



United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT
WASHINGTON, DC 20240-0001

Ms. Jennifer Daniels
Development Director
Atlantic Shores Offshore Wind, LLC
1 Dock 72 Way, Floor 7
Brooklyn, New York 11205

Dear Ms. Daniels:

I am writing on behalf of the Bureau of Ocean Energy Management (BOEM), Office of Renewable Energy Programs, regarding Atlantic Shores Offshore Wind, LLC's (Atlantic Shores) (Company Number: 15092) request for a regulatory departure pursuant to 30 C.F.R. § 585.103, submitted by letter dated June 22, 2022. Atlantic Shores requests a regulatory departure from BOEM's regulations at 30 C.F.R. § 585.626(a)(4)(ii) and (iii), which require Construction and Operations Plans (COP) to include *in situ* testing, boring, and sampling at each foundation location as well as a minimum of one deep boring (with soil sampling and testing) at each edge of the Project area. Atlantic Shores proposes to submit the entirety of the geotechnical information at each foundation location with the Facility Design Report (FDR) in accordance with 30 C.F.R. § 285.701(a)(6)(iii).

For purposes of COP review and approval, Atlantic Shores is providing a geologic ground model for shallow depths and discreet geotechnical investigations (boreholes, cone penetration tests, vibracores and sediment grabs). BOEM has reviewed this information and finds it sufficient to demonstrate the feasibility of the proposed foundations to support the proposed offshore wind facility components. In addition, BOEM has reviewed Atlantic Shores' request to submit the geotechnical investigations at the final foundation locations, including updated geotechnical analyses with foundation design parameters, with the FDR and has decided to grant the requested departure; however, the outstanding geotechnical information required by 30 C.F.R. § 585.626(a)(4)(ii) and (iii) must be submitted at least 60 days before submission of the FDR.

BOEM finds that the requested departure would facilitate appropriate lease activities, in accordance with 30 C.F.R. § 585.103(a)(1), because the information provided is adequate to inform BOEM's analysis of the COP without requiring Atlantic Shores to invest time and resources in acquiring information that is needed only at the FDR stage, since the deep geotechnical information is needed for reviewing the detailed engineered design of the foundations.

Finally, approval of the departure would not increase the likelihood of adverse impacts to the environment, sites of historical or archeological significance, nor affect public health or safety, as the ground model approach does not result in activities more intrusive than those required by the regulations and is subject to the same environmental safeguards. Approval of the departure

request will not impair the rights of third parties, as the activities associated with the ground model will take place in Atlantic Shores' lease area and are not expected to interfere with other uses in the area. Further, the requested departure is also consistent with subsection 8(p) of the Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. § 1337(p) since the information provided is adequate to allow BOEM to review Atlantic Shores' COP to ensure that the goals in subsection 8(p)(4) of OCSLA and its implementing regulations are met.

Therefore, BOEM approves Atlantic Shores' request to depart from the requirements in 30 C.F.R. § 585.626(a)(4)(ii) and (iii) for the Project on lease OCS-A 0499 necessitating submittal of the outstanding geotechnical information at least 60 days before submission of the FDR.

If there are any questions, please contact Josh Gange at (703) 787-1121 or joshua.gange@boem.gov.

Sincerely,

Karen J. Baker
Chief
Office of Renewable Energy Programs