

Sunrise Wind Farm Project

Appendix C Coastal Zone Management Consistency Certifications

Prepared for:



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**Coastal Zone Management
Consistency Certifications**
Sunrise Wind Farm Project

October 2021

Prepared for:

Sunrise Wind LLC

Prepared by:

Stantec Consulting Services Inc.

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COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

1.0 COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS BACKGROUND

The federal Coastal Zone Management Act (CZMA) of 1972 encourages coastal states to be active in managing natural resources. The CZMA is a voluntary program for states. If a state chooses to participate in the CZMA program, it develops a coastal management program (CMP) pursuant to federal law. Under the federal consistency provision of the CZMA, in general, federal actions that may have reasonably foreseeable effects on the uses or resources of a state's coastal zone must be consistent with the enforceable policies of the state's federally approved CMP. The CZMA requires that non-federal applicants for federal licenses or permits submit a consistency certification to the relevant state that declares that the proposed activity complies with the enforceable policies of the state's approved management program and will be conducted in a manner consistent with such program.

In accordance with the "federal consistency" requirement of the CZMA (16 USC § 1456), as well as 15 CFR Part 930 (subpart D and subpart E), the federal actions associated with the Project include approval of the Construction Operations Plan (COP) by the Bureau of Ocean Energy Management; issuance of an Individual Permit by United States Army Corps of Engineers (USACE), under Section 10 and 14 of the Rivers and Harbors Act and Section 404 of the Clean Water Act; issuance of Right-of-Way permit by National Park Service; and an Outer Continental Shelf Air Permit from United States Environmental Protection Agency. The specific components and activities associated with those federal actions include construction, operations and maintenance and decommissioning of the Project, including the Sunrise Wind Farm (SRWF), Sunrise Export Cable (SRWEC–OCS and SRWEC–NYS), and Onshore Facilities.

In New York, under Article VII of the New York Public Service Law, the SRWEC–NYS and Onshore Facilities will also be reviewed and authorized by the New York State Department of Public Service Commission.

Based on pre-application discussions, Sunrise Wind LLC (Sunrise Wind) expects that New York, Massachusetts, and Rhode Island will review the components of the Project within their Coastal Zone jurisdiction (Figures 1–3) for federal consistency with their state's enforceable policies.

This appendix provides summary tables listing each of the enforceable policies for the New York State CMP, the Massachusetts CZMA, and the Rhode Island CRMP. The summary tables describe how the Project will be consistent with each applicable policy and provide a cross reference to specific sections of the COP where the applicable policy is addressed. Key details for each state are described below.

2.0 NEW YORK STATE'S COASTAL ZONE MANAGEMENT PROGRAM

The New York CMP was established in 1982 and is administered by the New York Coastal Management Program within the New York State Department of State (NYSDOS), which serves as the lead agency that administers the CMP within New York. The 44 enforceable policies of the New York State CMP are implemented through a series of regulatory and management state authorities assigned to the New York State Department of State, the Department of Environmental Conservation, the Department of Energy, the Public Service Commission, and the Office of Parks, Recreation, and Historic Preservation. The Waterfront Revitalization and Coastal Resources law (Executive Law, Article 42) establishes a balanced statewide approach for encouraging development in the coastal area while protecting natural coastal resources. The Project is not located within any area designated within a local waterfront revitalization program.

Sunrise Wind held introductory meetings with NYSDOS in September 2019, April 2020, July 2020, and October 2020. Sunrise Wind will provide the certification package to NYSDOS once BOEM issues the Notice of Intent (NOI) to prepare a Draft Environmental Impact Statement (DEIS) for the Project. Sunrise Wind anticipates that New York would issue concurrence with the consistency certification within approximately 6-12 months of the NOI.

Sunrise Wind has prepared a consistency certification that reviews the Project for consistency with the relevant enforceable policies in the New York CMP (Table 1). With respect to requirements under 15 CFR

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

§§ 930.57(b) and 930.76(c), the proposed activities described in detail in this plan comply with the enforceable policies of the New York State approved management program and will be conducted in a manner consistent with such program.

3.0 MASSACHUSETTS COASTAL ZONE MANAGEMENT PROGRAM

The Massachusetts Coastal Zone Management Plan (CZMP), which the National Oceanic and Atmospheric Administration (NOAA) approved in 1978, is administered by the Massachusetts Office of Coastal Zone Management (MACZM) within the Executive Office of Energy and Environmental Affairs. The *Massachusetts Office of Coastal Zone Management Policy Guide – October 2011* (Policy Guide) contains the official program policies and references to the legal authorities of the CZMP, including the federal consistency review process.

Sunrise Wind held introductory meetings with MACZM in April 2020 and May 2021. Sunrise Wind will provide the certification package to MACZM once BOEM issues the NOI to prepare a DEIS for the Project. Sunrise Wind anticipates that Massachusetts would issue concurrence with the consistency certification within approximately 6–12 months of the NOI, although timeframes may vary depending on the extent of a mutually agreed upon stay.

Sunrise Wind has prepared a consistency certification that reviews the Project for consistency with the relevant enforceable policies of the Massachusetts CZMP (Table 2). With respect to required federal licenses or permits under 15 CFR §§ 930.57(b) and 930.76(c), the proposed activities described in detail in this plan comply with the enforceable policies of the Massachusetts approved management program and will be conducted in a manner consistent with such program.

4.0 RHODE ISLAND COASTAL RESOURCES MANAGEMENT PROGRAM

The Rhode Island Coastal Resources Management Council (CRMC) received its federal program (CRMP) approval under the CZMA in 1978. Included in the CRMP is the Rhode Island Ocean Special Area Management Plan (Ocean SAMP), which CRMC approved in 2010 and which NOAA approved in 2011. The Ocean SAMP contains requirements for activities in state waters and enforceable policies for certain federal agency activities, licenses and permits in certain federal offshore waters.

A consistency certification is required for listed activities on the State's approved federal consistency list that are located in two areas of federal waters designated as Geographic Location Description (GLD) 2011 and GLD 2018. For the GLD 2018, CRMC requested expanded federal consistency review authority of certain federal license or permit activities, namely offshore wind facilities and submarine cables within a portion of the Massachusetts Wind Energy Area and certain federal waters. In December 2018, NOAA approved CRMC's requests including the expanded GLD (GLD 2018) and the modified federal consistency list.

The SRWF and a small portion of the SRWEC–OCS are located in the area defined by the GLD 2011 and GLD 2018, and the Project is a listed activity on the State's approved federal consistency list.

Sunrise Wind held introductory meetings with CRMC in May 2020 and August 2020. Sunrise Wind plans to meet again with CRMC in summer-fall 2021. Sunrise Wind will also hold meetings with the Fisherman's Advisory Board (FAB) and Habitat Advisory Board (HAB) and CRMC staff. If CRMC and Sunrise mutually agree, the meetings with the FAB and HAB will occur before BOEM issues the NOI to prepare a DEIS for the Project. Sunrise Wind will provide the certification package to CRMC once BOEM issues the NOI to prepare a DEIS for the Project. Sunrise Wind anticipates that Rhode Island would issue concurrence with the consistency certification within approximately 6-12 months of the NOI, although timeframes may vary depending on the extent of a mutually agreed upon stay.

Sunrise Wind has prepared a consistency certification that reviews the Project for consistency with the relevant enforceable policies set forth in Section 11.10 of the Ocean SAMP (Table 3). With respect to requirements under 15 CFR §§ 930.57(b) and 930.76(c), the proposed activities described in detail in this plan comply with the enforceable policies of the Rhode Island approved management program and will be conducted in a manner consistent with such program.

Figures

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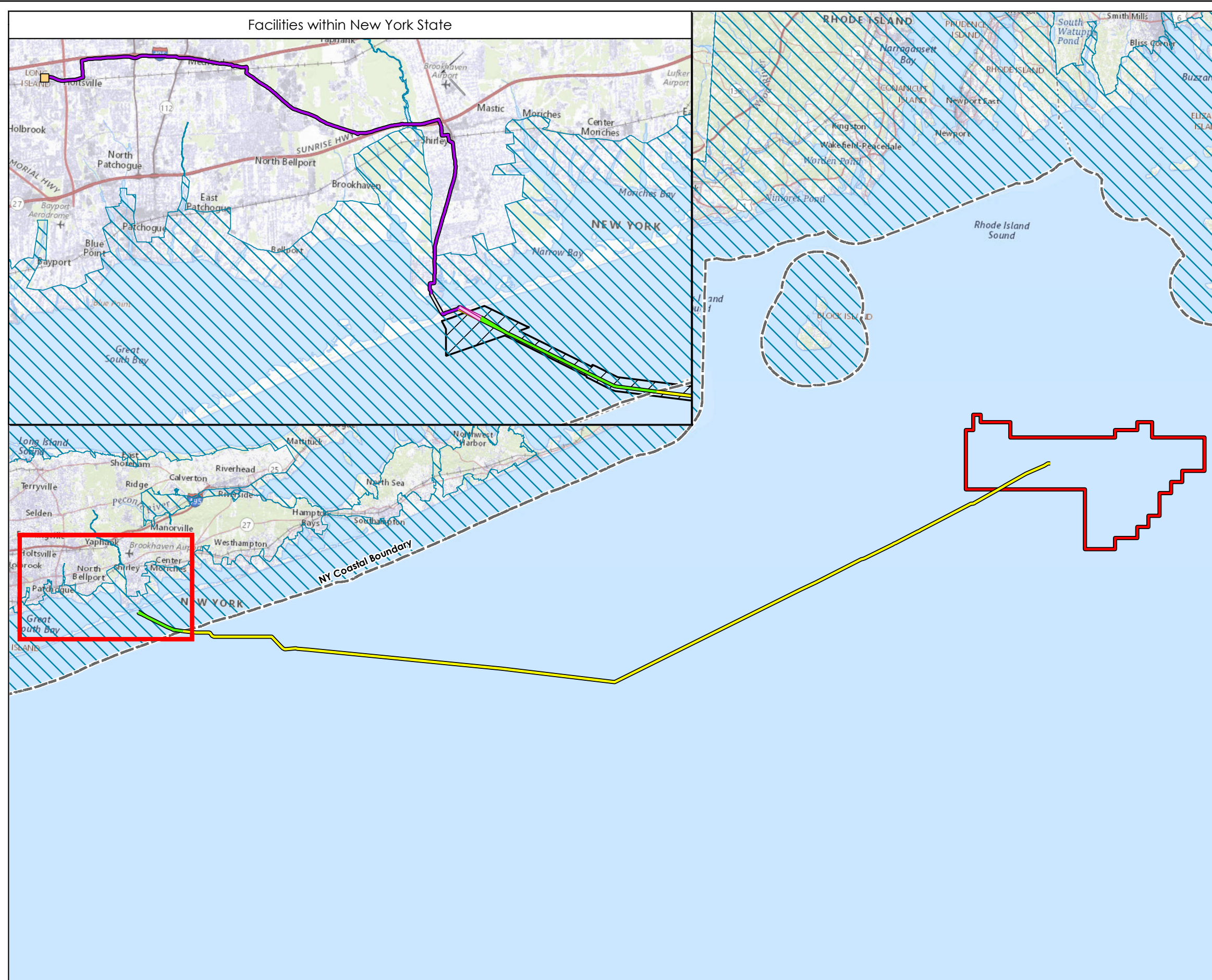
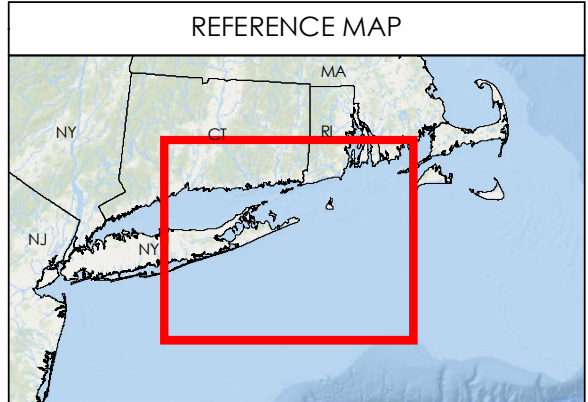
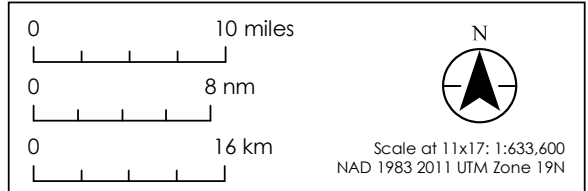


Figure 1
Location of New York Coastal Boundary and Sunrise Wind Farm
Sunrise Wind | Powered by Ørsted & Eversource

- Legend**
- Sunrise Wind Farm (SRWF)
 - Onshore Converter Station (OnCS-DC)
 - Sunrise Wind Export Cable (SRWEC-OCS)
 - Sunrise Wind Export Cable (SRWEC-NYS)
 - Landfall HDD A
 - Landfall HDD B
 - Intracoastal Waterway HDD (ICW HDD)
 - Onshore Transmission Cable
 - LIE Service Road Route
 - Coastal Zone Management Act Boundary
 - SRWEC Corridor
 - 3-nm State Waters Boundary

Sources
 1. Base map: USGS The National Map

Date	10/15/2021
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Reviewed By	LJ



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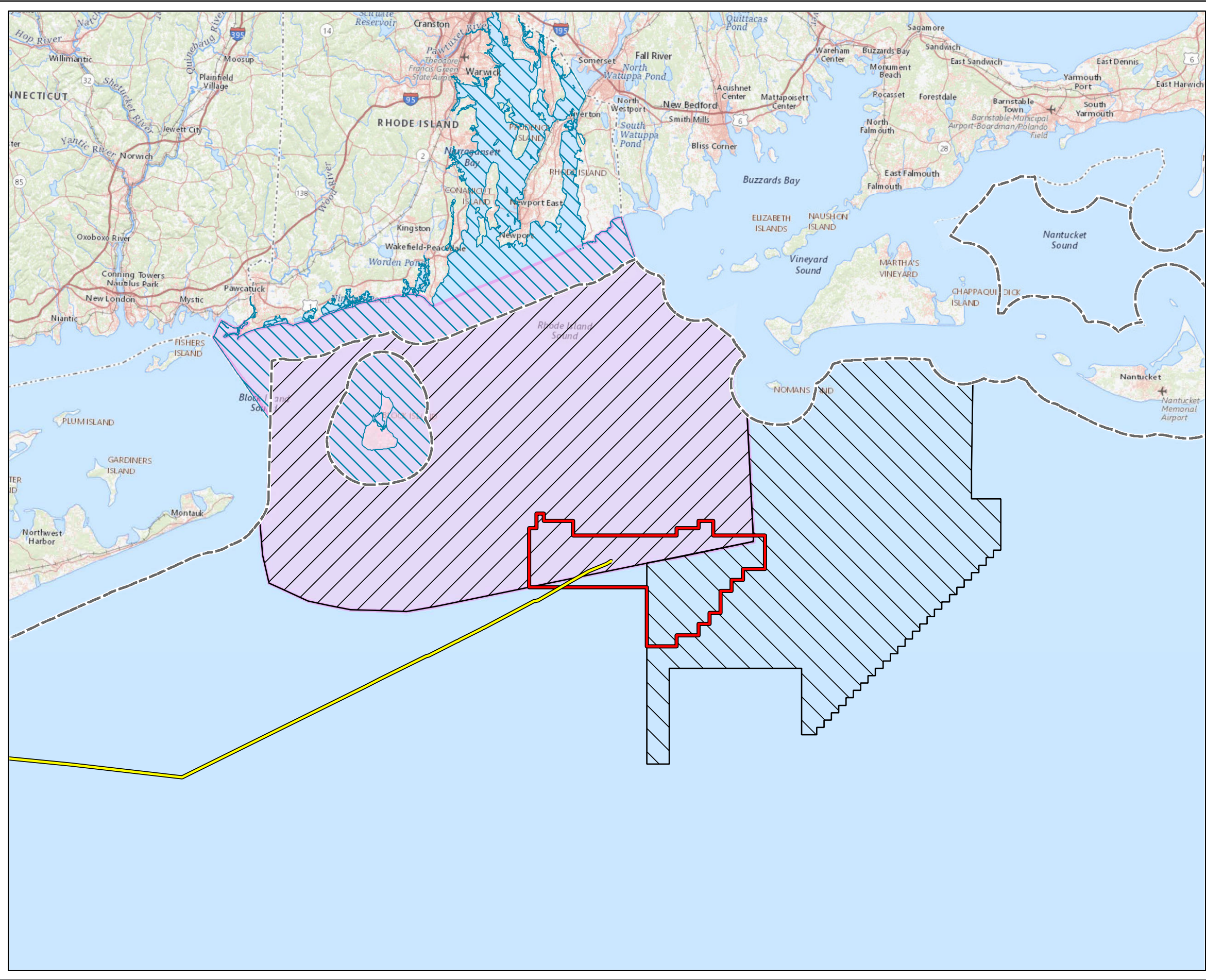


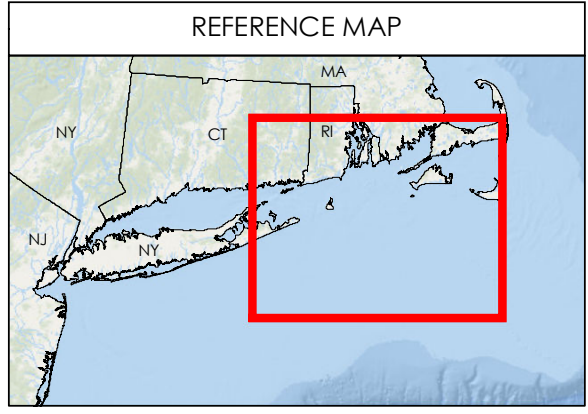
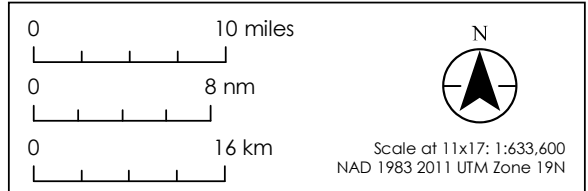
Figure 2
Location of Rhode Island Geographic Location Description and Sunrise Wind Farm



- Legend**
- Sunrise Wind Farm (SRWF)
 - Sunrise Wind Export Cable (SRWEC-OCS)
 - 3-nm State Waters Boundary
 - Rhode Island State Waters
 - Ocean Special Area Management Plan (OSAMP)
- RI Geographic Location Description (GLD)
 Date Approved
 9/29/2011
 12/10/2018

Sources
 1. Base map: USGS The National Map

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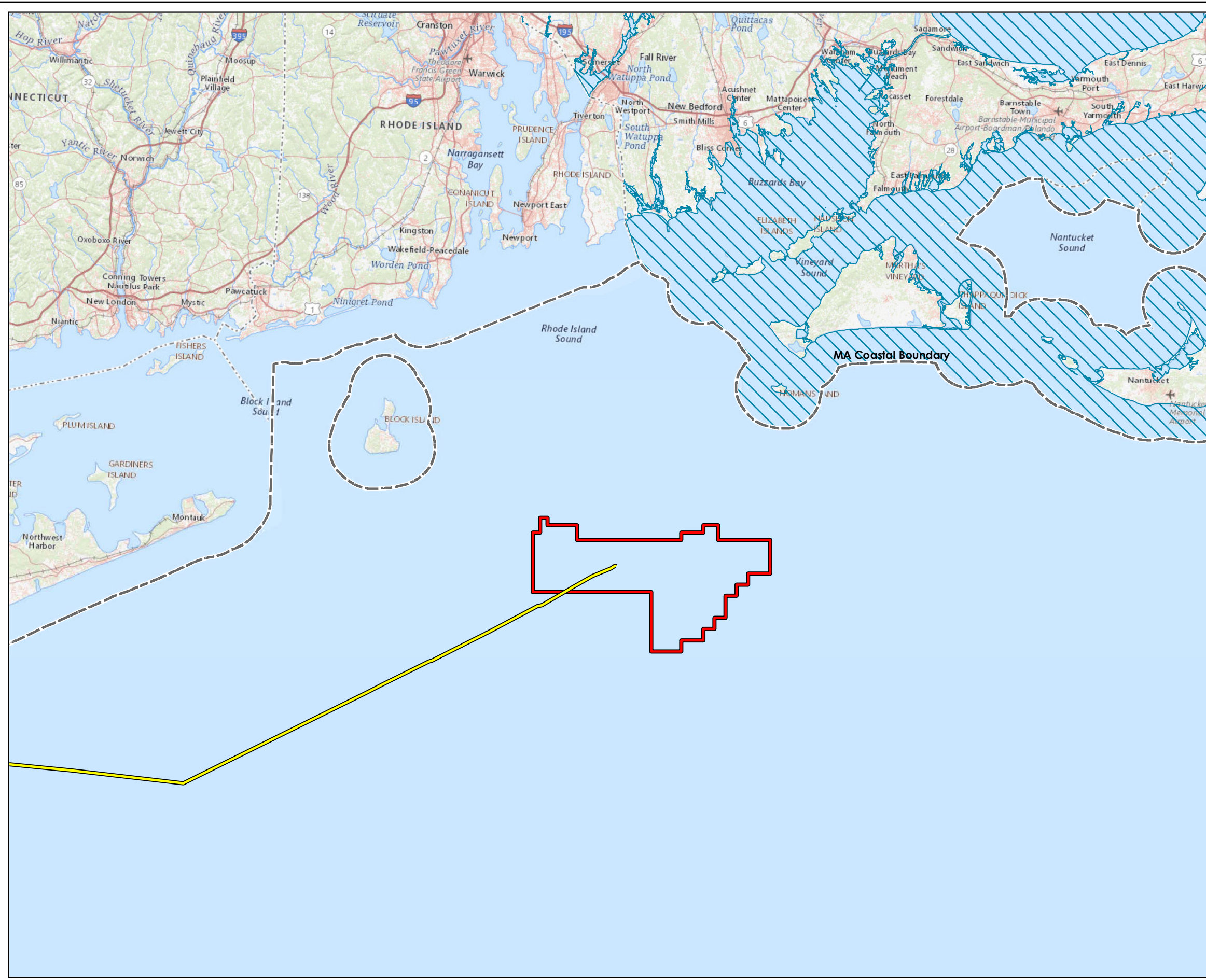
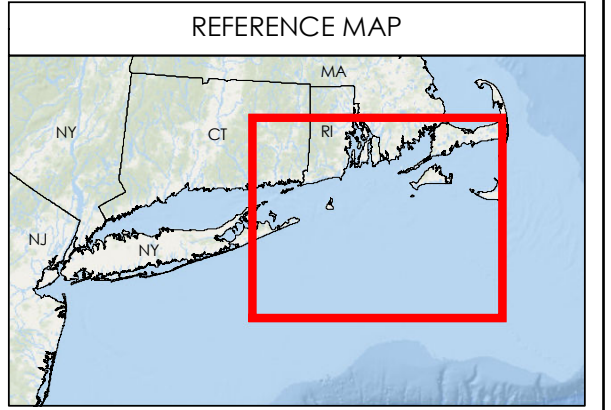
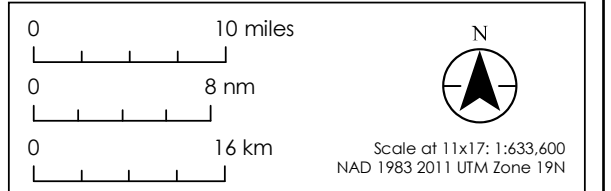


Figure 3
Location of Massachusetts Coastal Boundary and Sunrise Wind Farm
Sunrise Wind | Powered by Ørsted & Eversource

- Legend**
- Sunrise Wind Farm (SRWF)
 - Sunrise Wind Export Cable (SRWEC-OCS)
 - 3-nm State Waters Boundary
 - Massachusetts State Waters

Sources
 1. Base map: USGS The National Map

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COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Table 1
New York State
CMP Certification

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	Response to Policy for SRWEC–NYS and Onshore Transmission Cable	COP Section Reference
<i>Development Policies</i>					
1	Restore, revitalize, and redevelop deteriorated and underutilized waterfront.	This policy is not applicable because the Project does not include restoration, revitalization, or redevelopment of deteriorated or underutilized waterfront.			Not Applicable
2	Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.	This policy is not applicable because the SRWF is located outside the New York State coastal zone.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. The SRWEC is a water-dependent use. The SRWEC will be installed beneath the seabed of New York State territorial waters; however, it will not negatively impact or otherwise preclude the future siting of water dependent uses in the coastal zone. The Onshore Transmission Cable will be primarily installed underground within existing public road right-of-way (ROW) and will not interfere with existing public access to the waterfront.	Section 1.3, Project Purpose; Section 2.0, Project Siting and Design Development; and Section 3.0, Project Description
3	Further develop the state's major ports of Albany, Buffalo, New York, Ogdensburg, and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of state public authorities, of land use and development which is essential to, or in support of, the waterborne transportation of cargo and people.	The SRWF is consistent with this policy to the extent applicable. The SRWF does not include upgrades to the State's major ports, although one or more ports may be used for the Project. There may be vessel traffic in proximity to transit lanes that service the State's major ports. Activities will be conducted in a manner that minimizes impact to other marine uses.	The SRWEC–OCS is consistent with this policy to the extent applicable. The SRWEC does not include upgrades to the State's major ports, although one or more ports may be used for the Project. There may be vessel traffic in proximity to transit lanes that service the State's major ports. Activities will be conducted in a manner that minimizes impact to other marine uses.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy to the extent applicable. The SRWEC does not include upgrades to the State's major ports, although one or more ports may be used for the Project. There may be vessel traffic in proximity to transit lanes that service the State's major ports. Activities will be conducted in a manner that minimizes impact to other marine uses.	Section 3.3.11, Ports and Vessels
4	Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.	The SRWF is consistent with this policy to the extent applicable. The SRWF is not located in or otherwise associated with development around a small harbor area. However, construction vessels may utilize nearby small harbors and construction related vessel traffic may occur in proximity to small harbor areas.	The SRWEC–OCS is consistent with this policy to the extent applicable. The SRWEC is not located in or otherwise associated with development around a small harbor area. However, construction vessels may utilize nearby small harbors and construction related vessel traffic may occur in proximity to small harbor areas.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy to the extent applicable. The SRWEC is not located in or otherwise associated with development around a small harbor area. However, construction vessels may utilize nearby small harbors and construction related vessel traffic may occur in proximity to small harbor areas.	Section 3.3.11, Ports and Vessels
5	Encourage the location of development in areas where public services and facilities essential to such development are adequate.	This policy is not applicable because the SRWF is located outside the New York State coastal zone.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy to the extent applicable. The SRWEC is not intended to encourage the location of new development in areas where public services and facilities are essential to that development.	Not Applicable
6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	This policy is not applicable because the SRWF is located outside the New York State coastal zone.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Several state agencies will be coordinating their review under the Article VII framework pursuant to the New York Public Service Law.	Not Applicable

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC-OCS	Response to Policy for SRWEC-NYS and Onshore Transmission Cable	COP Section Reference
<i>Fish and Wildlife Policies</i>					
7	Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.	The SRWF is consistent with this policy to the extent applicable. The SRWF is located outside the New York State coastal zone and will not have any reasonably foreseeable effect on New York's coastal fish and wildlife habitats or resources.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS located outside the New York State coastal zone and will not have any reasonably foreseeable effect on New York's coastal fish and wildlife habitats or resources.	The SRWEC-NYS and Onshore Transmission Cable are consistent with this policy. The SRWEC-NYS does not cross any mapped habitats. The Onshore Transmission Cable will be installed via horizontal direction drilling (HDD) in areas that are mapped as Significant Coastal Fish and Wildlife Habitats to avoid impacts to these areas. Conduit stringing for the Landfall HDD may occur on the beach within an SCFWH. These activities would occur in a non-vegetated area and would be limited to 2-3 weeks between October and March to avoid impacts to the designated SCFWH.	Section 4.4.1, Coastal and Terrestrial Habitat; and Appendix L, Onshore Ecological Assessment and Wetlands Report
8	Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.	The SRWF is consistent with this policy to the extent applicable. The SRWF is located outside the New York State coastal zone and will not have any reasonably foreseeable effect on New York's coastal fish and wildlife habitats or resources.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS is located outside the New York State coastal zone and will not have any reasonably foreseeable effect on New York's coastal fish and wildlife habitats or resources.	The SRWEC-NYS and Onshore Transmission Cable are consistent with this policy. The Project does not anticipate introducing hazardous wastes and other pollutants that bio-accumulate in the food chain or that cause significant sublethal or lethal effect on coastal fish and wildlife resources. Any hazardous materials that may be involved in construction and operations and maintenance (O&M) will be handled and stored in accordance with all federal, state, and local regulations to minimize potential contamination of coastal areas. A Construction Contingency Plan and a Storm Water Pollution Prevention Plan (SWPPP) will be developed as part of the Project Environmental Management & Construction Plan (EM&CP) under Article VII.	Section 1.4, Regulatory Framework; Section 4.2.5, Discharges and Releases; Section 4.2.6, Trash and Debris; Section 4.3.3, Water Quality; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; and Appendix E1, Emergency Response Plan / Oil Spill Response Plan
9	Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources.	This policy is not applicable because the SRWF is located outside the New York State coastal zone.	This policy is not applicable because the SRWEC-OCS is located outside the New York State coastal zone.	The SRWEC-NYS and Onshore Transmission Cable are consistent with this policy. The SRWEC-NYS was sited to avoid impacts to recreational use of fish and wildlife resources, where possible. Where avoidance was not possible, measures will be employed to minimize impacts to recreational use of fish and wildlife resources along the SRWEC route. Any impact to recreational use offshore during the construction period will be temporary and localized. Operationally, there are no anticipated impacts to recreational use of resources, because the SRWEC-NYS will be buried to a target depth of 3-7 ft (1-2 m). As a result, installation and operation will not impede further development and use of fish and wildlife resources in the coastal area.	Section 4.4.1, Coastal and Terrestrial Habitat; Section 4.4.2, Benthic and Shellfish Resources; Section 4.4.3, Finfish and Essential Fish Habitat; Section 4.7.4, Commercial and Recreational Fisheries; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix B, Fisheries Communication Plan; Appendix L, Onshore Ecological Assessment and Wetlands Report; Appendix M, Benthic Resources Characterization Report; Appendix N, Essential Fish Habitat Assessment; and Appendix V, Commercial and Recreational Fisheries Data Report

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC-OCS	Response to Policy for SRWEC-NYS and Onshore Transmission Cable	COP Section Reference
10	Further develop commercial finfish, shellfish, and crustacean resources in the coastal area by encouraging the construction of new, or improvement of existing onshore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and expanding aquaculture facilities.	This policy is not applicable because the SRWF is located outside the New York State coastal zone.	This policy is not applicable because the SRWEC-OCS is located outside the New York State coastal zone.	The SRWEC-NYS and Onshore Transmission Cable are consistent with this policy. Various fisheries monitoring data sets and stakeholder engagement suggest multiple fisheries are active near the SRWEC-NYS. Installation of the SRWEC may have temporary minimal affects to the development of commercial fishery resources or activities. Operation of the SRWEC-NYS will not affect the development of commercial fishery resources or activities.	Section 4.4.1, Coastal and Terrestrial Habitat; Section 4.4.2, Benthic and Shellfish Resources; Section 4.4.3, Finfish and Essential Fish Habitat; Section 4.7.4, Commercial and Recreational Fisheries; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix B, Fisheries Communication Plan; Appendix L, Onshore Ecological Assessment and Wetlands Report; Appendix M, Benthic Resources Characterization Report; Appendix N, Essential Fish Habitat Assessment; and Appendix V, Commercial and Recreational Fisheries Data Report
<i>Flooding and Erosion Hazard Policies</i>					
11	Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.	This policy is not applicable because the SRWF does not include any buildings or structures within the New York State coastal zone.	This policy is not applicable because the SRWEC-OCS does not include any buildings or structures within the New York State coastal zone.	The SRWEC-NYS and Onshore Transmission Cable are consistent with this policy. Portions of the SRWEC-NYS and Onshore Facilities (Landfall HDD and ICW HDD) will occur within areas vulnerable to flooding and erosion. Construction activities will occur in accordance with a SWPPP, which will be included within the Project EM&CP. The SRWEC-NYS is designed to use construction techniques and best management practices (BMPs) to avoid or minimize environmental impacts to the greatest extent practicable.	Section 2.0, Project Siting and Design Development; Section 3.0, Description of Proposed Activity; Section 4.7.2, Public Services; Section 4.7.5, Coastal Land Use and Other Marine Uses; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix G1, Preliminary Marine Site Characterization Report; Appendix E1, ERP / OSRP; Appendix E2, Safety Management System; and Appendix L, Onshore Ecological Assessment and Wetlands Report

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Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	Response to Policy for SRWEC–NYS and Onshore Transmission Cable	COP Section Reference
12	Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.	This policy is not applicable because the SRWF is located outside New York State coastal zone and flood hazard zones and, therefore, will not result in damage to natural resources or property in New York State coastal areas.	This policy is not applicable because the SRWEC–OCS is located outside New York State coastal zone and flood hazard zones and, therefore, will not result in damage to natural resources or property in New York State coastal areas.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. During construction of the landfall site and the SRWEC–NYS, Sunrise Wind will comply with all applicable regulations for Coastal Erosion Hazard Areas. The Project EM&CP will include measures to minimize damage to natural resources and property from flooding and erosion (e.g., hay bale and/or silt fence barriers). In addition, HDD will be utilized where necessary to avoid disturbing natural resources (e.g., the beach and associated dunes at the landfall site) to the extent practicable.	Section 2.0, Project Siting and Design Development; Section 3.0, Description of Proposed Activity; Section 4.4.1, Coastal and Terrestrial Habitat; Section 4.7.2, Public Services; Section 4.7.5, Coastal Land Use and Other Marine Uses; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix E1, ERP / OSRP; Appendix E2, Safety Management System; Appendix G1, Preliminary Marine Site Characterization Report; and Appendix L, Onshore Ecological Assessment and Wetlands Report
13	The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least 30 years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.	This policy is not applicable because the Project does not involve construction or reconstruction of erosion protection structures onshore in the New York State coastal zone.			Not Applicable
14	Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	This policy is not applicable because the Project does not involve activities or development onshore (including construction and reconstruction of erosion protection structures) in the New York State coastal zone.			Not Applicable
15	Mining, excavation, or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	This policy is not applicable because the SRWF does not involve mining, excavation, or dredging in coastal waters.	This policy is not applicable because the SRWEC–OCS does not involve mining, excavation, or dredging in coastal waters.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. The installation process for the SRWEC–NYS does not involve mining, excavation, or dredging. The installation process will result in a minimum amount of sediment being suspended into the water column and disturbed sediment will be allowed to naturally backfill the trench. HDD will be to connect the SRWEC–NYS to the Onshore Facilities to avoid disturbance to shoreline structures or disturbance of nearshore coastal features.	Section 3.0, Description of Proposed Activity; Section 4.2.2, Sediment Suspension and Deposition; Section 4.3.3, Water Quality; Section 4.3.2, Geological Conditions; Appendix G, Preliminary Marine Site Characterization Report; and Appendix H, Sediment Transport Modeling Report

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Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	Response to Policy for SRWEC–NYS and Onshore Transmission Cable	COP Section Reference
16	Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long-term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.	This policy is not applicable because the Project does not involve public funds used for erosion protective structures.			Not Applicable
17	Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.	This policy is not applicable because the SRWF is located outside the New York State coastal zone.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. The SRWEC–NYS will be installed via HDD in the nearshore environment to avoid impacts to the shoreline and existing natural resources up to the Transition Joint Bays. The Onshore Transmission Cable will be constructed along existing roads without increasing the amount of impervious surfaces. The SRWEC–NYS and Onshore Transmission Cable will not result in an increase in the potential for erosion or for flooding that would result in damage to natural resources or property.	Section 3.0, Description of Proposed Activity; Section 4.7.5, Coastal Land Use and Marine Use; Appendix F, Conceptual Project Engineering Design Drawings/Additional Project Information; Appendix G1, Preliminary Marine Site Characterization Report; and Appendix L, Onshore Ecological Assessment and Wetlands Report

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Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	Response to Policy for SRWEC–NYS and Onshore Transmission Cable	COP Section Reference
<i>General Policy</i>					
18	To safeguard the vital economic, social and environmental interests of the state and its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the state has established to protect valuable coastal areas.	The SRWF is consistent with this policy to the extent applicable because the SRWF is located outside the New York State coastal zone and is not anticipated to impact any valuable coastal areas or affect economic, social, cultural, and environmental interests of the State and its citizens.	The SRWEC–OCS is consistent with this policy to the extent applicable because the SRWEC–OCS is located outside the New York State coastal zone and is not anticipated to impact any valuable coastal areas or affect economic, social, cultural, and environmental interests of the State and its citizens.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy and have been sited and designed in a manner that safeguards the economic, social, cultural, and environmental interests of the State and its citizens. The SRWEC–NYS will be installed via HDD in the nearshore environment and the Onshore Transmission Cable will be constructed primarily within existing ROW.	Section 2.0, Project Siting and Design Development; Section 3.0, Description of Proposed Activity; Section 3.3.3, Sunrise Wind Export Cable; Section 4.0, Site Characterization and Assessment of Impacts; Appendix L, Onshore Ecological Assessment and Wetlands Report; Appendix M, Benthic Resources Characterization Report; Appendix N, Essential Fish Habitat Assessment; Appendix R, Marine Archaeological Resources Assessment; Appendix S, Terrestrial Archaeological Assessment; Appendix T, Historic Resources Visual Effects Assessment; Appendix U, Onshore Above-ground Historic Properties Report; Appendix V, Commercial and Recreational Fisheries Data Report Appendix W, Economic Modeling Report; and Appendix X, Navigation Safety Risk Assessment
<i>Public Access Policies</i>					
19	Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.	This policy is not applicable because the SRWF is located outside the New York State coastal zone and will not limit the level or type of access to public water related recreation resources and facilities in the New York State coastal area.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone and will not limit the level or type of access to public water related recreation resources and facilities in the New York State coastal area.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Construction at the Landfall Work Area and ICW Work Area may temporarily affect parking access in limited areas but will not affect public access to the shoreline. Public access to the shoreline along approximately 3,500 feet may be temporarily restricted for 2–3 weeks between October and March for conduit stringing for the Landfall HDD. The Onshore Transmission Cable will be installed primarily within existing ROW and will not affect access to water-related recreation resources and facilities.	Section 4.7.2, Public Services; Section 4.7.3, Recreation and Tourism; Section 4.7.4, Commercial and Recreational Fishing; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix B, Fisheries Communication Plan; and Appendix V, Commercial and Recreational Fisheries Data Report
20	Access to the publicly owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly owned shall be provided and it shall be provided in a manner compatible with adjoining uses.	This policy is not applicable because the SRWF is located outside the New York State coastal zone and will not impact publicly owned foreshore and areas immediately adjacent to the foreshore or the water's edge that is publicly owned.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone and will not impact publicly owned foreshore and areas immediately adjacent to the foreshore or the water's edge that is publicly owned.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Public access to the shoreline along approximately 3,500 feet may be temporarily affected for 2–3 weeks between October and March for conduit stringing for the Landfall HDD. Construction or operation of the SRWEC–NYS and Onshore Transmission Cable will not otherwise limit access to the publicly owned foreshore or to lands immediately adjacent to the foreshore or water's edge.	Section 4.7.2, Public Services; Section 4.7.3, Recreation and Tourism; Section 4.7.5, Coastal Land Use and Marine Use; and Section 4.9, Summary of Potential Impacts and Environmental Protection Measures

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Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	Response to Policy for SRWEC–NYS and Onshore Transmission Cable	COP Section Reference
<i>Recreation Policies</i>					
21	Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related used along the coast.	The SRWF is consistent with this policy to the extent applicable. The SRWF is located on the Outer Continental Shelf, but construction activity and vessel traffic during construction may temporarily impact water-dependent recreation. A comprehensive communication plan will be implemented during offshore construction to inform all mariners, including commercial and recreational fishermen and recreational boaters, of construction activities and vessel movements. Communication will be facilitated through a Project website, public notices to mariners and vessel float plans, and a fisheries liaison. The Project will submit information to the USCG to issue Local Notice to Mariners during offshore installation activities. The communication plan will also include outreach to stakeholders in the offshore recreational and tourism industry to minimize impacts to recreational events.	The SRWEC–OCS is consistent with this policy to the extent applicable. The SRWEC–OCS is located on the Outer Continental Shelf, but construction activity and vessel traffic during construction may temporarily impact water-dependent recreation. A comprehensive communication plan will be implemented during offshore construction to inform all mariners, including commercial and recreational fishermen and recreational boaters, of construction activities and vessel movements. Communication will be facilitated through a Project website, public notices to mariners and vessel float plans, and a fisheries liaison. The Project will submit information to the USCG to issue Local Notice to Mariners during offshore installation activities. The communication plan will also include outreach to stakeholders in the offshore recreational and tourism industry to minimize impacts to recreational events.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Construction of the Landfall HDD will require a temporary 500-yard safety zone surrounding the offshore work area. Construction at the Landfall Work Area and ICW Work Area may temporarily restrict / affect parking access but will not affect access to water-dependent or water-enhanced recreational opportunities. Public access to the shoreline along approximately 3,500 feet may be temporarily affected for 2–3 weeks between October and March for conduit stringing for the Landfall HDD. The Onshore Transmission Cable will be installed primarily within existing ROW and will not affect access to water-related recreation resources and facilities.	Section 4.7.2, Public Services; Section 4.7.3, Recreation and Tourism; Section 4.7.4, Commercial and Recreational Fishing; Section 4.7.5, Coastal Land Use and Marine Use; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix B, Fisheries Communication Plan; and Appendix V, Commercial and Recreational Fisheries Data Report
22	Development, when located adjacent to the shore, will provide for water-related recreation, whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.	This policy is not applicable because the SRWF is located outside the New York State coastal zone and will not affect current or future development for water-related recreation.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone and will not affect current or future development for water-related recreation.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Construction of the Landfall HDD will require a temporary 500-yard safety zone surrounding the offshore work area. Construction at the Landfall Work Area and ICW Work Area may temporarily restrict / affect parking access but will not affect access to water-related recreation. Public access to the shoreline along approximately 3,500 feet may be temporarily affected for 2–3 weeks between October and March for conduit stringing for the Landfall HDD. The Onshore Transmission Cable will be installed primarily within existing ROW and will not affect access to water-related recreation.	Section 4.7.2, Public Services; Section 4.7.3, Recreation and Tourism; Section 4.7.4, Commercial and Recreational Fishing; Section 4.7.5, Coastal Land Use and Marine Use; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix B, Fisheries Communication Plan; and Appendix V, Commercial and Recreational Fisheries Data Report
<i>Historic and Scenic Resources Policies</i>					
23	Protect, enhance, and restore structures, districts, areas, or sites that are of significance in the history, architecture, archaeology or culture of the state, its communities, or the nation.	This policy is not applicable because the SRWF is located outside the New York State coastal zone and will not have a reasonably foreseeable effect on structures, districts, or sites that are of significance in history, architecture, archaeology, or culture of the State, its communities, or the Nation.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone and not have a reasonably foreseeable effect on structures, districts, or sites that are of significance in history, architecture, archaeology, or culture of the State, its communities, or the Nation.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Construction and O&M will not require the demolition or physical alteration of any New York State and/or National Register of Historic Places (S/NHRP)-eligible or S/NRHP-listed buildings. No mitigation is anticipated to be necessary for negative impacts to historic resources associated with construction. In the event that unanticipated archaeological resources are encountered during construction, the actions outlined in the Unanticipated Discovery Protocol for the Project will be followed.	Section 4.5, Visual Resources; Section 4.6, Cultural Resources; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix R, Marine Archaeological Resources Assessment; Appendix S, Terrestrial Archaeological Assessment; and Appendix T, Historic Resources Visual Effects Assessment

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Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	Response to Policy for SRWEC–NYS and Onshore Transmission Cable	COP Section Reference
24	Prevent impairment of scenic resources of statewide significance.	The SRWF is consistent with this policy to the extent applicable because it is located outside the New York State coastal zone and will not have a reasonably foreseeable effect on scenic resources of statewide significance.	The SRWEC–OCS is consistent with this policy to the extent applicable because the SRWEC–OCS is located outside the New York State coastal zone and is a buried cable that will not affect scenic resources of statewide significance.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy because they will be buried underwater or will be located underground within the existing paved ROW, thus avoiding direct impacts to existing scenic resources.	Section 4.2.9, Visible Infrastructure; Section 4.5, Visual Resources; Section 4.6, Cultural Resources; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix Q1, Offshore Visual Impacts Assessment; Appendix Q2, Onshore Visual Resources Assessment; Appendix T, Historic Resources Visual Effects Assessment; and Appendix U, Onshore Above-ground Historic Properties Report
25	Protect, restore, or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.	The SRWF is consistent with this policy to the extent applicable because it is located outside the New York State coastal zone and will not have a reasonably foreseeable effect on natural or man-made resources that contribute to the overall scenic quality of the coastal area.	The SRWEC–OCS is consistent with this policy to the extent applicable. This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone and is a buried cable that will not affect resources that contribute to overall scenic quality of the coastal area.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy because it will be installed underground and will not be visible from other resources in the coastal area.	Section 4.2.9, Visible Infrastructure; Section 4.5, Visual Resources; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix Q1, Offshore Visual Impacts Assessment; Appendix Q2, Onshore Visual Resources Assessment; Appendix T, Historic Resources Visual Effects Assessment; and Appendix U, Onshore Above-ground Historic Properties Report
Agricultural Lands Policy					
26	Conserve and protect agricultural lands in the state's coastal area.	This policy is not applicable because the SRWF is located outside the New York State coastal zone and will not impact agricultural lands.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone and will not impact agricultural lands.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy because it will be installed offshore or within existing paved ROW. The nearest Agricultural District is located 3,010 ft from the closest point along the Onshore Transmission Cable.	Section 2.0, Project Siting and Design Development; Section 3.0, Description of Proposed Activity; Section 4.7.2, Public Services; Section 4.7.5, Coastal Land Use and Marine Use; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; and Appendix F, Conceptual Project Engineering Design Drawings/Additional Project Information

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Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	Response to Policy for SRWEC–NYS and Onshore Transmission Cable	COP Section Reference
<i>Energy and Ice Management Policies</i>					
27	Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	This policy is not applicable because the SRWF is located outside the New York State coastal zone and does not require shorefront location.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone and does not require shorefront location.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy because the purpose of the Project is to generate electricity and transmit it to electrical grid based on an OREC Agreement with NYSERDA and will help New York State achieve its renewable energy goals. The nature of offshore wind energy production necessitates transmission facilities within the coastal area in order to connect the electricity generated offshore by the wind turbine generators to distribution facilities located onshore. Sunrise Wind's filing of an application with the New York State Public Service Commission under Article VII of the New York Public Service Law that fully evaluates the public energy needs, compatibility of the SRWEC–NYS with the environment, and Project location, also demonstrates compliance with this policy.	Section 1.3, Project Purpose; Section 2.0, Project Siting and Design Development; Section 3.0, Description of Proposed Activity; and Section 4.0, Site Characterization and Assessment of Impacts Appendix F, Conceptual Project Engineering Design Drawings/Additional Project Information
28	Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats, or increase shoreline erosion or flooding.	This policy is not applicable because the Project will not involve ice management measures and practices.			
29	The development of offshore uses and resources, including renewable energy resources, shall accommodate New York's long-standing ocean and Great Lakes industries, such as commercial and recreational fishing and maritime commerce, and the ecological functions of habitats important to New York.	The SRWF is consistent with this policy to the extent applicable. The SRWF is located outside the New York State coastal zone on the Outer Continental Shelf and has been designed to avoid or minimize impacts.	The SRWEC–OCS is consistent with this policy to the extent applicable. The SRWEC–OCS is located outside the New York State coastal zone on the Outer Continental Shelf and has been designed to avoid or minimize impacts.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy because they will support and facilitate the transmission of electricity generated by offshore wind energy facilities to the local grid in the Town of Brookhaven. Construction techniques and BMPs will avoid or minimize impacts.	Section 1.3, Project Purpose; Section 2.0, Project Siting and Design Development; Section 3.0, Description of Proposed Activity; Section 4.0, Site Characterization and Assessment of Impacts; Section 4.7.4, Commercial and Recreational Fishing; Section 4.7.5, Coastal Land Use and Marine Use; Section 4.8.2, Marine Navigation; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix B, Fisheries Communication Plan; Appendix V, Commercial and Recreational Fisheries Data Report; and Appendix X, Navigational Safety Risk Assessment

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Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	Response to Policy for SRWEC–NYS and Onshore Transmission Cable	COP Section Reference
<i>Water and Air Resources Policies</i>					
30	Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.	The SRWF is consistent with this policy to the extent applicable. Routine or accidental (non-routine) fuel spills, wastewater discharges, and solid waste releases are possible but considered unlikely. All vessel waste will be offloaded, stored, and disposed of in accordance with all applicable local, state, and federal regulations, such as the EPA and USCG requirements for discharges and releases to surface waters. Any hazardous materials that may be involved in construction and O&M will be handled and stored in accordance with all applicable federal, state, and local regulations to minimize potential contamination of coastal areas. A project-specific Oil Spill Response Plan (OSRP) has also been developed to mitigate the potential for adversely impacting water quality.	The SRWEC–OCS is consistent with this policy to the extent applicable. Routine or accidental (non-routine) fuel spills, wastewater discharges and solid waste releases are possible but considered unlikely. All vessel waste will be offloaded, stored, and disposed of in accordance with all applicable local, state and federal regulations, such as the EPA and USCG requirements for discharges and releases to surface waters. Any hazardous materials that may be involved in construction and O&M will be handled and stored in accordance with all applicable federal, state, and local regulations in order to minimize potential contamination of coastal areas. A project-specific OSRP has also been developed to mitigate the potential for adversely impacting water quality.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Routine or accidental (non-routine) fuel spills, wastewater discharges and solid waste releases are possible but considered unlikely. All vessel waste will be offloaded, stored, and disposed of in accordance with all applicable local, state and federal regulations, such as the EPA and USCG requirements for discharges and releases to surface waters. Any hazardous materials that may be involved in construction and O&M will be handled and stored in accordance with all applicable federal, state, and local regulations in order to minimize potential contamination of coastal areas. There will be no process discharge associated with operations. Unanticipated discharges will be handled and stored in accordance with all applicable federal, state, and local regulations in order to minimize potential contamination of coastal areas. A project-specific OSRP has also been developed to mitigate the potential for adversely impacting water quality. An Inadvertent Returns Plan that addresses spill prevention, controls, and countermeasures, onshore and offshore, and a SWPPP will be developed as part of the Project EM&CP. Sunrise Wind will implement the SWPPP during construction to preclude pollution of surface and ground waters in the vicinity of the Onshore Transmission Cable.	Section 1.4.1, BOEM-Led Permits and Approvals; Section 1.4.2, Other Federal Permits, Approvals, and Consultations; Section 4.2.5, Discharges and Releases; Section 4.2.6, Trash and Debris; Section 4.3.3, Water Quality; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; and Appendix E1, ERP / OSRP
31	State coastal area policies and management objectives of approved local waterfront revitalization programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.	This policy is not applicable because the Project is not located in an area subject to a waterfront revitalization program.			Not Applicable
32	Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	This policy is not applicable because the Project does not include the installation of permanent sanitary waste systems.			Not Applicable

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Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	Response to Policy for SRWEC–NYS and Onshore Transmission Cable	COP Section Reference
33	Best management practices will be used to ensure the control of storm water runoff and combined sewer overflows draining into coastal waters.	This policy is not applicable because the SRWF is located outside the New York State coastal zone and will not cause or result in storm water runoff or sewer overflows.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone and will not cause or result in storm water runoff or sewer overflows.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy and will not result in any direct discharge of untreated storm water into wetlands or waterbodies. Because the terrestrial portions of the Onshore Transmission Cable will be located primarily underground within existing paved ROW, there will not be increase in impervious surfaces or in a volume of storm water generated. Sunrise Wind will prepare a SWPPP in accordance with the State Pollutant Discharge Elimination Systems (SPDES) rules and implement BMPs, to the extent necessary during construction, to avoid pollution of surface waters from storm water runoff.	Section 4.3.3, Water Quality; and Section 4.9, Summary of Potential Impacts and Environmental Protection Measures
34	Discharge of waste materials into coastal waters from vessels subject to state jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas, and water supply areas.	The SRWF is consistent with this policy to the extent applicable. All vessel waste will be offloaded, stored, and disposed of in accordance with all applicable local, state and federal regulations, such as the EPA and USCG requirements for discharges and releases to surface waters.	The SRWEC–OCS is consistent with this policy to the extent applicable. All vessel waste will be offloaded, stored, and disposed of in accordance with all applicable local, state and federal regulations, such as the EPA and USCG requirements for discharges and releases to surface waters.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Vessels participating in the construction and O&M of the SRWF will adhere to all applicable local, state and federal regulations, such as the EPA and USCG requirements for discharges and releases to surface waters.	Section 1.4.1, BOEM-Led Permits and Approvals; Section 1.4.2, Other Federal Permits, Approvals, and Consultations; Section 4.2.5, Discharges and Releases; Section 4.2.6, Trash and Debris; Section 4.3.3, Water Quality; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; and Appendix E1, ERP / OSRP
35	Dredging and filling in coastal waters and disposal of dredged material will be undertaken in a manner that meets existing state permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	This policy is not applicable because the SRWF is located outside the New York State coastal zone and will not include dredging or filling in coastal waters.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone and will not include dredging or filling in coastal waters.	<p>The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. The SRWEC–NYS will be installed via HDD in the nearshore environment. The offshore exit pit for the HDD will be designed to meet existing state requirements. As part of the Project EM&CP, Sunrise Wind will develop a plan for construction activities that will include construction techniques and BMPs to avoid or minimize impacts from dredging or filling.</p> <p>The SRWEC–NYS does not otherwise involve dredging or filling in coastal waters or disposal of dredged material. The Onshore Transmission Cable will be constructed primarily within existing ROW and does not include dredging or filling in coastal waters because it will be installed via HDD at the Intracoastal Waterway.</p> <p>Sunrise Wind will comply with all applicable federal and state laws and regulations regarding water quality, fish and wildlife habitats, wetlands, scenic resources, natural protective features, and important coastal resources.</p>	Section 1.4, Regulatory Framework; Section 3.0, Description of Proposed Activity; Section 4.0, Site Characterization and Assessment of Impacts; and Appendix H, Sediment Transport Modeling Report

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Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	Response to Policy for SRWEC–NYS and Onshore Transmission Cable	COP Section Reference
36	Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	The SRWF is consistent with this policy to the extent applicable. Appropriate measures to prevent, minimize, and mitigate any spills or releases of petroleum or hazardous wastes will be implemented. Sunrise Wind has prepared an OSRP and will prepare a spill prevention, control, and countermeasure plan (SPCC) to comply with federal, state, and local regulations.	The SRWEC–OCS is consistent with this policy to the extent applicable. Appropriate measures to prevent, minimize, and mitigate any spills or releases of petroleum or hazardous wastes will be implemented. Sunrise Wind has prepared an OSRP and will prepare a SPCC and SWPPP to comply with federal, state, and local regulations.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Appropriate measures to prevent, minimize, and mitigate any spills or releases of petroleum or hazardous wastes will be implemented. Sunrise Wind has prepared an OSRP and will prepare a SPCC, SWPPP, and an Inadvertent Returns Plan and a SWPPP to comply with federal, state, and local regulations.	Section 4.2.5, Discharges and Releases; Section 4.2.6, Trash and Debris; Section 4.7.2, Public Services; Appendix E1, ERP / OSRP; and Appendix E2, Safety Management System
37	Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics, and eroded soils into coastal waters.	This policy is not applicable because the SRWF will not generate non-point discharges into coastal waters.	This policy is not applicable because the SRWEC–OCS will not generate non-point discharges into coastal waters	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. The implementation of BMPs during construction and O&M will avoid non-point source discharge of pollutants into coastal waters. As part of the Project EM&CP, Sunrise Wind will develop a plan for construction activities, which will include an SWPPP.	Section 4.2.5, Discharges and Releases; Section 4.3.3, Water Quality; and Section 4.9, Summary of Potential Impacts and Environmental Protection Measures
38	The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	This policy is not applicable because the SRWF is located outside the New York State coastal zone and, therefore, is not located in vicinity of any primary or sole source aquifers.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone and therefore is not located in vicinity of any primary or sole source aquifers.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. During construction and O&M, a SWPPP will be implemented to minimize potential impacts to wetlands, waterbodies, and groundwater during construction. During operations, there will be no impact to the groundwater quality or quantity, as groundwater resources are not used.	Section 4.3.3, Water Quality; Section 4.4.1, Coastal and Terrestrial Habitat; and Section 4.9, Summary of Potential Impacts and Environmental Protection Measures
39	The transport, storage, treatment, and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands, and scenic resources.	The SRWF is consistent with this policy to the extent applicable. All vessel waste will be offloaded, stored, and disposed of in accordance with all applicable local, state and federal regulations, such as the EPA and USCG requirements for discharges and releases to surface waters.	The SRWEC–OCS is consistent with this policy to the extent applicable. All vessel waste will be offloaded, stored, and disposed of in accordance with all applicable local, state and federal regulations, such as the EPA and USCG requirements for discharges and releases to surface waters.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. All vessel operations will comply with USCG requirements relating to prevention and control of fuel spills and other applicable federal, state, and local regulations and requirements. In addition, during the construction, appropriate measures to prevent, minimize, and mitigate any spills or releases of hazardous wastes will be implemented. An Inadvertent Returns Plan and a SWPPP will be prepared to comply with all federal, state, and local regulations.	Section 1.4, Regulatory Framework; Section 4.2.5, Discharges and Releases; Section 4.2.6, Trash and Debris; Section 4.3.3, Water Quality; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix E1, ERP / OSRP
40	Effluent discharges from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.	This policy is not applicable because the Project is not a major steam electric generating or industrial facility with effluent discharges.			Not Applicable

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41	Land use or development in the coastal area will not cause national or state air quality standards to be violated.	The SRWF is consistent with this policy to the extent applicable. Emissions associated with increased vessel traffic in New York State coastal waters may temporarily impact air quality. However, given the amount of existing vessel traffic in the area, the impact from the SRWF on air quality is expected to be negligible. Sunrise Wind will obtain the necessary permits as applicable and required by federal and state air quality standards for construction, O&M, and decommissioning.	The SWREC-OCS is consistent with this policy to the extent applicable. Emissions associated with increased vessel traffic in New York State coastal waters may temporarily impact air quality. However, given the amount of existing vessel traffic in the area, the impact on air quality is expected to be negligible. Sunrise Wind will obtain the necessary permits as applicable and required by federal and state air quality standards for construction, O&M, and decommissioning.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Emissions associated with increased marine vessel traffic emissions in New York State coastal waters and onshore construction vehicles may temporarily impact air quality. However, given the amount of existing marine vessel and vehicle traffic in the area, the impact on air quality is expected to be negligible. Sunrise Wind will obtain the necessary permits as applicable and required by federal and state air quality standards for construction and O&M.	Section 1.4, Regulatory Framework; Section 4.2.8, Air Emissions; Section 4.3.4, Air Quality; and Appendix K, Air Emissions Inventory
42	Coastal management policies will be considered if the state reclassifies land areas pursuant to the prevention of significant deterioration regulations of the federal clean air act.	This policy is not applicable because the Project does not involve reclassification of land areas pursuant to the prevention of significant deterioration regulations of the federal clean air act.			Not Applicable
43	Land use or development in the coastal area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.	The SRWF is consistent with this policy to the extent applicable. While air quality may be temporarily affected due to marine vessels traveling through New York State coastal waters for construction, O&M, and decommissioning, the volume of pollutants that could be emitted, in comparison to existing vessel traffic, is not anticipated to generate significant amounts of acid rain precursors: nitrates and sulfates.	The SRWEC–OCS is consistent with this policy to the extent applicable. While air quality may be temporarily affected due to marine vessels traveling through New York State coastal waters for construction, O&M, and decommissioning, the volume of pollutants that could be emitted, in comparison to existing vessel traffic, is not anticipated to generate significant amounts of acid rain precursors: nitrates and sulfates.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Operation will not generate significant amounts of nitrates and sulfates. Construction activities may affect air quality temporarily because of marine vessels traveling through New York State coastal waters and construction equipment used onshore for construction and O&M. However, the volume of pollutants that could be emitted, in comparison to existing vessel traffic, is not anticipated to generate significant amounts of acid rain precursors: nitrates and sulfates.	Section 1.4, Regulatory Framework; Section 4.2.8, Air Emissions; Section 4.3.4, Air Quality; and Appendix K, Air Emissions Inventory
Wetland Policy					
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	This policy is not applicable because the SRWF is located outside the New York State coastal zone.	This policy is not applicable because the SRWEC–OCS is located outside the New York State coastal zone.	The SRWEC–NYS and Onshore Transmission Cable are consistent with this policy. Construction of the SRWEC–NYS will not directly impact any tidal or freshwater wetlands because HDD methods will be used in order to avoid potential direct impacts to tidal wetlands. Construction of the Onshore Transmission Cable will minimize impacts to freshwater wetlands, tidal wetlands, and other waterbodies. Sunrise Wind will obtain and comply with all applicable federal, state, and local surface water quality requirements and permits in the coastal zone.	Section 4.3.3, Water Quality; Section 4.7.5, Coastal Land Use and Marine Use; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; and Appendix L, Onshore Ecological Assessment and Wetlands Report

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Table 2
Massachusetts
CZMP Certification

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC-OCS	COP Section Reference
<i>Coastal Hazards</i>				
1	Preserve, protect, restore, and enhance the beneficial functions of storm damage prevention and flood control provided by natural coastal landforms, such as dunes, beaches, barrier beaches, coastal banks, land subject to coastal storm flowage, salt marshes, and land under the ocean.	The SRWF is consistent with this policy to the extent applicable. The SRWF is a wind power facility located outside the Massachusetts coastal zone and does not affect natural coastal landforms in Massachusetts.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS is located outside the Massachusetts coastal zone and does not affect natural coastal landforms in Massachusetts.	Section 2.0, Project Siting and Design Development; Section 3.0, Description of Proposed Activity; Section 4.3.3, Water Quality; and Section 4.9 Summary of Potential Impacts and Environmental Protection Measures
2	Ensure that construction in water bodies and contiguous land areas will minimize interference with water circulation and sediment transport. Flood or erosion control projects must demonstrate no significant adverse effects on the project site or adjacent or downcoast areas.	The SRWF is consistent with this policy to the extent applicable. The construction associated with the SRWF will occur outside the Massachusetts coastal zone and will not interfere with natural coastal processes, including water circulation and sediment transport, in Massachusetts. The SRWF does not include flood or erosion control projects.	The SRWEC-OCS is consistent with this policy to the extent applicable. The construction associated with the SRWEC-OCS will occur outside the Massachusetts coastal zone and will not interfere with natural coastal processes, including water circulation and sediment transport, in Massachusetts. The SRWF does not include flood or erosion control projects.	Section 2.0, Project Siting and Design Development; Section 3.0, Description of Proposed Activity; Section 4.2.2, Sediment Suspension and Deposition; Section 4.3.2, Geological Conditions; Section 4.3.3, Water Quality; Section 4.9 Summary of Potential Impacts and Environmental Protection Measures; Appendix G1, Preliminary Marine Site Characterization Report; and Appendix H, Sediment Transport Modeling Report
3	Ensure that state and federally funded public works projects proposed for location within the coastal zone will: Not exacerbate existing hazards or damage natural buffers or other natural resources. Be reasonably safe from flood and erosion-related damage. Not promote growth and development in hazard-prone or buffer areas, especially in velocity zone and Areas of Critical Environmental Concern. Not be used on Coastal Barrier Resource Units for new or substantial reconstruction of structures in a manner inconsistent with Coastal Barrier Resource/Improvement Acts.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and is not a state or federally funded public works project proposed within Massachusetts.		Not Applicable
4	Prioritize acquisition of hazardous coastal areas that have high conservation and/or recreation values and relocation of structures out of coastal high-hazard areas, giving due consideration to the effects of coastal hazards at the location to the use and manageability of the area.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not include acquisition of hazardous coastal areas or relocation of structures.		Not Applicable
<i>Energy</i>				
1	For coastally dependent energy facilities, assess siting in alternative coastal locations. For non-coastally dependent energy facilities, assess siting in areas outside of the coastal zone. Weigh the environmental and safety impacts of locating proposed energy facilities at alternative sites.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not include coastally dependent energy facilities.		Not Applicable
2	Encourage energy conservation and the use of renewable sources such as solar and wind power in order to assist in meeting the energy needs of the Commonwealth.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not provide energy to Massachusetts.		Not Applicable
<i>Growth Management</i>				
1	Encourage sustainable development that is consistent with state, regional, and local plans and support the quality and character of the community.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not include development within Massachusetts.		Not Applicable
2	Ensure that state and federally funded infrastructure projects in the coastal zone primarily serve existing developed areas, assigning highest priority to projects that meet the needs of urban and community development centers.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and is not a state or federally funded infrastructure project.		Not Applicable
3	Encourage the revitalization and enhancement of existing development centers in the coastal zone through technical assistance and financial support for residential, commercial, and industrial development.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not include revitalization or enhancement of existing development centers.		Not Applicable

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC-OCS	COP Section Reference
<i>Habitat</i>				
1	Protect coastal, estuarine, and marine habitats - including salt marshes, shellfish beds, submerged aquatic vegetation, dunes, beaches, barrier beaches, banks, salt ponds, eelgrass beds, tidal flats, rocky shore, bays, sounds, and other ocean habitats - and coastal freshwater streams, ponds, and wetlands to preserved critical wildlife habitat and other important functions and services including nutrient and sediment attenuation, wave and storm damage protection, and landform movement and processes.	The SRWF is consistent with this policy to the extent applicable. The SRWF is located outside the Massachusetts coastal zone, has been designed to use construction techniques to avoid or minimize environmental impacts to the greatest extent practicable, and does not include impacts on these habitats in Massachusetts.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWF is located outside the Massachusetts coastal zone, has been designed to use construction techniques to avoid or minimize environmental impacts to the greatest extent practicable, and does not include impacts on these habitats in Massachusetts.	Section 4.3.3, Water Quality; Section 4.4.1, Coastal and Terrestrial Habitat; Section 4.4.2, Benthic and Shellfish Resources; Section 4.4.3, Finfish and Essential Fish Habitat Section 4.9 Summary of Potential Impacts and Environmental Protection Measures; Appendix H, Sediment Transport Modeling Report; Appendix L, Ecological Habitat and Wetland Delineation Report; Appendix M1, Benthic Resources Characterization Report - Federal Waters; and Appendix N, Essential Fish Habitat Assessment.
2	Advance the restoration of degraded or former habitats in coastal and marine areas.	This policy is not applicable because the Project does not include restoration of degraded or former habitats in Massachusetts coastal or marine areas.		Not Applicable
<i>Ocean Resources</i>				
1	Support the development of sustainable aquaculture, both for commercial and enhancement (public shellfish stocking) purposes. Ensure that the review process regulating aquaculture facility sites (and access routes to those areas) protects significant ecological resources (salt marshes, dunes, beaches, barrier beaches, and salt ponds) and minimizes adverse effects on the coastal and marine environment and other water-dependent uses.	This policy is not applicable because the Project does not include aquaculture.		Not Applicable
2	Except where such activity is prohibited by the Ocean Sanctuaries Act, the Massachusetts Ocean Management Plan, or other applicable provision of law, the extraction of oil, natural gas, or marine minerals (other than sand and gravel) in or affecting the coastal zone must protect marine resources, marine water quality, fisheries, and navigational, recreational and other uses.	This policy is not applicable because the Project does not involve extraction of oil, natural gas, or marine minerals.		Not Applicable
3	Accommodate offshore sand and gravel extraction needs in areas and in ways that will not adversely affect marine resources, navigation, or shoreline areas because of alteration of wave direction and dynamics. Extraction of sand and gravel, when and where permitted, will be primarily for the purpose of beach nourishment or shoreline stabilization.	This policy is not applicable because the Project does not involve offshore sand or gravel extraction needs.		Not Applicable
<i>Ports and Harbors</i>				
1	Ensure that dredging and disposal of dredged material minimize adverse effects on water quality, physical processes, marine productivity, and public health and take full advantage of opportunities for beneficial re-use.	This policy is not applicable because the Project does not include dredging or disposal of dredged material in the Massachusetts coastal zone.		Not Applicable
2	Obtain the widest possible public benefit from channel dredging and ensure that Designated Port Areas and developed harbors are given highest priority in the allocation of resources.	This policy is not applicable because the Project does not include channel dredging in the Massachusetts coastal zone.		Not Applicable
3	Preserve and enhance the capacity of Designated Port Areas to accommodate water-dependent industrial uses and prevent the exclusion of such uses from tidelands and any other DPA lands over which an EEA agency exerts control by virtue of ownership or other legal authority.	This policy is not applicable because the Project does not propose to change the capacity of Designated Port Areas in Massachusetts to accommodate water-dependent industrial uses in Massachusetts waters.		Not Applicable
4	For development on tidelands and other coastal waterways, preserve and enhance the immediate waterfront for vessel-related activities that require sufficient space and suitable facilities along the water's edge for operational purposes.	This policy is not applicable because the Project does not include development on tidelands or other coastal waterways.		Not Applicable

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC-OCS	COP Section Reference
5	Encourage, through technical and financial assistance, expansion of water-dependent uses in Designated Port Areas and developed harbors, re-development of urban waterfronts, and expansion of physical and visual access.	This policy is not applicable because the Project does not include expansion of water-dependent uses in Designated Port Areas, developed harbors, re-development of urban waterfronts, or expansion of physical and visual access.		Not Applicable
Protected Areas				
1	Preserve, restore, and enhance coastal Areas of Critical Environmental Concern, which are complexes of natural and cultural resources of regional or statewide significance.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not affect coastal Areas of Critical Environmental Concern in Massachusetts.		Not Applicable
2	Protect state designated scenic rivers in the coastal zone.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not affect state-designated scenic rivers in the coastal zone.		Not Applicable
3	Ensure that proposed developments in or near designated or registered historic places respect the preservation intent of the designation and that potential adverse effects are minimized.	The SRWF is consistent with this policy to the extent applicable. The SRWF is located outside the Massachusetts coastal zone and will not have a reasonably foreseeable impact on designated or registered historic places within Massachusetts.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS is located outside the Massachusetts coastal zone, and once in operation, the SRWEC-OCS will be buried and will not be visible from shore.	Section 4.2.9, Visible Infrastructure; Section 4.5, Visual Resources; Section 4.6, Cultural Resources; Section 4.9 Summary of Potential Impacts and Environmental Protection Measures; Appendix R, Marine Archaeological Resources Assessment; and Appendix Q1, Offshore Visual Impacts Assessment
Public Access				
1	Ensure that development (both water-dependent or nonwater-dependent) of coastal sites subject to state waterways regulation will promote general public use and enjoyment of the water's edge, to an extent commensurate with the Commonwealth's interests in flowed and filled tidelands under the Public Trust Doctrine.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not include development of coastal sites subject to state waterways regulation.		Not Applicable
2	Improve public access to existing coastal recreation facilities and alleviate auto traffic and parking problems through improvements in public transportation and trail links (land- or water-based) to other nearby facilities. Increase capacity of existing recreation areas by facilitating multiple use and by improving management, maintenance, and public support facilities. Ensure that the adverse impacts of developments proposed near existing public access and recreation sites are minimized.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not include development of improvement of public access to existing coastal recreation facilities.		Not Applicable
3	Expand existing recreation facilities and acquire and develop new public areas for coastal recreational activities, giving highest priority to regions of high need or limited site availability. Provide technical assistance to developers of both public and private recreation facilities and sites that increase public access to the shoreline to ensure that both transportation access and the recreation facilities are compatible with social and environmental characteristics of surrounding communities.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not include expansion of existing recreation facilities or acquisition of new public areas for coastal recreation activities.		Not Applicable

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Policy #	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC-OCS	COP Section Reference
<i>Water Quality</i>				
1	Ensure that point-source discharges and withdrawals in or affecting the coastal zone do not compromise water quality standards and protected designated uses and other interests.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not include point-source discharges or withdrawals within Massachusetts.		Not Applicable
2	Ensure the implementation of nonpoint source pollution controls to promote the attainment of water quality standards and protect designated uses and other interests.	The SRWF is consistent with this policy to the extent applicable. The SRWF is located outside the Massachusetts coastal zone and does not include nonpoint source discharges within Massachusetts. The SRWF has been designed to use construction techniques to avoid or minimize environmental impacts, such as nonpoint source discharges of pollutants, to the greatest extent practicable. Construction phase spills or discharges will be managed in accordance with a project-specific Emergency Response Plan/Oil Spill Response Plan.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS is located outside the Massachusetts coastal zone and does not include nonpoint source discharges within Massachusetts. The SRWEC-OCS has been designed to use construction techniques to avoid or minimize environmental impacts, such as nonpoint source discharges of pollutants, to the greatest extent practicable. Construction phase spills or discharges will be managed in accordance with a project-specific Emergency Response Plan/Oil Spill Response Plan.	Section 1.4, Regulatory Framework; Section 4.2.5, Discharges and Releases; Section 4.2.6, Trash and Debris; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix E1, ERP / OSRP; and Appendix E2, Safety Management System
3	Ensure that subsurface waste discharges conform to applicable standards, including the siting, construction, and maintenance requirements for on-site wastewater disposal systems, water quality standards, established Total Maximum Daily Load limits, and prohibitions on facilities in high-hazard areas.	This policy is not applicable because the Project is located outside the Massachusetts coastal zone and does not include subsurface waste discharges or an onsite wastewater disposal system.		Not Applicable

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Table 3
Rhode Island
CRMP Certification

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Section Number 650-RICR-20-05-11	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC-OCS	COP Section Reference
11.10 Regulatory Standards				
11.10 (A)	A. This section contains all the regulatory standards outlined by the Ocean SAMP. The regulatory standards have been organized according to the following stages: application; design, fabrication and installation; pre-construction; construction and decommissioning; and monitoring. Section 11.10.1 of this part, Overall Regulatory Standards, applies to all stages of development. The regulatory standards contained within all previous chapters of the Ocean SAMP document have been incorporated into this section based upon the applicable stage of development. The "Regulatory Standards" in Section 11.10 of this part are enforceable policies for purposes of the Federal CZMA Federal Consistency provision (16 U.S.C. § 1456 and 15 C.F.R. part 930). For CZMA Federal Consistency purposes the Regulatory Standards, in addition to other applicable federally approved RICRMP enforceable policies shall be used as the basis for a CRMC CZMA Federal Consistency concurrence or objection.	SRWF is consistent with this policy to the extent applicable. The SRWF will be located partially within the Rhode Island Ocean Special Area Management Plan (Ocean SAMP) study area and meets the definition of an Offshore Development.	The SRWEC-OCS is consistent with these policies to the extent applicable. The SRWEC-OCS will be located partially within the Ocean SAMP study area and meets the definition of an Offshore Development.	Section 1.3, Project Purpose; Section 1.4, Regulatory Framework; Section 2.0, Project Siting and Design Development; and Section 3.0, Description of Proposed Activity
11.10(B)	B. The federal offshore renewable energy leasing process, and subsequent regulation of renewable energy projects located in federal waters, will remain under the jurisdiction of BOEM, in consultation and coordination with relevant federal agencies and affected state, local, and tribal officials, as per BOEM's statutory authority at 43 USC 1337(p) and the regulations found at 30 CFR 285.	The SRWF is consistent with this policy to the extent applicable. The SRWF is located in federal waters and, therefore, will remain in compliance with BOEM policies.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS is located in federal waters and, therefore, will remain in compliance with BOEM policies.	Section 1.3, Project Purpose; Section 1.4, Regulatory Framework; Section 2.0, Project Siting and Design Development; and Section 3.0, Description of Proposed Activity
11.10.1 Overall Regulatory Standards				
11.10.1(A)	A. All Offshore Developments regardless of size, including energy projects, which are proposed for or located within state waters of the Ocean SAMP area, are subject to the policies and standards outlined in Sections 11.9 and 11.10 of this part. The Council shall not use Section 11.9 of this Part for CRMC concurrences or objections for CZMA consistency reviews. For the purposes of the Ocean SAMP, Offshore Developments are defined as:	The SRWF is consistent with this policy to the extent applicable. The SRWF is not located within Rhode Island State waters but is partially located in a GLD and meets the definition of a large-scale offshore development such that the SRWF is subject to Section 11.10 policies.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS is not located within Rhode Island State waters but is partially located in part in a GLD and is an underwater cable such that the SRWF-OCS is subject to Section 11.10 policies.	Section 1.3, Project Purpose; Section 1.4, Regulatory Framework; Section 2.0, Project Siting and Design Development; and Section 3.0, Description of Proposed Activity
11.10.1(A)(1)	1. Large-scale projects, such as: a. offshore wind facilities (5 or more turbines within 2 km of each other, or 18 MW power generation); b. wave generation devices (2 or more devices, or 18 MW power generation); c. in-stream tidal or ocean current devices (2 or more devices, or 18 MW power generation); d. offshore LNG platforms (1 or more); e. artificial reefs (1/2 acre footprint and at least 4 feet high), except for projects of a public nature whose primary purpose is habitat enhancement; and f. outer continental shelf (OCS) exploration, development, and production plans.	SRWF is consistent with this policy because it meets the definition of an offshore wind facility with 5 or more turbines that are within 2 km of each other.	The SRWEC-OCS is consistent with this policy because of its connection to the SRWF.	Section 1.1, Project Overview
11.10.1(A)(2)	2. Small-scale projects, defined as any projects that are smaller than the above thresholds;	This policy is not applicable because the SRWF does not fall within the definition of a small-scale project.	This policy is not applicable because the SRWEC-OCS does not fall within the definition of a small-scale project.	Not Applicable
11.10.1(A)(3)	3. Underwater cables;	SRWF is consistent with this policy because it includes underwater cables.	The SRWEC-OCS is consistent with this policy because it is comprised of underwater cables.	Section 1.1, Project Overview
11.10.1(A)(4)	4. Mining and extraction of minerals, including sand and gravel;	This policy is not applicable because the SRWF is not a mining and extraction of minerals facility.	This policy is not applicable because the SRWEC-OCS is not a mining and extraction of minerals facility.	Not Applicable

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Section Number 650-RICR-20-05-11	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC-OCS	COP Section Reference
11.10.1(A)(5)	5. Aquaculture projects of any size, as defined and regulated in Section 00-1.3.1(K) of this chapter;	This policy is not applicable because the SRWF is not an aquaculture project.	This policy is not applicable because the SRWEC-OCS is not an aquaculture project.	Not Applicable
11.10.1(A)(6)	6. Dredging, as defined and regulated in Section 00-1.3.1(I) of this chapter; or	This policy is not applicable because the SRWF is not a dredging project.	This policy is not applicable because the SRWEC-OCS is not a dredging project.	Not Applicable
11.10.1(A)(7)	7. Other development as defined in subchapter 00 part 1 of this chapter (RICRMP - Red Book) which is located from the mouth of Narragansett Bay seaward, in tidal waters from between 500 feet offshore and the 3-nautical mile, state water boundary.	This policy is not applicable because the SRWF is not a development located in Rhode Island coastal tidal waters.	This policy is not applicable because the SRWEC-OCS is not a development located in Rhode Island coastal tidal waters.	Not Applicable
11.10.1(B)	B. In assessing the natural resources and existing human uses present in state waters of the Ocean SAMP area, the Council finds that the most suitable area for offshore renewable energy development in the state waters of the Ocean SAMP area is the Renewable Energy Zone depicted in Figure 1 in Section 11.10.1(R) of this part, below. The Council designates this area as Type 4E waters. In the Rhode Island Coastal Resources Management Program these waters were previously designated as Type 4 (or multipurpose) but are hereby modified to show that this is the preferred site for large scale renewable energy projects in state waters. The Council may approve offshore renewable energy development elsewhere in the Ocean SAMP area, within state waters, where it is determined to have no significant adverse impact on the natural resources or human uses of the Ocean SAMP area. Large-scale Offshore Developments shall avoid areas designated as Areas of Particular Concern consistent with Section 11.10.2 of this part. No large-scale offshore renewable energy development shall be allowed in Areas Designated for Preservation consistent with Section 11.10.3 of this part.	The SRWF is consistent with this policy to the extent applicable. The SRWF is located outside Rhode Island state waters and has been sited to avoid areas designated for preservation. In addition, SRWF will be sited to avoid Areas of Particular Concern or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS is located outside of Rhode Island state waters and has been sited to avoid areas designated for preservation. In addition, SRWEC-OCS will be sited to avoid Areas of Particular Concern or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.	Section 1.3, Project Purpose; Section 1.4, Regulatory Framework; Section 2.0, Project Siting and Design Development; Section 3.0, Description of Proposed Activity; Section 4. Geology Section 4. Benthic Habitats Appendix G1, Preliminary Marine Site Investigation Report Appendix M1, Benthic Resources Characterization Report - Federal Waters
11.10.1(C)	C) Offshore Developments shall not have a significant adverse impact on the natural resources or existing human uses of the Rhode Island coastal zone, as described in the Ocean SAMP. Where the Council determines that impacts on the natural resources or human uses of the Rhode Island coastal zone through the pre-construction, construction, operation, or decommissioning phases of a project constitute significant adverse effects, the Council shall, through its permitting and enforcement authorities in state waters and through any subsequent CZMA federal consistency reviews, require that the applicant modify the proposal to avoid and/or mitigate the impacts or the Council shall deny the proposal.	The SRWF is consistent with this policy. The SRWF will not have significant adverse impact on the natural resources or human uses of the area. Current activities will be able to continue post construction.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS will not have significant adverse impact on the natural resources or human uses of the area. Current activities will be able to continue post construction.	Section 1.4, Regulatory Framework Section 4, Environmental Effects; and Appendix C, Coastal Zone Management Consistency Statements

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

Section Number 650-RICR-20-05-11	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC–OCS	COP Section Reference
11.10.1(D)(1)	<p>Any large-scale offshore development, as defined in Section 11.3(H) of this Part, shall require a meeting between the Fisherman's Advisory Board (FAB), the applicant, and the Council staff to discuss potential fishery-related impacts, such as, but not limited to, project location, wind turbine configuration and spacing, construction schedules, alternative locations, project minimization and identification of high fishing activity or habitat edges. For any state permit process for a large-scale offshore development this meeting shall occur prior to submission of the state permit application. The Council cannot require a pre-application meeting for federal permit applications, but the Council strongly encourages applicants for any large-scale offshore development, as defined in Section 11.3(H) of this Part, in federal waters to meet with the FAB and the Council staff prior to the submission of a federal application, lease, license, or authorization. These pre-application meetings, however, do not constitute a formal meeting to satisfy the necessary data and information required for federal consistency reviews, unless mutually agreed to between the CRMC and the applicant. However, for federal permit applicants, a meeting with the FAB as described within this section shall be necessary data and information required for federal consistency reviews for purposes of starting the CZMA 6-month review period for federal license or permit activities under 15 C.F.R. part 930, Subpart D, and OCS Plans under 15 C.F.R. Part 930, Subpart E, pursuant to 15 C.F.R. 930.58(a)(2).</p> <p>1. For purposes of BOEM's renewable energy program under the Outer Continental Shelf Lands Act, the CZMA federal consistency process cannot begin until a construction and operations plan (COP) has been submitted for BOEM's review and approval. Once BOEM has determined the COP and supporting information is sufficient to begin its environmental review under the National Environmental Policy Act, a Notice of Intent to prepare an Environmental Impact Statement will be issued. Only when BOEM issues the COP Notice of Intent can the CZMA review period begin. In most cases, an applicant provides the necessary data and information to the state at the time the applicant files its consistency certification and once the consistency certification and necessary data and information are submitted to the state, the six-month CZMA review period begins. However, for CZMA purposes the CRMC FAB meeting can occur before BOEM issues the COP Notice of Intent if the CRMC and the applicant mutually agree. If the FAB meeting does not occur until after BOEM issues the COP Notice of Intent, then the CZMA six-month review period shall not begin until the day after the FAB meeting, providing that the applicant has submitted all other necessary data and information and the consistency certification pursuant to NOAA's regulations. If the applicant requests the FAB meeting, it must be made in writing to the CRMC and the Chair of the FAB. The CRMC shall schedule the meeting in a timely manner to ensure that the CZMA process is not delayed.</p>	<p>The SRWF is consistent with this policy. Sunrise Wind will hold meetings with the FAB and HAB and Council staff. If CRMC and Sunrise Wind mutually agree, the meetings with the FAB and HAB will occur before BOEM issues the Notice of Intent (NOI) to prepare a Draft Environmental Impact Statement (DEIS) for the Project.</p>	<p>The SRWEC–OCS is consistent with this policy to the extent applicable. Sunrise Wind will hold meetings with the FAB and HAB and Council staff. If CRMC and Sunrise Wind mutually agree, the meetings with the FAB and HAB will occur before BOEM issues the NOI to prepare a DEIS for the Project.</p>	<p>Section 1.4, Regulatory Framework; Section 4.2.5, Discharges and Releases; Section 4.2.6, Trash and Debris; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix E1, ERP / OSRP; and Appendix E2, Safety Management System</p>

COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATIONS

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11.10.1(E)	E) The Council shall prohibit any other uses or activities that would result in significant long-term negative impacts to Rhode Island's commercial or recreational fisheries. Long-term impacts are defined as those that affect more than one or two seasons.	The SRWF is consistent with this policy. There are no expected significant long-term negative impacts to Rhode Island's commercial or recreational fisheries from the SRWF.	The SRWEC-OCS is consistent with this policy to the extent applicable. There are no expected significant long-term negative impacts to Rhode Island's commercial or recreational fisheries from the SRWEC-OCS.	Section 1.5, Agency and Stakeholder Outreach; Section 4.4.2, Benthic and Shellfish Resources; Section 4.4.3, Finfish and Essential Fish Habitat; Section 4.7.4, Commercial and Recreational Fishing; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix B, Fisheries Communication Plan; Appendix M1, Benthic Resources Characterization Report - Federal Waters; Appendix N, Essential Fish Habitat Assessment; Appendix V, Commercial and Recreational Fisheries Data Report; and Appendix X, Navigation Safety Risk Assessment
11.10.1(F)	F) The Council shall require that the potential adverse impacts of Offshore Developments and other uses on commercial or recreational fisheries be evaluated, considered, and mitigated as described in Section 11.10.1(G) of this part.	The SRWF is consistent with this policy. Sunrise Wind has evaluated and considered potential adverse impacts from the SRWF and made substantial modifications to the SRWF to mitigate any potential adverse impacts. To the extent any reasonably foreseeable potential impacts remain after consideration of the project modifications, Sunrise Wind will engage in mitigation negotiations pursuant to the Ocean SAMP enforceable policies. Environmental protection measures will be adopted to mitigate any potential impacts from the SRWF.	The SRWEC-OCS is consistent with this policy to the extent applicable. Sunrise Wind has evaluated and considered potential adverse impacts from the SRWEC-OCS and made substantial modifications to the SREC-OCS to mitigate any potential adverse impacts. To the extent any reasonably foreseeable potential impacts remain after consideration of the project modifications, Sunrise Wind will engage in mitigation negotiations pursuant to the Ocean SAMP enforceable policies. Environmental protection measures will be adopted to mitigate any potential impacts from the SRWEC-OCS.	Section 1.5, Agency and Stakeholder Outreach; Section 4.4.2, Benthic and Shellfish Resources; Section 4.4.3, Finfish and Essential Fish Habitat; Section 4.7.4, Commercial and Recreational Fishing; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix B, Fisheries Communication Plan; Appendix M1, Benthic Resources Characterization Report - Federal Waters; Appendix N, Essential Fish Habitat Assessment; and Appendix V, Commercial and Recreational Fisheries Data Report Appendix X, Navigation Safety Risk Assessment
11.10.1(G)	G) For the purposes of Fisheries Policies and Standards as summarized in Ocean SAMP Chapter 5, Commercial and Recreational Fisheries, sections 5.5.1-5.3.2 of this Subchapter, mitigation is defined as a process to make whole those fisheries user groups, including related shore-side seafood processing facilities, that are adversely affected by-offshore development proposals or projects. Mitigation measures shall be consistent with the purposes of duly adopted fisheries management plans, programs, strategies and regulations of the agencies and regulatory bodies with jurisdiction over commercial and recreational fisheries, including but not limited to those set forth above in 11.9.4(B) of this part. Mitigation shall not be designed or implemented in a manner that substantially diminishes the effectiveness of duly adopted fisheries management programs. Mitigation measures may include, but are not limited to, compensation, effort reduction, habitat preservation, restoration and construction, marketing, and infrastructure and commercial fishing fleet improvements. Where there are potential impacts associated with proposed projects, the need for mitigation shall be presumed (see section 11.10.1(F) of this Part). Negotiation of mitigation agreements shall be a necessary condition of any approval or permit of a project by the Council. Mitigation shall be negotiated between the Council staff, the FAB, the project developer, and approved by the Council. The final mitigation will be the mitigation required by the CRMC and included in the CRMC's Assent for the project or included within the CRMC's federal consistency decision for a project's federal permit application.	The SRWF is consistent with this policy. Sunrise Wind has evaluated and considered potential adverse impacts from the SRWF and made substantial modifications to the SRWF to mitigate any potential adverse impacts. To the extent any reasonably foreseeable potential impacts remain after consideration of the project modifications, Sunrise Wind will engage in mitigation negotiations pursuant to the Ocean SAMP enforceable policies. Environmental protection measures will be adopted to mitigate any potential impacts from the SRWF. The Project's Fisheries Communication and Outreach Plan summarizes the outreach conducted and includes a Fishing Gear Conflict Prevention and Claim Procedure that identifies measures to prevent gear loss, as well as a claim procedure in the event that gear loss is caused by SRWF survey activities. and the SRWF will not diminish the effectiveness of fisheries management programs.	The SRWEC-OCS is consistent with this policy. Sunrise Wind has evaluated and considered potential adverse impacts from the SRWEC-OCS and made substantial modifications to the SREC-OCS to mitigate any potential adverse impacts. To the extent any reasonably foreseeable potential impacts remain after consideration of the project modifications, Sunrise Wind will engage in mitigation negotiations pursuant to the Ocean SAMP enforceable policies. Environmental protection measures will be adopted to mitigate any potential impacts from the SRWEC-OCS. The SREC-OCS will not diminish the effectiveness of fisheries management programs.	Section 1.5, Agency and Stakeholder Outreach; Section 4.4.2, Benthic and Shellfish Resources; Section 4.4.3, Finfish and Essential Fish Habitat; Section 4.7.4, Commercial and Recreational Fishing; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix B, Fisheries Communication Plan; Appendix M1, Benthic Resources Characterization Report - Federal Waters; Appendix N, Essential Fish Habitat Assessment; and Appendix V, Commercial and Recreational Fisheries Data Report

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11.10.1(H)	H) The Council recognizes that moraine edges, as illustrated in Figures 3 and 4 in section 11.10.2 of this part, are important to commercial and recreational fishermen. In addition to these mapped areas, the FAB may identify other edge areas that are important to fisheries within a proposed project location. The Council shall consider the potential adverse impacts of future activities or projects on these areas to Rhode Island's commercial and recreational fisheries. Where it is determined that there is a significant adverse impact, the Council will modify or deny activities that will impact these areas. In addition, the Council will require assent holders for Offshore Developments to employ micro-siting techniques in order to minimize the potential impacts of such projects on these edge areas.	The SRWF is consistent with this policy. The SRWF will be sited to avoid Areas of Particular Concern, or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.	The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS will be sited to avoid Areas of Particular Concern, or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.	Section 4.3.1, Geological Resources Section 4.4.2, Benthic and Shellfish Resources; Section 4.4.3, Finfish and Essential Fish Habitat; Section 4.7.4, Commercial and Recreational Fishing; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix G1, Preliminary Marine Site Investigation Report Appendix M1, Benthic Resources Characterization Report - Federal Waters; Appendix N, Essential Fish Habitat Assessment; and Appendix V, Commercial and Recreational Fisheries Data Report
11.10.1(I)	I) The finfish, shellfish, and crustacean species that are targeted by commercial and recreational fishermen rely on appropriate habitat at all stages of their life cycles. While all fish habitat is important, spawning and nursery areas are especially important in providing shelter for these species during the most vulnerable stages of their life cycles. The Council shall protect sensitive habitat areas where they have been identified through the Site Assessment Plan or Construction and Operation Plan review processes for Offshore Developments as described in Section 11.10.5(C) of this part.	The SRWF is consistent with this policy to the extent applicable. Sunrise Wind is performing surveys to determine any impact on essential habitats and those species within the wind farm area and will be part of a fisheries monitoring plan. The SRWF is not expected to have negative effects on commercially and recreationally fished species and habitats.	The SRWEC-OCS is consistent with this policy to the extent applicable. Sunrise Wind is performing surveys to determine any impact on essential habitats and those species within the wind farm area and will be part of a fisheries monitoring plan. The SRWEC-OCS is not expected to have negative effects on commercially and recreationally fished species and habitats.	Section 1.4, Regulatory Framework; Section 4.4.2, Benthic and Shellfish Resources; Section 4.4.3, Finfish and Essential Fish Habitat; Section 4.7.4, Commercial and Recreational Fishing; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix M1, Benthic Resources Characterization Report - Federal Waters; Appendix N, Essential Fish Habitat Assessment; and Appendix V, Commercial and Recreational Fisheries Data Report

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11.10.1(J)	<p>J) Any Large-Scale Offshore Development, as defined in this part, shall require a meeting between the HAB, the applicant, and the Council staff to discuss potential marine resource and habitat-related issues such as, but not limited to, impacts to marine resource and habitats during construction and operation, project location, construction schedules, alternative locations, project minimization, measures to mitigate the potential impacts of proposed projects on habitats and marine resources, and the identification of important marine resource and habitat areas. For any state permit process for a Large-Scale Offshore Development, this meeting shall occur prior to submission of the state permit application. The Council cannot require a pre-application meeting for federal permit applications, but the Council strongly encourages applicants for any Large-Scale Offshore Development, as defined in this part, in federal waters to meet with the HAB and the Council staff prior to the submission of a federal application, lease, license, or authorization. However, for federal permit applicants, a meeting with the HAB shall be necessary data and information required for federal consistency reviews for purposes of starting the CZMA 6-month review period for federal license or permit activities under 15 C.F.R. part 930, subpart D, and OCS Plans under 15 C.F.R. part 930, subpart E, pursuant to 15 C.F.R. § 930.58 (a)(2).</p> <p>1. For purposes of BOEM's renewable energy program under the Outer Continental Shelf Lands Act, the CZMA federal consistency process cannot begin until a construction and operations plan (COP) has been submitted for BOEM's review and approval. Once BOEM has determined the COP and supporting information is sufficient to begin its environmental review under the National Environmental Policy Act, a Notice of Intent to prepare an Environmental Impact Statement will be issued. Only when BOEM issues the COP Notice of Intent can the CMZA review period begin. In most cases, an applicant provides the necessary data and information to the state at the time the applicant files its consistency certification and once the consistency certification and necessary data and information are submitted to the state, the six-month CZMA review period begins. However, for CZMA purposes the HAB meeting can occur before BOEM issues the COP Notice of Intent if the CRMC and the applicant mutually agree. If the HAB meeting does not occur until after BOEM issues the COP Notice of Intent, then the CZMA six-month review period shall not begin until the day after the HAB meeting, providing that the applicant as submitted all other necessary data and information and the consistency certification pursuant to NOAA's regulations. If the applicant requests the HAB meeting, it must be made in writing to the CRMC. The CRMC shall schedule the meeting in a timely manner to ensure that the CZMA process is not delayed.</p>	<p>The SRWF is consistent with this policy. Sunrise Wind will hold a meeting with the HAB, FAB, and Council staff to discuss potential fisheries-related impacts from the SRWF. If CRMC and Sunrise Wind mutually agree, the meetings with the FAB and HAB will occur before BOEM issues the NOI to prepare a DEIS for the Project.</p>	<p>The SRWEC-OCS is consistent with this policy to the extent applicable. Sunrise Wind will hold a meeting with the HAB, FAB, and Council to discuss potential fisheries-related impacts from the SRWF. If CRMC and Sunrise Wind mutually agree, the meetings with the FAB and HAB will occur before BOEM issues the NOI to prepare a DEIS for the Project.</p>	<p>Section 1.4, Regulatory Framework; Section 1.5, Agency and Stakeholder Outreach; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; and Appendix C, Coastal Zone Management Federal Consistency Statements</p>
11.10.1(K)	<p>K) The potential impacts of a proposed project on cultural and historic resources will be evaluated in accordance with the National Historic Preservation Act and Antiquities Act, and the Rhode Island Historical Preservation Act and Antiquities Act as applicable. Depending on the project and the lead federal agency, the projects that may impact marine historical or archaeological resources identified through the joint agency review process may require a Marine Archaeology Assessment that documents actual or potential impacts the completed project will have on submerged cultural and historic resources.</p>	<p>The SRWF is consistent with this policy. Potential impacts on cultural and historic resources have been evaluated.</p>	<p>The SRWEC-OCS is consistent with this policy to the extent applicable. Potential impacts on cultural and historic resources have been evaluated.</p>	<p>Section 4.5, Visual Resources; Section 4.6, Cultural Resources; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix Q1, Offshore Visual Impacts Assessment; Appendix R, Marine Archaeological Resources Assessment; and Appendix T, Historic Resources Visual Effects Assessment</p>

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11.10.1(L)	L) Guidelines for Marine Archaeology Assessment in the Ocean SAMP Area can be obtained through the RIHPHC in their document, "Performance Standards and Guidelines for Archaeological Projects: Standards for Archaeological Survey" (RIHPHC 2007), or the lead federal agency responsible for reviewing the proposed development.	The SRWF is consistent with this policy. BOEM is the lead federal agency for the SRWF and the Marine Archaeology Assessment is conducted through their guidelines.	The SRWEC-OCS is consistent with this policy to the extent applicable. BOEM is the lead federal agency for the SRWEC-OCS and the Marine Archaeology Assessment is conducted through their guidelines.	Section 4.6, Cultural Resources; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; and Appendix R, Marine Archaeological Resources Assessment
11.10.1(M)	M) The potential non-physical impacts of a proposed project on cultural and historic resources shall be evaluated in accordance with 36 CFR 800.5, <i>Assessment of Adverse Effects</i> , including the introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features. Depending on the project and the lead federal agency, the Ocean SAMP Interagency Working Group may require that a project undergo a Visual Impact Assessment that evaluates the visual impact a completed project will have on onshore cultural and historic resources.	The SRWF is consistent with this policy. Potential impacts on cultural and historic resources have been evaluated and a Visual Impact Assessment was performed for the SRWF.	The SRWEC-OCS is consistent with this policy to the extent applicable. Potential impacts on cultural and historic resources have been evaluated. Once in operation, the SRWEC-OCS will be buried and will not be visible from shore.	Section 4.5, Visual Resources; Section 4.6, Cultural Resources; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix Q1, Offshore Visual Impacts Assessment; and Appendix T, Historic Resources Visual Effects Assessment
11.10.1(N)	N) A Visual Impact Assessment may require the development of detailed visual simulations illustrating the completed project's visual relationship to onshore properties that are designated National Historic Landmarks, listed on the National Register of Historic Places, or determined to be eligible for listing on the National Register of Historic Places. Assessment of impacts to specific views from selected properties of interest may be required by relevant state and federal agencies to properly evaluate the impacts and determination of adverse effect of the project on onshore cultural or historical resources.	The SRWF is consistent with this policy. As a part of the Visual Impact Assessment, detailed visual simulations were completed to show the visual relationship with onshore properties.	The SRWEC-OCS is consistent with this policy to the extent applicable. Once in operation, the SRWEC-OCS cable will be buried will not be visible from shore.	Section 4.5, Visual Resources; Section 4.6, Cultural Resources; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix Q1, Offshore Visual Impacts Assessment; and Appendix T, Historic Resources Visual Effects Assessment
11.10.1(O)	O) A Visual Impact Assessment may require description and images illustrating the potential impacts of the proposed project.	The SRWF is consistent with this policy. The Visual Impact Assessment included descriptions and images of the SRWF.	The SRWC is consistent with this policy to the extent applicable. Once in operation, the SRWEC-OCS will be buried and will not be visible from shore.	Section 4.5, Visual Resources; Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; and Appendix Q1, Offshore Visual Impacts Assessment; and Appendix T, Historic Resources Visual Effects Assessment

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11.10.2 Areas of Particular Concern				
11.10.2(A)	<p>A) Areas of Particular Concern (APCs) have been designated in state waters through the Ocean SAMP process with the goal of protecting areas that have high conservation value, cultural and historic value, or human use value from Large-Scale Offshore Development. These areas may be limited in their use by a particular regulatory agency (e.g. shipping lanes), or have inherent risk associated with them (e.g. unexploded ordnance locations), or have inherent natural value or value assigned by human interest (e.g. glacial moraines, historic shipwreck sites). Areas of Particular Concern have been designated by reviewing habitat data, cultural and historic features data, and human use data that has been developed and analyzed through the Ocean SAMP process. Currently designated Areas of Particular Concern are based on current knowledge and available datasets; additional Areas of Particular Concern may be identified by the Council in the future as new datasets are made available. Areas of Particular Concern may be elevated to Areas Designated for Preservation in the future if future studies show that Areas of Particular Concern cannot risk even low levels of Large-Scale Offshore Development within these areas. Areas of Particular Concern include:</p> <ol style="list-style-type: none"> 1. Areas with unique or fragile physical features, or important natural habitats; 2. Areas of high natural productivity; 3. Areas with features of historical significance or cultural value; 4. Areas of substantial recreational value; 5. Areas important for navigation, transportation, military and other human uses; and 6. Areas of high fishing activity. 	<p>The SRWF is consistent with this policy to the extent applicable. The SRWF does not include any components located in Rhode Island State waters. SRWF will be sited to avoid Areas of Particular Concern or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.</p>	<p>The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS does not include any components located in Rhode Island State waters. SRWEC-OCS will be sited to avoid Areas of Particular Concern or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.</p>	<p>Section 1.1, Project Overview; Section 4.3, Physical Resources Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix G1, Preliminary Marine Site Investigation Report</p>
11.10.2(B)	<p>B) The Council has designated the areas listed below in section 11.10.2(C) of this part in state waters as Areas of Particular Concern. All Large-scale, Small-scale, or other offshore development, or any portion of a proposed project, shall be presumptively excluded from APCs. This exclusion is rebuttable if the applicant can demonstrate by clear and convincing evidence that there are no practicable alternatives that are less damaging in areas outside of the APC, or that the proposed project will not result in a significant alteration to the values and resources of the APC. When evaluating a project proposal, the Council shall not consider cost as a factor when determining whether practicable alternatives exist. Applicants which successfully demonstrate that the presumptive exclusion does not apply to a proposed project because there are no practicable alternatives that are less damaging in areas outside of the APC must also demonstrate that all feasible efforts have been made to avoid damage to APC resources and values and that there will be no significant alteration of the APC resources or values. Applicants successfully demonstrating that the presumptive exclusion does not apply because the proposed project will not result in a significant alteration to the values and resources of the APC must also demonstrate that all feasible efforts have been made to avoid damage to the APC resources and values. The Council may require a successful applicant to provide a mitigation plan that protects the ecosystem. The Council will permit underwater cables, only in certain categories of Areas of Particular Concern, as determined by the Council in coordination with the Joint Agency Working Group. The maps listed below in section 11.10.2(C) of this part, depicting Areas of Particular Concern may be superseded by more detailed, site-specific maps created with finer resolution data.</p>	<p>The SRWF is consistent with this policy to the extent applicable. The SRWF does not include any components located in Rhode Island State waters. SRWF will be sited to avoid Areas of Particular Concern or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.</p>	<p>The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS does not include any components located in Rhode Island State waters. The SRWEC-OCS will be sited to avoid Areas of Particular Concern or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.</p>	<p>Section 1.1, Project Overview; Section 4.3, Physical Resources Section 4.6, Cultural Resources Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix G1, Preliminary Marine Site Investigation Report</p>

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11.10.2(C)	<p>C) Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows:1. Historic shipwrecks, archaeological or historical sites and their buffers as described in Chapter 4, Cultural and Historic Resources, section 440.1.1 through 440.1.4, are Areas of Particular Concern. For the latest list of these sites and their locations please refer to the Rhode Island State Historic Preservation and Heritage Commission.2. Offshore dive sites within the Ocean SAMP area, as shown in Figure 2 in Section 11.10.2 of this part are designated Areas of Particular Concern. The Council recognizes that offshore dive sites, most of which are shipwrecks, are valuable recreational and cultural ocean assets and are important to sustaining Rhode Island’s recreation and tourism economy.3. Glacial moraines are important habitat areas for a diversity of fish and other marine plants and animals because of their relative structural permanence and structural complexity. Glacial moraines create a unique bottom topography that allows for habitat diversity and complexity, which allows for species diversity in these areas and creates environments that exhibit some of the highest biodiversity within the entire Ocean SAMP area. The Council also recognizes that because glacial moraines contain valuable habitats for fish and other marine life, they are also important to commercial and recreational fishermen. Accordingly, the Council shall designate glacial moraines as identified in Figure 3 and Figure 4 in section 11.10.2 of this part as Areas of Particular Concern.4. Navigation, Military, and Infrastructure areas including: designated shipping lanes, precautionary areas, recommended vessel routes, ferry routes, dredge disposal sites, military testing areas, unexploded ordnance, pilot boarding areas, anchorages, and a coastal buffer of 1 km as depicted in Figure 5 in section 11.10.2 of this part are designated as Areas of Particular Concern. The Council recognizes the importance of these areas to marine transportation, navigation and other activities in the Ocean SAMP area.5. Areas of high fishing activity as identified during the pre-application process by the Fishermen’s Advisory Board, as defined in section 11.3(E) of this part, may be designated by the Council as Areas of Particular Concern.6. Several heavily-used recreational boating and sailboat racing areas, as shown in Figure 6 in section 11.10.2 of this part, are designated as Areas of Particular Concern. The Council recognizes that organized recreational boating and sailboat racing activities are concentrated in these particular areas, which are therefore important to sustaining Rhode Island’s recreation and tourism economy.7. Naval Fleet Submarine Transit Lane, as described in Chapter 7, Marine Transportation, Navigation, and Infrastructure section 720.7, are designated as Areas of Particular Concern.8. Other Areas of Particular Concern may be identified during the pre-application review by state and federal agencies as areas of importance.</p>	<p>The SRWF is consistent with this policy to the extent applicable. The SRWF does not include any components located in Rhode Island State waters. The SRWF will be sited to avoid Areas of Particular Concern or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.</p>	<p>The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS does not include any components located in Rhode Island State waters. The SRWEC-OCS will be sited to avoid Areas of Particular Concern or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.</p>	<p>Section 1.1, Project Overview; Section 4.3, Physical Resources Section 4.6, Cultural Resources Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix G1, Preliminary Marine Site Investigation Report</p>
11.10.2(D)	<p>D) Developers proposing projects for within the Renewable Energy Zone as described in section 11.10.1(B) of this part shall adhere to the requirements outlined in 11.10.2 of this part regarding Areas of Particular Concern in state waters, including any Areas of Particular Concern that overlap the Renewable Energy Zone (see Figure 7 in section 11.10.2 of this part).</p>	<p>This policy is not applicable because the SRWF is not located within Rhode Island State waters.</p>	<p>This policy is not applicable because the SRWEC-OCS is not located within Rhode Island State waters.</p>	<p>Not Applicable</p>

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11.10.3 Prohibitions and Areas Designated for Preservations				
11.10.3(A)	<p>A) Areas Designated for Preservation are designated in the Ocean SAMP area in state waters for the purpose of preserving them for their ecological value. Areas Designated for Preservation were identified by reviewing habitat and other ecological data and findings that have resulted from the Ocean SAMP process. Areas Designated for Preservation are afforded additional protection than Areas of Particular Concern (see section 11.10.2 of this part) because of scientific evidence indicating that Large-Scale Offshore Development in these areas may result in significant habitat loss. The areas listed in Section 11.10.3 are designated as Areas Designated for Preservation. The Council shall prohibit any Large-Scale Offshore Development, mining and extraction of minerals, or other development that has been found to be in conflict with the intent and purpose of an Area Designated for Preservation. Underwater cables are exempt from this prohibition. Areas designated for preservation include:</p> <ol style="list-style-type: none"> 1. Ocean SAMP sea duck foraging habitat in water depths less than or equal to 20 meters [65.6 feet] (as shown in Figure 8 in section 11.10.2 of this part) is designated as an Area Designated for Preservation due to their ecological value and the significant role these foraging habitats play to avian species, and existing evidence suggesting the potential for permanent habitat loss as a result of offshore wind energy development. The current research regarding sea duck foraging areas indicates that this habitat is depth limited and generally contained within the 20 meter depth contour. It is likely there are discreet areas within this region that are prime feeding areas, however at present there is no long-term data set that will allow this determination. Thus, the entire area within the 20 meter contour is being protected as an Area Designated for Preservation until further research allows the Council and other agencies to make a more refined determination. 2. The mining and extraction of minerals, including sand and gravel, from tidal waters and salt ponds is prohibited. This prohibition does not apply to dredging for navigation purposes, channel maintenance, habitat restoration, or beach replenishment for public purposes. 3. The Council shall prohibit any Offshore Development in areas identified as Critical Habitat under the Endangered Species Act 4. Dredged material disposal, as defined and regulated in Section 00-1.3.1(I) of this chapter, is further limited in the Ocean SAMP area by the prohibition of dredged material disposal in the following Areas of Particular Concern as defined in section 11.10.2 of this part: historic shipwrecks, archaeological, or historic sites; offshore dive sites; navigation, military, and infrastructure areas; and moraines. Beneficial reuse may be allowed in Areas Designated for Preservation, whereas all other dredged material disposal is prohibited in those areas. All disposal of dredged material will be conducted in accordance with the U.S. EPA and U.S. Army Corps of Engineers' manual, Evaluation of Dredged Material Proposed for Ocean Disposal. 	<p>The SRWF is consistent with this policy to the extent applicable because the SRWF is not located within Rhode Island State waters. The SRWF will be sited to avoid areas designated for preservation and Areas of Particular Concern or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.</p>	<p>The SRWEC-OCS is consistent with this policy to the extent applicable because the SRWEC-OCS is not located within Rhode Island state waters. The SRWEC-OCS will be sited to avoid areas designated for preservation and Areas of Particular Concern or will take all feasible efforts to avoid damage to the Areas of Particular Concern resources and values and there will be no significant alteration of the Areas of Particular Concern resources and values.</p>	<p>Section 1.1, Project Overview; Section 4.3, Physical Resources Section 4.6, Cultural Resources Section 4.9, Summary of Potential Impacts and Environmental Protection Measures; Appendix G1, Preliminary Marine Site Investigation Report</p>
11.10.4 Other Areas				
11.10.4(A)	<p>A) Large-scale projects or other development which is found to be a hazard to commercial navigation shall avoid areas of high intensity commercial marine traffic in state waters. Avoidance shall be the primary goal of these areas. Areas of High Intensity Commercial Marine Traffic are defined as having 50 or more vessel counts within a 1 km by 1 km grid, as in Figure 9 in Section 11.10.2 of this part.</p>	<p>The SRWF is consistent with this policy to the extent applicable. The SRWF has been sited so that it does not present hazard to commercial navigation. Foundations are spaced within the SRWF to allow for continuation of fishing and navigation.</p>	<p>The SRWEC-OCS is consistent with this policy to the extent applicable. The SRWEC-OCS will be buried and therefore not a hazard to commercial navigation.</p>	<p>Section 4.7.5, Coastal Land Use and Marine Use; Section 4.8.1 Marine Navigation; and Appendix X, Navigation Safety Risk Assessment</p>

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Section Number 650-RICR-20-05-11	Policy/Requirement	Response to Policy for SRWF	Response to Policy for SRWEC-OCS	COP Section Reference
11.10.5 Application Requirements				
11.10.5(A)	A) For the purposes of this document, the phrase “necessary data and information” shall refer to the necessary data and information required for federal consistency reviews for purposes of starting the Coastal Zone Management Act (CZMA) 6-month review period for federal license or permit activities under 15 C.F.R. part 930, subpart D, and OCS Plans under 15 C.F.R. part 930, subpart E, pursuant to 15 C.F.R. § 930.58(a)(2). Any necessary data and information shall be provided before the 6-month CZMA review period begins for a proposed project. It should be noted that other federal and state agencies may require other types of data or information as part of their review processes.	The SRWF is consistent with this policy because all necessary data and information will be submitted to RICRMC prior to the 6-month CZMA review period.	The SRWEC-OCS is consistent with this policy because all necessary data and information will be submitted to RICRMC prior to the 6-month CZMA review period.	Section 1.1, Project Overview; Section 1.4, Regulatory Framework; and Appendix C, CZMA Consistency Statements
11.10.5(B)	For the purposes of this document, the following terms shall be defined as: 1. A site assessment plan (SAP) is defined as a pre-application plan that describes the activities and studies the applicant plans to perform for the characterization of the project site. 2. A construction and operations plan (COP) is defined as a plan that describes the applicant’s construction, operations, and conceptual decommissioning plans for a proposed facility, including the applicant’s project easement area. 3. A certified verification agent (CVA) is defined as an independent third-party agent that shall use good engineering judgment and practices in conducting an independent assessment of the design, fabrication and installation of the facility. The CVA should have licensed and qualified Professional Engineers on staff.	The SRWF is consistent with this policy because all necessary data and information will be submitted to RICRMC prior to the 6-month CZMA review period.	The SRWEC-OCS is consistent with this policy because all necessary data and information will be submitted to RICRMC prior to the 6-month CZMA review period.	Section 1.1, Project Overview; Section 1.4, Regulatory Framework; Appendix C, CZMA Consistency Statements; and Appendix D, Certified Verification Agent Submission
11.10.5(C)(1)	Prior to construction, the following sections shall be considered necessary data and information: 1. Site assessment plan (SAP) [including Subsections 11.10.5(C)(1)(a)-(h)]	This policy is not applicable because BOEM does not require a SAP to be submitted prior to submission of a COP.	This policy is not applicable because BOEM does not require a SAP to be submitted prior to submission of a COP.	Section 1.1, Project Overview; and Section 1.4, Regulatory Framework
11.10.5(C)(2)	Prior to construction, the following sections shall be considered necessary data and information: 2. Construction and operations plan (COP) [including Subsections 11.10.5(C)(2)(a)-(g)]	The SRWF is consistent with this policy because all necessary data and information required by Subsections 11.10.5(C)(2)(a)-(g) is included in the COP submitted to BOEM. Table 1.7.1 of the COP provides the location of the project-specific information requested by RICRMC.	The SRWEC-OCS is consistent with this policy because all necessary data and information required by Subsections 11.10.5(C)(2)(a)-(g) is included in the COP submitted to BOEM. Table 1.7.1 of the COP provides the location of the project-specific information requested by RICRMC.	Section 1, Introduction; Section 2, Siting History and Alternatives; Section 3, Project Description; and Section 4, Environmental Effects
11.10.6 Monitoring Requirements				
11.10.6	The Council in coordination with the Joint Agency Working Group, as described in § 11.9.7(l) of this Part, shall determine requirements for monitoring as specified in § 11.9.9 of this Part. For CZMA federal consistency purposes the Council must identify any baseline assessments and construction monitoring activities during its CZMA six-month review of the COP.	The SRWF is consistent with this policy. Sunrise Wind is committed to conducting monitoring as required under the Ocean SAMP. Sunrise Wind will coordinate with the Council in the development of any specific monitoring plans.	The SRWEC-OCS is consistent with this policy. Sunrise Wind is committed to conducting monitoring as required under the Ocean SAMP. Sunrise Wind will coordinate with the Council in the development of any specific monitoring plans.	Section 1.1, Project Overview; Section 1.4, Regulatory Framework; and Appendix C, CZMA Consistency Statements