



State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

December 13, 2021

Amanda Lefton, 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: **Sunrise Wind, LLC**; Docket No. BOEM-2021-0052
CRMC File 2021-09-036

Dear Ms. Lefton and Mr. Bennett,

Pursuant to 15 C.F.R. § 930.76, Sunrise Wind, LLC on September 1, 2021 filed with the Rhode Island Coastal Resources Management Council (“CRMC”) a federal consistency certification for the proposed construction and operation of the Sunrise Wind offshore wind renewable energy project consisting of up to 102 wind turbine generators¹ and an export cable that will make landfall at Brookhaven, Long Island, New York. The Sunrise Wind project is contracted with New York State Energy Research & Development to deliver 880 megawatts (MW) and up to 924 MW of offshore wind-generated electricity under a 25-year Offshore Wind Renewable Energy Certificate Agreement executed in 2019. The Sunrise Wind Construction and Operation Plan describes the project as having an operating capacity ranging between 924 and 1,122 MW.

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”), 16 U.S.C. § 1451 *et seq.*, 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 CRMC’s CZMA six-month review period for

¹ 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 102 in the revised October 29, 2021 Construction and Operation Plan.

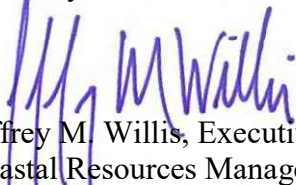
the Sunrise Wind project began on October 28, 2021². The CRMC and Sunrise Wind, LLC have mutually have agreed to stay the CRMC CZMA six-month federal consistency review period as specified in the attached stay agreement executed on December 10, 2021.

Pursuant to the agreement, the CRMC federal consistency decision in this matter is now due no later than March 2, 2023.

The purpose of this letter is to notify the Bureau of Ocean Energy Management of this stay agreement between the parties pursuant to the requirements of 15 C.F.R. § 930.60(b). In addition, the CRMC requests BOEM not to issue a license or permit to Sunrise Wind, LLC until the requirements of 15 C.F.R. Part 930, Subpart E have been completely satisfied. The CRMC will promptly notify BOEM when it issues a federal consistency decision in this matter.

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

Sincerely,


Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

/lat

cc Mike Evans, Project Manager, Sunrise Wind, LLC
David Kaiser, NOAA
Allison Castellan, NOAA
CRMC Members
Anthony DeSisto, Esq., CRMC Legal Counsel

² The CRMC notified BOEM and Sunrise Wind in a letter dated October 28, 2021 that commencement of the CRMC CZMA consistency review for the Sunrise Wind project began on October 28, 2021.



State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-3767

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 102 wind turbine generators² (WTGs) 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 from 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.

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 102 in the revised October 29, 2021 Construction and Operation Plan.

The CRMC’s CZMA six-month review period for the Sunrise Wind project began on October 28, 2021³. The Sunrise Wind Construction and Operation Plan (COP) identifies in Table 1.4-1 that the CRMC federal consistency decision for the project is anticipated between Q3 and Q4 2022. The Sunrise Wind COP at Section 3.2.2 assumes that all permits will be obtained by Q3 2023. BOEM anticipates issuing a Notice of Availability for the Draft Environmental Impact Statement (DEIS) on or about October 21, 2022, and the CRMC expects that there will be considerable information that will be valuable to its decision making process within the DEIS, including the range of expected project alternatives. And, according to CRMC, CRMC’s review of the DEIS 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 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.

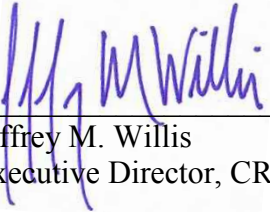
- Date the CRMC 6-month review period commenced: October 28, 2021
- Date the 6-month review period was to end: April 28, 2022
- Date during the 6-month review period that the stay begins: December 15, 2021
- Date that the stay ends: October 21, 2022
(132 days remaining in the 6-month review period)
-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

The CRMC will issue its federal consistency decision on or before **March 2, 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

³ The CRMC notified BOEM and Sunrise Wind in a letter dated October 28, 2021 that commencement of the CRMC CZMA consistency review for the Sunrise Wind project began on October 28, 2021.

CRMC will issue its federal consistency decision at the earliest possible time prior to March 2, 2023.

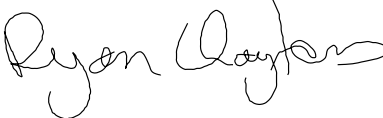
This agreement made and entered by:



Jeffrey M. Willis
Executive Director, CRMC

10 December 2021
Date

Sunrise Wind LLC,
by its agent,
Orsted Wind Power North America LLC



Ryan Chaytors,
Authorized Person

10 December 2021
Date

cc BOEM
NOAA OCM
CRMC Council members