

Sunrise Wind

Powered by
Ørsted &
Eversource

Section 6 - PUBLIC

Project Development Plan



Portions of this proposal contain confidential, proprietary, and/or commercially sensitive information which has been redacted from the "Public Version" of this proposal. Sunrise Wind has submitted a "Confidential Version" of this proposal which includes the redacted information, and which should be treated as a non-public record that is exempt from disclosure to the extent permitted under applicable laws and/or as expressly set forth in the Request for Proposals.

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Attachment 6-1: Project Permitting Plan

[REDACTED]

List of Acronyms

[REDACTED]	[REDACTED]
BOEM	Bureau of Ocean Energy Management
[REDACTED]	[REDACTED]
COP	Construction and Operations Plan
[REDACTED]	[REDACTED]
HDD	Horizontal Directional Drilling
[REDACTED]	[REDACTED]
HVDC	high-voltage direct current
[REDACTED]	[REDACTED]
LIPA	Long Island Power Authority
NYISO	New York Independent System Operator
NYSERDA	New York State Energy Research and Development Authority
O&M	Operations and Maintenance
[REDACTED]	[REDACTED]
POI	point of interconnection
[REDACTED]	[REDACTED]
SOV	Service Operation Vessel
USACE	U.S. Army Corps of Engineers
WTG	wind turbine generator

6.0 PROJECT DEVELOPMENT PLAN

6.2.6 The Project Development Plan must be submitted as a single file, not to exceed 100 pages, with the following included subsections. The Submission must include both Confidential and Public versions of the Project Development Plan.

6.1 PROJECT TEAM

6.2.6.1 This section of the Submission must describe the Project Team's experience in developing generation and transmission facilities of similar size, technology and complexity and ability to work together effectively to bring the Project to commercial operation in a timely fashion.

Proposers are required to provide the following information with their Proposal:

6.1.1 Business Entity Structure

A description of the business entity structure of Proposers' organization from a financial and legal perspective, including all general and limited partners, officers, directors, and involvement of any subsidiaries supporting the Project.

The sponsors of the Proposer are Orsted DevCo, LLC and Eversource Investment LLC via North East Offshore, LLC (NEO), the immediate parent of the Proposer.

Orsted DevCo, LLC is a wholly-owned, indirect subsidiary of Ørsted A/S, a Danish multinational energy company headquartered in Fredericia, Denmark. Through its subsidiaries, Ørsted A/S is the world's largest offshore wind developer, operating more offshore wind energy projects than any other company in the world. Ørsted A/S's wholly-owned, indirect U.S. subsidiary, Orsted North America Inc., employs approximately 600 individuals in the United States. In North America, Ørsted has successfully developed, and actively operates, more than 4 gigawatts (GW) of renewable gross capacity and manages another roughly 4 GW in projects currently under development, including offshore and onshore wind, solar, biomass, and energy storage solutions.

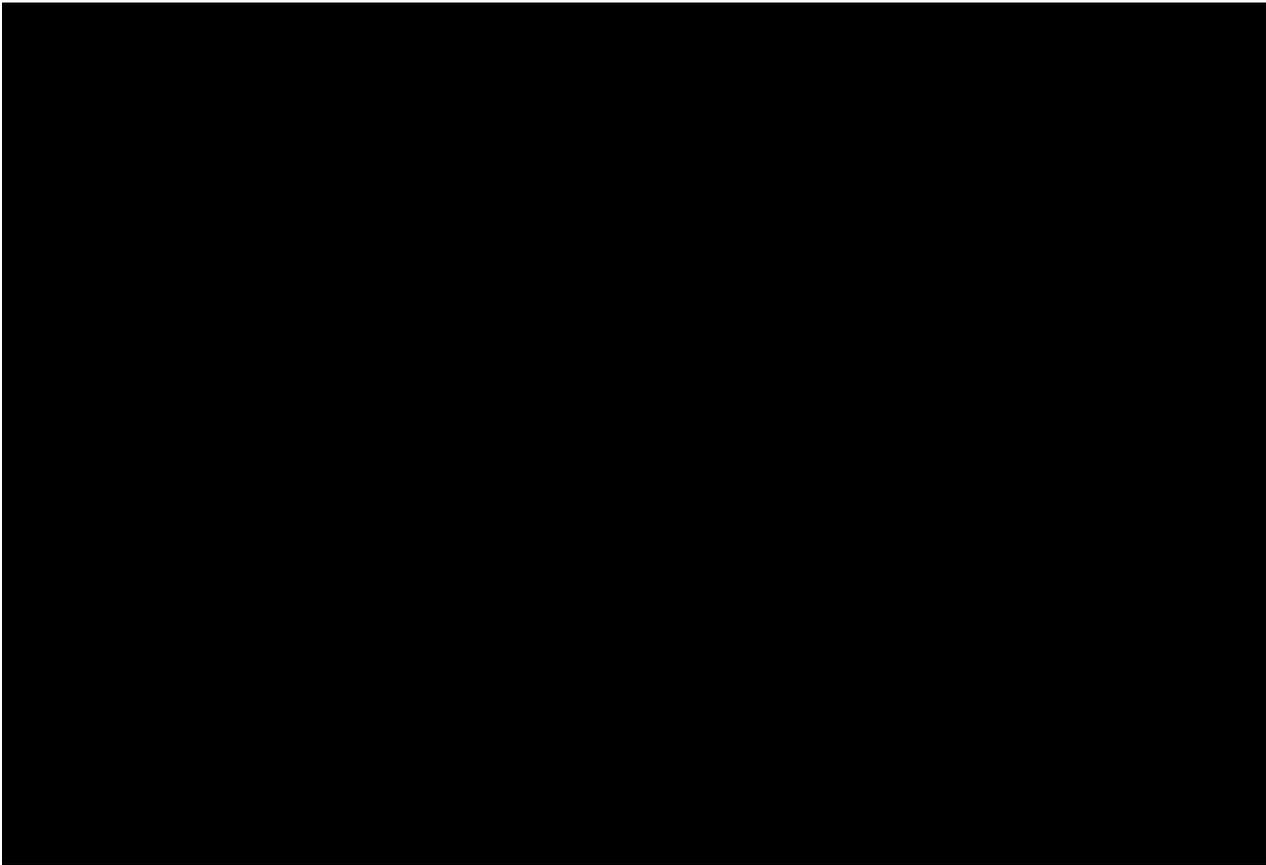
Eversource Investment LLC is a wholly-owned indirect subsidiary of Eversource Energy, a publicly traded, Fortune 500 energy company headquartered in Hartford, Connecticut, and Boston, Massachusetts. Eversource Energy is New England's largest energy delivery company, serving approximately 4 million customers in Connecticut, Massachusetts, and New Hampshire with electricity, natural gas, and water.

The Eversource system is an industry leader in constructing and maintaining large transmission and distribution projects, including high-voltage and extra high-voltage overhead, underground, submarine, and hybrid transmission lines, and associated terminal equipment. Eversource Energy also is committed to providing safe, reliable, and affordable energy to its customers.



6.1.2 Organizational Chart

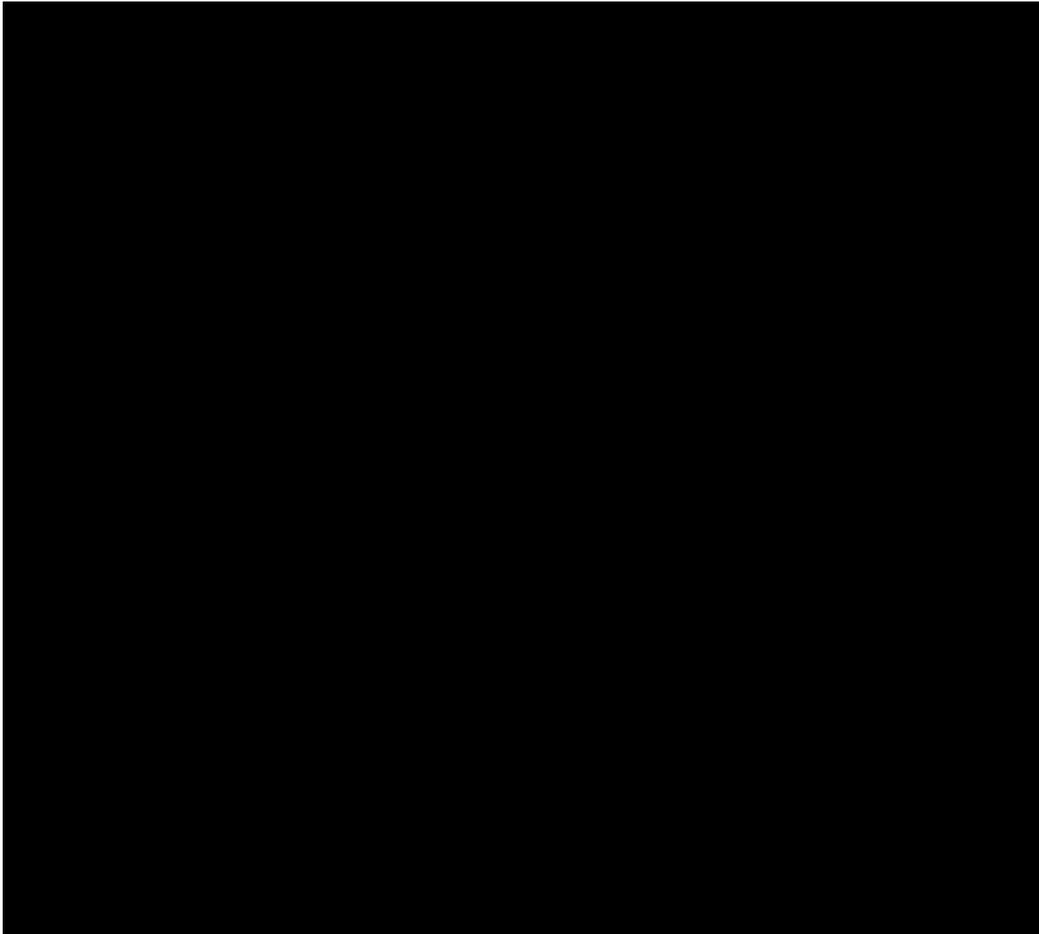
An organizational chart for the Project that lists the Project participants, including parent companies and joint ventures transacting business in the energy sector, identifies the corporate structure, including general and limited partners, and shows the relationship among the different Project participants.

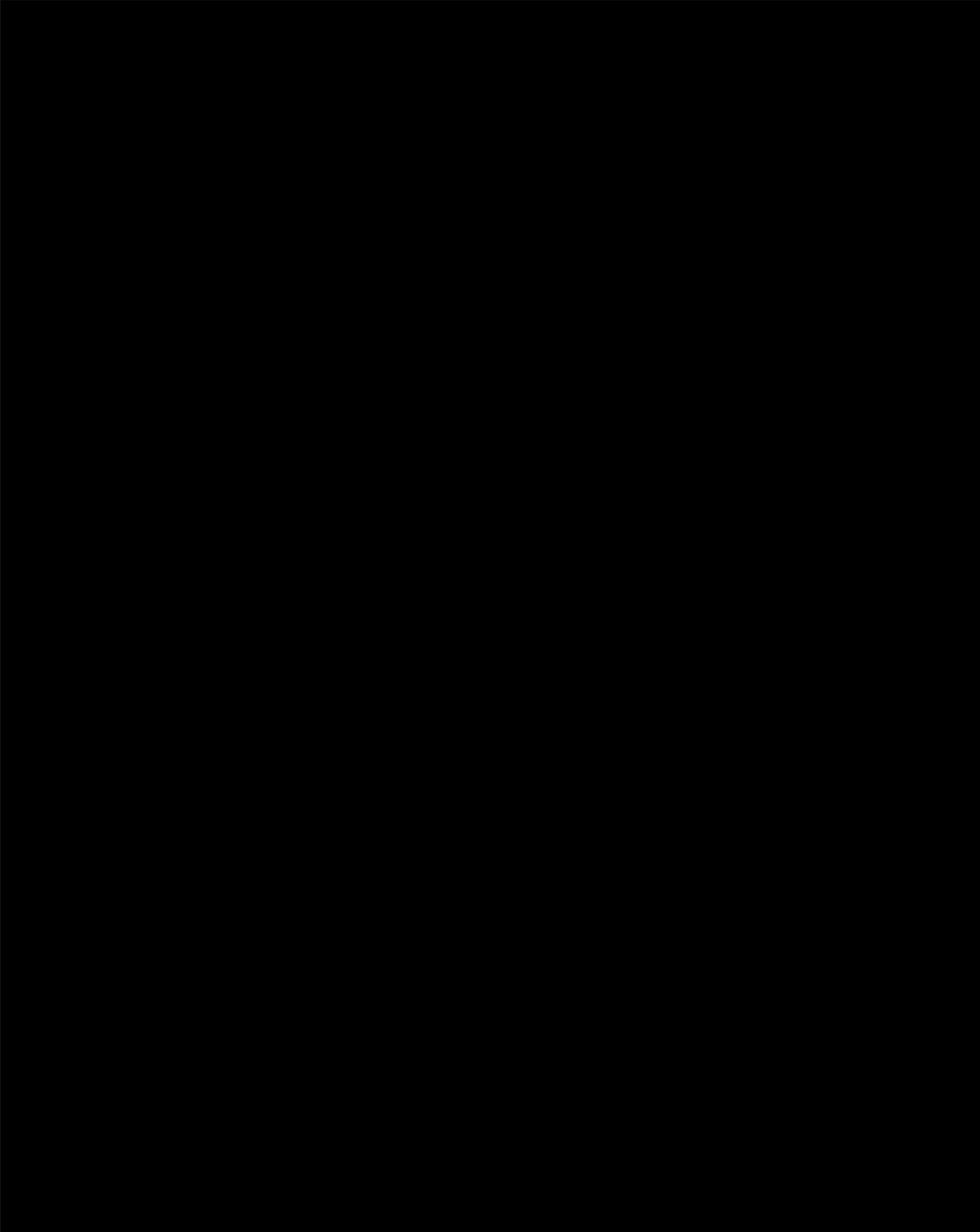


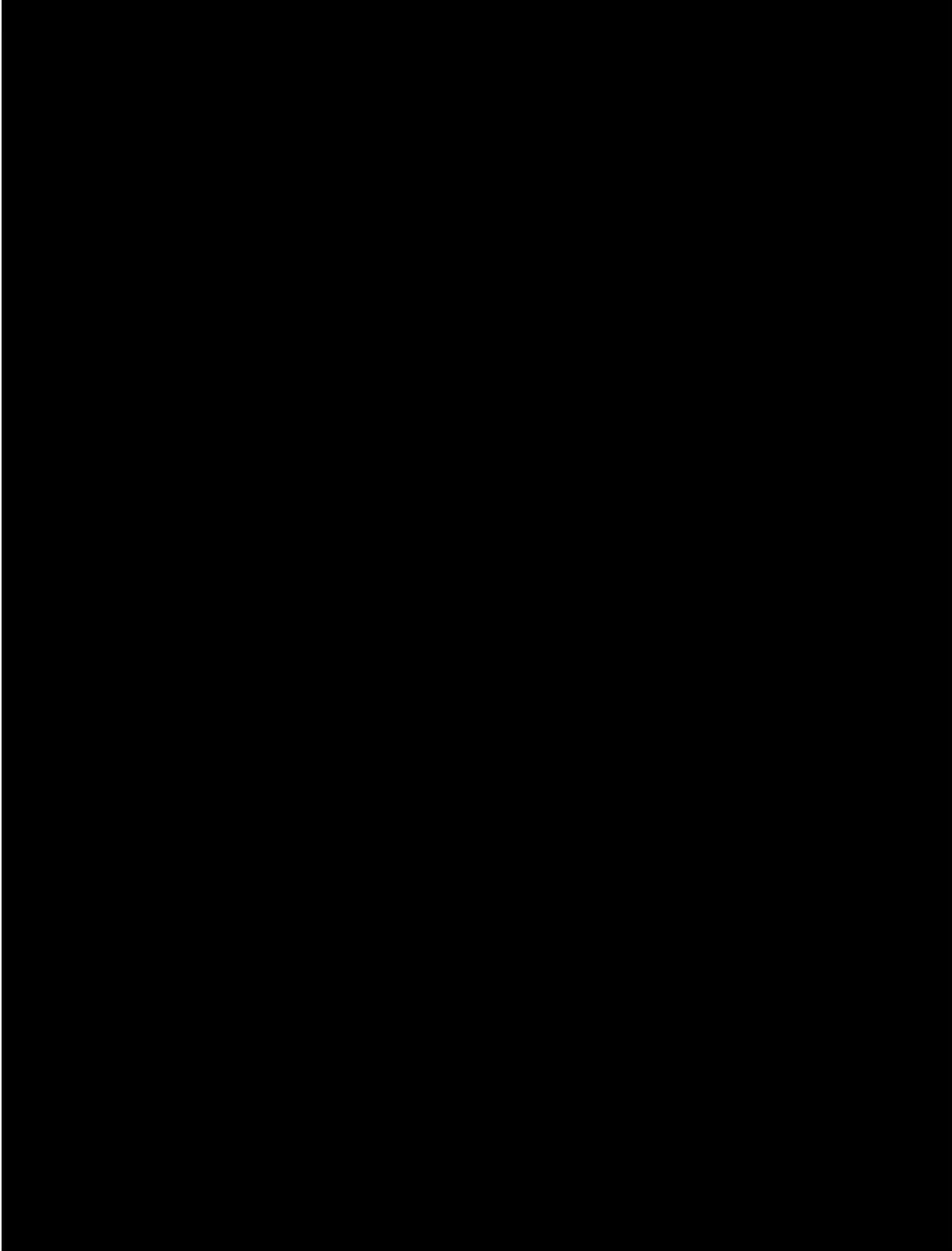
6.1.3 Management Chart

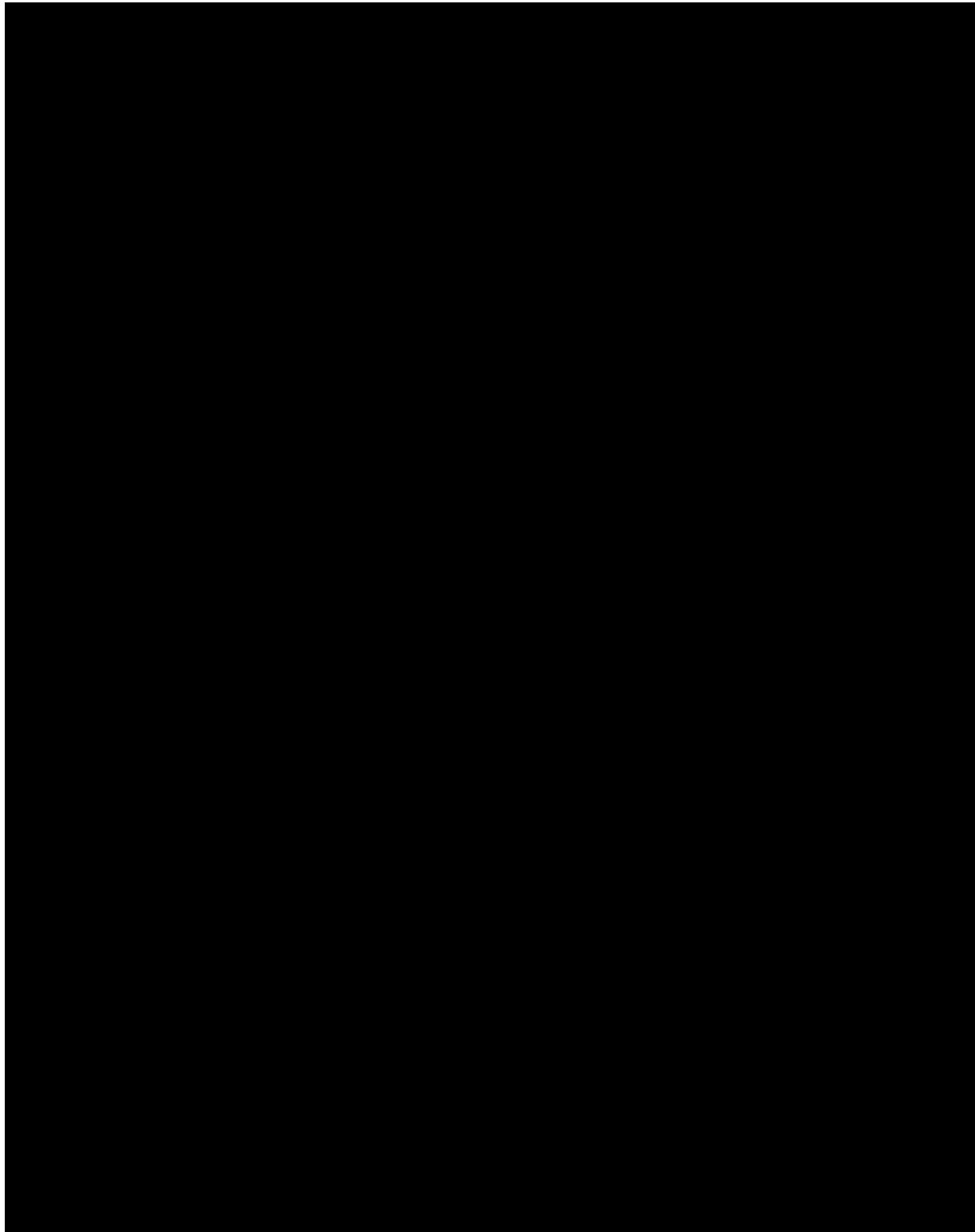
A management chart that lists the Project Team principals dedicated to this Project and a short statement for each describing the rationale for their selection based on either their experience in a technical subject matter or demonstrated similar skill sets. Identify the team members that are currently based in New York State and those team members who will relocate to New York State.

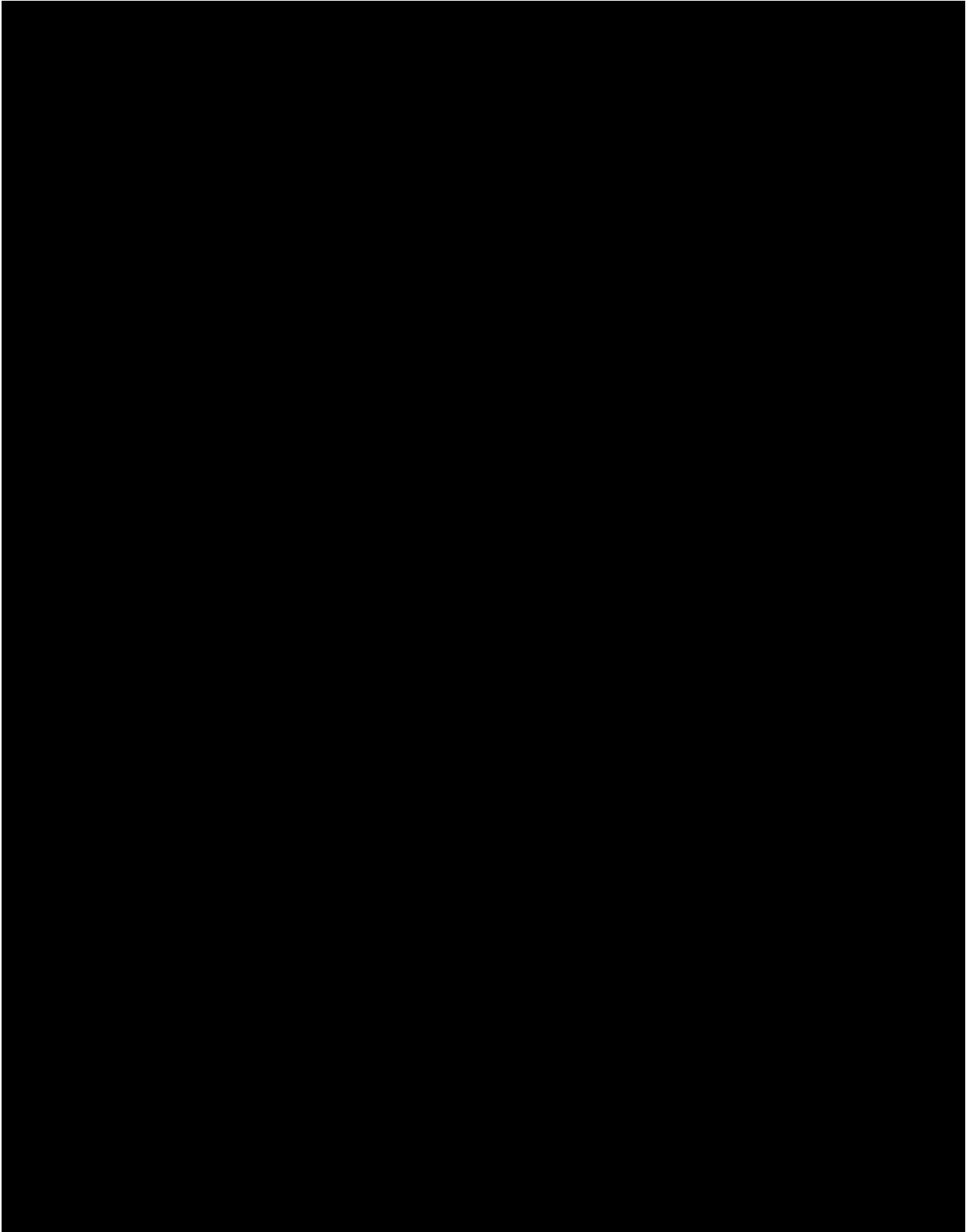
The Owners have an experienced team that will lead and manage the successful implementation of the Project throughout all development aspects in accordance with management models that have executed dozens of previous projects. [REDACTED] depicts the management chart for the Project, and [REDACTED] and [REDACTED] provide information about the key personnel for Orsted and Eversource.

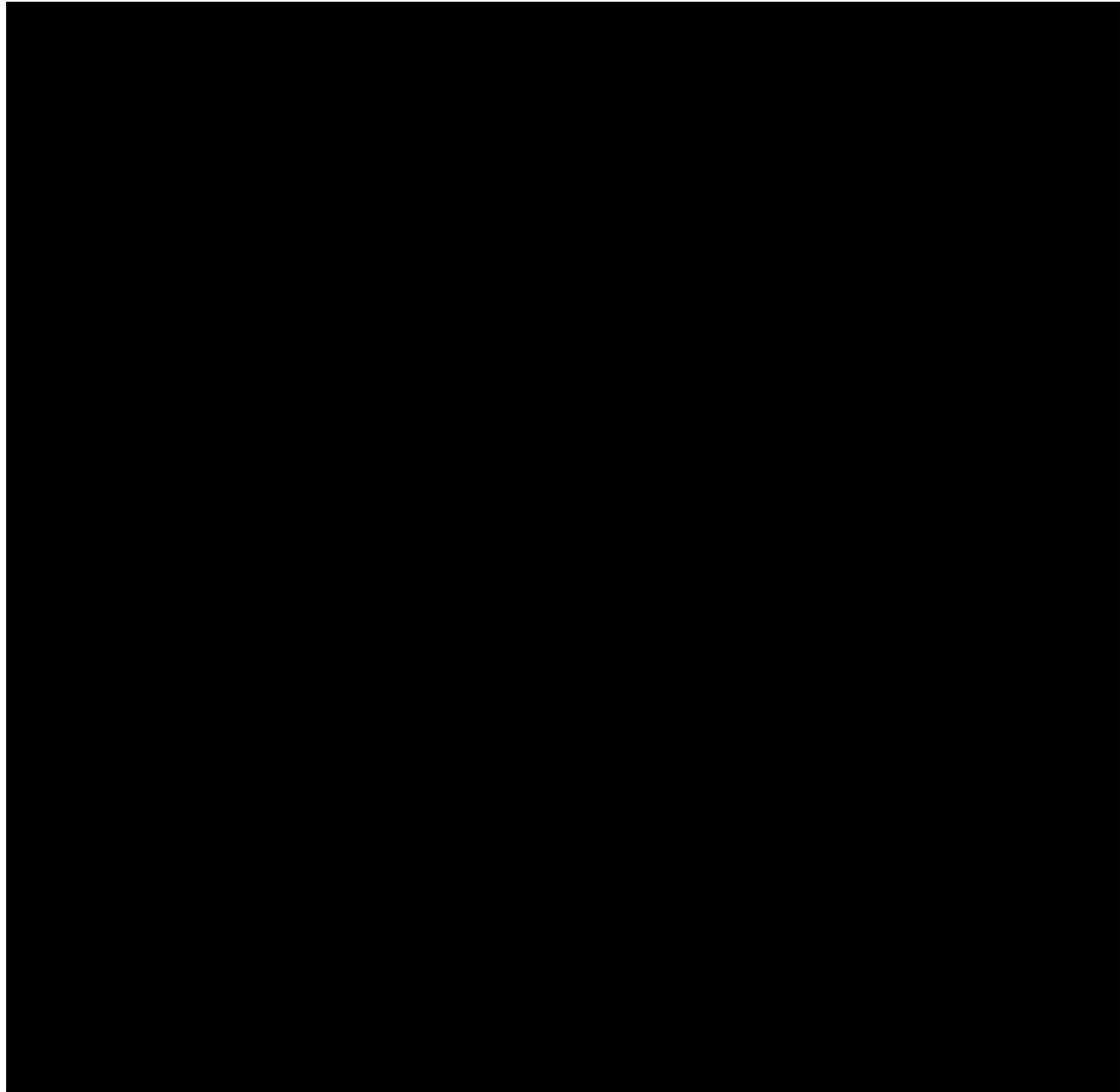






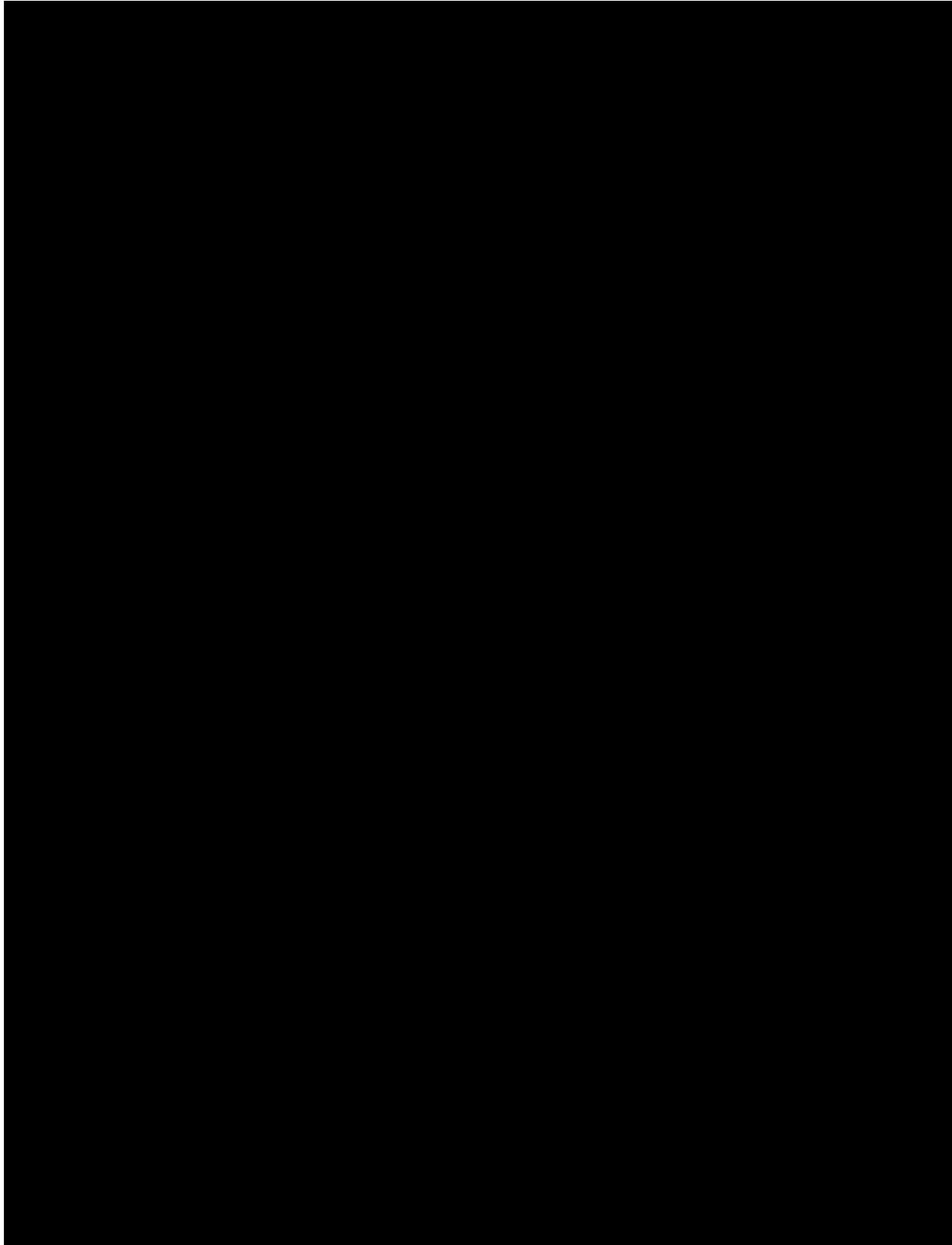


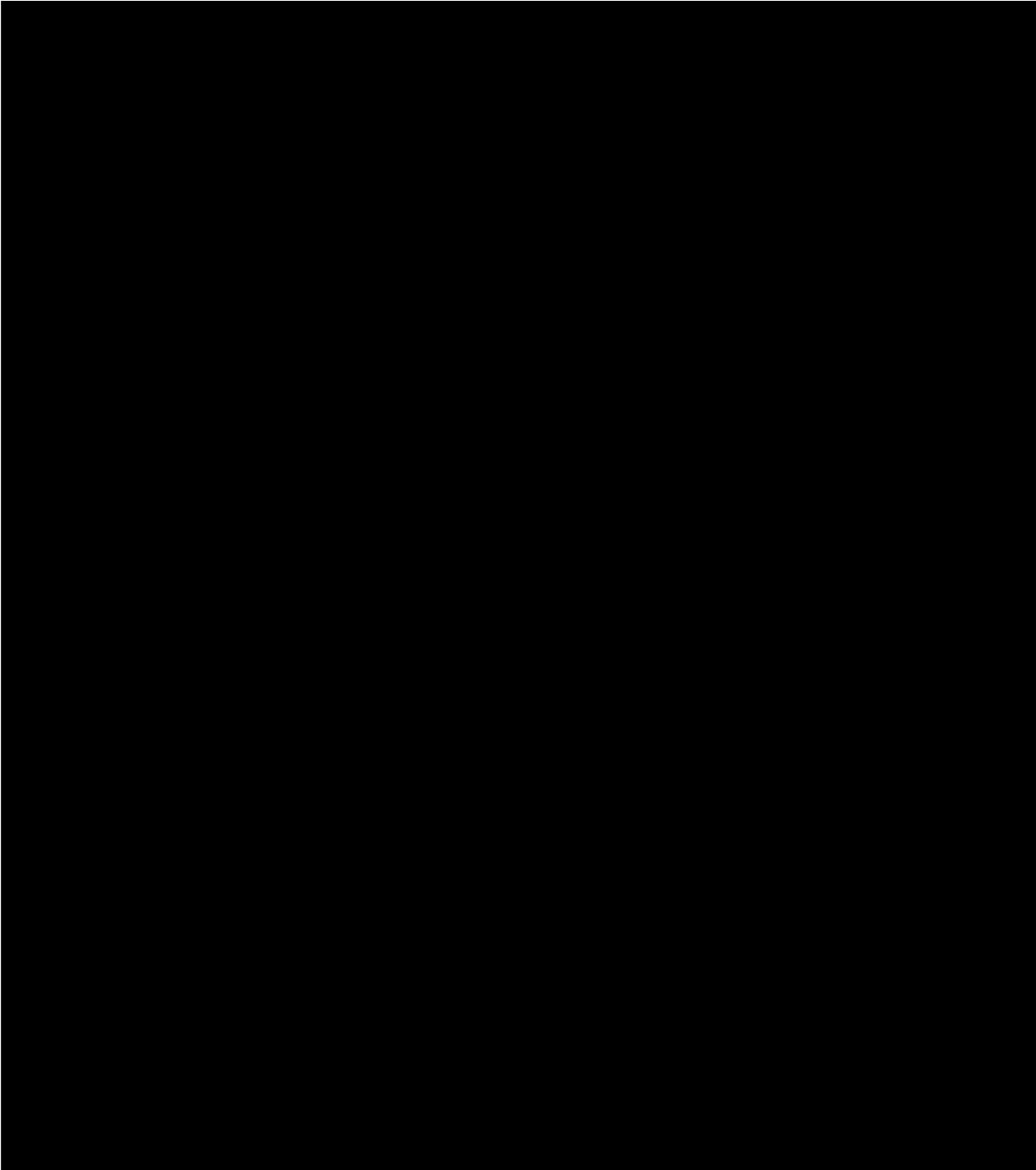


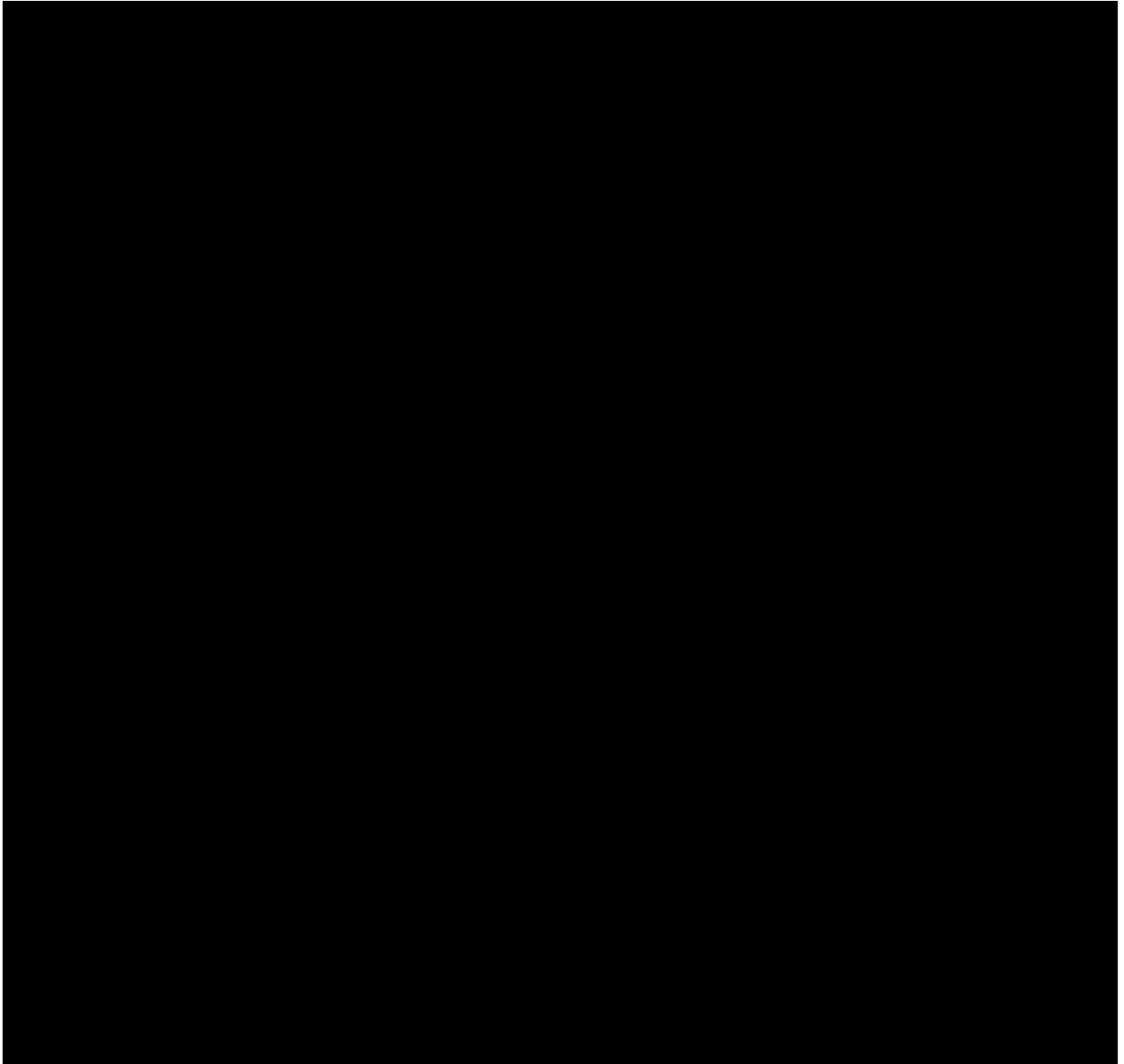


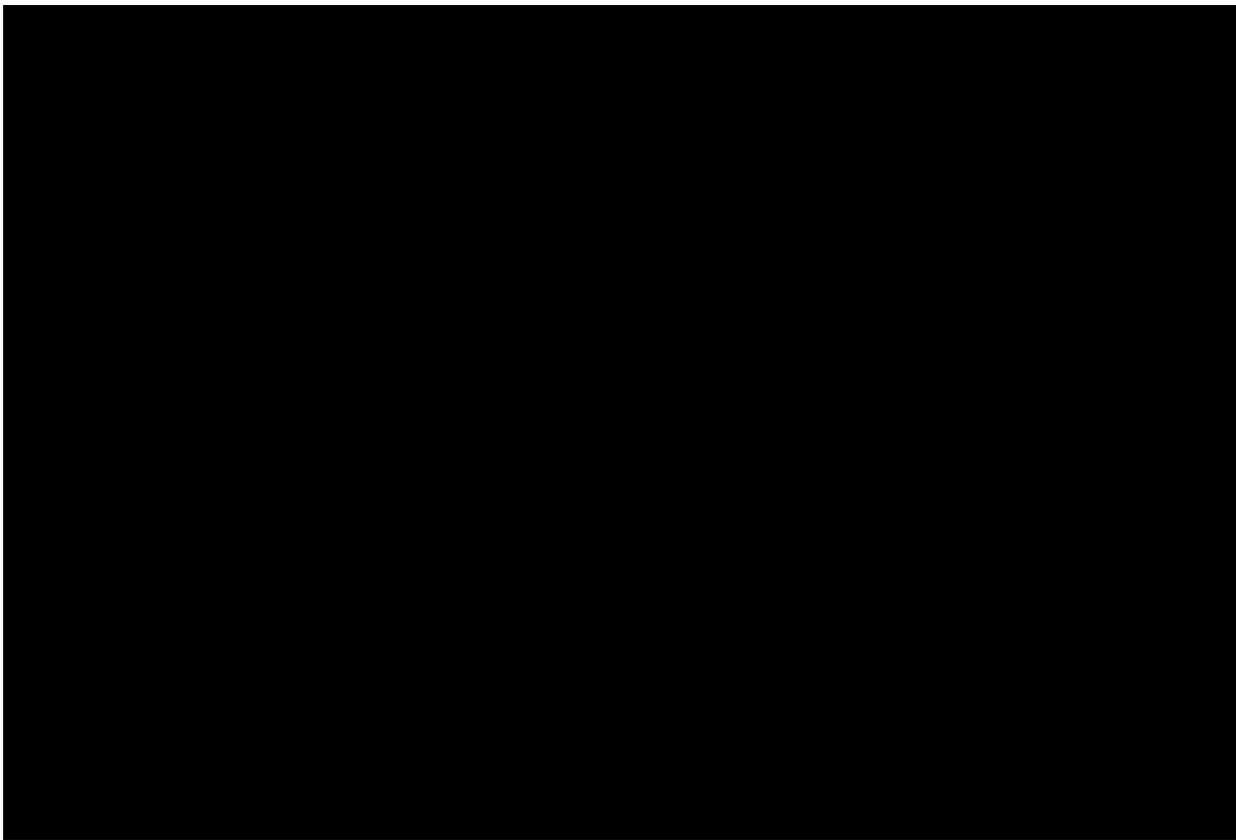
For the Project, consistent with its role as onshore construction manager, Eversource has replicated its successful formula by assembling a core team of seasoned professionals who have been involved in the development and construction of numerous large transmission facilities, supplemented by internal and external resources that provide the expertise to support project execution. [REDACTED] includes that core team, including those currently leading and managing ongoing onshore construction activities.











6.1.4 Project Team

With regard to Proposer's Project Team, identify and describe, including relevant experience, the entity responsible for the following, as applicable:

- a. Construction Period Lender, if any*
 - b. Community Liaison Officer*
 - c. Diversity, Equity, and Inclusion Officer*
 - d. Environmental Consultant*
 - e. EPC Contractor (if selected)*
 - f. Facility Operator and Manager*
 - g. Financial Advisor*
 - h. Health and Safety Consultant*
 - i. Labor Liaison*
 - j. Legal Counsel*
 - k. Operating Period Lender and/or Tax Equity Provider, as applicable*
 - l. Owner's Engineer*
 - m. Transmission Consultant*
-

The shared expertise of the sponsors (Ørsted and Eversource) in developing, financing, constructing, and operating energy projects will be supplemented by third-party firms as described below. This approach has been used in the successful construction of South Fork Wind and the start of construction of the Project and Revolution Wind. [REDACTED]

a. Construction Period Lender

[REDACTED]

b. Community Liaison Officer

[REDACTED]

c. Diversity, Equity, and Inclusion Officer

[REDACTED]

[REDACTED]

[REDACTED]

d. Environmental Consultant

[REDACTED]

e. EPC Contractor (if selected)

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

f. Facility Operator and Manager

The Proposer's affiliate, Orsted Wind Power North America LLC (Operations and Maintenance [O&M] Provider), will be the Facility Operator and Manager.

Offshore

The O&M Provider has developed a preliminary O&M plan that leverages the collective experience of the Ørsted organization. For offshore wind O&M, Ørsted has developed and instituted a rigorous operation and maintenance program that is continuously improved over time to benefit from lessons learned. Modeled on the successful track record of Ørsted, the offshore portion of the Project's O&M plan has three major components:

- [Redacted]
- [Redacted]
- [Redacted]

Onshore

[Redacted]

g. Financial Advisor

[Redacted]

h. Health and Safety Consultant

[REDACTED]

i. Labor Liaison

[REDACTED]

j. Legal Counsel

[REDACTED]

k. Operating Period Lender and/or Tax Equity Provider

[REDACTED]

l. Owner's Engineer

[REDACTED]

m. Transmission Consultant

[REDACTED]

6.1.5 Project Experience

A list of projects of similar type, size, technology and/or complexity that each of the Project participants (Proposer and any development partners) has had a role in developing, financing, owning, and operating generation and transmission facilities, and any evidence that the Project participants have worked jointly on other projects. Identify the specific members of the Project Team that worked on each project listed.

The Proposer and its affiliates have projects under development and under contract. Descriptions of those projects are provided in Table 6.3, Table 6.4, and Table 6.5. Project team members listed in Section 6.1.3 have contributed in some manner to the projects listed in Table 6.5. Specifically, the Proposer's team has been working on the development of the Project since 2018 and has transitioned into the construction phase with the start of the civil work for the onshore converter station in 2023. Many of the team members also played key roles in the development and construction of South Fork Wind, which recently started delivering power to the Long Island Power Authority (LIPA) under its Power Purchase Agreement (PPA), and Revolution Wind, which is entering its construction phase. More details can be provided upon request.

Table 6.3 Ørsted Project Experience

Project/Program	Location	Description	Size and Project Technology	In-Service Date	Status	Capacity Factor (Estimated) ¹			Capacity Factor (Actual) ²			Availability Factor (Actual) ³		
						2019	2020	2021	2019	2020	2021	2019	2020	2021
USA														
Skipjack Wind Farm	Maryland	Offshore Wind	966 MW; GE 15-MW Haliade-X		Under Development	■	■	■	■	■	■	■	■	■
Coastal Virginia Offshore Wind	Virginia Beach	Offshore Wind	12 MW; Technology TBD	2020	Under Construction	■	■	■	■	■	■	■	■	■
Block Island Wind Farm	Block Island, Rhode Island	Offshore Wind	30 MW; GE 6 MW SWT	2016	In Operation	■	■	■	■	■	■	■	■	■
Denmark⁴														
Anholt	Kattegat (DK)	Offshore Wind	400 MW; Siemens Gamesa SWT-3.6-120	2013	In Operation				■	■	■	■	■	■
Avedøre Holme	Øresund (DK)	Nearshore Wind	10.8 MW; Siemens Gamesa SWT-3.6-107/120	2009 / 2011	In Operation				■	■	■	■	■	■
Horns Rev 2	North Sea (DK)	Offshore Wind	209.3 MW; Siemens Gamesa SWT-2.3-93	2010	In Operation	■	■	■	■	■	■	■	■	■
Horns Rev 1	North Sea (DK)	Offshore Wind	160 MW; Vestas V80-2 MW	2003	In Operation				■	■	■	■	■	■
Nysted	Fehmarnbelt (DK)	Offshore Wind	165.6 MW; Bonus SWT 2.3-82	2003	In Operation				■	■	■	■	■	■
Middelgrunden	Øresund (DK)	Nearshore Wind	20 MW; Bonus B76/2000	2001	Divested (2018)									
Vindeby	Smålandsfarvandet (DK)	Offshore Wind	4.95 MW; Bonus B35/450	1991	Decommissioned									
Germany⁵														
OWP West	North Sea (DE)	Offshore Wind	240 MW; Technology TBD	2024	Under Development	■	■	■	■	■	■	■	■	■
Borkum Riffgrund West 2	North Sea (DE)	Offshore Wind	240 MW; Technology TBD	2024	Under Development	■	■	■	■	■	■	■	■	■
Gode Wind 3	North Sea (DE)	Offshore Wind	110 MW; Technology TBD	2023	Under Construction	■	■	■	■	■	■	■	■	■
Borkum Riffgrund 2 ⁶	North Sea (DE)	Offshore Wind	450 MW; MVOW 8.3 MW-164	2018	In Operation	■	■		■	■		■	■	
Gode Wind 1	North Sea (DE)	Offshore Wind	330 MW; Siemens SWT 6.0-154	2016	In Operation				■	■	■	■	■	■
Gode Wind 2	North Sea (DE)	Offshore Wind	252 MW; Siemens SWT 6.0-154	2016	In Operation				■	■	■		■	■
Borkum Riffgrund 1	North Sea (DE)	Offshore Wind	312 MW; Siemens SWT 4.0-120	2015	In Operation				■	■	■		■	■
Netherlands														
Borssele 1 & 2	North Sea (NL)	Offshore Wind	752 MW; Siemens Gamesa 8 MW	2020	In Operation	■	■	■	■	■	■	■	■	■
United Kingdom														
Hornsea 2	North Sea (UK)	Offshore Wind	1,386 MW; SGRE-8.0-167	2022	In operation	■	■	■	■	■		■	■	■
Hornsea 1	North Sea (UK)	Offshore Wind	1,200 MW; SGRE-7.0-154	2020	In Operation	■	■	■	■	■		■	■	■
Walney Extension	Irish Sea (UK)	Offshore Wind	659 MW; MHI-Vestas V164-8.0 MW & Siemens SWT-7.0-154	2018	In Operation	■	■	■	■	■		■	■	■
Race Bank	North Sea (UK)	Offshore Wind	573 MW; SWT-6.0-154	2018	In Operation	■	■	■	■	■		■	■	■
Burbo Bank Extension	Irish Sea (UK)	Offshore Wind	254 MW; V164-8.0 MW (MHI Vestas Offshore Wind)	2017	In Operation	■	■	■	■	■		■	■	■
Westermost Rough	North Sea (UK)	Offshore Wind	210 MW; SWT-6.0-154	2015	In Operation				■	■		■	■	■
West of Duddon Sands	Irish Sea (UK)	Offshore Wind	388.8 MW; SWT-3.6-120	2014	In Operation				■	■		■	■	■

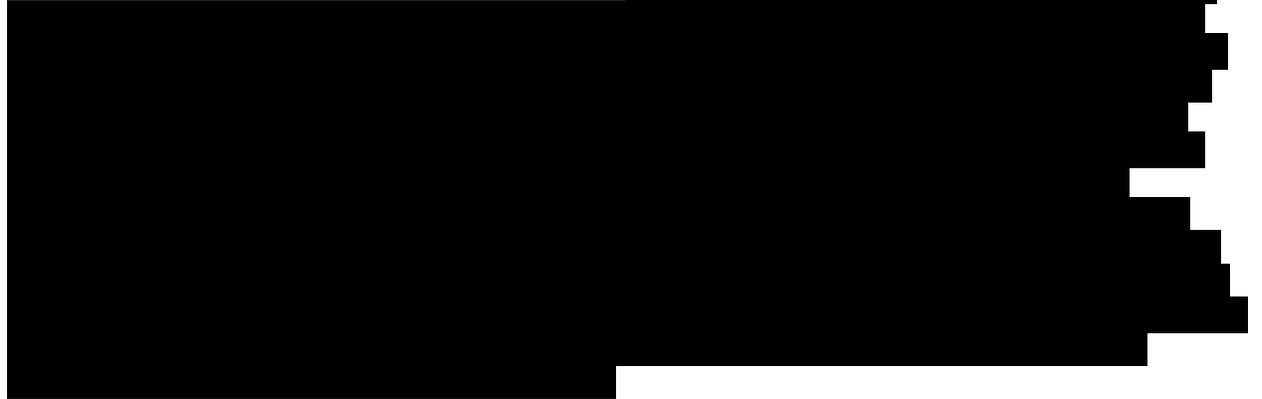
Project/Program	Location	Description	Size and Project Technology	In-Service Date	Status	Capacity Factor (Estimated) ¹			Capacity Factor (Actual) ²			Availability Factor (Actual) ³		
						2019	2020	2021	2019	2020	2021	2019	2020	2021
Gunfleet Sands Demo	Thames Estuary (UK)	Offshore Wind	12 MW; SWT-6.0-120	2013	In Operation	█	█	█	█	█	█	█	█	█
Lincs	North Sea (UK)	Offshore Wind	270 MW; SWT-3.6-120	2013	In Operation				█	█		█	█	█
London Array 1	Thames Estuary (UK)	Offshore Wind	630 MW; SWT-3.6-120	2013	In Operation				█	█		█	█	█
Walney 1	Irish Sea (UK)	Offshore Wind	183.6 MW; SWT-3.6-107	2011	In Operation				█	█		█	█	█
Walney 2	Irish Sea (UK)	Offshore Wind	183.6 MW; SWT-3.6-120	2011	In Operation				█	█		█	█	█
Gunfleet Sands 1	Thames Estuary (UK)	Offshore Wind	108 MW; SWT-3.6-107	2010	In Operation				█	█		█	█	█
Gunfleet Sands 2	Thames Estuary (UK)	Offshore Wind	64.8 MW; SWT-3.6-107	2010	In Operation	█			█	█		█	█	█
Burbo Bank	Irish Sea (UK)	Offshore Wind	90 MW; SWT-3.6-107	2007	In Operation	█	█	█	█	█	█	█	█	█
Barrow	Irish Sea (UK)	Offshore Wind	90 MW; V90-3 MW Offshore (Vestas)	2006	In Operation	█	█	█	█	█	█	█	█	█
Taiwan														
Formosa I – Phase II	Taiwan Strait	Offshore Wind	120 MW; 6.0 MW SWT-154	2019	In Operation	█	█	█	█	█	█	█	█	█
Formosa 1 – Phase 1	Taiwan Strait	Offshore Wind	8 MW; 4.0 MW SWT-120	2017	In Operation	█	█	█	█	█	█	█	█	█
Greater Changhua	Taiwan Strait	Offshore Wind	Technology TBD	TBD	Under Development	█	█	█	█	█	█	█	█	█
[REDACTED]														

Sources: Danish Energy Agency, Fraunhofer ISE & EEX, National Grid, and Ørsted.

6.1.6 Project Disputes or Litigation

Disclose any pending (currently or in the past three years) Health/Safety Enforcement Notice, litigation or disputes related to projects planned, developed, owned or managed by Proposer or parent companies or JV partners, or related to any energy product sale agreement.

Pending litigation information can be found in the annual reports in Section 7.7, which disclose material litigations involving the Owners' respective affiliates. 


On August 10, 2020, Eversource Energy Service Company was served with a purported "cookie cutter" class action lawsuit arising out of Tropical Storm Isaias, captioned Krysztof Kosieradzki et al. v. Eversource Energy Service Company, in Connecticut superior court. The plaintiffs are allegedly two residential customers and one business customer who purport to bring this class action on behalf of themselves and other Connecticut homeowners and business owners who were electrical service customers who lost their electrical power during Tropical Storm Isaias. As of the date of the complaint, the plaintiffs had been out of power for three days. The plaintiffs' law firm brought a similar (nearly identical) putative class action lawsuit against The Connecticut Light and Power Company in 2012 in the aftermath of the October 29, 2011, Winter Storm Alfred. In this new complaint, plaintiffs' law firm cut and pasted from the prior complaint (even asserting that the plaintiffs during this July tropical storm "lost their electrical power following the snowstorm"). The prior class action suit lacked legal and factual merit and resolved for an insignificant amount, prior to the company's filing of dispositive motions. After Eversource removed the case to the U.S. District Court for the District of Connecticut, Plaintiffs withdrew the case and refiled a revised complaint in Connecticut state court but modified the description of the putative class to prevent removal to federal court (Kosieradzki et al. v. CL&P, Docket No.: X06-UWY-CV-21-6061453-S). The case has been re-assigned to Judge Glenn Pierson in the Waterbury Complex Litigation Docket. Over CL&P's objection, the Court granted Plaintiffs' motion to substitute 4 different plaintiffs in the case. Discovery proceeds in the case and the Court has issued a new scheduling order.

On July 15, 2016, the U.S. Attorney, on behalf of the U.S. Army Corps of Engineers (USACE), filed a civil action in the U.S. District Court for the District of Massachusetts under provisions of the *Rivers and Harbors Act of 1899* and the *Clean Water Act* against NSTAR Electric Company, Harbor Electric Energy Company, a wholly-owned subsidiary of NSTAR Electric Company (HEEC), and the Massachusetts Water Resources Authority (together with NSTAR Electric Company and HEEC, the "Defendants"). The action alleged that the Defendants failed to comply with certain permitting requirements related to the placement of the HEEC-owned electric distribution cable beneath Boston Harbor. The action sought an order to compel HEEC to comply with cable depth requirements in the USACE permit or alternatively to remove the electric distribution cable and cease unauthorized work in U.S. waterways. The action also sought civil penalties and other costs. The parties reached a settlement pursuant to which HEEC agreed to install a new 115-kV distribution cable across Boston Harbor to Deer Island, utilizing a different route,

and remove portions of the existing cable. Construction of the new distribution cable was completed in August 2019 and removal of the portions of the existing cable was completed in January 2020. The USACE agreed to accept an in lieu fee in full satisfaction of Eversource/HEEC's obligation to mitigate eel grass impacts caused by HEEC's excavation efforts in the harbor. On February 9, 2023, a Voluntary Stipulation of Dismissal With Prejudice was filed with the USDC in accordance with the settlement of this matter.

Since February 2021, nine lawsuits have been filed against federal, New York State, and local government entities challenging their approvals for the South Fork Wind project, which is currently being constructed by the Proposer's affiliate South Fork Wind, LLC:

- *Citizens for the Preservation of Wainscott v. Town of East Hampton*, No. 601847/2021 (N.Y. Sup. Ct. (Suffolk County)) (filed Feb. 2, 2021) ("Town of East Hampton")
- *Allco Renewable Energy Ltd. et al. v. Haaland et al.*, Civ. No. 21-11171 (D. Mass.) (filed July 8, 2021) ("Allco Renewables")
- *Kinsella v. N.Y. Pub. Serv. Comm'n & N.Y. Dep't of Pub. Serv.*, No. 2021-06572 (N.Y. App. Div. (2d Dep't)) (filed Sept. 10, 2021)
- *Citizens for the Preservation of Wainscott v. N.Y. Pub. Serv. Comm'n et al.*, No. 2021-06582 (N.Y. App. Div. (2d Dep't)) (filed Sept. 10, 2021)
- *Kinsella et al. v. Long Island Power Auth. et al.*, No. 621109/2021 (N.Y. Sup. Ct. (Suffolk County)) (filed Nov. 9, 2021)
- *Mahoney et al. v. U.S. Dep't of the Interior et al.*, Civ. No. 22-1305 (E.D.N.Y.) (filed Mar. 9, 2022)
- *Kinsella v. Bureau of Ocean Energy Mgmt. et al.*, Civ. No. 22-2147 (D.D.C.) (filed July 20, 2022)
- *Preservation Soc'y of Newport Cty. v. Haaland et al.*, Civ. No. 23-3510 (D.D.C.) (filed Nov. 22, 2023)
- *Se. Light Found. v. Haaland et al.*, Civ. No. 23-3514 (D.D.C.) (filed Nov. 22, 2023)

One of the lawsuits (*Citizens for the Preservation of Wainscott v. N.Y. Pub. Serv. Comm'n et al.*) has been decided on the merits in favor of the South Fork Wind project. Three of the lawsuits (*Citizens for the Preservation of Wainscott v. Town of East Hampton*, *Allco Renewables*, and *Mahoney*) have been dismissed by courts (with no appeal pursued). The other five remain pending. South Fork Wind, LLC, has intervened or been named as a respondent in all of the cases and is defending the challenged governmental action(s) in all of the still-pending ones.

In addition, two companion lawsuits to the most recently filed South Fork Wind project lawsuits have been filed against Federal officials challenging their approvals for the Revolution Wind project, which is currently being developed by the Proposer's affiliate, Revolution Wind, LLC:

- *Preservation Soc'y of Newport Cty. v. Haaland et al.*, Civ. No. 23-3513 (D.D.C.) (filed Nov. 22, 2023)
- *Se. Light Found. v. Haaland et al.*, Civ. No. 23-3515 (D.D.C.) (filed Nov. 22, 2023)

Revolution Wind, LLC has intervened in both lawsuits. Furthermore, a state-court lawsuit was filed on June 12, 2023, against the Rhode Island Coastal Resources Management Council regarding its *Coastal Zone Management Act* consistency certification concurrence for Revolution Wind, LLC (*Green Oceans v. Coastal Resources Management Council*, Civ. No. NC-2023-0206 [R.I. Super. Ct. Newport Cty.]).

Finally, a Federal-court lawsuit was filed on January 16, 2024 against Federal officials challenging their approvals for the projects being developed by the Proposer's affiliates Revolution Wind, LLC and South Fork Wind, LLC (Green Oceans et al. v. U.S. Dep't of Interior et al., Civ. No. 24-141 (D.D.C.)).

[REDACTED]

[REDACTED]

6.1.7 Purchase or Sales Disputes

Describe any material litigation, disputes, claims or complaints, or events of default or other failure to satisfy contract obligations, or failure to deliver products, involving Proposer or a parent company, and relating to the purchase or sale of energy, capacity or RECs or other electricity products.

Neither the Proposer nor any of its affiliates has been implicated in any litigation, disputes, claims or complaints, or events of default or other failure to satisfy contract obligations, or failure to deliver products, relating to the purchase or sale of energy, capacity, or renewable energy certificates or other electricity products in the U.S.

[REDACTED]

See Section 6.1.6 for further details regarding pending litigation.

6.2 PERMITTING PLAN

6.2.6.2 All required federal, regional, state, and local permits and approvals must be identified, and the status of each permit or approval must be provided. Proposers should provide context to the status of each permit, such as known barriers or issues which may materially affect the Project's permitting approval timelines.

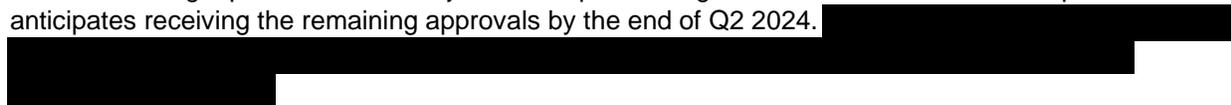
Proposers are required to demonstrate a plan for environmental assessment and permit acquisition for the Offshore Wind Generation Facility. Proposers should provide the following information:

- 1. A comprehensive list of all the permits, licenses, and environmental assessments and/or environmental impact statements required to construct and operate the Project. Along with this list, identify the governmental agencies that are responsible for issuing approval of all the permits, licenses, and environmental assessments and/or environmental impact statements. If a Proposer has secured any permit or has applied for a permit, please indicate this in the response.*
 - 2. The anticipated timeline for seeking and receiving the required permits, licenses, and environmental assessments and/or environmental impact statements. Include a Project approval assessment which describes, in narrative form, each segment of the process, the required permit or approval, the status of the request or application and the basis for projection of success by the milestone date. All requirements should be included on the Project Schedule as described in Section 6.2.5.1.*
 - 3. The SAP and COP, if completed. If the SAP and/or COP are not completed, provide the status of development of these plans and a proposed plan and timeline for completion.*
-

The Proposer's team has a great deal of experience in siting and permitting large energy infrastructure projects, standing out among its peer groups of developers. As the largest wind developer in the U.S., with approximately 3,000 MW under contract on the east coast and a growing onshore wind presence with 3,000 MW current generation capacity, the Proposer's organization is currently engaged at both the federal and state levels in substantial environmental assessment work in support of permit acquisition. The Project team successfully permitted and constructed the first offshore wind facility in the U.S., the Block Island Wind Farm, and obtained all permits for South Fork Wind, New York's first utility-scale wind farm, and for Revolution Wind, both of which are under construction (and in the case of South Fork, delivering power to LIPA). Ørsted currently has 22.4 GW total installed, under construction, and awarded offshore wind capacity globally. Eversource, as the largest transmission system owner and developer in New England, has decades of experience in addressing environmental requirements in support of successfully permitted projects.

The Proposer is currently engaged in permitting and outreach activities in New York State and at the federal level for the Project and in continued outreach activities for South Fork Wind (as it transitions into its operation phase). Once construction of the Project is complete, both projects will interconnect in Long Island. NYSERDA has had an opportunity to observe the Proposer's team and its diligent work with federal, state, and local permitting authorities in support of South Fork Wind, which started construction in 2022 and began delivering power to LIPA earlier this year, and the Project, which has completed the New York State Article VII process and is nearly complete with BOEM's review. Specifically, for the Project, the New York State Public Service Commission issued a Certificate of Environmental Compatibility and Public Need (Certificate) in November 2022, and subsequently approved the Environmental Management and Construction Plans (EM&CPs) in June 2023 and December 2023. BOEM issued the Draft Environmental Impact Statement in December 2022 and the Final Environmental Impact Statement in December 2023, and expects to issue a Record of Decision in February 2024.

The Permitting Plan, including a permit matrix, is attached as Attachment 6-1. As described in Attachment 6-1, the Proposer has received 30 of the required permits and approvals (including those needed to start civil construction for the onshore converter station in 2023) and is awaiting final approvals of the remaining 8 permits for the Project before proceeding into full construction. The Proposer anticipates receiving the remaining approvals by the end of Q2 2024.



The Proposer is confident that the first-hand experience that NYSERDA has with the Project team exhibits the Proposer's knowledge in environmental assessment work and permit acquisition and, importantly, results in the continued ability to further the Proposer's partnership with New York State and construct Sunrise Wind.

The COP, as well as the Draft Environmental Impact Statement and Final Environmental Impact Statement issued by BOEM, are available at: <https://www.boem.gov/renewable-energy/state-activities/sunrise-wind>

6.3 FINANCING PLAN

6.2.6.3 Proposers must submit a financing plan that demonstrates a firm financing commitment for the Project that supports project execution. The Financing Plan must include:

6.3.1 Financing History

A short description of projects that the Proposer has financed or is in the process of financing.

[REDACTED]

6.3.2 Detailed Financing Plan

A description of the Financing Plan for the Project including construction and term financing including:

- a. Project financiers (or those being considered to finance) and the related financing mechanism or mechanisms that will be used (i.e., convertible debenture, tax or contingent equity, other) including repayment schedules and conversion features
 - b. Project's existing financial structure and projected financial structure
 - c. Expected sources of debt and equity financing and uses, including details of how the construction phase of the project will be financed and any agreements, both pre and post Commercial Operation Date, entered into with respect to equity ownership in the proposed Project and any other financing arrangement
 - d. How any such agreements would differ under different pricing options for the Submission (e.g., Fixed OREC vs. Index OREC, Inflation Adjusted, or Interconnection Cost Sharing)
 - e. Estimated construction costs and consideration for contingencies or cost overruns
-

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) As described above, [REDACTED]

(c) As described above, [REDACTED]

[REDACTED]

(e) The estimated construction cost for the Project [REDACTED]

6.3.3 Financial Strength

Evidence that Proposer has the financial resources and financial strength to complete and operate the Project as planned.

As described throughout this section, Ørsted and Eversource are stable and diverse energy companies with robust balance sheets that reflect the financial strength needed to complete and operate the Project in the ordinary course of their respective businesses.

Ørsted is traded on Nasdaq Copenhagen Stock Exchange, with an equity market capitalization of approximately \$25 billion. Ørsted was listed in June 2016. The IPO was the largest in Europe in the last 5 years and the largest IPO ever in Denmark, both in terms of deal size and market cap.

Eversource is a large cap company traded on the New York Stock Exchange, with an equity market capitalization of approximately \$20 billion. Eversource is listed as number 335 on the Fortune 500 2024 list of the largest U.S. corporations (by gross revenues). Eversource has invested \$9.5 billion in new infrastructure in the past three years.

Financial and cash flow data for Ørsted and Eversource is provided in Table 6.6, Table 6.7, Table 6.8, and Table 6.9.

Table 6.6 Ørsted Selected Consolidated Financial Data - Balance Sheet and Income Statement

	(Millions of Dollars)			
	2022	2021	2020	2019
Balance Sheet Data:				
Total Assets	43,980	37,854	27,541	2,700
Capital Employed	17,654	15,318	15,354	14,951
Income Statement Data:				
Revenue	18,519	10,874	7,021	9,856
EBIT	2,768	2,267	1,261	1,622
	Assumes DKK to USD exchange rate of 0.14 Source: Ørsted 2022 Annual Report			

Table 6.7 Ørsted Selected Consolidated Cash Flow Data - Funds from Operations and Debt Issuances

	(Millions of Dollars)			
	2022	2021	2020	2019
Cash flow from operating activities	1,669	1,701	2,305	1,831
Interest-bearing net debt	4,280	3,399	1,728	2,412
	Assumes DKK to USD exchange rate of 0.14 Source: Ørsted 2022 Annual Report			

Table 6.8 Eversource Selected Consolidated Financial Data - Balance Sheet and Income Statement

Source: 2021 and 2022 ES 10K	(Millions of Dollars)		
	2022	2021	2020
Balance Sheet Data:			
Property, Plant and Equipment, Net	36,113	33,374	30,883
Total Assets	53,231	48,492	46,100
Total Capitalization	35,353	31,779	29,345
Income Statement Data:			
Operating Revenues	12,289	9,863	8,904
Net Income	1,412	1,228	1,213

Table 6.9 Eversource Selected Consolidated Cash Flow Data - Funds from Operations and Debt Issuances

Source: 2022 ES 10K	(Millions of Dollars)		
	2022	2021	2020
Net Cash Flow Provided by Operating Activities	2,401	1,963	1,683
Issuance of Long-term Debt	4,045	3,230	2,760
Increase/(Decrease) in Short-term Debt	(78)	256	14
Total Debt Issuances	3,967	3,486	2,774

As demonstrated, both Eversource and Ørsted are large, growing companies and had a combined cash flow of nearly \$4 billion and a combined market capitalization of over \$70 billion in 2022. Moreover, both possess deep capital-market expertise, as evidenced by their ability to routinely access the public debt and equity markets. For example, in November 2017, Ørsted issued green hybrid capital securities and green senior unsecured bonds totaling €1.25 billion (approximately \$1.5 billion); in May 2019, Ørsted issued green senior bonds totaling GBP 900 million (approximately \$1.1 billion); and between November 2019 to November 2020, Ørsted issued green senior bonds totaling NTD 27 billion (\$885 million).

Eversource parent successfully issued Series Z Senior Notes in March 2023 totaling \$750 million and issued three series of notes in May of 2023 (Series Z reopener, Series AA, and Series BB) totaling \$1.8 billion.

6.3.4 Insurance Program

The planned insurance program, including how climate-related physical risks are factored into the insurance deductible and if added resilience measures or design and construction features taken to strengthen the ability of the Project to handle climate shocks or stresses may act to lower insurance premiums or deductibles.

The offshore wind insurance sector is well established and has been insuring the physical damage-related risks associated with the construction and operation of offshore wind farms worldwide, including in the U.S.³

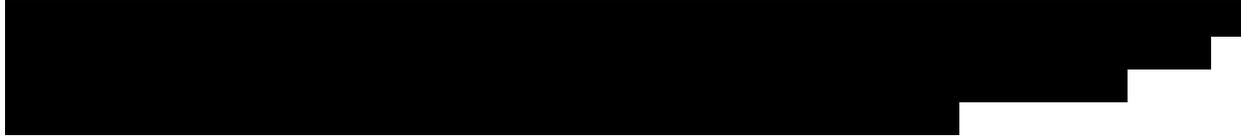
Weather-related risks such as hurricanes, earthquakes, and floods are well understood by the insurance market and there is significant capacity available globally for companies to insure these types of weather-related risks where they cause physical damage. In locations more susceptible to weather-related risks (whether caused by changing climate or not), the insurance market will require higher insurance premiums related to these perils and will require higher deductibles and implement sub-limits.

[REDACTED]

[REDACTED]

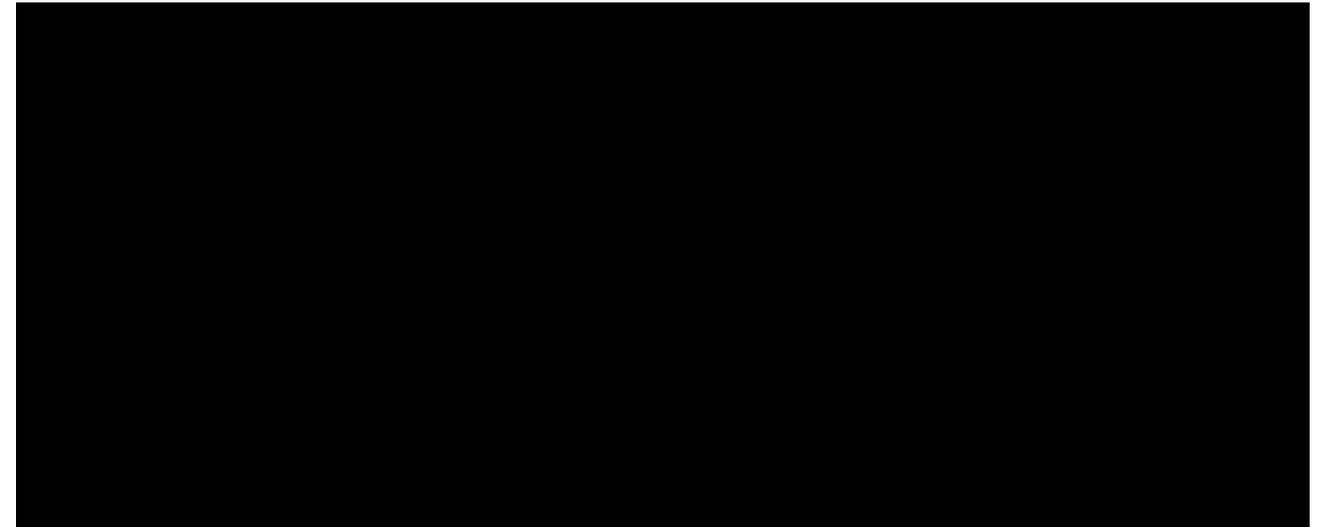
[REDACTED]

³ In addition to Project insurance, it is also important to note that many components also carry warranties.



6.3.5 Inflation Estimate

The method the Proposer will use to estimate inflation using an index or indices that are relevant to the Project's construction and operations costs.



6.3.6 Tax Credits

The role of the Federal Production Tax Credit or Investment Tax Credit (or other incentives) on the financing of the Project, including presumed qualification year and percentage and estimated eligible capital expenditures. Provide an explanation for the assumed ability or inability to qualify for the Federal Production Tax Credit or Investment Tax Credit. The Proposal may not be contingent on receipt of the Production Tax Credit or Investment Tax Credit. Refer to Section 2.1.5 and to Section 5.07 of the Agreement for the Bid Price adjustment related to receipt of Project Qualifying Federal Support.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6.3.7 Financial Statements and Annual Reports

Complete copies of the most recent audited financial statement and annual report for each Proposer for each of the past three years; including parent companies of Proposer (if audited statements are not available, reviewed or compiled statements are to be provided). Also, provide the credit ratings from Standard & Poor's and Moody's (the senior unsecured long-term debt rating or, if not available, the corporate rating) of Proposer and any parent companies and development partners.

[REDACTED] The annual reports for Ørsted (formerly known as DONG Energy) for the past three fiscal years (ending December 31, 2022) are available here: <https://orsted.com/en/investors/ir-material/annual-reporting-2022>; [annual-report-2021.ashx \(azureedge.net\)](#); and [annual-report-2020.ashx \(azureedge.net\)](#). The annual reports for Eversource for the past three fiscal years (ending December 31, 2022) are available here: <https://www.eversource.com/content/docs/default-source/investors/2022-annual-report.pdf>; [2021-annual-report.pdf \(eversource.com\)](#); and [2020-annual-report.pdf \(eversource.com\)](#).

[REDACTED]
The current senior unsecured (long-term) debt ratings of Ørsted and Eversource are provided in Table 6.10.

Table 6.10 Ørsted and Eversource Credit Ratings (as of January 2024)

Sponsor	S&P	Moody's	Fitch
Ørsted	BBB+ (watch negative)	Baa1 (negative)	BBB+ (negative)
Eversource	BBB+ (watch negative) ¹	Baa2 (negative)	BBB (stable)
Note: ¹ Rating for senior unsecured long-term debt. Corporate Credit rating is A-.			

6.3.8 Security

The Proposer's ability (and/or the ability of its credit support provider) to provide the required security, including its plan for doing so.

The Proposer has provided the required security under its existing agreement with NYSERDA and has the ability to supplement that performance assurance required under the OREC Agreement. The Owners have ample resources to provide bid security on behalf of the Proposer. [REDACTED]

[REDACTED] Ørsted operates with a liquidity reserve which, at December 31, 2022, amounted to USD 13.7 billion (December 31, 2021: DKK 6 billion). The financial resources were in particular built up during the year to ensure sufficient liquidity to cope with collateral payments and continuing investments in the green transformation. The change in liquidity reserve is due to an increase in cash, available securities, and undrawn credit facilities.

6.3.9 Credit Issues

A description of any current or recent credit issues / credit rating downgrade events regarding Proposer or parent companies raised by rating agencies, banks, or accounting firms. Provide information regarding any exposure of the Proposer and/or parent companies including joint ventures to adverse events related to investments and other activities in Russia. Discuss corporate withdrawals from investments in Russia, the impact of write-offs, write-downs and/or related impairment charges and government sanctions arising from the conflict in Ukraine affecting the Proposer, parent companies and/or joint venture participants, including limited liability corporations.

Ørsted has been placed on CreditWatch Negative by S&P and negative outlook by Fitch and Moody's. Ørsted has not experienced any other credit issues or credit events aside from these changes in rating outlook by the mentioned agencies. It is expected that S&P will resolve their CreditWatch Negative in Q1 2024, which may result in a confirmation of the current rating or a downgrade. In the event of a downgrade, Ørsted is well-positioned to handle this, and the rating would remain within the investment grade space and in line with other peers in the utility space.

Eversource experienced recent adverse rating events (i.e., change in outlook or rating) in January 2024 from the three major rating firms. Current ratings and outlooks are reflected in Section 6.3.7. Other than rating agencies' negative outlooks that have the potential to result in a future rating change, Eversource is not aware of any pending credit issues or credit rating downgrade events, nor any other financial issues raised by rating agencies, banks, or accounting firms.

6.3.10 Credit Issues Associated with Energy Projects

Details of any events of default or other credit/financial issues associated with all energy projects (other than those under contract with NYSEERDA) in which the Proposer (and other equity partners), its parent companies, and directors, officers, and senior managers of those entities, participated over the past three years.

Neither the Proposer nor any of its affiliates has been implicated in any events of default or other credit/financial issues associated with energy projects in which the Proposer participated over the past three years. The annual reports referenced in Section 6.3.7 include any material claims relating to affiliates of the Proposer.

6.3.11 Project Budget Assurances

The allowances or mechanisms in place to address high risk contingencies and cost overruns in the Project budget, including how the Proposer will address the risk of increases to project cost. For example, refer to the Project's commitment to utilize financial hedging instruments and/or pass through commodity price risk to suppliers.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6.4 EQUIPMENT, DEVELOPMENT, AND LOGISTICS PLAN

6.2.6.4 The Equipment, Development, and Logistics Plan will highlight the proposed technology inclusive of procurement strategy for the Primary Components, key marine terminals, and vessels to support the construction, operations, and maintenance phases of the Project, and include a holistic risk assessment to all Project phases.

The Equipment, Development, and Logistics Plan must first outline the specific technology or equipment planned for the Project, including the track record of the technology and equipment and other information as necessary to demonstrate that the selected Primary Component equipment and technology is viable.

Provide a preliminary engineering plan which includes at least the following enumerated information. If specific information is not known, identify manufacturers, vendors, and equipment that will be considered.

6.4.1 Preliminary Engineering Plan

6.4.1.1 Type of Technology

1. Type of turbine and sub-station foundation, Offer Capacity, and radial export cable transmission technology.

The Project will be built with 11 MW Siemens Gamesa SG 11.0-200 DD turbines.⁴ Turbine foundations will be transition piece (TP)-less monopiles (MPs) custom-built for the Project and its site conditions. The offshore converter station will be on a piled jacket foundation. [REDACTED]

[REDACTED] To bring its power to shore, the Project includes a new HVDC transmission system that will connect the WTGs to the 138 kV onshore substation at Holbrook in Zone K, as further described in the Interconnection and Deliverability Plan.

[REDACTED]

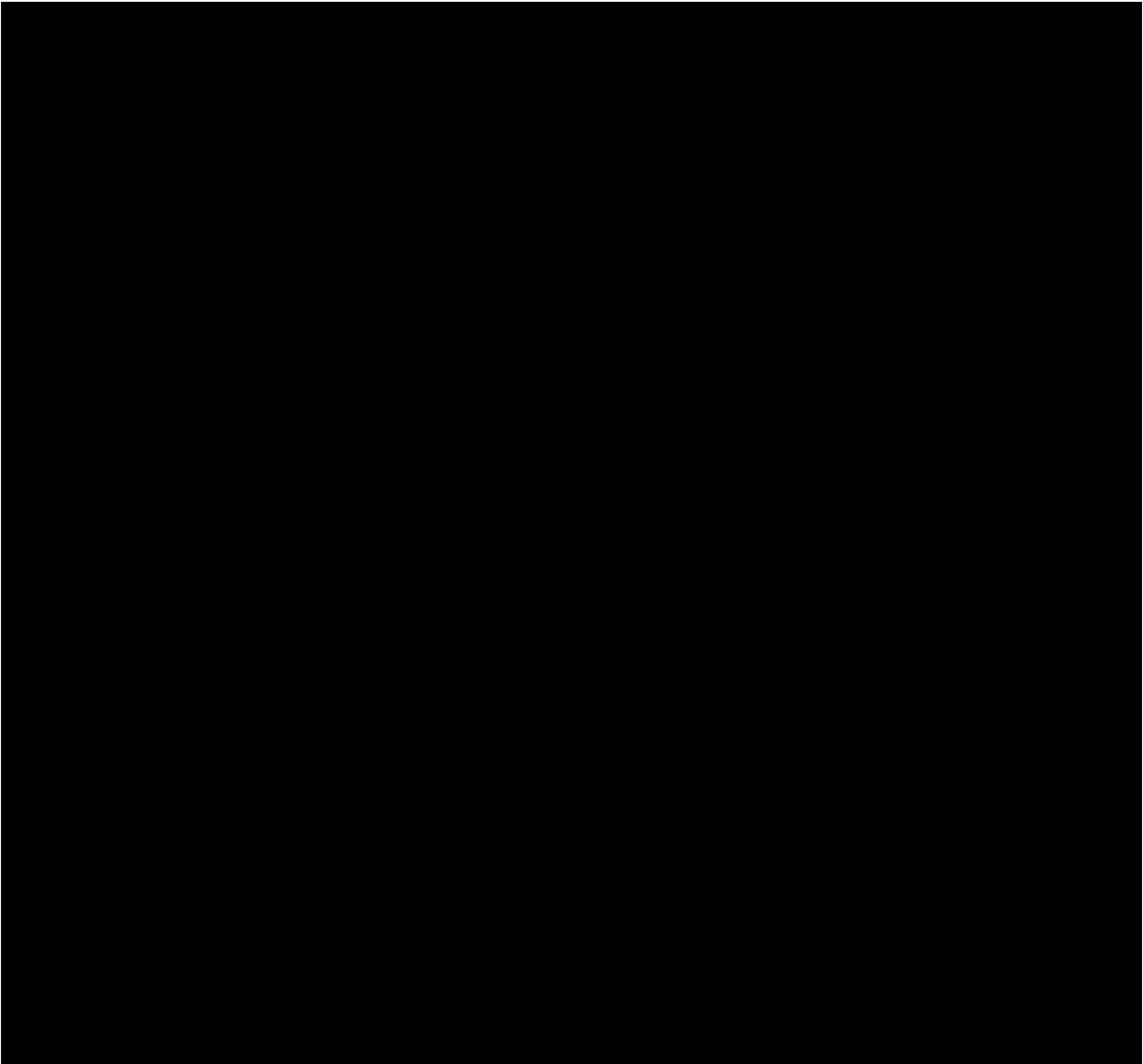
The information in this section is supported by details available in the Project's publicly available COP⁶.

6.4.1.2 Primary Components

2. Primary Components to be used, including the manufacturer or proposed manufacturer and location of manufacturing for each.

[REDACTED]

⁶ Throughout this section, numerous references are made to the Project's publicly available COP. The most recent COP is dated December 20, 2023, available at: <https://www.boem.gov/renewable-energy/state-activities/sunrise-wind-construction-and-operation-plan>.



6.4.1.3 Status of Acquisition of Primary Components

3. Status of acquisition of the Primary Components, including any contracts for the Primary Components that Proposer has secured or plans to secure and the status of any pertinent commercial arrangements.

[Redacted]

[Redacted]

[Redacted]

6.4.1.4 Other Equipment or Service Vendors

4. Other equipment or service vendors identified/considered

[Redacted]

[Redacted]

6.4.1.5 Design and Performance History

5. Design and performance history of the selected Primary Components and equipment

All equipment is based on proven technology and produced by industry-leading manufacturers. The equipment will all build on technology platforms with a strong history of performance described in [REDACTED] See Section 6.4.3 for the expected operational performance of the Project.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6.4.1.6 Design Considerations for the Circular Economy

6. Design considerations that help to support responsible disposal and/or recycling of Primary Components after the end of their useful life and equipment plans that generally aim to consider the precepts of the circular economy.

By 2040, all aspects of Ørsted’s operations and supply chain are targeted to be carbon neutral, including all project decommissioning procedures. All decommissioned materials removed from the Project are intended to be recycled or repurposed for another use, ensuring the value of the materials/resources are retained and maintained as best as possible within a circular economy framework. Component disposal is viewed as a last resort.

The following section describes the current supply chain activities of the Proposer’s organization to develop and design offshore wind projects, including Sunrise Wind. These activities maximize construction efficiencies and reduce materials/resources consumed from the outset. Specifically:

[REDACTED]

Both Ørsted and Eversource are committed to a zero-carbon procurement strategy and reducing environmental impacts through their value chain. [REDACTED]

[REDACTED]

6.4.1.7 Procurement Strategy for Additional Components

7. In the event the Primary Components or Sub-component manufacturers have not yet been selected, identify in the equipment procurement strategy the factors under consideration for selecting the preferred equipment, including alignment with the considerations above, as well as the anticipated timing associated with the selection of the equipment manufacturer, including the timing for binding commercial agreement(s).

[REDACTED]

6.4.2 Construction and Logistics

The Equipment, Development, and Logistics Plan must further explain the necessary arrangements and processes for outfitting, assembly, storage, and deployment of Primary Components. Please provide a section focused on construction and logistics that captures the following objectives:

[REDACTED]

[REDACTED]

6.4.2.1 Deployment - Major Tasks and Responsible Parties

1. List the major tasks or steps associated with deployment of the proposed Project and the necessary specialized equipment (e.g., vessels, cranes).
2. List the party or parties responsible for each deployment activity and describe the role of each party. Describe the status of Proposer’s contractual agreements with third-party equipment/service providers.

[REDACTED]

Table 6.14 summarizes the major tasks associated with the deployment of each of the Primary Components, as well as the necessary specialized equipment and the parties responsible for each task. Additional information about the tasks are available in the section of the COP that is referenced in the table.

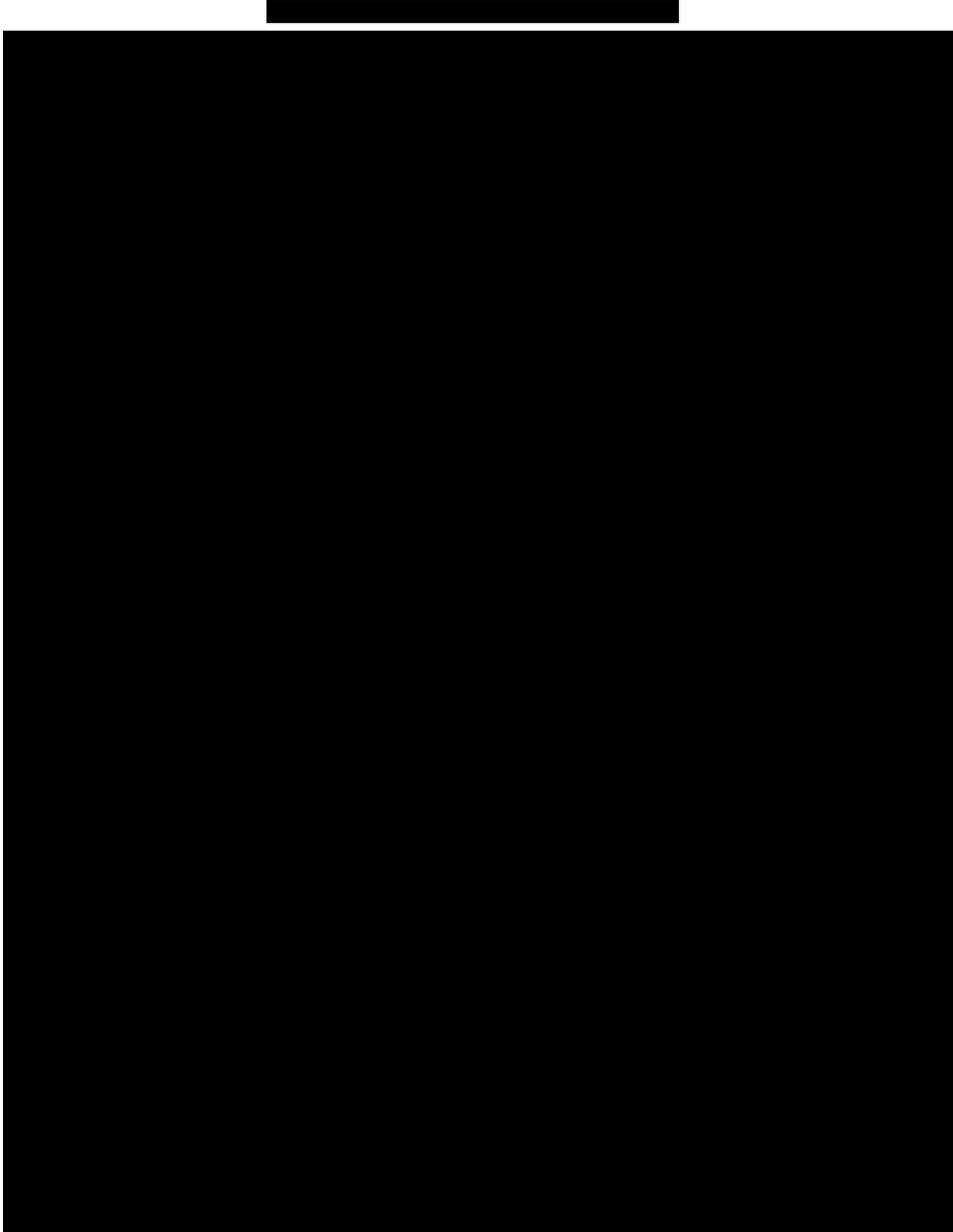
[REDACTED]

Each of the Primary Components will typically have its own installation contract with a specialized contractor, and additional details about the responsible party for each deployment activity is described in Table 6.15.

Table 6.14 Deployment Status and Responsibility

Primary Component	Tasks	[REDACTED]	[REDACTED]	[REDACTED]
Generation				
Foundations (COP Section 3.3.5.2)	1. Geophysical surveys 2. Seafloor preparation 3. Scour protection 4. Monopile transport and delivery 5. Monopile installation	[REDACTED]	[REDACTED]	[REDACTED]
WTGs (COP Section 3.3.8.2)	1. WTG transport and delivery 2. WTG tower installation 3. WTG nacelle installation 4. WTG blade installation	[REDACTED]	[REDACTED]	[REDACTED]
Inter-Array Cables (COP Section 3.3.7.2)	1. Geophysical surveys 2. Seafloor preparation 3. Cable installation 4. Cable protection	[REDACTED]	[REDACTED]	[REDACTED]

Primary Component	Tasks	[REDACTED]	[REDACTED]	[REDACTED]
Transmission				
Export Cable (COP Sections 3.3.3.3 and 3.3.3.4)	<ol style="list-style-type: none"> 1. Geophysical surveys 2. Seafloor preparation 3. Cable installation 4. Joint construction 5. Cable protection <ol style="list-style-type: none"> 1. Landfall HDD installation 	[REDACTED]	[REDACTED]	[REDACTED]
Offshore Converter Station (COP Section 3.3.6.2)	<ol style="list-style-type: none"> 1. Foundation transport and delivery 2. Topside transport 3. Topside installation 	[REDACTED]	[REDACTED]	[REDACTED]
Onshore Converter Station (COP Section 3.3.1.2)	<ol style="list-style-type: none"> 1. Survey and staking (complete) 2. Clearing and grading (complete) 3. Foundation installation 4. Equipment installation 5. Restoration 	[REDACTED]	[REDACTED]	[REDACTED]
Onshore Transmission Cable (COP Section 3.3.2.3)	<ol style="list-style-type: none"> 1. Survey and staking 2. Site preparation 3. Clearing and grading 4. Duct bank and vault installation 5. Cable installation 6. Cable jointing 7. Restoration <ol style="list-style-type: none"> 1. ICW HDD installation 2. Carmans River HDD installation 3. Trenchless installation 	[REDACTED]	[REDACTED]	[REDACTED]
Onshore Interconnection Cable (COP Section 3.3.2.3)	<ol style="list-style-type: none"> 1. Geophysical surveys 2. Seafloor preparation 3. Cable installation 4. Joint construction 5. Cable protection <ol style="list-style-type: none"> 1. Landfall HDD installation 	[REDACTED]	[REDACTED]	[REDACTED]



6.4.2.2 Marine Terminals and Other Waterfront Facilities

3. Identify the marine terminals and other waterfront facilities that will be used to stage, assemble, and deploy the Project for each stage of construction.

a. If available, evidence that Proposer or the equipment/service provider have right(s) to use a marine terminal and/or waterfront facility for construction of the Project (e.g., by virtue of ownership or land development rights obtained from the owner).

b. If not available, describe the status of acquisition of real property rights for necessary marine terminal and/or waterfront facilities, any options in place for the exercise of these rights and describe the plan for securing the necessary real property rights, including the proposed timeline. Include these plans and the timeline in the overall Project Schedule in Section 6.2.5.1.

c. Identify any joint use of existing or proposed real property rights for marine terminal or waterfront facilities.

The marine terminals and other waterfront facilities that will be used to stage, assemble, and deploy the Project for each stage of construction are summarized in [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



6.4.2.3 Laydown Facilities

4. Describe the proposed approach for staging and deployment of Primary Components to the Project site. Include a description and discussion of the laydown facility/facilities to be used for construction, assembly, staging, storage, and deployment.



Table 6.17 Deployment Status and Responsibility

Primary Component			
Generation			
Foundations			
WTGs			
Inter-Array Cables			
Transmission			
Export Cable			
Offshore Converter Station			
Onshore Converter Station			
Onshore Transmission Cable			
Onshore Interconnection Cable			

6.4.2.4 Vessels

5. Indicate the number, type and size of vessels that will be used, their respective uses, and how vessels will be secured for the required construction period. Explain how Proposer's deployment strategy will conform to requirements of the Merchant Marine Act of 1920 (the Jones Act).

The Proposer has identified the vessels that will be used for the Project. [REDACTED]

Jones Act Qualification

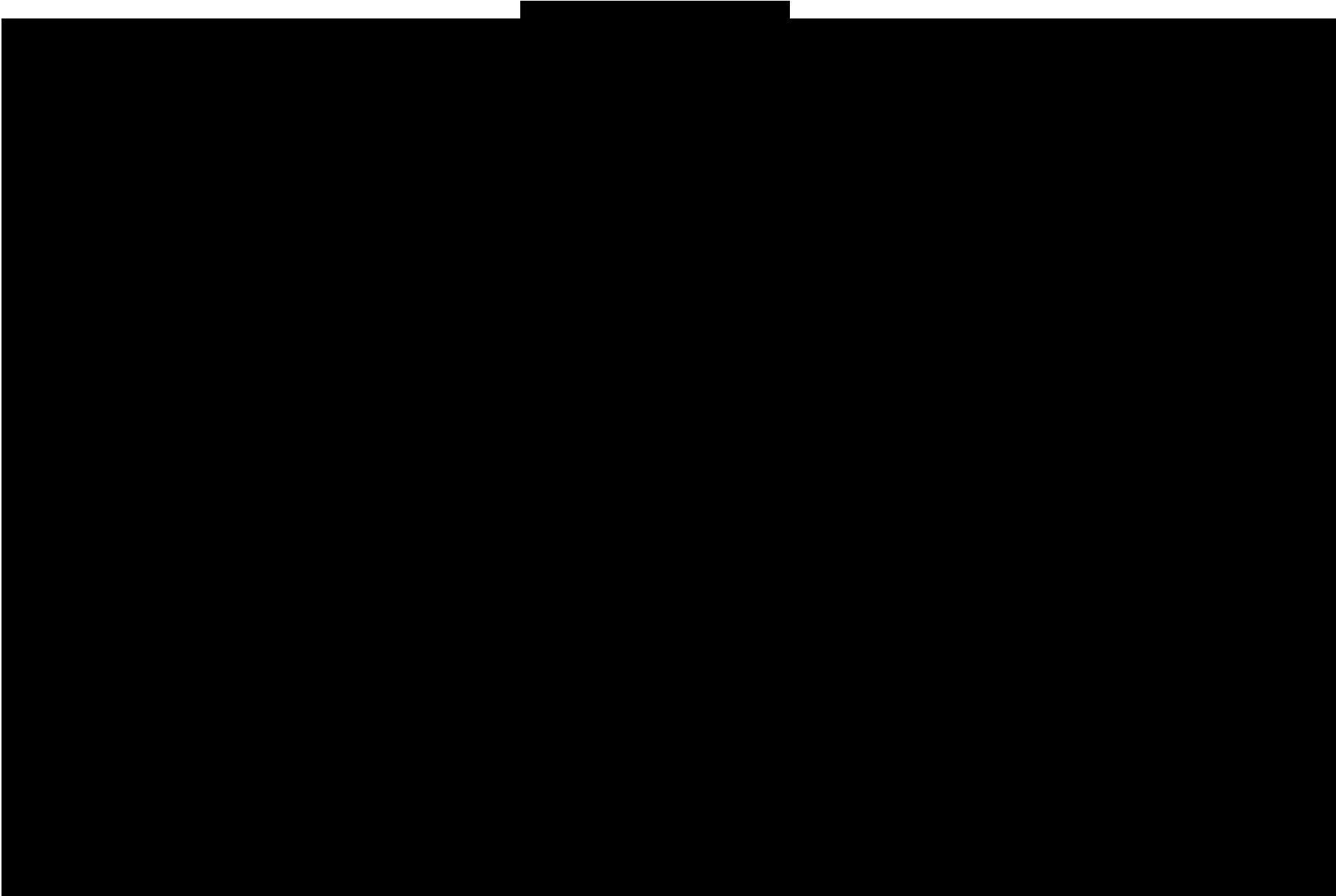
In June 2021, Proposer announced that it had reached a charter agreement with Blue Ocean Energy Marine, a subsidiary of Dominion Energy Inc., to utilize the first *Jones Act*-qualified Wind Turbine Installation Vessel (WTIV), the Charybdis, for WTG installation. [REDACTED]

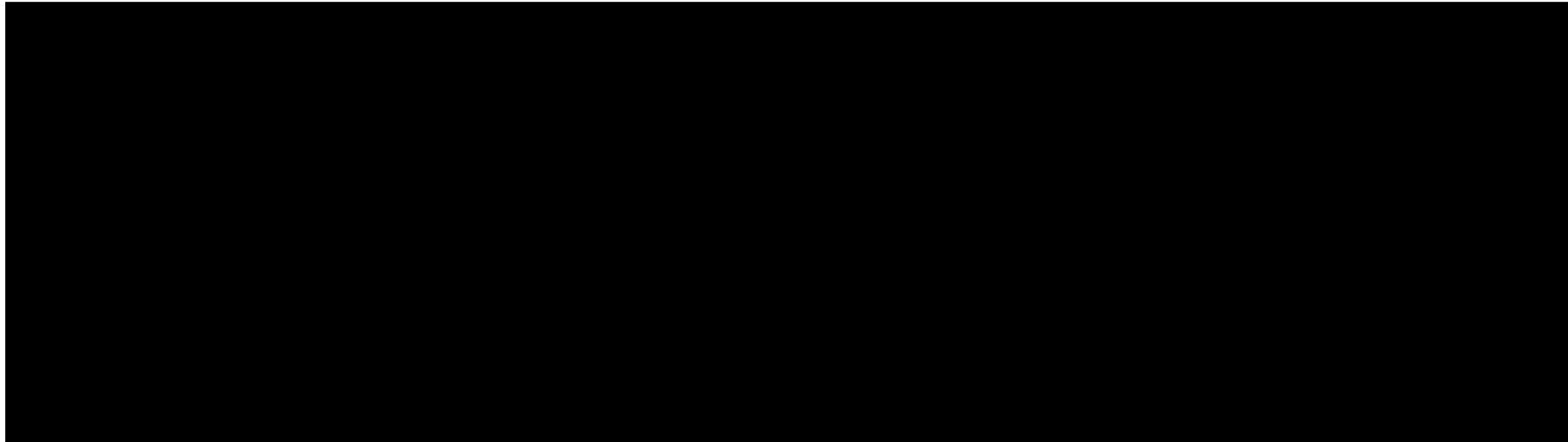
[REDACTED] In October 2020, the Proposer's organization announced the execution of a long-term charter agreement with Edison Chouest Offshore for the provision of the first-ever U.S. flagged *Jones Act*-qualified Service Operation Vessel (SOV). [REDACTED]

[REDACTED] includes the number, type, and size of vessels that will be used and their respective roles.

[REDACTED]

[REDACTED]





6.4.3 Operating Parameters

The equipment, Development, and Logistics Plan should then detail the operating parameters for the Project, including the anticipated maintenance schedule.

1. Provide partial and complete planned outage requirements in weeks or days for the Offshore Wind Generation Facility. Also, list the number of months required for the cycle to repeat (e.g., list time interval of minor and major overhauls, and the duration of overhauls)

6.4.3.1 Maintenance Outage Requirements

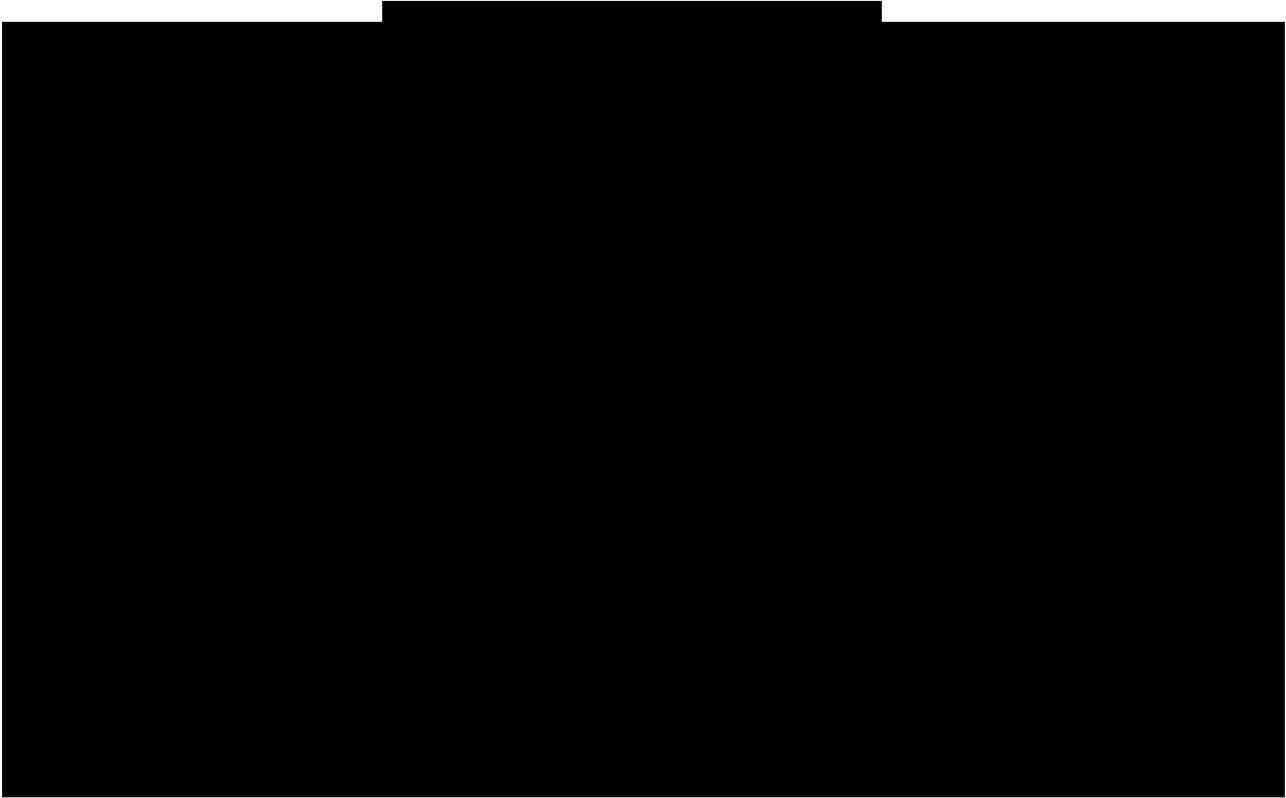
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Maintenance Plan

Wind Turbine Generators



Foundations and Structures

[REDACTED]

[REDACTED]

[REDACTED]

Transmission Assets

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6.4.3.2 Operating Constraints

2. Provide all the expected operating constraints and operational restrictions for the Project, the reason for the limitation, and characterize any applicable range of uncertainty.

[Redacted]

Technical Parameters

[Redacted]

[Redacted]

[Redacted]

Offshore Accessibility for Maintenance Work

[Redacted]

[Redacted]

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6.5 QUALITY, HEALTH, AND SAFETY

6.2.6.5 The Quality Health and Safety section should outline the overall approach to ensuring quality health and safety for the project and include:

Demonstration of loss prevention through risk observation, near miss, and incident reporting and tracking systems

[REDACTED]

[REDACTED]

[REDACTED]

Disclosure of any Health/Safety Convictions and any Health/Safety Enforcement Notice(s) in the past 10 years

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Examples of the Project Team safety and security policies or best practices to be implemented through all the project phases (e.g., ritual pre-job safety meetings, Stop the Job or Stop Work Authority policies, basic injury prevention, IT and Cyber Security measures, fatigue management, etc.) and the degree to which Major Suppliers and any contractor or supplier of the Project are expected to be trained in and adhere to Project Team best practices.

[REDACTED]

[REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A high level hazard analysis and risk controls matrix identifying the severest hazards to Project quality and security and human health and safety, and the mitigative measures to be taken to reduce both the likelihood or severity of those hazards.

Proposers are advised to review to the [Health and Safety Study](#) prepared for the New York State Offshore Wind Master Plan.

6.6 PROJECT RISK REGISTER

6.2.6.6 The Proposal must include a Project Risk Register that identifies a minimum of 30 significant risks to realizing the successful development and operation of the Project. This must include the provision of any significant infrastructure outside the remit of the Project on which the Project depends. For example, a new point of interconnection.

The project risk register should include identification and treatment of the risks associated with permitting, engineering, procuring equipment, construction, operations, maintenance, health, safety, security, or any other risks associated with the Project.

The Project risk register should be included in Microsoft Excel format structured as follows:

- 1. Each sheet should correspond to the key Project phases: Development, Construction and Installation, Operations and Maintenance, and Decommissioning.*
 - 2. For each sheet, the spreadsheet rows each correspond to one specific risk associated with permitting, engineering, procuring equipment for, constructing, servicing and operating the project.*
 - 3. For each sheet, the separate spreadsheet columns should:*
 - a. Describe each risk in detail.*
 - b. Provide an assessment of the likelihood of occurrence and impact on, or consequences for, the project schedule and/or cost of each potential risk, preferably in a combined risk score, describe the various scenarios under which the risk may occur and the likelihood of occurrence (low, medium, high)*
 - c. Describe the severity of impact to project quality or personnel health and safety if the risk were to occur (low, medium, high). Proposers should consider the worst-case scenario. Each potential impact can be related to but not limited to the proposers, their collaborations, permitting, finance, technology, construction, operations, including project quality, security, health or safety risk, and energy yield.*
 - d. Identify the risk treatment or risk mitigation measures to be applied. Measures taken to address the risk either reduce the likelihood of occurrence (avoid the risk) or reduce the severity of impact (through mitigation, insurance, and/or protection)*
 - e. Describe how each proposed risk treatment will be implemented and enforced, including the status of implementation where applicable, and assess the effectiveness of proposed risk reduction strategies and re-score the perceived risk (low, medium, high).*
-

The Project Risk Register is attached as Attachment 6-6.

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Attachment 6-1

Project Permitting Plan



Permitting Plan for Sunrise Wind

**Excerpt from
Construction and Operations Plan
Section 1.4 Regulatory Framework**

**Prepared by
Sunrise Wind LLC**

**Sunrise
Wind**

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December 20, 2023

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The following permitting summary is provided as an excerpt from [Section 1.4 of the COP](#) for the Project. The Proposer has received 30 of the required permits and approvals and is awaiting final approvals of the remaining 8 permits for the Project. The Proposer anticipates receiving the remaining approvals by early summer 2024.

1.1 Regulatory Framework

Project components will be located in three areas: federal waters of the OCS, state waters of New York, and onshore in the Town of Brookhaven, New York. As such, several federal, state, and local regulatory agencies have jurisdictional authority over the Project. The federal, state, and local permits, approvals, and consultations applicable to the Project are listed in Table 1.4-1, along with the date of anticipated issuance. These are described further in the subsections that follow. A summary of consultations to-date with federal, state, and local agencies is provided in [COP Appendix A – Agency Correspondence](#) and a summary of strategies for fisheries communications is provided in [COP Appendix B – Fisheries Communication and Outreach Plan](#).

Sunrise Wind was granted coverage under the “FAST-41” framework for improving the federal review and authorization of large-scale infrastructure projects on September 17, 2020. The purpose of Title 41 of Fixing America’s *Surface Transportation Act* (42 United States Code [USC] § 4,370 *m et seq.*), known as FAST-41, is to “enhance timeliness, coordination, transparency, predictability and oversight of the federal reviews and permitting required prior to construction.” BOEM is one of 17 government agencies that have been identified as cooperating agencies under FAST-41 to conduct project reviews concurrently, rather than sequentially, in order to streamline the permitting process.

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Table 1.4-1 Summary of Permits, Approvals, and Consultations

Regulatory Authority	Permit/Approval	Statute/Regulation	Anticipated Approval Date
FEDERAL PERMITS, APPROVALS, AND CONSULTATIONS			
BOEM	Issuance of Commercial Lease of Submerged Lands for Renewable Energy Development on the OCS	30 CFR § 585; <i>Outer Continental Shelf Act</i> (43 USC §§ 1331 et seq.)	OCS-A-0487 Lease effective on October 1, 2013, Amended on March 15, 2021
	Approval of Site Assessment Plan	30 CFR §§ 585.610-618	A SAP is not anticipated to be needed
	Approval of Construction and Operations Plan	30 CFR §§ 585.621-627	Anticipated Q1 2024
	Consultation with National Oceanic and Atmospheric Administration National Marine Fisheries Service (NOAA Fisheries) [(previously National Marine Fisheries Service [NMFS]) and United States Fish and Wildlife Service (USFWS)]	Section 7 of the <i>Endangered Species Act</i> (ESA) (16 USC §§1531 et seq.)	
	Consultation with NOAA Fisheries	<i>Magnuson-Stevens Fishery Conservation and Management Act</i> (MSFCMA) (16 USC §§1801 et seq.), <i>Marine Mammal Protection Act</i> (50 CFR § 216, 16 USC §§ 1361 et seq.)	
	Consultation with USFWS	<i>Migratory Bird Treaty Act</i> (MBTA) (16 USC §§ 703 et seq.) and <i>Bald and Golden Eagle Protection Act</i> (16 USC §§ 668 et seq.)	
	Review under <i>National Environmental Policy Act</i> (NEPA) in consultation with the USACE, National Park Service (NPS) and other cooperating agencies	42 USC §§ 4321 et seq.), BOEM regulations (30 CFR §§ 585.646,585. 648(b)), and other relevant regulations	

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Regulatory Authority	Permit/Approval	Statute/Regulation	Anticipated Approval Date
	Review under Section 106 in consultation with Advisory Council on Historic Preservation, State Historic Preservation Offices (SHPO), and Tribal Historic Preservation Offices (THPO)	Section 106 of the <i>National Historic Preservation Act</i> of 1966, as amended (54 USC § 306.108)	
	Approval of Facility Design Report	30 CFR §§ 585.538.701	To be reviewed by a CVA and submitted to BOEM after COP approval
	Approval of Fabrication and Installation Report	30 CFR § 585.700	
USACE	Issuance of Individual Permit	Section 404, <i>Clean Water Act</i> (CWA; 33 USC § 1344), Section 10, <i>Rivers and Harbors Act</i> (33 USC §§ 333, 403) and Section 14, <i>Rivers and Harbors Act</i> (33 USC § 408)	Anticipated Q1 2024
United States Environmental Protection Agency (EPA)	Issuance of OCS Air Permit and Conformity Determination	<i>Clean Air Act</i> (40 CFR § 55, 60; 42 USC § 7627)	Anticipated Q1 2024
	Issuance of National Pollutant Discharge Elimination System (NPDES) Individual Permit	<i>Clean Water Act</i> (Section 316(b), 40 CFR § 122, 33 USC § 1251)	Anticipated Q1 2024
NOAA	Approval of Letter of Authorization (LOA)	<i>Marine Mammal Protection Act</i> (50 CFR § 216, 16 USC §§ 1361 et seq.)	Anticipated Q1 2024
US Coast Guard (USCG)	Approval for Private Aids to Navigation	USCG regulations (33 CFR § 64.11)	Issued four weeks prior to start of offshore construction
	Local Notice to Mariners		Issued two weeks prior to start of vessel mobilization for offshore construction
NPS	Right-of-Way (ROW) Permit and Special Use Permit	36 CFR § 14 (54 USC §100902)	Anticipated Q1 2024

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Regulatory Authority	Permit/Approval	Statute/Regulation	Anticipated Approval Date
Federal Aviation Administration	Notice of Proposed Construction or Alteration (for onshore activity as applicable)	14 CFR Part 77.0	Received Q2/Q3 2023 and Anticipated Q4 2023
STATE PERMITS, APPROVALS, AND CONSULTATIONS			
New York State			
NYSPSC, New York State Department of Public Service	Certificate of Environmental Compatibility and Public Need	Article VII of the New York Public Service Law (PSL; 16 New York Codes, Rules and Regulations [NYCRR] Parts 85 through 88), New York Environmental Conservation Law (NYECL) Article 15, Article 24, and Article 25	CECPN issued November 17, 2022 Water Quality Certification issued August 15, 2023
	Water Quality Certification	Section 401 of the CWA and Implementing Regulations (6 NYCRR Parts 701, 702, 704, 754 and Part 800 to 941)	
	Consultation with New York State Department of Environmental Conservation	Protection of Waters Permit (Article 15 (6 NYCRR Part 608 and 621); Freshwater Wetlands Permit (Article 24, Parts 663 to 665); Tidal Wetlands Permit (Article 25 (6 NYCRR Part 661))	
		Threatened and endangered species (NYECL Article 11 Section 535; 6 NYCRR Part 182)	
NYSPSC, New York State Department of Public Service (cont'd)	Consultation with New York State Office of Parks, Recreation and Historic Preservation, State Historic Preservation Offices (NYSHPO)	Section 106 of the <i>National Historic Preservation Act</i> , Section 14.09 of the New York State <i>Historic Preservation Act</i> of 1980, and Section 233 of the State Education Law (submerged archaeological resources)	
	Consultation with New York State Department of Agriculture and Markets	Article 25-AA of the Agriculture and Markets Law of 1994	
	Section 68 Petition, Permission to exercise grants of municipal rights	Article VII (Section 68(1))	

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Regulatory Authority	Permit/Approval	Statute/Regulation	Anticipated Approval Date
	Environmental Management and Construction Plan	Article VII (16 NYCRR Parts 85 through 88)	Received June 23, 2023 for EM&CP 1, Received December 14, 2023 for EM&CP 2
New York State Department of Environmental Conservation (NYSDEC)	State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity	GP-0-20-001 for Stormwater Discharges from Construction Activity, pursuant to 6 NYCRR Part 750-757	Received June 15, 2023
New York State Department of Transportation (NYSDOT) – Region 10	Utility or Highway Work Permit	New York State Highway Law (Article 3, Subsection 52, 17 NYCRR Part 131) and 23 CFR Part 645	Received August 10, 2023
New York State Office of General Services (NYSOGS), Bureau of Land Management	Easement to Use New York State Lands Under Water	New York State Public Lands Law (Article 2, Section 3, Subsection 2)	Anticipated Q1 2024
New York State Department of State (NYSDOS), Division of Coastal Resources	Concurrence with Coastal Zone Management Program (CZMP) Federal Consistency Certification	<i>Coastal Zone Management Act (CZMA)</i> (16 USC 1451 et seq., 15 CFR Part 930, and 30 CFR 585.611(b), 627(b)) and State Article 42 of the Executive Law (19 NYCRR Part 600 and 6 NYCRR Part 617)	Received August 24, 2023 and August 30, 2023

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Regulatory Authority	Permit/Approval	Statute/Regulation	Anticipated Approval Date
Rhode Island			
Rhode Island Coastal Resources Management Council (RI CRMC)	Concurrence with CZMP Federal Consistency Determination	CZMA (16 USC §§ 1451 et seq., 15 CFR § 930, and 30 CFR §§ 585.611(b), 627(b)) and Rhode Island Coastal Resources Management Program (RI CRMP) (Section 400)	Received September 7, 2023
Massachusetts			
Massachusetts Coastal Zone Management (MACZM)	Concurrence with CZMP Federal Consistency Determination	Pursuant to CZMA (16 USC §§ 1451 et seq, 15 CFR § 930, and 30 CFR §§ 585.611(b), 627(b)), Massachusetts General Law (M.G.L.) (21A, Subpart 4A) and Massachusetts CZMP Policies (310 Code of Massachusetts Regulations [CMR] 20.00 and 21.00)	Received October 6, 2023

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1.1.1 BOEM-Led Permits and Approvals

BOEM has the authority and responsibility to regulate activities associated with the production, transportation, or transmission of renewable energy resources on the OCS under the *Outer Continental Shelf Lands Act (OCS Lands Act)* (43 USC § 1337). BOEM must ensure that any approved activities are safe, conserve natural resources on the OCS, are undertaken in coordination with relevant federal agencies, provide a fair return to the US, and are compliant with all applicable laws and regulations (30 CFR § 585.102), including the *National Environmental Policy Act (NEPA)*.

BOEM issued Renewable Energy Lease Area OCS-A 0487 to Sunrise Wind for development of a renewable energy project(s) within the Lease Area. The construction and O&M of the Project will require a COP that is compliant with BOEM regulations (30 CFR § 585) and that is approved by BOEM prior to the start of construction. With approval of this COP, Sunrise Wind requests that BOEM issue a project easement for the portions of the SRWEC located in federal waters (i.e., SRWEC–OCS other than the portion located within the Lease Area). Pursuant to both 30 CFR § 585.200(b) and Section 6 Lease OCS-A 0487, and at BOEM's request, Sunrise Wind also submitted a formal request for a Project Easement on September 1, 2023.

BOEM is expected to coordinate with agencies such as the National Oceanic and Atmospheric Administration (NOAA), US Fish and Wildlife Service (USFWS), National Park Service (NPS), US Coast Guard (USCG), the US Department of Defense (DoD), US Department of Transportation's Federal Aviation Administration (FAA), and the US Bureau of Safety and Environmental Enforcement (BSEE) to complete necessary project reviews. In addition, federal agency review of the Project must also occur under NEPA, Section 106 of the *National Historic Preservation Act (NHPA)*, and Section 307 of the *Coastal Zone Management Act (CZMA)*, which requires concurrence from New York State, Rhode Island, and Massachusetts for the Coastal Zone Management Program (CZMP) federal consistency determination for each state, as described below.

1.1.1.1 *National Environmental Policy Act*

The NEPA (42 USC § 4321 et seq.) requires federal agencies to evaluate the potential impacts of any proposed federal action and to consider alternatives to the proposed action (42 USC § 4332, 40 CFR §§ 1500-1508). There are several federal actions associated with the Project that require review under NEPA including but not limited to: BOEM's approval of the COP; USACE issuance of an Individual Permit; NPS issuance of a right-of-way (ROW) Permit within Fire Island National Seashore; and NOAA issuance of a Letter of Authorization (LOA). For renewable energy facilities on the OCS, BOEM acts as the Lead Federal Agency for NEPA review and compliance.

BOEM will lead the preparation of an Environmental Impact Statement (EIS) to evaluate potential impacts associated with implementation of the Project (40 CFR § 1501.7[g]). Federal agencies, identified as cooperating agencies in the NEPA process, are responsible for reviewing the Project's impacts to protected resources under their jurisdiction and evaluating the need for mitigation measures. These agencies will have the opportunity to comment through interagency consultations required for federal permitting (NEPA, USACE Individual Permit Application). In addition, BOEM will be required to satisfy Section 106 of the NHPA, which requires consideration of historic properties.

1.1.1.2 *Endangered Species Act*

Section 7 of the *Endangered Species Act (ESA)* requires that federal agencies ensure their actions do not destroy or jeopardize the existence of critical habitat of any threatened or endangered species listed under the ESA. To comply with this obligation, BOEM is required to consult with USFWS and NOAA Fisheries.

USFWS and NOAA Fisheries would be responsible for reviewing Project impacts to protected resources and evaluating the need for mitigation measures. These agencies will have the opportunity to comment

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through interagency consultations required for federal permitting. USFWS and NOAA Fisheries will review impacts to marine, coastal, and terrestrial threatened and endangered species protected by the ESA.

If construction or O&M is likely to adversely impact listed species under USFWS jurisdiction (such as terrestrial animal or plant species or avian species), or under NOAA Fisheries jurisdiction (such as fish species), then an Incidental Take Authorization may be required from USFWS or NOAA Fisheries under the ESA. In addition, NOAA Fisheries may be required to issue an LOA pursuant to the *Marine Mammal Protection Act* (MMPA) (described further in Section 1.4.2).

Impacts to non-listed species and habitats will also be evaluated under several other wildlife protection laws, including the *Migratory Bird Treaty Act* (MBTA) of 1918, the *Bald and Golden Eagle Protection Act* of 1940, the MMPA, and the *Magnuson-Stevens Fishery Conservation and Management Act* (MSFCMA) of 1976 as amended.

1.1.1.3 National Historic Preservation Act

Section 106 of the NHPA, as amended (54 USC § 306108) requires that federal agencies consider the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register of Historic Places (NRHP). To comply with this obligation, BOEM is required to consult with the applicable State Historic Preservation Offices (SHPOs), Native American Tribes (hereafter referenced as Tribal Nations) commonly represented by Tribal Historic Preservation Offices (THPOs), and other interested parties. Appendix Z – *Cultural Resources Avoidance, Minimization, and Mitigation Measures*, submitted under confidential cover, presents a summary of the measures proposed by Sunrise Wind to support the Section 106 process.

1.1.1.4 Coastal Zone Management Act

The CZMA requires that federal actions impacting any coastal use or resource (defined as land or water use, or natural resource of a state's coastal zone), be conducted in a manner that is consistent with the enforceable policies of a state's federally approved CZMP or CRMP. Within this authority of the CZMA, state coastal programs that have been approved by NOAA may review federal actions impacting their coastal uses or resources or both, to verify that such activities are consistent with the state's enforceable program policies.

Sunrise Wind has prepared consistency certifications for review by New York, Rhode Island, and Massachusetts to confirm consistency with each state's enforceable policies impacting any coastal use or resource. In accordance with the "consistency" requirement of the CZMA (16 USC § 1456 as well as 307(c)(3)(A), and 15 CFR Part 930 §§ D and E), Appendix C – *Coastal Zone Management Consistency Certifications* presents a tabular summary of applicable enforceable policies under the CZMP or CRMP for these states and an evaluation of how the Project will be consistent with each policy, as well as cross references to specific sections of the COP where the policy is addressed. New York issued certification on August 24, 2023, and August 30, 2023; Rhode Island issued certification on September 7, 2023, and Massachusetts is anticipated to issue certification in October 2023.

1.1.2 Other Federal Permits, Approvals, and Consultations

In addition to the approvals led by BOEM, the Project will also require other federal approvals. These include an Individual Permit and Letter of Authorization from USACE; OCS Air Permit and NPDES Individual Permit from the US Environmental Protection Agency (EPA); LOA from NOAA Fisheries; Private Aids to Navigation Permits (PATON[s]) and Local Notice to Mariners from the USCG; ROW Permit and Special Use Permit from NPS; Notice of Proposed Construction or Alteration from the FAA; and an Analysis of Potential Military and Naval Impacts from the DoD.

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1.1.2.1 USACE - Individual Permit and Section 408 Letter of Authorization

USACE has jurisdiction over the Project pursuant to Section 10 and Section 14 of the *Rivers and Harbors Appropriation Act* of 1899 (RHA), and Section 404 of the *Clean Water Act* (CWA) due to the Project's location within navigable waters, federally maintained navigation channels, and Waters of the United States.¹ Sunrise Wind will apply for an Individual Permit from USACE Region 2 for the planned activities. The Individual Permit process includes an application sufficiency review, as well as review of proposed Project impacts on the environment, public notice, and a public hearing, which will be conducted in coordination with BOEM's review of the COP. Sunrise Wind submitted an application for an Individual Permit in August 2022. The USACE published public notice of their review of the application on December 16, 2022.

Section 404 of the CWA (33 USC § 1344) establishes federal regulatory authority over the discharge of dredged or fill material into Waters of the United States, including wetlands. These activities may include side-placement of material during installation of the SRWEC–NYS, temporary excavation of material associated with construction activities at the landfall, placement of concrete matting associated with cable protection along the SRWEC–NYS, and any temporary or permanent fill associated with the Onshore Facilities.

Section 10 of the RHA (33 USC § 403) requires authorization from the USACE for the construction of any structure in or over any navigable water of the United States, as well as fixed structures on the OCS. This includes installation of foundations on the OCS, as well as installation of the SRWEC–OCS and SRWEC–NYS under the seafloor. USACE Section 10 review of the Project will occur concurrently with the Section 404 review.

Section 14 of the RHA (33 USC § 408) ensures that congressionally-authorized benefits of a project are protected and maintained (e.g., flood risk management, coastal storm damage reduction, navigation) and to ensure the proposed alteration is not injurious to the public interest. Section 408 of the RHA allows USACE to grant permission for another party to alter a Civil Works² project constructed by the USACE, assuming such alteration will not be injurious to the public interest and will not impair the usefulness of the Civil Works project. The USACE will issue a Letter of Authorization for projects authorized under Section 408 of the RHA. This includes crossing of the Long Island Intracoastal Waterway (ICW), the Fire Island to Montauk Point Reformulation Study, and the Fire Island Inlet to Moriches Inlet Stabilization Project.

The USACE New York District will be a cooperating agency under BOEM's NEPA process to satisfy the NEPA requirements for these authorizations. USACE reviews under RHA Section 10 and 14, and CWA Section 404 will be processed concurrently with BOEM's NEPA review and USACE approval would be issued following conclusion of BOEM-led NEPA review.

¹ Waters of the United States are defined in 40 CFR 230.3(s)

² The USACE Civil Works programs include water resource development projects, including flood risk management, navigation, recreation, and infrastructure and environmental stewardship, as well as emergency response.

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1.1.2.2 EPA - Outer Continental Shelf Air Permit

The EPA regulates air quality on the OCS pursuant to the *Clean Air Act (CAA) Outer Continental Shelf Air Act* (42 USC § 7627; 40 CFR Part 55, 60), including emissions from the construction, O&M, and decommissioning of the Project, including any equipment, activity, or facility that emits, or has the potential to emit, any air pollutant; is regulated or authorized under the *OCS Lands Act*; and is located on the OCS, or in or on waters above the OCS. This definition includes vessels when they are permanently or temporarily attached to the seabed (40 CFR 55.2), as well as vessels associated with the Project while operating at the SRWF or within 25 mi (40.2 km) of the activity. Sunrise Wind submitted a Notice of Intent in September 2021 and Massachusetts was designated as the Corresponding Onshore Area (COA) in November 2021. The USEPA deemed the application complete on March 21, 2023.

Additionally, activities located in state territorial waters and within state nonattainment areas for National Ambient Air Quality Standards (NAAQS) may require a General Conformity determination, as specified in 40 CFR §93, Subpart B, to demonstrate that the activity will not interfere with the state implementation plan for air quality control and will not cause or contribute to new violations, and to support attainment and maintenance of the NAAQS.

1.1.2.3 EPA - National Pollutant Discharge Elimination System (NPDES) Individual Permit

The EPA regulates point sources that discharge pollutants to waters of the United States pursuant to the CWA (Section 316(b), 40 CFR § 122, 125, 33 USC § 1251). New York State has partially delegated authority within state jurisdiction (discussed in Section 1.4.3) and the EPA retains authority over point sources on the OCS.

The OCS–DC is located in federal waters and therefore does not fall within any specific state’s jurisdiction. Sunrise Wind submitted an individual NPDES permit for operation of the OCS–DC to the EPA Region 1 in December 2021 and that application has been deemed complete, and a draft permit was issued on May 17, 2023. Consistent with the description provided in §125.81, the OCS–DC is a new facility that is considered a point source, has a cooling water intake system (CWIS) that uses at least 25 percent of the water withdrawn for cooling, has a design intake flow (DIF) and discharge volume of approximately 8.1 million gallons per day, and is thus subject to the Track I requirements for new facilities defined at §125.84(b) as it pertains to Section 316(b) of the CWA.

1.1.2.4 NOAA Fisheries - Letter of Authorization

Pursuant to the MMPA (16 USC § 1361 et seq.), certain species and population stocks of marine mammals that are, or may be, in danger of extinction or depletion as a result of man’s activities should be protected and encouraged to develop to the greatest extent feasible commensurate with sound policies of resource management and the primary objective of their management should be to maintain the health and stability of the marine ecosystem.

The MMPA designated NOAA Fisheries (previously known as the National Marine Fisheries Service [NMFS]) as the primary agency responsible for the protection of whales, dolphins, porpoises, seals, and sea lions.

Construction and O&M of the Project requires consultation with NOAA Fisheries. Sunrise Wind submitted an application for a Letter of Authorization (LOA) for the unintentional “take” of marine mammals incidental to certain noise producing activities associated with the Project, including pile driving. That application was deemed complete in May 2022, the Notice of Receipt of Application was published in the Federal Register on June 2, 2022 (87 FR 33470), and a draft rule was published on February 8, 2023. Sunrise Wind will continue to consult with NOAA Fisheries.

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1.1.2.5 USCG - Private Aids to Navigation Permit and Local Notice to Mariners

The USCG exercises authority over maritime navigation in Waters of the United States pursuant to 33 CFR § 66 (49 USC § 44718). PATON includes all marine aids to navigation operated in the navigable Waters of the United States other than those operated by the Federal Government or those operated in State waters for private aids to navigation.

The USCG will issue a PATON approval for installation of the WTGs and OCS–DC to alert mariners to potential hazards to navigation. The PATON approval will be obtained after receipt of the USACE permit, approximately four weeks prior to the start of offshore construction.

A request for a Local Notice to Mariners (LNM) will be submitted to the USCG prior to vessel mobilization for construction activities to enable USCG to issue the LNM. An LNM is a weekly notification published by the USCG to disseminate information to mariners concerning aids to navigation, hazards to navigation, and other items of interest to marine users.

1.1.2.6 NPS - Right-of-Way Permit and Special Use Permit

NPS exercises authority over public lands included in the National Park System. While Smith County Park is not owned by the federal government, it is designated within the Fire Island National Seashore, and portions of the SRWEC–NYS and Onshore Transmission Cable will be located under the seafloor within the Fire Island National Seashore. As such, the Secretary of the NPS will issue a special use permit for temporary construction activities and will also grant a ROW Permit pursuant to 54 USC § 100902. Sunrise Wind submitted an application for these permits in September 2021 and the application was deemed complete in June 2022.

1.1.2.7 Federal Aviation Administration (FAA) - Notice of Proposed Construction or Alteration

The FAA has jurisdiction to review and certify that structures greater than 199 ft (61 m) above ground level do not have adverse effects on the safety or efficient utilization of navigable airspace within 13.8 mi (12 nm; 22 km) of the shoreline (49 USC § 44718 and 14 CFR Part 77). Beyond this distance, BOEM assumes responsibility for review. Under 14 CFR Part 77.9, a Notice of Proposed Construction or Alteration is required to be filed with the FAA for the construction or alteration of structures that exceed the criteria set forth in 14 CFR Part 77.9, or if otherwise requested by the FAA, including construction cranes, to ensure activities will not impact air navigation or airport operations.

Sunrise Wind has evaluated the Part 77.9 criteria for Onshore Facilities and, as required, has submitted or will submit notice to the FAA to determine if the proposed structures and construction activities will impact air navigation. If the FAA requires, the final design and construction of the new structures will incorporate appropriate mitigation measures (e.g., lighting and/or marking).

1.1.2.8 Department of Defense (DoD) - Analysis of Potential Military and Naval Impacts

Structures that fall under BOEM jurisdiction must also be reviewed by the DoD and the Department of Homeland Security to identify any potential interference with operations and/or radar systems. The SRWF is more than 13.8 mi (12 nm; 22 km) from shore and, therefore, is not subject to FAA review, but is subject to review by BOEM, DoD, and the Department of Homeland Security.

The Office of the Assistant Secretary of Defense for Energy, Installations, and Environment, US DoD Military Aviation and Installation Assurance Siting Clearinghouse will provide an analysis of potential Project impacts to military operations (e.g., military testing and training operations and military radar capabilities) and the US Naval Seafloor Cable Protection Office would provide recommendations to avoid the Navy's submarine assets, including cable systems.

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1.1.3 State Permits, Approvals, and Consultations

The NYSPSC will lead the review of the SRWEC–NYS and Onshore Facilities within the territory of the State of New York under Article VII of the New York PSL, which will include review under Section 401 of the CWA.

The SRWEC has a design capacity that exceeds 125 kV and extends more than 1 mi (0.87 nm, 1.6 km); therefore, it is considered an electric transmission facility (16 New York Codes, Rules and Regulations [NYCRR] Subpart 85-2.1). As such, the portion of the SRWEC in New York State territorial waters (3 mi [2.6 nm, 4.8 km] offshore) to its onshore interconnection point with the LIPA transmission system (SRWEC–NYS and Onshore Facilities) is subject to review and approval by the NYSPSC under Article VII of the New York PSL (16 NYCRR Parts 85 through 88), which authorizes the Siting of Major Utility Transmission Facilities.

The Article VII process provides a full review of the need for and environmental impact of the siting, design, construction, and operation of the SRWEC–NYS and Onshore Facilities and results in the issuance of a Certificate of Environmental Compatibility and Public Need (CECPN). The NYSPSC issued the CECPN on November 17, 2022. The CECPN includes Water Quality Certification,³ pursuant to Section 401 of the CWA and Implementing Regulations (6 NYCRR Parts 701, 702, 704, 754 and Part 800 to 941); issuance of Protection of Waters Permit, pursuant to New York Environmental Conservation Law (NYECL) Article 15 (6 NYCRR Part 608 and 621), Freshwater Wetlands Permit, pursuant to NYECL Article 24 (6 NYCRR Part 663 – 665), Tidal Wetlands Permit, pursuant to NYECL Article 25 (6 NYCRR Part 661); and review under Section 68 of the New York PSL.

Prior to construction, the NYSPSC must also approve an Environmental Management and Construction Plan (EM&CP) that describes the practices during construction that will demonstrate compliance with the CECPN. Sunrise Wind submitted EM&CP 1 for preliminary Project activities on November 18, 2022, and the NYSPSC issued approval of EM&CP 1 for preliminary Project activities on June 23, 2023. Sunrise Wind submitted EM&CP 2 for all other Project activities in NYS on March 27, 2023, and approval of EM&CP 2 is anticipated in Q4 2023.

In addition, prior to the start of construction, Sunrise Wind applied for coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity from New York State Department of Environmental Conservation (NYSDEC), a Utility Work Permit and Highway Work Permit from New York State Department of Transportation (NYSDOT), and an Easement to Use New York State Lands Under Water from New York State Office of General Services (NYSOGS), Bureau of Land Management, as described further below.

Consultation and review also occurred with NYSDEC for state-listed threatened and endangered species and unique or significant habitats; New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) for cultural and historic resources; and New York State Department of Agriculture and Markets (NYSDAM) for agricultural lands.

1.1.3.1 NYSDEC - SPDES General Permit

Under the Federal CWA as implemented by New York State under NYECL Article 17, stormwater discharge(s) from construction activities that disturb one acre or more are required to be covered under the SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-20-001) or its successor issued by the NYSDEC. Because construction activities for the Project will result in soil disturbance exceeding the one-acre threshold, a Notice of Intent was submitted to the NYSDEC seeking

³ The conditions of the Water Quality Certification were included in the CECPN and the signed Water Quality Certification was issued by NYSPSC on March 15, 2023.

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coverage under the General Permit prior to commencement of Project construction. That Notice of Intent was acknowledged by NYSDEC on June 15, 2023.

One of the requirements of the SPDES Permit is the development of a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements set forth in the SPDES Permit. The SWPPP addresses stormwater management and temporary soil erosion, identifying site-specific measures to minimize pollution associated with stormwater runoff. In accordance with the General Permit, the Project is subject to the requirements of a regulated traditional land use control, Municipal Separate Storm Sewers System (MS4), in the Town of Brookhaven. As such, Sunrise Wind had the SWPPP reviewed and the MS4 SWPPP Acceptance form signed by the Town on June 14, 2023. The SWPPP was included in the Project EM&CP.

1.1.3.2 NYSDOT - Utility Work Permit

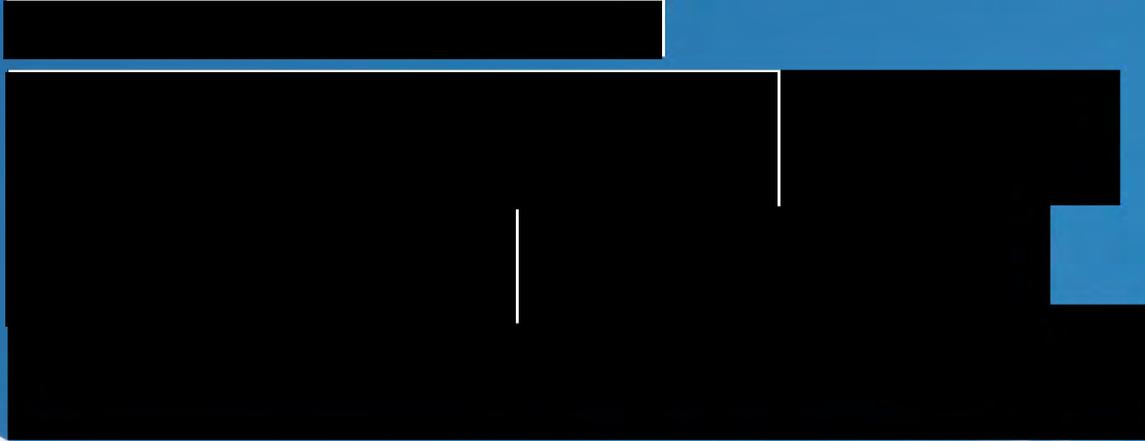
Any utility work within a state highway ROW requires a highway work permit from the NYSDOT. Sunrise Wind submitted Form PERM 32 (Highway Work Permit Application for Utility) to the NYSDOT Region 10 office prior to construction and obtain highway work permit(s) from the NYSDOT Region 10 pursuant to 17 NYCRR Part 131 for the construction of the Onshore Transmission Cable and the Onshore Interconnection Cable in NYS highway ROWs. Sunrise Wind also entered into a Use and Occupancy Agreement with NYSDOT, which provides the conditions for the occupation of the highway ROWs.

1.1.3.3 NYSOGS - Easement for Lands Under Water

Pursuant to the New York Public Lands Law, real estate rights to the bed of numerous bodies of water are held in trust for the people of State of New York under the jurisdiction of the NYSOGS. An easement from NYSOGS is required to install utilities, including submarine cables, below lands that are under waters of state-owned waterbodies.

1.1.4 Local Permits and Approvals

Sunrise Wind completed road use agreement with the Town of Brookhaven, pursuant to PSL § 68 on May 18, 2023. Due to the pre-emptive effect of PSL § 130, the procedural requirements to obtain any local approval, consent, permit, certificate or other condition for the construction and operation of the Project do not apply. As such, in the CECPN Application to the NYSPSC, Sunrise Wind demonstrated compliance with electric and magnetic field standards for new transmission lines (NYSPSC, 1990) and with the Coastal Erosion Hazard Area Law (Article 34), administered by the Town of Brookhaven. Sunrise Wind has sited the Onshore Facilities to be consistent with the goals of the *Pine Barrens Protection Act* (Article 57), overseen by the Central Pine Barrens Joint Planning and Policy Commission, to the extent practicable. In April 2022, Sunrise Wind received a Core Preservation Area Hardship Waiver from the Central Pine Barrens Joint Planning and Policy Commission based on compelling public need for the portion of the Onshore Facilities that will traverse the Central Pine Barrens.



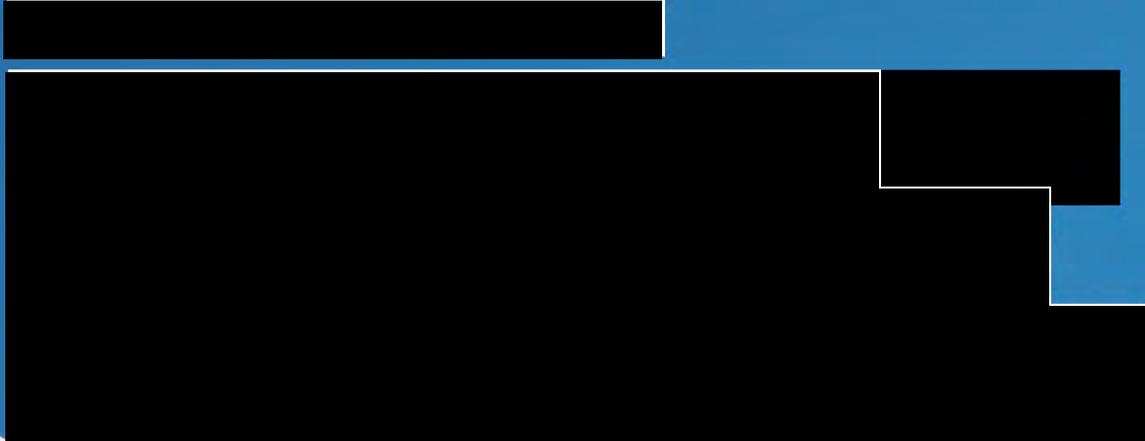
Portions of this proposal contain confidential, proprietary, and/or commercially sensitive information which has been redacted from the "Public Version" of this proposal. Sunrise Wind LLC has submitted a Confidential Version of this proposal which includes the redacted information, and which should be treated as a non-public record that is exempt from disclosure to the extent permitted under applicable laws and/or as expressly set forth in the Request for Proposals.



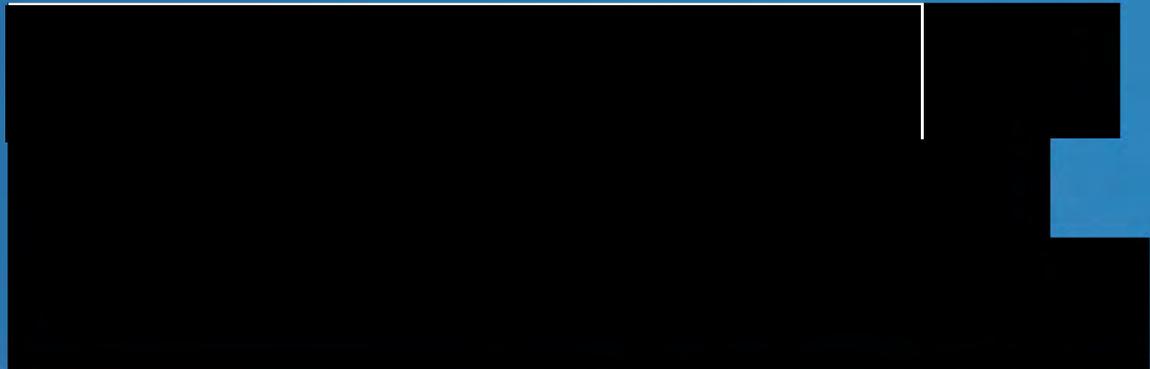
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 submitted separately