



United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT
WASHINGTON, DC 20240-0001

Ms. Christen Wittman
Attentive Energy LLC
311 Summer Street, Suite 200
Boston, Massachusetts 02210

Dear Ms. Wittman:

This letter serves to inform you that the Bureau of Ocean Energy Management (BOEM) has approved the Site Assessment Plan (SAP) that Attentive Energy LLC (Attentive Energy) submitted for commercial wind lease OCS-A 0538 offshore New Jersey and New York. Attentive Energy initially filed the SAP on January 20, 2023, and submitted amended versions on February 24 and September 20, 2023, followed by a complete final version on October 30, 2023. The five-year site assessment term of lease OCS-A 0538 commences on the date of this letter, pursuant to 30 C.F.R. § 585.235(a)(2).

On January 31, 2023, the U.S. Department of the Interior published a final rule that reassigns renewable energy regulations pertaining to safety, environmental oversight, and enforcement from BOEM to the Bureau of Safety and Environmental Enforcement (BSEE). Lease activities, including activities included in the SAP, are therefore subject to offshore renewable energy and alternate use regulations at 30 CFR Part 285 and Part 585.

BOEM's approval is subject to the enclosed Conditions of SAP Approval, incorporated into your SAP pursuant to 30 C.F.R. § 585.613(e)(1). Additionally, to ensure compliance with the approved SAP, Attentive Energy must:

1. Notify BSEE in writing within 30 days of completing the installation activities approved in your SAP, pursuant to 30 C.F.R. § 285.615(a).
2. Submit to BOEM an annual report that summarizes your site assessment activities and the results of those activities, pursuant to 30 C.F.R. § 585.615. This report is due each November 1 of your site assessment term, starting on November 1, 2024.
3. Submit an annual certification of compliance with the enclosed SAP Approval Conditions, pursuant to 30 C.F.R. § 285.615(b). This compliance certification must include:
 - a. Summary reports that cover, and demonstrate compliance with, all of the conditions (provided in sections 1 through 7 of the Conditions of SAP Approval); and

- b. A statement identifying and describing any mitigation measures and monitoring methods that you have taken, as well as their effectiveness. If you identify measures that are not effective, you must make recommendations for new mitigation measures or monitoring methods and explain why you believe they would be effective.
4. Develop a comprehensive annual Self-Inspection Plan, pursuant to 30 C.F.R. § 285.824(a), and submit an annual Self-Inspection Report to BSEE, pursuant to 30 C.F.R. § 285.824(b). This report is due no later than November 1 of each year that your site assessment facility is in operation, starting on November 1, 2024.

Additionally, pursuant to 30 C.F.R. § 285.902(b), Attentive Energy must submit a decommissioning application to, and receive approval from, BSEE before decommissioning the facilities under your SAP.

This letter constitutes a final BOEM decision that may be appealed pursuant to 30 C.F.R. § 585.118, 30 C.F.R. Part 590, and 43 C.F.R. Part 4, Subpart E.

If you have any questions, please contact Whitney Hauer, Project Coordinator, Office of Renewable Energy Programs, at Whitney.Hauer@boem.gov or (571) 536-8698.

Sincerely,

Karen J. Baker
Chief
Office of Renewable Energy Programs

Enclosures