



United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT
WASHINGTON, DC 20240-0001

Mr. Michael Brown
Chief Executive Officer
Mayflower Wind Energy LLC
101 Federal Street, Suite 1900
Boston, Massachusetts 02110

Dear Mr. Brown:

I am writing on behalf of the Bureau of Ocean Energy Management (BOEM), Office of Renewable Energy Programs, regarding Mayflower Wind Energy LLC's (Mayflower) regulatory departure request submitted on February 15, 2021, pursuant to BOEM's regulations at 30 C.F.R. § 585.103. Mayflower requests a regulatory departure from BOEM's regulations at 30 C.F.R. § 585.626(a)(4)(ii), which require Mayflower to include the results of *in situ* testing, boring, and sampling at each foundation location as part of its Construction and Operations Plan (COP). Instead, Mayflower proposes to submit the required geotechnical information at each foundation location with the Facility Design Report (FDR) in accordance with 30 C.F.R. § 585.701(a)(6)(iii). For the reasons set forth below, BOEM hereby approves Mayflower's departure request.

BOEM finds the initial COP submission and the supplemental submission that contains a detailed geologic ground model for shallow depths provide an adequate geotechnical assessment. The ground model, along with several deep borings and pile drivability assessments, is sufficient to demonstrate the feasibility of the proposed foundations to support the proposed offshore wind farm components. In addition, BOEM deems the proposal to submit the geotechnical investigations at final foundation locations, updated geotechnical analyses with foundation design parameters, and a Final Marine Site Investigation Report (MSIR) with, or prior to, the FDR to be sufficient to conduct a regulatory review.

BOEM finds that the requested departure would facilitate appropriate lease activities, in accordance with 30 C.F.R. § 585.103(a)(1), because it would provide Mayflower with flexibility in project siting as additional geotechnical testing and analyses are conducted and incorporated into the MSIR without delaying BOEM's review of the COP. As the deep geotechnical information is needed only for the detailed engineered design of the foundations, the departure would align the supplemental data submissions with their intended purpose. BOEM finds the reports, the data interpretation, and the analyses currently available to be of adequate quality to inform its analysis of the COP at this stage.

Finally, approval of the departure is consistent with the requirements in 30 C.F.R. § 585.103(b), as it would protect the environment, and the public health and safety, as sufficient geotechnical and geophysical information will still be available to BOEM for inclusion in its environmental review of the COP. Such approval will not impair the rights of third parties as it will not affect

their right to participate in the environmental review process for the COP. The requested departure is also consistent with subsection 8(p)(4) of the Outer Continental Shelf Lands Act, 43 U.S.C. § 1337(p)(4), as all protections of safety, environment, and natural resources are maintained to the same degree as if there were no approved departure from the regulations.

If there are any questions, please contact Jeff Browning at Jeffrey.Browning@boem.gov or (703) 787-1577.

Sincerely,

**JAMES
BENNETT**

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James F. Bennett
Program Manager
Office of Renewable Energy Programs