



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
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January 25, 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: Vineyard Wind, LLC; Docket No. BOEM–2018–0015
CRMC File 2018-04-055

Dear Messrs. Cruickshank and Bennett,

Pursuant to 15 CFR § 930.54(f), Vineyard Wind, LLC filed a federal consistency certification with the Rhode Island Coastal Resources Management Council (CRMC) on April 6, 2018 for the proposed construction and operation of an 800 megawatt wind energy project consisting of up to 106 offshore wind turbine generators to be located in offshore waters south of Martha's Vineyard, MA within BOEM Lease Area OCS-A 0501. The proposed project is subject to CRMC review authority pursuant to the federal Coastal Zone Management Act (CZMA), 16 USC § 1456, 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.

The CRMC and Vineyard Wind, LLC on January 24, 2019 mutually agreed to stay the CRMC six-month federal consistency review period in accordance 15 CFR § 930.60(b), and the CRMC decision date for the Vineyard Wind, LLC matter is now extended until February 19, 2019 to allow Vineyard Wind time to negotiate a mitigation package with the CRMC's Fishermen's Advisory Board (FAB) in order to meet the requirements of the CRMC's enforceable policies.

Walter Cruickshank, Ph.D., Acting Director
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Based on the attached letter, dated January 24, 2019 from Vineyard Wind CEO Lars Pedersen, the CRMC and Vineyard Wind have mutually agreed to further stay the CRMC six-month federal consistency review period to provide Vineyard Wind additional time to negotiate with the FAB. Pursuant to the attached stay agreement executed today, January 25, 2019, the CRMC consistency determination decision date in this matter is now due no later than February 19, 2019. Vineyard Wind has indicated that they are willing to enter into a further stay agreement provided negotiations proceed in sincerity and if a mitigation agreement with the FAB appears to be attainable.

The purpose of this letter is to notify the Bureau of Ocean Energy Management (BOEM) of this agreement as required under 15 CFR § 930.60(b). The CRMC requests BOEM not to issue a license or permit to Vineyard Wind, 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 Lars Pedersen, CEO, Vineyard Wind, LLC
David Kaiser, NOAA
Allison Castellan, NOAA
Jennifer Cervenka, CRMC Chair
CRMC Members
Anthony DeSisto, Esq., CRMC Legal Counsel



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AMENDED AGREEMENT TO STAY SIX MONTH REVIEW PERIOD

Between

Rhode Island Coastal Resources Management Council

And

Vineyard Wind, LLC

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

Pursuant to 15 CFR § 930.54(f), Vineyard Wind filed a federal consistency certification with the CRMC on April 6, 2018 for the proposed construction and operation of an 800 megawatt wind energy project consisting of up to 106 offshore wind turbine generators to be located in offshore waters south of Martha’s Vineyard, MA within BOEM Lease Area OCS-A 0501. 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 Vineyard Wind entered into an agreement on January 15, 2019 to stay the CRMC six-month review period with a CRMC decision due on February 1, 2019. The CRMC and Vineyard Wind now mutually agree to the following dates to further stay the CRMC six-month review period as specified herein.

- Date the CRMC 6-month review period commenced: April 6, 2018
- Date the 6-month review period was to end: February 1, 2019
- Date during the 6-month review period that the stay begins: January 25, 2019
- Date that the stay ends: February 13, 2019
- Date the 6-month review period ends and the CRMC decision is due: February 19, 2019

The CRMC will issue its consistency determination on or before **February 19, 2019** unless Vineyard Wind and CRMC mutually agree in writing to another later date.

These agreements made and entered by:



Jennifer R. Cervenka
Chair, CRMC

1/25/19

Date



Lars T. Pedersen
Chief Executive Officer, Vineyard Wind, LLC

1/24/2019

Date

cc: BOEM
NOAA OCM
CRMC Council members

VINEYARD WIND

VIA Electronic Mail

January 24, 2019

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

Re: Vineyard Wind – CRMC File No. 2018-04-055

Dear Mr. Willis:

As you are aware, pursuant to the Ocean SAMP Vineyard Wind has submitted a mitigation proposal to CRMC and the FAB and has established an escrow account to cover the reasonable costs associated with negotiations concerning the proposal. I met today with FAB Chair Lanny Dellinger to discuss the process to engage with the FAB going forward. We mutually agreed to the following:

1. the FAB, Vineyard Wind, and CRMC staff are committed to engaging in meaningful negotiations regarding the mitigation proposal;
2. meaningful negotiations cannot be completed before the FAB meeting on January 28, 2019 and the Council meeting on January 29, 2019 and therefore these meetings should be cancelled;
3. negotiations can be completed within two weeks and therefore the Council should reschedule its consistency decision for the Vineyard Wind project to February 12, 2019; and
4. a schedule for negotiations will be established beginning the week of January 28, 2019 and concluding no later than Feb. 11, 2019.

For these reasons, Vineyard Wind requests that the Council's consistency review period that is currently scheduled to end on February 1, 2019, be extended to February 19, 2019. If this meets with your approval, as you have done with the previous stays, please forward to me an Amended Agreement to Stay the Six Month Review Period to memorialize the extended stay.

Thank you for your consideration of this request. Please feel free to contact me if you need any additional information.

Sincerely,



Lars Pedersen
Chief Executive Officer

Cc: L Dellinger