



State of Rhode Island
Coastal Resources Management Council
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SECOND AGREEMENT TO STAY SIX-MONTH REVIEW PERIOD

Between

Rhode Island Coastal Resources Management Council

And

SouthCoast Wind Energy LLC

The Rhode Island Coastal Resources Management Council, hereinafter referred to as the “CRMC,” and SouthCoast Wind Energy LLC¹ hereinafter referred to as “SouthCoast Wind,” hereby agree as follows.

Pursuant to 15 CFR § 930.76, SouthCoast Wind filed a Federal Consistency Certification with the CRMC on March 18, 2022 for the proposed installation of submerged renewable energy export cables within the Rhode Island 2011 and 2018 Geographic Location Descriptions (GLDs). The submerged cables are associated with the proposed offshore renewable energy wind farm project on the outer continental shelf (OCS), known as SouthCoast Wind, consisting of up to 147 wind turbine generators (WTGs) and up to 5 offshore substation platforms (OSPs). The project includes two export cable corridors, one making landfall and interconnecting to the ISO New England (ISO–NE) grid in Falmouth, Massachusetts (Falmouth Export Cable Corridor), and the other making landfall and interconnecting to the ISO–NE grid at Brayton Point in Somerset, Massachusetts known as the Brayton Point Export Cable Corridor (Brayton Point ECC). The proposed Brayton Point ECC would be installed within Rhode Island state waters through the Sakonnet River and into Mount Hope Bay with a landfall connection at Brayton Point.

The SouthCoast Wind project has been assigned CRMC File 2022-03-080 and is identified in the Federal docket as BOEM-2021-0062. The proposed WTGs and OSPs will be

¹ SouthCoast Wind Energy LLC is a 50/50 joint venture between Shell New Energies US LLC (Shell New Energies) and Ocean Winds North America LLC. SouthCoast Wind changed its name from “Mayflower Wind Energy LLC” on February 1, 2023.

installed within BOEM Lease Area OCS-A 0521, located approximately 26 nautical miles south of Martha’s Vineyard. The proposed submerged cables associated with the Brayton Point ECC is a listed activity of the Rhode Island 2011 and 2018 GLDs, and therefore subject to CRMC Federal Consistency review pursuant to Section 307 of the Coastal Zone Management Act (CZMA), and the CZMA’s implementing regulations at 15 C.F.R. Part 930, Subpart E.

The CRMC’s CZMA six-month review period for the SouthCoast Wind project began on May 27, 2022². The SouthCoast Wind Construction and Operations Plan (COP) anticipates obtaining all necessary permits and authorizations by the end of Q1 of 2024 before construction begins. BOEM issued a Notice of Availability for the Draft Environmental Impact Statement (DEIS) on February 17, 2023. The DEIS includes significant information that is instructive to the CRMC decision making process, including its proposed range of project alternatives. CRMC’s review of the DEIS as part of the federal consistency review is supported by BOEM’s statement within the DEIS for the South Fork Wind project (BOEM Docket 2020–0066) in that “Cooperating agencies would rely on the DEIS to support their decision making and to determine if the analysis is sufficient to support their decision” (Emphasis added). *See* DEIS at i. State CZMA agencies are cooperating agencies under the BOEM renewable energy NEPA process.

In accordance with 15 CFR § 930.60(b), and in consideration of the parties’ mutual interest that the State have additional time to fully assess the proposed project’s consistency with the State’s enforceable policies, the CRMC and SouthCoast Wind mutually agree to the following dates and to stay the CRMC CZMA six-month review period as specified herein:

First Stay Agreement:

- Date the CRMC 6-month review period commenced: May 27, 2022
- Date the 6-month review period was to end: November 27, 2022
- Date during the 6-month review period that the stay begins: June 27, 2022
- Date that the stay ends: January 27, 2023
(150 days remaining in the 6-month review period)

² The CRMC notified BOEM and SouthCoast Wind in a letter dated May 31, 2022 that commencement of the CRMC CZMA federal consistency review for the SouthCoast Wind project began on May 27, 2022.

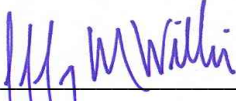
- Date the 6-month review period ends and the CRMC consistency decision is due: June 27, 2023

Second Stay Agreement:

- Date the first stay ended: January 27, 2023
(49 days of the 6-month review period elapsed)
- Date during the 6-month review period the second stay begins: March 17, 2023
- Date the second stay ends: July 18, 2023
(101 days remaining in the 6-month review period)
- Date the 6-month review period ends and the CRMC consistency decision is due: October 27, 2023

Pursuant to 15 C.F.R. §§ 930.60, 930.62 and 930.78, the CRMC will issue its federal consistency decision on or before **October 27, 2023** unless SouthCoast Wind and CRMC mutually agree in writing to another later date. Furthermore, should the CRMC conclude its CZMA review earlier than anticipated by this agreement, then the CRMC will issue its federal consistency decision at the earliest possible time prior to October 27, 2023.

This agreement made and entered by:

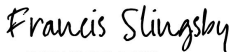


 Jeffrey M. Willis
 Executive Director, CRMC

3/24/2023

 Date

SouthCoast Wind Energy LLC,

DocuSigned by:


 Francis Slingsby
 CEO

3/23/2023

 Date

cc BOEM
 NOAA OCM
 CRMC Council members