Kitty Hawk Wind

AVANGRID

Construction and Operations Plan

Appendix A - Coastal Zone Management Act Consistency Certifications

September 30, 2022

Submitted by
Kitty Hawk Wind, LLC
1125 NW Couch Street, Suite 600
Portland, Oregon 97209

Submitted to
Bureau of Ocean Energy Management
45600 Woodland Road
Sterling, Virginia 20166

Prepared by
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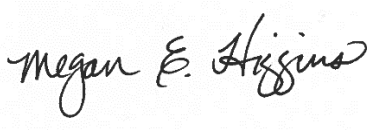
AVANGRID

Appendix A – Coastal Zone Management Act Consistency Certifications

Document Reference: KTH-GEN-CON-PLN-AGR-000067_008 Rev 04

Prepared by:	Checked by:	Approved by:
TETRA TECH **September 30, 2022**	 **September 30, 2022**	 **September 30, 2022**

Revision Summary				
Rev	**Date**	**Prepared by**	**Checked by**	**Approved by**
01	09 Dec 2020	Tetra Tech, Inc.	Brian Benito Jr.	Megan Higgins
02	28 Jun 2021	Tetra Tech, Inc.	Brian Benito Jr.	Marcus Cross
03	26 Jul 2021	Tetra Tech, Inc.	Brian Benito Jr.	Marcus Cross
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Description of Revisions			
Rev	**Page**	**Section**	**Description**
01	All	All	Submitted to BOEM
02	All	All	Updates to Project Design Envelope
03	All	All	Updates to Project Design Envelope
04	Many	Various	Updated based on BOEM comments and Project name

Construction and Operations Plan for Kitty Hawk North Wind Project Lease Area OCS-A 0508

Appendix A - Coastal Zone Management Act Consistency Certifications

Request for Federal Consistency Certification Concurrence with Virginia Coastal Zone Management Program

Prepared for:

Kitty Hawk Wind, LLC
1125 NW Couch Street, Suite 600
Portland, Oregon 97209

Prepared by:

Tetra Tech, Inc.
10 Post Office Square, 11th Floor
Boston, Massachusetts 02109

September 30, 2022

Laura McKay
Virginia Coastal Zone Management Program Manager
Virginia Department of Environmental Quality
1111 East Main St, Suite 1400
Richmond, VA 23219

Re: Kitty Hawk North Wind Project
Request for Federal Consistency Certification Concurrence with Virginia Coastal Zone Management Program

Dear Ms. McKay:

Kitty Hawk Wind, LLC (the Company), a wholly owned subsidiary of Avangrid Renewables, LLC, requests concurrence from the Virginia Department of Environmental Quality with the consistency certification provided herein. The Company proposes to construct, own, and operate the Kitty Hawk North Wind Project (hereafter referred to as the Project). The Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) of Lease Area OCS-A 0508 (the Lease) was awarded to Avangrid Renewables, LLC through the Bureau of Ocean Energy Management (BOEM) competitive renewable energy lease auction of the Wind Energy Area offshore of North Carolina. The Project will be located in the designated Renewable Energy Lease Area OCS-A 0508 (Lease Area). The Lease Area covers 49,536 hectares and is located approximately 44 kilometers offshore of Corolla, North Carolina.

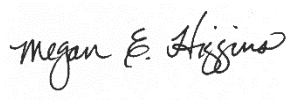
The Company has prepared this federal consistency certification pursuant to the Federal Coastal Zone Management Act and relevant Coastal Zone Management Act regulations at 15 Code of Federal Regulations (CFR) 930 Subparts D and E. Pursuant to 15 CFR § 930.57, the Company certifies that the Project's proposed construction, operations, maintenance, and decommissioning activities comply with the enforceable policies of Virginia's federally-approved management program and will be conducted in a manner consistent with such program.[1] This document, along with the supporting documentation in the Construction and Operations Plan (COP), provides the Commonwealth of Virginia with the Company's Consistency Certification and necessary data and information under the Coastal Zone Management Act Section 307(c)(3)(A) and 15 CFR Part 930, subparts D and E, for the Project.

[1] The term "enforceable policies" is defined as "State policies which are legally binding through constitutional provisions, laws, regulations, land-use plans, ordinances, or judicial or administrative decisions, by which a State exerts control over private and public land and water uses and natural resources in the coastal zone." 15 CFR § 930.11(h).

The plan to develop the Project within the Lease Area describes in detail related federal permit needs and activities. In addition, the Company has submitted a COP (or "OCS plan") for the Project to the Secretary of the Interior. Project components are proposed to be sited in the Commonwealth of Virginia; therefore, regulatory approvals from Virginia's state and local agencies will also be required. The Project will be consistent with the enforceable policies of Virginia's federally-approved coastal zone management program.

Attachment A to this cover letter presents the information required by 15 CFR § 930.57 and 15 CFR § 930.58 to support the Project's consistency with the enforceable policies of the state's coastal management program. (The required consistency certification is made herein). Additionally, this consistency certification supporting information is included as Appendix A to the COP pursuant to 30 CFR § 585.627(a)(9), to assist BOEM with compliance under the National Environmental Policy Act and other relevant laws. The COP provides additional details that support the federal consistency certification review and concurrence, including how the proposed Project has been sited and designed to avoid and/or minimize adverse impacts to coastal resources, as well as proposed mitigation measures to avoid and/or minimize any potential impacts.

Respectfully,



Megan Higgins

Senior Director / Director, Offshore Business Development, Avangrid Renewables, LLC

Cc: Will Waskes, Bureau of Ocean Energy Management
Stephanie Goyette, Tetra Tech, Inc.

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ACRONYMS AND ABBREVIATIONS

BMP	best management practice
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
CZMP	Coastal Zone Management Program
COP	Construction and Operations Plan
CZMA	Coastal Zone Management Act of 1972
DCR	Virginia Department of Conservation and Recreation
DWR	Virginia Department of Wildlife Resources
electrical service platform (ESP)	Offshore structure that connects the inter-array cables to the offshore export cables
ha	hectares
HDD	horizontal directional drilling
km	kilometer
landfall	The location where the export cables transition from offshore to onshore
Lease	Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf of Lease Area OCS-A 0508
Lease Area	the designated Renewable Energy Lease Area OCS-A 0508
NWR	National Wildlife Refuge
OCS	Outer Continental Shelf
offshore export cables	Cables connecting the ESP to the transition bay at the landfall
onshore export cables	Cables connecting the onshore substation to the transition bay at the landfall
onshore substation	The landside substation constructed for the Project that contains transformers and other electrical gear
Project	Kitty Hawk North Wind Project
ROW	right-of-way
SWPPP	Stormwater Pollution Prevention Plan
the Company	Kitty Hawk Wind, LLC
USCG	United States Coast Guard
VDEQ	Virginia Department of Environmental Quality
VMRC	Virginia Marine Resources Commission
VOC	volatile organic compound
Wind Development Area	Approximately 40 percent of the Lease Area in the northwest corner closest to shore (19,441 hectares)
wind turbine generator (WTG)	Wind turbine that will generate electricity

A.1 INTRODUCTION

Kitty Hawk Wind, LLC (the Company), a wholly owned subsidiary of Avangrid Renewables, LLC, proposes to construct, own, and operate the Kitty Hawk North Wind Project (hereafter referred to as the Project). The Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) of Lease Area OCS-A 0508 (the Lease) was awarded to Avangrid Renewables, LLC through the Bureau of Ocean Energy Management (BOEM) competitive renewable energy lease auction of the Wind Energy Area offshore of North Carolina. The Project will be located in the designated Renewable Energy Lease Area OCS-A 0508 (Lease Area). The Lease Area covers 49,536 hectares (ha) and is located approximately 44 kilometers (km) offshore of Corolla, North Carolina.

The Company has prepared this federal consistency certification pursuant to the federal Coastal Zone Management Act of 1972 (CZMA) and relevant CZMA regulations at 15 Code of Federal Regulations (CFR) Part 930 Subparts D and E. Pursuant to 15 CFR § 930.57, the Company certifies that the Project's proposed construction, operations, maintenance, and decommissioning activities comply with the enforceable policies of Virginia's approved management program and will be conducted in a manner consistent with such program.[2]

The plan to develop the Project within the Lease Area describes in detail related federal permit needs and activities. In addition, the Company has submitted a Construction and Operations Plan (COP or "OCS plan") for the Project to the Secretary of the Interior.

Table A-1 presents the information required by 15 CFR § 930.57 and 15 CFR § 930.58 to support the Project's consistency with the enforceable policies of the state's Coastal Zone Management Program (CZMP) (the required consistency certification is made herein). Additionally, this consistency certification supporting information is included as Appendix A to the COP pursuant to 30 CFR § 585.627(a)(9), to assist BOEM with compliance under the National Environmental Policy Act and other relevant laws. The COP provides additional details that support the federal consistency certification review and concurrence, including how the proposed Project has been sited and designed to avoid and/or minimize adverse impacts to coastal resources, as well as proposed mitigation measures to avoid and/or minimize any potential impacts.

A.2 PROJECT DESCRIPTION

At this time, the Company proposes to develop approximately 40 percent of the Lease Area in the northwest corner closest to shore (19,441 ha; the Wind Development Area). Infrastructure in the Wind Development Area will include wind turbine generators (WTGs), inter-array cables, and an electrical service platform (ESP). The Project will connect from the ESP through offshore export cables (within a designated corridor) and onshore export cables to the new onshore substation in the City of Virginia Beach, Virginia, where the renewable electricity generated will be transmitted to the electric grid (Figure A-1 and Figure A-2). Project facilities will not be located within North Carolina's coastal area nor will be located onshore in North Carolina.

[2] The term "enforceable policies" is defined as "State policies which are legally binding through constitutional provisions, laws, regulations, land-use plans, ordinances, or judicial or administrative decisions, by which a State exerts control over private and public land and water uses and natural resources in the coastal zone." 15 CFR § 930.11(h).

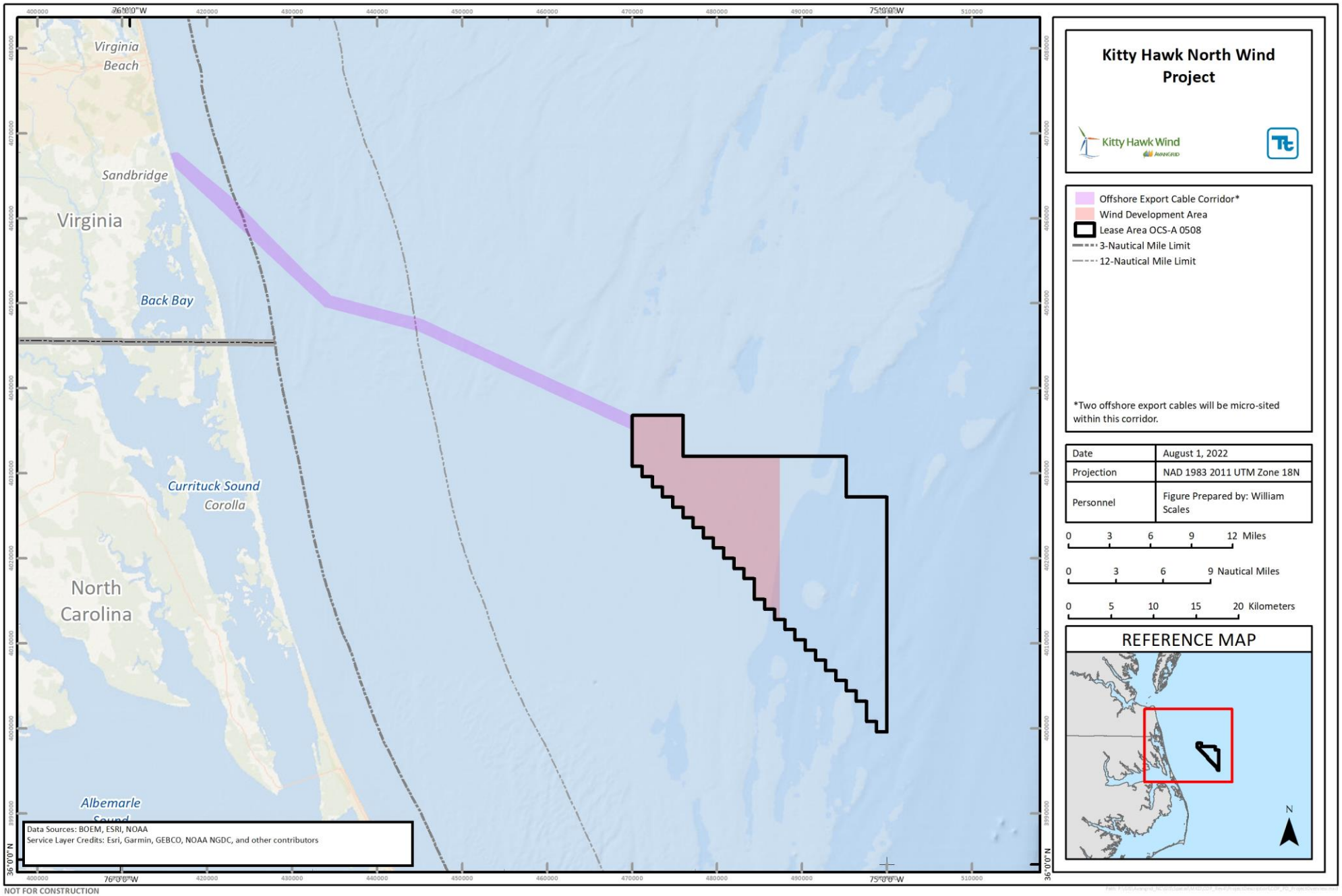


Figure A-1 Offshore Project Component Overview

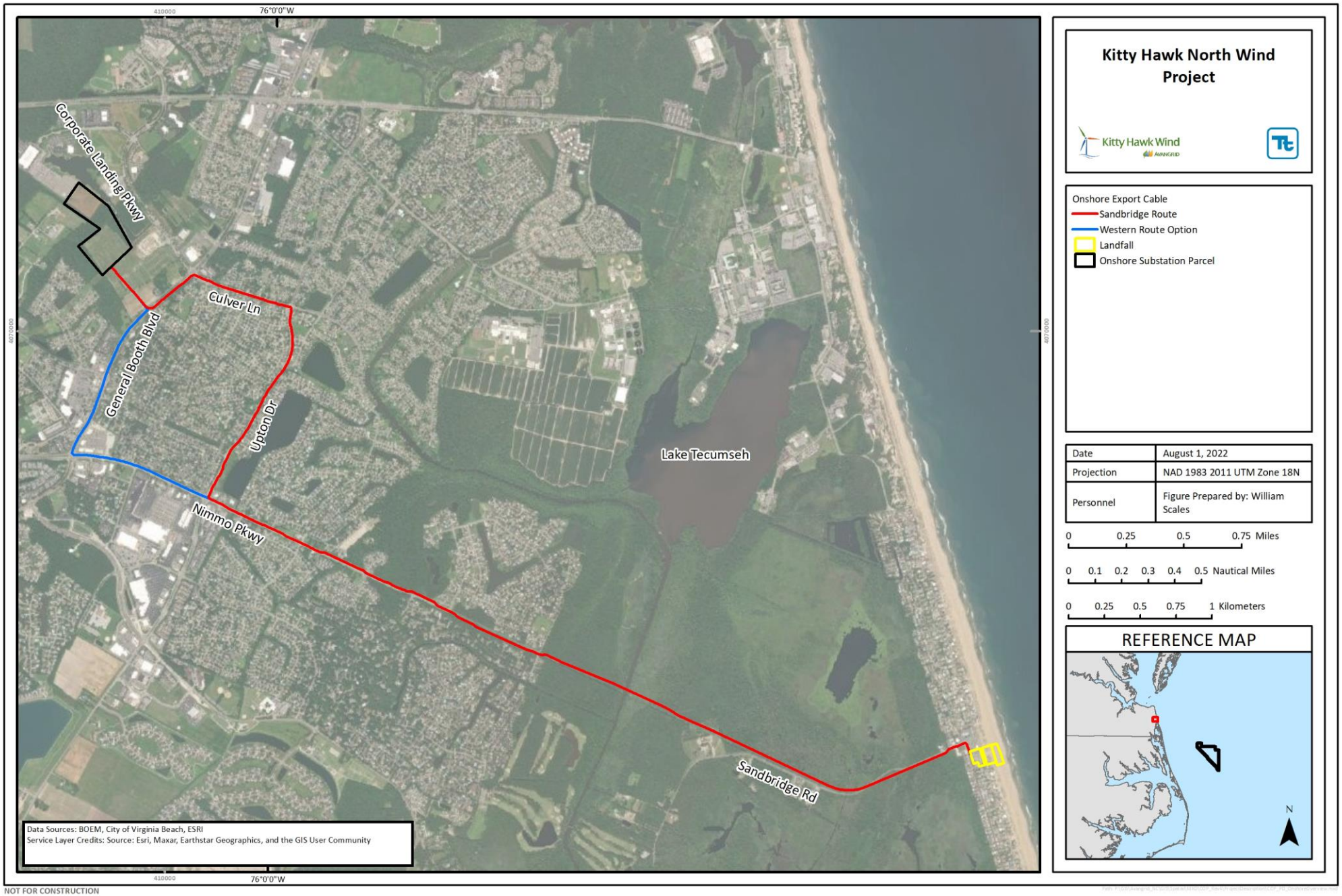


Figure A-2 Onshore Project Component Overview

As abovementioned, energy from the Project will be delivered to the electric grid via a new onshore substation to be constructed in the City of Virginia Beach, Virginia within the Corporate Landing Business Park parcel owned by the City of Virginia Beach (Figure A-2). The purpose of the new onshore substation is to step down the voltage to support interconnection of the Project to the existing electrical grid. The onshore substation will contain electrical and control equipment, some of which will be enclosed in buildings or walled structures. The facility will be compliant with City of Virginia Beach building codes, electrical standards, and environmental regulations. The onshore substation site is located west of the intersection of Corporate Landing Parkway and General Booth Boulevard. The area is bordered by a parking lot to the northwest, a stormwater management facility to the north, an overhead high-voltage transmission line and agricultural fields to the south and east, and densely wooded area to the south and west. A single residential property is bordered by the site and is shielded from the onshore substation by the densely wooded area.

Project transmission facilities will be comprised of both onshore and offshore components. Energy from the offshore wind facility will be delivered to the existing electric grid onshore via onshore and offshore export cables and onshore substation facilities. Two, three-core submarine cables, each with an embedded fiber optic cable, will bring energy from the Wind Development Area to landfall within a parking lot at Sandbridge Beach, Virginia, just south of the public right-of-way (ROW) for Sandbridge Road. The parking lot south of the public ROW for Sandbridge Road near Sandbridge Beach will also serve as the temporary construction staging and operations area. The ocean to land transition at the landfall will be installed using horizontal directional drilling (HDD), which will avoid or minimize impacts to the beach, intertidal zone, and nearshore areas and achieve a burial significantly deeper than any expected erosion.

At the landfall, each of the two offshore export cables will be jointed to three onshore export cables and one fiber optic cable (for a total of six electrical and two fiber optic cables onshore). From landfall, there are two route options; the Sandbridge route, and the western route option. The Sandbridge route and western route option head generally west and north towards the onshore substation. The western route option enters the substation from the south, turning off General Booth Boulevard after 1.2 km and crossing northwest across an empty agricultural field. The Sandbridge route follows Upton Drive to Culver Lane. It then heads southwest on General Booth Boulevard for approximately 0.4 km to the onshore substation site.

The Company will utilize various ports in the Lower Chesapeake Bay Area (Hampton Roads, Elizabeth River, Cape Charles, and Cape Henry) for staging of Project components and construction vessels. Improvements may be made to these ports in order to accommodate offshore wind construction and staging activities; port improvements and the associated permitting activities will be the responsibility of port owners/operators.

Additionally, the Company is considering the following locations for an operations and maintenance facility, as described in Section 3.3 of the COP: Portsmouth, Virginia; Newport News, Virginia; Cape Charles Virginia; and Chesapeake, Virginia.

Section 3.2 of the COP, Project Design and Installation Activities, provides a description of the Project construction methods, including details on the construction of both the onshore and offshore Project facilities including WTGs, inter-array cables, and ESP within federal waters. Section 3.2 also includes a summary of the construction vessels, helicopters and oils, fuels and Project-related waste. Section 3.3 of the COP, Operations and Maintenance, provides a summary of the operations and maintenance activities, proposed vessels and helicopters, and lighting and marking of the offshore Project components (i.e., WTGs and ESP).

Section 3.4 of the COP, Decommissioning, includes a description of decommissioning activities and measures for ensuring all components are removed at the end of the Project's useful life estimated to be 35 years after construction is completed. Per 30 CFR § 585.235(3) and Addendum B of the Lease, the operations term of the Project is 25 years, commencing on the date of COP approval. Two years before the

end of operations term, the Company may request renewal of its Lease in accordance with 30 CFR §§ 585.425 through 429. Decommissioning requirements are defined in Section 13 of the Lease. At the end of the Project's useful life, the Project will be decommissioned in accordance with a detailed Project decommissioning plan that will be developed in compliance with applicable laws, regulations, and best management practices at that time. Unless otherwise authorized by BOEM, pursuant to 30 CFR § 585.902 the Company is required to "remove or decommission all facilities, projects, cables, pipelines, and obstructions and clear the seafloor of all obstructions created by activities on the leased area." Furthermore, in accordance with 30 CFR § 585.905, the Company is required to submit a decommissioning application two years before the expiration of the Lease. Accordingly, the Company will develop a detailed decommissioning and removal plan for the facility that complies with all relevant regulatory and permitting requirements. This plan will account for changing circumstances during the operations phase of the Project, including new discoveries in the marine environment, technology, and any relevant amended legislation.

A.3 VIRGINIA COASTAL ZONE MANAGEMENT PROGRAM FEDERAL CONSISTENCY CERTIFICATION REVIEW

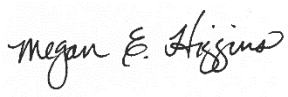
The CZMA requires that federal actions likely to affect any land or water use, or natural resource of a state's coastal zone, be conducted in a manner that is consistent with that state's federally approved CZMP. The Virginia CZMP was established in 1986 and is administered by the Virginia Department of Environmental Quality (VDEQ). The applicable enforceable policies that make up Virginia's CZMP are included in Table A-1 below, pursuant to 15 CFR § 930.58. Table A-1 also presents both a summary of each enforceable policy and demonstration of how the Company will be consistent, to the maximum extent practicable, with the State's CZMP, in accordance with CZMA § 307(c)(3)(A) and 15 CFR 930 Subpart E. Each section also includes references to supporting documentation (e.g., COP sections and COP appendices).

A.4 CONSISTENCY CERTIFICATION

This document, along with the supporting documentation in the COP, provides the Commonwealth of Virginia with the Company's Consistency Certification and necessary data and information under CZMA Section 307(c)(3)(A) and 15 CFR Part 930, subparts D and E, for the Project.

Pursuant to 15 CFR § 930.57, the Company certifies that the proposed activity complies with the enforceable policies of Virginia's Coastal Zone Management Program (CZM Program) and will be conducted in a manner consistent with the CZM Program.

AVANGRID RENEWABLES, LLC



Megan Higgins

Senior Director / Director, Offshore Business Development

September 30, 2022

By this certification that the Project is consistent with the Virginia CZM Program, Virginia is notified that it has six months from the receipt of this letter and accompanying information in which to concur with or object to the Company's certification. Pursuant to 15 CFR § 930.63(b), if Virginia has not issued a decision within three months following commencement of State agency review, it shall notify the Company and the federal agency of the status of the matter and the basis for further delay. The Commonwealth's concurrence, objection, or notification of review status shall be sent to:

Applicant:

Amanda Mayhew, Permitting Manager
Avangrid Renewables, LLC
125 High Street Floor 6
Boston, Massachusetts 02110
amanda.mayhew@avangrid.com

Federal Agency:

John Stokely, Project Coordinator
Office of Renewable Energy Programs
Bureau of Ocean Energy Management
45600 Woodland Road
Sterling, Virginia 20166
John.Stokely@boem.gov

Table A-1 Coastal Zone Management Program Consistency Certification

Policy	Policy Summary	Compliance Summary	Location in the COP
Enforceable Policies			
I. Tidal and Non-Tidal Wetlands			
Tidal Wetlands *(Va. Code Ann. §28.2-1301 and -1308; 4 Va. Admin Code § 20-390-20)*	This policy establishes conditions to preserve the tidal wetlands and prevent their despoliation and destruction, and to accommodate necessary economic development in a manner consistent with wetlands preservation. Consideration is given to the unique character of the Commonwealth's tidal wetlands. Tidal wetlands of primary ecological significance shall not be altered so that the ecological systems in the tidal wetlands are unreasonably disturbed.	The offshore export cables cross through Virginia Marine Resources Commission (VMRC)-regulated tidal wetlands. The use of HDD for cable landfall will avoid impacts to the intertidal area and an HDD Inadvertent Release Plan and local pollution response procedures will be included in the Stormwater Pollution Prevention Plan (SWPPP). In addition to best management practices (BMPs), provided the Project complies with any required permits including the Clean Water Act Section 404 or Section 401 permits, and the VMRC tidal wetlands permit, the Project would comply with this enforceable policy to the extent applicable. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Chapter 3 Description of Proposed Activity; Section 4.2 Water Quality; Section 5.1 Wetlands and Waterbodies
Non-Tidal Surface Waters, Including Wetlands (Va. Code Ann. §§ 62.1-44.15:20 and -44.15:21; and 9 Va. Admin. Code §§ 25-210-10, -210-45, 210-80, 260-10, -380, -390)	Non-tidal surface waters, including wetlands and streams, are protected under this policy. Development shall only be permitted in a manner consistent with the protection of wetland acreage and function and stream function. Impacts to wetlands and streams shall be avoided or minimized to the maximum extent practicable. When assessing potential impacts to non-tidal surface waters, consideration shall be given to whether there will be an adverse impact to a beneficial use of state waters. Instream flows shall be assessed, using an appropriate cumulative impact model.	To characterize wetland resources at the landfall, along onshore export cable corridors, and at onshore substation, the Company utilized the United States Fish and Wildlife Service's National Wetlands Inventory. No wetlands occur at or near the proposed landfall as it consists of a previously disturbed area. National Wetlands Inventory resources are found along all of the onshore export cable corridors and at the onshore substation site. However, onshore export cable corridors are sited in existing roadways and previously disturbed and maintained rights-of-way (ROWs). A wetland delineation will be conducted to characterize the hydrology along the onshore export cable corridors and at the onshore substation to support the U.S. Army Corps of Engineers permit application and jurisdictional determination. Provided the Project complies with any required permits including the Clean Water Act Section 404 or Section 401 permits, the Project would comply with this enforceable policy. BMPs, such as siting structures within the onshore substation site outside of wetland and regulated watershed areas to the extent practicable, and siting the onshore export cables within previously disturbed areas, including paved roads and the existing, maintained utilities ROW, will be implemented to minimize conversion and disturbance of wetland and waterbody areas. The portion of the onshore export cable corridor located along the public ROW for Sandbridge Road and within the existing utility ROW may be installed aboveground. Ashville Bridge Creek will be crossed using trenchless methodology, either aboveground or underground. Final design will be informed by technical and engineering requirements, site-specific presence of natural resources, and engagement with federal, state, and local regulatory authorities. Additional BMPs may include, but not be limited to, using temporary matting if access through wetlands is required during construction; and implementing appropriate stormwater management and erosion controls during construction, operations, and/or decommissioning as appropriate. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Chapter 3 Description of Proposed Activity; Section 4.2 Water Quality; Section 5.1 Wetlands and Waterbodies
II. Subaqueous Lands			
Subaqueous Lands *(Va.Code Ann. §§28.2-1200, -1203, 204, and -1205)*	This policy establishes conditions for granting or denying permits to use state-owned subaqueous land based on considerations of potential effects on other reasonable and permissible uses of state waters and state-owned bottomlands; marine and fisheries resources; tidal wetlands; adjacent or nearby properties; water quality; and submerged aquatic vegetation. Subaqueous lands include all the beds of the bays, rivers, creeks and the shores of the sea within the jurisdiction of the Commonwealth. The subaqueous lands program is administered by the VMRC that grants or denies any use of state-owned bottomlands, including dredging, aquaculture, the taking and use of material from the bottomland, and the placement of wharves, bulkheads, and fill.	The Project is not expected to have adverse direct or indirect impacts to subaqueous lands. Construction, operations and decommissioning activities will not result in the placement of wharves and bulkheads. Boulders along the offshore export cable corridor may need to be relocated during construction and some dredging of the potentially mobile seabed features may be required prior to cable laying to achieve sufficient burial depth; however, it has not been determined if these areas are located within the coastal management zone. Short-term disturbance to the seabed sediment will occur due to offshore export cable installation. Suspension of sediments in the water column may occur as a result of installation of the offshore export cables. The offshore export cables will be installed using one of the following methods: jet plowing or jet trenching; mechanical plowing or trenching; or free-lay and post-lay burial. Offshore	Chapter 3 Description of Proposed Activity; Section 4.2 Water Quality; Section 5.1 Wetlands and Waterbodies; Appendix M Sediment Transport Modeling Report

Policy	Policy Summary	Compliance Summary	Location in the COP
		export cable installation will include an up to 1-m-wide cable installation trench and an up to 8-m-wide temporary disturbance zone from the skids or tracks of the cable installation equipment, which will slide over the surface of the seafloor. Two separate trenches will be used to install the two offshore export cables within the overall corridor. The seabed and near-bottom water column in the nearshore area are highly dynamic environments, with suspension and redeposition of sediment occurring continuously due to storms and tidal currents. Offshore, anthropogenic processes such as trawling and dredging regularly create water quality impacts that are similar to or larger than impacts associated with offshore export cable installation, and these activities have not been shown to inhibit fish migration or transit. Additionally, results from the sediment transport model show that suspended sediments from offshore export cable installation will be short-term and localized. A wetland delineation will be conducted to characterize the hydrology along the onshore export cable corridors and at the onshore substation to support the U.S. Army Corps of Engineers permit application and jurisdictional determination. With agency input, appropriate stormwater management and erosion control BMPs will be implemented during construction, operations, and/or decommissioning of onshore facilities, as such the Project will not result in direct or indirect impacts on these resources. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	
III. Dunes and Beaches			
Dunes and Beaches *(Va.Code Ann. §28.2-1401 and -1408)*	This policy prevents the despoliation and destruction of the coastal primary sand dunes and beaches within the Commonwealth's jurisdiction, and whenever practical, accommodates necessary economic development in a manner consistent with the protection of such features. Therefore, no permanent alteration of or construction upon these protective barriers that also serve as important natural habitat for coastal fauna and enhance the scenic recreational attractiveness of Virginia's coastal area shall take place. The dunes management program is administered by the VMRC.	The Company has selected HDD for the export cable landfall at Sandbridge Beach to avoid impacts to sensitive dunes and beaches at the selected landfall location. An HDD Inadvertent Release Plan will be developed and local pollution response procedures will be included in the SWPPP. In addition, construction vehicles will not be driven on the beach or dunes. Therefore, construction, operations, and decommissioning activities will comply with this policy to the extent applicable as permanent alteration of, or construction upon, these protective barriers will not occur during construction, operations, and decommissioning activities.	Chapter 3 Description of Proposed Activity; Section 5.2 Terrestrial Vegetation and Wildlife; Section 5.3 Bat and Avian Species; Appendix R Federal and State-Listed Species Mapping Tools
IV. Chesapeake Bay Preservation Areas			
Chesapeake Bay Preservation Areas *(Va. Code Ann. §§ 28.2-104.1, 62.1-44.15:24, -44.15:51, -44.15:67, -44.15:68, -44.15:69, -44.15:73, -44.15:74, and -44.15:78; 9 Va. Admin. Code §§ 25-830-30, -40, -80, -90, -100, -120, - 130, -140, and -150)*	A state-local cooperative program that is administered by the Virginia Department of Conservation and Recreation's (DCR's) Division of Stormwater Management and by 88 localities. The coastal lands management program was established pursuant to the Chesapeake Bay Preservation Act (Bay Act) and Chesapeake Bay Preservation Area Designation and Management Regulations. This program protects and improves the water quality of the Chesapeake Bay, its tributaries, and other state waters by minimizing the effect of human activity upon these waters. Chesapeake Bay Preservation Areas are composed of a Resource Protection Area, Resource Management Area and Intensely Developed Area. This policy lists performance criteria that must be met by use, development or redevelopment of land in a Chesapeake Bay Preservation Area. VDEQ is responsible for providing comments regarding the consistency of proposed federal projects or activities with the Chesapeake Bay Preservation Act.	This Policy is not applicable. Project activities are located outside the designated Chesapeake Bay Preservation Area. The Project is located within the Southern Rivers Watershed. A delineation of the Southern Rivers Watershed protected buffers will be required as a component of the exemption/exception request process. This will be initially completed based on desktop surveys/offsets from jurisdictional wetlands and may require ground-based confirmation dependent on municipal guidance.	Not applicable.
V. Marine Fisheries			
Marine Fisheries *(Va. Code Ann. §§ 28.2-101, -201, -203, -203.1, -225, -551, -600, -601, -603 -618, and -1103, - 1203 and the*	This policy addresses the conservation and promotion of seafood and marine resources including fish, shellfish and marine organisms and management of the fisheries to maximize food production and recreational opportunities within state waters. Any activity in the Commonwealth's tidal	The offshore export cable corridor was sited to avoid known sensitive benthic habitats; further micro-siting within the offshore export cable corridor will avoid complex habitats, where feasible. These avoidance and conservation measures will minimize the probability of adverse interactions with sensitive benthic resources. Additionally, the proposed offshore export cable installation activities will	Section 5.4 Benthic Resources, and Finfish, Invertebrates, and Essential Fish Habitat; Section 5.5 Marine Mammals; Section 5.6 Sea Turtles, Section 7.2 Commercial and

Policy	Policy Summary	Compliance Summary	Location in the COP
Constitution of Virginia, Article XI, Section 3)	waters must: achieve optimum yield from fisheries without engaging in overfishing; not negatively impact the short and long term viability of the Blue crab stock in Virginia; protect spawning stock, nursery areas and habitat; not encroach upon the natural oyster beds, rocks, and shoals of the Commonwealth; engage in the planting or propagating of oysters only on assigned leases; and not encroach upon the lawful use and occupation of previously leased ground for the term of the lease unless exercising riparian rights or the right of fishing. The fisheries management program is administered by the VMRC.	be temporary and localized, causing temporary increases in turbidity and total suspended sediment in the water column. Mobile species are anticipated to move out of the area and return once installation activities are completed. Based on the initial results of the Company's high resolution geophysical and benthic grab surveys conducted in 2019 and 2020, much of the offshore Project Area is characterized as unconsolidated sediments arranged in sand ripples, with some instances of shallow channel depressions and hummocky features. Pre-construction grapnel runs, seafloor preparation activities, anchoring (anchors will be placed within previously cleared and disturbed areas to the extent possible), clearing and trenching for cable installation, and armoring activities would temporarily disturb these features. Tidal and wind-forced bottom currents would reform most benthic features above buried cables within days to weeks of installation. The avoidance, minimization, mitigation, and monitoring measures will include measures to effectively minimize possible contamination of and bio-accumulation in the Commonwealth's marine fisheries resources at levels that cause mortality or create physiological and behavioral disorders. For instance, the Company will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and management of accidental spills or release of oils or other hazardous wastes through the Oil Spill Response Plan, as detailed in Appendix I and the Project Spill Prevention, Control and Countermeasure Plan. Additionally, construction vessels will comply with United States Coast Guard (USCG) regulations and with discharge limits outlined by the Vessel Incidental Discharge Act of 2018. Vessel chemical releases are considered unlikely and would yield only short-term, localized impacts. Offshore export cables would generate electric and magnetic fields. Though no clear trend of avoidance, attraction, or adverse effects on marine organisms has been established in the published literature, some fish and invertebrates are reported to detect and respond to electric and magnetic fields from buried cables. The Company has committed to burying or armoring electric cables to minimize detectable electric and magnetic fields. Following an extensive literature review, oral history collection, and data analysis, the Company can confirm that the Project is exceptionally well sited from a fisheries perspective. The Wind Development Area is inshore of the most intensive trawl fisheries and offshore and north of other relatively intensive commercial fisheries. It is also outside of the route most heavily transited by the Highly Migratory Species charter, private, and commercial fleets based in the region. Most recreational fishing vessels transiting through the Lease Area originate from Rudee Inlet, Virginia, and Oregon Inlet, North Carolina, with occasional vessels transiting from as far away as Chesapeake Bay. Additionally, commercial fishing in and around the review area primarily occurs from vessels homeported in Virginia and North Carolina, with the potential for commercial fishing vessels from states up and down the eastern seaboard. The Project was sited and the size was selected by a joint state/federal taskforce, which took input from the North Carolina Division of Marine Fisheries regarding fisheries. The Company has participated in engagement and coordination with stakeholders specific to commercial and recreational fisheries since May of 2019 (see Table 7.2.-2 in the COP for a stakeholder engagement summary) and has contracted a local Fisheries Liaison Officer and local Fisheries Representative. Together, the Fisheries Liaison Officer and Fisheries Representative have developed a comprehensive understanding of the history of commercial and recreational fisheries within the Wind Development Area, and potential impacts to fisheries. The local knowledge gained through their	Recreational Fishing; Appendix B Summary of Agency and Stakeholder Outreach; Appendix I Oil Spill Response Plan; Appendix V Benthic Resource Characterization Reports; Appendix W Essential Fish Habitat Assessment; Appendix BB Navigation Safety Risk Assessment; Appendix FF, Summary of Applicant-Proposed Avoidance, Minimization, and Mitigation Measures

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		outreach to the local fishing industry and the development of a comprehensive Fisheries Communications Plan and network have resulted in recommendations to the Project team to avoid and minimize impacts to local fisheries. Potential impacts may include short-term localized impacts to commercial and recreational target species due to installation of the offshore components, short-term presence of partially installed structures presenting collision and snagging risk, short-term implementation of safety zones around construction vessels, installation areas reducing access to fishing grounds, short-term increase in vessel traffic posing potential collision risk, long-term loss of access to traditional fishing grounds and modification of habitat. Mitigation measures associated with potential impacts to commercial and recreational fishing include engaging with fishers prior to and during all construction activities to ensure all required temporary area closures will be communicated to the fishing industry and all other necessary parties. Safety zones of up to 500 meters in radius will be established around construction activities as applicable, and, where feasible, a minimum advisory safe passing distance for cable laying vessels will be implemented. Where USCG Safety Zone authorities are not applicable, the Company will use safety vessels to promote awareness of these activities and the safety of the construction equipment and personnel. The Company will also schedule and control Project-related vessels to best manage congestion and traffic flow in coordination with the USCG, Department of Defense, and other national security stakeholders and follow USCG and BOEM's guidelines for lighting and marking for navigational safety purposes. Where practical, Project vessels will utilize transit lanes, fairways, and predetermined passage plans consistent with existing waterway uses. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	
VI. Wildlife and Inland Fisheries			
Wildlife and Fish *(Va. Code Ann. §§ 29.1-501, -512, -521, -530.2, -531, -533, -542, -543.1, -545, -548, -549, -550, - 552, -554, -556, -569, and -574; 4 Va. Admin. Code §§ 15-30-10, -20, -50, and 15-290-60)*	No person shall import, export, take, pursue, kill or possess in the Commonwealth any fish or wildlife, or stock any species of fish in inland waters, in a manner that negatively impacts the Commonwealth's efforts in conserving, protecting, replenishing, propagating and increasing of the supply of game birds, game animals, fish and other wildlife of the Commonwealth.	Direct, long-term impacts may occur from the conversion of previously vegetated areas, particularly forested wetlands and deciduous forest cover types, to maintained vegetated areas for the operations and maintenance of the new onshore substation and onshore export cable corridor. Trees may be cleared along the onshore export cable corridor as necessary to support cable installation, resulting in long-term conversion to shrub and grasslands in the permanent easement. This habitat type conversion may result in a loss of forested cover and less available forested habitat for terrestrial wildlife throughout the useful life of the Project. Construction and temporary easements associated with installation activities will not be maintained during operations and may reforest over time, becoming scrub-shrub habitat. Terrestrial wildlife utilizing the area may relocate due to excess noise and light. To minimize impacts, the export cable landfall is sited entirely within an existing parking lot to avoid sensitive habitat and onshore components are sited in existing roadways and previously disturbed and maintained ROWs. The Company will develop and implement an invasive species control plan and an Erosion and Sediment Control Plan, and temporarily disturbed areas will be revegetated with native vegetation or a regionally appropriate seed mix, as needed. Access of Project personnel and vehicles will be limited, to the extent practicable, to existing disturbed areas and approved access roads. The Company will adhere to VDEQ Virginia Stormwater Management Program regulations authorized by the Virginia Stormwater Management Act and will follow the site-specific Stormwater Pollution Prevention Plan and Stormwater Management Plan, as required by the VDEQ Construction General Permit for land-disturbing activities equal to or greater than one acre to reduce stormwater runoff impacts on wildlife and fish species from the conversion of previously vegetated areas to impervious surfaces The portion of the onshore export cable corridor located along the public ROW for Sandbridge Road and within the existing utility ROW may be installed aboveground and would use utility poles or towers up to 36 m in height. This portion of the route is sited along the public ROW for Sandbridge Road and within an existing, maintained utilities ROW to further minimize impacts. Final design will be informed by	Section 5.1 Wetlands and Waterbodies; Section 5.2 Terrestrial Vegetation and Wildlife; Section 5.3 Bat and Avian Species; Section 5.5 Marine Mammals; Section 5.6 Sea Turtles; Appendix R Federal and State-Listed Species Mapping Tools; Appendix S Ornithological and Marine Fauna Aerial Survey Results; Appendix T Offshore Bat Acoustic Survey Report; Appendix U Assessment of the Potential Effects of the Kitty Hawk Offshore Wind Project on Bats and Birds

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		technical and engineering requirements, site-specific presence of natural resources, and engagement with federal, state, and local regulatory authorities. Light reduction measures such as downward projecting lights, motion-sensor activation, and limiting artificial lighting will be implemented to the extent practicable. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	
Threatened and Endangered Species *(Va. Code Ann. §§ 29.1-501, -564, -566, -567, and -568; 4 Va. Admin. Code §§ 15-20-130 and –140)*	No person shall harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, possess, collect, transport, sell or offer to sell, or attempt to do so, any species of fish or wildlife listed as threatened or endangered by the Board of Game and Inland Fisheries, except: A. For zoological, educational, or scientific purposes and for propagation of such fish or wildlife in captivity for preservation purposes, when such actions will result in long-term survival benefits to such species; or B. When incidental to other lawful actions and where the species will accrue long-term survival benefits from measures implemented in concert with or as mitigation for the incidental take; or C. Actions affecting a designated experimental population of said species, when such actions are taken in the context of implementing an approved Conservation Plan for the species; or D. Possession, breeding, sale, and transport of nonnative wildlife listed as threatened or endangered by the United States Secretary of the Interior pursuant to provisions of the federal Endangered Species Act of 1973 (P.L. 93-205), as amended, when (i) the federal designation does not specifically prohibit such possession, breeding, selling, or transporting and (ii) the nonnative wildlife is not listed by the Board of Game and Inland Fisheries as a predatory or undesirable species because its introduction into the Commonwealth would not be detrimental to the native fish and wildlife resources of Virginia.	No federally listed threatened or endangered terrestrial or candidate species or critical habitats were identified from the Information for Planning and Consultation tool review. An additional review of Natural Heritage Resources with the potential to occur within or adjacent to the proposed onshore export cable corridors was completed using the DCR Division of Natural Heritage data explorer, as well as field reconnaissance surveys to identify threatened and endangered species and vegetative communities. Search outputs for the affected sub-watersheds (12-digit Hydrologic Unit Code) within the City of Virginia Beach, Virginia resulted in only one species protected under the Virginia Endangered Species Act, the canebrake rattlesnake (*Crotalus horridus*). The canebrake rattlesnake is currently recognized as a unique Coastal Plain population of the Timber Rattlesnake and prefers a habitat consisting largely of contiguous stands of mature hardwood forests, mixed hardwood-pine forests, cane thickets, and in ridges and glades of swampy areas. The onshore Project Area, confined to woody habitats and wetlands, such as the ROW easement that is bordered by Back Bay National Wildlife Refuge, is the most likely area of the Project to affect this species. The canebrake rattlesnake is state-listed as endangered and is afforded legal protection as provided by Article 6 (§§ 29.1-563 et seq.) of Chapter 5 of Title 29.1 of the Code of Virginia and Virginia Administrative Code, 4VAC15-20-130. As such, where suitable habitat cannot be avoided, a program will be implemented that instructs on identification, natural history, and legal status of the canebrake rattlesnake for those contractors involved in construction. Should a canebrake rattlesnake be observed prior to or during construction, the Virginia Department of Wildlife Resources (DWR) will be contacted to assist in safe capture and relocation. Additionally, the federal- and state-listed threatened northern long-eared bat may use trees along or near the ROW as summer maternity roosts. Removing trees during the active season for bats (01 Apr through 30 Oct) may negatively impact bat populations and habitats. If tree cutting must occur during the active season for bats, an acoustic survey of forested areas within the ROW may be conducted to determine if northern long-eared bat (and other bat species) are present or likely absent. The export cables will be installed at the landfall using HDD under the beach and dunes to the parking lot along Sandpiper Road to avoid impacts to sensitive coastal habitat and listed species. Disturbances from the temporary presence of construction equipment near the coastal beach is expected to be minimal for state and federally listed birds. Protected Species Observers will be on board monitoring for the presence of marine mammals and sea turtles and will follow the agency-approved protocols if any listed species is observed during construction activities. Therefore, construction, operations and decommissioning activities comply with this policy to the extent applicable.	Section 5.1 Wetlands and Waterbodies; Section 5.2 Terrestrial Vegetation and Wildlife; Section 5.3 Bat and Avian Species; Section 5.5 Marine Mammals; Section 5.6 Sea Turtles, Appendix P Underwater Acoustic Assessment[3]; Appendix R Federal and State-Listed Species Mapping Tools; Appendix S Ornithological and Marine Fauna Aerial Survey Results; Appendix T Offshore Bat Acoustic Survey Report; Appendix U Assessment of the Potential Effects of the Kitty Hawk Offshore Wind Project on Bats and Birds
Use of Drugs on Vertebrate Wildlife *(Va. Code Ann. § 29.1-501 and -508.1)*	No person shall administer any drug to any vertebrate wildlife in the Commonwealth unless it is done in a manner that is not harmful to the wildlife.	This policy is not applicable. The Project does not include the administration of drugs to any vertebrate wildlife.	Not applicable.
Nonindigenous Aquatic Nuisance, Predatory, or Undesirable Species	A. No person shall knowingly import, possess, sell, or liberate in the Commonwealth any member of a species designated as a predatory or	In nearshore intertidal areas, offshore wind facilities have been reported to host nonindigenous invasive species and provide artificial stepping-stones between separated hard substrates. In contrast, spread of nonindigenous invasive species was not found to be facilitated by subtidal wind turbine	Section 5.4 Benthic Resources and Finfish, Invertebrates, and Essential Fish Habitat

[3] The Company is updating Appendix P Underwater Acoustic Assessment, and it will be provided to BOEM in Q1 2023.

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(Va. Code Ann. §§ 29.1-501, -542, -543.1, -545, -569, -571, -574, and -575; 4 Va. Admin. Code §§ 15-20-210, -30-20, -30-40, and 15-290-60)	undesirable species unless such actions are consistent with the Commonwealth's fish and wildlife management programs; B. No person shall knowingly import, possess, transport, sell, offer for sale, purchase, give, receive, or introduce into the Commonwealth any member of a species designated as a nonindigenous aquatic nuisance except: (1) when such actions do not pose a significant threat of harm to: (i) the diversity or abundance of any species indigenous to state waters; (ii) the ecological stability of state waters; or (iii) the commercial, industrial, agricultural, municipal, recreational, aquacultural, or other beneficial uses of state waters; or (2) for research by recognized academic institutions or government agencies upon receiving satisfactory assurance that adequate safeguards will be maintained to prevent the escape or introduction of any such species into the Commonwealth.	foundations farther offshore. The nearest WTG or ESP foundation would be approximately 49 km from shore. Foundations are not expected to alter the settlement patterns of nonindigenous algae or invertebrates. The invasive lionfish, which is known to occur in the area, has already colonized much of the Mid-Atlantic Bight and is thought to be regulated by water temperature more than habitat. Because hard substrate is already available within the offshore export cable corridor and the greater Lease Area in the form of shipwrecks, the introduction of WTG and ESP foundations is not expected to have a measurable impact on invasive species. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	
VII. Plant Pests and Noxious Weeds			
Quarantines *(Va. Code Ann. §§ 3.2-700 and -703; 2 Va. Admin. Code §§ 5-315-10 to -130, -318-10 to -140, - 330-10 to -90, and -440-10 to -70, -100, and -110)*	Once the Board of Agriculture and Consumer Services or the Commissioner of Agriculture and Consumer Services has established a quarantine for a pest, no person shall move any regulated article described in the quarantine or the pest against which the quarantine is established within, from, into, or through the Commonwealth in violation of the quarantine.	This policy is not applicable. The Project will not require importation and quarantining of pests.	Not applicable.
Importation of Regulated Articles *(Va. Code Ann. § 3.2-704)*	Once the Board of Agriculture and Consumer Services has issued a proclamation declaring the importation of infested regulated articles to be a menace to public health, it shall be prohibited to import any such regulated articles from any locality in other states, territories, or countries into the Commonwealth.	This policy is not applicable. The Project will not require importation and of infested regulated articles.	Not applicable.
Plant Pests and Noxious Weeds *(Va. Code Ann. §§ 3.2-712 and -804; 2 Va. Admin. Code §§ 5-315-10 to -130, -317-10 to -100, - 318-10 to -140, -330-10 to -90, and -440-10 to -70, -100, and -110)*	No person shall sell, barter, offer for sale, move, transport, deliver, ship, or offer to ship into or within the Commonwealth any plant pests in any living stage, unless such plant pests are not injurious, are generally present already, or are for scientific purposes subject to specified safeguards. No person shall move, transport, deliver, ship, or offer for shipment into or within the Commonwealth any noxious weed, or part thereof, unless such noxious weed is generally present already or it is for scientific purposes subject to prescribed standards.	Temporary removal of vegetation will occur as a result of construction for the transmission line towers, installation of the underground portion of the onshore export cables, site preparation and construction of the onshore substation, and use of laydown areas for staging of equipment and supplies. Indirect removal of vegetation may also occur as a result of erosion. The introduction of invasive or non-native vegetation species may occur after ground disturbance from construction activities, which may negatively impact native habitats. To minimize disturbance, onshore components are sited in existing roadways and previously disturbed and maintained ROWs. The Company will develop and implement an invasive species control plan, and temporarily disturbed areas will be revegetated with native vegetation or a regionally appropriate seed mix, as needed. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Section 5.2 Terrestrial Vegetation and Wildlife
VIII. Commonwealth Lands			
A. Virginia Department of Wildlife Resources: • Dams and Fish Passage *(Va. Code Ann. § 29.1-532)* • Back Bay *(Va. Code Ann. § 29.1-103(10); 4 Va. Admin. Code § 15-20-90)* • Damage to Boundary Enclosures and Entry to	**Dams and Fish Passage:** Any person owning or having control of any dam or other obstruction in the streams of the Commonwealth that may interfere with the free passage of anadromous and other migratory fish shall provide every such dam or other obstruction with a suitable fishway, to the extent necessary. **Back Bay:** Unless determined to not be harmful for fish and wildlife resources or habitats, no person shall drill, dredge, or conduct other operations designed to recover or obtain shells, minerals or any other substance on lands owned by or under the control of the Commonwealth	The onshore export cables were sited to avoid dams, the Back Bay, game refuges areas and boundary enclosures, and aquatic and terrestrial habitats used or owned by DWR. The portion of the Sandbridge route and western route option onshore export cable corridors along the public ROW for Sandbridge Road, as well as approximately 1.6 km between the public ROW for Sandbridge Road and Atwoodtown Road, is located within a utility ROW that is bordered on either side by the federally managed Back Bay NWR. The Sandbridge route and western route option onshore export cable corridors are located entirely within the existing utility ROW, which is not part of the refuge, to avoid impacts to coastal natural resources. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Section 7.1 Recreation and Tourism; Section 7.10 Land Use and Zoning

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Refugees *(Va. Code Ann. § 29.1-554)* • Protection of Aquatic and Terrestrial Habitats Used or Owned by DWR *(Va. Code Ann. § 29.1-554; 4 Va. Admin. Code §§ 15-20-150 and -320-100)*	under Back Bay, its tributaries and the North Landing River from the North Carolina line to North Landing Bridge. **Damage to Boundary Enclosures and Entry to Refuges:** No person shall damage the boundary enclosure of or enter a game refuge owned, leased, or operated by the Board of Game and Inland fisheries for the purpose of molesting any bird or animal, or permit his dog or livestock to go thereon. **Protection of Aquatic and Terrestrial Habitats Used or Owned by DWR:** No person shall damage or destroy any pond, pool, flume, dam, pipeline, property, or appliance belonging to, controlled by or being utilized by DWR or its Board; or interfere with, obstruct, pollute, or diminish the natural flow of water into or through a fish hatchery.		
B. Virginia Department of Conservation and Recreation • Fire Prevention *(4 Va. Admin. Code §§ 5-30-70 and -220)* • Hunting and Fishing in State Parks *(4 Va. Admin. Code §§ 5-30-240 to -250)* • Feeding Wildlife in State Parks Prohibited *(4 Va. Admin. Code § 5-30-422)* • Boating and Vehicles in State Parks *(4 Va. Admin. Code §§ 5-30-190, -290, and -330)*	**Fire Prevention:** No person shall kindle, build, maintain, or use a fire in any park other than in places provided or designated for such purposes, and only if continuously supervised by a competent person over 16 years of age. No person shall throw away any lighted match, cigarette, cigar, or other burning object in the confines of any park until the object is entirely extinguished. **Hunting and Fishing in State Parks:** No person shall hunt or molest in any way any bird or animal, or possess any wild bird or animal, within the confines of any park, except in designated hunting areas. Likewise, no person shall take fish in any park unless done via bait fishing by cast net, crabbing by line and net, or licensed fishing by hook and line, all of which are limited to areas in each park designated for those activities. **Feeding Wildlife in State Parks Prohibited:** No person shall feed wildlife in any park, except for DCR-sponsored programmatic activities. **Boating and Vehicles in State Parks:** No person shall operate a boat in a bathing area in a park. It is illegal to operate a motor vehicle in any area of a park that is not designated for or customarily used by motor vehicles, unless engaged in fire control, park maintenance, or other necessary park related activities. Further, no person shall operate, anywhere in a park, a vehicle that is excessively loaded.	Project activities do not include the use of fire, hunting and fishing, and will not require access to any of the state parks, roads, preservation areas, etc. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Section 7.1 Recreation and Tourism; Section 7.10 Land Use and Zoning; Section 7.11 Land Transportation and Traffic
IX. Point Source Air Pollution *(Va. Code Ann. § 10.1-1308)*			
Asphalt paving operations- applies to Volatile organic compound (VOC) emissions control areas only *(Va. Code Ann. §§ 10.1-1308 and -1322; 9 Va. Admin. Code §§ 5-20-206 and -45-780)* *Additional standards that apply to asphalt paving operations include standards for visible emissions (Va. Code Ann. §§ 10.1-1308 and -1322; 9 Va. Admin. Code §§ 5-45-790 and -40-80), standard for fugitive dust/emission (Va. Code*	This policy limits volatile organic compound emissions in areas designated in VOC emissions control areas to protect air quality. Asphalt operations conducted in these areas will be subject to the following: A. No owner or other person shall cause or permit the manufacture, mixing, storage, use, or application of liquefied asphalt for paving operations unless such asphalt is of the emulsified asphalt type. B. The manufacture, mixing, storage, use, or application of cutback asphalt is allowed when 1. Stockpile storage greater than one month is necessary; 2. Use or application during the months of November through March is necessary; 3. Use or application as a penetrating prime coat or tack coat is necessary; or	The Company will comply with the VOC standards for asphalt paving operations during onshore construction activities where paving may occur, such as installation of the onshore export cables along paved roads where repaving the surface is required and potentially for the onshore substation foundation; and decommissioning activities when the Project components, such as the underground onshore export cables, are removed from the city roads. Therefore, construction, operations, and decommissioning comply with this policy to the extent applicable.	VOC emissions from asphalt paving are not estimated in the COP.

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Ann. §§ 10.1-1308 and -1322; 9 Va. Admin. Code §§ 5-45-800 and -40-90), and a standard for odor (Va. Code Ann. §§ 10.1-1308 and -1322; 9 Va. Admin. Code §§ 5-45-810 and -40-140	4. The user can demonstrate that there are no volatile organic compound emissions from the asphalt under conditions of normal use. C. The annual average of volatile organic compound content for all emulsified asphalts cannot exceed 6.0% by volume.		
Open Burning *(Va. Code Ann. §§ 10.1-1308 and -1322; 9 Va. Admin. Code §§ 5-80-1105, -130-10, -130-30 to - 50, 20-60-30, and 5-60-200)*	It is the policy of the Commonwealth to prohibit combustion of solid waste or use of special incineration devices without: A. Control of combustion air to maintain adequate temperature for efficient combustion, B. Containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion; and C. Control of the combustion products' emission. This policy includes additional information on permissible open burning and open burning prohibitions in VOC emissions control areas.	This policy is not applicable. The Company will not carry out any open burning activities described under this policy during construction, operations, and decommissioning of the Project.	Not applicable.
Fugitive dust emissions- applies to new/modified sources and existing sources *(Va. Code Ann. §§ 10.1-1308 and -1322; 9 Va. Admin. Code §§ 5-50-90 and -40-90)*	During the construction or operation of any structure or facility, reasonable precautions will be taken to prevent particulate matter from becoming airborne. These precautions may include, but are not limited to: 1. Use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land; 2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition; 3. Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials; 4. Open equipment for conveying or transporting materials likely to create objectionable air pollution when airborne shall be covered, or treated in an equally effective manner at all times when in motion; and 5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.	The Company will comply with this policy to ensure reasonable precautions will be taken to prevent particulate matter from becoming airborne during onshore construction activities such as installation of the onshore export cables and construction of the onshore substation; operations activities such as any Project component maintenance, and decommissioning activities when the Project components are removed from service. Therefore, construction, operations, and decommissioning comply with this policy to the extent applicable.	Section 4.3 Air Quality
State operating permits *(Va. Code Ann. §§ 10.1-1308 and -1322; 9 Va. Admin. Code § 5-80-800)*	It is the policy of the Commonwealth to use the state operating permits to limit the emissions of a stationary source or emissions unit contributing to a violation of any air quality standard; or to establish a source specific emission standard or other requirements, including, but not limited to, reasonably available control technology or best available retrofit technology necessary to protect air quality within the Commonwealth.	The Company will comply with this policy to the extent applicable by obtaining any necessary state operating permits associated with stationary sources such as back-up generators.	Section 4.3 Air Quality; Appendix N Air Emissions Calculations and Methodology
New source review *(Va. Code Ann. §§ 10.1-1308 and -1322; 9 Va. Admin. Code §§ 5-80-1100, -1400, -1605, and – 2000)*	This policy requires the construction, reconstruction, relocation, or modification of regulated stationary sources to meet emission limits and operating requirements, based on the type of source, size of source, pollutant emission rates, pollutant categories, and location of source. Emission limits and operating requirements shall be based on a control technology review for regulated air pollutants and an air quality analysis as appropriate.	Offshore construction emissions from marine vessels will be subject to New Source Review as part of the OCS air permit application required under 40 CFR Part 55. The Company will apply for and obtain the required OCS air permit prior to commencement of offshore construction. Construction and offshore export cable installation activities within the state coastal boundary will not have a significant effect on air quality. General Conformity air emissions from equipment will be temporary and localized. Onshore construction activities will produce emissions from low sulfur diesel-powered construction equipment, as required under 40 CFR § 80.510(b), used during construction of the onshore substation, onshore export cables, and landfall. Project-related vehicles, diesel engines, and/or nonroad diesel engines at the staging site will comply with applicable state regulations regarding idling. A smaller amount of emissions resulting from marine vessel and helicopter transits are	Section 4.3 Air Quality; Appendix N Air Emissions Calculations and Methodology

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		anticipated to occur during operations in Virginia state waters, with Norfolk, Virginia assumed to be the local port location for crew changes and onshore staging of materials, and Virginia Beach Airport assumed to be the departure and arrival point for helicopter flights. A portion of emissions from marine vessels during operations and maintenance of the offshore facilities will also be subject to New Source Review under 40 CFR Part 55. The Company will apply for and obtain the required OCS air permit for offshore operations. Stationary source emissions will also result from the operation of emergency generator engines located on the onshore substation, and from gas-insulated switchgear, which are also located the onshore substation. These emissions release very small amounts of the greenhouse gas sulfur hexafluoride. Impacts resulting from decommissioning of the Project are expected to be similar to or less than those experienced during construction. Decommissioning techniques are further expected to advance during the useful life of the Project. An inventory of anticipated construction emissions is provided in Appendix N Air Emissions Calculations and Methodology. Therefore, construction, operations, and decommissioning comply with this policy to the extent applicable.	
X. Point Source Water Pollution			
Point Source Water Pollution *(Va. Code Ann. § 62.1-44.2; 9 Va. Admin. Code § 25-31-20)*	This policy aims to protect existing high quality state waters and restore all other state waters to such condition of quality that any such waters will permit all reasonable public uses and will support the propagation and growth of all aquatic life, including game fish, which might reasonably be expected to inhabit them; safeguard the clean waters of the Commonwealth from pollution; prevent any increase in pollution; reduce existing pollution; promote and encourage the reclamation and reuse of wastewater in a manner protective of the environment and public health; and promote water resource conservation, management and distribution, and encourage water consumption reduction in order to provide for the health, safety, and welfare of the present and future citizens of the Commonwealth. Point source pollution control is accomplished through implementation of the National Pollutant Discharge Elimination System permit program established pursuant to Section 402 of the Clean Water Act and administered in Virginia as part of the VPDES permit program. The Water Quality Certification requirements of Section 401 of the Clean Water Act are administered under the Virginia Water Protection Permit program. The point source pollution control program is administered by the State Water Control Board.	Site runoff from material storage piles, discharges from machinery, and construction cleaning activities associated with construction of the onshore substation, onshore export cable installation, and supporting infrastructure may have the potential to temporarily impact the water quality and quantity of the stormwater runoff from the work areas. Construction activities disturbing one acre or more will be covered by the VDEQ construction general permit, which will include an agency-approved SWPPP that will conform with the VDEQ construction general permit and City of Virginia Beach Erosion and Sediment Control 7 Ordinance. The SWPPP will include steps the Company must take to comply with the permit including water quality requirements. The Company will also develop and implement an HDD Inadvertent Release Plan. Any short-term accidental releases from onshore construction vehicles or equipment and offshore vessels will be managed according to the Project Oil Spill Response Plan. Project-related vessels will also be subject to USCG wastewater and discharge regulations and will operate in compliance with oil spill prevention and response plans that meet USCG requirements. Therefore, construction, operations, and decommissioning comply with this policy to the extent applicable.	Section 4.2 Water Quality; Appendix I Oil Spill Response Plan; Appendix M Sediment Transport Modeling Report
XI. Non-Point Source Water Pollution			
Non-Point Source Water Pollution *(Va. Code Ann. §§ 62.1-44.15:25, 62.1-44.15:52; 9 Va. Admin. Code §§ 25-840-30, 25-870-20)*	It is the policy of the Commonwealth to control stormwater runoff to protect the quality and quantity of state waters from the potential harm of unmanaged stormwater; to control soil erosion and sediment deposition in order to prevent unreasonable degradation of properties, stream channels, state waters, and other natural resources; and to otherwise act to control nonpoint source water pollution to ensure the general health, safety, and welfare of the citizens of the Commonwealth. Virginia's Erosion and Sediment Control Law requires soil-disturbing projects to be designed to reduce soil and erosion and to decrease inputs of chemical nutrients and sediments into the Chesapeake Bay, its tributaries, and other rivers and water of Virginia. The non-point source pollution control program is administered by the DCR.	Clearing, excavation, soil stockpile, and grading associated with construction of the onshore substation, onshore export cable installation and supporting infrastructure may have the potential to temporarily impact the water quality and quantity of the stormwater runoff from the work areas and enter and degrade nearby waterbodies. Construction activities disturbing one acre or more will be covered by the VDEQ construction general permit, which will include an agency-approved SWPPP that will conform with the VDEQ construction general permit and City of Virginia Beach Erosion and Sediment Control 7 Ordinance. The Company will implement an Erosion Sediment Control Plan and associated BMPs in accordance with 9 Virginia Administrative Code §§ 25-840 to reduce non-point source runoff pollution. If groundwater is expected and dewatering is required, then the Company will develop a site-specific dewatering plan to protect groundwater and nearby surface water resources in accordance with the SWPPP. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Section 4.2 Water Quality; Appendix I Oil Spill Response Plan Appendix M Sediment Transport Modeling Report

Policy	Policy Summary	Compliance Summary	Location in the COP
XII. Shoreline Sanitation			
Shoreline Sanitation *(Va. Code Ann. §§ 32.1-12 and -164; 12 Va. Admin. Code §§ 5-610-20 and -80)*	This policy regulates the disposal of sewage to protect the public health and welfare and the environment. The discharge of raw or partially treated sewage onto the ground surface or into state waters is prohibited. All buildings, residences, and structures designed for human occupancy, employment or habitation and other places where humans congregate shall be served by an adequate sewerage system and/or treatment works. All such systems shall be maintained by the owner.	This policy is not applicable. The Project does not include the design and installation of a sewage system.	Not applicable.
Advisory Policies			
Coastal Natural Resource Areas	Coastal natural resource areas are vital to estuarine and marine ecosystems and/or are of great importance to areas immediately inland of the shoreline. These areas have special conservation, recreational, ecological, and aesthetic values and include wetlands; aquatic spawning, nursery, and feeding grounds; coastal primary sand dunes; barrier islands; significant wildlife habitat areas; public recreation areas; sand and gravel resources; and underwater historic sites.	The Project will not impact coastal natural resource areas. The Company either has sited the Project to avoid these areas or has selected construction techniques such as jet plowing, HDD techniques, and use of Dynamic Positioning vessels minimize and/or avoid impacts to these resources. The offshore export cable corridor does not cross through previous or active BOEM Marine Minerals Program sand borrow leases. The closest active sand lease area to the offshore export cable corridor is approximately 4 km northeast at its closet point. The landfall at Sandbridge Beach, Virginia was sited in a parking lot to avoid impacts to coastal natural resources. The portion of the Sandbridge route and western route option onshore export cable corridors along the public ROW for Sandbridge Road, as well as approximately 1.6 km between the public ROW for Sandbridge Road and Atwoodtown Road, is located within a utility ROW that is bordered on either side by the federally managed Back Bay NWR. The Sandbridge route and western route option onshore export cable corridors are located entirely within an existing ROW, which is not part of the refuge, to avoid impacts to coastal natural resources. Additionally, trees may be cleared along the onshore export cable corridor as necessary to support cable installation, resulting in long-term conversion to shrub and grasslands in the permanent easement. This habitat type conversion may result in a loss of forested cover and less available forested habitat for terrestrial wildlife throughout the useful life of the Project. Construction and temporary easements associated with installation activities will not be maintained during operations and may reforest over time, becoming scrub-shrub habitat. None of the trees located within the bordering Back Bay NWR will be cleared. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Section 4.2 Water Quality; Section 5.1 Wetland and Waterbodies; Section 5.2 Terrestrial Vegetation and Wildlife; Section 5.3 Bat and Avian Species; Section 5.4 Benthic Resources, and Finfish, Invertebrates, and Essential Fish Habitat; Section 6.1 Marine Archaeological and Cultural Resources; Section 5.2 Terrestrial Archaeological Resources; Section 6.3 Aboveground Historic Resources; Section 7.1 Recreation and Tourism; Section 7.4 Marine Energy, Mineral Exploration and Infrastructure; Section 7.10 Land Use and Zoning; Appendix R Federal and State-Listed Species Mapping Tools; Appendix S Ornithological and Marine Fauna Aerial Survey Results; Appendix T, Offshore Bat Acoustic Survey Report; Appendix U Assessment of the Potential Effects of the Kitty Hawk Offshore Wind Project on Bats and Birds; Appendix V Benthic Resource Characterization Reports; Appendix W Essential Fish Habitat Assessment; Appendix X Marine Archaeological and Cultural Resources Assessment; Appendix Y Phase 1A and Phase 1B Archaeological Survey Reports; Appendix Z Historic Resources Visual Effects Assessment; Appendix GG Section 106 Supporting Materials
Coastal Natural Hazard Areas	This policy covers areas vulnerable to continuing and severe erosion and areas susceptible to damage from wind, tidal, and storm-related events including flooding. New structures should be designed and sited to minimize the potential for property damage due to storms or shoreline erosion. Areas of concern include highly erodible areas and coastal high hazard areas such as flood plains.	The Company has selected HDD for the export cable landfall at Sandbridge Beach to avoid or minimize impacts to the beach, intertidal zone, and nearshore areas. HDD will target burial deeper than expected erosion in the area. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Chapter 3 Description of Proposed Activity; Section 4.1 Physical and Oceanographic Conditions
Waterfront Development Areas	There are a limited number of areas suitable for waterfront activities. Areas of concern include commercial ports, commercial fishing piers, and community waterfronts.	Construction, operations, and decommissioning activities will not have significant effects on waterfront development areas. There are no commercial ports and commercial fishing piers located within the vicinity of the Project. The offshore export cables will make landfall within a parking lot along Sandbridge Beach, just south	Chapter 3 Description of Proposed Activity; Section 7.3 Marine Transportation and Navigation; Section 7.8 Population, Economy, Employment, Housing, and Public Services;

Policy	Policy Summary	Compliance Summary	Location in the COP
		of the public ROW for Sandbridge Road. The ocean to land transition at the landfall will be installed using HDD, which will avoid or minimize impacts to the beach, intertidal zone, and nearshore areas and achieve a burial significantly deeper than any expected erosion. The parking lot south of the public ROW for Sandbridge Road near Sandbridge Beach will also serve as the temporary construction staging and operations area. The Company intends to install during this phase the required infrastructure for future projects to limit the impact on the community and environment. Installation of the onshore export cables may result in temporary closure of sections of roads or individual lanes, and construction activities associated with the export cable landfall will require temporary closure of a municipally-owned parking lot along Sandbridge Beach. The Company will develop a Traffic Management Plan in coordination with local authorities. The Company will also implement temporary and localized onshore and offshore safety zones around active construction areas to prevent the public from entering these sites for safety. Installation of the offshore export cables will be linear, and vessels will not remain in one place for extended periods of time. The locations of offshore safety zones will be posted in Local Notices to Mariners and on the Project website. Onshore construction activities associated with export cable landfall will occur during the off-peak tourism season to the extent practicable. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Section 7.10 Land Use, and Zoning; Section 7.11 Land Transportation and Traffic
Virginia Public Beaches	The approximately 25 miles of public beaches that are located in cities, counties, and towns of Virginia, exclusive of public beaches on state and federal land, should be maintained to allow public access to recreational resources.	Construction, operations, and decommissioning activities will not have significant effects on public access to Virginia public beaches. Installation of the onshore export cables may result in temporary closure of sections of roads or individual lanes, and construction activities associated with the export cable landfall will require temporary closure of a municipally-owned parking lot along Sandbridge Beach. However, onshore construction activities associated with cable landfall will occur during the off-peak tourism season to the extent practicable. The Company will develop a Traffic Management Plan in coordination with local authorities and implement safety zones around construction areas to prevent any impacts on public health and safety. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Chapter 3 Description of Proposed Activity; Section 7.1 Recreation and Tourism; 7.10 Land Use and Zoning; Appendix F Safety Management System
Virginia Outdoors Plan	The Virginia Outdoors Plan identifies recreational facilities in the Commonwealth that provide recreational access and identifies future needs in relation to the provision of recreational opportunities and shoreline access. Prior to initiating any project, consideration should be given to the proximity of the project site to recreational resources identified in this plan. Planning for coastal access is provided by the DCR in cooperation with other state and local government agencies.	Construction, operations, and decommissioning activities will not have a significant impact on the Virginia Outdoors Plan. From landfall, the Sandbridge route and western route option onshore export cable corridors follow the public ROW for Sandbridge Road, a state-designate scenic byway, west for approximately 1.8 km, then continue straight northwest along an existing 2.3-km utility ROW, crossing Atwoodtown Road and joining Nimmo Parkway. Three parks (Red Mill Farms North Park, Ocean Lakes East Park, and Ocean Lakes North Park) border the Sandbridge route along Upon Drive but will not be affected by the Project, except for temporary views of construction. There is one boat access point located north of the landfall that will not be impacted by the Project. Onshore construction activities associated with cable landfall will occur during the off-peak tourism season to the extent practicable in order to reduce impacts to coastal access, provided by the DCR. Additionally, installation of the onshore export cables will be linear, and the equipment will not remain in one place for extended periods of time.	Chapter 3 Description of Proposed Activity; Section 7.1 Recreation and Tourism; 7.10 Land Use and Zoning

Policy	Policy Summary	Compliance Summary	Location in the COP
		Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	
Parks, Natural Areas, and Wildlife Management Areas	The recreational value of parks, natural areas, and wildlife management areas should be protected and maintained for the recreational pleasure of the citizens of Virginia.	Construction, operations, and decommissioning activities will not have a significant impact on the parks, natural areas, and wildlife management areas. The onshore export cable corridors do not intersect with any wildlife management areas. The onshore export cables will land within the Sandbridge Beach parking lot, which is located within a city park. However, the Company has selected HDD for the export cable landfall at Sandbridge Beach to avoid impacts to sensitive dunes and beaches. Additionally, the onshore export cables and construction equipment staging site have been sited within previously disturbed paved areas such as parking lots and along roads and utility ROWs. Three parks (Red Mill Farms North Park, Ocean Lakes East Park, and Ocean Lakes North Park) border the Sandbridge route along Upton Drive but will not be affected by the Project, except for temporary views of construction. The portion of the Sandbridge route and western route option onshore export cable corridors along the public ROW for Sandbridge Road, as well as approximately 1.6 km between the public ROW for Sandbridge Road and Atwoodtown Road, is located within a utility ROW that is bordered on either side by the federally managed Back Bay NWR. The Sandbridge route and western route option onshore export cable corridors are located entirely within an existing ROW, which is not part of the refuge, to avoid impacts to coastal natural resources. Additionally, up to 46 meters within the ROW may be cleared of trees as necessary to support onshore export cable installation, however tree clearing in this disturbed area will not impact the recreational value of the neighboring Back Bay NWR. None of the trees located within the Back Bay NWR will be cleared. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Chapter 3 Description of Proposed Activity; Section 7.1 Recreation and Tourism; 7.10 Land Use and Zoning
Waterfront Recreational Land Acquisition	Any areas, properties, lands, or estate of scenic beauty, recreational utility, historical interest, or unusual features may be acquired, preserved, and maintained for the citizens of Virginia.	This policy is not applicable to the Project, because it does not involve or affect the acquisition, preservation, or maintenance of waterfront recreational land.	Not applicable.
Waterfront Recreational Facilities	Boat ramps, public landings, and bridges that provide water access to the citizens of Virginia shall be designed, constructed, and maintained to provide points of water access when and where practicable.	This policy is not applicable to the Project, because it does not involve or affect the design, construction, or maintenance of waterfront recreational facilities.	Not applicable.
Waterfront Historic Properties	Buildings, structures, and sites of historical, architectural, and/or archeological interest are significant resources for the citizens of Virginia and should be protected from damage or destruction when practicable. The program is administered by the Department of Historic Resources.	The Project will not have a significant impact on buildings, structures, and sites of historical, architectural, and/or archeological interest. No waterfront historic properties are located near the onshore Project components. The offshore components of the Project will not be visible from historic properties in Virginia. Therefore, construction, operations, and decommissioning activities comply with this policy to the extent applicable.	Section 6.3 Aboveground Historic Resources; Section 6.4 Visual Resources; Appendix Z Historic Resources Visual Effects Assessment; Appendix AA Visual Impact Assessment

Construction and Operations Plan for Kitty Hawk North Wind Project Lease Area OCS-A 0508

Appendix A - Coastal Zone Management Act Consistency Certifications

Request for Federal Consistency Certification Concurrence with North Carolina Coastal Management Program

Prepared for:

Kitty Hawk Wind, LLC
1125 NW Couch Street, Suite 600
Portland, Oregon 97209

Prepared by:

Tetra Tech, Inc.
10 Post Office Square, 11th Floor
Boston, Massachusetts 02109

September 30, 2022

Daniel Govoni
Policy Analyst & Federal Consistency Coordinator
North Carolina Department of Environmental Quality
Division of Coastal Management
400 Commerce Avenue
Morehead City, NC 28557-3421

Re: Kitty Hawk North Wind Project
Request for Federal Consistency Certification Concurrence with North Carolina Coastal Management Program

Dear Mr. Govoni:

Kitty Hawk Wind, LLC (the Company), a wholly owned subsidiary of Avangrid Renewables, LLC, voluntarily requests concurrence from the North Carolina Department of Environmental Quality's Division of Coastal Management with the consistency certification provided herein. The Company proposes to construct, own, and operate the Kitty Hawk North Wind Project (hereafter referred to as the Project). The Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) of Lease Area OCS-A 0508 (the Lease) was awarded to Avangrid Renewables, LLC through the Bureau of Ocean Energy Management (BOEM) competitive renewable energy lease auction of the Wind Energy Area offshore of North Carolina. The Project will be located in the designated Renewable Energy Lease Area OCS-A 0508 (Lease Area). The Lease Area covers 49,536 hectares and is located approximately 44 kilometers offshore of Corolla, North Carolina.

The Company has prepared this federal consistency certification pursuant to the Federal Coastal Zone Management Act and relevant Coastal Zone Management Act regulations at 15 Code of Federal Regulations (CFR) 930 Subparts D and E. Pursuant to 15 CFR § 930.57, the Company certifies that the Project's proposed construction, operations, maintenance, and decommissioning activities comply with the enforceable policies of North Carolina's federally-approved management program and will be conducted in a manner consistent with such program.[1] This document, along with the supporting documentation in the Construction and Operations Plan (COP), provides the State of North Carolina with the Company's Consistency Certification and necessary data and information under Coastal Zone Management Act Section 307(c)(3)(A) and 15 CFR Part 930, subparts D and E, for the Project.

[1] The term "enforceable policies" is defined as "State policies which are legally binding through constitutional provisions, laws, regulations, land-use plans, ordinances, or judicial or administrative decisions, by which a State exerts control over private and public land and water uses and natural resources in the coastal zone." 15 CFR § 930.11(h).

The plan to develop the Project within the Lease Area describes in detail related federal permit needs and activities. In addition, the Company has submitted a COP (or "OCS plan") for the Project to the Secretary of the Interior. Project components are proposed to be sited in the Commonwealth of Virginia; therefore, regulatory approvals from Virginia's state and local agencies will also be required. Although no Project components are proposed to be sited in the State of North Carolina or within North Carolina state waters, the Project will be consistent with the enforceable policies of North Carolina's federally-approved coastal zone management program. Additionally, consultation with the North Carolina State Historic Preservation Office will occur concurrently with BOEM's review of the COP.

Attachment A to this cover letter presents the information required by 15 CFR § 930.57 and 15 CFR § 930.58 to support the Project's consistency with the enforceable policies of the state's coastal management program. (The required consistency certification is made herein). Additionally, this consistency certification supporting information is included as Appendix A to the COP pursuant to 30 CFR § 585.627(a)(9), to assist BOEM with compliance under the National Environmental Policy Act and other relevant laws. The COP provides additional details that support the federal consistency certification review and concurrence, including how the proposed Project has been sited and designed to avoid and/or minimize adverse impacts to coastal resources, as well as proposed mitigation measures to avoid and/or minimize any potential impacts.

Project Description

At this time, the Company proposes to develop approximately 40 percent of the Lease Area in the northwest corner closest to shore (19,441 hectares; the Wind Development Area). Infrastructure in the Wind Development Area will include wind turbine generators (WTGs), inter-array cables, and an electrical service platform (ESP). The Project will connect from the ESP through offshore export cables (within a designated corridor) and onshore export cables to the new onshore substation in the City of Virginia Beach, Virginia, where the renewable electricity generated will be transmitted to the electric grid (Figure A-1 and Figure A-2). Project facilities will not be located within North Carolina's coastal area nor will be located onshore in North Carolina.

As abovementioned, energy from the Project will be delivered to the electric grid via a new onshore substation to be constructed in the City of Virginia Beach, Virginia within the Corporate Landing Business Park parcel owned by the City of Virginia Beach (Figure A-2). The purpose of the new onshore substation is to step down the voltage to support interconnection of the Project to the existing electrical grid. The onshore substation will contain electrical and control equipment, some of which will be enclosed in buildings or walled structures. The facility will be compliant with City of Virginia Beach building codes, electrical standards, and environmental regulations.

Project transmission facilities will be comprised of both onshore and offshore components. Energy from the offshore wind facility will be delivered to the existing electric grid onshore via onshore and offshore export cables and onshore substation facilities. Two three-core submarine cables, each with an embedded fiber optic cable, will bring energy from the Wind Development Area to landfall within a parking lot at Sandbridge Beach, Virginia, just south of the public right-of-way (ROW) for Sandbridge Road. The parking lot south of the public ROW for Sandbridge Road near Sandbridge Beach will also serve as the temporary construction staging and operations area. Both portions of the lot, to the north and south of Sandbridge Seaside Market, will be utilized to install the required ducts to bring the cables ashore. The ocean to land transition at the landfall will be installed using horizontal directional drilling, which will avoid or minimize impacts to the beach, intertidal zone, and nearshore areas and achieve a burial significantly deeper than any expected erosion.

The Project will utilize various ports in the Lower Chesapeake Bay Area (Hampton Roads, Elizabeth River, Cape Charles, and Cape Henry) for staging of Project components and construction vessels. Improvements

may be made to these ports to accommodate offshore wind construction and staging activities; port improvements and the associated permitting activities will be the responsibility of port owners/operators.

Additionally, the Company is considering the following locations for the operations and maintenance facilities, as described in Section 3.3 of the COP: Portsmouth, Virginia; Newport News, Virginia; Cape Charles Virginia; and Chesapeake, Virginia.

Section 3.2 of the COP, Project Design and Installation Activities, provides a description of the Project construction methods, including details on the construction of both the onshore and offshore Project facilities including WTGs, inter-array cables, and ESP within federal waters. Section 3.2 also includes a summary of the construction vessels, helicopters and oils, fuels and Project-related waste. Section 3.3 of the COP, Operations and Maintenance, provides a summary of the operations and maintenance activities, proposed vessels and helicopters, and lighting and marking of the offshore Project components (i.e., WTGs and ESP).

Section 3.4 of the COP, Decommissioning, includes a description of decommissioning activities and measures for ensuring all components are removed at the end of the Project's useful life estimated to be 35 years after construction is completed. Per 30 CFR § 585.235(3) and Addendum B of the Lease, the operations term of the Project is 25 years, commencing on the date of COP approval. Two years before the end of operations term, the Company may request renewal of its Lease in accordance with 30 CFR §§ 585.425 through 429. Decommissioning requirements are defined in Section 13 of the Lease. At the end of the Project's useful life, the Project will be decommissioned in accordance with a detailed Project decommissioning plan that will be developed in compliance with applicable laws, regulations, and best management practices at that time. Unless otherwise authorized by BOEM, pursuant to 30 CFR § 585.902 the Company is required to "remove or decommission all facilities, projects, cables, pipelines, and obstructions and clear the seafloor of all obstructions created by activities on the leased area." Furthermore, in accordance with 30 CFR § 585.905, the Company is required to submit a decommissioning application two years before the expiration of the Lease. Accordingly, the Company will develop a detailed decommissioning and removal plan for the facility that complies with all relevant regulatory and permitting requirements. This plan will account for changing circumstances during the operations phase of the Project, including new discoveries in the marine environment, technology, and any relevant amended legislation.

Thank you for your attention to this matter. Please do not hesitate to contact Amanda Mayhew, Permitting Manager, via email at amanda.mayhew@avangrid.com or via phone at (804) 997-5043.

Respectfully,

Megan E. Higgins

Megan Higgins

Senior Director / Director, Offshore Business Development, Avangrid Renewables, LLC

Cc: John Stokely, Bureau of Ocean Energy Management
Stephanie Goyette, Tetra Tech, Inc.

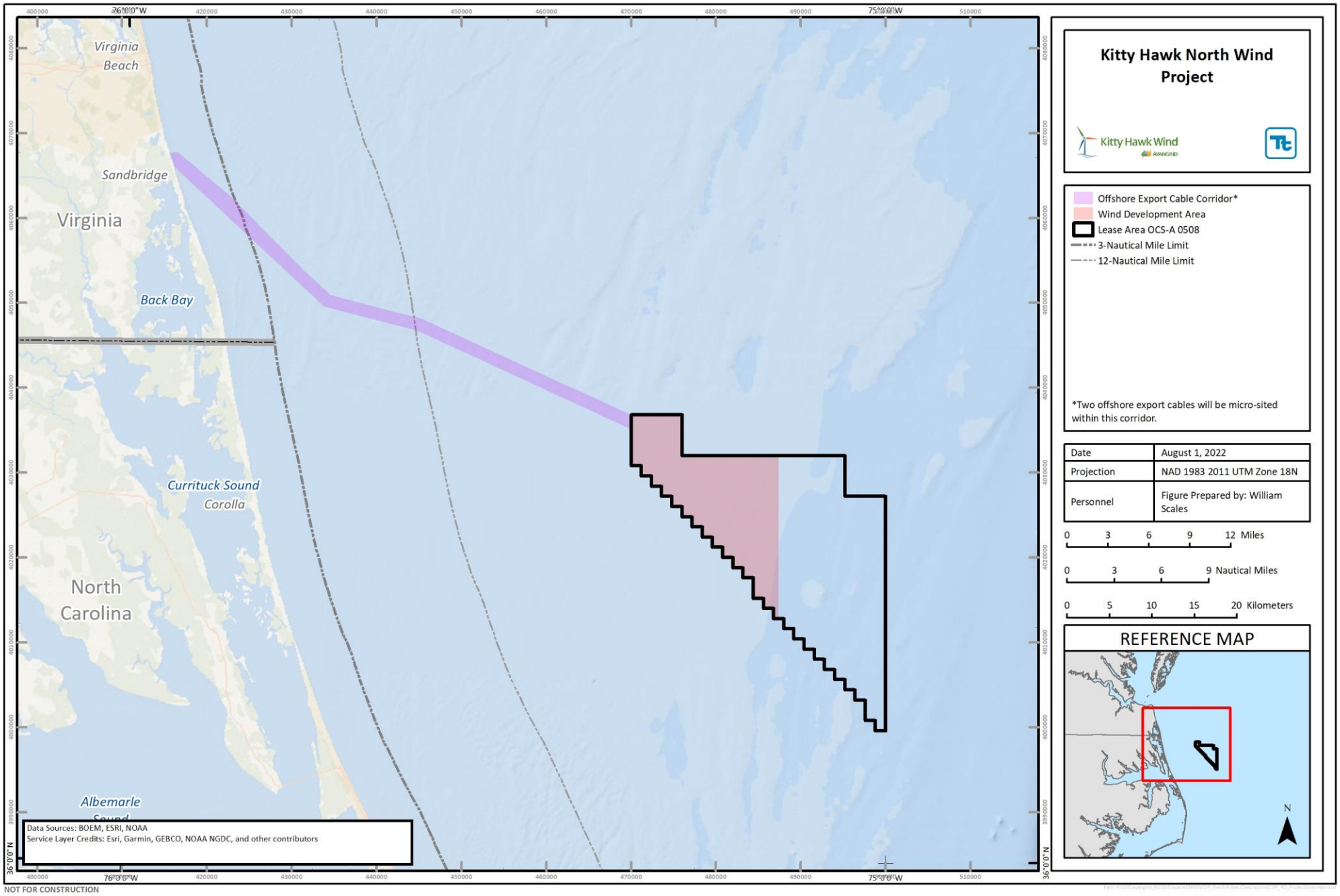

Figure A-1 Offshore Project Component Overview

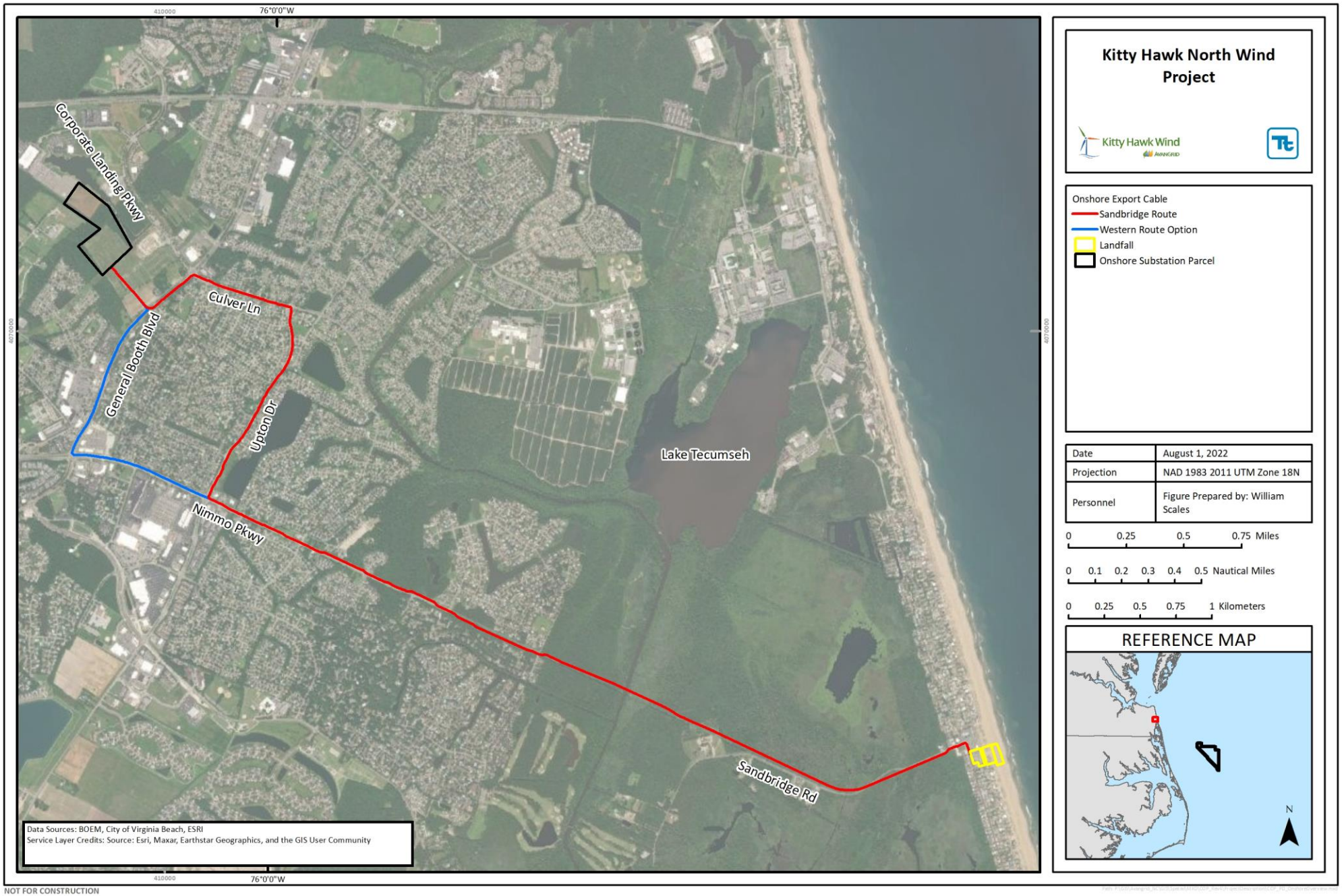

Figure A-2 Onshore Project Component Overview

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ACRONYMS AND ABBREVIATIONS

AEC	Areas of Environmental Concern
CAMA	Coastal Area Management Act
CFR	Code of Federal Regulations
CMP	Coastal Management Program
COP	Construction and Operations Plan
CZMA	Coastal Zone Management Act of 1972
DCM	North Carolina Division of Coastal Management
NCAC	North Carolina Administrative Code
offshore export cables	Cables connecting the electrical service platform to the transition bay at the landfall
Project	Kitty Hawk North Wind Project
the Company	Kitty Hawk Wind, LLC
USCG	United States Coast Guard
Wind Development Area	Approximately 40 percent of designated Renewable Energy Lease Area OCS-A 0508, in the northwest corner closest to shore (19,441 hectares)

A.1 NORTH CAROLINA COASTAL MANAGEMENT PROGRAM FEDERAL CONSISTENCY CERTIFICATION REVIEW

The Coastal Zone Management Act of 1972 (CZMA) requires that federal actions likely to affect any land or water use, or natural resource of a state's coastal zone, be conducted in a manner that is consistent with that state's federally approved Coastal Management Program (CMP). The North Carolina CMP was established in 1978 and is administered by the North Carolina Division of Coastal Management (DCM). The applicable enforceable policies of North Carolina's CMP are described below, pursuant to 15 Code of Federal Regulations (CFR) § 930.58, and include the Coastal Area Management Act (CAMA), the North Carolina Dredge and Fill Law, local land use plans of the 20 coastal counties certified by the Coastal Resources Commission, and Chapter 7 of Title 15A of the North Carolina Administrative Code (NCAC). Each section includes a summary of the enforceable policy and demonstration of how Kitty Hawk Wind, LLC (the Company) will be consistent, to the maximum extent practicable, with the State's CMP, in accordance with CZMA § 307(c)(3)(A) and 15 CFR 930 Subpart E. Each section also includes references to supporting documentation (e.g., Construction and Operations Plan [COP] sections and COP appendices).

A.1.1 Coastal Area Management Act

A.1.1.1 Summary

The North Carolina CAMA, passed by the North Carolina General Assembly two years after the passage of the CZMA, established the Coastal Resources Commission, required local land use planning in 20 coastal counties and provided for a program for regulating development. CAMA is the overarching statutory authority for: (1) the state guidelines adopted by regulations in Chapter 7 of Title 15A of NCAC, (2) local land use plans, and (3) the state permitting process for major development actions. The intention of the program is to provide a management system through policies and standards to protect, preserve, and conserve coastal natural resources while providing a balanced opportunity to use coastal resources for the purposes of economic development, recreation and tourist facilities, transportation, and historic, cultural, and scientific resources.

A.1.1.2 Response

The Company's proposed Kitty Hawk North Wind Project (Project) will meet the requirements of CAMA through compliance with North Carolina's enforceable policies. The Company has evaluated the Project for consistency with the enforceable policies regarding dredging, filling, local land use plans, and Chapter 7 of Title 15A of NCAC. As part of this consistency certification, the Company has evaluated and documented in Table 1 how the development and operation activities of the proposed Project will comply with each of the enforceable policies.

No reasonably foreseeable effects to North Carolina's offshore and coastal resources or uses are expected from the Company's proposed activities. Project construction and operations activities proposed by the Company are not located within North Carolina state waters. The Wind Development Area is located approximately 44 kilometers from the North Carolina shore and the offshore export cable corridor will not cross into North Carolina state waters. Therefore, the Company anticipates minimal effects on North Carolina's coastal and marine resource uses and minimal contact with marine activities such as commercial and recreational fishing, recreational boating, diving, or shipping. The Company will continue to coordinate closely with Bureau of Ocean Energy Management, United States Coast Guard (USCG), Department of Defense, North Carolina Department of Environmental Quality, other appropriate regulatory agencies, and ocean users to avoid interactions during construction, operations, and decommissioning activities.

The Company will implement the following coordination measures:

- Continue to communicate and engage with key national security stakeholders, including the USCG, Department of Defense, and others to coordinate installation activities.
- Post regular updates to the Company's website so that mariners know what work is being done in the various offshore Project locations.
- Local Notices to Mariners and Broadcast Local Notices to Mariners will be published by the USCG to inform mariners of Project activities in the area. Continue to engage with fishers, as described in the Fisheries Communication Plan, prior to and during all construction activities to ensure all required area closures will be communicated to the fishing industry and all other necessary parties.

A.1.1.3 Corresponding COP Sections

The following sections and appendices of the COP address the applicable CAMA enforceable policies: Chapter 3, Description of Proposed Activity; Section 6.3, Aboveground Historic Resources; Section 7.1 Recreation and Tourism; Section 7.2, Commercial and Recreational Fishing; Section 7.3, Marine Transportation and Navigation; Section 7.4, Department of Defense and Outer Continental Shelf National Security Maritime Uses; Section 7.7, Other Coastal and Marine Uses; Section 7.8, Population, Economy, Employment, and Housing; Appendix B, Summary of Agency and Stakeholder Engagement; Appendix Z, Historic Resources Visual Effects Assessment; Appendix AA, Visual Impact Assessment; Appendix BB, Navigation Safety Risk Assessment; Appendix EE, Economic Impact of Kitty Hawk Offshore Wind; and Appendix FF, Summary of Applicant-Proposed Avoidance, Minimization, and Mitigation Measures.

A.1.2 North Carolina Dredge and Fill Law

A.1.2.1 Summary

The North Carolina Dredge and Fill Law regulates the excavation or filling of estuarine waters, tidelands, marshlands, or State-owned lakes.

A.1.2.2 Response

This policy is not applicable. Project activities proposed by the Company are not located within North Carolina state waters. The Wind Development Area is located approximately 44 kilometers from the North Carolina shore and the offshore export cable corridor will not cross into North Carolina state waters.

A.1.2.3 COP Section

Chapter 3, Description of Proposed Activity.

A.1.3 Local Land Use Plans

A.1.3.1 Summary

CAMA requires each of the 20 coastal counties to have a local land use plan in accordance with guidelines established by the Coastal Resources Commission. These land use plans include policies and maps that guide the communities' growth and development and are a fundamental element of coastal management in the State of North Carolina. At the local level, land use plans provide guidance for both individual projects and a broad range of policy issues, such as the development of regulatory ordinances and public investment programs. The DCM provides technical assistance to local governments through its planners, who are located in the division's district offices.

A.1.3.2 Response

This policy is not applicable. No impacts on North Carolina's local land use are expected from the Company's proposed activities. As proposed operations are limited to wind power generation and related infrastructure located solely in federal waters and territorial waters and land of Virginia, the Company's proposed Project will not have any direct impact to North Carolina local land use.

A.1.3.3 COP Section

Chapter 3, Description of Proposed Activity.

A.1.4 North Carolina Administrative Code: Title 15a, Chapter 7, Coastal Management

Two subchapters of Chapter 7 of the NCAC, 7H and 7M, constitute enforceable policies which are applicable to the proposed Project. The remaining subchapters are not applicable to the Project. Project consistency with Subchapters 7H and 7M is addressed below.

A.1.4.1 State Guidelines for Areas of Environmental Concern: 15A NCAC 07H

Summary

Areas of Environmental Concern (AECs) are areas of state-wide concern within the coastal area designated by the Coastal Resources Commission to protect them from uncontrolled development that may cause irreversible damage to property, public health, or the environment. An AEC is prone to erosion and flooding and it may have environmental, social, economic, or aesthetic values that make it valuable to the State of North Carolina. AECs cover a majority of the state's coastal zone and are comprised of four categories: Estuarine and Ocean System; Ocean Hazard System; Public Water Supplies; and Natural and Cultural Resource Areas.

- The Estuarine and Ocean System AEC is the coast's largest network of brackish sounds, marshes and surrounding shores, typically found where rivers and streams meet the ocean. Four components comprise this system: coastal shorelines; coastal wetlands; public trust areas, including all waters of the Atlantic Ocean extending to the state's official boundary three miles offshore; and estuarine waters consisting of the state's oceans, sounds, tidal rivers and their tributaries.

- The Ocean Hazard System AEC consists of oceanfront property and inlets that connect the ocean to the sounds, including beaches subject to erosion and lands subject to flooding.

- The Public Water Supply AEC protects specific coastal public water supplies from the negative impacts of development.

- The Natural and Cultural Resources AECs contain environmental or cultural resources of state importance. The four categories that make up this AEC include: (1) significant coastal archaeological resources; (2) unique coastal geologic formations; (3) complex coastal natural areas that provide habitat unaltered by human activity and support native plant and animal communities; and (4) coastal areas that sustain remnant native plants or animal species that are state or federal government designated as rare, threatened, or endangered through the protection of habitat.

Response

Construction, operations, and decommissioning activities comply, to the extent applicable, with this policy. The Project will not occur in any state-designated AECs and will therefore not cause irreversible damage to property, public health, or the environment related to estuarine and ocean systems, ocean hazard

systems, public water supplies, and natural and cultural resources. Table A-1 provides further details on how the Project complies with the state's enforceable policies.

COP Section

Chapter 3, Description of Proposed Activity.

A.1.4.2 General Policy Guidelines for the Coastal Area: 15A NCAC 07M

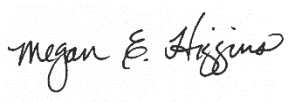
Subchapter 7M contains a series of policies to address different activities that may occur in coastal areas. See Table A-1 below for policy summaries, means of compliance, and applicable COP sections.

A.2 CONSISTENCY CERTIFICATION

This document, along with the supporting documentation in the COP, provides the State of North Carolina with the Company's Consistency Certification and necessary data and information under CZMA Section 307(c)(3)(A) and 15 CFR Part 930, subparts D and E, for the Project.

Pursuant to 15 CFR § 930.57, the Company certifies that the Project's proposed activities comply with the enforceable policies of the State of North Carolina's approved management program and will be conducted in a manner consistent with such program.

AVANGRID RENEWABLES, LLC



Megan Higgins

Senior Director / Director, Offshore Business Development

September 30, 2022

Table A-1 General Policy Guidelines for the Coastal Areas Consistency Certification

Policy	Policy Summary	Compliance Summary	Location in the COP
.0200 Shoreline Erosion Policies	This policy provides protection of ocean and estuarine shoreline properties against loss of life, property and amenities, namely due to erosion. Recreational use of the shorelines of the state must be maintained and reasonable rules and public expenditures should be accomplished in a coordinated manner to minimize the likelihood of damage to private and public resources resulting from recognized coastal hazards.	This policy is not applicable because the Project will not impact North Carolina shoreline property/soils. Construction, operations, and decommissioning activities will not occur within the North Carolina state coastal zone boundary and will not be located onshore in North Carolina.	Not applicable.
.0300 Shorefront Access Policies	This policy provides standards for public access to North Carolina's ocean beaches, estuarine, public trust waters and waters of the 20-county coastal region. Access shall be consistent with rights of private property owners and the concurrent need to protect important coastal natural resources such as sand dunes and coastal marsh vegetation.	This policy is not applicable because the Project does not require shorefront access off the coast of North Carolina. Construction, operations, and decommissioning activities will not occur within the North Carolina state coastal zone boundary and will not be located onshore of North Carolina.	Not applicable.
.0400 Coastal Energy Policies	This policy ensures that the development of energy facilities and resources, both onshore and offshore, avoids significant adverse impacts to coastal resources or uses, public trust areas and public access rights. Offshore leasing actions, including construction, operations, and decommissioning of an energy facility, must be consistent with the policies of the North Carolina CMP.	Construction, operations, and decommissioning activities comply, to the extent applicable, with this policy. The Project is not located within the North Carolina state coastal zone boundary and will not be located onshore of North Carolina. However, potential impacts may occur to marine resources and uses within the vicinity of the North Carolina coastal zone. The Company will construct, operate, and decommission the Project according to the activities described in the COP, which considers physical, biological, cultural, visual, and socioeconomic resource protection, both onshore and offshore. Project facilities were sited to avoid resources adjacent to North Carolina state waters including but not limited to, archaeological and cultural resources, shipping lanes, military use areas, and areas of biological significance such as offshore reefs, hard bottom areas, primary or secondary nursery and spawning areas, and submerged aquatic vegetation. Protected Species Observers will be on board vessels monitoring for the presence of marine mammals and sea turtles and will follow the agency approved protocols if any listed species is observed during construction, operations, or decommissioning activities. Offshore construction, operations, and decommissioning air emissions from marine vessels and helicopters will be subject to New Source Review as part of the Outer Continental Shelf air permit application required under 40 CFR Part 55. The Company will apply for and obtain the required Outer Continental Shelf air permit prior to commencement of offshore construction. Project-related vessels will also be subject to USCG wastewater and discharge regulations and will operate in compliance with oil spill prevention and response plans that meet USCG requirements. Vessel traffic is common along the Atlantic coast and it is anticipated that the vessels required to transport Project components to and from the Wind Development Area will not substantially increase the volume of traffic along the North Carolina coast. The majority of the vessels that will be used for Project construction, operations, and maintenance will be similar in size and shape to existing commercial and military vessels in the area. Nighttime construction activities within select locations of the Wind Development Area will cause short-term visual effects to coastal vantage points due to lighting requirements for construction. The Visual Impact Assessment is being revised and will be submitted as a supplemental filing to this COP. Following an extensive literature review, oral history collection, and data analysis, the Company can confirm that the Project is exceptionally well sited from a fisheries perspective. The Wind Development Area is inshore of the most intensive trawl fisheries and offshore and north of other relatively intensive commercial fisheries. It is also outside of the route most heavily transited by the Highly Migratory Species charter, private, and commercial fleets based in Oregon Inlet, North Carolina. The Project was sited and the size was selected by a joint state/federal taskforce, which took input from the North Carolina Division of Marine Fisheries regarding fisheries. The Company has participated in engagement and coordination with stakeholders specific to commercial and recreational fisheries since May of 2019 (see Table 7.2.-2 in the COP for a stakeholder engagement summary) and has contracted a local Fisheries Liaison Officer and local Fisheries Representative. Together, the Fisheries Liaison Officer and Fisheries Representative have developed a comprehensive understanding of the history of commercial and recreational fisheries within the Wind Development Area, and potential impacts to fisheries. The local knowledge gained through their outreach to the local fishing industry and the development of a comprehensive Fisheries Communications Plan and network have resulted in recommendations to the Project team to avoid and minimize impacts to local fisheries. Potential impacts may include short-term localized impacts to commercial and recreational target species due to	Chapter 3, Description of Proposed Activity; Chapter 4, Physical Resources Chapter 5, Biological Resources; Chapter 6, Cultural Resources Chapter 7, Visual Resources; Chapter 8, Socioeconomic Resources; Appendix I Oil Spill Response Plan; Appendix N, Air Emissions Calculations and Methodology; Appendix Z, Historic Resources Visual Effects Assessment; Appendix AA, Visual Impact Assessment; Appendix BB, Navigation Safety Risk Assessment; Appendix CC, Obstruction Evaluation and Airspace Analysis; Appendix DD, Air Traffic Flow Analysis; Appendix FF, Summary of Applicant-Proposed Avoidance, Minimization, and Mitigation Measures; Appendix GG Section 106 Supporting Materials

Policy	Policy Summary	Compliance Summary	Location in the COP
		installation of the offshore components, short-term presence of partially installed structures presenting collision and snagging risk, short-term implementation of safety zones around construction vessels, installation areas reducing access to fishing grounds, short-term increase in vessel traffic posing potential collision risk, long-term loss of access to traditional fishing grounds and modification of habitat. Mitigation measures associated with potential impacts to commercial and recreational fishing include engaging with fishers prior to and during all construction activities to ensure all required temporary area closures will be communicated to the fishing industry and all other necessary parties. Temporary safety zones of up to 500 meters in radius will be established around construction activities as applicable, and, where feasible, a minimum advisory safe passing distance for cable laying vessels will be implemented. Where USCG Safety Zone authorities are not applicable, the Company will use safety vessels to promote awareness of these activities and the safety of the construction equipment and personnel. The Company will also schedule and control Project-related vessels to best manage congestion and traffic flow in coordination with the USCG, Department of Defense, and other national security stakeholders and follow USCG and the Bureau of Ocean Energy Management's guidelines for lighting and marking for navigational safety purposes. Where practical, Project vessels will utilize transit lanes, fairways, and predetermined passage plans consistent with existing waterway uses. Additional mitigation measures are outlined in the respective sections, as applicable, when impacts to resources cannot be avoided. Through these steps, the Company will adhere to standards set forth in the NCAC, as required by the policy.	
.0500 Post-Disaster Policies	This policy states that all state agencies shall coordinate with each other to reduce damage from coastal disasters through post-disaster planning.	This policy is not applicable because the Project is not proposed to be constructed by a state agency. However, information on pre-disaster planning can be found in the COP (Section 4.1, Physical and Oceanographic Conditions; Section 7.12, Health and Safety and Low Probability Events).	Not applicable.
.0600 Floating Structure Policies	This policy states that floating structures shall not infringe upon the public trust rights nor discharge into the public trust waters of the coastal area. A structure will be considered a floating structure when it is inhabited or used for commercial purposes for more than thirty days in any one location. A boat may be deemed a floating structure when its means of propulsion has been removed or rendered inoperative and it contains at least 200 square feet of living space area.	This policy is not applicable because the Project is not located within North Carolina state waters. Therefore, floating structures will not infringe upon the public trust rights nor discharge into the public trust waters of the coastal area.	Not applicable.
.0700 Mitigation Policy	This policy requires mitigation and minimization of adverse impacts to coastal lands and waters in order to protect coastal ecosystems. Impacts must be avoided or minimized and then mitigation can be used to enhance coastal resources and offset any losses resulting from Project development.	Construction, operations, and decommissioning activities comply, to the extent applicable, with this policy. The Company has avoided and minimized impacts to the maximum extent practicable. The Company has also integrated mitigation measures into its Project design to further ameliorate any potential adverse effects to coastal ecosystems. The Company either has sited the Project to avoid coastal natural resource areas or has selected construction techniques such as the use of jetting tools, horizontal directional drilling techniques, and use of Dynamic Positioning vessels minimize and/or avoid impacts to these resources. Further discussion of the potential impacts and the Company's avoidance, minimization, and mitigation activities as they relate to coastal ecosystems are described in Chapters 4 (Physical Resources) and 5 (Biological Resources) of the COP.	Chapter 2, Project Siting and Design Development, Chapter 3, Description of Proposed Activity; Chapter 4, Physical Resources; Chapter 5, Biological Resources; Appendix FF, Summary of Applicant-Proposed Avoidance, Minimization, and Mitigation Measures
.0800 Coastal Water Quality Policies	This policy addresses the importance of coastal waters as a valuable natural and economic resource of statewide significance. Preserving water quality is of utmost importance for various traditional water activities. Sources of water pollution are to be managed to preserve the quality of coastal waters. Improper operation of boats and their sanitation devices is recognized as a potential threat to water quality.	Construction, operations, and decommissioning activities comply, to the extent applicable, with this policy. Water quality impacts from the Project are not applicable. Project-related vessels will be subject to USCG wastewater and discharge regulations and will operate in compliance with oil spill prevention and response plans that meet USCG requirements. Prevention and response measures for accidental spills and releases are further described in Appendix I Oil Spill Response Plan. Additionally, the Company will use scour protection as necessary around the foundations and to further minimize effects of local sediment transport. Offshore, anthropogenic processes such as trawling and dredging regularly create water quality impacts that are similar to or larger than impacts associated with cable installation, and these activities have not been shown to inhibit fish migration or transit. Further, results from the sediment transport model show that suspended sediments from cable installation will be short-term and localized.	Chapter 3, Description of Proposed Activity; Section 4.2, Water Quality; Appendix I Oil Spill Response Plan; Appendix M, Sediment Transport Modeling Report
.0900 Policies on Use of Coastal Airspace	This policy provides protection for airspace for use by state, federal and local government agencies for the purposes of managing and protecting coastal resources, detecting violations of environmental laws and rules and performing other functions related to the public health, safety and welfare. Future economic development and management in the coastal region will require air access.	Construction, operations, and decommissioning activities will comply with this policy, as impacts will not be applicable.	Chapter 3, Description of Proposed Activity

Policy	Policy Summary	Compliance Summary	Location in the COP
.1000 Policies on Water and Wetland Based Target Areas for Military Training Activities	This policy establishes conditions for military water and wetland-based training/target areas. Adverse impacts to coastal resources and on the exercise of public trust rights may result from military usage. The public interest requires that, to the maximum extent practicable, use of such targets not infringe on public trust rights, cause damage to public trust resources, violate existing water quality standards or result in public safety hazards.	This policy is not applicable because the Project does not involve military water or wetland-based training/target areas.	Not applicable.
.1100 Policies on Beneficial Use and Availability of Materials Resulting from the Excavation or Maintenance of Navigational Channel	This policy requires clean, beach quality dredged material from navigation channels to be used in a beneficial way wherever practicable. Proper disposal of dredged materials on the ocean beach or shallow active nearshore areas is encouraged as a more environmentally acceptable and compatible option. Restoration of estuarine waters and areas impacted by existing disposal sites or practices is encouraged.	This policy is not applicable because dredging will not occur within navigation channels.	Not applicable.
.1200 Policies on Ocean Mining	This policy establishes guidelines for ocean mining activities including dredging, blasting, or other methods of excavation. No ocean mining shall be conducted unless plans for such mining include reasonable provisions for protection of the physical environment, its resources, and appropriate reclamation or mitigation of the affected area as set forth and implemented under authority of the Mining Act (General Statute 74-48) and CAMA.	This policy is not applicable because the Project does not include ocean mining activities.	Not applicable.