



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

Between

Rhode Island Coastal Resources Management Council

And

Sunrise Wind, LLC

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

Pursuant to 15 CFR § 930.76, Sunrise Wind filed a federal consistency certification with the CRMC on September 1, 2021, for the proposed construction and operation of a wind energy project on the outer continental shelf (OCS), known as Sunrise Wind, consisting of up to 94 wind turbine generators² (WTGs) at 102 potential locations and an export cable that will make landfall at Brookhaven, Long Island, New York. The Sunrise Wind project has been assigned CRMC File 2021-09-036 and is identified on the Federal docket as BOEM-2021-0052. The proposed wind turbine generators will be located within BOEM Lease Area OCS-A 0487 and approximately 16.7 mi (14.5 nm, 26.8 km) southeast of Block Island, Rhode Island. The proposed Sunrise Wind project is a listed activity 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 – Consistency for Outer Continental Shelf (OCS) Exploration, Development and Production Activities.

The first stay agreement between Sunrise Wind and the CRMC was executed on December 10, 2021, and provided for the State’s CZMA decision date on or before March 2,

¹ Sunrise Wind, LLC is a 50/50 joint venture between Orsted North America Inc. and Eversource Investment LLC.

² Following the Sunrise Wind consistency certification filing with the CRMC, the project was modified to reduce the overall number of WTGs from a maximum of 122 to 94 at 102 potential locations in the revised April 8, 2022 Construction and Operation Plan.

2023. A mutually agreed to amendment to the first stay (second stay) was executed on September 27, 2022, which provided for the State’s CZMA decision date on or before April 27, 2023. The second stay was necessary to allow adequate time for the release of BOEM’s Draft Environmental Impact Statement (DEIS) for the Sunrise Wind project and for the CRMC to review those documents. The DEIS was issued on December 23, 2022. The third stay agreement was necessary to allow the CRMC the appropriate time to continue its review of the Sunrise Wind project given the unprecedented number and schedule of offshore wind projects under review. The fourth stay agreement was necessary to continue CRMC’s review as the project was further refined. This fifth stay agreement will allow mitigation discussions to continue, provides additional time to review, and reflects changes in permitting timeframes at the federal level.

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 Sunrise Wind project consistency with the State’s enforceable policies, the CRMC and Sunrise Wind mutually agree to the following dates and to stay the CRMC CZMA six-month review period as specified herein.

First Stay

- Date the CRMC 6-month review period commence: October 28, 2021
- Date the 6-month review period was to end: April 28, 2022
- Date during the 6-month review period the first stay began: December 15, 2021
- Date the first stay ended: October 21, 2022
(132 days remaining in the 6-month review)
- Date the 6-month review period was to end and the CRMC consistency decision was due: March 2, 2023

Second Stay (*amended first stay*)

- Date first stay was to end: October 21, 2022
- Second amended stay ended: December 16, 2022
(132 days remaining in the 6-month review period)
- Date 6-month review period was to end and the CRMC consistency decision was due: April 27, 2023

Third Stay

- Date during the 6-month review period the third stay begins: March 17, 2023
- Date the third stay ended: April 20, 2023
(41 days remaining in the 6-month review period)
- Date the 6-month review period was to end and the CRMC consistency decision was due: May 31, 2023

Fourth Stay


- Date during the 6-month review period the fourth stay begins: May 2, 2023
- Date the fourth stay ends: June 26, 2023
(29 days remaining in the 6-month review period)
- Date the 6-month review period is to end and the CRMC consistency decision is due: July 25, 2023

Fifth Stay

- Date during the 6-month review period the fifth stay begins: May 31, 2023
- Date the fifth stay ends: August 10, 2023
(29 days remaining in the 6-month review period)
- Date the 6-month review period is to end and the CRMC consistency decision is due: September 8, 2023

The CRMC will issue its federal consistency decision on or before Friday, **September 8, 2023**, unless Sunrise 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 September 8, 2023.


This agreement made and entered by:



 Jeffrey M. Willis
 Executive Director, CRMC

6/1/2023

 Date

Sunrise Wind LLC,


 Ryan Chaytors,
 Authorized Person

5/31/2023

 Date



 Kenneth Bowes,
 Authorized Person

5/31/2023

 Date

cc BOEM
NOAA OCM
CRMC Council members