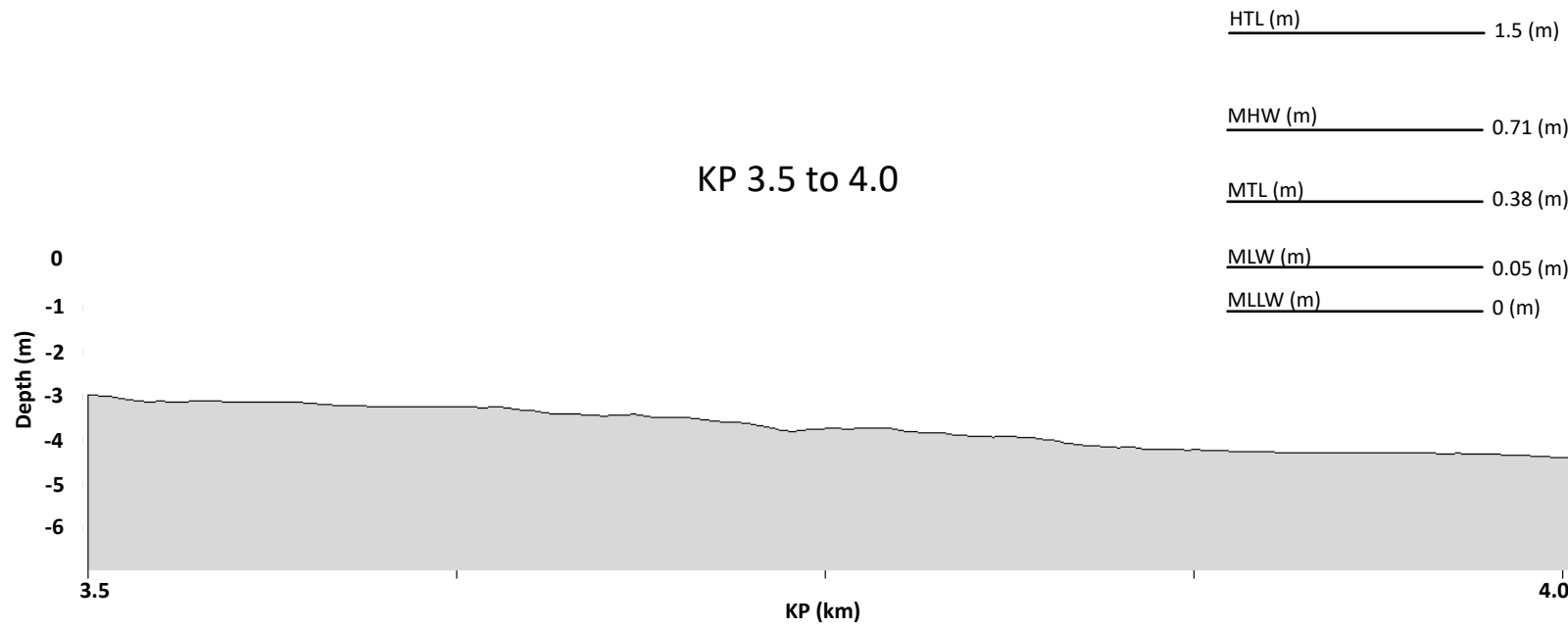




**PHASE 1 OF NEW ENGLAND WIND**

**OECC OVERVIEW PLAN**

**USACE PERMIT APPLICATION SHEET 7**



Above vertical information are averages along the entire OECC path & were calculated using NOAA's Vertical Datum Transformer.  
HTL as per NOAA station: Hyannisport

Datum: Mean Lower Low Water (MLLW)

Bathymetry Source: NEWIND\_BATHY\_UNIFIED\_2020  
(MBES data collected between 2018 and 2020 in the OECC)

Profiles: Not To Scale

Sheet: 1 of 3

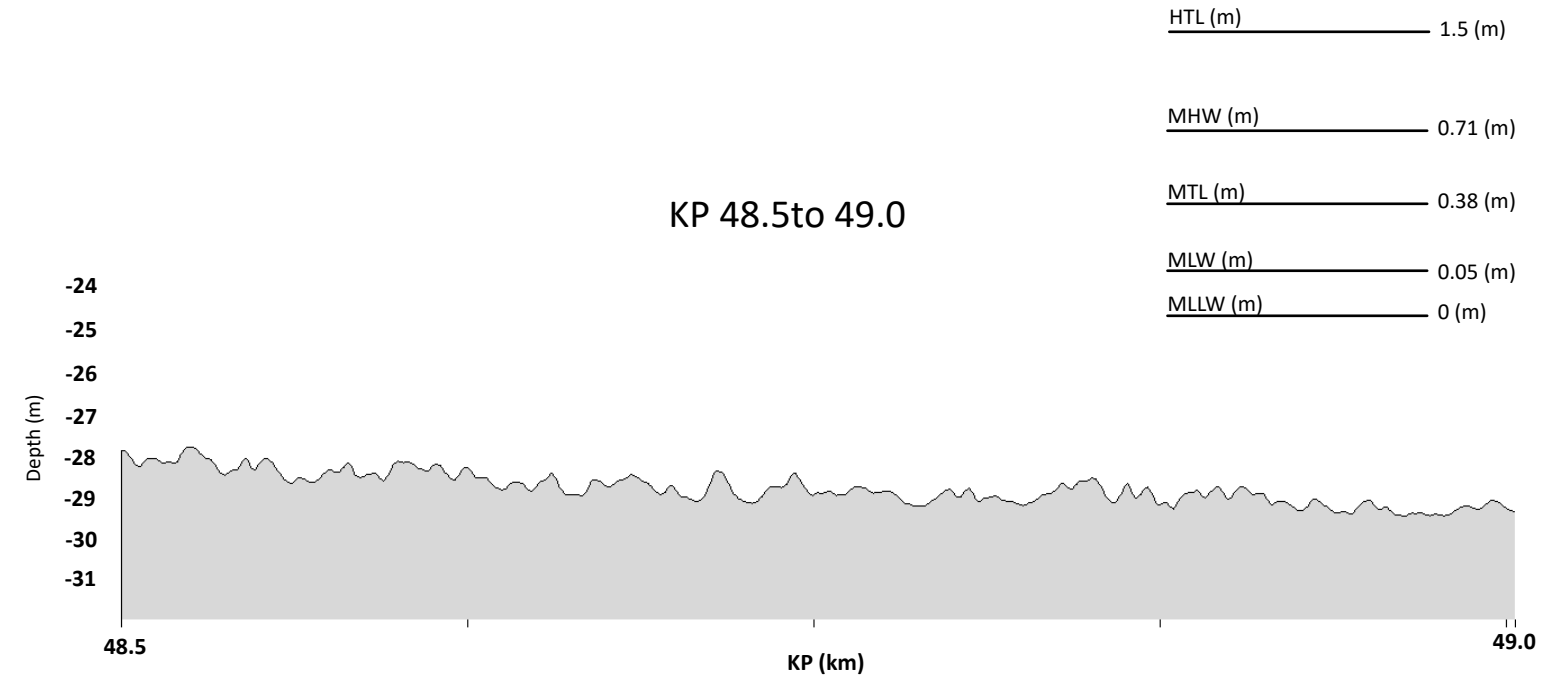
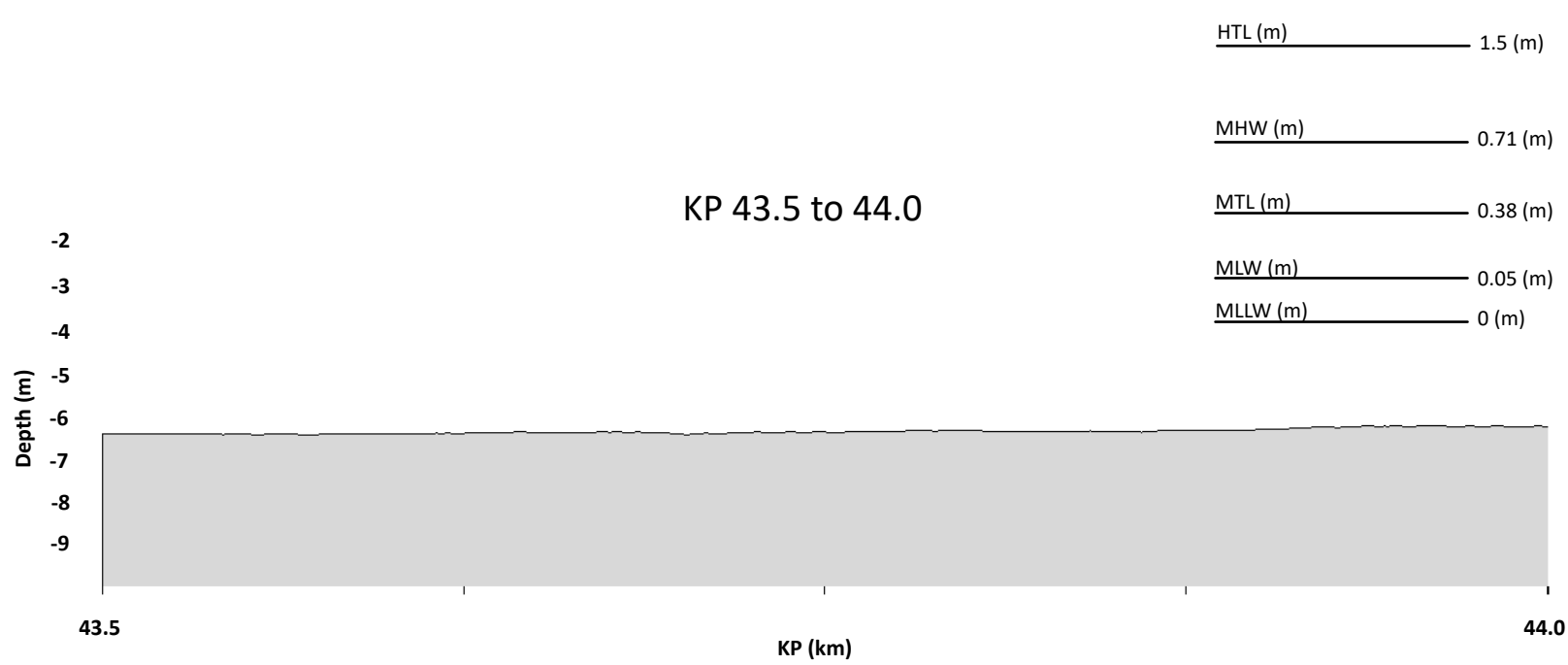
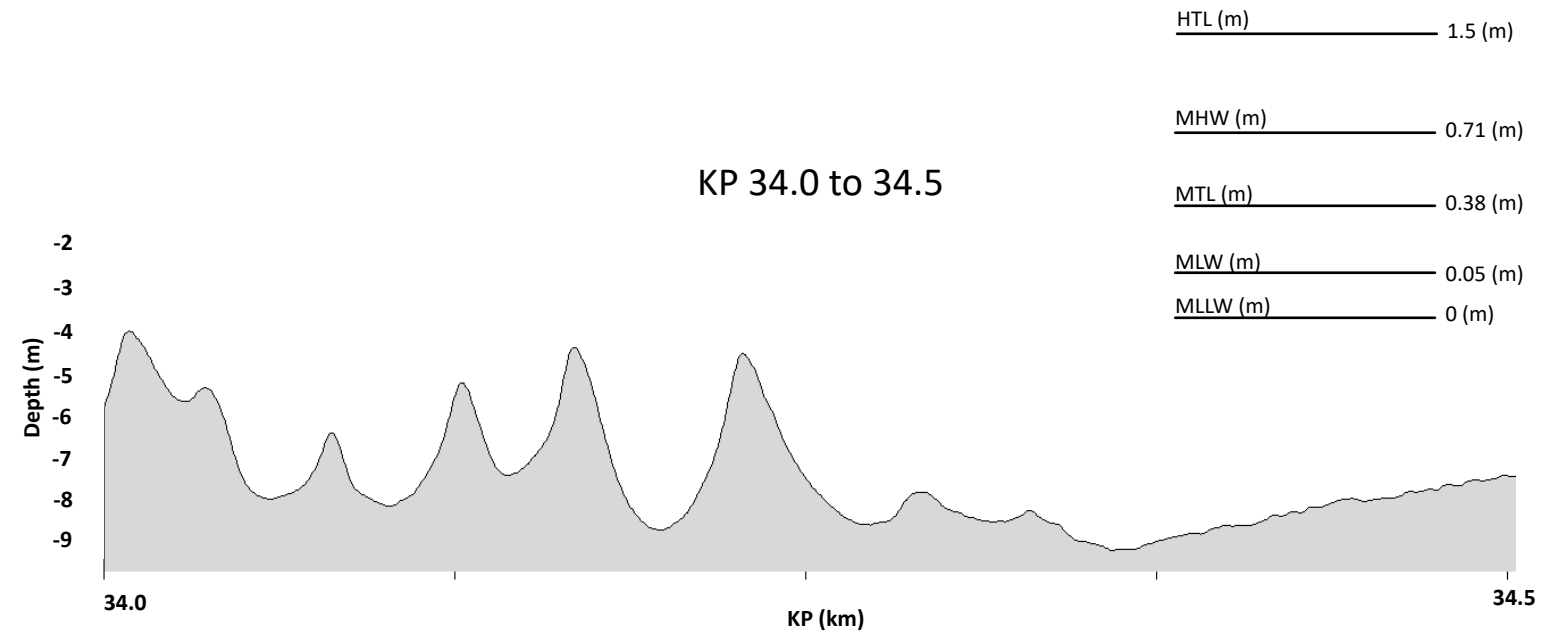
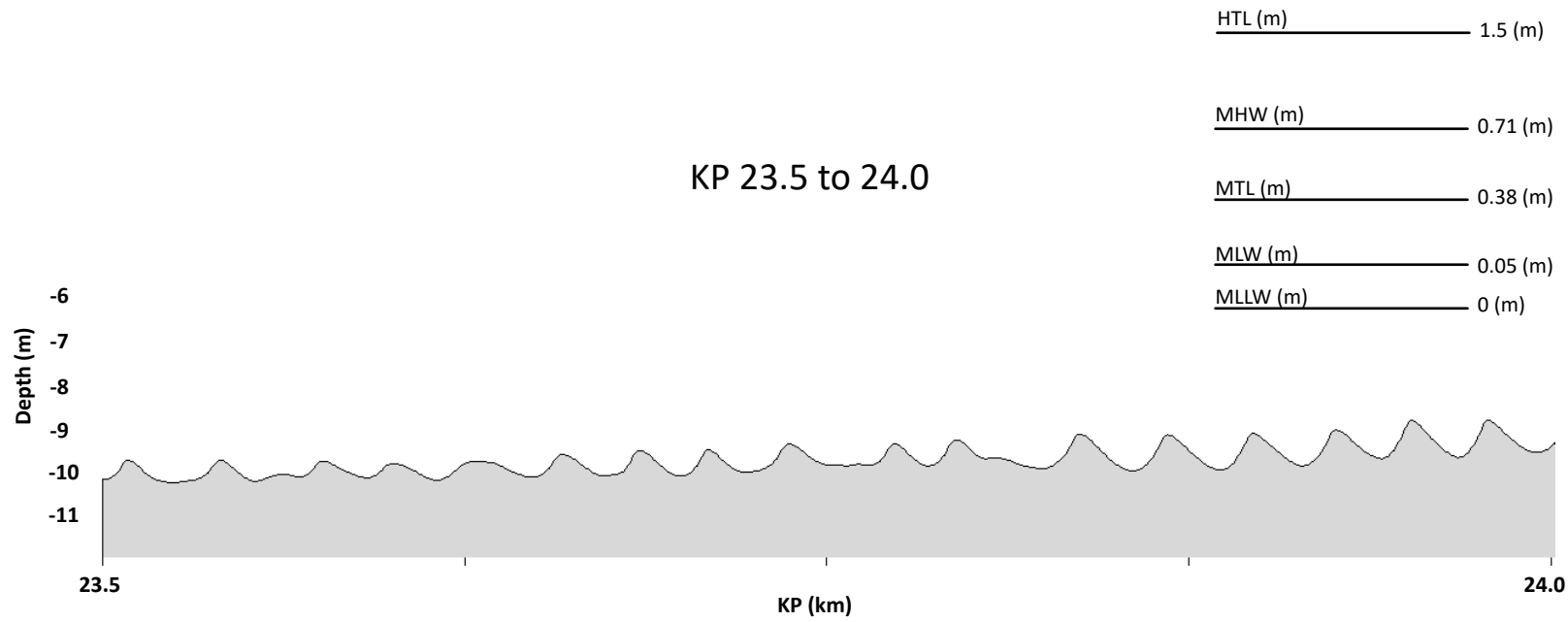
**PHASE 1 OF NEW ENGLAND WIND**

**OECC PROFILES**

**USACE PERMIT APPLICATION SHEET 8-1**

IN: ATLANTIC OCEAN AND NANTUCKET SOUND  
AT: SOUTHEAST MASSACHUSETTS  
JULY 28, 2022





Above vertical information are averages along the entire OECC path & were calculated using NOAA's Vertical Datum Transformer.  
HTL as per NOAA station: Hyannisport

Datum: Mean Lower Low Water (MLLW)

Bathymetry Source: NEWIND\_BATHY\_UNIFIED\_2020  
(MBES data collected between 2018 and 2020 in the OECC)

Profiles: Not To Scale

Sheet: 1 of 3

## **PHASE 1 OF NEW ENGLAND WIND**

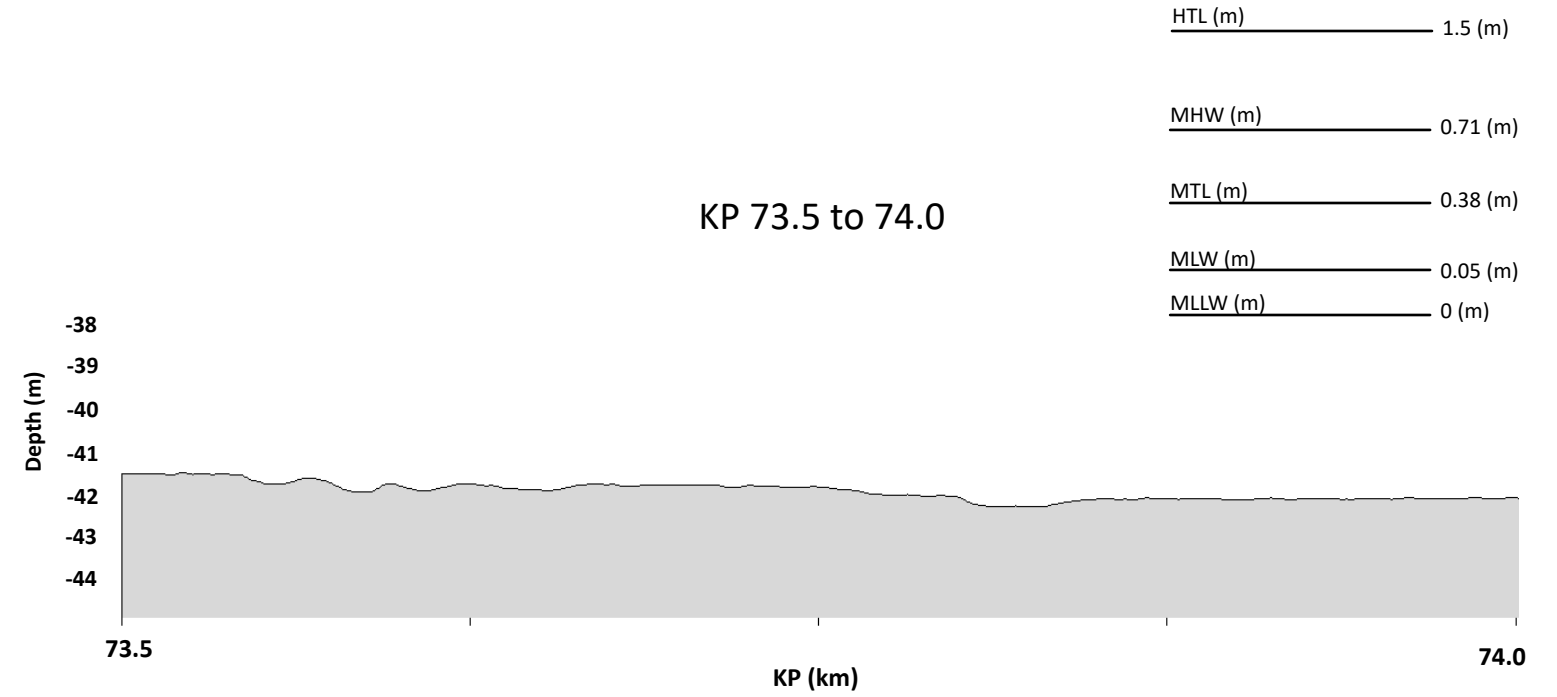
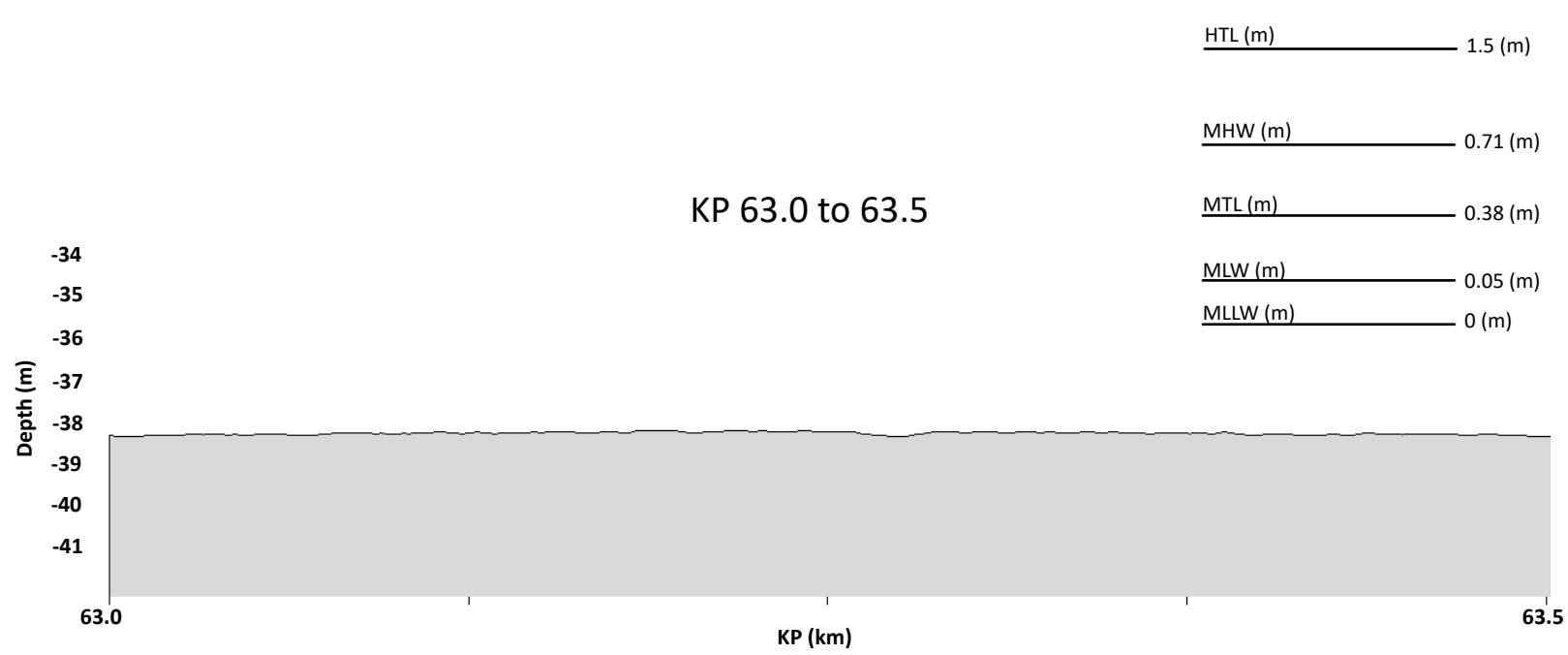
### **OECC PROFILES**

### **USACE PERMIT APPLICATION SHEET 8-2**

IN: ATLANTIC OCEAN AND NANTUCKET SOUND  
AT: SOUTHEAST MASSACHUSETTS  
JULY 28, 2022







Above vertical information are averages along the entire OECC path & were calculated using NOAA's Vertical Datum Transformer.  
HTL as per NOAA station: Hyannisport

Datum: Mean Lower Low Water (MLLW)

Bathymetry Source: NEWIND\_BATHY\_UNIFIED\_2020  
(MBES data collected between 2018 and 2020 in the OECC)

Profiles: Not To Scale

Sheet: 1 of 3

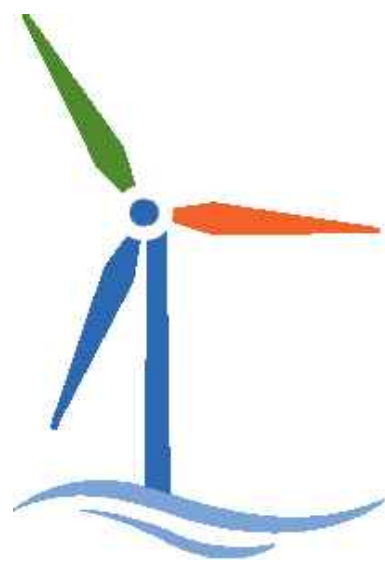
**PHASE 1 OF NEW ENGLAND WIND**

**OECC PROFILES**

**USACE PERMIT APPLICATION SHEET 8-3**

IN: ATLANTIC OCEAN AND NANTUCKET SOUND  
AT: SOUTHEAST MASSACHUSETTS  
JULY 28, 2022





New England Wind



## HDD LANDFALL DRILLPATHS

### INDEX OF SHEETS

SHEET NO.	TITLE
1	COVER SHEET
2	GENERAL NOTES
3	HDD OVERALL PLAN AND CASING SECTION
4	HDD 1 - PLAN AND PROFILE
5	HDD 2 - PLAN AND PROFILE
6	STAGING AREA AT HDD ENTRY



LOCATION MAP  
SCALE: 1" = 10,000'

J	2022.07.28	ISSUED FOR FED. PERMITTING	IFP	DRM	DT	KEF
I	2022.07.11	ISSUED FOR FED. PERMITTING	IFP	DRM	DT	KEF
H	2022.05.16	ISSUED FOR ITT TENDER	IFI	DRM	DT	KEF
G	2021.11.03	ISSUED FOR INFORMATION	IFI	DRM	DT	KEF
F	2021.08.31	ADDED FO AND LINK BOXES	IFI	DRM	NG	KEF
E	2021.08.17	BOREHOLE MARKERS ADDED	IFI	DRM	NG	KEF
D	2021.07.15	ISSUED FOR REVIEW	IFI	RLW	NG	KEF
C	2021.03.01	ISSUED FOR INFORMATION	IFI	DM	NG	KEF
B	2020.05.19	ISSUED FOR CONCEPT REVIEW	IFI	CN	NG	KEF
A	2020.04.24	ISSUED FOR CONCEPT REVIEW	IFI	CN	NG	KEF
REV.	DATE	REVISION DESCRIPTION	STATUS	DRAWN	CHKD	APPRVD

CONTRACTOR:	 Stantec Consulting Services Inc. 400 Crown Colony Drive Suite 200 Quincy, MA U.S.A. 02169-0982
CLIENT:	 125 High Street Boston, MA 02110
PROJECT	PHASE 1 OF NEW ENGLAND WIND CRAIGVILLE PUBLIC BEACH LANDFALL SITE
TITLE:	COVER PAGE
DOC ID:	PCW-HDD-STC-DW-0004
SHEET OF	1 OF 6
DWG. NO.	
SCALE	AS SHOWN
FORMAT/SIZE	ANSI D
REV.	J

ALL UNITS SHOWN ARE  
"ENGLISH UNITS" (FEET AND  
INCHES)

THIS PLAN SET IS CONCEPTUAL AND HAS BEEN  
ISSUED FOR PERMITTING PURPOSES ONLY; AND, IS  
NOT INTENDED FOR CONSTRUCTION PURPOSES.



by: mllington, cken

C:\university\055947\General notes  
2022.07.28 10:11:22 AM

GENERAL NOTES

1. UNLESS OTHERWISE NOTED:

1.1. DIMENSIONS ARE IN FEET.

1.2. CHAINAGES ARE MEASURED ALONG A LEVEL PLAN OF DRILL PATH.

1.3. ELEVATIONS OVER WATER ARE BASED ON MEAN LOWER LOW WATER (MLLW) DATUM FOR COVELL'S EACH (LONGITUDE -70.33353, LATITUDE 41.635117)

1.4. DATUM FOR ALL LAND BASED ELEVATIONS IS NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), FROM FELDMAN SURVEY. DATUM WAS CONVERTED FROM NAVD88 TO MLLW WITH A CONVERSION OF 2.16 FEET AT COVELL'S BEACH.

1.5. INTERPOLATED SURFACE BETWEEN LAND SURVEY SURFACE AND MUDLINE SURFACE AS SHOWN ON PLANS IS BASED ON MLLW DATUM.

1.6. DIMENSIONS ARE TO THE DRILL PATH CENTERLINE.

1.7. ANGLES ARE ROUNDED TO THE NEAREST DEGREE.
2. THE HORIZONTAL REFERENCE DATUM IS NORTH AMERICAN DATUM OF 1983 (NAD83).
3. BORING LOCATIONS SHOWN WERE PROVIDED BY VINEYARD WIND / AVANGRID, BORINGS WERE PERFORMED BY OTHERS
4. UNLESS OTHERWISE NOTED, THE DESIGN CONFORMS TO THE LATEST VERSION OF REFERENCED CODES AND STANDARDS IN EFFECT AT THE TIME OF DESIGN (MARCH 1, 2021).
5. PIPELINE CONSTRUCTION TO COMPLY WITH THE PROJECT'S APPLICABLE HDD SPECIFICATIONS, CROSSING AGREEMENTS, PROJECT CONSTRUCTION SPECIFICATIONS AND FEDERAL, STATE AND MUNICIPAL REGULATIONS. REQUIREMENTS THAT THE CONTRACTOR CONSIDERS TO BE CONFLICTING SHALL BE REVIEWED BY THE PROJECT'S AUTHORIZED REPRESENTATIVE. HARD COPIES OF CROSSING AGREEMENT AND CONTRACT DOCUMENTS SHALL BE ON SITE DURING CONSTRUCTION.
6. BEFORE INITIATING CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL CALL DIGSAFE AT 811 AND ALSO VERIFY THE FIELD SURVEY DATA, TOPOGRAPHY AND LOCATION OF ALL EXISTING UTILITIES.
7. CONSTRUCTION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH CONTRACT DOCUMENTS AND HDD EXECUTION PLAN.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PREVENTING DAMAGE TO ADJACENT STRUCTURES OR FACILITIES (ABOVE OR BELOW GROUND) DUE TO HDD OPERATIONS.
9. THE PILOT DRILL SHALL FOLLOW THE PATH SHOWN ON THE DRAWINGS WITH THE FOLLOWING REQUIREMENTS AND TOLERANCES IN ORDER OF PRECEDENCE:

9.1. THE FINAL INSTALLATION SHALL BE ENTIRELY WITHIN THE APPROVED RIGHT OF WAY.

9.2. UNDERGROUND FACILITIES ARE PROTECTED AT ALL STAGES OF INSTALLATION, AND THE FINAL INSTALLATION IS WITHIN THE PERMISSIBLE DRILL ZONE AS DETERMINED BY THE GEOTECHNICAL SUB-SURFACE INVESTIGATIONS.

9.3. ENTRY, EXIT, DEPTH AND ALIGNMENT TOLERANCES LISTED BELOW:

9.3.1. ENTRY POINT: UP TO 3.0 FEET FORWARD OR BACK FROM THE DESIGNED ENTRY POINT; UP TO 3.0 FEET RIGHT OR LEFT OF THE DESIGNED ALIGNMENT.

9.3.2. EXIT POINT: UP TO 10.0 FEET SHORT OR 15.0 FEET LONG RELATIVE TO THE DESIGNED EXIT POINT; UP TO 6.0 FEET RIGHT OR LEFT OF THE DESIGNED ALIGNMENTS.

9.3.3. ELEVATION: UP TO 6.0 FEET ABOVE OR BELOW THE DESIGNED ALIGNMENT.

9.3.4. ALIGNMENT: UP TO 6.0 FEET RIGHT OF LEFT OF THE DESIGNED ALIGNMENT.

10. FOR PRELIMINARY ESTIMATING PURPOSES ONLY, DRILL RIG SHALL BE SIZED BASED ON A MINIMUM PUSH/PULL FORCE OF 300,000 LBS.

11. EQUIPMENT FOR SOLIDS CONTROL SUCH AS SHAKERS AND CENTRIFUGES SHALL BE BASED ON MAINTENANCE OF DRILLING FLUID WITH MAXIMUM DENSITY AND MAXIMUM SAND CONTENT WITHIN LEVELS DETAILED IN CONTRACTOR DRILLING PLAN.

12. SURFACE CASING DIAMETER SHALL BE SIZED FOR THE FINAL REAM PASS.

13. EMERGENCY RESPONSE PLAN AS IT PERTAINS TO FLUID RELEASE SHALL BE REVIEWED AND APPROVED BY ENGINEER AND ALL REQUIRED RESPONSE EQUIPMENT SHALL BE ON SITE PRIOR TO DRILLING.

14. THE MARINE ENVIRONMENT ABOVE THE PIPELINE ALIGNMENT MUST BE MONITORED FOR A POTENTIAL RELEASE OF DRILLING FLUIDS, AND THE EFFECTS OF THE WORK ON THE AQUATIC ENVIRONMENT SHALL BE ASSESSED IN ACCORDANCE WITH RELEVANT FEDERAL, STATE AND LOCAL REGULATIONS.

15. TURBIDITY MEASUREMENTS AND ACTIVE MONITORING OF THE DRILL PATH SHALL BE CARRIED OUT DURING CONSTRUCTION AND IMMEDIATELY FOLLOWING A LOSS OF CIRCULATION EVENT.

16. DISPOSAL METHODS AND LOCATION OF DRILLING FLUID WASTE AND CUTTINGS SHALL COMPLY WITH ALL STATE AND LOCAL REGULATIONS AND GUIDELINES.

17. ENGINEERED DRILLING FLUID MUST BE IMPLEMENTED IN THE FIELD WITH PROPOSED EQUIPMENT.


18. ENGINEERED DRILLING FLUID MUST BE APPROVED AND ACCEPTED PRIOR TO COMMENCING DRILLING. IMPLEMENTATION OF APPROVED PLAN WITH PROPOSED EQUIPMENT IS REQUIRED.

19. SPECIFICATIONS OF PROPOSED EQUIPMENT FOR ANNULAR PRESSURE MONITORING, DOWNHOLE SURVEY, SURFACE TRACKING AND ELECTRONIC DRILL RECORDING SHALL BE REVIEWED AND APPROVED BY THE PROJECT'S AUTHORIZED REPRESENTATIVE AND INSPECTED BEFORE DRILLING ACTIVITIES COMMENCE.

20. CONTRACTOR SHALL SERVE AS ENGINEER OF RECORD FOR THE HDD. ENGINEERING AND DESIGN PRODUCTS, AS WELL AS AS-BUILT DATA, SHALL BE SEALED BY A PROFESSIONAL ENGINEER REGISTERED IN THE COMMONWEALTH OF MASSACHUSETTS.


21. DEWATERING ACTIVITIES SHALL BE CONDUCTED IN A MANNER SO AS TO MINIMIZE THE DISCHARGE OF POLLUTANTS FROM DEWATERING OPERATIONS. DEWATERING ACTIVITIES SHALL BE CONDUCTED IN ACCORDANCE WITH PROJECT PERMITS AND APPROVALS INCLUDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CONSTRUCTION GENERAL PERMIT (CGP) FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES.
- ALL UNITS SHOWN ARE "ENGLISH UNITS" (FEET AND INCHES)
- THIS PLAN SET IS CONCEPTUAL AND HAS BEEN ISSUED FOR PERMITTING PURPOSES ONLY; AND, IS NOT INTENDED FOR CONSTRUCTION PURPOSES.
- |      |            |                            |        |       |      |        |
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| I    | 2022.07.11 | ISSUED FOR FED. PERMITTING | IFP    | DRM   | DT   | KEF    |
| H    | 2022.05.16 | ISSUED FOR ITT TENDER      | IFI    | DRM   | DT   | KEF    |
| G    | 2021.11.03 | ISSUED FOR INFORMATION     | IFI    | DRM   | DT   | KEF    |
| F    | 2021.08.31 | ADDED FO AND LINK BOXES    | IFI    | DRM   | NG   | KEF    |
| E    | 2021.08.17 | BOREHOLE MARKERS ADDED     | IFI    | DRM   | NG   | KEF    |
| D    | 2021.07.15 | ISSUED FOR REVIEW          | IFI    | RLW   | NG   | KEF    |
| C    | 2021.03.01 | ISSUED FOR INFORMATION     | IFI    | DM    | NG   | KEF    |
| B    | 2020.05.19 | ISSUED FOR CONCEPT REVIEW  | IFI    | CN    | NG   | KEF    |
| A    | 2020.04.24 | ISSUED FOR CONCEPT REVIEW  | IFI    | CN    | NG   | KEF    |
| REV. | DATE       | REVISION DESCRIPTION       | STATUS | DRAWN | CHKD | APPRVD |

CONTRACTOR:



Stantec Consulting Services Inc.  
400 Crown Colony Drive Suite 200  
Quincy, MA U.S.A. 02169-0982

CLIENT:



125 High Street  
Boston, MA 02110

PROJECT

PHASE 1 OF NEW ENGLAND WIND  
CRAIGVILLE PUBLIC BEACH LANDFALL SITE

TITLE:

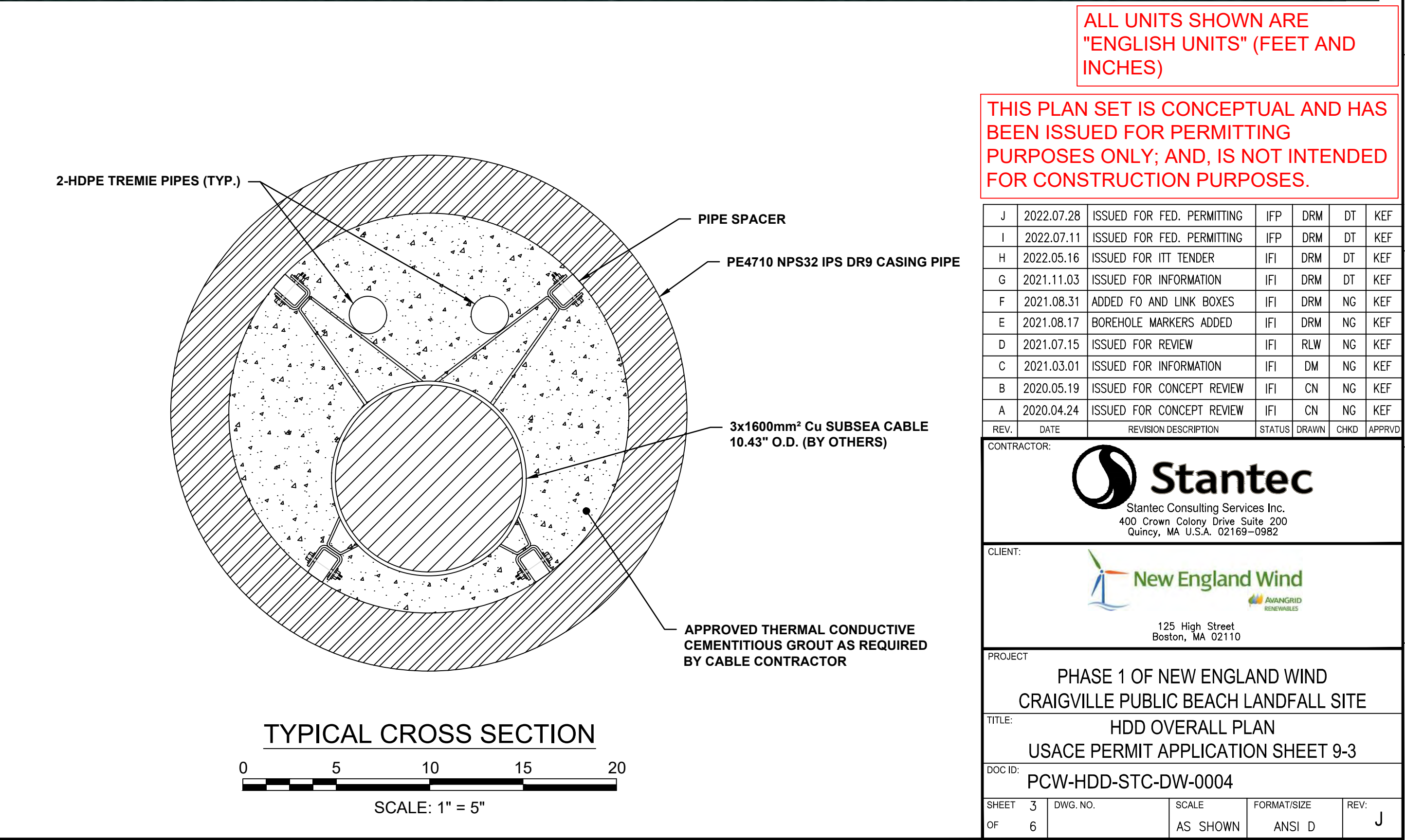
GENERAL NOTES  
USACE PERMIT APPLICATION SHEET 9-2

DOC ID:

PCW-HDD-STC-DW-0004

SHEET OF	2 OF 6	DWG. NO.	SCALE	FORMAT/SIZE	REV.
			AS SHOWN	ANSI D	J






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I	2022.07.11	ISSUED FOR FED. PERMITTING	IFP	DRM	DT	KEF
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REV.	DATE	REVISION DESCRIPTION	STATUS	DRAWN	CHKD	APPROV


CONTRACTOR:

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400 Crown Colony Drive Suite 200  
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CLIENT:



New England Wind



AVANGRID  
RENEWABLES

125 High Street  
Boston, MA 02110

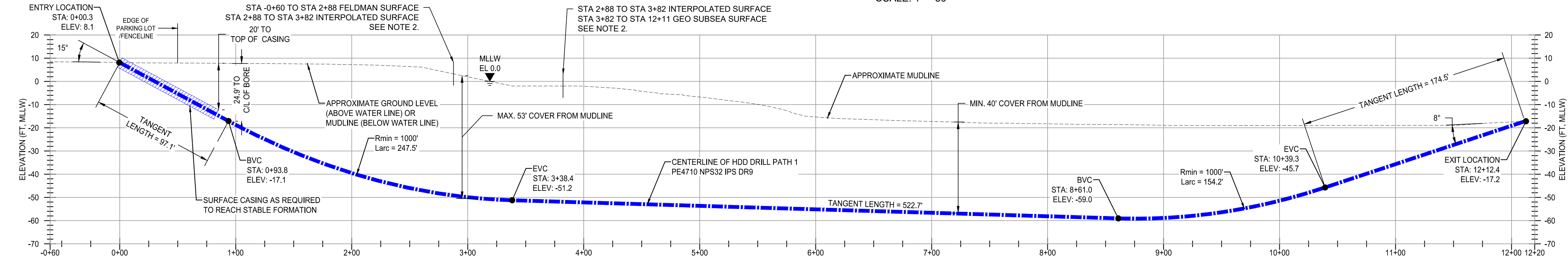
PROJECT	PHASE 1 OF NEW ENGLAND WIND CRAIGVILLE PUBLIC BEACH LANDFALL SITE
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TITLE: HDD OVERALL PLAN  
USACE PERMIT APPLICATION SHEET 9-3  
DOC ID: PCW-HDD-STC-DW-0004

SHEET	3	DWG. NO.	SCALE	FORMAT/SIZE	REV:
OF	6		AS SHOWN	ANSI D	J

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by:mailing@cyka





NOTES:

- REFER TO GENERAL NOTES ON SHEET 2.
- GEO SUBSEA SURFACE PROVIDED IN NOAA MLLW  
FELDMAN SURVEY SURFACE PROVIDED IN  
NAVD88 DATUM. FELDMAN SURVEY CONVERTED  
FROM NAVD88 TO NOAA MLLW WITH A  
CONVERSION OF 2.16 FEET AT CRAIGVILLE  
BEACH. INTERPOLATED SURFACE SHOWN IN  
NOAA MLLW.
- CONTRACTOR TO CONSTRUCT APPROPRIATE  
CONTAINMENT FOR DRILLING MUD.
- THIS LAYOUT HAS BEEN BASED ON ANTICIPATED  
MINIMUM SEPARATION DISTANCES OF ADJACENT  
HDD BORES AT THE ENTRY PITS AND AT THE MHW  
MARK. INTENDED MINIMUM SEPARATION AT THE  
EXIT POINT IS 328 FEET. FINAL DESIGN OF ALL HDD  
DRILLPATHS WILL BE COMPLETED BY THE HDD  
CONTRACTOR FOR REVIEW BY VINEYARD WIND.
- BORING LOCATIONS SHOWN WERE PROVIDED BY  
VINEYARD WIND / AVANGRID. BORINGS WERE  
PERFORMED BY OTHERS.

LEGEND:

- CENTERLINE OF DRILL PATH 1
- CENTERLINE OF DRILL PATH 2
- CONSTRUCTION FENCE
- HTL HIGH TIDE LINE
- MHW MEAN HIGH WATER LINE
- MLW MEAN LOW WATER LINE
- MLLW MEAN LOWER LOW WATER LINE

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REV.	DATE	REVISION DESCRIPTION	STATUS	DRAWN	CHKD	APPRVD

CONTRACTOR:

**Stantec**  
Stantec Consulting Services Inc.  
400 Crown Colony Drive Suite 200  
Quincy, MA U.S.A. 02169-0982

CLIENT:

**New England Wind**  
125 High Street  
Boston, MA 02110

PROJECT

PHASE 1 OF NEW ENGLAND WIND  
CRAIGVILLE PUBLIC BEACH LANDFALL SITE

TITLE:

HDD 1 - PLAN AND PROFILE

USACE PERMIT APPLICATION SHEET 9-4

DOC ID:

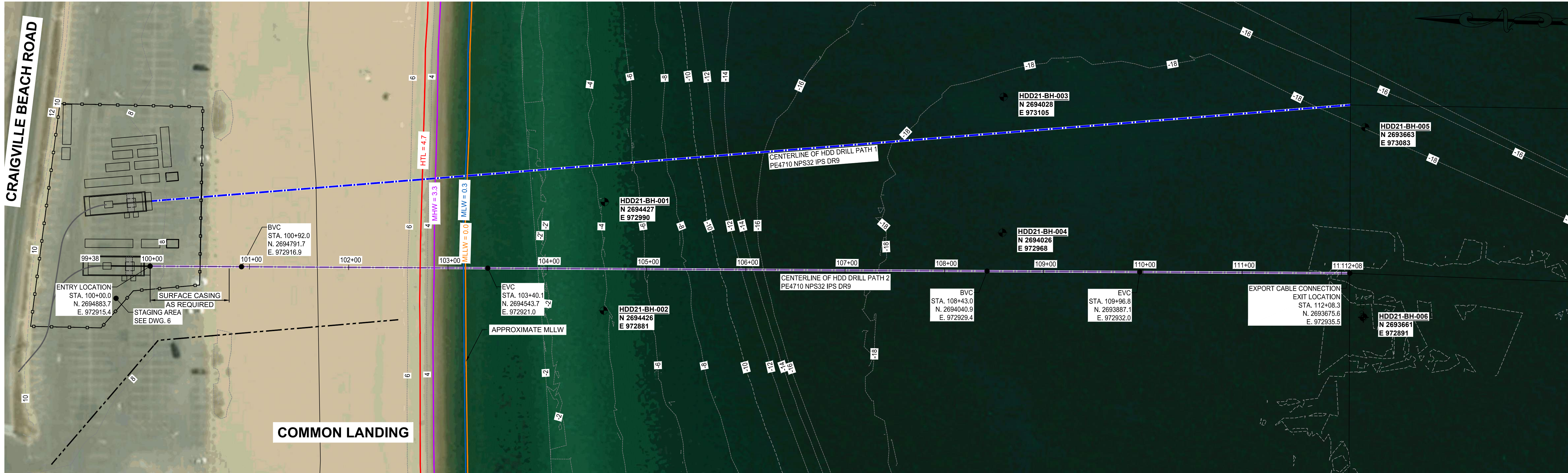
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SHEET	4	DWG. NO.	SCALE	FORMAT/SIZE	REV.
OF	6		AS SHOWN	ANSI D	J



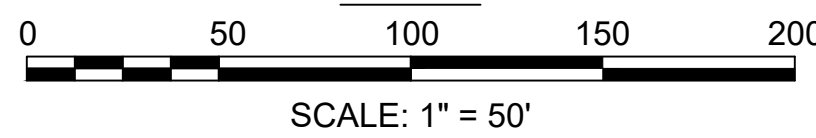
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by: mllgion, dken

CRAIGVILLE BEACH ROAD

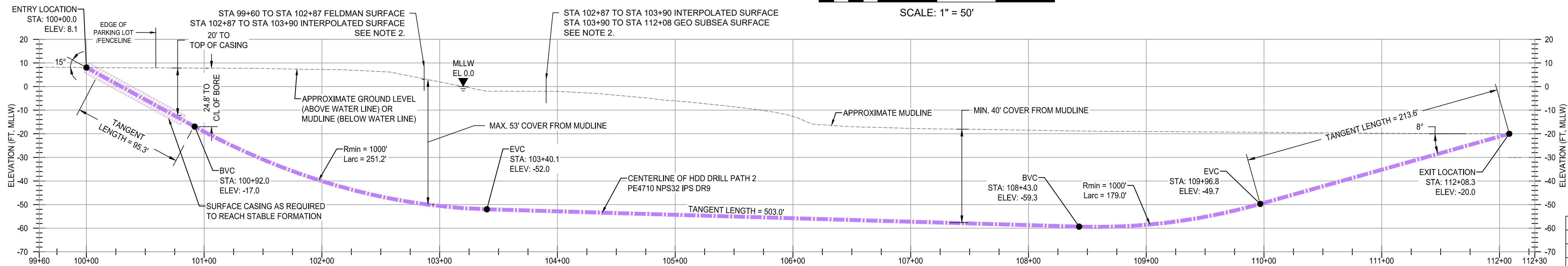


COMMON LANDING

PLAN



SCALE: 1" = 50'



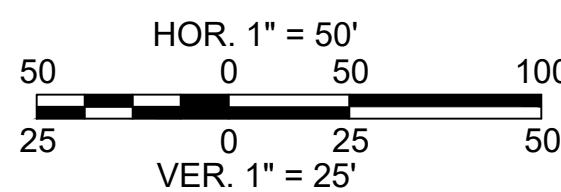
NOTES:

- REFER TO GENERAL NOTES ON SHEET 2.
- GEO SUBSEA SURFACE PROVIDED IN NOAA MLLW FELDMAN SURVEY SURFACE PROVIDED IN NAVD88 DATUM. FELDMAN SURVEY CONVERTED FROM NAVD88 TO NOAA MLLW WITH A CONVERSION OF 2.16 FEET AT CRAIGVILLE BEACH. INTERPOLATED SURFACE SHOWN IN NOAA MLLW.
- CONTRACTOR TO CONSTRUCT APPROPRIATE CONTAINMENT FOR DRILLING MUD.
- THIS LAYOUT HAS BEEN BASED ON ANTICIPATED MINIMUM SEPARATION DISTANCES OF ADJACENT HDD BORES AT THE ENTRY PITS AND AT THE MHW MARK. INTENDED MINIMUM SEPARATION AT THE EXIT POINT IS 328 FEET. FINAL DESIGN OF ALL HDD DRILLPATHS WILL BE COMPLETED BY THE HDD CONTRACTOR FOR REVIEW BY VINEYARD WIND.
- BORING LOCATIONS SHOWN WERE PROVIDED BY VINEYARD WIND / AVANGRID, BORINGS WERE PERFORMED BY OTHERS.

LEGEND:

- CENTERLINE OF DRILL PATH 1
- CENTERLINE OF DRILL PATH 2
- CONSTRUCTION FENCE
- HTL HIGH TIDE LINE
- MHW MEAN HIGH WATER LINE
- MLW MEAN LOW WATER LINE
- MLLW MEAN LOWER LOW WATER LINE

PROFILE



VER. 1" = 25'

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CONTRACTOR: **Stantec**  
Stantec Consulting Services Inc.  
400 Crown Colony Drive Suite 200  
Quincy, MA U.S.A. 02169-0982

CLIENT: **New England Wind**  
125 High Street  
Boston, MA 02110

PROJECT: **PHASE 1 OF NEW ENGLAND WIND  
CRAIGVILLE PUBLIC BEACH LANDFALL SITE**

TITLE: **HDD 2 - PLAN AND PROFILE  
USACE PERMIT APPLICATION SHEET 9-5**

DOC ID: **PCW-HDD-STC-DW-0004**

SHEET OF	5 OF 6	DWG. NO.	SCALE	FORMAT/SIZE	REV.
			AS SHOWN	ANSI D	J





**LEGEND:**

- CENTERLINE OF DRILL PATH 1
- CENTERLINE OF DRILL PATH 2
- CONSTRUCTION FENCE

THIS PLAN SET IS CONCEPTUAL AND HAS BEEN ISSUED FOR PERMITTING PURPOSES ONLY; AND, IS NOT INTENDED FOR CONSTRUCTION PURPOSES.

J	2022.07.28	ISSUED FOR FED. PERMITTING	IFP	DRM	DT	KEF
I	2022.07.11	ISSUED FOR FED. PERMITTING	IFP	DRM	DT	KEF
H	2022.05.16	ISSUED FOR ITT TENDER	IFI	DRM	DT	KEF
G	2021.11.03	ISSUED FOR INFORMATION	IFI	DRM	DT	KEF
F	2021.08.31	ADDED FO AND LINK BOXES	IFI	DRM	NG	KEF
E	2021.08.17	BOREHOLE MARKERS ADDED	IFI	DRM	NG	KEF
D	2021.07.15	ISSUED FOR REVIEW	IFI	RLW	NG	KEF
C	2021.03.01	ISSUED FOR INFORMATION	IFI	DM	NG	KEF
B	2020.05.19	ISSUED FOR CONCEPT REVIEW	IFI	CN	NG	KEF
A	2020.04.24	ISSUED FOR CONCEPT REVIEW	IFI	CN	NG	KEF
REV.	DATE	REVISION DESCRIPTION	STATUS	DRAWN	CHKD	APPRVD

CONTRACTOR:

**Stantec**

Stantec Consulting Services Inc.  
400 Crown Colony Drive Suite 200  
Quincy, MA U.S.A. 02169-0982

CLIENT:

**New England Wind**

125 High Street  
Boston, MA 02110

PROJECT

PHASE 1 OF NEW ENGLAND WIND  
CRAIGVILLE PUBLIC BEACH LANDFALL SITE

TITLE

STAGING AREA  
USACE PERMIT APPLICATION SHEET 9-6

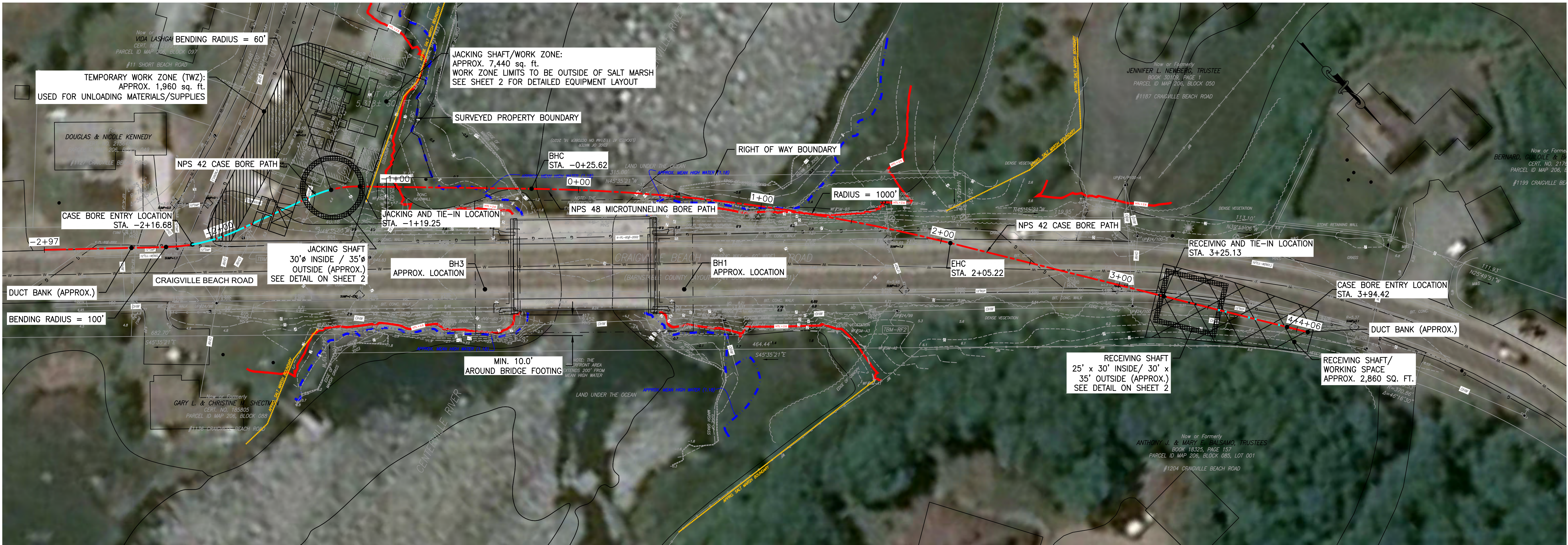
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PCW-HDD-STC-DW-0004

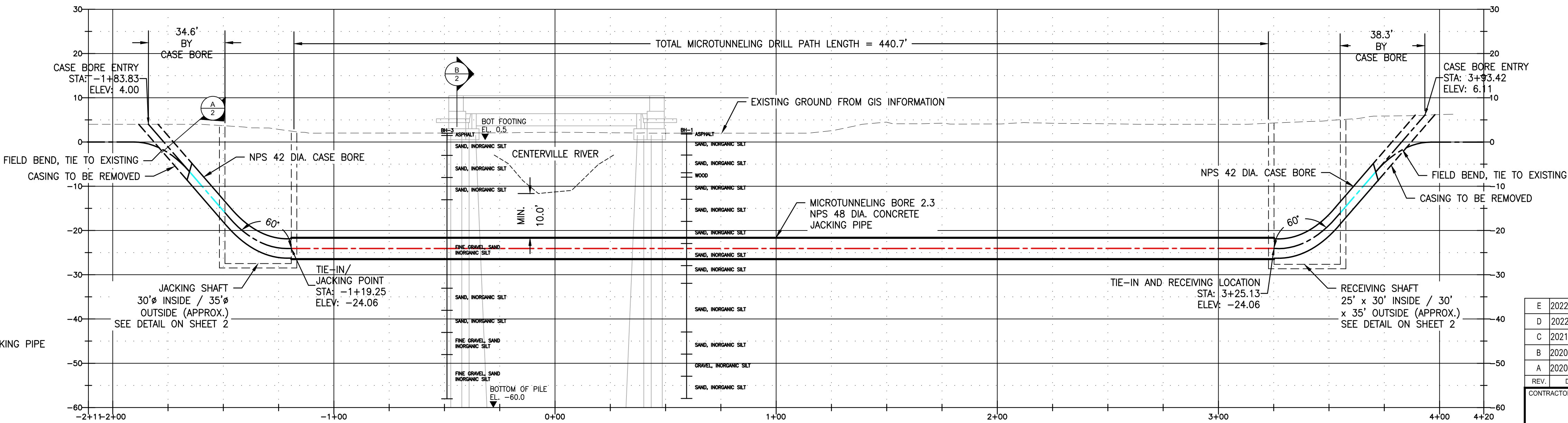
SHEET OF	6 OF 6	DWG. NO.	SCALE	FORMAT/SIZE	REV.
			AS SHOWN	ANSI D	J

ALL UNITS SHOWN ARE "ENGLISH UNITS" (FEET AND INCHES)

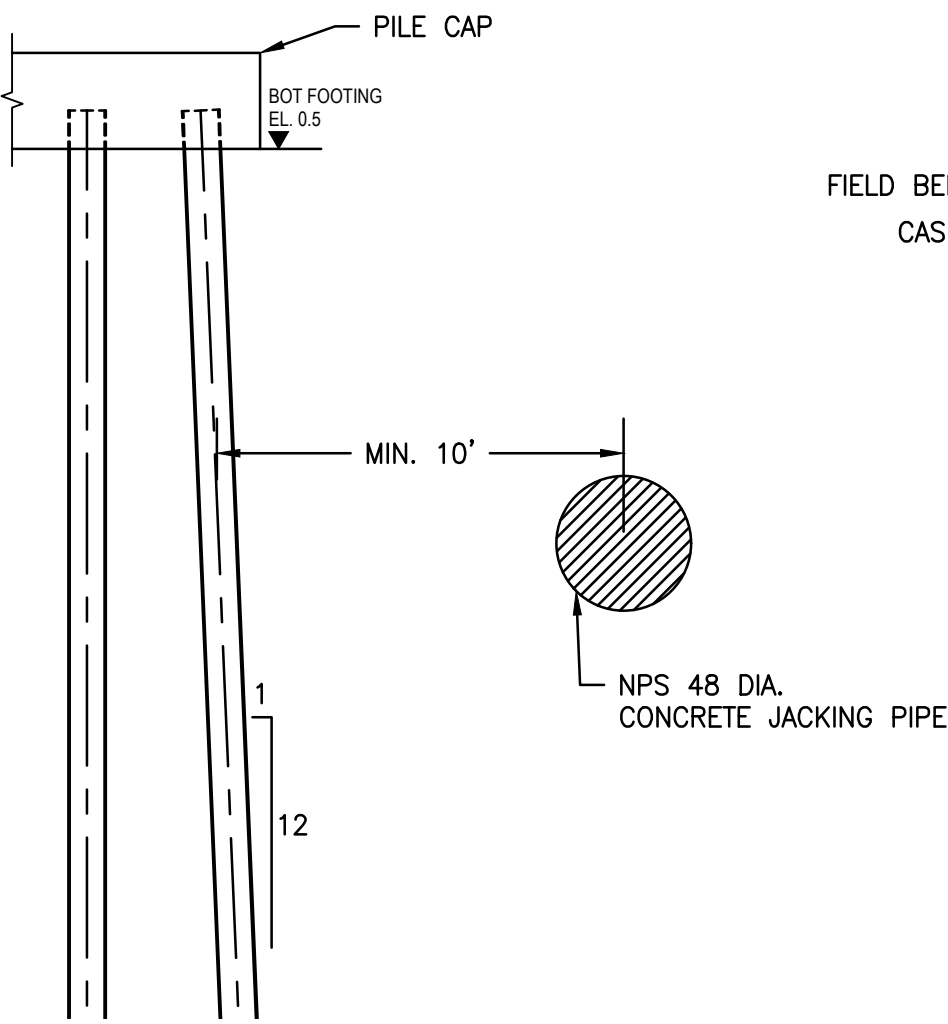




PLAN  
1" = 30'



PROFILE  
H 1" = 30' V 1" = 15'



TYPICAL - BRIDGE SECTION  
1" = 5'

NOTES

1. CONFLICTS WITH ABOVE AND BELOW GROUND UTILITIES WILL BE RESOLVED DURING FINAL DESIGN
2. FINAL LIMITS OF RECEIVING PIT SHALL BE COORDINATED WITH TOWN SEWER IMPROVEMENTS PLANS
3. DEWATERING ACTIVITIES SHALL BE CONDUCTED IN A MANNER SO AS TO MINIMIZE THE DISCHARGE OF POLLUTANTS FROM DEWATERING OPERATIONS. DEWATERING ACTIVITIES SHALL BE CONDUCTED IN ACCORDANCE WITH PROJECT PERMITS AND APPROVALS INCLUDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CONSTRUCTION GENERAL PERMIT (CGP) FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES.

THIS PLAN SET IS CONCEPTUAL AND HAS BEEN  
ISSUED FOR PERMITTING PURPOSES ONLY; AND, IS  
NOT INTENDED FOR CONSTRUCTION PURPOSES.

E	2022-07-28	ISSUED FOR FED. PERMITTING	IFI	DM	EA	KEF
D	2022-07-11	ISSUED FOR FED. PERMITTING	IFI	DM	EA	KEF
C	2021-03-10	ISSUED FOR INFORMATION	IFI	DM	EA	KEF
B	2020-04-30	ISSUED FOR CONCEPT REVIEW	IFR	CN	EA	KEF
A	2020-03-18	ISSUED FOR CONCEPT REVIEW	IFR	CN	EA	KEF
REV.	DATE	REVISION DESCRIPTION	STATUS	DRAWN	CHKD	APPRVD

CONTRACTOR:  
**Stantec**  
Stantec Consulting Services Inc.  
400 Crown Colony Drive Suite 200  
Quincy, MA U.S.A. 02169-0982

CLIENT:  
**New England Wind**  
125 High Street  
Boston, MA 02110

PROJECT  
PHASE 1 OF NEW ENGLAND WIND  
CENTERVILLE RIVER CROSSING

TITLE:  
MICROTUNNEL PLAN AND PROFILE  
USACE PERMIT APPLICATION SHEET 10-1

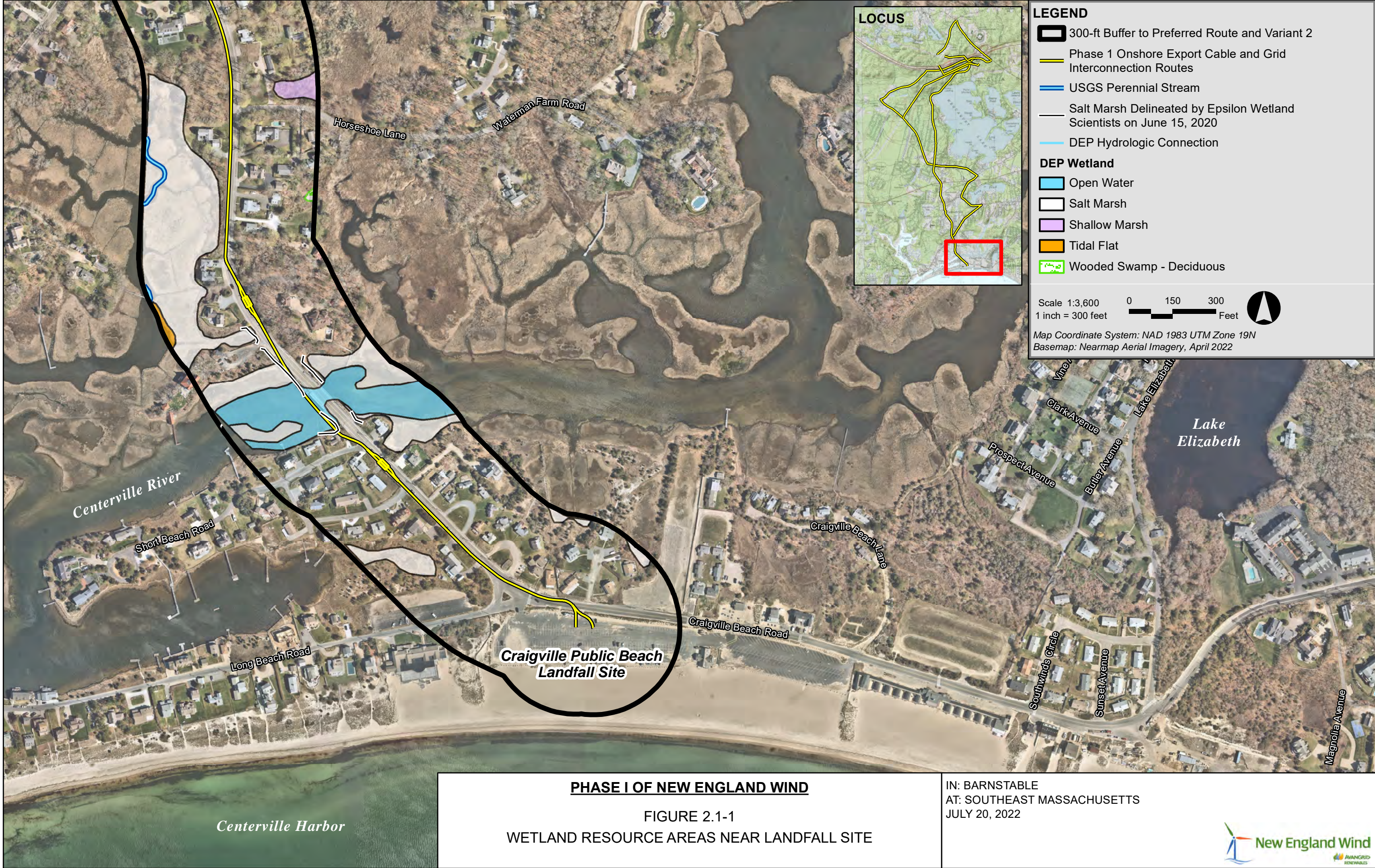
DOC ID:  
PCW-OCP-STC-DW-0005

SHEET 1 OF 2	DWG. NO.	SCALE AS SHOWN	FORMAT/SIZE ANSI D	REV. E
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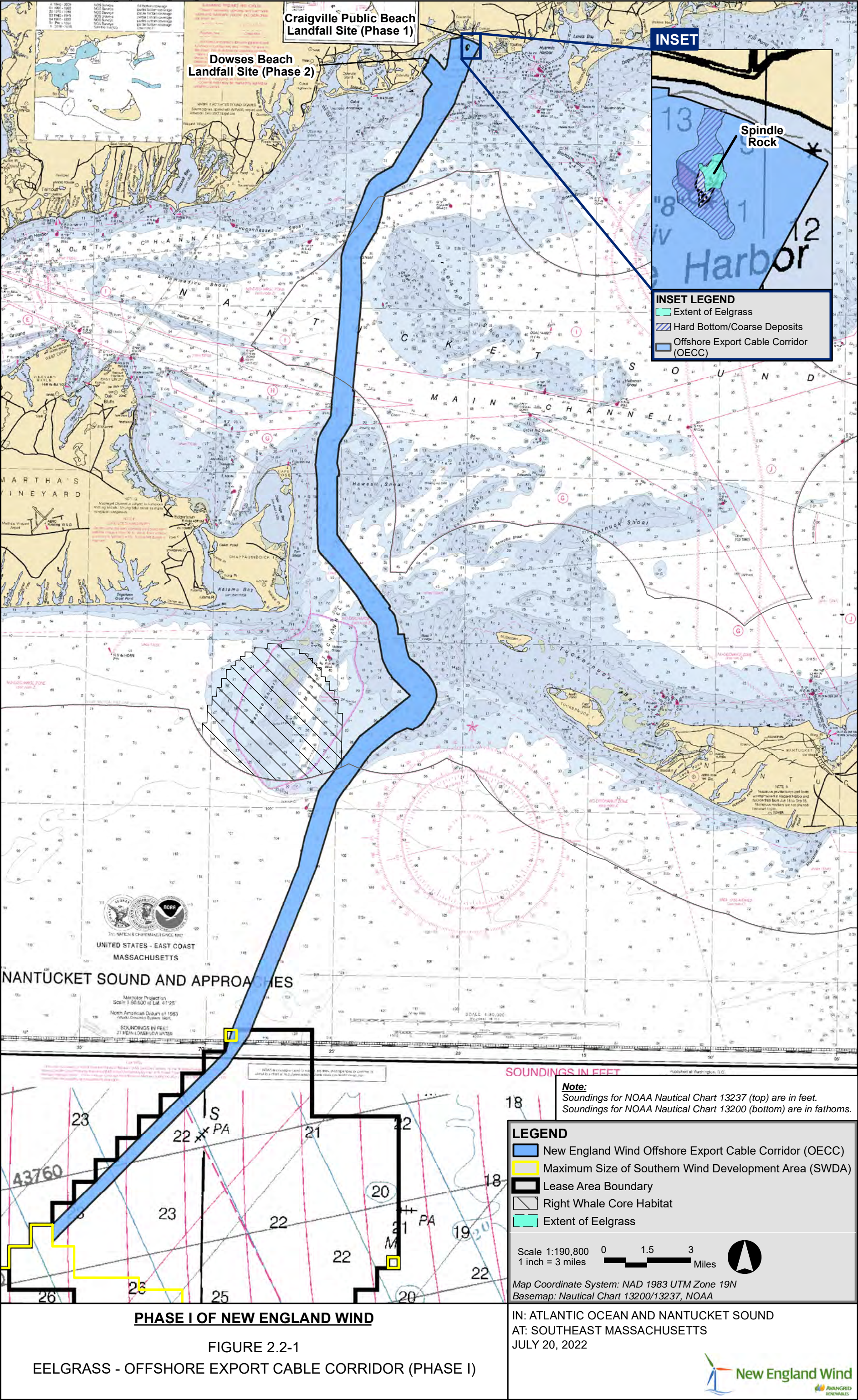








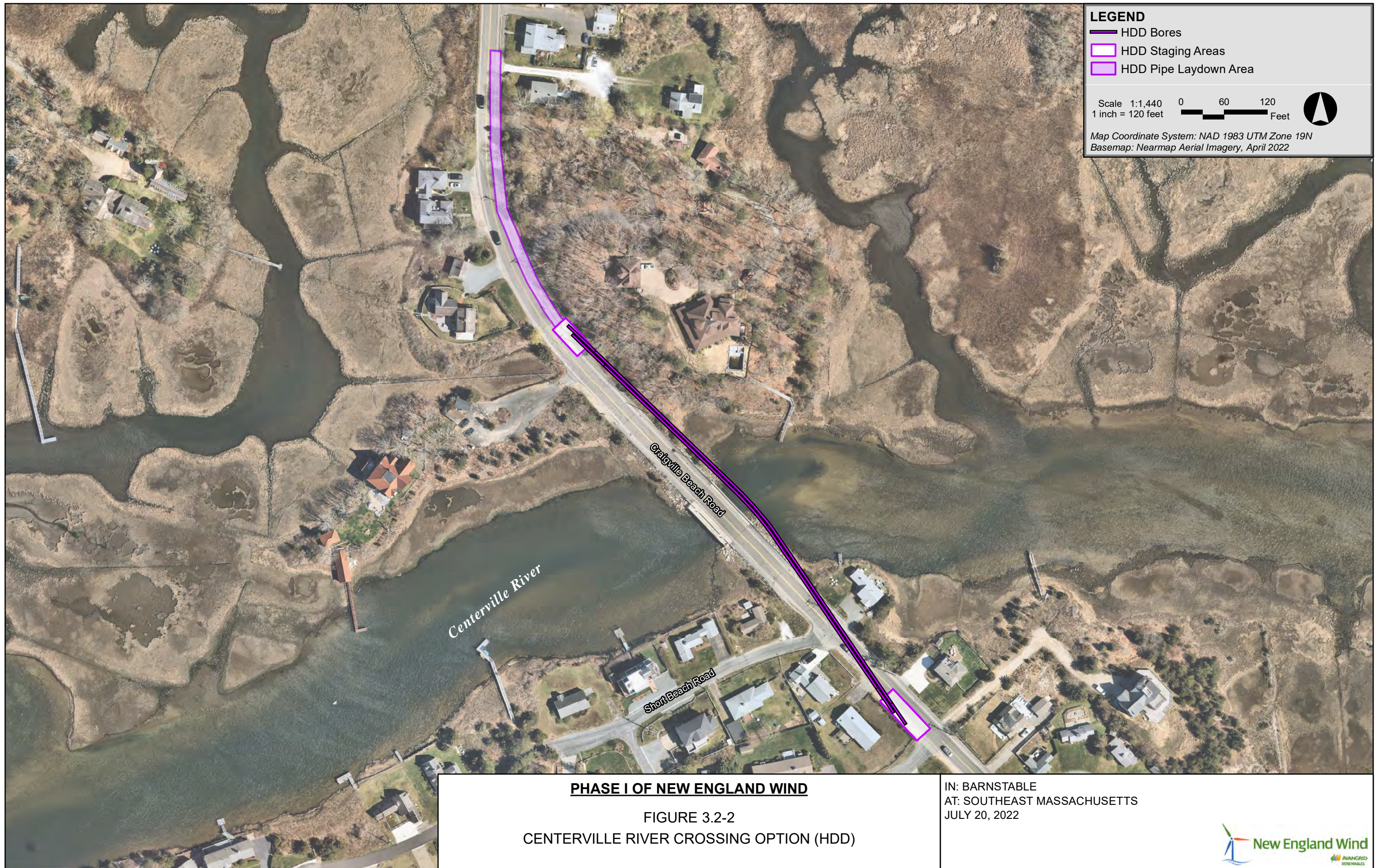




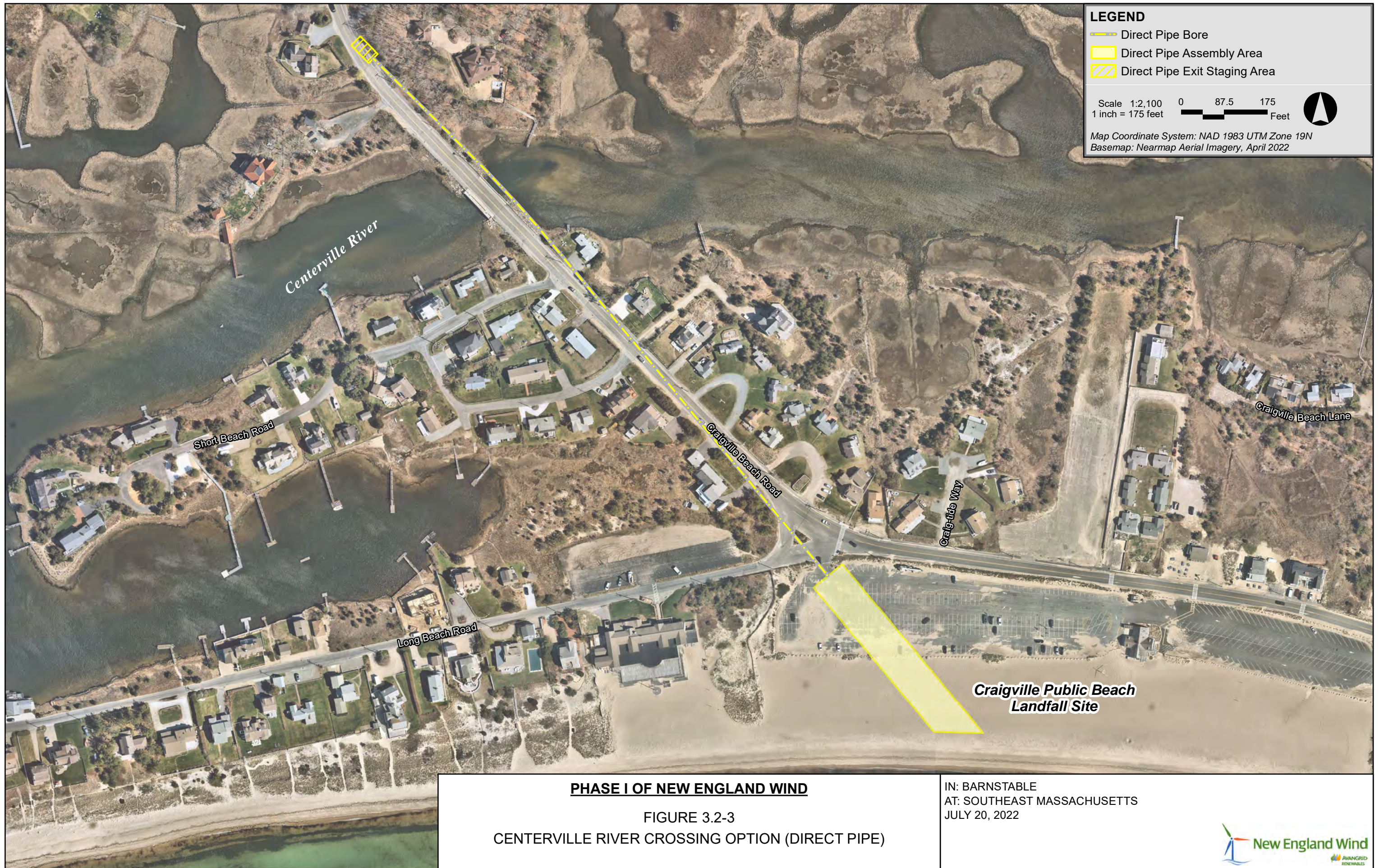

















**LEGEND**

 Temporary and Permanent Impacts from Utility Bridge Abutment

Scale 1:600 0 25 50 Feet  
1 inch = 50 feet


Map Coordinate System: NAD 1983 UTM Zone 19N  
Basemap: Nearmap Aerial Imagery, April 2022

**PHASE I OF NEW ENGLAND WIND**

FIGURE 3.2-4

CENTERVILLE RIVER CROSSING OPTION (UTILITY BRIDGE)

IN: BARNSTABLE  
AT: SOUTHEAST MASSACHUSETTS  
JULY 20, 2022

 New England Wind  
AVANGRID RENEWABLES



## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Michael Clayton – Park City Wind LLC		File Number: NAE-2021-01301	Date: 8 July 2024
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
X	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL WITHOUT PREJUDICE	C	
	PERMIT DENIAL WITH PREJUDICE	D	
	APPROVED JURISDICTIONAL DETERMINATION	E	
	PRELIMINARY JURISDICTIONAL DETERMINATION	F	

### SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/> or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.



**C. PERMIT DENIAL WITHOUT PREJUDICE: Not appealable**

You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

**D: PERMIT DENIAL WITH PREJUDICE: You may appeal the permit denial**

You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information for reconsideration**

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- **RECONSIDERATION:** You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

**F: PRELIMINARY JURISDICTIONAL DETERMINATION: Not appealable**

You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision you may contact:

Mr. Ryan Malterud  
Acting Deputy Chief, Regulatory Division  
U.S. Army Corps of Engineers, New England District  
696 Virginia Road  
Concord, MA 01742-2751  
Phone: (651) 508-2261  
Email: Ryan.M.Malterud@usace.army.mil

If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:

Mr. Andrew Dangler, Regulatory Appeals Review Officer  
U.S. Army Corps of Engineers  
North Atlantic Division – Fort Hamilton  
301 John Warren Avenue – First Floor  
Brooklyn, NY 11252-6700  
Mobile: (518) 487-0215  
Email: andrew.c.dangler@usace.army.mil

## **SECTION II – REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. Use additional pages as necessary. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.

<div data-bbox="99 197 657 245" data-label="Text"> <p>_____ Signature of appellant or agent.</p> </div>	<div data-bbox="813 92 906 130" data-label="Text"> <p>Date:</p> </div>
<div data-bbox="99 262 685 306" data-label="Text"> <p>Email address of appellant and/or agent:</p> </div>	<div data-bbox="813 262 1105 306" data-label="Text"> <p>Telephone number:</p> </div>



**US Army Corps  
of Engineers** ®  
New England District

**WORK-START NOTIFICATION FORM**  
(Minimum Notice: Two weeks before work begins)

\*\*\*\*\*

EMAIL TO: [Christine.M.Jacek@usace.army.mil](mailto:Christine.M.Jacek@usace.army.mil) and [cenae-r-offshorewind@usace.army.mil](mailto:cenae-r-offshorewind@usace.army.mil); or

MAIL TO: Christine Jacek  
Regulatory Division  
U.S. Army Corps of Engineers, New England District  
696 Virginia Road  
Concord, Massachusetts 01742-2751

\*\*\*\*\*

Corps of Engineers Permit No. NAE-2021-01301 was issued to Michael Clayton representing Park City Wind LLC. A majority of the work will occur in the Atlantic Ocean within the BOEM Renewable Energy Lease Area OCS-A 0534, which is approximately eighteen (18) NM south of Martha's Vineyard, Massachusetts. Export cable work would occur within a forty two (42) NM long offshore export cable corridor extending from the lease area, through the Muskeget Channel and Nantucket Sound with cable landfall at Craigville Beach, Barnstable, Massachusetts. The export cables would also cross the Centerville River in Barnstable, Massachusetts and authorized construction and maintenance of a commercial-scale offshore wind facility within a 63,012 acre Bureau of Ocean Energy Management (BOEM) Renewable Energy Lease Area identified as OCS-A 0534. The project shall consist of: 1) up to sixty two (62) wind turbine generators (WTGs) and up to two (2) electrical service platforms (ESPs) with up to seventy four (74) acres associated scour protection for the structures 2) approximately 133 nautical miles (NM) of inter-array cables connecting the WTGs and inter-link cable connecting the ESPs to the WTGs with eleven (11) acres of associated scour protection for the cables 3) up to two (2) export transmission cables within a single forty two (42) NM offshore export cable corridor (OECC) with approximately 2.5 acres of cable scour protection on the outer continental shelf (OCS) and 21.5 acres of subtidal fills associated with cable scour protection and sand wave relocation activities. Each of the two cables will have a 12 foot (ft.) wide disturbance zone associated with installation and would be estimated to result in a disturbance area involving up to 75 acres of subtidal waters. Cable protection will consist of a rock berm, concrete mattresses, fronded mattresses, and/or rock bags 4) the refilling of two horizontal directional drilling (HDD) exit pits to be excavated for the HDD work associated with the shore to landfall. Each HDD exit pit will be approximately 10,000 square feet (sq. ft.) in size with approximately 20,000 sq. ft. of total impacts associated with HDD 5) HDD installation of the transmission cables under the Centerville River.

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

**PLEASE PRINT OR TYPE**

Name of Person/Firm: \_\_\_\_\_

Business Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone & email: ( ) ( )

Proposed Work Dates: Start: Finish:

Permittee/Agent Signature: Date:

Printed Name: Title:

Date Permit Issued: Date Permit Expires: July 31, 2029

\*\*\*\*\*

**FOR USE BY THE CORPS OF ENGINEERS**

PM: Christine Jacek Submittals Required: Yes

Inspection Recommendation:



**US Army Corps  
of Engineers®**  
New England District

## COMPLIANCE CERTIFICATION FORM

(Minimum Notice: Permittee must sign and return notification  
within one month of the completion of work.)

**Permit Number:** NAE-2021-01301

**Project Manager:** Christine Jacek

**Name of Permittee:** Michael Clayton – Park City Wind LLC

**Permit Issuance Date:** 1 July 2024

Please sign this certification and return it to our office upon completion of the activity.

\*\*\*\*\*  
\* E-MAIL TO: [Christine.M.Jacek@usace.army.mil](mailto:Christine.M.Jacek@usace.army.mil) or; \*  
\* \* \* \* \*  
\* MAIL TO: Massachusetts Section \*  
\* Regulatory Division \*  
\* U.S. Army Corps of Engineers, New England District \*  
\* 696 Virginia Road \*  
\* Concord, MA 01742-2751 \*  
\*\*\*\*\*

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

**I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the above referenced permit, and any required mitigation was completed in accordance with the permit conditions.**

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date of Work Completion

( ) \_\_\_\_\_  
Telephone Number

( ) \_\_\_\_\_  
Telephone Number