



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
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February 15, 2019

Walter Cruickshank, Ph.D., Acting Director
Bureau of Ocean Energy Management
45600 Woodland Road
Sterling, Virginia 20166

James Bennett, Renewable Energy Program Manager
Bureau of Ocean Energy Management
45600 Woodland Road
Sterling, Virginia 20166

Re: Deepwater Wind South Fork, LLC; Docket No. BOEM-2018-0010
CRMC File 2018-10-082

Dear Messrs. Cruickshank and Bennett,

Pursuant to 15 CFR § 930.57, Deepwater Wind South Fork, LLC on October 22, 2018 filed with the Rhode Island Coastal Resources Management Council (“CRMC”) a federal consistency certification and a copy of a Construction and Operation Plan (“COP”) for the proposed construction and operation of a wind energy project known as the South Fork Wind Farm (“SFWF”). The SFWF project consists of up to fifteen (15) wind turbine generators and an export cable that will make landfall on Long Island, NY, and will be located in federal offshore waters approximately 13 miles southeast of Block Island within BOEM Lease Area OCS-A 0486 and within the CRMC’s 2011 Geographic Location Description.

The proposed SFWF project is subject to CRMC review authority pursuant to the federal Coastal Zone Management Act (“CZMA”), 16 USC § 1456(c)(3)(A) and the CZMA’s implementing regulations at 15 CFR Part 930 Subpart D - Consistency for Activities Requiring a Federal License or Permit and Subpart E - Consistency for Outer Continental Shelf (OCS) Exploration, Development and Production Activities.

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The CRMC and Deepwater Wind South Fork, LLC have mutually agreed to stay the CRMC six-month federal consistency review period in accordance 15 CFR § 930.60(b) to provide sufficient time for discussions, meetings and exchange of materials between Deepwater Wind South Fork, LLC and the CRMC in order to meet the requirements of the CRMC's enforceable policies of the Ocean SAMP (650-RICR-20-05-11).

The purpose of this letter is to notify the Bureau of Ocean Energy Management (BOEM) of this stay agreement as required by 15 CFR § 930.60(b). Pursuant to the attached stay agreement executed on February 14, 2019, the CRMC consistency determination decision date in this matter is now due no later than October 25, 2019. The CRMC requests BOEM not to issue a license or permit to Deepwater Wind South Fork, LLC until the requirements of 15 CFR Part 930, Subparts D and E have been satisfied. The CRMC will notify BOEM when it issues a final decision in this matter.

Please contact me at 401-783-3370 or email gfugate@crmc.ri.gov should you have any questions.

Sincerely,



Grover J. Fugate, Executive Director
Coastal Resources Management Council

/lat

cc Jeffrey Grybowski, Deepwater Wind South Fork, LLC
David Kaiser, NOAA
Allison Castellan, NOAA
Jennifer Cervenka, CRMC Chair
CRMC Members
Anthony DeSisto, Esq., CRMC Legal Counsel



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AGREEMENT TO STAY SIX-MONTH REVIEW PERIOD

Between

Rhode Island Coastal Resources Management Council

And

Deepwater Wind South Fork, LLC

The Rhode Island Coastal Resources Management Council, hereinafter referred to as the “CRMC,” and Deepwater Wind South Fork¹, LLC, hereinafter referred to as “Deepwater Wind,” hereby agree as follows.

Pursuant to 15 CFR § 930.57, Deepwater Wind filed a federal consistency certification with the CRMC on October 22, 2018 for the proposed construction and operation of a wind energy project, known as the South Fork Wind Farm, consisting of up to 15 wind turbine generators and an export cable that will make landfall on Long Island, NY, that will be located in offshore waters southeast of Block Island within BOEM Lease Area OCS-A 0486. The proposed project is subject to CRMC review authority pursuant to the federal Coastal Zone Management Act (CZMA), 16 USC § 1456(c)(3)(A) and the CZMA’s implementing regulations at 15 CFR Part 930 Subpart D – Consistency for Activities Requiring a Federal License or Permit and Subpart E - Consistency for Outer Continental Shelf (OCS) Exploration, Development and Production Activities.

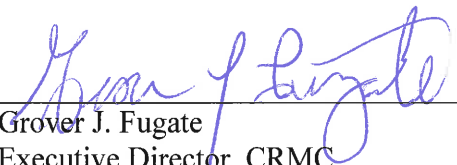
Pursuant to 15 CFR § 930.60(b) the CRMC and Deepwater Wind have mutually agreed to the following dates to stay the CRMC six-month review period as specified herein.

¹ On October 8, 2018 Ørsted announced that it entered into an agreement with the D.E. Shaw Group to acquire a 100% equity interest in Rhode Island-based Deepwater Wind. In November 2018 federal regulators approved the merger of the two companies as a single organization named Ørsted US Offshore Wind.

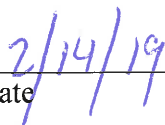
- Date the CRMC 6-month review period commenced: October 22, 2018
- Date the 6-month review period was to end: April 22, 2019
- Date during the 6-month review period that the stay begins: February 15, 2019
- Date that the stay ends: August 21, 2019
- Date the 6-month review period ends and the CRMC consistency decision is due: October 25, 2019

The CRMC will issue its consistency decision on or before **October 25, 2019** unless Deepwater Wind and CRMC mutually agree in writing to another later date. Furthermore, should the CRMC conclude its review earlier than anticipated by this agreement, then the CRMC will issue its consistency decision at the earliest possible time prior to October 25, 2019.

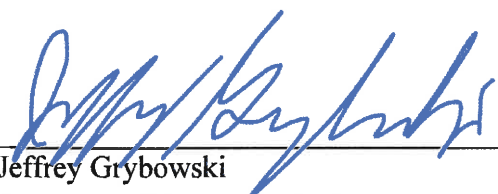
These agreements made and entered by:



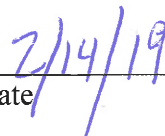
 Grover J. Fugate
 Executive Director, CRMC



 Date



 Jeffrey Grybowski
 Deepwater Wind South Fork, LLC



 Date

cc: BOEM
 NOAA OCM
 CRMC Council members