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CRMP Regulatory Standards

The CRMP requires that the applicant provide sufficient information on the Project for CRMC to render a decision. Portions of the Project are subject to CRMC jurisdiction and the requirements of the CRMP (See Figure 1.1-1). In addition, the Landfall Work Area, Onshore Transmission Cables and OnSS are subject to the Shoreline Change (Beach) Special Area Management Plan (SAMP) which is incorporated into Part 1.1.6(I) of the CRMP. The Onshore Transmission Cables and OnSS are also subject to the Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (650-RICR-20-00-2). Furthermore, the RWEI-RI from the mouth of Narragansett Bay to the three-nautical mile limit of state waters is subject to the policies and regulations of the Ocean SAMP, 650-RICR-20-05-11.

The following sections of the CRMP are addressed in this Chapter 4: Sections 1.1.5, 1.1.6(F), 1.1.6(I), 1.1.7, 1.1.8, 1.1.9, 1.1.10, 1.1.11, 1.2.1(E), 1.2.1(G), 1.2.2(A), 1.2.2(C), 1.2.2(F), 1.2.3, 1.3.1(B), 1.3.1(C), 1.3.1(F), 1.3.1(G), 1.3.1(H), 1.3.1(I), 1.3.1(J), 1.3.1(R), 1.3.3, 1.3.5, and 1.3.6.

Note, Section 1.3.1(A) of the CRMP (Category B Requirements) is addressed in Section 1.3.2 of this Category B Assent application; whereas Section 1.1.4(D) of the CRMP (Freshwater wetlands in the vicinity of the coast) is addressed in Appendix B of this application. For ease of review, Revolution Wind sets forth the applicable CRMP section and then provides its response. As demonstrated below, Revolution Wind meets all of the applicable standards.

4.1 CRMP Section 1.1.5 – Review Categories and Water Types

The RWEI-RI will pass through waters designated as Type 4 Multi-Purpose Waters within Narragansett Bay and Type 6 Industrial Waterfront and Commercial Navigation Channels in the nearshore area (See Figure 3.2-1). According to Table 1 in Section 1.1.5(A) of the CRMP, activities classified as “Energy-related Activities/Structures”, “Dredging-Improvement”, and “Filling in Tidal Waters” in Tidal Waters designated as Types 4 and 6 require a Category B Assent Application. Thus, Revolution Wind has submitted this application for Category B Assent. Similarly, activities listed in Table 2 in Section 1.1.5(B) of the CRMP specifically Energy related structures require a Category B Assent Application.

4.2 CRMP Section 1.1.6 – Applications for Category B Council Assents

Subparts A-E, G and H of Section 1.1.6 of the CRMP are noted and/or do not apply to the Project and are therefore not restated herein. Subparts F and I of Section 1.1.6 are applicable to the Project and addressed below.

4.2.1 CRMP Section 1.1.6(F) – Category B Applications

1. Applicants for activities and alterations listed as "B" in Tables 1, 2, or 3 in § 1.1.5 of this Part, in addition to adhering to the applicable policies, prerequisites, and standards, are required to address all Category B requirements as listed in applicable sections of the program and, where appropriate, other issues identified by the Council.

As demonstrated through responses to the applicable CRMP sections reviewed in this application, the Project will conform to the goals, policies, prerequisites, informational requirements, and standards of the CRMP.

2. Formal notice will be provided to all interested parties once completed forms for a Category B application have been filed with the Council. The notice shall set forth the nature of the application, any variances requested and the applicable sections of the CRMP from which a variance is requested. A public hearing will be scheduled if there are one or more substantive objections to the project, or at the consensus of four or more members of the Council.

Noted.

3. A Category B Assent shall be issued if the Council finds that the proposed alteration conforms to the goals, policies, prerequisites, informational requirements and standards of this Program.

See above response to §1.1.6(F)(1).

4.2.2 CRMP Section 1.1.6(I) – Coastal Hazard Analysis Application Requirements

1. The following new projects when subject to the jurisdiction of the CRMC must file a coastal hazard analysis with their CRMC application using the "CRMC Coastal Hazard Application Guidance" provided in Chapter 5 of the CRMC Shoreline Change Special Area Management Plan (Beach SAMP):

- b. construction of new commercial and industrial structures as defined in § 1.1.2 of this Part;*
- d. Construction of any new private or public roadway, regardless of length;*
- e. construction of any new infrastructure project subject to §§ 1.3.1(F), (H), and (M) of this Part;*

Revolution Wind will construct the above-referenced new structures. For this reason, a Coastal Hazard Analysis has been completed for the onshore Project components. (See Appendix C). Based on the Project Design Life of up to 35 years, a projected sea level rise of 5 ft (1.5 m) was used for the Hazard Assessment. A 5-ft (1.5-m) rise in sea levels

will not impact the onshore Project components which are located inland of the shore. The same 5-foot scenario does not expose the TJBs to future tidal inundation.

2. *The following modifications to existing projects subject to the jurisdiction of the CRMC must file a coastal hazard analysis with their CRMC application using the "CRMC Coastal Hazard Application Guidance" provided in Chapter 5 of the CRMC Shoreline Change Special Area Management Plan (Beach SAMP): (list of modifications omitted)*

Not applicable. Revolution Wind does not propose modification to existing projects referenced in this standard.

3. *All projects meeting the analysis thresholds established in §§ 1.1.6(l)(1) and (2) of this Part above shall complete the CRMC coastal hazard application worksheet (<http://www.crmc.ri.gov/coastalhazardapp.html>) and provide the following information as part of the application: : (list of information omitted)*

The information listed in this standard is included in the Coastal Hazard Analysis completed for the Project (see Appendix C).

4. *All projects meeting the analysis thresholds established in §§ 1.1.6(l)(1) and (2) of this Part above shall provide site plans of the proposed project with the following overlays: (list of information omitted)*

The required overlays are provided in Appendix C.

5. *All projects meeting the analysis thresholds established in §§ 1.1.6(l)(1) and (2) of this Part above shall describe the proposed coastal adaptation techniques incorporated into the project design to overcome or accommodate any coastal hazard exposure risks resulting from the analyses required by § 1.1.6(l) of this Part.*

The OnSS is sited in an area of the site that is higher than the surrounding ground. The elevation OnSS yard grade ranges between 18 and 20 feet NAVD88 and equipment within the OnSS is elevated above the 500-year coastal flood elevation of 23 feet NAVD88. This elevation is still higher than the modeled Stormtools Design Envelope (RICRMC, 2019) for the Project.

The TJBs will be located underground and located over 200 feet (61 m) from the shore. The TJBs are not predicted to be inundated by 5 feet (1.5 m) of SLR or Projected Erosion Rate for the Project. Buried transmission lines are often subject to groundwater inundation and the cables are designed to be resilient to inundation. The cable and joints are designed for water submersion. The conductor and XLPE insulation both contain outer layers of water swellable tapes. All manhole hardware and cable supports will be non-corrosive to ensure system can operate with corrosive water inside the manhole for extended periods.

4.2.3 CRMP Section 1.1.7 – Variances

A. Applicants desiring a variance from a standard shall make such request in writing and address the six criteria listed below in writing. Except as otherwise provided herein, the

application shall then be granted a variance only if the Council finds that the following six criteria are met.

Not applicable. Revolution Wind does not anticipate requiring a variance from any standard in the CRMP.

4.2.4 CRMP Section 1.1.8 – Special Exceptions

The Project does not require a special exception. Specifically, Revolution Wind does not propose to conduct any of the prohibited activities listed under Section 1.1.5.A., Table 1, or any other prohibited activities in tidal or coastal pond waters, on shoreline features and their contiguous areas as listed in Sections 1.3.1.B. through 1.3.1.R.

4.2.5 CRMP Section 1.1.9 – Setbacks

Revolution Wind acknowledges the standards set forth in Section 1.1.9 and does not restate those standards herein. Revolution Wind notes that none of these standards is applicable to the Project. More specifically, Revolution Wind notes that at the landfall location at AP 185 Lot 008, the Coastal Feature is Coastal Beach backed by Manmade Shoreline. Based on the existing vegetated area within AP 185 Lot 008, it appears that the Coastal Buffer has been reduced to approximately 50 feet (15.24 m). The corresponding Setback from this Coastal Buffer is 75 feet (23 m).

The Landfall Work Area includes land within the 200-ft Contiguous Area of the Manmade Shoreline coastal feature, but installation of the RWEC-RI at the landfall will occur using HDD. The HDD entry pits will be approximately 200 ft (61 m) inland of the coastal feature such that no disturbance will occur within the existing 50-ft (15.24 m) vegetated Coastal Buffer or the corresponding 75 ft (22.86 m) Setback. Land disturbing activities are not proposed on AP 185 Lot 008; however, the existing parking lot within this property may be used for construction-related logistics such as parking, surveying equipment, and temporary staging of materials, if needed.

4.2.6 CRMP Section 1.1.10 – Climate Change and Sea Level Rise

Revolution Wind acknowledges policies in Section 1.1.10(A) and does not restate those herein. Revolution Wind has reviewed the 100-year storm event with 5 feet (1.5 m) of sea level rise (18 ft NAVD88) and has determined that this scenario would have no effect on Project infrastructure. The OnSS will be constructed with the substation equipment yard elevations ranging between 18 ft above NAVD88 on the east side and approximately 20 feet above NAVD88 on the west side. Critical electrical equipment within the yard will be elevated above the surrounding grade by 6 feet (1.8 m) which accommodates the 500-year coastal flood elevation at the OnSS site (23 ft NAVD88).

The Onshore Transmission Cable and TJBs will be installed underground within duct banks or concrete vaults. Based on a sea level rise assessment using Stormtools (RI CRMC, 2019), the Onshore Transmission Cable route will not be affected by sea level rise up to including 7 feet (2.1 m) of sea level rise. Regardless, buried transmission lines

are often subject to groundwater inundation and the cables are designed to be resilient to inundation. The cable and joints are designed for water submersion. The conductor and XLPE insulation both contain outer layers of water swellable tapes. All manhole hardware and cable supports will be non-corrosive to ensure system can operate with corrosive water inside the manhole for extended periods.

The RWE-RI will be installed at the landfall via HDD methodology, which will result in the export cables being buried approximately 65 feet (19.8 m) below ground, transitioning up to the entry and exit pits. The design of the RWE-RI (including offshore and at the landfall location) anticipates that the cable will be submerged and incorporates watertight sheathing around the cable to protect the conductors. The design bears all inherent features of a marine cable meant to be fully immersed in water and installed and operated at high-sea depths under considerable water pressures.

4.2.7 CRMP Section 1.1.11 – Coastal Buffer Zones

Revolution Wind acknowledges the policies, prerequisites, prohibitions, and standards set forth in Section 1.1.11 and does not restate those herein. Revolution Wind acknowledges these policies and notes that the Project will not negatively affect the benefits of the Coastal Buffer Zones.

The Project's Landfall Work Area is proposed within existing developed properties (AP 185 Lots 001,004 and 008) adjacent to Type 6 Waters. The coastal feature in this location is Coastal Beach backed by Manmade Shoreline. Landward of the coastal feature within AP 185 Lot 008 an existing approximately 50-foot (15.24 m) wide vegetated Coastal Buffer Zone is present separating the existing commercial development from the coastal feature. The Coastal Buffer Zone is contained entirely with Lot 008 and doesn't extend to other portions of the Landfall Work Area. The Landfall Work Area does not lie within a RIDEM-mapped Natural Heritage and Endangered Species Program ("NHESP") Area (RIDEM, 2021b). Existing vegetation within the Coastal Buffer Zone is composed of native low shrubs, grasses, and herbs.

The existing development within AP 185 Lot 008 was permitted under CRMC Assents 2004-10-009 and 2014-04-089 which outline the Assent conditions that apply to the current property owner, including approved activities within the Coastal Buffer Zone. Revolution Wind has secured an easement with the property owner for the use of a portion of Lot 008 for the Project. Therefore, maintenance of the Coastal Buffer Zone and any authorized improvements such as shoreline access paths falls to the property owner and is not applicable to the Project.

The Onshore Transmission Cable within Circuit Drive crosses through a Coastal Buffer Zone extending north from Wetland 1. This area of Coastal Buffer Zone is developed and includes landscaped areas, access roads and parking lots associated with existing developments within AP 179, Lots 010, 013, 018 and 025, and AP 185 Lot 009; a stormwater detention basin within AP 179 Lot 021; and the Blue Beach parking lot and access path within AP 179 Lot 033 and 022, respectively. Constructing the Onshore Transmission Cable below Circuit Drive within this Coastal Buffer Zone will not alter the

character of the Buffer Zone nor affect the existing uses and benefits currently provided.

4.3 CRMP Section 1.2.1 – Tidal and Coastal Pond Waters

Subparts A-D and F of Section 1.2.1 of the CRMP are not applicable to the Project and are therefore not restated herein; however, Subparts E and G of Section 1.2.1 are applicable to the Project and addressed below.

E. Type 4 Multipurpose Waters

1. This category includes:

- a. Large expanses of open water in Narragansett Bay and the Sounds which support a variety of commercial and recreational activities while maintaining good value as a fish and wildlife habitat; and*
- b. Open waters adjacent to shorelines that could support water dependent commercial, industrial, and/or high intensity recreational activities.*

Approximately 0.5 mi of the RWEC-RI is located within Type 6 Waters at the landfall location. The remainder of the RWEC-RI (approximately 22.5 mi) is located in Type 4 Waters through the West Passage of Narragansett Bay to the three-nautical mile limit of state waters. The RWEC-RI is considered a water dependent activity.

2. Policies

- a. The Council's goal is to maintain a balance among the diverse activities that must coexist in Type 4 waters. The changing characteristics of traditional activities and the development of new water dependent uses shall, where possible, be accommodated in keeping with the principle that the Council shall work to preserve and restore ecological systems.*

Revolution Wind proposes to install two submarine export cables in state waters (i.e., the RWEC-RI) to a target burial depth of 4 to 6 feet (1.2 to 1.8 m) beneath Type 4 Waters for a distance of approximately 22.5 miles (36.2 km). The route for RWEC-RI was carefully selected through consultation with stakeholders to avoid conflicts with traditional activities and disturbance of sensitive ecosystems. The entire RWEC-RI in state waters is located within the recently proposed Narragansett Bay West Passage Renewable Energy Cable Corridor which was developed through collaboration with various stakeholders along with the collection of geophysical, geotechnical, and ecological studies within Narragansett Bay (RI CRMC, 2021).

- b. The Council recognizes that large portions of Type 4 waters include important fishing grounds and fishery habitats, and shall protect such areas from alterations and activities that threaten the vitality of Rhode Island fisheries.*

Refer to Sections 3.2.3, 3.2.4, and 3.2.8 of this Category B Assent application for a discussion of benthic and shellfish resources, finfish and EFH, and commercial and recreational fisheries, respectively. Potential impacts to these resources resulting from installation of the RWEC-RI are localized and short-term in nature and will occur

over a limited portion of the available fishing grounds; therefore, installation and operation of the RWE-C-RI will not threaten the vitality of Rhode Island fisheries. In addition, the burial depth of the RWE-C-RI will allow static and mobile gear fisheries to operate along the cable corridor following installation.

c. Aquaculture leases...

Not Applicable.

d. The Council shall work to promote the maintenance of good water quality within the Bay. While recognizing that stresses on water quality will always be present in urban areas such as the Providence River, the Council shall work to promote a diversification of activities within the upper Bay region through the water quality improvement process.

The Project is expected to result in short-term impacts to water quality within the Bay during installation of the RWE-C-RI. Refer to Section 3.2.2.3 and Appendix O of this Category B Assent application for a discussion of these short-term impacts to water quality. Revolution Wind will apply for a Section 401 Water Quality Certificate with RIDEM.

G. Type 6 Industrial waterfronts and commercial navigation channels

1. These water areas are extensively altered in order to accommodate commercial and industrial water dependent and water enhanced activities. They include all or portions of the following areas:

...

c. Quonset Point and Davisville

...

Landfall of the RWE-C-RI is proposed in the southwestern portion of Type 6 Waters at Quonset Point in North Kingstown.

2. Policies

a. The Council's goals for Type 6 waters and adjacent lands under Council jurisdiction are to encourage and support modernization and increased commercial activity related to shipping and commercial fisheries.

b. Highest priority uses of Type 6 waters and adjacent lands under Council jurisdiction are:

(1) berthing, loading and unloading, and servicing of commercial vessels;

(2) construction and maintenance of port facilities, navigation channels, and berths; and

(AA) The Council shall prohibit activities that substantially detract from or interfere with these priority uses.

The RWE-C-RI approaches Quonset Point to make landfall approximately 0.6 mi west of Quonset Point Pier at the western boundary of the Type 6 Waters. Onshore, the RWE-C and Onshore Transmission Cable cross under existing developed properties. At the landfall, AP 185 Lot 008 is developed as an office building. The RWE-C-RI will not

interfere with any existing navigation channels, berthing, loading and unloading, and servicing of commercial vessels, or maintenance of port facilities, navigation channels, and berths.

c. The Council will encourage and support port development and modernization and increased economic activity in the marine industries by participating wherever possible in the joint long range planning and development activities with other state and local agencies, including the R.I. Port Authority, the Department of Environmental Management, and coastal cities and towns.

Noted. Overall, the Project will bring substantial benefits to Rhode Island, including the marine economic sector. Guidehouse evaluated the direct¹², indirect¹³, and induced jobs¹⁴; labor earnings¹⁵; gross output¹⁶; and economic value added¹⁷ expected from the Project (inclusive of the RWF, RWEC, and onshore Project components). Based on this evaluation, the Project would have beneficial effects for the national economy across both phases – construction and operation – with an expected gross output (i.e. the sum value of all goods and services at all stages of production resulting from the Project) of roughly \$1,360.3 million and valued add (the best indicator of economic development benefits to the local economy) of roughly \$737.9 million. For Rhode Island, the expected gross output and value add are \$726.8 million and \$390.6 million, respectively. This includes the generation of 3,059 direct, indirect, and induced jobs during the construction phase, and 233 direct, indirect, and induced annual jobs during the operations phase (Guidehouse, 2020).

d. Through its Special Area Management Plan for Providence Harbor, and other planning initiatives, the Council will identify and designate acceptable disposal solutions and sites adequate to meet the need for dredging, and provide the assurances required by industry that channel depths will be maintained, while minimizing environmental effects. ...

Not applicable.

12 Direct jobs are on-site labor and professional services. On-site labor is given in job years, which are full-time equivalent (FTE) jobs multiplied by the number of construction years. Construction jobs are given as FTE job-years since they are spread over a multi-year construction period. Some construction jobs will last only a portion of a year while others may last the entire expected construction period of three years. Operations jobs are given as annual FTE jobs over the entire operating period.

13 Indirect jobs are driven by the increase in demand for goods and services from direct on-site spending from the Project.

14 Induced jobs are driven by the local expenditures of those receiving payments within the first two job categories or increased household spending by workers.

15 Labor earnings are the additional earnings (wages and employer paid benefits) associated with the additional local jobs.

16 Gross output is the sum value of all goods and services at all stages of production resulting from the Project.

17 Value added is the best indicator of economic development benefits to the local economy. The sum total of value added of all enterprises and self-employed in a given state comprises that state's gross domestic product. These values are the sum of earnings from capital and labor or the difference between total gross output and the cost of intermediate inputs. It is comprised of payments made to workers, proprietary income, other property type income, indirect business taxes, and taxes on production and imports less subsidies.

4.4 CRMP Section 1.2.2 – Shoreline Features

Subparts B, D, E and G of Section 1.2.2 are not applicable to the Project and are therefore not stated herein; however, Subparts A, C, and F of Section 1.2.2 are applicable to the Project and addressed below.

A. Coastal Beaches

1. Policies

a. The Council's goals are:

(1) to preserve the qualities of, and public access to those beaches which are an important recreational resource (adjacent to Type 1 and 2 waters);

Blue Beach, a Coastal Beach adjacent to Type 2 waters, is located west of the Project's landfall location. No work is proposed at Blue Beach. Access to Blue Beach may be temporarily disrupted during the installation of the Onshore Transmission Cable in the shoulder of Circuit Drive, but any disruption will be intermittent during the limited construction period. As referenced in Table 2.2-10, the construction schedule for onshore construction will be designed to minimize impacts to the local community during the summer tourist season, generally between Memorial Day and Labor Day, and Revolution Wind will coordinate with local authorities during construction to minimize local traffic impacts. Also, in state waters north of the COLREGS line of demarcation, RWEC-RI construction will occur between Labor Day and February 1 to avoid and minimize impacts to winter flounder and shellfish (see Section 2.2.5.1 of this Category B Assent application).

(2) to prevent activities that will significantly disrupt longshore and/or onshore offshore beach processes, thereby creating an erosion or flooding hazard; and,

The Project will not disrupt longshore and/or onshore-offshore beach processes. Utilizing an HDD methodology, the RWEC-RI will make landfall beneath the intertidal zone, Coastal Beach, Manmade Shoreline and Coastal Buffer Zone. The use of HDD will avoid activities that could temporarily or permanently affect longshore or onshore beach processes.

(3) to prevent construction in high hazard areas; and

High hazard areas associated with Project construction along the shoreline is limited to the FEMA-designated Coastal Velocity Zone (VE Elevation 21) and FEMA Coastal A Zone (AW Elevation 12) in other landward portions of the Landfall Work Area. The Project infrastructure will be entirely below ground within these flood zones and will not be affected by these hazard conditions. Furthermore, CRMC's Shoreline Change Mapping (RI CRMC, 2016) indicates that this section of shoreline has experienced little erosion and in fact have accreted at a rate of approximately 0.5 ft (0.15 m) per year during the study period (reference transects 1684 and 1685).

(4) to protect the scenic and ecologic value of beaches.

All Project infrastructure near Blue Beach (i.e., the RWEC-RI, TJBs, and Onshore Transmission Cable) will be installed below-ground and, therefore, will not affect the scenic value of the beach. Also, no work is proposed at Blue Beach and, therefore, the ecological value of the beach will not be affected.

Nearshore and onshore construction activities may temporarily affect the scenic value of Blue Beach. However, this will be limited to the limited construction duration (up to 18 months). As referenced in Table 2.2-9, the construction schedule for onshore construction will be designed to minimize impacts to the local community during the summer tourist season, generally between Memorial Day and Labor Day. Also, in state waters north of the COLREGS line of demarcation, RWEC-RI construction will occur between Labor Day and February 1 to avoid and minimize impacts to winter flounder and shellfish (see Section 2.2.5.1 of this Category B Assent application).

b. Alterations to beaches adjacent to Type 1 and Type 2 waters are prohibited except where the primary purpose of the project is to preserve or enhance the area as a natural habitat for native plants and wildlife. In no case shall structural shoreline protection facilities be used to preserve or enhance these areas as a natural habitat or to protect the shoreline feature.

Not applicable. The Project will not alter a Coastal Beach.

c. Alterations to beaches adjacent to Type 3, 4, 5, and 6 waters may be permitted if: (subparts omitted)

Not applicable. The Project will not alter a Coastal Beach.

d. Vehicular use of beaches where not otherwise prohibited or restricted by property owners or by private or public management programs is permitted only under the following conditions: (subparts omitted)

Not applicable. The Project does not propose vehicular use on a Coastal Beach.

2. Prohibitions

a. The construction of new structures other than access ways, walkover structures, and beach facilities, are prohibited in setback areas.

Not applicable. The Project will install the RWEC-RI below grade using an HDD methodology and will not construct new structures that interfere with the Council's goals for the Setback.

b. The use of plastic snow fencing is prohibited due to the hazards presented to fish, marine mammals, and other wildlife in the aftermath of a storm event.

Revolution Wind will comply.

c. Alterations to beaches adjacent to Type 1 and Type 2 waters are prohibited except where the primary purpose of the project is to preserve or enhance the area as a natural habitat for native plants and wildlife.

Not applicable. The Project will not alter a Coastal Beach.

C. Coastal Wetlands

Revolution Wind acknowledges the prerequisites, standards, and prohibitions set forth in Section 1.2.2(C) and does not restate those herein.

The Project will not alter Coastal Wetland. The Onshore Transmission Cable is located within 50 ft (15.2 m) of Coastal Wetland 1 (refer to Onshore Transmission Cable plans in Appendix A). However, construction and installation of the Onshore Transmission Cable near Coastal Wetland 1 will be confined to within the existing paved roadway; thus, there will be no impact to or effect on existing functions and values of this coastal wetland. In accordance with the Project's SESC Plan (refer to Revolution Wind Onshore Transmission Facilities SESC Plan in Appendix A) compost filter sock along the road shoulder and catch basin inlet protection along the entire Onshore Transmission Cable route will be installed during construction to prevent the discharge of sediments to sensitive coastal environments.

F. Manmade Shorelines

Revolution Wind acknowledges the prerequisites, standards, and prohibitions set forth in Section 1.2.2(F) and does not restate those herein.

The RWE-RI landfall location includes Manmade Shoreline which currently consists of a cast-in-place concrete revetment fronted by riprap (refer to the HDD Landfall Design plans sheets 2, 3 and 4 in Appendix A).

Using an HDD method to install the RWE-RI at the landfall location, the Project avoids alteration of the existing cast-in-place concrete revetment. Revolution Wind will have no ownership, repair, or maintenance interest in the existing Manmade Shoreline.

4.5 CRMP Section 1.2.3 – Areas of Historic and Archaeological Significance

A. Policies

1. The Council's goal is to, where possible, preserve and protect significant historic and archaeological properties in the coastal zone.

Revolution Wind has submitted to BOEM a Terrestrial Archaeological Resources Assessment. A copy of this report is provided under confidential cover to this Category B Assent application because it contains confidential commercial information not subject to disclosure under APRA (RIGL § 38-2-1) or FOIA (5 U.S.C. § 552) (Appendix K).

Moreover, Revolution Wind has submitted to BOEM a Marine Archaeological Resources Assessment. A copy of this report is provided under confidential cover to Category B Assent application because it contains confidential commercial information not subject to disclosure under APRA (RIGL § 38-2-1) or FOIA (5 U.S.C. § 552) (Appendix N).

A VRA was prepared for the OnSS which assessed visibility of the OnSS from all areas within a 3-mile radius (VSA; 30.5 sq mi). VSRs and proximate residences within 150 ft were considered. The VRA concluded that proximate abutters may be temporarily

impacted during construction and decommissioning and limited visual impact during operation. Public resources in the VSA will experience negligible visual impacts (Refer to Section 3.1.8 and Appendix I of this application).

Revolution Wind will avoid adverse impacts to historic and archaeological resources to the extent practicable. BOEM is required to satisfy Section 106 of the NHPA, which requires consultation with State Historic Preservation Offices ("SHPOs"), Tribal Historic Preservation Offices ("THPOs"), and other interested parties, as well as assessment and mitigation of unavoidable adverse effects to historic properties.

2. Preservation of significant historic and archaeological properties is a high priority use of the coastal region. Activities which damage or destroy important properties shall be considered a low priority.

As noted above, Revolution Wind will avoid adverse impacts to historic and archaeological resources to the extent practicable. Any unavoidable adverse impacts will require mitigation, as determined through BOEM's Section 106 Consultation obligations.

3. The Council shall require modification of, or shall prohibit proposed actions subject to its jurisdiction where it finds a reasonable probability of adverse impacts on properties listed in the National Register of Historic Places. Adverse impacts are those which can reasonably be expected to diminish or destroy those qualities of the property which make it eligible for the National Register of Historic Places. The Council shall solicit the recommendations of the RI Historical Preservation and Heritage Commission regarding impacts on such properties.

BOEM is consulting with the RIHPHC in order to satisfy Section 106 of the NHPA. Revolution Wind has shared information and data with the RIHPHC to support their review of the Project under Section 106 of the NHPA.

4. Prior to permitting actions subject to its jurisdiction on or adjacent to properties eligible for inclusion (but not actually listed in the National Register of Historic Places), and/or areas designated as historically or archaeologically sensitive by the RI Historical Preservation and Heritage Commission as the result of their predictive model, the Council shall solicit the recommendations of the Commission regarding possible adverse impacts on these properties. The Council may, based on the Commission's recommendations and other evidence before it, including other priority uses of this Program, require modification of or may prohibit the proposed action where such adverse impacts are likely.

BOEM is consulting with the RIHPHC in order to satisfy Section 106 of the NHPA. Revolution Wind has shared information and data with the RIHPHC to support their review of the Project under Section 106 of the NHPA.

5. Structural shoreline protection facilities may be permitted in Type 1 Waters provided that the structure is necessary to protect a structure which is currently listed in the National Register of Historic Places.

Not applicable.

4.6 CRMP Section 1.3.1 – In Tidal and Coastal Pond Waters, On Shoreline Features And Their Contiguous Areas

Subpart A of Section 1.3.1 is reviewed in Section 1.3.2 of this Category B Assent application. Subparts B, C, F-J, and R of Section 1.3.1 of the CRMP are applicable the Project and addressed in the following subsections. Subparts A, D, E, and K-Q of Section 1.3.1 are not applicable to the Project and are therefore not restated herein.

4.6.1 CRMP Section 1.3.1(B) – Filling, removing, or grading of shoreline features

1. Policies

a. Established agricultural practices in areas contiguous to shoreline features are excluded from this section.

Not applicable.

b. All filling, removing or grading activities shall be done in accordance with the policies and standards of this section and the standards and specifications set forth in the most recent edition of the Rhode Island Soil Erosion and Sediment Control Handbook.

No filling or grading will occur on the shoreline feature. The HDD entry pits are about 290 ft (88.4 m) inland from the coastal feature (see HDD Landfall Design HDD Plan & Profile HDD East and HDD West in Appendix A). The Onshore Transmission Cable will follow Circuit Drive and enter the 200-foot Contiguous Area measured from Coastal Freshwater Wetland 1 (see Onshore Transmission Cable plans in Appendix A). Temporary excavation and backfill of the HDD entry pits in the Landfall Work Area and trenching for the Onshore Transmission Cable will be carried out with appropriate sediment and erosion controls in place that are consistent with the 2016 update to the RISESCH (see Onshore Transmission Facilities SESC Plan in Appendix A).

c. All new activities subject to §§ 1.3.1(C) (residential, commercial, and industrial structures), 1.3.1(M) and 1.3.3 of this Part, or those activities which disturb more than five thousand (5,000) square feet of land on a site shall prepare and implement an erosion and sediment control plan approved by the Council which references all necessary practices for erosion and sediment control. All erosion and sediment control plans shall be consistent with applicable policies and standards contained in the Rhode Island Coastal Resources Management Program and the standards and specifications set forth in the most recent edition of the Rhode Island Soil Erosion and Sediment Control Handbook. All erosion and sediment control plans shall be strictly adhered to.

Refer to Revolution Wind Onshore Transmission Facilities SESC Plan and Revolution Wind Proposed Onshore Substation SESC Plan (Appendices E and F, respectively) prepared for RIPDES authorization under the Construction General Permit. All erosion and sediment control plans are consistent with applicable policies and standards in the CRMP and the standards and specifications set forth in the most recent edition of the RISESCH.

d. The Council recognizes the most recent version of the Rhode Island Soil Erosion and Sediment Control Handbook, and its amendments, published jointly by the Rhode Island Department of Environmental Management and the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), as containing appropriate Best Management Practices (BMP) for use within the CRMC's jurisdiction. All erosion and sediment control plans shall be consistent with this manual. Applicants are also encouraged to consult the most recent version of the Rhode Island Stormwater Design and Installation Standards Manual during the preparation of their erosion and sediment control plan in order to ensure consistency with the Council's stormwater management requirements (see § 1.3.1(F) of this Part).

The SESC Plan prepared for the OnSS was developed following the template prepared by the RIPDES Program and construction BMPs were developed following guidance in the 2016 revision to the RISESCH. The long-term stormwater management practices incorporated into the OnSS design are consistent with the Stormwater Management, Design and Installation Rules (RIDEM, 2018b) and the latest edition of the Rhode Island Stormwater Design and Installation Standards Manual. Note, utility installation work in roadways does not trigger the Stormwater Management, Design and Installation Rules in accordance with Minimum Standard 6 A.4. *Pavement excavation and patching that is incidental to the primary project purpose, such as replacement of a collapsed storm drain, is not classified as redevelopment.*¹⁸ In this instance, the primary project purpose is the installation of an underground transmission line.

e. Routine filling, removing, or grading of bulk materials (e.g. coal, salt, etc.) that occurs as part of the normal operations of an existing bulk transfer facility (e.g., the Port of Providence) which is adjacent to type 6 waters is excluded from the provisions of this section...

Not applicable.

f. Filling, removing, or grading activities shall be reviewed at the Category B level when:

- (1) the filling or removing involves more than 10,000 cubic yards of material;*
- (2) the affected area is greater than two acres; or*
- (3) the affected area is a designated historic area or archaeologically sensitive site.*

Construction of the onshore Project components will disturb more than 2 acres. Revolution Wind understands the Project is being reviewed at the Category B level.

2. Prohibitions (list omitted)

Not applicable. Revolution Wind does not propose any activities listed in this subpart

3. Standards

a. The following standards apply in all cases where filling, removal, or grading is undertaken:

- (1) Fill slopes shall have a maximum grade of thirty percent (30%);*

¹⁸ Personal communication with Nicholas Pisani PE on August 11, 2020.

Excavations associated with the Landfall Work Area and the Onshore Transmission Cable are temporary and will be backfilled and restored to pre-existing grades and conditions. Graded slopes associated with the OnSS are proposed to have a 3:1 slopes and a structural retaining wall will be installed to minimize graded slope lengths to meet existing grades. Refer to Onshore Substation plans at Appendix A. These plans are provided under confidential cover to this Category B Assent application because they contain confidential commercial information not subject to disclosure under Access to Public Records Act ("APRA"; RIGL § 38-2-1) or Freedom of Information Act ("FOIA"; 5 U.S.C. § 552).

(2) All excess excavated materials, excess fill, excess construction materials, and debris shall be removed from the site and shall not be disposed in tidal waters or on a coastal feature;

Excess excavated materials, excess fill, excess construction materials, and debris will be collected, sorted for recycling or disposal, and re-interred within the construction footprint if appropriate or shipped offsite to an appropriately approved, licensed disposal facility. Waste storage and disposal will be conducted in accordance with applicable state and federal requirements.

(3) Disturbed uplands adjacent to a construction site shall be graded and re-vegetated or otherwise stabilized to prevent erosion during or immediately after construction. Nutrients shall be applied at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters;

The closest construction to the coast begins at the HDD entry pits within a previously developed site in Quonset Business Park, approximately 200 ft (61 m) from the Coastal Feature. The OnSS and Onshore Transmission Cable construction will be carried out following the Project-specific SESC Plan. All stabilization work will be undertaken in accordance to the time frames provided in the RIPDES Construction General Permit. .

(4) Removal or placement of sediments along jetties or groins may be permitted only as part of an approved dredging or beach nourishment project (see § 1.3.1(l) of this Part);

Not Applicable. Revolution Wind does not propose removal or placement of sediments along jetties or groins.

(5) All fill shall be clean and free of materials which may cause pollution of tidal waters;

Onshore Project components involving excavation and backfill (the HDD entry pits and Onshore Transmission Cable) will reuse suitable excavated materials for backfill. Where these excavated materials are not suitable for re-use, fill material will be imported to the site. In accordance with the RIDEM Remediation Regulations requirements, fill materials will be "certified clean fill" determined by laboratory analysis and visual assessment for debris and rubble. At the OnSS, structural fill meeting specific gradation requirements will similarly be certified clean fill.

(6) Cutting into rather than filling out over a coastal bank is the preferred method of changing upland slopes; and

Coastal Bank is not present in the Project Area. Coastal Features are Coastal Beach backed by Manmade Shoreline. The Project will not alter existing Coastal Features as the landfall will be made using HDD.

(7) Limit the application, generation, and migration of toxic substances and ensure that toxic substances are properly stored and disposed of onsite in accordance with all applicable federal, state, and local requirements.

The Project does not include application of toxic substances as part of the construction activities. Any oils or toxic materials that may be kept at the substation will be properly labeled and stored according to all applicable federal, state, and local requirements. Equipment will be mounted on concrete foundations with concrete secondary insulating fluid containment designed for 110 percent containment. A SPCC Plan will be developed for the Project to address potential for discharges and releases from onshore construction.

b. The following upland and shoreline earthwork standards shall be required in those cases where the Council determines that additional measures are warranted in order to protect the environment of the coastal region. Such requirements shall be listed on Assents as stipulations.

Noted, see responses below.

c. For earthwork on shoreline features:

(1) Prior to initiation of construction, the contractor may be required to meet on site with the CRMC staff to discuss and clarify the conditions of the permit;

Noted; however, earthwork is not proposed on a shoreline feature.

(2) A re-vegetation plan shall be submitted for review and approval when construction is undertaken on a barrier beach. This plan shall describe plant material, methods of planting, time of planting, soil amendments, and maintenance;

Not applicable. The Project does not include construction on a Barrier Beach.

(3) Construction materials and excavated soils shall not be placed or stored on any shoreline feature excepting developed barrier beaches and manmade shorelines;

Excavated material is not proposed to be stored on a Shoreline Feature; note, the Shoreline Feature present at the landfall location is Manmade Shoreline. The HDD entry pits are positioned approximately 290 ft landward of the coastal feature (See Revolution Wind Excavation Details in the HDD Landfall Design plan set).

(4) All disturbed soils shall be graded smooth to a maximum 3:1 slope and re-vegetated immediately after construction, or temporarily stabilized with mulch, jute matting, or similar means until seasonal conditions permit such re-vegetation;

No new slopes will be graded within the CRMC contiguous area. All excavations associated with the Landfall Work Area and the Onshore Transmission Cable will be backfilled and graded to restore pre-construction grades and conditions (e.g. level paved or landscaped areas). At the OnSS, slopes will be graded to 3:1 and stabilized with vegetation in accordance with the SESC Plans for this Project component (see

Appendix A). These plans are provided under confidential cover to this Category B Assent application because they contain confidential commercial information not subject to disclosure under Access to Public Records Act ("APRA"; RIGL § 38-2-1) or Freedom of Information Act ("FOIA"; 5 U.S.C. § 552).

(5) In sensitive areas, work shall be carried out from areas above slope from coastal features. Machinery and construction equipment shall normally not be allowed to operate on a coastal wetland. For unavoidable work on a coastal wetland, a protective cover shall be deployed to minimize disturbance;

Equipment will not be operated on Coastal Features or in a Coastal Wetland.

(6) In instances where the CRMC permits temporary disturbance of a coastal feature, shoreline slope, buffer zone, or area of beach grass, the disturbed area shall be completely restored by the owner under the guidance of CRMC staff; and

Disturbance of Coastal Features or any vegetated area adjacent to the coast is not proposed. The Landfall Work Area is within an existing developed parcel and the HDD entry pits will be located within a paved area approximately 290 ft north of the Manmade Shoreline (See Revolution Wind Excavation Details in the HDD Landfall Design plan set). At the landfall location, the RWEC-RI will be installed using HDD and, therefore, will avoid the Coastal Feature and adjacent vegetated areas.

(7) Concrete structures which will come in contact with salt water shall be constructed with concrete which utilizes a Type II or Type V air entraining Portland cement or an equivalent that is resistant to sulfate attacks of seawater.

No onshore concrete structures are proposed within shoreline features that would contact saltwater.

d. For upland earthwork measures shall be taken to minimize erosion:

(1) A line of staked hay bales or other erosion preventing devices (including diversion ditches, check dams, holding ponds, filter barrier fabric, jute or straw mulch) shall be placed at the downslope perimeter of the proposed area of construction prior to any grading, filling, construction, or other earthwork. Hay bales shall be toed-in to a depth of 3 to 4 inches and maintained by replacing bales where necessary until permanent re-vegetation of the site is completed. No soils or other materials are authorized to pass beyond the bale line;

All perimeter soil erosion and sediment controls will be selected and installed consistent with the latest version of the RISESCH. Compost filled filter sock and straw wattles may be used with or without silt fence for perimeter erosion control. Refer to Revolution Wind Onshore Transmission Facilities SESC Plan and Revolution Wind Proposed Onshore Substation SESC Plan (Appendix A). *These plans are provided under confidential cover to this Category B Assent application because they contain confidential commercial information not subject to disclosure under Access to Public Records Act ("APRA"; RIGL § 38-2-1) or Freedom of Information Act ("FOIA"; 5 U.S.C. § 552).*

(2) All slopes shall be returned to the original grade unless otherwise specified;

All excavations associated with the Landfall Work Area and the Onshore Transmission Cable will be backfilled and graded to restore pre-construction grades and conditions (e.g. level paved or landscaped areas). At the OnSS, slopes will be graded to 3:1 and stabilized with vegetation in accordance with the SESC Plans for this Project component (see Appendix A). These plans are provided under confidential cover to this Category B Assent application because they contain confidential commercial information not subject to disclosure under Access to Public Records Act ("APRA"; RIGL § 38-2-1) or Freedom of Information Act ("FOIA"; 5 U.S.C. § 552).

(3) Where natural or manmade slopes are or have become susceptible to erosion, the slopes shall be graded to a suitable slope and re-vegetated with thick rooting brush vegetation. Mulch shall be applied as necessary to provide protection against erosion until the vegetation is established;

The Project SESC Plans specify proposed measures for avoiding and mitigating erosion. The measures will comply with the latest version of the RISESCH. Refer to Revolution Wind Onshore Transmission Facilities SESC Plan and Revolution Wind Proposed Onshore Substation SESC Plan (Appendix A). These plans are provided under confidential cover to this Category B Assent application because they contain confidential commercial information not subject to disclosure under Access to Public Records Act ("APRA"; RIGL § 38-2-1) or Freedom of Information Act ("FOIA"; 5 U.S.C. § 552).

(4) Construction shall be timed to accommodate stream and/or runoff flow and not allow flows over exposed, un-stabilized soils, or into or through the excavation. Flows shall not be restricted in such a manner that flooding or inhibition or normal flushing occurs;

Not Applicable. The Project does not involve in-stream work.

(5) Any pumping of groundwater which may be necessary for de-watering shall be discharged into sediment traps consisting of a minimum of staked hay bale rings enclosing crushed stone or trap rock of a size sufficient to disperse inflow velocity. Hay bales shall be recessed 4 to 6 inches into the soil and maintained; and

Noted. All groundwater discharges will be governed by the limitations of the RIPDES General Permit for Construction Activity or the RIPDES Remediation General Permit, as appropriate.

(6) There shall be no discharge of sediment laden waters into storm drains. Storm drains shall be surrounded by staked hay bales to intercept sediment.

Storm drain inlet protection will be provided. Discharges will be directed to temporary sediment basins and/or vegetated areas away from sensitive receptors and storm drains.

e. For any disturbance of steep slopes (over 15 percent): (standards omitted)

Not applicable. Existing steep slopes over 15 percent will not be altered by the Project.

4.6.2 CRMP Section 1.3.1(C) – Residential, Commercial, Industrial, and Recreational Structures

Revolution Wind acknowledges the policies and prerequisites set forth in Section 1.3.1(C)(1) and (2) and does not restate those herein. Revolution Wind proposes a light industrial facility within AP 185, Lots 001, 004 and 008, along Burlingham Avenue and Circuit Drive, within AP 179 Lot 011, along Camp Avenue and within AP 179 Lots 001 and 030 in the Town of North Kingstown, Rhode Island. The Project is predominately within the Quonset Business Park, and within those areas is subject to the authority of the Quonset Development Corporation ("QDC"). Project components within Camp Avenue are subject to the authority of the Town of North Kingstown.

The Project does not require public water or sewer system connections, or on-site water withdrawal and/or sewage disposal. Revolution Wind proposes a light industrial facility that does not require transportation services. The OnSS will require a connection to backup electric, telephone and fiberoptic services. These services are available in the Project Area, and the connection will be made from the closest utility pole proximate to the OnSS and through consultation with TNEC.

Revolution Wind has filed an Application for Development Plan Review (QDC, 2018) with the QDC for the OnSS and will file an application for a utility easement for portions of the Onshore Transmission Cable to be located within QDC-managed roadways. Based upon consultation with QDC, Revolution Wind does not anticipate the need for a Zoning Permit, Variance or Special Use Permit. Because the Quonset Business Park is a state-managed development area, the State Building Commission has authority over the issuance of building permits. State Building Commission review includes review by the State Fire Marshall's office. Consultation with the State Building Commission has been initiated.¹⁹ A Building Official Form signed by the State Building Commission Official is included with this application.

At the municipal level, street opening permits and/or easements for the portion of the Project in Camp Avenue will be obtained from the Town of North Kingstown prior to construction.

3. Prohibitions

Subparts 1.3.1(C)(3)(a-f) do not apply to the Project. Subpart 1.3.1(C)(3)(g) relates to activities proposed in the 200-foot Contiguous Area landward of the coastal feature. Revolution Wind provides the following responses:

- › Filling, removal, and grading of shoreline features – See Section 4.6.1 of this application.
- › Residential buildings – Not applicable.
- › Commercial and industrial structures features – See Section 4.6.2 of this application.
- › Recreational structures – Not applicable.

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- › Municipal sewage treatment facilities – Not applicable.
- › Onsite wastewater treatment systems ("OWTS") – Not applicable.
- › Point discharges – runoff – Not applicable. See Section 4.6.3 of this application.
- › Point discharges – other – Not applicable. See Section 4.6.3 of this application.
- › Structural shoreline protection – Not applicable.
- › Non-structural shoreline protection – Not applicable.
- › Upland dredged material disposal – Not applicable.
- › Energy related structure – See Section 4.6.4 of the application.
- › Mining – Not applicable.
- › Construction of public roads, bridges, parking lots, railroad lines, and airports – Not applicable
- › Associated residential structures – Not applicable.

4. Standards

a. General:

(1) See standards given in "Filling, Removing, or Grading of Shoreline Features" in § 1.3.1(B) of this Part, as applicable.

Refer to Section 4.6.1 of this Category B Assent application.

(2) See standards given in "Sewage Treatment and Disposal" in § 1.3.1(F) of this Part, as applicable.

Refer to Section 4.6.3 of this Category B Assent application.

(3) Commercial and Industrial docks, wharves and piers shall be designed and certified by a registered professional engineer.

Not applicable.

(4) All commercial and industrial structures and operations in tidal waters shall have a defined structural perimeter for in-water facilities, which shall describe and limit that area in which repair or alteration activities may take place. Structural perimeters shall be defined on the basis of in-water facilities in place as of September 30, 1971, or subsequently assented structures. All new or modified structural perimeter limit lines shall be a maximum of ten (10) feet (3 m) outside of the structures. The structural perimeter limit (SPL) shall be designated on all plans with the corners designated by their State Plane Coordinates. However, in all cases the SPL shall be setback at least fifty (50) feet (15.24 m) from approved mooring fields. In addition the SPL shall be setback at least three times the authorized project depth from federal navigation projects (e.g. navigation channels and anchorage areas).

Revolution Wind proposes a water dependent, light industrial facility in Rhode Island state waters (i.e., the RVEC-RI). Revolution Wind will seek a license and/or commercial lease of submerged lands for renewable energy development rather than a structural perimeter limit, as appropriate, from CRMC pursuant to CRMC's Enabling Act, R.I. Gen. Laws Section 46-23-1 et seq, and applicable CRMC regulations. The RVEC-RI is a submarine facility buried below the sea floor and will not conflict with navigation or preclude other uses of Rhode Island state waters. The RVEC-RI was sited to avoid

conflicts with DoD use areas and navigational areas identified by the USCG, as applicable.

(5) It is permissible to have vessels berthed at a facility outside of the structural perimeter limit if, in the opinion of the Executive Director, there are no conflicts with other users, impacts to resources, or conflicts with the DEM Shellfish Program. All vessels shall be berthed parallel to piers and docks if outside of the structural perimeter limit.

Not applicable.

b. All new or existing commercial marine facilities (CMF) as defined in § 1.1.2 of this Part shall perform fitness of purpose inspections in accordance with the CRMC "Guidelines for Fitness of Purpose Investigations and Certifications." The addition of new structural components or systems on existing CMFs that are structurally independent of the existing components or systems shall be considered as "new." (subparts omitted)

Not applicable.

c. Residential, commercial, industrial, and recreational buildings:

(1) Excavation and grading shall be restricted to those activities and areas necessary for the construction of the building and/or appurtenant structures (see § 1.3.1(B) of this Part).

(2) Applicants shall be required to reduce the inflow of pollutants carried by surface runoff in accordance with the policies and standards contained in § 1.3.1(F) of this Part and as detailed in the most recent version of the Rhode Island Stormwater Design and Installation Standards Manual.

Revolution Wind will comply. Refer to Section 4.6.3 of this application for a description of compliance with the Rhode Island Stormwater Design and Installation Standards Manual.

6. Flood zone construction. In many instances lands under the jurisdiction of the CRMC are by virtue of their topographic position subject to flooding. The Federal Emergency Management Agency has evaluated the risk of flooding and has established one hundred (100) year return frequency elevations of the flood waters (i.e., the Base Flood Elevation, (BFE) for all of the State's coastal communities. The approximate limits of the flood zones and the associated Base Flood Elevations are shown on the FEMA Flood Insurance Rate Maps, which are commonly available at each communities building official's office. In recognition that structures located within Flood Hazard Zones must be designed to meet more severe conditions than those not, the Rhode Island State Building Code, (RISBC) contains specific requirements for flood zone construction.

A FEMA-designated Coastal Velocity Zone (VE Elevation 21) is mapped along the shoreline in the Landfall Work Area and a FEMA Coastal A Zone (AW Elevation 12) is mapped in other landward portions of the Landfall Work Area and Onshore Transmission Cable. The Project infrastructure will be entirely below ground within these flood zones and will not be affected by these hazard conditions. At the OnSS, a coastal flood zone is present with a base flood elevation of 13 ft NAVD88. The OnSS site is outside of the Limit of Moderate Wave Action associated with the coastal flood

zone. The OnSS will be constructed with the substation yard elevations ranging between 18 ft (5.5 m) above NAVD88 on the east side and approximately 20 ft (6.1 m) above NAVD88 on the west side. Critical electrical equipment within the yard will be elevated above the surrounding grade by 6 ft (1.8 m) which accommodates the 500-year coastal flood elevation at the OnSS site (23 ft NAVD88). Compliance with the Rhode Island State Building Code will be addressed through consultation with the State Building Commission and is demonstrated by the enclosed signed Building Official Form.

a. The CRMC requires all applicants proposing construction within flood hazard zones to demonstrate that all applicable portions of the RISBC are to be met. This demonstration shall be made by submitting to the CRMC at the time of application a building official's form properly completed and signed by the local building official.

The signed Building Official Form is provided with this application.

7. Construction in flood hazard zones. In addition to the requirements of the RISBC, the CRMC suggests that applicants incorporate the following items into their proposed designs:

a. For construction in wave velocity (V) zones as defined by FEMA Flood Insurance Rate Maps: (list omitted)

Not applicable. Revolution Wind does not propose above-grade structures within the FEMA velocity zone.

b. For construction in coastal (A) Flood Zones. (list omitted)

Portions of the Landfall Work Area and Onshore Transmission Cable are located within the FEMA-designated coastal A zone. These facilities will be entirely below grade and are not intended for habitation.

At the OnSS, a coastal A zone is present with a base flood elevation of 13 ft NAVD88. The OnSS site is outside of the Limit of Moderate Wave Action associated with the coastal flood zone. In order to minimize grading at the site and meet Eversource's design standards for construction in flood zones, the OnSS will be constructed at elevations ranging between 18 feet (5.5 m) above NAVD88 on the east side and approximately 20 feet (6.1 m) above NAVD88 on the west side. Critical electrical equipment within the yard will be elevated above the surrounding grade by 6 feet which accommodates the 500-year coastal flood elevation at the OnSS site (23 ft or 7 m NAVD88).

4.6.3 CRMP Section 1.3.1(F) – Treatment of Sewage and Stormwater

Revolution Wind acknowledges the policies and prerequisites set forth in Section 1.3.1(F) (1) and (2) and does not restate those herein.

A stormwater management plan has been developed which addresses storm water runoff treatment based on the Stormwater Management, Design, and Installation Rules (250-RICR-150-10-8; Stormwater Rules) (see Appendix U) and emphasizes the use of Low Impact Development techniques. A long-term stormwater operation and

maintenance ("O&M") plan is provided in Appendix V. The O&M plan was developed to ensure the continued proper functioning of the stormwater system for this Project. A SESC Plan has been prepared for the Project that complies with the RISESCH (RI State Conservation Committee et al., 2016).

The OnSS will comply with the Stormwater Rules. The proposed stormwater management design employs qualifying pervious area ("QPA") to treat proposed compacted gravel roadways within the substation yard. Subdrains beneath the gravel surface of the substation yard will collect pre-treated stormwater and discharge to infiltration basins. Runoff from proposed building roofs within the yard and access driveways outside of the yard will be directed to infiltration basins. The proposed infiltration basin system has been designed to treat and infiltrate up to and including the 100-year storm event. The use of infiltration for stormwater management will mitigate any potential thermal or low dissolved oxygen impacts by avoiding point source discharges. Alterations to existing drainage patterns will be avoided by the proposed stormwater management design which matches or reduces existing peak discharge rates at the existing design points. Refer to Revolution Wind Proposed Onshore Substation Stormwater Management Report (Appendix U).

At the OnSS, the Project proposes to restore disturbed areas outside of the substation and related improvements with an assemblage of native planting selected from the Rhode Island Coastal Plant Guide. Refer to the Revolution Wind Proposed Onshore Substation plans sheets W1.01 and W2.01 at Appendix A. These plans are provided under confidential cover to this Category B Assent application because they contain confidential commercial information not subject to disclosure under Access to Public Records Act ("APRA"; RIGL § 38-2-1) or Freedom of Information Act ("FOIA"; 5 U.S.C. § 552).

The Project does not propose any new or increased discharges and will not discharge to salt marshes, tidal channels, unconsolidated coastal banks or bluffs. The Project does not require public water or sewer system connections, or on-site water withdrawal and/or sewage disposal.

The Project requires authorization under the RIPDES Construction General Permit and requires a Section 401 Water Quality Certification from RIDEM.

3. Prohibitions

a. Point source discharges of sewage and/or stormwater runoff are prohibited on unconsolidated coastal banks and bluffs.

Not applicable. Revolution Wind will not have any such point source discharges.

b. New and enlarged stormwater discharges to the high salt marsh environment bordering Type 1 and Type 2 waters and within salt marshes designated for preservation which border Type 3, 4, 5, and 6 waters are prohibited. Stormwater discharges to existing well flushed tidal channels within high marshes shall not be subject to this prohibition. All such discharges, however, shall meet the applicable standards contained herein.

Not applicable. Revolution Wind will not have any new or enlarged discharges to salt marsh or tidal channels.

c. Point source discharges of sewage are prohibited in Type 1 waters.

Not applicable. Revolution Wind will not generate or discharge sewage.

4. Standards

a. For Onsite Wastewater Treatment Systems (OWTS):

Not applicable. Revolution Wind does not propose an OWTS.

b. The requirements of the RIDEM Stormwater Management, Design and Installation Rules (250-RICR-150-10-8) shall apply to all CRMC applications.

Revolution Wind complies with this standard. A stormwater management design was prepared in accordance with 250-RICR-150-10-8 (RIDEM, 2018b). Refer to Revolution Wind Proposed Onshore Substation Stormwater Management Report (Appendix U).

c. For stormwater management the Council requires, in accordance with the "Smart Development for a Cleaner Bay Act of 2007" (see R.I. Gen. Laws Chapter 45-61.2), that all applicable projects meet the following requirements:

(1) Maintain pre-development groundwater recharge and infiltration on site to the maximum extent practicable;

(2) Demonstrate that post-construction stormwater runoff is controlled, and that post-development peak discharge rates do not exceed pre-development peak discharge rates; and

Revolution Wind complies with this standard. The proposed stormwater management design meets or reduces existing peak discharge rates and infiltrates up to and including the 100-year storm event. Refer to Revolution Wind Proposed Onshore Substation Stormwater Management Report (Appendix U).

(3) Use low impact-design techniques as the primary method of stormwater control to the maximum extent practicable.

Revolution Wind complies with this standard. Stormwater management at the OnSS emphasizes the use of infiltration to manage up to and including the 100-year storm event. Refer to Stormwater Management Report (Appendix U).

d. Residential, commercial, industrial or public recreational structures as defined in § 1.3.1(C) of this Part shall provide treatment and management of stormwater runoff for all new structural footprint expansions, including building rooftops, greater than six (600) hundred square feet in size and any new impervious pavement, driveways, sidewalks, or parking areas, regardless of size. Applicable projects shall submit a stormwater management plan that demonstrates compliance with the eleven (11) minimum stormwater management standards and performance criteria as detailed in the most recent version of the RIDEM Rhode Island Stormwater Design and Installation Standards Manual. Single-family dwelling projects, however, may meet these provisions as detailed below in §§ 1.3.1(F)(3)(h) and (i) of this Part, below.

Revolution Wind complies with this standard. Stormwater management at the OnSS emphasizes the use of infiltration to manage up to and including the 100-year storm event. The stormwater design complies with 250-RICR-150-10-8. Refer to Stormwater Management Report (Appendix U).

e. Roadways, highways, bridges, and other projects subject to § 1.3.1(M) of this Part shall... provide treatment and management of stormwater runoff for all new impervious surfaces. These projects shall submit a stormwater management plan that demonstrates compliance with the eleven (11) minimum stormwater management standards and performance criteria as detailed in the most recent version of the RIDEM Rhode Island Stormwater Design and Installation Standards Manual. Any improvement projects to existing roads, highways and bridges and other projects subject to § 1.3.1(M) of this Part that result in the creation of new impervious surfaces shall provide treatment and management of stormwater as above for all new impervious surfaces. Maintenance activities such as pavement resurfacing projects, replacement of existing drainage systems, minor roadway repairs, or emergency roadway and drainage repairs are excluded from these requirements provided the project does not result in an expansion of the existing impervious surface area, new or enlarged stormwater discharges, or the removal of roadway materials down to the erodible soil surface of ten thousand (10,000) square feet or more of existing impervious area.

The Project does not propose any new roadways but will conduct utility installation along public roads maintained by the QDC and the Town of North Kingstown. Appropriate soil erosion and sediment control measures incorporated into the SESC Plan will be implemented during construction such that the interests of this section are protected. Subsequent parts of this section are not applicable to this Project.

Because the Project does not propose any new Public roadways, bridges, parking lots, railroad lines, and airports subject to Section 1.3.1(M), the policies prohibitions and standards in 1.3.1(M) are not applicable to the Project.

f. Unless exempted as a maintenance activity herein, any redevelopment that disturbs ten thousand (10,000) square feet or more of existing impervious surface coverage shall comply with Minimum Stormwater Standard 6: Redevelopment and Infill Projects of the RIDEM Stormwater Management, Design and Installation Rules (250-RICR-150-10-8). Maintenance activities subject to § 1.3.1(N) of this Part are excluded from these requirements provided there is no expansion of the existing impervious surface area and no new or enlarged stormwater discharges resulting from the maintenance activity.

Not applicable. While the Onshore Transmission Cable and Landfall Work Area construction may temporarily disturb up to 2.2 acres (0.89 ha) of existing impervious surfaces, this work is exempt from Minimum Standard 6 as stipulated under Minimum Standard 6 A.4. *Pavement excavation and patching that is incidental to the primary project purpose, such as replacement of a collapsed storm drain, is not classified as redevelopment*¹⁸ In this instance, the primary project purpose is the installation of an underground transmission line.

g. All stormwater management plans shall take into consideration potential impacts associated with the discharge of stormwater runoff into the coastal environment. Applicants shall address these potential impacts to include, but not limited to, the following:

- (1) Impacts to coastal wetlands such as changes in species composition due to the introduction of freshwater to high marsh areas;*
- (2) Changes in the salinity of tidal receiving waters;*
- (3) Thermal impacts to receiving waters;*
- (4) Effects of introducing stormwater runoff to receiving waters that have low dissolved oxygen concentrations; and*
- (5) Other potential water quality impacts as may be identified by CRMC staff.*

The stormwater management design for the Project emphasizes the use of infiltration practices which infiltrate up to and including the 100-year storm event which addresses (2) through (5) above. The Project will not discharge to salt marshes.

h. Applicants for single-family residential dwellings and accessory structures ...

Not applicable. Revolution Wind does not propose any single-family dwellings.

i. Applicants for single-family dwellings and accessory structures located on CRMC-designated barriers shall manage stormwater runoff as follows: (list omitted)

Not applicable. Revolution Wind does not propose any single-family dwellings or accessory structures located on CRMC-designated barriers.

j. New or enlarged stormwater discharges to salt marshes and well flushed tidal channels within high marshes ...

Not applicable. Revolution Wind does not propose any new or enlarged discharges to salt marsh or tidal channels.

k. Stormwater open drainage and pipe conveyance systems must be designed to provide adequate passage for flows leading to, from, and through stormwater management facilities for at least the ten (10) year, twenty-four (24) hour Type III storm event. Applicants may not be required to control post-development peak discharge rates at pre-development peak discharge rates provided the project design provides for non-erosive stormwater discharges to tidal waters.

The OnSS stormwater drainage and conveyance systems have been sized for the anticipated ten (10) year, twenty-four (24) hour Type III storm event and match or reduce peak discharge rates.

l. Applicants may be required to submit a pollutant loading analysis to demonstrate that a proposed project will not unduly contribute to, or cause, water resource degradation when such projects are located in sensitive coastal resource areas. When a pollutant loading analysis is required, the applicant shall use the method detailed in the RIDEM Stormwater Management, Design and Installation Rules (250-RICR-150-10-8). If the Council determines that any proposed stormwater discharge will result in an unacceptable discharge of pollutants to the tidal waters of Rhode Island, the Council shall require the applicant to mitigate the pollutant

loads to acceptable levels using the practices detailed in the stormwater rules. Frequently, this can be accomplished using these practices in series to achieve higher pollutant removal efficiencies.

Revolution Wind complies with this standard. The proposed stormwater management design emphasizes the use of infiltrate practices at the OnSS. Specifically, the substation incorporates QPAs as a pretreatment mechanism prior to discharge of runoff from the substation yard into surface infiltration basins. Other impervious surfaces discharge directly to these infiltration basins. The stormwater management design will infiltrate up to and including the 100-year storm event. Refer to Revolution Wind Proposed Onshore Substation Stormwater Management Report (Appendix U).

m. The use of proprietary hydrodynamic (swirl) separator or filter devices ...

Not applicable. Revolution Wind does not propose the use of any proprietary treatment devices.

n. For outfalls:

(1) Work on outfalls, drainage channels, etc., shall proceed from the shoreline toward the upland in order that no unfinished or un-stabilized lower channel portions be subjected to erosion-producing velocities from upstream. If this cannot be accomplished, all flow shall be diverted from the unfinished areas until stabilization is completed.

Not applicable. The Project does not propose work on outfalls, drainage channels, etc.

(2) Where possible, outfall pipe slopes shall be designed for an exit velocity of less than five (5) feet per second.

Revolution Wind complies with this standard. The outlet pipe from the OnSS infiltration system is designed with a 0.84 percent slope and a 4.0 cfs outlet velocity.

(3) Screens or grates shall be placed over the end of large outfalls to trap debris.

Not applicable. The Project does not include the construction of large outfalls. A 10" diameter outfall is proposed at the OnSS.

(4) Beaches or other coastal features in front of outfalls shall be returned to original grade.

Not applicable. Revolution Wind does not propose outfalls on beaches or other coastal features.

(5) Riprap placed on beaches shall not increase the grade of the beach higher than one foot in order to maintain lateral access below mean high water.

Not applicable. Revolution Wind does not propose riprap on beaches or other coastal features.

(6) Riprap shall be compact, hard, durable, angular stone, with an approximate unit weight of one hundred sixty-five (165) lbs/cubic foot.

Not applicable. Revolution Wind does not propose riprap on beaches or other coastal features.

(7) Riprap shall be placed with an adequate bedding of crushed rock or other suitable filtering material.

Riprap at the flared end section of the outlet pipe at the OnSS is proposed to have a bedding layer of 6 inches (15.24 cm) of 2-inch (5 cm) crushed stone.

o. Applicants with new or modified single-family dwelling projects subject to the stormwater management provisions herein shall submit the following information: (list omitted)

Not applicable. Revolution Wind does not propose any single-family dwellings.

p. Applicants for all other projects subject to the stormwater management provisions herein shall submit the following information:

(1) 8.5 x 11 inch site plan depicting the location of all structural stormwater (LID or otherwise) components;

Site plans depicting the location of all structural stormwater (LID or otherwise) components are provided at 24 in (61 cm) by 36 in (91.4 cm) size are in Appendix A. The Stormwater Management Report (Appendix U) is provided at 8.5 (21.6 cm) x 11inches (28 cm) within the exception of the subwatershed figures which are 11 in (28 cm) x17in (43.18 cm).

(2) Operation & Maintenance Plan that meets the specifications detailed in the most recent version of the RIDEM Rhode Island Stormwater Design and Installation Standards Manual; and

An O&M Plan is provided in Appendix V.

(3) Following completion of the approved project, a post-construction certification by a Rhode Island registered P.E. and Rhode Island registered Landscape Architect, where required, demonstrating that all stormwater structures, LID components, and requisite planting materials necessary for the function of the stormwater management system were installed in accordance with the approved permit, specifications and approved site plans.

Revolution Wind will comply.

4.6.4 CRMP Section 1.3.1(G) – Construction of Shoreline Protection Facilities

Not Applicable. The Project does not include construction of Shoreline Protection Facilities. Using an HDD methodology, the RWEC-RI will be installed beneath the existing cast-in place concrete revetment fronted by riprap; thus, the Project will not impact the existing Shoreline Protection Facility in the Project Area.

4.6.5 CRMP Section 1.3.1(H) – Energy-Related Activities and Structures

Please note, Revolution Wind understands CRMC is evaluating whether Section 1.3.1(H) applies to this Category B application. Revolution Wind has provided the following responses, which may be withdrawn if agreement is reached that these provisions are not applicable.

1. Planning for energy facilities

a. Planning policies

(1) For applicable policies and standards pertaining to offshore renewable energy facilities see Subchapter 05 of this Chapter (CRMC Rhode Island Ocean Special Area Management Plan).

Not Applicable. Offshore renewable energy facilities are referred to in Chapter 20 Subchapter 05 of the Ocean SAMP. The Ocean SAMP applies to all offshore renewable energy facilities that are proposed for or located within state waters of the Ocean SAMP area. Responses to Ocean SAMP requirements applicable to portions of the Project in state waters are provided in Section 5 of this Category B Assent application. There are no power generation facilities associated with the Project within state waters or state boundaries.

In addition, the offshore wind farm components of the Project on the Outer Continental Shelf will be reviewed under CRMC's enforceable policies during the federal consistency review under the Ocean SAMP.

2. Siting of energy facilities

a. Policies and regulations

(1) Facilities for the processing, transfer and storage of petroleum products and the production of electrical power provide services necessary to support and maintain the public welfare and the state's economy. Such facilities, whether sited in the coastal region or elsewhere, have a high probability of affecting coastal resources and land uses because of their large size, environmental and aesthetic impacts, and impacts on surrounding land uses and broad development patterns.

(2) In order to properly and effectively discharge legislatively delegated responsibilities related to the location, construction, alteration and/or operation of energy facilities, including facilities for the processing, transfer and storage of petroleum products and the production of electrical power, the Council finds a need to require in all instances a permit for such location, construction, alteration and/or operation within the State of Rhode Island where there is a reasonable probability of conflict with a Council plan or program, or damage to the coastal environment.

Noted. Revolution Wind complies with this standard through submission of this Category B Assent application for the portion of the Project within the State of Rhode Island.

(3) The siting, construction, alteration and/or operation of petroleum processing, transfer or storage facilities and power generating facilities within the State of Rhode Island shall require a Council permit when there is reasonable probability demonstrated by reliable and probative evidence that the proposal will:

(AA) Conflict with any Council management plan or program.

Revolution Wind complies with CRMC's management plans and programs as documented herein.

(BB) Make any area unsuitable for any uses or activities to which it is allocated by a Council Plan or Program, or

Revolution Wind complies with this policy. Project components located within areas that are allocated a designated use include the RWECC-RI, the Landfall Work Area and portions of the Onshore Transmission Cable. Temporary disruption of allocated uses and activities in these areas may occur during construction, maintenance and decommissioning of these Project components. However, given design of these Project components, operations will not interrupt any Council-designated uses and activities.

(CC) Significantly damage the environment of the coastal region.

As demonstrated in Section 3 of this application, Revolution Wind has undertaken an extensive analysis of environmental conditions in the Project Area. The Project will not result in significant damage to the environment. Where impacts are unavoidable, Revolution Wind has minimized the extent of the impact and proposed environmental protective measures to mitigate for these impacts. Refer to tables 2.2-8 and 2.2-9 of this application for a description of proposed environmental protective measures.

(4) Applicants for energy facilities must consider the projected impacts of climate change, including but not limited to projected storm surge, coastal erosion and sea level rise to these facilities.

Refer to Section 4.2.6 of this Category B Assent application.

(5) Applicants shall be further required to demonstrate by reliable and probative evidence that:

(AA) Alternative sites have been considered and rejected for environmental, economic and/or operational reasons.

Refer to Section 2.1 for a description of alternatives considered.

(BB) Construction and/or operation will be in conformance with all applicable environmental standards, guidelines and objectives.

In addition to the Category B Assent requested in this application, the Project requires a multitude of other local, state and federal permits and approvals which are summarized in Table 1.4-1. Revolution Wind has initiated consultation with all of the agencies having jurisdiction over the Project and will be required to meet the standards, guidelines and objectives of these agencies.

(CC) Siting will not cause secondary developments that are inconsistent with the State Guide Plan or approved municipal comprehensive plans.

As an industrial facility, principally buried underground, the Project will not induce secondary development.

(DD) Operation will not degrade aquifers or water bodies utilized for public water supply, and

Refer to Sections 3.1.3 and 3.1.4 of this application.

(EE) Adequate procedures for the safe transport and/or disposal of products, materials and/or wastes hazardous to man or the coastal environment will be taken, including emergency containment and cleanup.

Revolution Wind will comply. The Project will implement an ERP/OSRP for work in the offshore environment (Appendix G). Onshore, the Project will comply with the applicable state and federal regulations regarding solid waste and hazardous waste storage, transport and disposal; and oil pollution control.

(6) Where on the basis of such evidence and/or demonstrations the Council finds a reasonable probability of noncompliance with any applicable policy or regulation, including § 1.3.8(B) of this Part, it shall require appropriate modification of or shall deny the application in question.

Revolution Wind has carefully designed the Project to comply with applicable policies and regulations.

(7) Recipients of approved Council permits shall be required to maintain such records as may be necessary to monitor and ensure compliance of facility operations with all applicable Policies as set forth above.

Revolution Wind will comply.

(8) Offshore renewable energy projects shall comply with the policies and standards in Subchapter 05 of this Chapter (CRMC Rhode Island Ocean Special Area Management Plan).

Compliance with Ocean SAMP policies and standards is demonstrated in Section 5 of this application.

3. Certified verification agent (CVA) requirement for energy-related activities defined in § 1.1.2 of this Part for which the CRMC has jurisdiction or requires a permit in accordance with §§ 1.1.4 and 1.3.3 of this Part, and as required by the CRMC executive director to review projects that are outside the scope of CRMC staff expertise. (subparts omitted)

Revolution Wind has submitted a CVA nomination to BOEM. BOEM approved the CVA nomination on June 10, 2021. Revolution Wind anticipates filing a similar nomination with CRMC to satisfy this requirement of the Category B Assent application.

4. Prerequisites

a. Applicants must demonstrate that all relevant local zoning ordinances, building codes, flood hazard standards, and all state safety codes, fire codes, and environmental requirements have or will be met.

Refer to Section 4.6.2 of this application.

5. Prohibitions

a. Industrial operations and structures are prohibited in Type 1 and 2 waters or on shoreline features and their contiguous areas abutting these waters.

Not applicable. The Project does not propose industrial operations and structures in Type 1 or Type 2 waters.

6. Additional Category B requirements

a. Unless preempted under the regulations of the Federal Energy Regulatory Commission the following summary defines the scope of the topics that shall be addressed by applicants for power generating and petroleum processing and storage as they apply to construction, operation, decommissioning, and waste disposal:

(1) Environmental impacts,

Refer to Sections 3.1.1 through 3.1.6 and 3.2.1 through 3.2.6 of this Category B Assent application.

(2) Social impacts,

Refer to Sections 3.1.7, 3.1.8, and 3.2.7 through 3.2.11 of this Category B Assent application.

(3) Economic impacts,

Refer to Sections 1.3, 3.2.4 and 3.2.8 of this Category B Assent application.

Also, refer to response to Section 1.2.1(G)(2)(c) in Section 4.3 of this Category B Assent application for a summary of the economic benefits to Rhode Island associated with the Project.

(4) Alternative sites,

Refer to Section 2.1 of this Category B Assent application.

(5) Alternative means to fulfill the need for the facility,

Refer to Sections 1.3 and 2.1 of this Category B Assent application.

(6) Demonstration of need, and

Refer to Section 1.3 of this Category B Assent application.

(7) Consistency with state and national energy policies.

Refer to Section 1.3 of this Category B Assent application.

b. Shorefront sites shall demonstrate the need for access to navigable waters or cooling and/or process water.

Not applicable. The Project does not require access to navigable waters or cooling and/or process water.

c. The above requirements for energy facilities do not have to be addressed if the proposal is for an electrical generating facility of forty (40) megawatt capacity or less, or for a petroleum storage facility of less than two thousand four hundred (2,400) barrel capacity. Such small-scale facilities shall be considered commercial or residential structures (see § 1.3.1(C) of this Part).

Not applicable.

7. Standards

a. See standards given in "Filling, removing, or grading" in § 1.3.1(B) of this Part, as applicable.

Refer to Section 4.6.1 of this Category B Assent application.

b. See standards given in "Residential, commercial, industrial, and public recreational structures" in § 1.3.1(C) of this Part, as applicable.

Refer to Section 4.6.3 of this Category B Assent application.

c. See standards given in "Treatment of sewage and stormwater" in § 1.3.1(F) of this Part, as applicable.

Refer to Section 4.6.3 of this Category B Assent application.

8. Transfer of petroleum products (list omitted)

Not applicable. Revolution Wind does not propose the transfer of petroleum products.

4.6.6 CRMP Section 1.3.1(I) – Dredging and Dredged Material Disposal

1. Policies

a. The Council shall support necessary maintenance dredging activities in Type 2, 3, 4, 5, and 6 waters, provided environmentally sound disposal locations and procedures are identified.

Not applicable. The Project is not a maintenance dredging activity.

b. Where beneficial re-use options as set forth in R.I. Gen. Laws § 46-6.1-3 are not practical, the Council favors offshore open-water disposal for large volumes of dredged materials, providing that environmental impacts are minimized.

The Project does not propose disposal of dredged material. Dredge material at the HDD exit pits will be re-used for backfill of the pits. Sediments disturbed during cable installation will naturally backfill or fallback into the cable trench.

c. The Council encourages the use of innovative nearshore methods of dredged materials disposal, particularly when small volumes of material must be disposed. These options include but are not limited to the creation of wetlands, shellfish habitat, and beach nourishment in suitable areas.

As noted above, the Project will re-use excavated material at the HDD exit pits for backfill. This method will minimize impacts to benthic resources in the disturbance area. Also, sediments disturbed during RWEC-RI installation beyond the HDD exit pits will naturally backfill or fallback with use of cable installation methods described in Section 2.2.3 of this Category B Assent application.

d. For disposal of dredged material resulting from maintenance dredging operations, a Category A Review may be permitted provided the Executive Director determines that the disposal is conducted consistent with the RIDEM's dredging regulations and that the disposal is at an approved disposal facility, or at an approved federal disposal facility. Category A reviews may also be permitted when: (list omitted)

Not applicable. The Project is not a maintenance dredging operation.

e. For beach replenishment, a Category A review may be permitted for the placement of clean sands provided the Executive Director determines that the placement of the materials shall be for beach replenishment only, and the proposal meets the standards of §§ 1.1.4(E) and 1.3.1(l) of this Part as applicable.

Not applicable. The Project does not involve beach replenishment.

f. The Council utilizes and follows the prescribed processes outlined in the army corps regulations and manuals for both upland and in-water dredged material disposal.

Not applicable. The Project does not propose upland or in-water disposal of dredge material.

g. The Council may require performance assurance bonds for projects that utilize in-water disposal or transit federal channels with loaded scows.

Not applicable. The Project does not propose in-water disposal of dredge material or transit federal channels with loaded scows.

2. Prerequisites: R.I. Gen. Laws § 46-6.1-7 specifies that approvals for dredging and dredged material disposal require Council and DEM approval. Further, the Council, as the lead agency for dredging, shall be the initial point of contact for application submittals. The Council and DEM have developed protocols that set out how proposed dredging activities shall be coordinated for review. A pre-application consultation request with the Council and DEM (and other agencies as appropriate) is an element of these protocols and is strongly encouraged for all applicants.

For ease of reference, Revolution Wind acknowledges the standards set forth in Section 1.3.1(l)(2)(a-g) and does not restate those standards herein. See Section 3.2.2.3 for a discussion regarding analytical sediment sampling results. A pre-application meeting was held with the CRMC and RIDEM on June 18, 2020 to discuss environmental sampling in accordance with Rules and Regulations for Dredging and the Management of Dredged Materials (250-RICR-150-05-2).

The Project will submit a Dredge Permit application to CRMC and RIDEM pursuant to the Rules and Regulations for Dredging and the Management of Dredged Materials (250-RICR-150-05-2.1 et seq.) for temporary excavation and backfill of HDD exit pits.

3. Prohibitions

a. The disposal of dredged materials on or adjacent to coastal wetlands...

Not applicable. The Project does not propose disposal of dredge material on coastal features or coastal wetlands.

b. No dredging for navigational purposes is permitted in Type 1 waters...

Not applicable. The Project does not propose dredging for navigational purposes, or in Type 1 or Type 2 waters.

c. It is prohibited to utilize any mechanical system to remove, relocate, wash or otherwise alter the seabed in any Rhode Island waters...

Revolution Wind is seeking a Council Assent for the Project through this application. The Project proposes a temporary excavation of sediments at the HDD exit pits for the purposes of the HDD installation.

4. Additional Category B requirements

a. Applicants for all dredging projects shall provide accurate soundings in the area of the proposed dredging operation.

Plans for the RWEC-RI and HDD Landfall are provided at Appendix A. These plans provide accurate bathymetric contours based on information collected during Project-specific surveys.

b. Applicants shall describe any temporary or permanent disturbance to a coastal feature...

Not applicable. Disturbances of coastal features are avoided through the use of HDD installation techniques.

c. When fine-grained sediments are to be removed, the applicant shall employ proper turbidity controls as necessary to control the transport of materials placed in suspension by dredging unless the applicant demonstrates to the Council on the basis of competent professional analysis that such transport will not be significant or will be controlled by other measures.

Sediment samples collected within the proposed exit pit vicinity contained fine grained sediments throughout the profile (0-15 feet or 4.6 m below grade) (see Section 3.2.2.3). Revolution Wind does not propose side casting material and excavated material will be stored on a support barge during excavation of sediments at the HDD exit pits.

d. The applicant shall limit dredging and disposal to specific times of the year...

Revolution Wind will adhere to TOY restrictions, as determined through coordination with RIDEM and NOAA NMFS (see Section 2.2.4.1 of this Category B Assent application).

e. Applicants for improvement dredging projects...

Not applicable. Revolution Wind does not propose an improvement dredging project.

f. When dredged materials are removed from a marine to an upland environment for disposal...

Not applicable. Revolution Wind does not propose upland disposal of sediments.

g. Applicants proposing dredging operations associated with residential boating facilities...

Not applicable. Revolution Wind does not propose dredging associated with a residential boating facility.

5. Standards: All applications submitted to the Council for dredging and disposal shall demonstrate that they have met all applicable sections of the CRMC/DEM dredging application checklist.

a. All materials to be dredged for either open water disposal or upland disposal must be classified by the Department of Environmental Management (DEM). Applicants for dredging or open water disposal of dredged materials shall also be required to obtain a dredging permit (which contains the Section 401 Clean Water Act Water Quality Certification) from the DEM.

Revolution Wind will comply. An application for dredging will be submitted to the CRMC and RIDEM. A Section 401 Water Quality Certification will also be requested from RIDEM. The Project does not propose dredged materials disposal.

b. For dredging:

(1) Bottoms of dredged areas shall slope downward into the waterway so as to maximize tidal flushing.

Revolution Wind does not propose a permanent excavation of sediments therefore maximizing of tidal flushing is not proposed nor is it optimal given the temporary nature of the excavations.

(2) Bottom slopes at the edges of dredged areas shall have a maximum slope of fifty percent (50%) percent.

Revolution Wind does not propose a permanent excavation of sediments therefore the slopes of the excavations will be determined based on the engineering parameters of the HDD exit pits.

(3) Dredging shall be planned so as to avoid undermining adjacent shoreline protection facilities and/or coastal features.

The proposed HDD exit pit excavation is approximately 1,000 ft (305 m) from the closest shoreline protection feature.

(4) Shellfish dredged from waters classified SB or lower shall not be made available for human consumption or bait.

Not applicable. Shellfish dredging is not proposed.

(5) All dredging at any marina shall be bounded to the footprint of the Marina Perimeter Limit (MPL). Side slopes associated with such dredging shall be allowed to extend beyond the MPL and then only when all adjacent structures are not impacted.

Not applicable. Dredging at a marina is not proposed.

c. For dredged materials disposal in open water: (list omitted)

Not applicable. Revolution Wind does not propose dredged materials disposal. Dredge material at the HDD exit pits will be re-used for backfill of the pits.

4.6.7 CRMP Section 1.3.1(J) – Filling in Tidal Waters

1. Policies

a. *It is the Council's policy to discourage and minimize the filling of coastal waters.*

Revolution Wind proposes to install two submarine export cables (RWE-CR) in coastal waters of Narragansett Bay and Rhode Island Sound to bring offshore renewable energy into the regional transmission grid which serves Rhode Island and Connecticut. Burial of the RWE-CR will typically target a depth of 4 to 6 ft (1.2 to 1.8 m) below seabed. The target burial depth for the RWE-CR will be determined based on an assessment of seabed conditions, seabed mobility, the risk of interaction with external hazards such as fishing gear and vessel anchors, and a site-specific Cable Burial Risk Assessment. Where burial cannot occur, sufficient burial depth cannot be achieved, or protection is required due to cables crossing other cables or pipelines, additional cable protection methods may be used. It is estimated that approximately 22 acres (8.9 ha) of seafloor will be filled for cable protection. Refer to Sections 2.2.3.4 and 2.2.3.6 of this Category B Assent application for additional detail regarding cable burial and secondary cable protection, respectively. In addition, concrete mattresses or equivalent protection will be used to protect the HDPE conduit at the HDD exit pits.

b. *Filling which is determined by the Council to be incidental to activities conducted in accordance with § 1.3.1(G) of this Part is not "filling in tidal waters" and is addressed by the policies, prerequisites, prohibitions, requirements, and standards contained in § 1.3.1(G) of this Part.*

Not Applicable. The Project does not involve the construction or maintenance of a Shoreline Protection Facility.

c. *In considering the merits of any given proposal to fill tidal waters, the Council shall weigh the public benefit to be served by the proposal against the loss or degradation of the affected public resource(s).*

Refer to Section 1.2 for a description of the purpose and need of the Project.

d. *Filling may be permitted where necessary for an approved erosion control or bulkheading project, but only when it has been demonstrated that the amount of filling has been minimized in accordance with the requirements of § 1.3.1(G) of this Part.*

The Project does not propose bulkheading or coastal erosion control.

e. *It is the Council's policy to require a public access plan, in accordance with § 1.3.6 of this Part, as part of any application for filling of tidal waters. A variance from this policy may be granted if an applicant can meet the variance requirements set forth in § 1.1.7 of this Part and demonstrate that no significant public access impacts will occur as a result of the proposed project.*

Not applicable. The Project will not result in a significant impact to public access to the shoreline. The Project occurs within the Quonset Business Park which has existing dedicated public access points (QDC, 2015). Construction of the Onshore Transmission Cable will temporarily restrict access to the Blue Beach public access point during

active construction phases. However, access will not be blocked and any impact resulting from construction traffic would be limited in duration and intermittent.

f. In accordance with R.I. Gen. Laws §§ 46-23-6(4)(iii) and 46-23-16, the Council is authorized to grant, modify, or deny licenses, permits, and easements for the use of coastal resources which are held in trust by the state for all its citizens, and impose fees for private use of these resources. Licenses, permits and easements issued by the Council for the use of public trust resources remain subject to the public trust, convey no title, are valid only with the conditions and stipulations with which they are granted, and imply no guarantee of renewal.

Through this application, the Project will seek a license and/or commercial lease of submerged lands for renewable energy development, as appropriate, from CRMC pursuant to CRMC's Enabling Act, R.I. Gen. Laws Section 46-23-1 et seq, and applicable CRMC regulations. All other real estate licenses, permits, and easements have been or will be negotiated by the Project with the state local or private entity having authority over the subject real estate (Refer to Proof of Ownership documentation provided with this application).

g. Filling which is determined by the Council to be incidental to activities conducted in accordance with § 1.3.1(G) of this Part is not "filling in tidal waters" and is addressed by the policies, prerequisites, prohibitions, requirements, and standards contained in § 1.3.1(G) of this Part.

Refer to response to § 1.3.1(G) above.

2. Prerequisites

a. Except for federal consistency reviews, applicants for projects requiring filling in tidal waters shall be required to obtain a Section 401 (Clean Water Act 33 U.S.C. §§ 1251–1387) Water Quality Certification...

The Project will file an application with the RIDEM for a Section 401 Water Quality Certificate.

b. Permits for projects requiring filling in tidal waters must be obtained concurrently from the Army Corps of Engineers and the Council....

The Project will file an Individual Permit application with the USACE for activities subject to the jurisdiction of Section 404 of the CWA and Section 10 of the Rivers and Harbors Appropriation Act of 1899.

3. Prohibitions

a. Filling in Type 1 and 2 waters is prohibited.

Not applicable. The Project is located in Type 4 and Type 6 waters.

b. Regulations governing the filling and other disturbances to wetlands are set forth in § 1.2.2(D) of this Part.

Not applicable. The Project avoids filling and disturbance of coastal wetlands.

c. Filling in Type 3, 4, 5, and 6 waters is prohibited unless:

- (1) The filling is made to accommodate a designated priority use for that water area;*
- (2) The applicant has examined all reasonable alternatives and the Council has determined that the selected alternative is the most reasonable; and*
- (3) The filling is the minimum necessary to support the priority use.*

Refer to response to Section 1.3.1(J)(1)(a) above.

4. Fees

Not applicable. The Project does not propose to create land by the filling of tidal waters or the dead storage of vessels.

4.6.8 CRMP Section 1.3.1(R) – Submerged Aquatic Vegetation and Aquatic Habitats of Particular Concern

1. Policies

- a. The Council's goal is to preserve, protect and where possible, restore SAV habitat....*

As summarized in Section 3.2.3 and detailed in Appendix P to this Category B Assent application, SAV was identified in the proximity of the landfall location during surveys performed for the Project in 2020. The Project is designed to avoid SAV and, therefore, will not result in permanent loss or significant alteration of SAV.

- b. Activities under CRMC jurisdiction...shall avoid and minimize impacts to SAV habitat.*

As noted above, the Project is designed to avoid SAV and, therefore, will not result in permanent loss or significant alteration of SAV.

The proposed HDD exit pits will be located approximately 845 feet (257.56 m) east of the identified SAV. As noted in Section 2.2.4.1 of this Category B Assent application, Revolution Wind will comply with TOY restrictions as determined through coordination with RIDEM and NOAA NMFS, which will result in avoidance of the peak SAV growing season (July to September). In addition, as noted in Table 2.2-8, Revolution Wind will perform a preconstruction SAV survey to identify any new or expanded SAV beds prior to construction; the Project design will be refined to avoid impacts to SAV to the extent practicable.

Impacts to any nearby SAV resulting from cable installation would be associated with sediment resuspension and subsequent deposition during cable burial and HDD exit pit excavation. Detailed sediment transport modeling has been performed to accurately predict the volume of sediment resuspension, concentration of sediments in the water column during construction activities, the extent of this sediment plume from the location of activity, and the spatial distribution of sediment deposition depths from the activity (Refer to Appendix O). The results of this model aid in assessing the potential impacts on SAV as a result of increased turbidity (sediment resuspension) and sediment deposition.

Installation of the RWECC will result in elevated total suspended solids in the water column (sediment suspension) and sediment deposition. Modeling indicates that sediment deposition exceeding 0.4 inches (1 cm) may be deposited up to 1,033 feet (315 m) from cable installation activities and up to 738 feet (225 m) from HDD exit pit excavation (Refer to Appendix O). Modeling results indicate that elevated turbidity exceeding 100 mg/L may extend up to 5,839 feet (1,780 m) from cable installation activities and to 1312 feet (400 m) from HDD exit pit excavation (RPS 2021).

Experimental results revealed *Z. marina* experienced 50% mortality following rapid burial of 1.57 inches (4 cm) (1/4 the shoot height) of sediment and 100% mortality following 4.72 inches (12 cm) (3/4 the shoot height) of rapid burial (Mills and Fonseca 2003). The modeled maximum sediment deposition resulting from installation activities is below these values (maximum threshold of 0.4 inches [1 cm] was modeled).

Increased total suspended solids in the water column has the potential to block photosynthetically active radiation ("PAR") levels. However, Project induced turbidity levels are expected to be short-lived and not likely to have a direct effect on SAV photosynthesis or productivity.

c. The Council supports cooperative efforts to determine the current status and identify trends in the health and abundance of SAV species in Rhode Island using the best information as it becomes available.

Revolution Wind and their consultant, INSPIRE Environmental, have been in contact with several agencies and organizations involved with the management and documentation of SAV habitat distribution in Narragansett Bay including Save the Bay. The State will update its SAV data by conducting an aerial survey in 2021; data analysis will be conducted by the Environmental Data Center. Revolution Wind will coordinate with the State to ensure these data are integrated into its database and considered during final construction and monitoring planning.

d. Deep water habitats include subtidal waters bordering the immediate shoreline where a depth of three (3) or more meters is typically achieved within 100 to 200 feet seaward of the MLW mark. In these areas, eelgrass is typically limited to the shoreline fringe. This environmental setting is typical of the open waters of Narragansett Bay, Block Island and Rhode Island Sounds. Examples of these areas include the shorelines of Prudence Island, Jamestown and Block Island.

Deep water habitats occur along the majority of the RWECC-RI.

e. Shallow water habitats include subtidal waters where a depth of 3 meters is not attained within 100 – 200 feet of the shoreline and where the average waterbody depth is generally less than 3 meters. This situation is typical of the salt ponds and other shallow coastal embayments.

Shallow water habitats occur at the Project's landfall location at Quonset Point.

f. The Council shall assess the potential impacts to SAV and its habitat from proposed activities on a case-by-case basis. Such impacts may include, but shall not be limited to the

introduction of excess nutrients, sedimentation, shading, and/or disruption of SAV and SAV habitats.

The RVEC-RI avoids SAV and, therefore, will not result in permanent loss or significant alteration of SAV. Impacts to any nearby SAV resulting from cable installation would be associated with sediment resuspension and subsequent deposition during cable burial and HDD exit pit excavation. These impacts are described above in response to Section 1.3.1(R)(1)(b).

g. All impacts to SAV and SAV habitat shall be avoided where possible and minimized to the extent practicable. Where the impacts are substantial or cannot be avoided or minimized, the Council may deny the application. The Council may exercise greater discretion if the proposed site is adjacent to or includes a restoration site and/or the site includes the sole source of SAV habitat.

As noted above, the RVEC-RI avoids known SAV habitat, although temporary impacts associated with sediment resuspension are possible. Refer to response to Section 1.3.1(R)(1)(b) above.

Revolution Wind sought information from Save the Bay regarding previous SAV restoration efforts located at Sauga Point, which is at the mouth of Wickford Harbor, southwest of the Project's landfall location. This restoration effort consisted of transplanting SAV shoots between 2003 and 2007. SAV beds in this vicinity were not documented in the RIGIS 2017 datasets. The Project will not impact the SAV restoration efforts at Sauga Point.

h. SAV habitats designated for preservation within the boundaries of the Narragansett Bay National Estuarine Reserve (NBNERR)...

Not applicable. No Project activities are in the vicinity of the NBNERR.

i. In tidal waters where applicants propose activities under §§ 1.3.1(C), (D), (F), (I), (J), (K), and (O) of this Part, and the Council's staff determines that SAV habitat is not present, an SAV survey will not be required. When such activities are proposed in areas of current or historic SAV habitat, an SAV survey shall be required (see § 1.3.1(R)(3) of this Part).

INSPIRE Environmental conducted a SAV survey over three days in September 2020 (Refer to Appendix P). More information regarding this survey effort is provided in responses to 3(a)-(d) below.

In addition, as noted in Table 2.2-8, Revolution Wind will perform a preconstruction SAV survey to identify any new or expanded SAV beds prior to construction; the Project design will be refined to avoid impacts to SAV to the extent practicable.

j. It is the policy of the Council that SAV surveys shall be completed during peak biomass. SAV surveys shall be completed in Narragansett Bay between July 1 and September 15....

Consistent with this policy, the 2020 SAV survey performed by Revolution Wind occurred on September 4, 5, and 14. The preconstruction SAV survey will be conducted between July 1 and September 15.

k. Aquaculture operations, which utilize floating racks and bottom culture techniques, can shade SAV....

Not applicable. The Project does not propose aquaculture.

2. Prohibitions (list omitted)

None of the prohibitions listed in this standard are applicable to the Project.

3. Standards

a. For activities under §§ 1.3.1(C), (D), (F), (I), (J), (K), and (O) of this Part, where the Council's staff is satisfied that SAV is not present within the limits of the proposed activity, an SAV survey will not be required.

Refer to response to 3(b) below. An SAV survey was performed for the Project in September 2020.

b. For activities under §§ 1.3.1(C), (D), (F), (I), (J), (K), and (O) of this Part, the Council shall require SAV surveys in tidal waters of the south shore salt ponds and other shallow water embayments, around Jamestown, Newport and in other areas when the Council's staff has evidence of SAV habitats. In areas where the Council's Staff lacks enough evidence to make a determination of SAV presence or absence, an SAV survey may be required.

A GIS analysis of available eelgrass mapping data for Narragansett Bay (RIGIS, 2017), was initially conducted to evaluate potential for SAV in the Project Area. This included data from 2009, 2012, and 2016 (RIGIS 2017). Based on this GIS analysis, a small section of eelgrass is present on the western side of Dutch Island, approximately 1,150 feet (350 m) from the proposed RWEC-RI. The next closest area of mapped eelgrass is on the western side of Conanicut Island, approximately 1,411 feet (430 m) from the RWEC-RI. In the vicinity of the Project's landfall location, known SAV locations in the general vicinity of the Project's landfall location include at the mouth of Wickford Harbor and adjacent to Cornelius Island (documented in 2016 and located approximately 5,000 ft (1,524 m) west of the landfall location) and on the west side of Compass Rose Beach (documented in 2012 and located approximately 2,430 ft (740.6 m) east of the landfall location).

Given these existing data and the potential for SAV habitat in the shallow waters near the landfall location, an SAV survey was conducted in subtidal shallow waters around the landfall location.

c. A survey that has been conducted three or more years prior to the date of the application will not satisfy the requirements of this section.

The September 2020 survey was performed within one year of this Category B Assent application. Also, as noted in Table 2.2-8, Revolution Wind will perform a preconstruction SAV survey to identify any new or expanded SAV beds and will refine Project design to avoid impacts to SAV to the extent practicable.

d. Where an SAV survey is required, the following standards are required. CRMC staff may require additional information: (list omitted)

The 2020 SAV survey was conducted onboard a 23-ft (7 m) Carolina Skiff using a towed underwater video sled to assess the presence/absence of SAV. The survey focused on the nearshore area off Quonset Point in the area between Blue Beach and the western edge of the Electric Boat property, out to a depth of approximately 15 ft (4.6 m). A total of 52 transect lines varying in length and orientation were performed. Video transect data were analyzed to identify the presence or absence of SAV in each video file. Additional parameters were analyzed where SAV was present including SAV bed extent (percent cover) and general sediment type, in accordance with federal and state agency protocols.

e. Standard design options for the construction of residential boating facilities in areas of SAV habitat.

This standard and its subparts are not applicable as the Project is not a residential boating facility.

f. In order to minimize impact upon SAV, all operations and docking of vessels shall be confined to the terminal portion of the facility. Docking and operation of motorized boats and/or other vessels elsewhere along the facility shall only be permitted over areas of no SAV habitat, as determined during staff review.

Not applicable.

4.6.9 CRMP Section 1.3.3 – Inland Activities and Alterations that are subject to Council Permitting

A. Policies

1. For consistency with state land development legislation, the Council hereby adopts the activities identified by R.I. Gen Laws. § 45-23-27 as applicable for review.

Not applicable. The Project does not propose activities subject to review under these provisions of the RIGL.

2. The Council shall review all proposals inland of the area contiguous to shoreline features which involve any of the above identified activities and alterations....

Revolution Wind acknowledges CRMC's authority to require an Assent for the Project as demonstrated by this application for Category B Assent.

3. Council Assents are also required for any other activity or alteration not listed in Table 1, Table 1A, or Table 1B, but which has a reasonable probability of conflicting with the Council's goals and its management plans or programs, and/or has the potential to damage the environment of the coastal region.

Revolution Wind acknowledges CRMC's authority to require an Assent for the Project as demonstrated by this application for Category B Assent.

4. Persons proposing subdivisions, cooperatives, and other multi ownership facilities, [of six (6) units or more] or activities generating more than 40,000 square feet (3,716 m²) of impervious surface any portion of which extends onto a shoreline feature or its contiguous area, or within

critical coastal areas, or those areas as identified in R.I. Gen. Laws § 45-23-27 are required to apply for a Council Assent.

Not Applicable. The Project does not propose a subdivision. Revolution Wind does not propose to generate 40,000 sf (3,716 m²) of impervious surfaces on a shoreline feature or its 200-foot (61-m) Contiguous Area.

5. Applicants proposing any of these activities shall satisfy all requirements specified in the RICRMP and any applicable special area management plan. Applicants shall also submit the following with their applications:

a. A stormwater management plan as required in § 1.3.1(F) of this Part and as described in the most recent version of the DEM Stormwater Management, Design, and Installation Rules (250-RICR-150-10-8).

A Stormwater Management Plan prepared for the OnSS is included with this application. The plan was prepared consistent with 250-RICR-150-10-8 (Refer to Appendix U).

b. A soils map of the property (suggested scale 1:200) with an accompanying analysis of the best use potential of the soils present; the soils maps and use potentials analysis prepared by the U.S.D.A. Natural Resources Conservation Service should be used as the basis for this analysis.

This mapping has been included in the Stormwater Management Plan (Appendix U).

c. An overlay map showing the principal vegetation types or any significant features identified by the R.I. Natural History Survey and the R.I. Historic Preservation and Heritage Commission on the property; the maps prepared by McConnell (1974) and Kupa and Whitman (1972) may be the basis for information on vegetation.

An overlay plan showing existing cover types has been prepared for the OnSS and is included in the Stormwater Management Plan (Appendix U).

d. An overlay showing the proposed subdivision layout, including buildings, roadways, parking areas, drainage systems, sewage treatment and disposal facilities, and undisturbed lands.

The Project does not propose a subdivision or to construct a sewage treatment system but plans which show the proposed development of the OnSS are provided.

e. A Site Plan as detailed in the most recent version of the Rhode Island Stormwater Design and Installation Standards Manual.

The Grading, Drainage, and Utility Plans (Drawing No. C-3.00) and SESC Plans (Drawing No. SESC-2) included in the Plan Set for the OnSS (Appendix A) provide the information required in the Rhode Island Stormwater Design and Installation Standards Manual. These plans are provided under confidential cover to this Category B Assent application because they contain confidential commercial information not subject to disclosure under Access to Public Records Act ("APRA"; RIGL § 38-2-1) or Freedom of Information Act ("FOIA"; 5 U.S.C. § 552).

f. Prior to permitting, an archeological survey when recommended by the state Historical Preservation & Heritage Commission.

Revolution Wind has performed surveys to identify buried archaeological sites in areas of potential ground disturbance focusing on the Onshore Project Area. Revolution Wind is continuing to investigate the potential for impacts to terrestrial archaeological resources in consultation with RIHPHC and Native American Tribes. A copy of the Project's current Terrestrial Archaeological Resources Assessment is provided under confidential cover to this Category B Assent application because it contains confidential commercial information not subject to disclosure under APRA (RIGL § 38-2-1) or FOIA (5 U.S.C. § 552)(Appendix K).

6. Applicants shall submit this information to the Council for review at the earliest stages of planning such projects and are required to utilize the Council's Preliminary Determination process in accordance with applicable requirements of the Land Development and Subdivision Review Enabling Act (R.I. Gen. Laws § 45-23-25 et seq.). Where so requested, all parties shall discuss their findings and recommendations at the municipality's pre-application conference, preliminary hearing, or similar proceeding. The findings and recommendations resulting from the coordinated, joint review shall be forwarded to the full Council. Where the Council finds a reasonable probability of conflict with this Program or with an adopted CRMC Special Area Management Plan, or finds there is a potential to damage the coastal environment, the Council shall require that suitable modification to the proposal be made or shall deny its Assent.

Revolution Wind has coordinated closely with CRMC leading up to submission of this Category B Assent application and a Preliminary Determination was filed with CRMC on February 8, 2021. See Appendix W Preliminary Determination Application Report of Findings.

7. In those cases where a subdivision has been approved by the Council, any person wishing to conduct an approved activity, in accordance with the stipulations of the Council Assent, need not apply for a separate Assent unless so required by a stipulation of the Assent.

Not Applicable. The Project does not propose a subdivision.

8. Applicants proposing the following projects are required to submit these projects for the Council's review:

a. Power generating plants over 40 megawatts;

Not Applicable. This application only involves portions of the Project that are in state waters or onshore which do not include power generation.

b. Chemical or petroleum processing, transfer or storage facilities (excluding storage facilities of less than 2,400 barrel capacity);

Not Applicable. The Project does not propose these petroleum facilities.

c. Freshwater wetlands in the vicinity of the coast;

The OnSS is proposed to be constructed in an area subject to this regulation. Review criteria provided in 650-RICR-20-00-2.10 are presented in this application at Appendix B.

d. Minerals extraction;

Not Applicable. The Project does not propose minerals extraction.

e. Sewage treatment and disposal facilities (excluding onsite wastewater treatment systems);

Not Applicable. The Project does not propose sewage treatment or disposal facilities.

f. Solid waste disposal facilities; and,

Not Applicable. The Project does not propose solid waste disposal facilities.

g. Desalination plants.

Not Applicable. The Project does not propose desalination plants.

9. Applicants proposing these activities shall demonstrate in writing that the Additional Category B requirements contained in § 1.3.1(A) of this Part have been satisfied. If the Council determines that there is a reasonable probability that the project may impact coastal resources, then it shall be required to obtain a Council Assent in accordance with all applicable requirements of this program.

Refer to Table 1.3-1 which demonstrates Revolution Wind's compliance with requirements listed in Section 1.3.1(A) of the CRMP.

B. Prerequisites

1. Solid waste disposal: permits from the Department of Environmental Management are required pursuant to the Solid Waste Management Act; and Air Quality Permit will have to be obtained from DEM if disposal practices include incineration. Disposal of hazardous wastes requires DEM permits pursuant to the R.I. Hazardous Waste Management Program as well as EPA permits.

Not applicable. The Project disposal practices do not include incineration of hazardous waste. Solid waste generated during construction, operation and decommissioning of the Project will be disposed of at an appropriately licensed facility.

2. Minerals extraction....

Not applicable. The Project does not include any mineral extraction activities.

3. Chemical processing, transfer, and storage....

Not applicable. The Project does not include chemical processing, transfer, or storage.

4. Power generation: persons proposing a hydroelectric plant are required by DEM to obtain a Wetlands Permit, Dam Safety Certificate, and a Section 401 Water Quality Certification; a Preliminary Permit will also have to be obtained from the Federal Energy Regulatory Commission (FERC). Other power generating facilities may require a DEM Air Quality

Certificate, Section 401 Water Quality Certification, and Spill Contingency Plan. An NPDES permit may have to be obtained from EPA Region 1.

Not applicable. The Project does not include a hydroelectric plant. Revolution Wind will file an application for a 401 Water Quality Certification and a RIPDES Authorization under the Construction General Permit.

5. *Petroleum processing, transfer, and storage....*

Not applicable. The Project does not include chemical processing, transfer, or storage.

6. *Sewage treatment and disposal....*

Not applicable. The Project does not include sewage treatment or disposal. The Project uses surface infiltration to treat stormwater at the OnSS and will not need a Underground Injection Control (UIC) permit.

4.6.10 CRMP Section 1.3.5 – Policies for the Protection and Enhancement of the Scenic Value of the Coastal Region

A. Policies

1. *The primary goal of all Council efforts to preserve, protect, and, where possible, restore the scenic value of the coastal region is to retain the visual diversity and often unique visual character of the Rhode Island coast as it is seen by hundreds of thousands of residents and tourists each year from boats, bridges, and such public vantage points as roadways, public parks, and public beaches.*

The Onshore Transmission Cable will be installed underground, and the RWECC-RI is a submarine cable. Thus, these Project components will not be visible once constructed.

At a maximum height of 65 ft (20 m) above grade and set back over 400 ft (122 m) from the road, the proposed OnSS will not be out of scale or character with the existing types of development currently present in the vicinity, such as the existing Davisville Substation, or the structures at nearby Quonset Business Park. As such, it is anticipated that the Project will result in negligible visual impacts to the public resources present in the VSA. Some Camp Avenue residences are likely to experience limited visual impacts as a result of the vegetative clearing associated with the OnSS and the OnSS access driveway. While these impacts are expected to alter the existing views experienced by the residents directly adjacent to the Project, they are generally localized and can be minimized through implementing site specific measures, such as visual screening (refer to Section 3.1.8 and Appendix I).

2. *Every effort should be made to safeguard from obstruction significant views to and across the water from highways, scenic overlooks, public parks, and other vantage points enjoyed by the public.*

The OnSS will be located inland and will not obstruct views to and across the water. The Onshore Transmission Cable will be below ground and will not cause any visual effects. The RWECC-RI will be buried in the seafloor and will not affect visual aesthetics.

3. *The importance of the skyline as seen from tidal waters in determining the character of a view site must be recognized; it should, where possible, not be disrupted by visually intrusive structures.*

The OnSS will not alter the character of the skyline as seen from tidal waters. The OnSS will be approximately 0.3 miles (0.48 km) north of the Fishing Cove estuary and obscured by terrain and vegetation.

4. *On sites in or adjacent to historic features and districts, new structures should be designed to provide continuity with the existing scenic and historic character. Within historic districts, applicants shall consult with the Historic Preservation Commission to identify means for minimizing disruption and, where possible, enhancing the historic value of the area.*

The OnSS is not within a Historic District and will not be out of scale or character with the existing types of development currently present in the vicinity, such as the existing Davisville Substation, or the structures at nearby Quonset Business Park.

5. *Excellent guidance for preserving the visual character and quality of coastal landscapes in Rhode Island are contained in "Building at the Shore: A Handbook for Residential Development on the Rhode Island Coast." Review copies are available at the Council's office in Wakefield.*

Noted.

B. In and Adjacent to Type 1, 2, and 4 Water

1. *Structures along the water's edge should be screened by vegetation, preferably with native species typical to the area rather than exotic.*
2. *Trees that form the first line of visual definition as one looks landward from the water should be preserved.*
3. *In new developments, trees should be planted in the drifts that generally follow land contours and parallel the water's edge rather than in lines that cut across landscape contours.*
4. *Disruptions of natural landform and vegetation should be minimized.*
5. *New developments should not compete visually with such significant shoreline features as coves, peninsulas, cliffs, and bluffs; they should be set back and screened.*

The RWEC-RI will be installed within Type 4 Waters; however, as a submarine cable, this Project component will not be visible once constructed. No above-ground features are proposed by the Project adjacent to Type 1 or Type 2 waters, or along the water's edge.

C. In and Adjacent to Type 3, 5, and 6 Waters

1. *In all areas adjacent to Type 3 and 5 waters and, where appropriate, adjacent to Type 6 waters, the public should, where possible, be provided a sense of the water from within the townscape. Views to and across the water through yards, between houses, and from roadways should be preserved and, where possible, created.*

The Project's landfall location is in Type 6 waters. Installation of the RWE-CRI at the landfall location will be completed using HDD and no above-ground features are proposed adjacent to Type 3, 5, or 6 waters.

2. *When new structures are proposed adjacent to Type 3 and 5 waters....*

Not applicable. The Project is proposed in Type 4 and Type 6 waters.

2. *When new structures are proposed adjacent to Type 3 and 5 waters....*

Not Applicable. The Project is proposed in Type 4 and Type 6 waters.

4.6.11 CRMP Section 1.3.6 – Protection and Enhancement of Public Access to the Shore

A. Policies

1. *As trustee of Rhode Island's coastal resources and in accordance with state and federal statutory mandates, the Council has a responsibility to ensure that public access to the shore is protected, maintained and, where possible, enhanced for the benefit of all.*

Noted.

2. *It is the Council's policy to protect, maintain and, where possible, enhance public access to and along the shore for the benefit of all Rhode Islanders.*

The Project will not prevent public access to the shore. Blue Beach is the nearest public access point to the shore, approximately 0.2 miles (0.32 km) west of the Project's landfall location. Access to the Blue Beach parking lot and trail may be temporarily impacted as a result of construction activity associated with the Onshore Transmission Cable. However, access will not be blocked and any impact resulting from traffic would be limited in duration and intermittent.

3. *It is the Council's policy to require applicants to provide, where appropriate, on-site access of a similar type and level to that which is being impacted as the result of a proposed activity or development project.*

Refer to response to 1.3.6.(A)(2) above.

4. *Certain activities which require the private use of public trust resources to the exclusion of other public uses necessarily impact public access. Due to their likelihood of impacting public access and/or the public's use and enjoyment of Rhode Island's public trust resources, it is the Council's policy to require that applications for the following activities include a public access plan. (a-c omitted)*

Refer to response to 1.3.6.(A)(2) above.

5. *In accordance with § 1.1.7 of this Part, a variance from this policy may be granted if an applicant can demonstrate that no significant public access impacts will occur as a result of the proposed project.*

Refer to response to 1.3.6.(A)(2) above. The Project does not require a variance from this policy.

6. Publicly funded beach nourishment projects shall contain a public access component.

Not applicable.

7. In accordance with R.I. Gen. Laws § 32-6-5(b), limited liability applies when the CRMC stipulates public access as a permit condition and when the Council designates a public right-of-way to the shore.

Noted.

B. General Policies

1. Any public access impacts associated with a proposed project should be avoided and minimized to the maximum extent possible.

Refer to response to 1.3.6.(A)(2) above.

2. Any public access created to compensate for proposed project impacts should be of a type and level similar to that which will be impacted.

Not applicable. The Project will not prevent public access to the shore in a manner that requires compensation.

3. In cases where access cannot practically be provided onsite, due to safety, security, environmental or other considerations, the Council may permit access be provided offsite.

Not applicable. Refer to response to 1.3.6.(A)(2) above..

4. All structural shoreline protection facilities should be designed and constructed in a manner which does not reasonably interfere with the public's right to pass and re-pass along the shore.

Not applicable. The Project does not propose new shoreline protection facilities.

C. Policies for the development of public access plans

Not Applicable.