

VINEYARD



OFFSHORE

An aerial photograph of a coastal region, likely Vineyard Sound, showing a mix of dark blue water, light blue marshes, and brownish land areas. A prominent peninsula or headland is visible in the upper left, with a road or path running along its edge. The overall scene is captured from a high angle, looking down at the water and land.

# **SUBMISSION FOR PURCHASE OF OFFSHORE WIND RENEWABLE ENERGY CERTIFICATES**

ORECRFP24-1

PUBLIC

SEPTEMBER 9, 2024

## **Confidentiality Statement**

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Certain information in this proposal is non-public, proprietary, commercial, and/or financial information ("Confidential Information"), which has been redacted from the version of this proposal marked "PUBLIC." Such Confidential Information has been redacted from this proposal and/or is clearly marked "CONFIDENTIAL." Vineyard Offshore intends for all such Confidential Information to remain confidential. Further, the version of this proposal marked "CONFIDENTIAL" should be treated as a non-public record that is exempt from disclosure under applicable laws and as set forth in the Request for Proposals ORECRFP24-1 Purchase of Offshore Wind Renewable Energy Certificates issued on July 17, 2024 and updated on August 13, 2024.

# Section 8.4 Disadvantaged Community Impacts

Response to New York State Energy Research and  
Development Authority Request for Proposals ORECRFP24-1



**VINEYARD  
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- 8.4-4 NY Bight Joint NATCP
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- 8.4-6 [REDACTED]

## SECTION 8

### RESPONSIBLE DEVELOPMENT

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#### 8.4 DISADVANTAGED COMMUNITY IMPACTS

##### 8.4.1 Summary

Tribal Nations and Disadvantaged Communities (DACs) must be at the forefront of efforts to maximize the economic development, job creation, and environmental benefits of offshore wind. This section details Vineyard Offshore's efforts to identify and engage with Tribal Nations and communities potentially affected by Excelsior Wind (the "Project"); to address barriers; to avoid, minimize, and mitigate burdens; to enhance benefits; and to build long-term partnerships that are centered on environmental justice (EJ) and sensitive to community needs.

In siting the Project, we have taken steps to avoid negative impacts to Tribal Nations, DACs, and other host communities to the greatest extent practicable. Where potential impacts are unavoidable, we have focused and will continue to focus on minimizing impacts, followed by developing mitigation measures in consultation with potentially affected communities. [REDACTED]

[REDACTED] We will do so through a range of Project-specific expenditures (Category A) and community-focused investments (Category B). In addition, we plan to collaborate with Tribal Nations and DACs on community benefits; to work with DACs and other host communities to finalize onshore export cable routing; and to partner with workforce and community organizations to increase access to offshore wind training and job opportunities for Tribal Nations, DACs, and others.

Overall, considering these and the other avoidance, minimization, and mitigation measures identified for the Project, Tribal Nations and DACs are not expected to bear disproportionately high or adverse impacts or receive disproportionately low benefits from Excelsior Wind. We look forward to continuing our Tribal Nation and DAC engagement and working with stakeholders to realize the vision of a just and equitable energy future for all New Yorkers.

##### 8.4.2 Potentially Affected Communities

###### 8.4.2.1 Tribal Nations

Vineyard Offshore understands and respects that the areas surrounding the Project's offshore and onshore facilities are part of Tribal Nations' cultural heritage and their traditional bonds to the past and that these areas are important to their cultural identity, sense of self, and future well-being. Open communication and consultation are therefore essential, given the potential for the Project to affect tribal communities' historical and cultural properties.

Vineyard Offshore has identified Tribal Nations and tribal communities<sup>1</sup> who may be impacted by the Project based on our outreach activities, our Bureau of Ocean Energy Management (BOEM) lease agreement consultation requirements, and our experience with the Section 106 National Historic Preservation Act consultation process. In New York, those Tribal Nations are the Shinnecock Indian Nation, Unkechaug Indian Nation, and Montaukett Indian Nation. Outside of New York, identified Tribal Nations include the following:

- Absentee-Shawnee Tribe of Indians of Oklahoma
- Delaware Tribe of Indians
- Eastern Shawnee Tribe of Oklahoma
- Mashantucket Pequot Tribe
- Mashpee Wampanoag Tribe
- Mohegan Tribe of Connecticut
- Shawnee Tribe<sup>2</sup>
- Stockbridge-Munsee Community Band of Mohican Indians
- The Delaware Nation
- The Narragansett Indian Tribe
- Wampanoag Tribe of Gay Head (Aquinnah)

Vineyard Offshore has engaged with each Tribal Nation and will continue our efforts to build long-term trusting relationships with these tribal communities as the Project moves forward (see Section 8.4.5).

#### **8.4.2.2 Potentially Affected Disadvantaged Communities**

Vineyard Offshore has identified potentially affected DACs based on the location of the Project's proposed landfall site at Jones Beach State Park onshore export cable routes, onshore substation/onshore converter station sites, and Delivery Points. The comprehensive study process Vineyard Offshore undertook to site the Project's onshore facilities is described in Section 7.

##### **8.4.2.2.1 Onshore Communities**

[REDACTED]

[REDACTED]

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<sup>1</sup> References to "Tribal Nations" and "tribal communities" generally refer to both federally recognized tribes or Tribal Nations and other Native American communities, including state-acknowledged tribes. Where appropriate, consultations or communications with federally recognized tribes or Tribal Nations are identified.

<sup>2</sup> The Shawnee Tribe has indicated it does not wish to consult on activities within or associated with the New York Bight. Until advised otherwise and in accordance with our BOEM lease agreement, Vineyard Offshore will no longer include the Shawnee Tribe in tribal communications.

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### 8.4.2.2.2 Port Communities

Vineyard Offshore has identified several marine terminal facilities in New York to support the construction and operations activities for the Project [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Additional information about the use of marine terminal facilities in New York is provided in Section 6.4.

### **8.4.3 Disadvantaged Community Benefits**

#### **8.4.3.1 Economic Benefits**

The Project will generate a range of Project-specific expenditures (Category A) and community-focused investments (Category B) in New York. [REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]

[REDACTED]

[REDACTED]

We will also focus on delivering economic benefits to Tribal Nations and DACs through our engagement, workforce, labor, and Project activities consistent with the Climate Leadership and Community Protection Act's (Climate Act's) focus on building an inclusive, clean energy economy, including education, training, and hiring opportunities. The New York Jobs and Workforce Plan (NYJWP) for Excelsior Wind outlines our community-driven approach to jobs and workforce development related to the Project, prioritizing a just transition centered on racial justice, equity, and EJ (see Section 11).

[REDACTED]

[REDACTED]

Vineyard Offshore will also collaborate with Tribal Nations on community benefits. [REDACTED]

[REDACTED]

An overview of each DAC commitment claim is provided in Section 8.4.6. Additional information about the Project's economic benefits, proposed investments, and DFI package is provided in Sections 10 and 11.

#### **8.4.3.2 Climate, Public Health, and Other Intrinsic Benefits**

As with any offshore wind project, Excelsior Wind offers a range of climate, public health, and other intrinsic benefits, including avoided social costs. Excelsior Wind will deliver more than

5,100 gigawatt hours of emission-free renewable energy annually—enough to power more than 710,000 New York homes—starting in 2031.

The Project's clean energy will also support further decarbonization of New York's electricity sector, improve air quality, and avoid air pollution-related health costs and economic impacts. On average, the Project is expected to avoid approximately 1.2 million tons of carbon dioxide equivalent (CO<sub>2</sub>e) emissions each year, or the equivalent of taking approximately 268,000 cars off the road. These avoided emissions, which have a societal value of more than \$1.1 billion over 20 years, will help New York achieve its Climate Act emission reduction goals.

Although the construction of any new infrastructure will generate emissions, Excelsior Wind's construction impacts will be quickly offset by its benefits. For Vineyard Wind 1, for example, without any additional mitigation, direct CO<sub>2</sub>e emissions from construction, operation, and decommissioning of the project will be offset after less than five months of operation by displacing electricity produced by fossil fuel power plants. Vineyard Offshore expects Excelsior Wind will offset its direct CO<sub>2</sub>e emissions within a similar timeframe.

In addition to reducing greenhouse gas emissions, the Project will reduce regional emissions of harmful air pollutants such as nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), and fine particulate matter (PM<sub>2.5</sub>), which lead to early death, heart attacks, respiratory disorders, stroke, exacerbation of asthma, and illnesses that result in absenteeism at school and work.

Additional information about the Project's energy and climate benefits is provided in Section 4.6.

#### **8.4.4 Barriers and Burdens**

##### **8.4.4.1 Barriers**

Tribal Nations and DACs are essential to the Project's success. Many Tribal Nations support offshore wind and want the opportunity to influence how projects are developed while ensuring their communities benefit. At the same time, EJ advocacy efforts created the space for the offshore wind industry to grow in New York and continue to advocate for a just transition centered on racial justice and equity. Vineyard Offshore cannot achieve these outcomes without advice, input, and guidance from Tribal Nations, DACs, and EJ organizations, nor can we succeed in hiring a representative workforce from the local communities where our projects are located without their help. Our experience with Vineyard Wind 1 has demonstrated the potential for offshore wind projects to drive the transition to an equitable clean energy economy, but significant work remains to be done to resolve immediate and systemic barriers to ensure success. We intend to do this work in partnership with Tribal Nations, DAC, and other stakeholders.

The New York State Disadvantaged Community Barriers and Opportunities Report<sup>3</sup> identifies a number of socioeconomic, infrastructure, and other deeply entrenched systemic

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<sup>3</sup> See: [New York State Disadvantaged Community Barriers and Opportunities Report](#).



impediments that continue to keep DACs and other historically underserved populations from participating in educational, workforce, and generational wealth activities. These include the lack of affordable housing, childcare, transportation, broadband access, digital literacy, and English proficiency. On Long Island, where the Project's onshore facilities will be located, DAC residents face many challenges, including a lack of affordable housing driven at least in part by gentrification, inadequate representation, language barriers, food insecurity, higher pollution levels, excessive traffic, and inadequate public transportation infrastructure.

Vineyard Offshore is well aware of the barriers that prevent access to the benefits of offshore wind, including workforce training and employment opportunities. Through our experience on Vineyard Wind 1, we gained firsthand knowledge of the challenges and opportunities associated with resolving barriers to access. For example, we understand that building an inclusive clean energy economy requires building relationships with local communities and diverse partners, implementing flexible and creative recruitment strategies, and cultivating career development opportunities for young people to gain access to the offshore wind industry. One of our key lessons learned in overcoming barriers is the critical importance of targeted outreach. [REDACTED]

[REDACTED] Other strategies employed include taking steps to increase the accessibility of our local hiring events by planning them in different communities and providing childcare, translation services, and food for participants. Additional information about strategies employed on Vineyard Wind 1 are provided in Attachment 8.4-2. The Vineyard Wind 1 case studies included as Attachment 8.3-1 also document our efforts to overcome barriers, deliver benefits, and develop community partnerships on Vineyard Wind 1.

[REDACTED] Additional information regarding our plans to resolve barriers to access in New York is provided in Section 11. As the Project moves forward, we will continue to work with Tribal Nations, DACs, and community partners to ensure broad access to the Project's benefits in fulfillment of Climate Act goals.

#### **8.4.4.2 Burdens**

Unlike fossil fuel power plants, offshore wind produces energy without generating harmful emissions, producing hazardous waste, or exacerbating climate change. The potential environmental burdens and other negative impacts associated with this renewable energy resource, therefore, are largely avoided or comparatively minor. Critically, unlike fossil fuel power plants, offshore wind is not anticipated to cause adverse health effects to any population.

The Project has been carefully sited to avoid negative impacts to Tribal Nations, DACs, and other host communities to the greatest extent practicable. The following subsections provide

an overview of the Project's potential onshore impacts to DACs and other host communities. Where potential impacts are unavoidable, we have focused and will continue to focus on minimizing impacts and then developing mitigation measures in consultation with potentially affected communities. Overall, Tribal Nations and DACs are not expected to bear disproportionately high or adverse impacts from the Project.

Additional information regarding potential onshore impacts, along with a discussion of proposed avoidance, minimization, and mitigation measures, is provided in the EJ impact assessment included in the Vineyard Mid-Atlantic Construction and Operations Plan (COP) (see Attachment 8.4-3).<sup>4</sup> Potential offshore impacts and associated avoidance minimization, and mitigation measures are also detailed in Attachment 8.4-3. Potential visual impacts from the Project's OWF and proposed avoidance, minimization, and mitigation measures are discussed in Section 8.5.

#### 8.4.4.2.1 Onshore Construction and Maintenance Activity Impacts

Construction and maintenance activities related to the Project's onshore facilities on Long Island may temporarily result in increased traffic, noise, dust, and/or air emissions.

[REDACTED]

[REDACTED]

[REDACTED] The timing of onshore construction activities will be coordinated with state and local agencies to avoid seasons or times of peak usage and to align with planned public works projects, where feasible, to minimize disruption. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### 8.4.4.2.2 Port Utilization Impacts

As described in Section 6.4, construction staging and O&M activities are expected to occur at marine terminal facilities in New York. [REDACTED]

[REDACTED] Project activities at these ports will be typical of marine industrial uses and may result in temporary increases in traffic, noise, and air emissions from support vehicles and vessels. The marine industrial activities at these ports are not anticipated to disproportionately affect DACs. Further, port utilization may result in additional employment opportunities in DACs and other host communities.

#### 8.4.4.2.3 Potential Visual Effects

DACs and other host communities may experience visual effects from the presence of the onshore substation/onshore converter station; however, the potential effects to DACs and other host communities are comparable, so no disproportionate impacts are expected.

### 8.4.5 **Investing in Long-term Relationships**

Vineyard Offshore's approach to stakeholder engagement has cultivated enduring support for offshore wind projects and delivered tangible benefits to state and local economies. This approach is stakeholder-driven, features a broad range of communication and dialogue strategies, and is centered on a collaborative process whereby projects and project benefits are developed in partnership with Tribal Nations, DACs, other host communities, stakeholders,

and regulators. As the Project moves forward, we will continue to prioritize and expand engagement with Tribal Nations and DACs with a focus on ensuring that the economic benefits of the Project are accessible to these constituencies.

Additional information about our stakeholder engagement plans, strategies, and objectives is provided in Section 8.3. Evidence of the success of our stakeholder engagement approach on the Vineyard Wind 1 project is provided in Attachment 8.4-2 and the Vineyard Wind 1 case studies provided as Attachment 8.3-1.

#### **8.4.5.1 Tribal Nations**

Vineyard Offshore respects the sovereignty of Tribal Nations and is committed to a robust engagement process with attention to economic, cultural, environmental, and capacity issues. We also understand and respect that the region surrounding the Project is a part of Tribal Nations' cultural heritage and their traditional bonds to the past and that this region is important to their cultural identity, sense of self, and future well-being. With the goal of a mutually beneficial partnership, we work to have open communication, early coordination, and information sharing to ensure that trust and relationships are built and sustained throughout the Project's lifespan.

##### **8.4.5.1.1 Tribal Team**

Vineyard Offshore has a dedicated team focused on tribal engagement for our East Coast lease areas. This team includes a Tribal Lead, who serves as Vineyard Offshore's primary point of contact for tribal communities, and a Tribal Specialist, who supports tribal outreach and program development (see Figure 8.4-4). Our tribal team focuses on building and maintaining collaborative relationships with tribal governments and members of Tribal Nations and developing workforce and other initiatives to deliver benefits to tribal communities. The tribal team coordinates with our permitting team to schedule pre-survey meetings as well as regular check-ins with Tribal Nations either by text, email, phone calls, or meetings (in-person or virtual). Our tribal team also regularly participates in local, state, and national tribal events and conferences, including the National Congress of American Indians.

**Figure 8.4-4 Vineyard Offshore’s East Coast Tribal Team<sup>1</sup>**



Note:

1. Vineyard Offshore’s East Coast Tribal Team, Jacob Miller, Tribal Lead (middle), and Marita Scott, Tribal Specialist and enrolled member of the Mashpee Wampanoag Tribe (right), shown here with Chairman Brian Weeden from the Mashpee Wampanoag Tribe (left) at the tribe’s 2024 powwow.

### 8.4.5.1.2 Tribal Communications

Through Vineyard Wind 1, we have been engaging with Tribal Nations since 2016, and we have developed good working relationships with federally recognized tribes and Tribal Nations. We initiated tribal outreach specific to the development of the Lease Area in 2022. Before performing geophysical and geotechnical surveys of the Lease Area and offshore export cable corridor, we invited federally recognized tribes and Tribal Nations to discuss our survey plan with members of our team and a Qualified Marine Archaeologist. We also offered opportunities for tribal members to monitor portions of the survey, including the visual logging and analysis of geotechnical sampling.

Vineyard Offshore will work with each Tribal Nation to develop communication and information sharing protocols that reflect their preferred method(s) and frequency of communication. These approaches could include one-on-one and group meetings, conference calls, text messages, listening sessions, email updates, certified letters, virtual and in-person vessel tours and site visits, and social media updates. We will also continue to implement the Native American Tribes Communication Plan developed jointly with other New York Bight leaseholders and input from Tribal Nations with ancestral ties to the New York Bight lease areas (see Attachment 8.4-4). We will also continue collaborating with other offshore wind developers, as well as federal agencies (where appropriate), to identify opportunities to streamline communication and information sharing efforts to reduce the demand for limited tribal resources to participate in offshore wind project development processes.

#### 8.4.5.1.3 Tribal Nation Partnerships

Our commitment to investing in long-term relationships with Tribal Nations is readily evidenced by the historic TBA that we entered into with the Mashpee Wampanoag Tribe in February 2024.<sup>5</sup> [REDACTED]

We have also previously partnered with the Bristol Community College Foundation in Massachusetts to create a special fund providing scholarships for members of the Mashpee Wampanoag Tribe to earn a certificate or associate degree in offshore wind at the college. [REDACTED]

[REDACTED] In partnership with the Mashpee Wampanoag Tribe, we also sponsored and assisted with planning a job fair and family day in December 2023 that connected dozens of tribal members with offshore wind employment and educational opportunities.

In addition, we attend and have sponsored several of the region's Tribal Nation powwows; in 2024, we sponsored the powwows hosted by the Shinnecock Indian Nation and Mashpee Wampanoag Tribe. We also provide funding for tribal youth to learn more about offshore wind and related areas. This past summer we funded two Tribal Nation student internships at the University of Massachusetts Dartmouth School for Marine Science & Technology. We also provide grants to Tribal Nations to support tribal energy sovereignty, cultural and educational programs, and community resiliency measures, among other initiatives. [REDACTED]

#### 8.4.5.1.4 Tribal Engagement in New York

In New York, we are prioritizing fostering relationships with the Shinnecock Indian Nation, Unkechaug Indian Nation, and Montaukett Indian Nation. [REDACTED]

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<sup>5</sup> See: [Mashpee Wampanoag Tribe and Vineyard Offshore Forge Historic Tribal Benefit Agreement](#).



[REDACTED]

[REDACTED]

[REDACTED]

Vineyard Offshore is also hosting two offshore wind trainings this fall for tribal community members in partnership with Oceanic Network. One event will be hosted on Long Island and will include targeted outreach to tribal governments and members of the Matinecock Nation, Montaukett Indian Nation, Setalcott Nation, Shinnecock Indian Nation, and Unkechaug Indian Nation. Participation in these trainings will be free for all attendees.

[REDACTED]

We will also work with these Tribal Nations, as well as others, to develop workforce, supply chain, and community benefits programs to ensure they have direct access to Project benefits.

#### **8.4.5.2 Potentially Affected Disadvantaged Communities**

Vineyard Offshore has been engaging with New York stakeholders, including DACs and EJ organizations, since 2020.<sup>6</sup> Our outreach efforts intensified in 2022, along with the expansion of the local outreach team leading our stakeholder engagement activities in New York. This team will continue to expand after ORECRFP24-1 contract award and execution in ways that reflect the diverse geography and communities of our Project areas to ensure

<sup>6</sup> A summary of the stakeholders engaged and key takeaways gathered in connection with prior solicitations is provided as Attachment 8.4-6.

consistent, authentic engagement with community members, to cultivate trusting relationships, to deliver economic benefits, and to support a just transition.

Since first submitting a proposal to New York for Excelsior Wind, and continuing since NYSERDA announced that the ORECRFP22-1 solicitation concluded with no final awards, Vineyard Offshore has been engaging with potentially affected DACs and a variety of stakeholders on an ongoing basis. For example, over the past six months, we have held office hours in 13 locations across Nassau County—from Long Beach to Elmont to Massapequa—as well as participated in seven NYSERDA open houses in locations ranging from Albany to Southampton, New York.

Since January 2023, our New York outreach team has reached over 20,000 stakeholders in more than 200 individual and small-group meetings and over 100 community events and presentations. We have also sponsored over 60 community events. Vineyard Offshore has identified over 100 community organizations, institutions, local businesses, and non-profit and community-based organizations that have become collaborative partners by providing feedback, helping to amplify messaging and information, co-creating events and short- and long-term programming for stakeholders, sharing hyper-local expertise, and supporting Project development for mutual benefit.

Events that we have sponsored include two Sports Power Clean Energy Community Days, one for Nassau County and one for Brownsville; two Minority Millennials Summits, one in 2023 and one in 2024; MRV Group's 2023 Diversity, Equity, Inclusion, and Justice (DEIJ) Conference and 2024 Local Content Conference; over a dozen environmentally focused educational events and conferences, including the screening of a documentary called "Rising Tides, Rising Voices" about Long Island high school students advocating for green legislation and climate change mitigation; an Operation SPLASH beach cleanup boat; union labor conferences and fundraisers; several student outings to the State University of New York (SUNY) Stony Brook and the Jones Beach Nature and Energy Center; Nassau County's 125th Anniversary Celebration; Long Island Hispanic Chamber of Commerce events; and several back-to-school events that provide backpacks and school supplies to children. These events are a sampling of how Vineyard Offshore has prioritized becoming a part of local communities and engaged with potentially affected DACs to better understand their needs and priorities (see Figure 8.4-5).

## SECTION 9

**Figure 8.4-5 Vineyard Offshore DAC Engagement and Event Sponsorships<sup>1</sup>**



Note:

1. From top to bottom, left to right: High school students at the Minority Millennials “We Are the Future” Summit; boys and girls at the MACK Academy summer basketball; screening of “Rising Tides, Rising Voices” by Students for Climate Action and panel of featured students; Uniondale High School students at the Jones Beach Nature and Energy Center on a Vineyard Offshore-sponsored trip organized by Citizens Campaign for the Environment; Uniondale elementary and middle school-aged school children on a recreational fishing trip with Uniondale Community Council and STRONG Youth; and a Sports Power Clean Energy Community Day in Brownsville, New York.

Vineyard Offshore has also participated in community, educational, workforce, and supply chain events like career days and youth summits; civic association meetings and presentations;

organization panels; MWBE/SDVOB and local content events; and more to continue to learn about host communities, specifically the DACs where Project infrastructure may be located. We are also engaged in NYSERDA's EJ Technical Working Group, sit on the Offshore Wind Master Plan 2.0 DAC Advisory Committee, and regularly participate in the BOEM New York and New Jersey EJ Forum.

#### 8.4.5.2.1 Community Partnerships

Vineyard Offshore is committed to delivering tangible benefits to DACs potentially impacted by the Project that are in addition to any host community agreement negotiated for the Project. We have identified opportunities for the development of a community-led workforce engagement process as well as supply chain programs, environmental and fisheries initiatives, and community benefits. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>7</sup> This network is made up of the College of Staten Island, Kingsborough Community College, LaGuardia Community College, and New York City College of Technology.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

### 8.4.6 Claim Documentation

Table 8.4-1 provides a summary of each DAC commitment claim. Additional information is available in Part IV of the Offer Data Form (Section 3).

[REDACTED]

EB ID	Detailed Description
[REDACTED]	[REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]





# Section 8.4 Attachments

Response to New York State Energy Research and  
Development Authority Request for Proposals ORECRFP24-1



**VINEYARD  
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**Attachment 8.4-1:**



**Redacted**



**Attachment 8.4-2:** [REDACTED]

**Redacted**



**Attachment 8.4-3:** [REDACTED]

**Redacted**



**Attachment 8.4-4: NY Bight Joint NATCP**

# New York Bight Joint Native American Tribes Communication Plan

**A COLLABORATIVE EFFORT BY THE NEW YORK BIGHT LESSEES:**

**BLUEPOINT WIND (OCS-A 0537)  
ATTENTIVE ENERGY (OCS-A 0538)  
COMMUNITY OFFSHORE WIND (OCS-A 0539)  
ATLANTIC SHORES OFFSHORE WIND (OCS-A 0541)  
INVENERGY WIND OFFSHORE (LEADING LIGHT WIND) (OCS-A 0542)  
VINEYARD WIND MID-ATLANTIC (OCS-A 0544)**

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**OCTOBER 16, 2023  
VERSION 1.0**



## Executive Summary

The Bureau of Ocean and Energy Management (BOEM) included lease stipulations for Tribal communication regarding the six New York (NY) Bight Offshore Wind lease areas, for which leases were granted to developers (NY Bight Lessee) by BOEM through competitive bidding on February 23, 2022. Per Section 3.1.2.2 of Addendum “C”, Lease-Specific Terms, Conditions, and Stipulations, for the NY Bight Leases, which became effective May 1, 2022, each NY Bight Lessee is required to develop a Native American Tribal Communication Plan (NATCP) that describes strategies for communicating with Native American Tribes and Tribal Nations (Tribes/Tribal Nations) with ancestral ties to the lease areas. The NATCP is part of the Progress Report requirements set forth in each lease, Section 3 Reporting in Addendum C, which provides this requirement is in effect until approval of the Construction and Operations Plan (COP). Each Lessee must submit a COP for review and approval by BOEM prior to commencing construction of their offshore wind project.

BOEM issued *Draft Guidelines and Instructions for Native American Tribes Communications Plan Development Required by BOEM New York Bight Leases (OCS-A 0537-0544) and Carolina Long Bay Leases (OCS-A 0545-0546)* (Draft Guidelines; BOEM 2023a). This guidance was developed by BOEM to provide the NY Bight Lessees with recommendations for the structure and content of a joint NATCP aligned with the NATCP lease stipulation for all NY Bight offshore wind leases to reduce the burden on the Tribes/Tribal Nations that may have otherwise occurred from coordination on six individual NATCP documents.

Operating under the four core values of communication, coordination, collaboration, and respect for Tribal Sovereignty, the goal of the joint NATCP is meaningful communication between the NY Bight Lessees and the Tribes/Tribal Nations. Through the processes outlined in this document, the NY Bight Lessees seek to understand Tribes/Tribal Nations perspectives, recommendations, and knowledge as the lessees develop their projects; identify and address potential environmental, social, and cultural resources impacts; and create opportunities for Tribes/Tribal Nations that want to be more involved in project development.

Section 1.0 provides an overview of the leases, lessees, and process through which the Joint NATCP has been developed. Core values and best practices are included in Section 2.0. Sections 3.0 and 4.0 contain the points of contact for each of the six NY Bight Lessees and the Tribes/Tribal Nations invited to participate in this joint NATCP. Sections 5.0 through 8.0 describe the types and methods of engagement activities proposed between the NY Bight Lessees and the Tribes/Tribal Nations. Any conflicts that may arise will be managed by the process described in Section 9.0, and any revisions to the joint NATCP will be managed through the process described in Section 10.0. Appendices include additional information and guidance documents that were used to prepare the joint NATCP.

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Appendix E: NY Bight Lessee Information

## List of Acronyms and Abbreviations

Attentive Energy	Attentive Energy LLC
Bluepoint Wind	Bluepoint Wind LLC
CBI	Consensus Building Institute
CIP	Copenhagen Infrastructure Partners
CLO	Complaint Owner
COP	Construction and Operation Plan
EIS	Environmental Impact Statement
FSN	Final Sale Notice
Grievance Procedure	Tribes/Tribal Nations Grievance Procedure
HRVEA	historic resources visual effects assessment
Invenergy	Invenergy Wind Offshore LLC
Joint NATCP	Joint Native American Tribes Communication Plan
m	meters
MARA	marine archaeological resources assessment
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
nm	nautical miles
NOI	Notice of Intent
NY Bight	New York Bight
O&M	Operations and Maintenance
PDE	Project Design Envelope
PSN	Proposed Sale Notice
ROD	Record of Decision
SAP	site assessment plan
TARA	terrestrial archaeological resources assessment
TECK	Traditional Ecological and Cultural Knowledge
TER	Tribal Engagement Representative
TR	Tribal Representative
TotalEnergies	TotalEnergies Renewables USA
Tribes/Tribal Nations	federally recognized Native American Tribes and Tribal Nations
WEAs	Wind Energy Areas

## 1.0 Introduction

The New York Bight (NY Bight) Lessees (**Table 1; Figure 1**) have developed this Joint Native American Tribes Communication Plan (Joint NATCP) to describe approaches for engaging with Native American Tribes and Tribal Nations (Tribes/Tribal Nations) throughout the development of their respective offshore wind Projects. The principal goal of the Joint NATCP is to develop a respectful and collaborative relationship between the NY Bight Lessees and Tribes/Tribal Nations by establishing a mutually agreed upon process for communication and coordination to facilitate informed decision making. The NY Bight Lessees believe early and meaningful engagement is critical to developing a working relationship with Tribes/Tribal Nations that is based on trust and mutual understanding.

The NY Bight Lessees recognize Tribes/Tribal Nations as stewards of the lands and waters of the NY Bight region. The NY Bight Lessees acknowledge and respect the enduring cultural and personal connections that Tribes/Tribal Nations, including Tribes/Tribal Nations that have previously or currently resided in the area, have to the region. The NY Bight Lessees believe the insights and knowledge of Tribes/Tribal Nations can and should play an important role in the clean energy transition, to help ensure offshore renewable energy is developed in an environmentally, socially, and culturally sensitive manner. The NY Bight Lessees also believe it is important that Tribes/Tribal Nations share in the benefits of offshore wind as we work together to build strong, sustainable communities for the future.

The Joint NATCP was developed in coordination with the 12 Tribes/Tribal Nations with ancestral ties to the NY Bight lease areas (see Section 4.0 for a list of Tribes/Tribal Nations invited to participate in this NATCP). It describes the strategies, tools, procedures, and protocols the NY Bight Lessees will use to engage and communicate with Tribes/Tribal Nations, share project information, and solicit feedback from Tribes/Tribal Nations on how to develop projects that avoid, minimize, or mitigate impacts to environmental, social, and cultural resources important to Tribes/Tribal Nations.

The NY Bight Lessees have developed this plan with a common goal to collaborate and engage with Tribes jointly to the degree practicable. While some engagements with Tribes can be completed jointly, other engagements will require coordination on an individual project basis due to, for example, sensitive or confidential information, differences in project areas, and different stages of development.

**Table 1: NY Bight Lease Area Information**

Lease	OCS-A 0537	OCS-A 0538	OCS-A 0539	OCS-A 0541	OCS-A 0542	OCS-A 0544
<b>Lessee</b>	Bluepoint Wind, LLC	Attentive Energy LLC	Community Offshore Wind, LLC	Atlantic Shores Offshore Wind Bight, LLC	Invenergy Wind Offshore LLC	Vineyard Mid-Atlantic, LLC
<b>Acres</b>	71,522	84,332	125,964	79,351	83,976	43,056
<b>Approximate maximum depth (meters[m])</b>	61	63	51	51	54	46
<b>Approximate minimum depth (m)</b>	50	37	31	31	32	40
<b>Closest distance to New York (nautical miles [nm])</b>	38	47	56	65	69	20
<b>Closest distance to New Jersey (nm)</b>	53	36	32	27	35	36

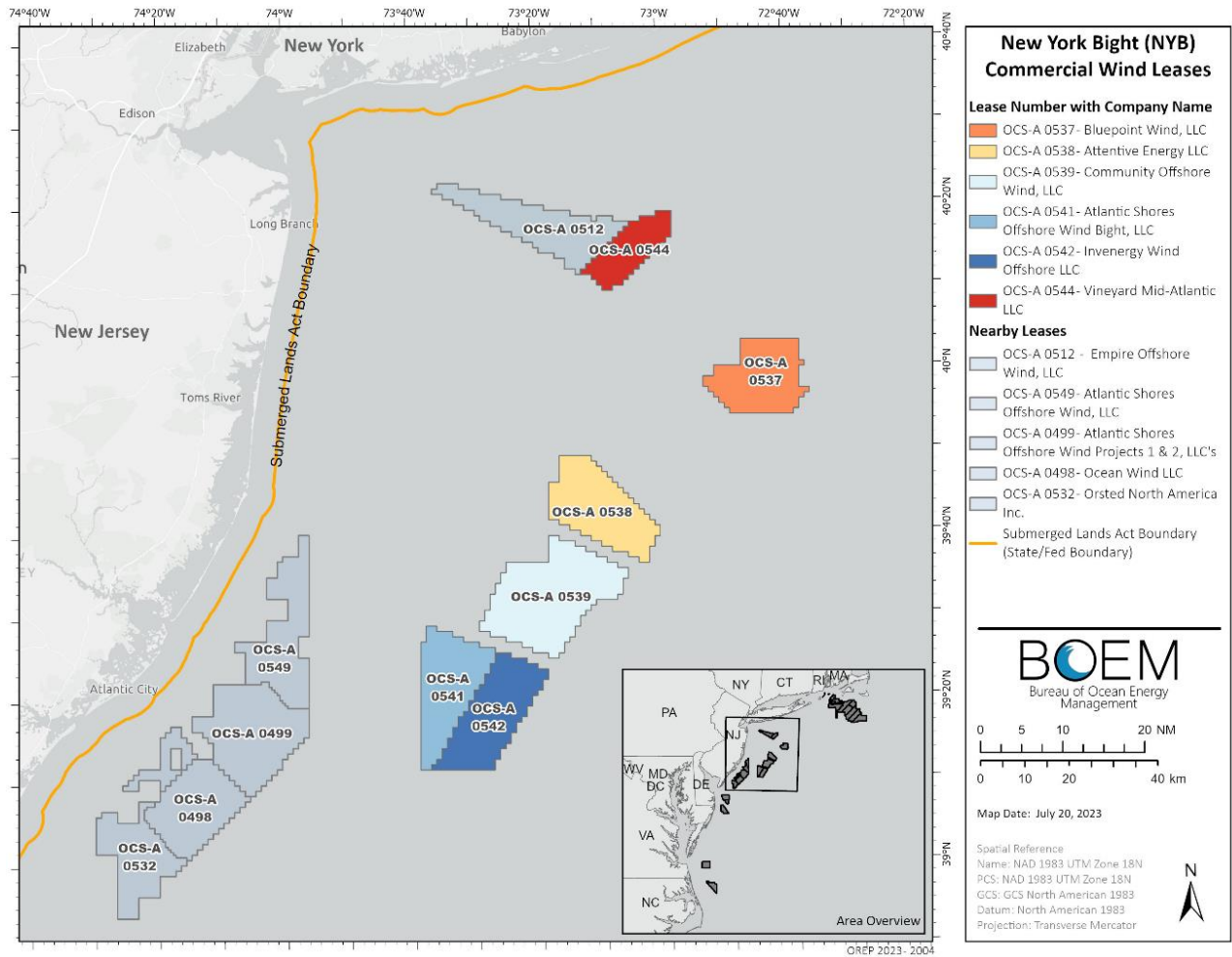


Figure 1: NY Bight Lease Areas Map



## 2.0 Joint NATCP Values and Best Practices

The Commercial Leases granted to the NY Bight Lessees by BOEM became effective on May 1, 2022 and include a stipulation in Section 3.1.2.2 of Addendum “C”, Lease-Specific Terms, Conditions, and Stipulations, that each NY Bight Lessee is required to develop a NATCP that describes the strategies the NY Bight Lessee intends to use for communicating with Tribes/Tribal Nations with ancestral ties to the lease area as part of its Progress Report obligations.

In February 2023, after consideration of feedback received from engaged Tribes/Tribal Nations and in recognition of the need to reduce burden to Tribes/Tribal Nations through effective coordination among NY Bight Lessees, BOEM provided the NY Bight Lessees with a document titled *Draft Guidelines and Instructions for Native American Tribes Communications Plan Development Required by BOEM New York Bight Leases (OCS-A 0537-0544) and Carolina Long Bay Leases (OCS-A 0545-0546)* (Draft Guidelines; BOEM 2023a). This document was developed by BOEM to provide the NY Bight Lessees with recommendations for the structure and content of a joint NATCP in accordance with the NATCP Lease Stipulation 3.1.2.2. The Draft Guidelines were informed by consultations between BOEM and federally recognized Tribes/Tribal Nations held in August 2022 and feedback provided to BOEM staff by NY Bight and Carolina Long Bay Lessees in September 2022. The Draft Guidelines developed by BOEM included a list of relevant federal Tribal consultation guidance and best practice documents intended to inform Joint NATCP development (see Appendix A).

On May 15, 2023, BOEM convened a meeting between Tribes/Tribal Nations with ancestral ties to the NY Bight Region and the NY Bight Lessees to discuss the proposed Joint NATCP (see Appendix D for more information). During the meeting, Tribal government representatives requested that BOEM share relevant Tribal consultation Executive Orders and Memoranda with the NY Bight Lessees as examples of best practices for engaging with Tribes/Tribal Nations. In response to this request, BOEM shared the documents listed in Appendix B with the NY Bight Lessees. The NY Bight Lessees reviewed the best practice documents listed in the Draft NATCP Guidelines, the Executive Order, and Memorandum provided by BOEM and incorporated elements of each into this Joint NATCP.

### 2.1 Core Values

The Joint NATCP is based on four core values: communication, coordination, collaboration, and respect for Tribal sovereignty, which are described in **Table 2**. Through meaningful communication and collaboration, the NY Bight Lessees will strive to understand Tribes/Tribal Nations perspectives, recommendations, and knowledge throughout project development; address potential environmental, social, and cultural resource impacts as part of the permitting process; and create opportunities within the offshore wind industry for Tribes/Tribal Nations. Through coordination, NY Bight Lessees hope to avoid or minimize potential ocean and land use

conflicts with Tribes/Tribal Nations, as well as involve Tribe/Tribal Nation citizens in project reviews in coordination with the federal and state permitting processes.

**Table 2: NY Bight Lessees' Joint Core Values**

Core Value	Description
<b>Communication</b>	The Joint NATCP outlines methods and tools that may be useful for exchanging information, opinions, and recommendations between the NY Bight Lessees and Tribes/Tribal Nations to create open and transparent dialogue. NY Bight Lessees will share information about project activities and how project activities could affect Tribes/Tribal Nations, both positively and negatively. Tribes/Tribal Nations will have opportunities to share their opinions, perspectives, beliefs, and concerns about offshore wind projects in the NY Bight and make recommendations on how NY Bight Lessees can avoid, minimize, and/or mitigate impacts to important environmental and cultural resources. To ease burdens on Tribes/Tribal Nations, Lessees will strive to sync its communication efforts to permitting processes and not engage in duplicative, repetitive information deliveries.
<b>Coordination</b>	The NY Bight Lessees and the Tribes/Tribal Nations will coordinate to reduce potential ocean and land user conflicts.
<b>Collaboration</b>	The NY Bight Lessees and Tribes/Tribal Nations will discuss potential project impacts and potential measures, plans, and procedures to avoid, minimize, and/or mitigate potential project impacts on environmental and cultural resources important to Tribes/Tribal Nations that may be incorporated into permits based on final agency decision-making. In addition, the Joint NATCP establishes a framework for possible collaboration opportunities between Tribes/Tribal Nations and the NY Bight Lessees to improve the local environment and provide educational and economic opportunities for citizens of Tribes/Tribal Nations.
<b>Respect for Tribal Sovereignty</b>	The NY Bight Lessees recognize and respect the sovereignty of Tribes/Tribal Nations as set forth in the Constitution of the United States, treaties, statutes, Executive Orders, and court decisions.

## 2.2 Best Practices

The NY Bight Lessees reviewed the best practice documents listed in BOEM's Draft NATCP Guidelines and the Executive Order and Memorandum (see Appendices A and B). Based on this review and discussions with Tribes/Tribal Nations at virtual meetings on September 20, 2023 and September 21, 2023, the NY Bight Lessees have incorporated the best practices for engaging with Tribes/Tribal Nations, as summarized in **Table 3**, into this Joint NATCPTable 3.

**Table 3: Tribal Engagement Best Practices**

Best Practice	Description
<b>Meaningful Engagement</b>	When asked what meaningful engagement means to Tribes/Tribal Nations, NY Bight Lessees heard meaningful engagement is not just looking for comments and concurrence, but rather it is looking to Tribes/Tribal Nations as keepers of traditional knowledge and experts on their ancestral lands and waters. Meaningful engagement should not be defined in terms of listening sessions but, rather, should be a two-way dialogue with the goal of arriving at a mutually understood result.
<b>Respectful Engagement</b>	NY Bight Lessees believe that building relationships based on mutual respect and trust requires listening and talking, educating, providing awareness, identifying and solving problems, and sharing dialogue and information, and that these practices are essential to respectful engagement.

Best Practice	Description
<b>Efficient and Effective Engagement</b>	The NY Bight Lessees recognize the consultation and engagement burden placed on Tribes/Tribal Nations by the number of active and planned offshore wind projects off the northeast and Mid-Atlantic coasts of the United States. The NY Bight Lessees will work with Tribes/Tribal Nations to maximize the efficiency and effectiveness of engagement activities in their region to reduce the number and length of meetings and documents with a focus on exchanging ideas, recommendations, knowledge, and complex data clearly and concisely. Likewise, Lessees are permitted to utilize permitting processes for public engagement to support the implementation of their communication plans and to not burden Tribes/Tribal Nations with multiple meetings and sources of information.
<b>Early and Often Engagement</b>	NY Bight Lessees will engage Tribes/Tribal Nations early and as often as desired to allow all parties an opportunity to address emerging issues identified during project development phase and prior to permit issuance by regulatory agencies.
<b>Open and Transparent Engagement</b>	Effective engagement includes frankness of discussion; acknowledgement of knowns and unknowns; sharing of accurate, timely and relevant information; and clear communication of decisions and why they are made. NY Bight Lessees will maintain accountability with Tribes/Tribal Nations through transparent and collaborative engagement during project development stages in concert with applicable permitting processes. NY Bight Lessees will listen to the Tribes/Tribal Nations to understand their concerns and seek solutions that generate mutual benefits and will prioritize timely, concise, and clear communication with the Tribes/Tribal Nations.
<b>Inclusive Engagement</b>	The NY Bight Lessees will work with Tribes/Tribal Nations to disseminate information and receive feedback, recommendations, and opinions from all Tribe/Tribal Nation citizens identified in the Joint NATCP.
<b>Collaborative Engagement</b>	NY Bight Lessees will work with Tribes/Tribal Nations during project planning, development, and operations to support environmental stewardship, safety, and historic preservation. NY Bight Lessees appreciate Tribes/Tribal Nations are the keepers of important traditional ecological and cultural knowledge and, with Tribal permission/consent, NY Bight Lessees will support Tribes/Tribal Nations in conveying to agencies this knowledge where there is mutual agreement to incorporate such measures in permitting decision-making. NY Bight Lessees will work with the Tribes/Tribal Nations to develop strategies to encourage and support their participation during the development process.
<b>Accessible Engagement</b>	The NY Bight Lessees are committed to employing a variety of engagement methods, including face-to-face and virtual meetings, hard copy mailings, and/or electronic submission of documents/reports, as requested, to make engagement opportunities accessible to Tribal representatives and Tribal citizens. The NY Bight Lessees will maintain a “door is always open” policy for participation in this Joint NATCP, allowing Tribes/Tribal Nations with ancestral ties to the NY Bight to join/participate in this Joint NATCP.
<b>Flexible and Sustained Engagement</b>	The NY Bight Lessees consider this Joint NATCP to be a flexible, “living” document that can be modified to address emerging issues and improve engagement with Tribes/Tribal Nations. The NY Bight Lessees are committed to allocating sufficient resources to support sustained, long-term engagement with Tribes/Tribal Nations to build relationships for the benefit of future generations.

The best practices identified in **Table 3** represent guiding principles that will govern NY Bight Lessee and Tribe/Tribal Nation engagements throughout the implementation of this Joint NATCP. Using these best practices, the NY Bight Lessees and Tribes/Tribal Nations will work together to achieve the following engagement goals identified by BOEM in the Draft Guidelines:

- **Identify and understand who should be engaged:** Tailor communication and engagement to the Tribe’s/Tribal Nation’s expressed needs and interests. Identify key information such

as the specific Tribes/Tribal Nations that might be impacted by project activities, what their interests are, their capacity for engagement, and their preferred method of communication.

- **Share information and build understanding:** Communicate with Tribes/Tribal Nations in a timely manner about opportunities for engagement and share information about the technical and regulatory aspects of offshore wind to enable Tribes/Tribal Nations to provide informed input and recommendations.
- **Collaborate on ways to identify potential impacts early in project planning:** Seek to understand Tribal/Tribal Nations concerns and engage in two-way dialogue and problem solving. Strive to find mutually agreeable or joint solutions to present to agency decision-makers on how to identify and avoid, minimize, or mitigate potential impacts to environmental, social, economic, and/or cultural resources as early as possible.
- **Monitor, evaluate, and adjust this Joint NATCP:** Assess the effectiveness of communications and find ways to improve engagement performance, develop ways to gather better feedback/recommendations from Tribes/Tribal Nations, and incorporate the feedback/recommendations to improve processes and communication.

### 3.0 NY Bight Leases and Lessees

In March 2021, BOEM identified Wind Energy Areas (WEAs) in the NY Bight between Long Island and the New Jersey coast. BOEM initiated an environmental review, with public input, on these areas in federal waters for potential offshore wind leasing. The NY Bight Leases are in an area of water between New York and New Jersey. On Feb. 23, 2022, BOEM held an offshore wind auction for six lease areas in the NY Bight: OCS-A 0537, OCS-A 0538, OCS-A 0539, OCS-A 0541, OCS-A 0542, and OCS-A 0544 (**Figure 1**). The lease sale drew competitive winning bids from six companies (see **Figure 1** and **Table 1**). Contact information for designated Tribal Nation members can be included in future updates.

### 4.0 NATCP Parties

The following sections identify the Tribes/Tribal Nations and NY Bight Lessees participating in this Joint NATCP and describe relevant roles and responsibilities.

#### 4.1 Tribes/Tribal Nations

On May 5, 2023, BOEM invited 12 Tribes/Tribal Nations with ancestral ties to the NY Bight region to participate in a virtual meeting to discuss the development of the Joint NATCP and participate in the subsequent development of the plan. The Tribes/Tribal Nations invited to participate in the meeting are listed in Error! Reference source not found.. Although the Shawnee Tribe

declined to participate in the development of the NATCP and Tribal pre-survey meetings, the NY Bight Lessees maintain an open invitation for their future participation if at any time they decide to engage.

**Table 4: Joint NATCP Invited Tribes/Tribal Nations**

Tribes/Tribal Nations	
Absentee-Shawnee Tribe of Indians of Oklahoma	Shawnee Tribe
Delaware Tribe of Indians	Stockbridge-Munsee Community Band of Mohican Indians
Eastern Shawnee Tribe of Oklahoma	The Delaware Nation
Mashantucket (Western) Pequot Tribal Nation	The Narragansett Indian Tribe
Mashpee Wampanoag Tribe	The Shinnecock Indian Nation
Mohegan Tribe of Indians of Connecticut	Wampanoag Tribe of Gay Head (Aquinnah)

Under this NATCP, the NY Bight Lessees encourage each Tribe/Tribal Nation to identify a Tribal Representative (TR). The roles and responsibilities of the TR would include:

- Receiving NATCP related communications/updates from the NY Bight Lessees and providing them to their Tribal government and Tribal citizens as they see fit or based on criteria established by their government;
- Attending, to the best of their ability, engagement activities, such as virtual or face-to-face meetings and communicating content of the meetings to their Tribal government/leadership and Tribal citizens; and
- Collecting questions, comments, and recommendations from the Tribal government and citizens, communicating them to the NY Bight Lessees and communicating lessee responses.

Additional TR roles or responsibilities that may be identified during NATCP implementation can be added to the preceding list only with the consent of the participating Tribes/Tribal Nations. The NY Bight Lessees recognize that not all the Tribes/Tribal Nations identified by BOEM participated in the May 15, 2023, meeting (see Appendix D). The Tribes/Tribal Nations that were not in attendance have not, however, explicitly declined to participate in the Joint NATCP. As a result, the NY Bight Lessees are committed to a “the door is always open” policy and would welcome any of the Tribes/Tribal Nations invited by BOEM to the Joint NATCP meeting to participate in the Joint NATCP at any stage. If additional Tribes/Tribal Nations decide to participate in the Joint NATCP, the NY Bight Lessees will add them and their TR(s) to **Table D-1** in Appendix D.

## 4.2 NY Bight Lessees

Each NY Bight Lessee has designated a Tribal Engagement Representative (TER)<sup>1</sup> to act as the primary point of contact for Tribes/Tribal Nations. Throughout implementation of the Joint NATCP, TERs will serve as the single point of contact responsible for communicating a wide range of information to the Tribes/Tribal Nations from the NY Bight Lessees and providing feedback from the Tribes/Tribal Nations to inform project decision making. **Table 5** contains a list of and contact information for each of the NY Bight Lessees' TERs.

**Table 5: NY Bight Lessee TERs Contact Information**

Lessee	Lease Area	Tribal Engagement Representative	Contact information
Bluepoint Wind, LLC	OCS-A 0537	Eric Henry	<a href="mailto:eric.henry@bluepointwinds.com">eric.henry@bluepointwinds.com</a> Phone: 646-748-7411
Attentive Energy LLC	OCS-A 0538	Lauren Cleeland	<a href="mailto:lauren.cleeland@searchinc.com">lauren.cleeland@searchinc.com</a> Phone: 405-695-0529
Community Offshore Wind, LLC	OCS-A 0539	Justin Bedard	<a href="mailto:BKConsultingGroup@outlook.com">BKConsultingGroup@outlook.com</a> Phone: 301-835-5646
Atlantic Shores Offshore Wind, LLC	OCS-A 0541	Vincent Esposito	<a href="mailto:vincent.esposito@atlanticshoreswind.com">vincent.esposito@atlanticshoreswind.com</a> Phone: 929-855-1425
Invenergy Wind Offshore LLC	OCS-A 0542	Hope Luhman	<a href="mailto:hope@appliedculturalheritage.com">hope@appliedculturalheritage.com</a> Phone: 518-334-6035
Vineyard Mid-Atlantic, LLC	OCS-A 0544	Jacob Miller	<a href="mailto:jmiller@vineyardoffshore.com">jmiller@vineyardoffshore.com</a> Phone: 774-929-0835

The TERs will be responsible for implementing all aspects of the Joint NATCP including, but not limited to, the following:

- Preparing meeting materials (agendas, presentations, meeting summaries);
- Coordinating and leading face-to-face/virtual engagement meetings, including pre-survey meetings;
- Tracking action items and follow-up engagements and activities;
- Providing updates to TRs;
- Answering questions from TRs about the project and its activities, and conversely, providing insight into Tribal concerns, recommendations, and perspectives to the TER's associated NY Bight Lessee; and

<sup>1</sup>Lease stipulation 3.1.2.2 requires lessees to provide contact information for an individual retained by the lessee as its primary point of contact with federally recognized Tribes, referring to this individual as a Tribal Liaison. During meetings to discuss the NATCP, Tribes/Tribal Nations stated they did not like the term "Tribal Liaison" and the lessees agreed to change the title to "Tribal Engagement Representative". Stipulation 3.1.2.2 also recommends lessees request that Tribes/Tribal Nations designate a Tribal Representative to serve as the primary point of contact for communicating with lessees. During engagement meetings Tribes/Tribal Nations did not object to the term "Tribal Representative" and, as a result, it has been retained to align the NY Bight Joint NATCP with lease stipulation 3.1.2.2.

- Communicating Tribe/Tribal Nation perspectives, information, and recommendations to their senior leadership/decision makers, other NY Bight Lessees, and contractors.

The goal of designating a single TER within each NY Bight Lessee organization as the primary point of contact for the TRs is to facilitate communication between NY Bight Lessees and TRs as well as to manage potential engagement fatigue by reducing the number of emails, calls, etc. necessary for TRs to get answers to questions or requests for information.

## 5.0 Engagement Strategies and Tools

The NY Bight Lessees recognize that Tribes'/Tribal Nations' time is very valuable, and it is therefore important to promote meaningful communication, coordination, and collaboration without being burdensome to Tribes/Tribal Nations. The NY Bight Lessees will engage with Tribes/Tribal Nations to discuss a variety of topics through various engagement activities.

### 5.1 Types and Frequency of Engagement Activities

**Table 6** summarizes the types of potential engagement activities that NY Bight Lessees and Tribes/Tribal Nations may use to communicate, collaborate, and coordinate during the development of offshore wind projects in the NY Bight.

**Table 6: Proposed Engagement Activities**

Engagement Activity	Description
<b>Virtual and/or Face-to-Face Meetings</b>	<p><b>Group Meetings:</b> The NY Bight Lessees will host joint, virtual or face to face, meetings for Tribes/Tribal Nations that will be attended by representatives from all six NY Bight Lessees. The meetings may include the following components:</p> <ul style="list-style-type: none"> <li>• Optional opening prayer/invocation from TRs;</li> <li>• Opening statement by TRs and the NY Bight Lessees;</li> <li>• Knowledge/information-sharing sessions between TRs and the NY Bight Lessees;</li> <li>• Question-and-answer session;</li> <li>• Listening session where the NY Bight Lessees will listen to concerns, recommendations, and feedback from TRs; and</li> <li>• Optional closing prayer/benediction from TRs.</li> </ul> <p>Agendas for individual meetings may be developed in consultation with Tribes/Tribal Nations in advance of the meeting. The virtual joint meetings may be recorded and shared with any Tribes/Tribal Nations with their consent.</p> <p><b>Individual Meetings:</b> Individual NY Bight Lessees will host virtual or face-to-face meetings attended by one or multiple Tribes/Tribal Nations to discuss project specific information, concerns, and programs. These meetings will follow the same format as the group meetings.</p>
<b>Updates via Bi-Annual Progress Reports</b>	<p>The NY Bight Lessees will prepare and send updates on the status of the projects, major developments, regulatory activities, and information/updates on topics important to the Tribe/Tribal Nations in their Bi-Annual Progress Report to BOEM, which are made publicly available on BOEM's website.</p>



Engagement Activity	Description
<b>Website Updates</b>	The NY Bight Lessees will regularly update their respective websites with information and news about the project. This may include opportunities to sign up for project notifications.

The NY Bight Lessees welcome feedback from Tribes/Tribal Nations regarding proposals for NY Bight Lessees to host meetings in association with regional and/or national Tribal events. If appropriate and welcomed, NY Bight Lessees would also gladly receive suggestions on regional or national events where it would be appropriate for meetings to be held.

During the engagement activities listed in **Table 6**, the NY Bight Lessees may share information and listen to recommendations or concerns related to topics such as marine and terrestrial archaeology, above ground historic resources, marine and coastal environments and wildlife, environmental justice, socioeconomics, commercial and subsistence fishing, tourism and recreation, and potential collaboration between Tribes/Tribal Nations and NY Bight Lessees, as raised by the Tribes/Tribal Nations.

## 6.0 Phase-by-Phase Engagement Strategy

The NY Bight Lessees recognize that the phases described below will require different levels of engagement with Tribes/Tribal Nations, with fewer engagement activities during periods of relatively low activity and more engagement activities during periods of increased activity.

As a result, the types and frequency of engagement activities have been tailored to specific needs of each phase of project. See **Table 7** for timelines of these activities. The NY Bight Lessees have divided the Joint NATCP into the following phases:

- Pre-Construction Project Development
  - Site Assessment/Characterization (including Pre-Survey Meetings)
  - Construction and Operation Plan (COP) Development
  - NEPA and NHPA Section 106 Consultation
- Construction
- Operation and Maintenance (O&M)
- Decommissioning

The following sections provide an overview of each of these phases, including the duration of the phase, discussion topics, and the types and frequency of engagement activities that will take place during each phase. While some engagements with Tribes can be completed jointly, other engagements will require coordination on an individual project basis due to, for example, sensitive or confidential information, differences in project areas, and different stages of development.

## 6.1 Site Assessment/Characterization

Activities during the Site Assessment Phase includes the following activities:

- Holding meetings with Tribes/Tribal Nations to present and solicit feedback on geophysical and geotechnical survey plan(s) in support of geophysical (side scan sonar, sub-bottom profiler) and geotechnical (coring) surveys to Tribes/Tribal Nations;
- Conducting geophysical surveys and geotechnical investigations;
- Producing studies to support project engineering and archaeological investigations;
- Conducting wildlife surveys and studies such as marine mammal, benthic habitat, and fisheries;
- Potentially submitting a SAP to BOEM to install a metocean buoy within the Lease Areas to collect meteorological and physical oceanography information;
- Array design and siting, such as foundation design, array locations and
- Transmission corridor planning and siting, including any additional facilities such as those accompanying direct current cables, onshore facilities plan.

The NY Bight Lessees estimate the Site Assessment Phase could last up to five years. The principal engagement goals during this phase include, but are not limited to, the following:

- The NY Bight Lessees will offer the opportunity for Tribes/Tribal Nations to review and comment on proposed geophysical and geotechnical survey plans, and the SAP.
- NY Bight Lessees will offer the opportunity to receive feedback and recommendations from Tribes/Tribal Nations on the content and structure of the Survey Plan(s) including the selection of geoarchaeological core locations.
- Tribes/Tribal Nations may communicate their concerns and recommendations to NY Bight Lessees to inform methods and objectives of site characterization surveys and studies.
- The NY Bight Lessees will publish information on their websites of survey activities to minimize interference with Tribe/Tribal Nation citizens' use of ocean resources.
- The NY Bight Lessees and Tribes/Tribal Nations may discuss opportunities for collaboration during site characterization studies and surveys such as sharing knowledge or identifying opportunities for Tribe/Tribal Nation citizens to participate in activities such as viewing and/or participating in geoarchaeological core lab work.

During this phase, the NY Bight Lessees will conduct the engagement activities listed in **Table 7**.

**Table 7: Site Assessment Phase Engagement**

Lessee Participants	Engagement Activity	Type of Engagement	Timing/Frequency
<b>All NY Bight Lessees</b>	NY Bight Update Group Meeting	Virtual or face-to-face	Quarterly or upon request
<b>Individual Lessees</b>	Project specific meetings	Virtual or face-to-face	Upon request by individual or groups of Tribes/Tribal Nations
	Geophysical and/or geotechnical pre-survey meetings	Virtual	At least 30 days prior to start of survey campaigns
	Project specific updates	Website updates	As needed

## 6.2 Construction and Operations Plan (COP) Development

During this phase, each NY Bight Lessees will analyze and review information collected during the Site Assessment Phase to develop the project specific COPs. The COPs will describe how the NY Bight Lessees will construct and operate commercial wind projects on their respective lease areas and will include a description of all planned facilities, proposed construction activities, commercial operations, and conceptual decommissioning plans. The COPs will also summarize results of biological, geotechnical, socioeconomic, and cultural resources studies; provide an assessment of the potential project specific impacts; and proposed measures for avoiding, minimizing, reducing, eliminating, mitigating, and monitoring impacts. NY Bight Lessees anticipate this phase will last one to two years.

The principal engagement goals during this phase include, but are not limited to, the following:

- The NY Bight Lessees will present to the Tribes/Tribal Nations the results of marine archaeological resources assessment (MARA); terrestrial archaeological resources assessment (TARA); historic resources visual effects assessment (HRVEA); and as requested, studies to evaluate potential impacts to marine species (such as marine mammals), fisheries, and terrestrial vegetation and wildlife species and potential socioeconomic effects, in coordination with the applicable agency and any environmental review process, such as the NEPA or NHPA Section 106 process.
- The NY Bight Lessees will collaborate with the Tribes/Tribal Nations during virtual and in-person meetings to understand their perspectives, opinions, concerns, and recommendations regarding proposed measures to avoid, minimize, mitigate, and/or monitor potential project impacts to environmental, social, and/or cultural resources and will present mutually agreed upon measures to agency decision-makers for consideration.

During this phase, the NY Bight Lessees will conduct the engagement activities listed in **Table 8**.

**Table 8: COP Phase Engagement**

Lessee Participants	Engagement Activity	Type of Engagement	Timing/Frequency
<b>All NY Bight Lessees</b>	NY Bight Update Group Meeting	Virtual or face-to-face	Quarterly or upon request
<b>Individual Lessees</b>	Project specific meetings	Virtual or face-to-face	Upon request by individual or groups of Tribes/Tribal Nations
	Project specific updates	Website updates	As needed
	Progress Reports	Email/Website updates	Semi-annually

### 6.3 NEPA and NHPA Section 106 Review

This phase begins when BOEM issues a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) to conduct its National Environmental Policy Act (NEPA) reviews for a COP or when BOEM initiates the National Historic Preservation Act (NHPA) Section 106 review of a COP, if BOEM initiates the NHPA Section 106 review prior to issuing the NEPA NOI, whichever occurs first.

At the conclusion of the expected two-year NEPA review period, BOEM will decide whether to approve, approve with modifications, or disapprove the COPs. BOEM's decision will be presented in a Record of Decision (ROD) to complete the NEPA review. The completion of BOEM's NHPA Section 106 review will either be incorporated into the ROD (if BOEM elects to use NEPA substitution for the Section 106 review) or conclude with a standalone Memorandum of Agreement (MOA) or Programmatic Agreement (PA) detailing how BOEM will resolve potential adverse effects to historic properties.

The NY Bight Lessees will provide information in support of BOEM and Tribes/Tribal Nations government-to-government consultations<sup>2</sup> as part of the NEPA and NHPA Section 106 process.

The principal engagement goals during this phase include, but are not limited to, the following:

- The NY Bight Lessees will provide updates on their activities to support the BOEM environmental and technical review.
- The NY Bight Lessees will communicate and coordinate with BOEM and Tribes/Tribal Nations throughout the NEPA review of the COP, attend NEPA public scoping and comment meetings, answer questions, and respond to information requests.
- The NY Bight Lessees will respond to questions or information requests from Tribes/Tribal Nations in a timely manner.

<sup>2</sup> The NY Bight Lessees recognize that NY Bight Lessees will not participate in any government-to-government consultations between BOEM and federally recognized Tribes/Tribal Nations but will provide supporting materials such as reports, answers to questions, maps, etc. to Tribes/Tribal Nations and/or BOEM to support consultations.

- The NY Bight Lessees will communicate and coordinate with BOEM and Tribes/Tribal Nations throughout the NHPA Section 106 review of the COP, provide relevant studies and reports, attend NHPA Section 106 meetings, answer questions, and respond to information requests.
- If BOEM determines a project will adversely affect historic properties of religious and cultural significance to Tribes/Tribal Nations, the NY Bight Lessees will support BOEM in its obligation to consult with Tribes/Tribal Nations to develop proposals to avoid, minimize, and/or mitigate adverse effects.

During this phase, the NY Bight Lessees will conduct the engagement activities listed in **Table 9**.

**Table 9: BOEM Environmental and Technical Review Engagement**

Lessee Participants	Engagement Activity	Type of Engagement	Timing/Frequency
<b>All NY Bight Lessees</b>	NY Bight Update Group Meeting	Virtual or face-to-face	Quarterly or upon request
<b>Individual Lessees</b>	Project specific meetings	Virtual or face-to-face	Upon request by individual or groups of Tribes/Tribal Nations
	Project updates	Website updates	As needed
	Progress Reports	Email/Website updates	Semi-annually
	NEPA Public Meetings	Virtual or face-to-face	Schedule to be determined by BOEM on a project-by-project basis
	NHPA Section 106 Meetings	Virtual or face-to-face	Schedule to be determined by BOEM on a project-by-project basis

In addition to future NEPA/NHPA processes for individual NY Bight projects, BOEM is currently undertaking a Programmatic Environmental Impact Statement (PEIS) for the six NY Bight Leases. The PEIS will evaluate the potential environmental impacts associated with the development of the NY Bight Leases and suggest potential actions to avoid, minimize, or mitigate potential impacts. A Programmatic Agreement (PA) for the NY Bight Leases is being developed under Section 106 of the NHPA. Currently, BOEM is undertaking Section 106 consultation as part of the PEIS process.

## 6.4 Construction

During this phase, the NY Bight Lessees will construct their approved offshore wind farms within their respective lease areas. Construction activities will be aligned with the requirements and conditions of the NEPA FEIS, BOEM ROD, NHPA Section 106 PA, and any other permitting authorizations.

The principal engagement goals during this phase will include, but are not limited to, the following:

- The NY Bight Lessees will communicate project construction updates and the status of the various avoidance, minimization, and mitigation efforts/commitments to Tribes/Tribal Nations.
- The NY Bight Lessees will publish information on their websites on construction vessel activities to minimize interference with Tribe/Tribal Nation citizens' use of ocean resources.
- The NY Bight Lessees will coordinate the participation of Tribes/Tribal Nations in applicable environmental, social, and/or cultural resource mitigation and monitoring programs as conditions of COP approval and as defined in the project ROD, MOA, and/or any other agreements between the NY Bight Lessees and Tribes/Tribal Nations.
- The NY Bight Lessees will communicate the results of Construction Phase environmental, social, and cultural resource monitoring reports consistent with the conditions of COP approval.

During this phase, the NY Bight Lessees will conduct the engagement activities listed in **Table 10**.

**Table 10: Construction Phase Engagement**

Lessee Participants	Engagement Activity	Type of Engagement	Timing/Frequency
All NY Bight Lessees	NY Bight Update Group Meeting	Virtual or face-to-face	Biannually
Individual Lessees	Project specific meetings	Virtual or face-to-face	Upon request by individual or groups of Tribes/Tribal Nations
	Project specific updates	Website updates	As needed

## 6.5 Operation and Maintenance (O&M)

During the Operations and Maintenance (O&M) Phase, the NY Bight Lessees will operate and perform routine maintenance on their offshore wind farm within the Lease Areas.

The principal engagement goals during this phase include, but are not limited to, the following:

- The NY Bight Lessees will coordinate the participation, if any, of Tribes/Tribal Nations in applicable environmental, social, and/or cultural resource operational mitigation and monitoring programs as conditions of COP approval and as defined in the project ROD, MOA, and/or any other agreements between the NY Bight Lessees and Tribes/Tribal Nations.
- The NY Bight Lessees will publish information on their project websites on routine operational vessel activities to minimize interference with Tribe/Tribal Nation citizen's use of ocean resources; and
- The NY Bight Lessees will communicate the results of O&M Phase environmental, social, and cultural resource monitoring reports consistent with conditions of COP approval.

During this phase, the NY Bight Lessees will conduct the engagement activities listed in **Table 11**.

**Table 11: O&M Phase Engagement**

Lessee Participants	Engagement Activity	Type of Engagement	Timing/Frequency
All NY Bight Lessees	NY Bight Update Group Meeting	Virtual or face-to-face	Biannually
Individual Lessees	Project specific meetings	Virtual or face-to-face	Upon request by individual or groups of Tribes/Tribal Nations
	Project updates	Website updates	As needed

## 6.6 Decommissioning

Near the end of each NY Bight project's life, individual NY Bight Lessees will submit a decommissioning application to the Bureau of Safety and Environmental Enforcement (BSEE). BSEE will then review, complete a NEPA and NHPA Section 106 review, and determine whether to approve, disapprove, or approve with modifications the decommissioning application. Once approved, the NY Bight Lessee would decommission and remove project components as outlined in the application.

The principal engagement goals during this phase include, but are not limited to, the following:

- The NY Bight Lessees will collaborate with Tribes/Tribal Nations through virtual meetings, face-to-face meetings, and/or email/letter exchanges to develop a decommissioning plan that incorporates and addresses, to the greatest extent feasible, Tribal concerns about environmental, social, and cultural resources impacts from project decommissioning.
- The NY Bight Lessees will communicate any required environmental, social, and/or cultural resources monitoring programs.
- The NY Bight Lessees will publish information on their project websites on decommissioning vessel activities to minimize interference with Tribe/Tribal Nation citizen's use of ocean resources.

During this phase, the NY Bight Lessees will conduct the engagement activities listed in **Table 12**.

**Table 12: Decommissioning Phase Engagement**

Lessee Participants	Engagement Activity	Type of Engagement	Timing/Frequency
All NY Bight Lessees	NY Bight Update Group Meeting	Virtual or face-to-face	Biannually
Individual Lessees	Project specific meetings	Virtual or face-to-face	Upon request by individual or groups of Tribes/Tribal Nations
	Project updates	Website updates	As needed
	Decommissioning Plan Development Meeting	Virtual or face-to-face	Beginning of the decommissioning plan development

Lessee Participants	Engagement Activity	Type of Engagement	Timing/Frequency
	Decommissioning Plan Review	Virtual or face-to-face	During decommissioning plan development

## 7.0 Information and Data Sharing

The NY Bight Lessees are committed to developing meaningful and collaborative relationships with Tribes/Tribal Nations based on mutual respect and trust. The NY Bight Lessees acknowledge that Tribes/Tribal Nations with ancestral ties to the NY Bight region are the keepers of important Traditional Ecological and Cultural Knowledge (TECK). The NY Bight Lessees recognize that individual Tribes/Tribal Nations will determine what, if any, types of knowledge will be shared with the NY Bight Lessees and provide feedback on how such knowledge could be applied to project development in a manner that respects Tribes/Tribal Nations and achieves mutually beneficial outcomes for the NY Bight Lessees and Tribes/Tribal Nations.

To promote mutual respect and trust, the NY Bight Lessees will keep any sensitive information shared by Tribes/Tribal Nations during individual or joint engagement activities confidential. The NY Bight Lessees will not share comments, feedback, statements, descriptions of cultural practices or beliefs, recommendations, or concerns shared by Tribes/Tribal Nations during Joint NATCP activities without the written consent, in a letter or email, of the Tribe/Tribal Nation that provided the information. Similarly, the NY Bight Lessees request that Tribes/Tribal Nations not share any information provided by the NY Bight Lessees marked as “confidential”, “proprietary”, or “draft” with outside parties.

Throughout the implementation of the Joint NATCP, information shared by the NY Bight Lessees with Tribes/Tribal Nations may include, but not be limited to, the following:

- Geophysical and geotechnical survey plans and survey results used to inform geoarchaeological core selection;
- Final environmental, socio-economic, and cultural resource investigation/survey reports;
- Publicly available information used in assessments in ArcGIS-compatible file formats (shapefiles, geodatabases, KMZ files);
- PowerPoint or other presentation materials presented at meetings;
- Information on project design under consideration such as, but not limited to:
  - Potential onshore and offshore export cable and transmission routes;
  - Substation and point of interconnection locations;
  - Landfall sites; and/or
  - Wind turbine generator and offshore substation locations/layouts;



- The semiannual Progress Reports published on BOEMs website under the NY Bight Leases stipulation 3.1 in Addendum C<sup>3</sup>; and
- Project monitoring data and reports generated to satisfy BOEM requirements for applicable NEPA and NHPA environmental, social, and cultural resource commitments, mitigation, and monitoring requirements.

Electronic versions of these datasets, reports, and presentation materials may be emailed to the TR as appropriate. If a Tribe/Tribal Nation would prefer or require printed hard copies of reports and other documents, the NY Bight Lessees will provide them upon request. Any material that is sent to Tribes/Tribal Nations by mail will also be sent to the TR as a pdf with an email noting a hardcopy was also sent through the mail. Each TR will be responsible for providing the shared materials to their Tribal government and/or Tribal citizens as determined by each Tribal government.

Based on recommendations from Tribes/Tribal Nations, the NY Bight Lessees will implement standardized formatting for email and post-meeting communications for ease of use. Lessees will send meeting summaries in a timely manner to Tribes/Tribal Nations in a standardized format that includes itemized discussion points, next steps, and a copy of the agenda. Lessees should consistently refer to leases in the following format: OCS A-[OXXX], [NY Bight or project name], [TOPIC], [PROJECT PHASE]. The topic will indicate the subject of discussion (e.g., pre-survey, NATCP, geoarchaeological cores) and the project phase will indicate the specific phase of development (e.g., survey, COP development, NEPA).

## 8.0 Monitoring and Reporting

Indicators of Success are a set of quantifiable measurements or metrics used to gauge a company's or organization's overall, long-term performance in implementing a plan or program. In the context of this Joint NATCP, Indicators of Success will be used to track the NY Bight Lessees' performance in conducting/completing the engagement activities described in the Joint NATCP. For each phase of the project, the NY Bight Lessees will track the number of engagement activities/actions completed, as well as significant outcomes from each engagement using **Table 13** below.

For NY Bight meetings, the NY Bight Lessees will draft meeting summaries after each project meeting, which will include the following:

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<sup>3</sup> Under lease stipulation 3.1 in Addendum C of the NY Bight leases, BOEM commits to protect privileged and confidential information submitted by the NY Bight Lessees in their progress reports as required by the Freedom of Information Act and 30 CFR 585.113, including "trade secrets and commercial or financial information" submitted by the NY Bight Lessees. The NY Bight Lessees will share copies of the biannual progress reports with Tribes/Tribal Nations without "trade secrets and commercial or financial information".

- A list of invited attendees;
- A list of attendees, including names, titles, and affiliation (Tribe/Tribal Nation or NY Bight Lessees);
- A summary of the key topics discussed during the meeting as well as key findings, recommendations, and outcomes; and
- A summary of follow-up and/or action items developed during the meeting.

The relevant information collected will be incorporated into the progress reports filed by the NY Bight Lessees every six months with BOEM pursuant to the progress report requirements of lease stipulation 3.1 in Addendum C.

The NY Bight Lessees will share a draft of the meeting summary with each participant for review and comment. The meeting summaries, along with copies of all electronic and hard copy correspondence, will be retained by each lessee documenting implementation of this Joint NATCP, as well as to support BOEM-required progress reporting.<sup>4</sup> The NY Bight Lessees will solicit feedback and recommendations from the participating Tribes/Tribal Nations on how to improve the Joint NATCP and its implementation.

For individual project meetings, each NY Bight Lessee will be responsible for tracking project specific meetings held with individual or groups of Tribes/Tribal Nations such as geophysical and geotechnical campaign pre-survey meetings, meetings between individual NY Bight Lessees and Tribes/Tribal Nations, NY Bight Lessee specific meetings requested by individual or groups of Tribes/Tribal Nations, etc. Each NY Bight Lessee will summarize the general topics discussed during these meetings a in their semi-annual progress reports to BOEM and Tribes/Tribal Nations as required by BOEM.

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<sup>4</sup> BOEM reporting requirements can be found in Addendum C, Section 3.0 of the NY Bight Commercial Leases.

Table 13: Joint NATCP Indicators of Success (template)

Engagement Activities		Date Completed	Meeting Summary (Topics Discussed/Concerns Raised/Recommendations Made)	Significant Outcomes/ Changes to Project Plans as a Result of Engagement Activities
<b>Joint NATCP Development Phase</b>				
Joint NATCP Discussion Meeting				
Draft Joint NATCP Review and Comment Meeting				
<b>Site Assessment/Characterization Engagement Activities</b>				
Survey Meetings				
<b>COP Development Phase</b>				
Project Update Meetings				
Project Updates				
<b>BOEM Environmental and Technical Review Phase</b>				
Project Update Meetings				
Project Updates				
NHPA Section 106 Consultation Meetings				
Meetings with Tribal/Tribal Nation Governments				
<b>Construction</b>				
Project Update Meetings				
Project Updates				
<b>Operations Phase</b>				
Project Update Meetings				
Project Updates				
<b>Decommissioning Phase</b>				
Decommissioning Plan Development Meeting				
Decommissioning Plan Review				
Project Updates				

## 9.0 Conflict Resolution

One of the principal objectives of this Joint NATCP is to build a strong relationship with Tribes/Tribal Nations built on transparency, trust, and mutual respect. The NY Bight Lessees do, however, recognize that Tribes/Tribal Nations may identify conflicts associated with the development of the lease areas that are not resolved to their full satisfaction. As a result, the Joint NATCP includes a Tribes/Tribal Nations Grievance Procedure (Grievance Procedure) to allow Tribal governments and citizens to raise questions or concerns with the NY Bight Lessees and have them addressed promptly and respectfully<sup>5</sup>. Each individual NY Bight Lessee will be responsible for implementing this Grievance Procedure.

The goal of this Grievance Procedure is to address complaints received from Tribe/Tribal Nation government or citizen. Any Tribe/Tribal Nation considering itself to be affected by project activities will have access to this Grievance Procedure. A Tribe's/Tribal Nation's participation in this process will not diminish the rights or remedies under any applicable law or regulation nor shall it substitute for participation in any permitting processes that apply to a given project.

### 9.1 Purpose and Objectives

This Grievance Procedure establishes the process for addressing complaints raised in connection with any of the NY Bight offshore wind projects. It describes the scope and procedural steps for the complaint-handling process. It will be revised and updated periodically based on experience and feedback from Tribes/Tribal Nations.

This Grievance Procedure has the following objectives:

- Establish a prompt, consistent, and respectful mechanism for receiving, investigating, and responding to complaints from Tribes/Tribal Nations;
- Ensure proper documentation of complaints and any steps to resolve issue; and
- Contribute to continuous improvement in performance through the analyses of trends and lessons learned.

### 9.2 Scope

This Grievance Procedure is open to all citizens of Tribes/Tribal Nations who are parties to this NATCP and consider themselves affected by the development of offshore wind in the NY Bight.

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<sup>5</sup> The Grievance Procedure is based on guidance published by the Ipieca, the global oil and gas association dedicated to advancing environmental and social performance across the energy transition. The guidance documents used to develop this Grievance Procedure can be reviewed at <https://www.ipieca.org/resources/good-practice/community-grievance-mechanisms-in-the-oil-and-gas-industry/>.

There are no restrictions on the type of issue a Tribe/Tribal Nation citizen can raise under this Procedure. Complaints received under this Grievance Procedure shall be tracked until close out.

### 9.3 Terminology

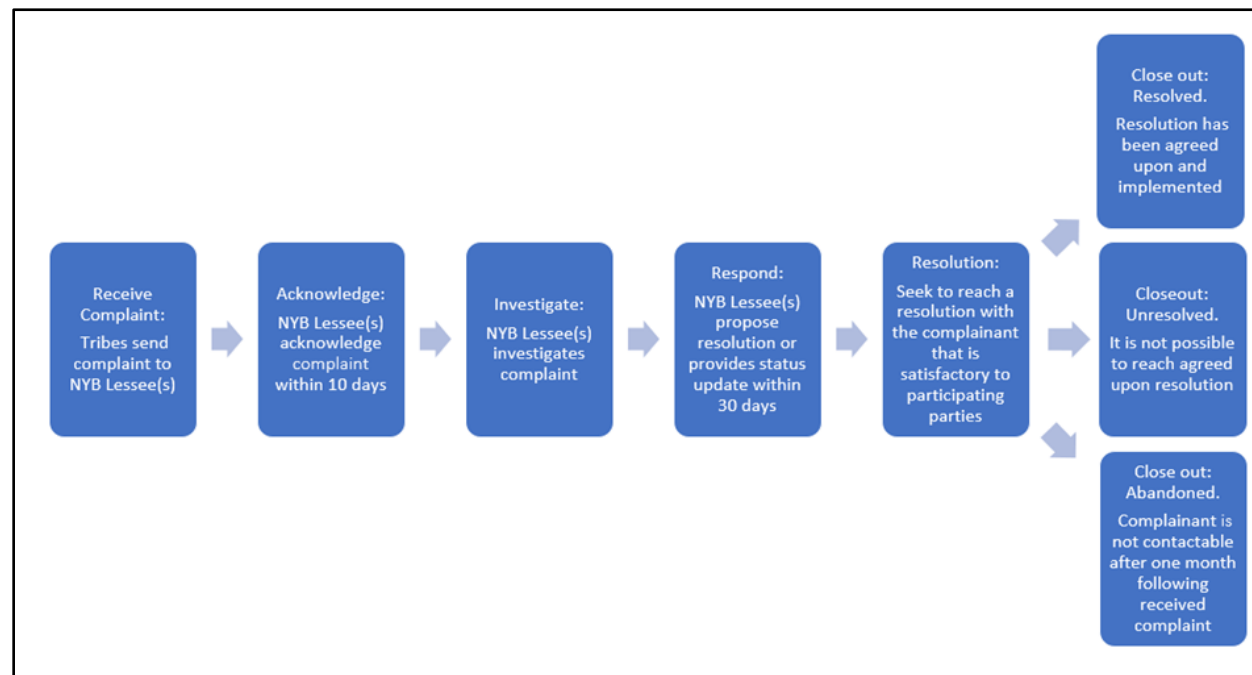
**Table 14** defines terms used throughout the Grievance Procedure.

**Table 14: Grievance Procedure Terms**

Term	Definition
<b>Complainant</b>	An individual, group, or organization who submits a complaint to the Lessee.
<b>Complaint</b>	An expression of dissatisfaction with the project owner, typically referring to a specific source of concern or grievance and/or seeking a specific solution.
<b>Complaint Log</b>	A database for maintaining information about complaints received.
<b>Contractor</b>	An individual or firm that has entered a contract to provide goods or services to the Lessee. The term covers parties directly contracted by the Lessee and those contracted by a contractor company, also referred to as subcontractors.

### 9.4 Grievance Procedure

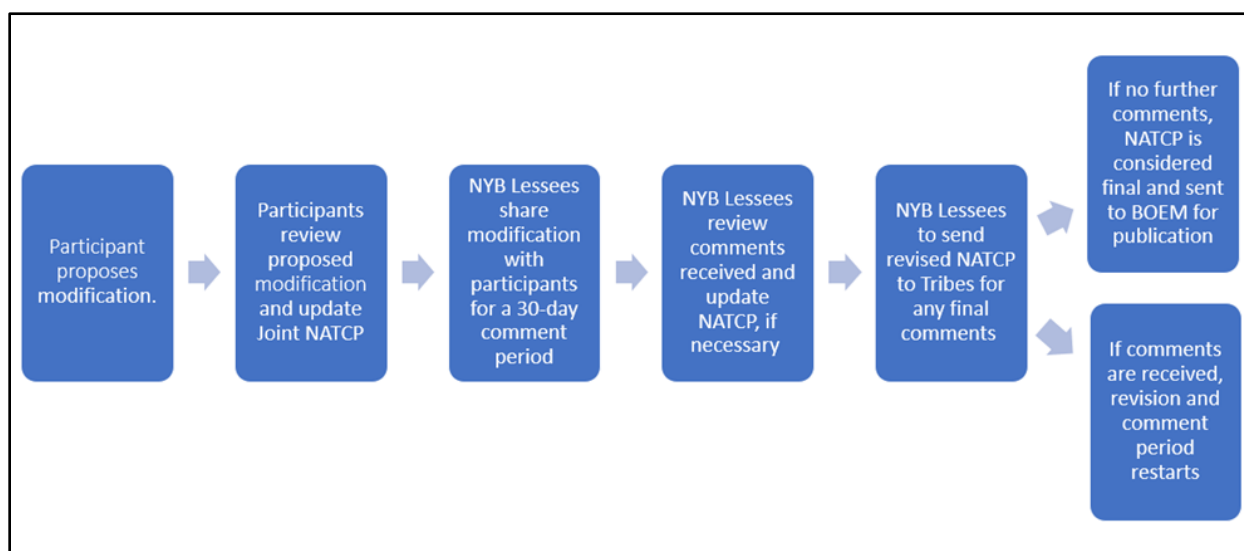
The Grievance Procedure will follow steps for receiving, investigating, and resolving complaints submitted by any Tribe/Tribal Nation (**Figure 2**). If the grievance is within the jurisdiction and/or the responsibility of BOEM or other federal agency, the grievance will be communicated to the relevant federal agency for resolution. Lessees alone often lack the authority to implement specific measures without federal regulatory authorization.



**Figure 2: Grievance Procedure.**

## 10.0 Processes for Revising Joint NATCP

The NY Bight Lessees view the Joint NATCP as a “living document” that may be modified and adapted throughout plan implementation to achieve the goal of effective communication, collaboration, and coordination between the NY Bight Lessees and participating Tribes/Tribal Nations. Examples of possible changes to the Joint NATCP could include adjusting the types of engagement activities during each project phase and or revisions to the roles and responsibilities of TRs or the NY Bight Lessees TER based on lessons learned during plan implementation, etc. The process for modifying the Joint NATCP will embody the core principles of communication, coordination, and collaboration between participants. The process presented in **Figure 3** will be used to modify the Joint NATCP.



**Figure 3: Process for Revision of Joint NATCP**

If any participating party decides to object to a modification/amendment accepted under the process outlined above, the NY Bight Lessees will meet with the objecting party in hopes of developing a mutually agreeable solution to the objection.

If Tribes/Tribal Nations that previously declined the NY Bight Lessees’ invitation to participate in the Joint NATCP decide to participate in the plan, adding said Tribe/Tribal Nation to the Joint NATCP will not be subject to the process outlined above. The Tribe/Tribal Nation requesting to participate will be added to the plan and an updated version will be shared with the participating Tribes/Tribal Nations. Similarly, administrative updates to the Joint NATCP, such as updating TER/TR names and contact information or editorial revisions to fix typos, will not be subject to the process outlined above. When administrative revisions are made by the NY Bight Lessees, the TER will revise the document and send an updated version of the plan along with a description of the changes to the participating Tribes/Tribal Nations.

## 11.0 Conclusion

The NY Bight Lessees believe that Tribes/Tribal Nations play an important role in the development of the offshore wind industry in the United States. Through implementation of the Joint NATCP, the NY Bight Lessees will work with Tribes/Tribal Nations to develop a respectful, collaborative, and equitable relationship. The knowledge, insights, and recommendations provided by Tribes/Tribal Nations on offshore wind projects in the NY Bight will support the development of environmentally, socially, and culturally sustainable projects. The NY Bight Lessees hope that through regular and meaningful engagement we can build trust, reduce potential conflicts, and work together to bring local clean energy to the NY Bight region.

## 12.0 508 Compliance Statement

Section 508 of the Rehabilitation Act of 1973 requires federal agencies to make their electronic and information technology accessible to people with disabilities. BOEM has requested that NY Bight Lessees prepare documents compliant with Section 508 so BOEM can readily post the report on its website. Information on how to create accessible digital products can be found at [www.section508.gov/create](http://www.section508.gov/create). All publicly available documents generated through implementation of this Joint NATCP will be compliant with Section 508 of the Rehabilitation Act of 1973.

## **APPENDIX A:**

# **RELEVANT TRIBAL CONSULTATION GUIDANCE AND BEST PRACTICE DOCUMENTS**



BOEM *Tribal Consultation Guidance* (<https://www.boem.gov/sites/default/files/about-boem/Public-Engagement/Tribal-Communities/BOEM-Tribal-Consultation-Guidance-with-Memo.pdf>);

U.S. Department of Interior *Consultation with Indian Tribes and Alaska Native Corporations* (<https://www.boem.gov/sites/default/files/documents/aboutboem/Chapter%204%20DOI%20Policy%20on%20Consultation%20with%20Indian%20Tribes.pdf>);

U.S. Department of Interior *Procedures for Consultation with Indian Tribes* (<https://www.boem.gov/sites/default/files/documents/aboutboem/Chapter%205%20DOI%20Procedures%20for%20Consultation%20with%20Indian%20Tribes.pdf>);

BOEM *Guidelines for Information Requirement for a Renewable Energy Site Assessment Plan (SAP)* (<https://www.boem.gov/sites/default/files/renewable-energy-program/BOEM-Renewable-SAP-Guidelines.pdf>);

Advisory Council on Historic Preservation (ACHP) *Early Coordination with Indian Tribes during Pre-Application Processes, A Handbook* ([https://www.achp.gov/sites/default/files/documents/2019-10/EarlyCoordinationHandbook\\_102819\\_HighRes.pdf](https://www.achp.gov/sites/default/files/documents/2019-10/EarlyCoordinationHandbook_102819_HighRes.pdf)).

## **APPENDIX B:**

### **BOEM-SHARED DOCUMENTS**

Executive Order 13175 Consultation and Coordination with Indian Tribal Governments (<https://www.federalregister.gov/documents/2000/11/09/00-29003/consultation-and-coordination-with-indian-tribal-governments>);

White House Indigenous Knowledge Guidance for Federal Agencies (<https://www.whitehouse.gov/ceq/news-updates/2022/12/01/white-house-releases-first-of-a-kind-indigenous-knowledge-guidance-for-federal-agencies/>); and

White House *Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/26/memorandum-on-tribal-consultation-and-strengthening-nation-to-nation-relationships/>).

## **APPENDIX C:**

# **REGULATIONS AND LEASE CONDITIONS**

On June 14, 2021, BOEM published a Proposed Sale Notice (PSN) for the Atlantic Wind Lease Sale 8 (ATLW-8) for Commercial Leasing for Wind Power on the Outer Continental Shelf in the New York Bight. The PSN proposed a new lease stipulation requiring NY Bight Lessees to develop a NATCP. This new lease provision, which requires NY Bight Lessees to develop a publicly available NATCP that describes strategies the NY Bight Lessee intends to use for communicating with federally recognized Tribes/Tribal Nations, was included as part of the Final Sale Notice (FSN) published by BOEM on January 12, 2022. All the NY Bight offshore wind leases executed between BOEM and the NY Bight Lessees included this stipulation in Section 3.1.2.2 of Addendum C,<sup>6</sup> Lease-Specific Terms, Conditions, and Stipulations.

The stipulation requires the NY Bight Lessees to invite federally recognized Tribes/Tribal Nations with ancestral ties to the Lease Area to participate in the development of the NATCP. The NATCP must and should outline specific methods for engaging with and disseminating information to federally recognized Tribes/Tribal Nations with ancestral ties to the Lease Area and include the following elements:

- Contact information for an individual retained by the NY Bight Lessee as its primary point of contact with federally recognized Tribes/Tribal Nations;
- Detailed information and protocols for regular engagement with federally recognized Tribes/Tribal Nations including, but not limited to, the types of engagement activities (e.g., one-on-one meetings, group meetings with federally recognized Tribes/Tribal Nations, open houses, open information sharing meetings);
- The frequency of proposed engagements/meetings (e.g., monthly, quarterly, bi-annually, annually), meeting locations and/or virtual platforms; and
- Contact information (e.g., telephone numbers, email addresses, website addresses.).

As stipulated in the respective Lease Agreements, a draft NATCP must be provided to BOEM and federally recognized Tribes/Tribal Nations for review and comment, and NY Bight Lessees must host a meeting with Tribes/Tribal Nations to discuss the draft NATCP.

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<sup>6</sup> <https://www.boem.gov/renewable-energy/state-activities/new-york-bight>

## **APPENDIX D:**

# **JOINT NATCP HISTORY AND DEVELOPMENT**

On May 15, 2023, BOEM convened the virtual meeting to discuss the Joint NATCP outline prepared by the NY Bight Lessees. The meeting was attended by representatives from the Delaware Tribe of Indians, Mashantucket Pequot Tribal Nation, Mashpee Wampanoag Tribe, Shinnecock Indian Nation, Stockbridge-Munsee Community Band of Mohican Indians, six NY Bight Lessees, and BOEM. The Consensus Building Institute (CBI) attended to facilitate the meeting and take notes for BOEM. **Table D-1** identifies the representatives of each Tribes/Tribal Nation who attended the virtual meeting.

**Table D-1: Tribes/Tribal Nations Represented at Virtual May 15<sup>th</sup> Meeting**

Tribes/Tribal Nation	Tribal Representative(s)
Delaware Tribe of Indians	Susan Bachor, Tribal Historic Preservation Officer
Mashantucket Pequot Tribal Nation	Michael Kickingbear Johnson, Tribal Historic Preservation Officer Stormy Hay, Tribal Historic Preservation Office Coordinator
Mashpee Wampanoag Tribe	Councilman David Weeden, Tribal Historic Preservation Officer
Shinnecock Indian Nation	Jeremy Dennis, Acting Tribal Historic Preservation Officer
Stockbridge-Munsee Community Band of Mohican Indians	Dr. Jeffery C. Bendremer, Tribal Historic Preservation Officer

The Joint NATCP Development Phase begins with lease execution and ends with submittal of a Final Joint NATCP to Tribes/Tribal Nations. Activities during this phase include all engagements and conversations with Tribes/Tribal Nations to develop the Joint NATCP. The principal engagement goals during this phase are to develop the Joint NATCP with Tribes/Tribal Nations, receive feedback and recommendations from Tribes/Tribal Nations on the content and structure of the Joint NATCP, and produce a Joint NATCP. **Table D-2** summarizes the engagement activities that took place during this phase.

**Table D-2: Joint NATCP Development Phase Engagement Activities**

Engagement Activity	Engagement Type	Description/Topics Discussed	Timing/Frequency
Joint NATCP Outline Shared with Tribes/Tribal Nations	Document Review and Comment	BOEM shared the Joint NATCP Outline with Tribes/Tribal Nations with the Joint NATCP Meeting Invitation.	May 5, 2023
Joint NATCP Meeting	Virtual Meeting	BOEM convened a meeting between Tribes/Tribal Nations and the NY Bight Lessees to discuss the proposed Joint NATCP.	May 15, 2023
Joint NATCP Outline Comment Period	Document Review and Comment	The NY Bight Lessees requested that Tribes/Tribal Nations provide comments on the Joint NATCP Outline by July 28, 2023.	May 5-July 28, 2023
Draft Joint NATCP Submission	Document Review and Comment	The NY Bight Lessees provided Tribes/Tribal Nations and BOEM with a draft Joint NATCP for review and comment.	August 21, 2023
Draft Joint NATCP Review	Document Review and Comment	Tribes/Tribal Nations to review and provide comments on the draft Joint NATCP.	August 21-September 21, 2023
Draft Joint NATCP Meeting	Virtual Meeting	The NY Bight Lessees and Tribes/Tribal Nations meet to discuss the draft Joint NATCP.	September 20 and September 21, 2023

Engagement Activity	Engagement Type	Description/Topics Discussed	Timing/Frequency
<b>Revised Joint NATCP Submission</b>	Document Review and Comment	The NY Bight Lessees revised the draft Joint NATCP based on written and verbal comments/recommendations and resubmitted the Joint NATCP to Tribes/Tribal Nations and BOEM.	October 16, 2023



## **APPENDIX E:**

### **NY BIGHT LESSEE INFORMATION**

## Bluepoint Wind (OCS-A 0537)

Bluepoint Wind is a partnership between Ocean Winds, an international offshore wind energy company created by EDP Renewables and ENGIE (50:50), and Global Infrastructure Partners. Together, these companies have a successful track record of over 50 years of experience in development, financing, construction, and operation of renewables projects, including more than 15 years on offshore wind projects. Ocean Winds has offshore wind farm projects currently under development in Massachusetts and California and under development, construction, or operation globally, including in the UK, France, Belgium, Portugal, Poland, and Korea.

## Attentive Energy (OCS-A 0538)

Attentive Energy LLC (Attentive Energy) is a joint venture of TotalEnergies Renewables USA (TotalEnergies) and Corio Generation. Its first phase of development, Attentive Energy One, which will interconnect into New York City, includes Rise Light & Power.

TotalEnergies has been present in the United States since 1957 and is active in more than 23 states. As part of its ambition to get to net zero by 2050, TotalEnergies is building a portfolio of activities in renewables and electricity. TotalEnergies will continue to expand this business to reach 35 GW of gross production capacity from renewable sources and storage by 2025 and then 100 GW by 2030 with the objective of being among the world's top five producers of electricity from wind and solar energy. Corio Generation is a specialist global offshore wind developer with over 30 GW at various stages of development across Europe, Asia-Pacific, and the Americas. Rise Light & Power is a Queens, New York based energy asset manager and developer, and is actively transforming its core asset, Long Island's Ravenswood Generation Station, into a new clean energy hub, Renewable Ravenswood.

## Community Offshore Wind (OCS-A 0539)

Community Offshore Wind, LLC (Community Offshore Wind) is a joint venture between RWE and National Grid Ventures, who have partnered with the goal of developing, constructing, and operating U.S. offshore wind projects. RWE is one of the world's leading renewable energy companies. Headquartered in Essen, Germany, RWE subsidiaries and projects can now be found in over 25 different countries.

National Grid is a utility based in the United Kingdom that works to develop, operate, and invest in energy projects, technologies, and partnerships to ensure all our customers are a part of the clean energy transition. A few of National Grid's latest developments include interconnectors, high voltage cables that are used to connect the electricity systems of neighboring countries.

## Atlantic Shores Offshore Wind Bight (OCS-A 0541)

Atlantic Shores Offshore Wind Bight, LLC is a wholly owned subsidiary of Atlantic Shores Offshore Wind, LLC, which is a 50:50 joint venture between Shell New Energies US, LLC and EDF-RE Offshore Development, LLC. Atlantic Shores is comprised of purpose-driven professionals dedicated to

delivering its offshore wind portfolio, strategically positioned to meet the growing demands of multiple east coast markets.

### **Invenergy Wind Offshore (OCS-A 0542)**

Invenergy Wind Offshore, LLC is an American-led offshore wind project that will bring locally sourced renewable energy to the East Coast. Developed by Invenergy and New York-based energyRe. Invenergy companies are the largest privately held global developer, owner, and operator of sustainable energy solutions and has successfully developed more than 30 gigawatts of clean energy generation projects that are in operation, construction, or contracted. This includes over 890 megawatts of solar, wind, and advanced storage projects in New York. EnergyRe is a leading independent clean energy company focused on solving complex challenges and providing clean energy solutions. EnergyRe was founded by the principals of Related Companies, one of the largest private owners and preservationists of affordable housing in New York and the United States—reflecting their commitment to empowering local communities.

### **Vineyard Wind Mid-Atlantic (OCS-A 0544)**

Vineyard Mid-Atlantic is an affiliate of Vineyard Offshore LLC, a US-based company that is owned by Copenhagen Infrastructure Partners (CIP). CIP is a fund management company focused on energy infrastructure including offshore wind, onshore wind, solar photovoltaics, biomass and energy from waste, transmission and distribution, and reserve capacity and storage. CIP has projects in development on four continents (North America, Europe, Asia, and Australia). Vineyard Offshore was established in 2022 by the same team that developed and is constructing Vineyard Wind 1 (Lease Area OCS-A 0501), the nation's first commercial-scale offshore wind project.

# ABOUT BLUEPOINT WIND



## ABOUT THE LEASE AREA:

**Lease Area Number:** OCS-A 0537

**Size of Lease:** 71,522 acres / 289 km<sup>2</sup>

**Average Depth:** 54.5 meters

**Distance from Shore:** 53 nautical miles (nm) to NJ, 38 nm to NY

**Expected Capacity:** 1.7 gigawatts (GW) enough to power up to 900,000 homes

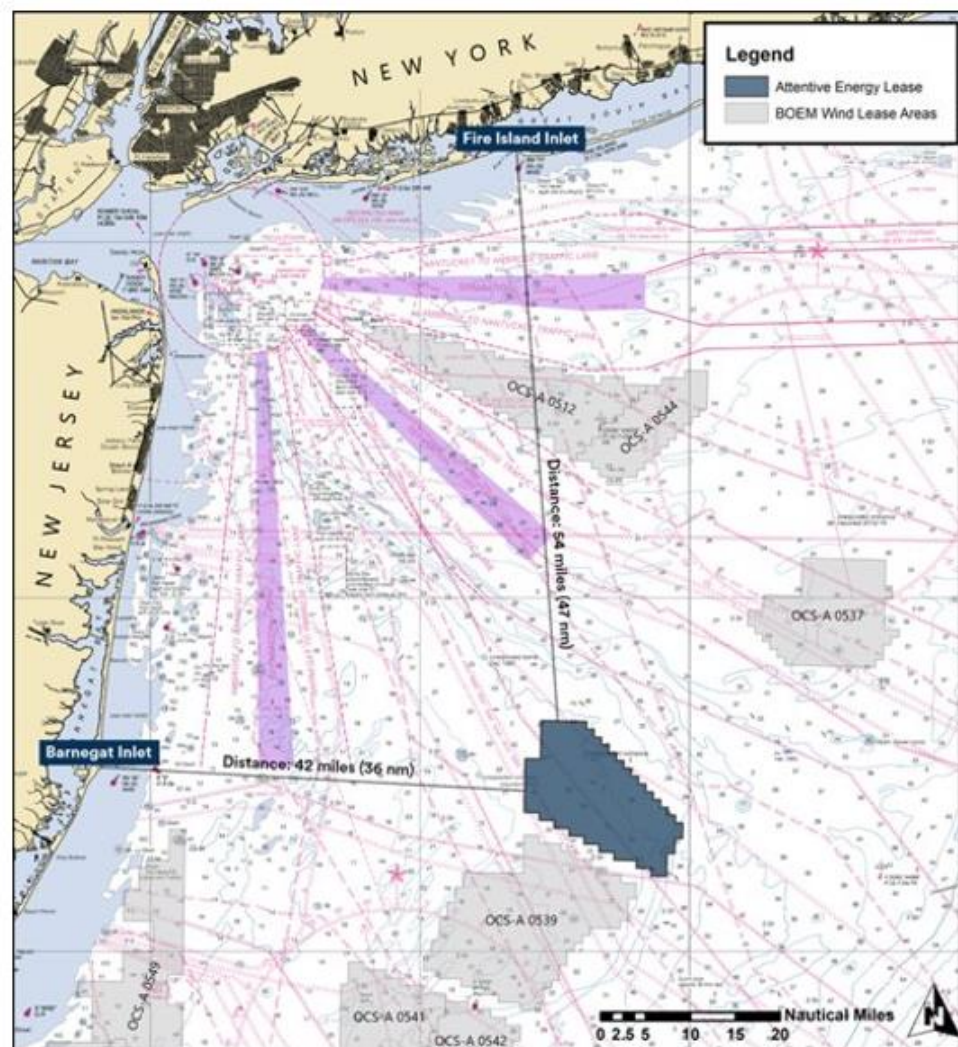
**Expected Avoided Emissions:** 5.07 million metric tons of CO<sub>2</sub>, or the equivalent of taking 1.09 million gasoline powered passenger vehicles off the road for one year. (Source: EPA)



Lease Number	Project Name	Corporate Ownership	US Headquarters	Primary Points of Contact
OCS-A 0537	Bluepoint Wind	Partnership between Ocean Winds and Global Infrastructure Partners	Boston, MA	TER: Eric Henry <a href="mailto:eric.henry@bluepointwinds.com">eric.henry@bluepointwinds.com</a> Phone: 646-748-7411

## Lease Area OCS-A 0538

- **Attentive Energy LLC**, a Joint Venture of TotalEnergies, Corio Generation and Rise Light & Power, is the leaseholder of OCS-A 0538.
- **Size of Lease Area:** 84,332 acres (341 km<sup>2</sup>)
- **Distance from Shore:** 54 miles (47 nautical miles) from New York and 42 miles (36 nautical miles) from New Jersey
- **Estimated Capacity:** 3 GW
- **Average Water Depth:** 164 feet
- **Anticipated COD:** late 2020s



Lease Number	Project Name	Corporate Ownership	US Headquarters	Primary Points of Contact
OCS-A 0538	Attentive Energy	Joint venture of TotalEnergies Renewables USA, Corio Generation, and Rise Light & Power	12 E. 49th Street, 11th Floor, New York, NY 10017	TER: Lauren Cleeland <a href="mailto:lauren.cleeland@searchinc.com">lauren.cleeland@searchinc.com</a> Phone: 405-695-0529 Project Contact: Laura Klewicki <a href="mailto:Laura.Klewicki@totalenergies.com">Laura.Klewicki@totalenergies.com</a> Phone: 713-739-4582

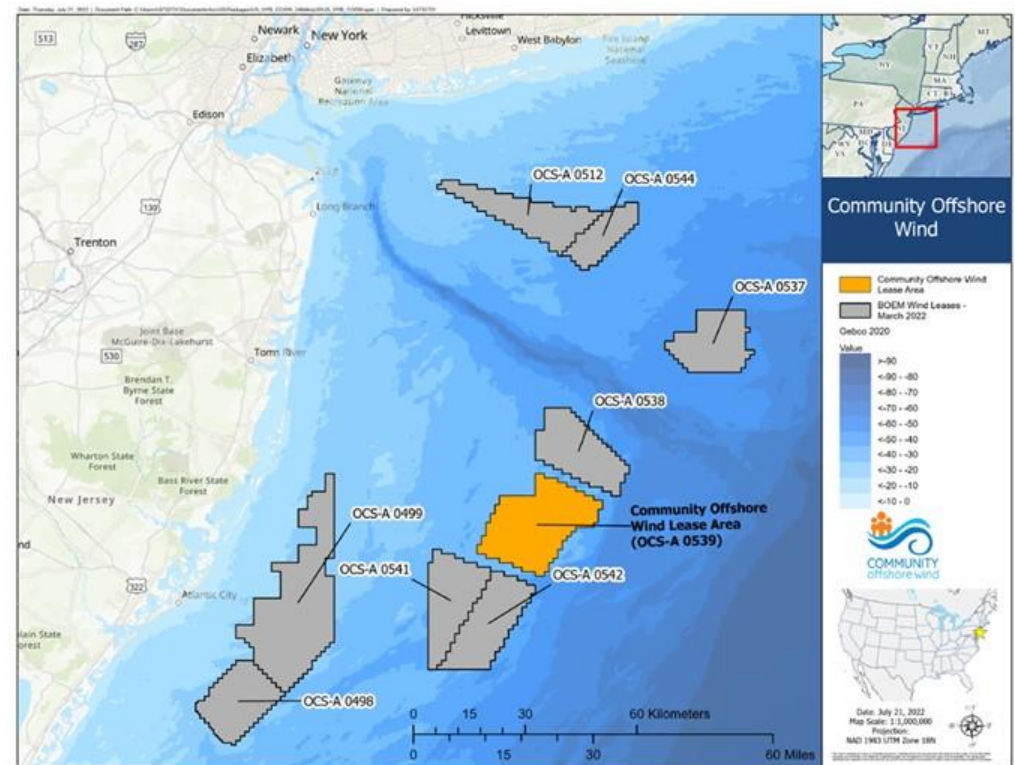


## LEASE AREA OCS-A 0539

- Community Offshore Wind is a joint venture between RWE and National Grid.
- In February 2022, Community Offshore Wind was successful in acquiring Lease Area OCS-A 0539 in the BOEM New York Bight Lease Sale.
- Lease Area OCS-A 0539 is the largest of the New York Bight lease areas.
- Community Offshore Wind is expected to be in operation by 2030.

### KEY FACTS

Lease Size	125,964 acres/197 sq. mi.
Estimated Capacity	3 GW
Estimated Homes Served	1.1 million
Distance to New York	56 nm/64 mi/104 km
Distance to New Jersey	32 nm/37 mi/59 km



### 2022-2026

Site assessment surveys,  
Project design, Planning  
and Permitting

2027-2029  
Construction

2030  
Operation

Lease Number	Project Name	Corporate Ownership	US Headquarters	Primary Points of Contact
OCS-A 0539	Community Offshore Wind	Joint venture between RWE and National Grid	100 Federal St, 6 <sup>th</sup> Floor Boston, MA 02110	TER: Justin Bedard <a href="mailto:BKConsultingGroup@outlook.com">BKConsultingGroup@outlook.com</a> Phone: 301-835-5646 Project Contact: Katherine Miller <a href="mailto:Katherine.miller@rwe.com">Katherine.miller@rwe.com</a> Phone: 512-436-6708

# Lease Area OCS-A 0541



Atlantic Shores is a 50:50 joint venture between EDF Renewables and Shell New Energies.

Four **Core Values** Guide Atlantic Shores' Work

- Be Safe
- Be a Good Neighbor
- Lead With Science
- Be a Good Steward of Our Environment

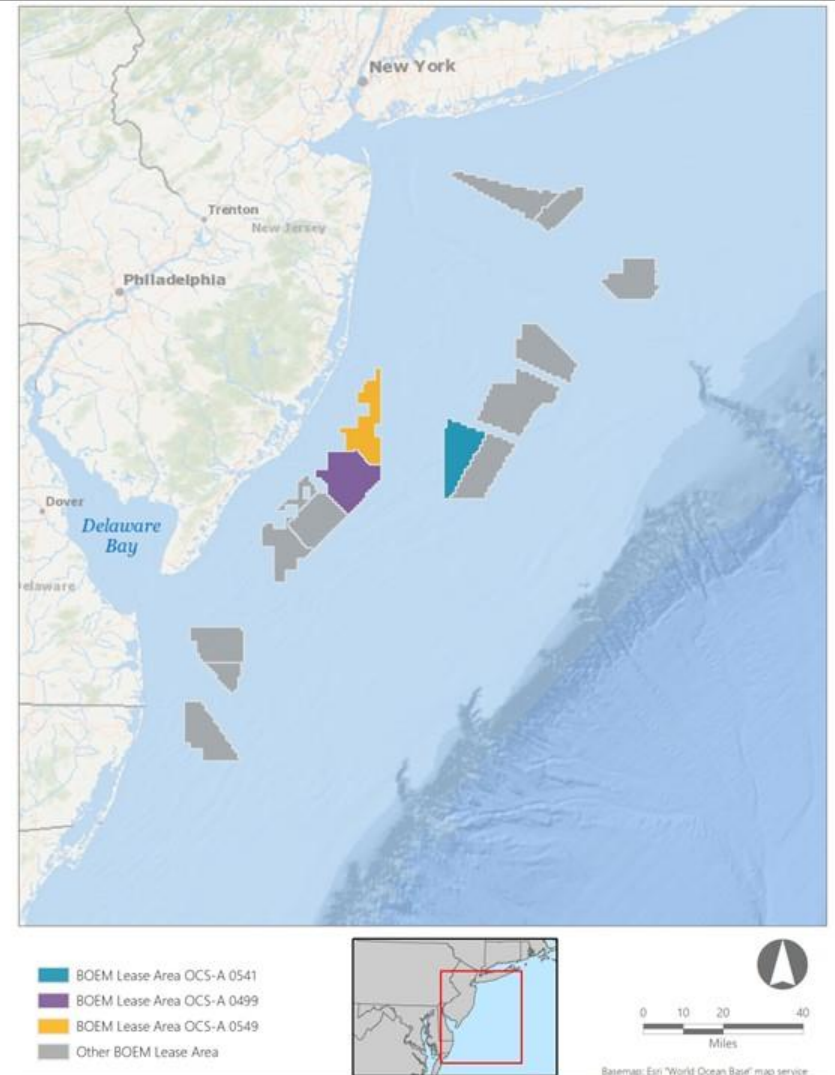
Atlantic Shores' Lease OCS-A 0541 is one of three lease areas in its offshore wind portfolio.

## Lease OCS-A 0541 Information

**Size of Lease:** 79,351 acres (124 sq miles)

**Depth Range:** 31-51m

**Distance from Shore:** 32 nm to NJ; 65 nm to NY



Lease Number	Project Name	Corporate Ownership	US Headquarters	Primary Points of Contact
<b>OCS-A 0541</b>	Atlantic Shores Offshore Wind	Joint venture between EDF Renewables and Shell New Energies	Atlantic Shores Offshore Wind, LLC 1 Dock 72, Floor 7 Brooklyn, NY 11205	TER: Vince Esposito <a href="mailto:Vincent.esposito@atlanticshoreswind.com">Vincent.esposito@atlanticshoreswind.com</a> Phone: 929.855.1425

## Lease Area OCS-A 0542



**2,000+**  
MW



**800,000+**  
home powered annually

### Our Mission

Leading Light Wind is an **American-led, offshore wind project** that will bring locally sourced renewable energy to the East Coast. Developed by Invenergy and New York-based energyRe, we believe in **empowering the communities where we live and work.**

Leading Light Wind will advance the clean energy transition, support job creation and economic development, and drive energy technology innovation across the region.

- The lease location (BOEM OCS-A-0542) is located 40 miles east of Atlantic City and 80 miles south of Long Island
- Approximately 84,000 acres of seabed
- Turbines are not expected to be visible from shore
- Leading Light Wind is targeted for operation in 2030



[LEADINGLIGHTWIND.COM](http://LEADINGLIGHTWIND.COM)

Lease Number	Project Name	Corporate Ownership	US Headquarters	Primary Points of Contact
OCS-A 0542	Leading Light Wind	Partnership between Invenergy and energyRe Invenergy Wind Offshore LLC	One South Wacker Dr., Suite 1800 Chicago, IL 60606	TER: Hope Luhman <a href="mailto:hope@appliedculturalheritage.com">hope@appliedculturalheritage.com</a> Phone: 518-334-6035 Project Contact: Carmen Bernett <a href="mailto:cbernett@invenergy.com">cbernett@invenergy.com</a> Phone: 708-883-3878



# Vineyard Mid-Atlantic: Lease Area OCS-A 0544



## Vineyard Offshore LLC

The US based development company owned by Copenhagen Infrastructure Partners (CIP)

- A global fund management company that specializes in renewable energy development
- Vineyard Wind 1 – a 50/50 joint venture with Avangrid

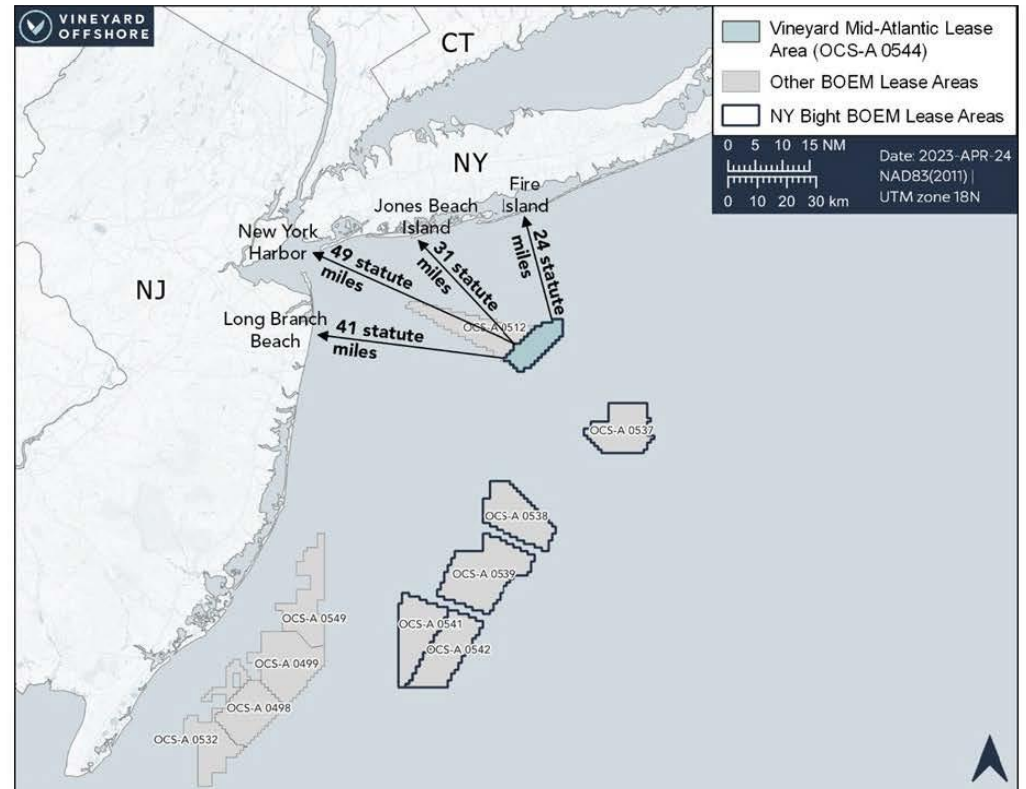
Two Vineyard Offshore projects

- Vineyard Northeast (OCS-A 522)
- Vineyard Mid-Atlantic (OCS-A 544)

## Vineyard Mid-Atlantic LLC

Leaseholder of OCS-A 0544 in the New York Bight

- Lease acquired in April 2022
- Total Lease Area: 43,045 acres
- Water Depth: 125 ft – 138 ft
- Closest point to land: Fire Island, New York, 24 miles



Lease Number	Project Name	Corporate Ownership	US Headquarters	Primary Points of Contact
OCS-A 0544	Vineyard Wind Mid-Atlantic	Wholly owned by Copenhagen Infrastructure Partners	200 Clarendon St Boston MA 02116	TER: Jacob Miller <a href="mailto:jmiller@vineyardoffshore.com">jmiller@vineyardoffshore.com</a> Phone: 774-929-0835



**Attachment 8.4-5:** [REDACTED]

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**Attachment 8.4-6:** [REDACTED]  
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