U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT

Conditions of Construction and Operations Plan Approval
Lease Number OCS-A 0521
January 17, 2025

Subject to the conditions set forth in this document, the Bureau of Ocean Energy Management (BOEM) approves SouthCoast Wind Energy LLC (Lessee or SouthCoast) to conduct activities under the Construction and Operations Plan (COP)[1] for the SouthCoast Wind Project in Lease Area OCS-A 0521 (Lease). The Department of the Interior (DOI) reserves the right to amend these conditions or impose additional conditions authorized by law or regulation on any future approvals of COP revisions.

The Lessee must maintain a full copy of these terms and conditions on every Project-related vessel and is responsible for the implementation of, or the failure to implement, each of these terms and conditions by the Lessee's contractors, consultants, operators, or designees.

Contents:

[1] SouthCoast Wind. November 2024. Construction and Operations Plan, SouthCoast Wind, Volumes I-II.

1 GENERAL PROVISIONS

1.1 Adherence to the Approved Construction and Operations Plan, Statutes, Regulations, Permits, and Authorizations. The Lessee must conduct all activities as proposed in its approved COP for the Project, as stated in these terms and conditions, and as described in any final plans with which the BOEM and/or the Bureau of Safety and Environmental Enforcement (BSEE) have concurred. Additionally, the Lessee must comply with all applicable requirements in commercial Lease OCS-A 0521, statutes, regulations, consultations, and permits and authorizations issued by federal, state, and local agencies for the Project. BOEM and/or BSEE, as applicable, may issue a notice of noncompliance, pursuant to 30 C.F.R. § 585.106(b) and 30 C.F.R. § 285.400(b), if it is determined that the Lessee failed to comply with any provision of its approved COP, the Lease, the Outer Continental Shelf Lands Act (OCSLA), or OCSLA's implementing regulations. BOEM and/or BSEE may also take additional actions pursuant to 30 C.F.R. §§ 585.106 and 285.400, where appropriate.

1.1.1 As provided in the COP and modified by the selected Alternative in the Record of Decision (ROD), the Lessee may construct and install on the Outer Continental Shelf (OCS) a combination of up to 141 wind turbine generators (WTGs) and up to 5 offshore substation platforms (OSPs) in a total of up to 143 positions. The Lessee may construct and install inter-array and interlink cables linking the individual WTGs to the OSPs and up to 8 offshore export cables within export cable corridors (ECC) on the OCS.

1.2 Record of Decision. All mitigation measures selected in the ROD for this Project are incorporated herein by reference and are considered terms and conditions of this COP. To the extent there is any inconsistency between the mitigation measures in the ROD and these terms and conditions, these terms and conditions will prevail.

1.3 Effective Date. This COP approval and these associated terms and conditions become effective on the date BOEM notifies the Lessee that its COP has been approved and remain effective until the earlier of the end of the operations period or termination of the Lease.

1.4 Consistency with Other Agreements and Authorizations. In the event that these terms and conditions are, or become, inconsistent with the terms and conditions of the Project's Biological Opinion (BiOp) issued by the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) on November 7, 2024;[2] the BiOp issued by the U.S. Fish and Wildlife Service (USFWS) on September 1, 2023;[3] the Letter of Authorization (LOA) issued for the Project under the Marine Mammal Protection Act (MMPA); the Section 106 Memorandum of Agreement (MOA) executed on December 18, 2024, or amendments to any of these documents; the language in the NMFS

[2] *See* BiOp Letter from Michael Petony, Regional Administrator, US Dept of Commerce National Oceanic and Atmospheric Administration NMFS GARFO, to Karen Baker, Chief Office of Renewable Energy Programs, BOEM. National Marine Fisheries Service Endangered Species Act Section 7 Biological Opinion (November 7, 2024), https://www.boem.gov/renewable-energy/state-activities/nmfs-esa-consultations [hereinafter NMFS BiOp]. This is inclusive of the avoidance, minimization, and mitigation measures described in the proposed action and included in the BiOp's ITS.

[3] *See* BiOp Letter from Audrey Mayer, Supervisor, New England Field Office, Fish and Wildlife Serv., to Karen Baker, Chief, Office of Renewable Energy Programs, BOEM. (September 1, 2023), https://www.boem.gov/renewable-energy/state-activities/fws-esa-consultations [hereinafter USFWS BiOp]. This is inclusive of the avoidance, minimization, and mitigation measures described in the proposed action and included in the BiOp's ITS.

BiOp, USFWS BiOp, LOAs, Section 106 MOA, or amendments to any of these documents, will prevail. To the extent the Lessee identifies inconsistencies within or between the language in the NMFS BiOp, USFWS BiOp, LOA, Section 106 MOA, or amendments to any of these documents, it must direct questions regarding potential inconsistencies to BSEE and BOEM. BSEE, in consultation with BOEM, will determine how the Lessee must proceed. Activities authorized by COP approval will be subject to any terms and conditions and reasonable and prudent measures (RPMs) resulting from a BOEM-reinitiated consultation for the Project's NMFS BiOp or USFWS BiOp, and any stipulations resulting from amendments to the Section 106 MOA.

1.5 Variance Requests. The Lessee may submit a written request via email to the BOEM Office of Renewable Energy Programs Deputy Chief for Atlantic Operations and to BSEE through TIMS Web (https://timsweb.bsee.gov/), requesting a variance from the requirements of these conditions. The request must explain why compliance with a particular requirement is not technically and economically practicable or feasible and any alternative actions the Lessee proposes to take in lieu of the requirement. BSEE may require a Certified Verification Agent (CVA) to review and make a recommendation to BSEE and/or BOEM on the technical acceptability and compliance with the COP of the Lessee's variance request and any alternative actions the Lessee proposes to take. To the extent not otherwise prohibited by law and after consideration of all relevant facts and applicable legal requirements, as well as after consultation or coordination with other federal agencies as the Bureaus deem appropriate, BOEM or BSEE, in consultation with the other Bureau, may grant a request for variance if the appropriate Bureau determines that the variance: (1) would not result in a change in the Project impact levels described in the Final Environmental Impact Statement (Final EIS) and ROD for the Project, (2) would not alter obligations or commitments resulting from consultations performed by BOEM and BSEE under federal law in connection with this COP approval in a manner that would require BOEM to reinitiate or perform additional consultations (e.g., under the Endangered Species Act (ESA), Coastal Zone Management Act (CZMA), National Historic Preservation Act (NHPA), Magnuson-Stevens Fishery Conservation and Management Act (MSA)); and (3) would not alter BOEM's determination that the activities associated with the Project would be conducted in accordance with subsection 8(p)(4) of OCSLA. Variance requests that would require BOEM to reinitiate or to perform additional consultations are not appropriate for adjudication through the variance process and likely would require a COP revision pursuant to 30 C.F.R. § 585.634. After making a determination regarding a request for a variance, BOEM or BSEE will notify the Lessee in writing whether the appropriate Bureau(s) will allow the proposed variance from the identified requirements set forth in this COP approval. Approvals of variance requests will be made publicly available. This condition (Section 1.5) applies to the extent it is not inconsistent with more specific provisions for variances or departures in these terms and conditions.

1.6 48-Hour Notification Prior to Construction Activities. The Lessee must submit a 48-hour notification to BSEE through TIMS Web prior to the start of each of the following construction activities occurring on the OCS: seabed preparation activities such as boulder relocation and pre-lay grapnel runs, export cable installation, inter-array cable installation, WTG and OSP foundation installation, WTG tower and nacelle installation, OSP topside installation, and cable and scour protection installation.

1.7 Inspections. As provided for in Terms and Conditions Item 14 of the NMFS BiOp, the Lessee must consent to on-site observations and inspections by federal agency personnel, including NOAA personnel, during activities described in the NMFS BiOp, for the purposes of evaluating the effectiveness and implementation of measures designed to minimize or monitor incidental take.

1.8 Project Website. The Lessee must develop and maintain a Project website to provide a means for the public to communicate with the Lessee about the Project, including fisheries communication and outreach. The website must provide a method for the public to register comments or ask questions through either a direct link to a comment form or email, or by providing the contact information (phone and/or email address) of a Lessee representative who will, as practicable, respond to these communications.

1.8.1 The Lessee must post construction notices and other publicly relevant information to the Project website on a monthly basis. The Project website must allow users to subscribe (or unsubscribe) to an electronic mailing list for Project update notifications.

1.8.2 The Lessee must post the following information to the Project website within 5 business days of availability.

1.8.2.1 Locations where target burial depths were not achieved, the locations of cable protection measures, and the locations where cable burial conditions have deteriorated or changed significantly as identified in Section 2.15.

1.8.2.2 Project-specific information found in the most current Local Notices to Mariners (LNM).

1.8.2.3 The Fisheries Communication Plan (COP Appendix W).

1.8.3 Geographic information system (GIS) location data must be downloadable from the Project website and packaged in an ESRI-compatible format, preferably an ESRI shapefile. Files must use a NAD83 UTM Zone 19 or a geographic coordinate system in NAD83. A text file with table field descriptions that contain measurement units, where applicable, must be included.

1.9 Lease Segregation and Designation of Operators. Should the Lessee request to segregate the Lease and assign a portion of the Lease Area to a different lessee ("assignee") or designate multiple operators, BOEM reserves the right to issue separate COP approval letters, which may include conditions reflecting the appropriate party, either the assignor, assignee or operator, and conditions specific to the lease to which the particular COP approval letter pertains and its associated project components, as appropriate, and consistent with the alternative selected in the ROD and the mitigation measures adopted in the ROD. Further, should such assignment or designation of operator occur, the NHPA Section 106 MOA, entitled, Memorandum of Agreement Among the Bureau of Ocean Energy Management, Mashantucket (Western) Pequot Tribal Nation, Mashpee Wampanoag Tribe, Wampanoag Tribe of Gay Head (Aquinnah), the State Historic Preservation Officers of Massachusetts and Rhode Island, SouthCoast Wind Energy LLC, and the Advisory Council on Historic Preservation (ACHP) Regarding the SouthCoast Wind Project (Lease Number OCS-A 0521) and executed on December 18, 2024, will be

binding on the assignee or operator, even though such party was not an original signatory to the MOA.

1.10 Submissions. Unless otherwise stated, the Lessee must provide any submissions required under these conditions to the stated agencies through the following means:

1.10.1 BOEM[4] and/or BSEE:

1.10.1.1 For Sections 1 through 4 of this appendix, via email to the Office of Renewable Energy Programs Project Coordinator for submissions to BOEM;

1.10.1.2 For Sections 5, 6, 8, and 9 of this appendix, via email to renewable_reporting@boem.gov for submissions to BOEM and via TIMSWeb for submissions to BSEE; and

1.10.1.3 For Section 7 of this appendix and any other sensitive material submissions, via email to atlantic_section106@boem.gov for submissions to BOEM and via email to env-compliance-arc@bsee.gov to BSEE.

1.10.2 Unites States Army Corps of Engineers (USACE) New England District at cenae-r-offshorewind@usace.army.mil and Roberta.K.Budnik@usace.army.mil. The Lessee must confirm any additional points of contact with USACE prior to submission.

1.10.3 USFWS:

1.10.3.1 For Section 5 of this appendix, via email to New England Field Office at newengland@fws.gov.

1.10.3.2 For Section 8 of this appendix, via email to jaron_ming@fws.gov and AQ_BOEM@fws.gov.

1.10.3.3 The Lessee must confirm the correct point of contact with the USFWS prior to submitting.

1.10.4 United States Environmental Protection Agency (EPA) at mcgrath.morgan@epa.gov. The Lessee must confirm the correct point of contact with the EPA prior to submitting.

1.10.5 United States Coast Guard (USCG) First District. The Lessee must confirm the correct point of contact with the USCG prior to submitting.

1.10.6 NMFS:

1.10.6.1 NMFS Greater Atlantic Regional Fisheries Office Protected Resources Division (GARFO-PRD) at nmfs.gar.incidental-take@noaa.gov,

1.10.6.2 NMFS Office of Protected Resources (NMFS-OPR) at PR.ITP.MonitoringReports@noaa.gov,

1.10.6.3 NMFS GARFO Habitat and Ecosystem Services Division (GARFO-HESD) at NMFS.GAR.HESDoffshorewind@noaa.gov, and

[4] BOEM will notify the Lessee in writing if BOEM designates a different process for BOEM submissions.

1.10.6.4 NMFS Northeast Fisheries Science Center (NEFSC) at nefsc.survey.mitig@noaa.gov.

1.11 Calendar Days. Unless otherwise specified in the terms and conditions, the term "days" means "calendar days."

1.12 Temporary Placement of Equipment on the OCS Outside of the Lease Area. To the maximum extent possible, the Lessee must place all equipment, including jack-up legs, within the Lease Area (including the project easements). Subject to BSEE's concurrence and the following conditions, the Lessee may temporarily place equipment outside of the Lease Area, but in no case may the Lessee conduct activity on the OCS that is not described in the COP or place equipment on the OCS in an area for which the Lessee has not provided all required information in the COP under 30 C.F.R. § 585.626.

1.12.1 Notification of Activities Outside of the Lease Area. If the Lessee anticipates temporarily, (*i.e.,* a few days or hours) placing any equipment on the OCS outside the Lease Area, the Lessee must submit a notification to BSEE via TIMS Web 30 days prior to such activities. The Lessee must also clearly identify and include said activities in its Construction Status submissions under Section 2.23 or its Maintenance Schedule submissions under Section 2.24. The activities necessitating such placement of equipment will be reviewed by BSEE in coordination with BOEM to confirm that the equipment does not unreasonably interfere with other uses of the OCS. All such activities must be conducted in accordance with these terms and conditions of COP approval and all applicable requirements in the Lease, statutes, regulations, consultations, and permits and authorizations issued by federal, state, and local agencies for the Project. This requirement does not apply to anchors that have already been disclosed in an anchoring plan submitted, reviewed, and made final under Section 5.3.2.

1.12.2 Installation, Repair and Maintenance on the OCS Outside of the Lease Area on an Adjoining Lease. To the extent that equipment, including anchors, cannot be located within the Lease Area, and full enjoyment of the Lease requires the temporary placement of equipment in an adjoining lease, the Lessee must execute a long-term agreement with the adjoining leaseholder that describes the scope and timing of, and the manner in which the Lessee will perform, activities in the adjoining lease ("Installation, Repair and Maintenance Agreement"). If the Lessee and the adjoining leaseholder do not execute the Installation, Repair and Maintenance Agreement, then BOEM, in coordination with BSEE, may evaluate the scenario to determine if the proposed activities would result in unreasonable interference with the rights granted to the adjoining leaseholder and/or to ensure compliance with any other requirement in applicable law, and may impose any conditions deemed necessary.

1.13 Reporting Adjustments. If a term and condition requires periodic reporting of certain activities and no such activities transpire within a reporting period, the Lessee may submit a brief statement to the recipient specified in that term and condition in lieu of the submission of a full report.

2 TECHNICAL CONDITIONS

2.1 Munitions and Explosives of Concern/Unexploded Ordnance Investigation. The Lessee must investigate the areas of potential disturbance for the presence of Munitions and Explosives of Concern (MEC)/Unexploded Ordnance (UXO) and evaluate the risks consistent with the As Low as Reasonably Practical (ALARP) risk mitigation principle. The ALARP risk mitigation principle requires (1) a desktop study (DTS); (2) an investigation survey to determine the presence of objects and report findings; (3) an identification survey to determine the nature of the identified objects and report of findings; (4) MEC/UXO mitigation; and (5) a certification that MEC/UXO risks from installation and operation of the facility have been reduced to ALARP levels. The Lessee must implement the mitigation methods identified in the approved COP, the DTS, and the subsequent survey report(s) following the resolution of all comments provided by BOEM and/or BSEE. In the event an archaeological discovery is made during the MEC/UXO Investigation, the Lessee must notify BOEM within 24 hours of discovery (pursuant to 30 C.F.R. § 585.702 and Lease Stipulation 4.2.7 of Addendum "D"). As part of the Fabrication and Installation Report (FIR) and prior to commencing seabed preparation activities (such as but not limited to pre-lay grapnel run and boulder relocation) and installation activities, the Lessee must make available for review to the approved Certified Verification Agent (CVA), BOEM, and BSEE, the complete and final versions of information on implementation and installation activities associated with the ALARP mitigation process, including the: (1) DTS; (2) investigation surveys to determine the presence of objects; (3) identification surveys to determine the nature of the identified objects; and (4) MEC/UXO mitigation measure(s), and/or construction re-routing.

2.2 MEC/UXO Investigation Survey Plan. The Lessee must submit an Investigation Survey Plan to BOEM and BSEE for review and concurrence prior to seabed disturbing activities and the installation of facilities in the area of potential disturbance. The MEC/UXO Investigation Survey Plan must describe the surveys that will be performed to determine the nature of objects as potential MEC/UXO to reduce risks to ALARP levels. The plan must include information on the proposed survey vessel, equipment, methodologies, and planned survey schedule.

2.3 MEC/UXO Investigation Survey Report. The Lessee must submit an Investigation Survey Report to BOEM and BSEE for review and concurrence prior to seabed disturbing activities and the installation of facilities in the areas of potential disturbance. The report must include the following:

2.3.1 A detailed discussion of methodologies.

2.3.2 A summary and detailed description of findings for target discrimination.

2.3.3 A list of findings that identify conditions different from those anticipated and discussed in the DTS.

2.4 MEC/UXO Identification Survey Plan. The Lessee must submit an Identification Survey Plan to BOEM and BSEE for review and concurrence prior to seabed preparation activities and the installation of facilities in the areas of potential disturbance. The MEC/UXO Identification Survey Plan must describe the surveys that will be performed to determine the nature of objects identified as potential MEC/UXO to reduce risks to ALARP levels.

The plan must include information on the proposed survey vessel, equipment, methodologies, and planned survey schedule. If the Identification Survey Plan is not consistent with the recommendations included in the DTS and Investigation Survey Report, the Identification Survey Plan must discuss in detail the deviations and the associated rationale.

2.5 MEC/UXO Identification Survey Report. The Lessee must submit an Identification Survey Report to BOEM and BSEE for each Bureau's review and concurrence prior to seabed disturbing activities and the installation of facilities in the areas of potential disturbance. The report must include the following:

2.5.1 A detailed discussion of methodologies.

2.5.2 A comprehensive list and shapefile of locations of all confirmed MEC (latitude, longitude).

2.5.3 A summary and detailed description of the findings and information on all planned mitigations necessary for MEC/UXO risks to reach ALARP levels, such as: detailed information on MEC/UXO relocation activities, detonation, micrositing of facilities, changes to installation or operational activities, and cable re-routings.

2.5.4 A separate list of findings that identify conditions different from those anticipated and discussed in the DTS.

2.5.5 A statement attesting that the installation methods and MEC/UXO mitigation strategies discussed in the FIR, DTS, and/or Investigation Survey Report are consistent with the results of the Identification Survey Report, accepted engineering practices, and applicable best management practices. Alternatively, the Lessee may submit a detailed discussion of alternative installation methods and/or MEC/UXO mitigation strategies that the Lessee has determined to be appropriate given the results of the Identification Survey, accepted engineering practices, and applicable best management practices.

2.6 MEC/UXO Discovery Notification. In the event of a confirmed MEC/UXO, the Lessee must coordinate with the USCG to ensure that the MEC/UXO discovery is published in the next version of the LNM for the specified area and must provide BOEM and BSEE with a copy of the LNM once it is available. The Lessee must also provide the following information to BOEM (BOEM_MEC_Reporting@boem.gov), BSEE (via TIMSWeb, renops@bsee.gov, and env-compliance-arc@bsee.gov) and relevant agency representatives within 24 hours of any such discovery made during activities, such as seabed clearance, construction, and operations:

2.6.1 A narrative describing activities that resulted in the identification of confirmed MEC/UXO;

2.6.2 A description of the activity at the time of discovery (e.g., survey, seabed clearance, cable installation);

2.6.3 A description of the location (latitude, longitude);

2.6.4 The water depth (meters (m)) of the confirmed MEC/UXO;

2.6.5 A description of the MEC/UXO type, dimensions, and weight; and

2.6.6 The MEC/UXO vertical position (description of exposure or estimated depth of burial).

2.7 Munitions Response Plan for Confirmed MEC/UXO. In the event the Project plans to mitigate confirmed MEC/UXO, the Lessee must implement methods identified in the approved COP and as described in the MEC/UXO Investigation (as referenced in Section 2.1) for MEC/UXO mitigation activities. Under all circumstances of confirmed MEC/UXO, the Lessee must demonstrate to BSEE's and BOEM's satisfaction that avoidance of confirmed MEC/UXO through micrositing of planned infrastructure (e.g., WTGs, OSPs, inter-array cables, or export cables) is not feasible. For confirmed MEC/UXO on the OCS where avoidance through micrositing is not feasible, the Lessee must submit a Munitions Response Plan to BOEM and BSEE for review and concurrence. The Munitions Response Plan must include the following:

2.7.1 A description of the method of munitions response (in situ disposal, or relocation through "lift and shift") and an analysis describing the identification and determination of the method chosen for each confirmed MEC/UXO;

2.7.2 A hazard analysis of the response activities;

2.7.3 A description of the type and designation of work vessels, remotely operated vehicles, unmanned surface vehicles, or craft planned to be used in proximity to the MEC/UXO;

2.7.4 The contact information of the identified munitions response contractor;

2.7.5 The contractor qualifications and competencies to safely carry out the response work;

2.7.6 A proposed timeline of activities;

2.7.7 The position of confirmed MEC/UXO and, if applicable, planned relocation position;

2.7.8 A description of the potential impact of weather and sea state on munitions response operations;

2.7.9 A description of the potential for human exposure;

2.7.10 A medical emergency procedure;

2.7.11 A description of the protective measures to be implemented to reduce risk and/or monitor effects to protected species and habitats or other ocean users;

2.7.12 A plan for accidental detonation; and

2.7.13 A plan for removal of non-MEC/UXO discoveries, as necessary to conduct mitigation safely, and debris during MEC/UXO mitigation resulting from detonation of MEC/UXO.

2.8 Munitions Response After Action Report. The Lessee must submit a Munitions Response After Action Report detailing the activity and outcome to BOEM and BSEE. The report must include the following information:

2.8.1 A narrative describing the activities the Lessee undertook, including the following:

2.8.1.1 A comprehensive list and shapefile of As Found location and, if applicable, As Left location (latitude, longitude);

2.8.1.2 The water depth (in meters) of munitions response activities;

2.8.1.3 The weather and sea state at the time of munitions response;

2.8.1.4 The detailed characteristics (e.g., type, size, classification) of MEC items subject to response efforts; and

2.8.1.5 The duration of the munitions response activities, including start and stop times.

2.8.2 A summary describing how the Lessee followed its Munitions Response Plan and any deviations from the plan;

2.8.3 A description of safety measures used, including but not limited to the presence of a USCG safety-zone, notices to mariners, other USCG safety actions in place prior to taking any munitions response actions, and how security call protocols were used;

2.8.4 The results of the munitions response;

2.8.5 A description of any threats and effects to health, safety, or the marine environment;

2.8.6 A description of any effects on protected species and marine mammals and measures implemented to reduce risk and monitor effects;

2.8.7 The details and results of any geophysical surveys conducted after the completion of the munitions response activities; and

2.8.8 If applicable, a description of anticipated future munitions response activities.

2.9 MEC/UXO ALARP Certification. The Lessee must provide to BOEM, BSEE, and the approved CVA, a certification confirming that MEC/UXO risks related to the installation and operation of the facility have been reduced to ALARP levels. The certification must be made by a qualified third party. ALARP Certification must be made available prior to performing any seabed preparation activities (including activities associated with the Pre-Lay Grapnel Run Plan (Section 2.27) and Boulder Identification and Relocation Plan (Section 5.3.5), and prior to commencing installation activities with the submission of the relevant FIR.

2.10 Safety Management System.

2.10.1 The Lessee must submit its SMS to BSEE for review within 30 days of COP approval, or in adherence to a schedule otherwise determined by BSEE. The Lessee may not commence any activities described in the COP until BSEE is satisfied that all comments and issues raised during review are resolved.

2.10.2 The Lessee must provide a schedule of relevant activities and provide evidence of SMS functionality no later than 30 days prior to the scheduled start of those

activities. BSEE must be satisfied that, pursuant to 30 C.F.R. § 285.812, the SMS is functional before activities described in the approved COP may commence.

2.10.3 The Lessee must conduct periodic SMS audits, at minimum once every 3 years, and comply with the requirements in 30 C.F.R. § 285.812.

2.10.4 In addition to maintaining an acceptable SMS, the Lessee, designated operator, contractor, and subcontractor(s) constructing, operating, or decommissioning renewable energy facilities on the OCS must follow the policies and procedures of any other SMS(s) applicable to such activities and must take corrective action whenever there is a failure to follow the relevant SMS(s), or where the relevant SMS(s) failed to ensure safety.

2.11 Emergency Response Procedure. Prior to the construction of the Project, the Lessee must submit an Emergency Response Procedure to address non-routine events for review and concurrence by BSEE. The Lessee must submit any revisions to the procedure once every 3 years and upon BSEE's request, consistent with Section 2.10.3. The Emergency Response Procedure must address the following:

2.11.1 Standard Operating Procedures. The Lessee must describe the procedures and systems that will be used at Project facilities in the case of emergencies, accidents, or non-routine conditions, regardless of whether man-made or natural. The Lessee must include, as a part of the standard operating procedures for non-routine conditions, descriptions of high-consequence and low-probability events (i.e. mass marine debris, fires, vessel allisions) and methods to address those events, including methods for (1) initial action procedures (2) establishing and testing WTG rotor shutdown, braking, and locking; (3) lighting control; (4) notifying the USCG of mariners in distress or potential/actual search and rescue incidents; (5) notifying BSEE and the USCG of any events or incidents that may impact maritime safety or security; (6) notifying Tribes and federal, state, and local officials of an emergency response event that may impact the respective entity; and (7) providing the USCG with environmental data, imagery, communications, and other information pertinent to search and rescue or marine pollution response.

2.11.2 Communications. The Lessee must describe the capabilities of the control center, the onshore facility(s) where communications will be maintained, in order to communicate with the USCG.

2.11.3 Monitoring. The Lessee must ensure that the control center maintains the capability to monitor (e.g., using cameras already installed to support Lessee's operations) the Lessee's installation and operations in real-time, including at night and in periods of poor visibility.

2.12 Oil Spill Response Plan. Pursuant to 30 C.F.R. § 585.627(c), the Lessee must submit an Oil Spill Response Plan (OSRP) to the BSEE Oil Spill Preparedness Division (OSPD) at BSEEOSPD_ATL_OSRPs@bsee.gov for review and approval prior to the installation of any component that may handle or store oil on the OCS. The Lessee should not include confidential or proprietary information in the OSRP. The OSRP may be lease-specific, or it may be a regional OSRP covering multiple leases. Facilities and leases covered in a

regional OSRP must have the same owner or operator (including affiliates) and must be located in the Atlantic OCS region. For a regional OSRP, subject to BSEE OSPD approval, the Lessee may group leases into sub-regions for the purposes of determining worst-case discharge (WCD) scenarios, conducting stochastic trajectory analyses, and identifying response resources. The Lessee's OSRP must be consistent with the National Contingency Plan, Regional Contingency Plan, and the appropriate Area Contingency Plan(s), as defined in 30 C.F.R. § 254.6. To continue operating, the Lessee must operate consistently with the OSRP approved by BSEE. The Lessee's OSRP, including any regional OSRP, must contain the following information:

2.12.1 Bookmarks. Appropriately labeled bookmarks that are linked to their corresponding sections of the OSRP.

2.12.2 Table of Contents.

2.12.3 Record of Change. A table identifying the changes made to the current version of the OSRP and, as applicable, a record of changes made to previously submitted versions of the OSRP.

2.12.4 Facility and Oil Information. "Facility," as defined in 30 C.F.R. § 585.113, means an installation that is permanently or temporarily attached to the seabed of the OCS. An OSP and a WTG, as examples, each meet this definition of facility. "Oil," as defined in 33 U.S.C. § 1321(a), means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Dielectric fluid, as an example, meets this definition of oil. The OSRP must:

2.12.4.1 List the latitude and longitude, water depth, and distance to the nearest shoreline for each facility that may handle and/or store oil.

2.12.4.2 List the oil(s) by product/brand name and corresponding volume(s) on each type of facility covered under the Lessee's OSRP.

2.12.4.3 Include a map depicting the location of each facility that may handle and/or store oil within the boundaries of the covered lease area(s) and their proximity to the nearest shoreline. The map must also feature a compass rose, scale, and legend.

2.12.5 Safety Data Sheets. The OSRP must include a safety data sheet for every type of oil present on any OCS facility in quantities equal to or greater than 100 gallons.

2.12.6 Response Organization. The OSRP must identify a trained Qualified Individual (QI), and at least one alternate, with full authority to implement removal actions and ensure immediate notification of appropriate federal officials and response personnel. The Lessee must designate personnel to serve as trained members of an Incident Management Team (IMT) and identify them by name and Incident Command System (ICS) position in the OSRP.

2.12.6.1 "Qualified Individual" means an English-speaking representative of the Lessee who is located in the United States, available on a 24-hour basis, and given full authority to obligate funds, carry out removal

actions, and communicate with the appropriate federal officials and the persons providing personnel and equipment in removal operations.

2.12.6.2 "Incident Management Team" (IMT) means the group of personnel identified within the Lessee's organizational structure who manage the overall response to an incident in accordance with the Lessee's OSRP. The IMT consists of the Incident Commander (IC), Command and General Staff, and other personnel assigned to key ICS positions designated in the Lessee's OSRP. With respect to the IMT, the Lessee must identify at least one alternate in the OSRP as the IC, Planning Section Chief, Operations Section Chief, Logistics Section Chief, and Finance Section Chief. If a contract has been established with a third-party IMT, the Lessee must provide evidence of such a contract in the OSRP.

2.12.7 Notification Procedures. The OSRP must describe the procedures for spill notification. Notification procedures must include the 24-hour contact information for:

2.12.7.1 The QI and an alternate, including phone numbers and email addresses;

2.12.7.2 IMT members, including phone numbers and email addresses;

2.12.7.3 Tribes and federal, state, and local regulatory agencies that must be notified when a spill occurs, including, but not limited to, the National Response Center at 1-800-424-8802;

2.12.7.4 The Oil Spill Removal Organizations (OSRO) and Spill Response Operating Teams (SROT) that are available to respond; and

2.12.7.5 Other response organizations and subject matter experts that the Lessee will rely on, including nongovernmental wildlife response and rehabilitation services.

2.12.8 Spill Mitigation Procedures. The OSRP must describe the different discharge scenarios that could occur from the Lessee's facilities and the mitigation procedures the offshore facility operator and any listed/contracted OSROs would follow when responding to such discharges. The mitigation procedures must address responding to both smaller spills (with slow, low-volume leakage) and larger spills, to include the largest WCD scenario covered under the Lessee's OSRP. To achieve compliance with this section, the OSRP must include the following:

2.12.8.1 Procedures for the early detection of a spill (i.e., monitoring procedures for detecting dielectric fluid and other oil-based substances handled or stored on the facility when spilled to the ocean).

2.12.8.2 General procedures for ensuring that the source of a discharge is controlled as soon as possible after a spill occurs.

2.12.8.3 Procedures to conduct trajectory modeling and remove oil and oiled debris from the water surface and along shorelines.

2.12.8.4 Procedures to store, transfer, and dispose of recovered oil and oil-contaminated materials and to ensure that all disposal is in accordance with federal, state, and local requirements.

2.12.9 Resources at Risk. The OSRP must include a concise list of the sensitive resources that could be impacted by a spill. In lieu of listing sensitive resources, the Lessee may identify the areas that could be impacted by a spill from the Lessee's facility and provide hyperlinks to corresponding Environmentally Sensitive Index Maps and Geographic Response Strategies/Plans for those areas from the appropriate Area Contingency Plan(s).

2.12.10 OSRO(s) and SROT(s). The Oil Spill Removal Organization (OSRO) is an entity contracted by the Lessee to provide spill response equipment and/or manpower in the event of an oil spill. The Spill Response Operating Team (SROT) is the group of trained persons who deploy and operate oil spill response equipment in the event of a spill, threat of a spill, or an exercise. The OSRP must include a list (with contact information) of the OSRO(s) and SROT(s) who are under contract and/or membership agreement to respond to the WCD of oil from the Lessee's offshore facilities. Evidence of such contracts and/or membership agreements must be provided in the OSRP.

2.12.11 Oil Spill Response Equipment. The OSRP must include a list, or a hyperlink to a list, of the oil spill response equipment that is available to the Lessee through a contract and/or membership agreement with the OSRO(s). The OSRP must include a map that shows the oil spill response equipment storage depot(s) and planned/potential staging area(s) for the oil spill response equipment that would be deployed by the facility operators or the OSRO(s) listed in the plan in the event of a discharge.

2.12.11.1 The Lessee must ensure that the oil spill response equipment is maintained in proper operating condition.

2.12.11.2 The Lessee must ensure that all oil spill response equipment maintenance, modification, and repair records are kept for a minimum of 3 years.

2.12.11.3 The Lessee must provide oil spill response equipment maintenance, modification, and repair records to BSEE OSPD upon request.

2.12.11.4 The Lessee or the OSRO must provide BSEE OSPD with physical access to the oil spill equipment storage depots and perform functional testing of the equipment upon request.

2.12.11.5 BSEE OSPD may require maintenance, modifications, or repairs to oil spill response equipment or require the Lessee to remove response equipment from being listed in the OSRP if it does not operate as intended.

2.12.12 Training. The OSRP must include a description of the training necessary to ensure that the QI, IMT, OSRO(s), and SROT(s) are sufficiently trained to perform their respective duties. The Lessee must ensure that the IMT, OSRO(s), and SROT(s) receive annual position-specific training. The Lessee's OSRP must

provide the most recent dates of applicable training(s) completed by the QI, IMT, OSRO(s), and SROT(s). The Lessee must maintain and retain training records for three years and must provide the training records to BSEE upon request.

2.12.13 Worst-Case Discharge Scenario. The OSRP must describe the WCD scenario for the facility containing the highest cumulative volume of oil(s). For a regional OSRP covering multiple sub-regions, a WCD scenario must be described for each sub-region.

2.12.13.1 If multiple candidate WCD facilities contain the same cumulative volume of oil(s), the WCD facility is the one closest to shore.

2.12.13.2 The WCD facility must be identified on the facility map consistent with the "Facility and Oil Information" Section 2.12.4.

2.12.13.3 The OSRP must identify the subset of oil spill response equipment from the inventory listed in the OSRP that will be used to contain and recover the WCD volume. The OSRP must include timeframes for response resources to deploy to the WCD facility. Timeframes must include times for equipment procurement, loadout, travel, and deployment.

2.12.14 Stochastic Trajectory Analysis. The OSRP must include a stochastic spill trajectory analysis for the WCD facility. For a regional OSRP containing multiple WCD scenarios, a stochastic trajectory analysis must be included for each WCD scenario. The stochastic trajectory analysis must:

2.12.14.1 Be based on the WCD volume.

2.12.14.2 Be conducted for the longest period that the discharged oil would reasonably be expected to persist on the water's surface, or 14 days, whichever is shorter.

2.12.14.3 Identify the probabilities for oiling on the water's surface and on shorelines and the minimum travel times for the transport of the oil over the duration of the model simulation. Oiling probabilities and minimum travel times must be calculated for exposure threshold concentrations reaching 10 g/m^2. The stochastic analysis must incorporate a minimum of 100 different trajectory simulations using random start dates selected over a multi-year period.

2.12.15 Response Plan Exercise. The OSRP must include a triennial exercise plan for review and concurrence by BSEE to ensure that the Lessee is able to respond quickly and effectively whenever oil is discharged from the Lessee's facilities. Compliance with the National Preparedness for Response Exercise Program guidelines will satisfy the exercise requirements of this section. If the Lessee chooses to follow an alternative exercise program, the OSRP must provide a description of that program. For a regional OSRP covering multiple sub-regions, the IMT exercise scenarios must be rotated between each sub-region within the triennial exercise period.

2.12.15.1 The triennial exercise plan must include annual scenario-based notification exercises, at least one functional IMT exercise, and annual scenario-based IMT tabletop exercises in the 2 years without a functional exercise. The Lessee must conduct an annual oil spill response equipment deployment exercise.

2.12.15.2 The Lessee must notify BSEE OSPD at least 30 days in advance of any exercise it intends to conduct for compliance with this condition.

2.12.15.3 BSEE will advise the Lessee about the options it has to satisfy these requirements and may require changes in the type, frequency, or location of the required exercises, exercise objectives, equipment to be deployed and operated, or deployment procedures or strategies.

2.12.15.4 BSEE may evaluate the results of the exercises and advise the Lessee of any needed changes in response equipment, procedures, tactics, or strategies.

2.12.15.5 BSEE may periodically initiate unannounced exercises to test the Lessee's spill preparedness and response capabilities.

2.12.15.6 The Lessee must maintain and retain exercise records for at least three years and must provide the exercise records to BSEE upon request.

2.12.16 OSRP Review and Update. The Lessee must review and update the OSRP at least once every 3 years and more frequently as needed, starting from the date the OSRP was initially approved. The Lessee must send a written notification to BSEE OSPD upon completion of this review and submit any updates for concurrence. BSEE OSPD may require the Lessee to make changes to the OSRP at any time if it is determined to be outdated or to contain significant inadequacies as discovered through a review of the Lessee's OSRP, information obtained during exercises or actual spill responses, or other relevant information obtained by BSEE OSPD.

2.12.17 OSRP Maintenance. The Lessee must submit a revised OSRP to BSEE OSPD within 15 days if any of the following conditions occur:

2.12.17.1 The Lessee experiences a change that would significantly reduce their oil spill response capabilities.

2.12.17.2 The calculated WCD volume has significantly increased.

2.12.17.3 The Lessee removes a contracted IMT, OSRO, or SROT from the Lessee's plan.

2.12.17.4 There has been a significant change to the applicable area contingency plan(s).

2.13 Cable Routings. The Lessee must submit the final Cable Burial Risk Assessment (CBRA) package and engineered cable routings for all cable routes on the OCS to BSEE for review and concurrence with the relevant Facility Design Report (FDR). The final CBRA package must include a summary of final information on (1) natural and man-made hazards; (2) sediment mobility, including high and low seabed levels, from both mobile and stable

seabed, expected over the Project lifetime; (3) feasibility and effort level information required to meet burial targets; (4) profile drawings of the cable routings illustrating cable burial target depths; and (5) minimum burial depths from stable seabed to address threats to the cable including, but not limited to, anchoring risk, military activity, third party cable crossings, and fishing gear interaction. Detailed supporting data and analysis may be incorporated by reference or attachments, including relevant geospatial data.

2.13.1 Falmouth Export Cable Route. The Lessee may not conduct any activity within the Falmouth export cable route corridor unless utilizing the Brayton Point export cable corridor for Project 2 is technically infeasible. The Lessee must submit a technical feasibility analysis to BOEM for review and concurrence if the Lessee plans to perform any activities within the Falmouth export cable route corridor. The Lessee may not conduct any activity (including any seabed disturbing activity) within the Falmouth export cable route corridor before receiving concurrence from BOEM on the technical feasibility analysis and before BOEM has completed all required consultations (including the Essential Fish Habitat Consultation) for the Falmouth export cable route corridor.

2.13.2 Falmouth Export Cable Route Geotechnical Sampling. If any portion of the Falmouth Export Cable Route is developed, the Lessee must collect, interpret, and analyze cone penetrometer tests (CPT) along the length of the Falmouth Export Cable Route at 1km intervals. This CPT data must be incorporated into the relevant FDR submittal, including, but not limited to, an assessment of ground conditions, cable burial methods and cable burial tool suitability.

2.14 Cable Burial. The Lessee must install the export and inter-array cables using jetting, trenching, or plowing. BOEM has determined the proper burial depth to be a minimum of 3.3 feet (1.0 m) below the stable seabed for federal sections of the export and inter-array cables. The Lessee must comply with cable burial conditions described in the COP by demonstrating proper burial depth of the installed submarine cables along at least 90 percent of the Falmouth export cable route length on the OCS, at least 85 percent of the Brayton Point export cable route length and at least 90 percent of the inter-array cable length, excluding approaches to foundations. The Lessee must demonstrate proper burial depth by providing cable monitoring reports (Section 2.17) and final, as-built information (Section 2.24).

2.15 Cable Protection Measures. In areas where the final cable burial depth is less than 1.0 m below seabed, excluding within the vicinity of WTG/OSP foundations where cables are enclosed within a cable protection system, the Lessee must install secondary protection such as concrete mattresses, rock bags, or rock placement and must adhere to the design and avoidance measures on scour and cable protection in Section 5.3.10.

2.15.1 The use of cable protection measures must not exceed 10 percent of the Falmouth export cable route length, 15 percent of the Brayton Point export cable route length and 10 percent of the inter-array cable length, excluding cable crossings and approaches to foundations. The Lessee must employ cable protection measures when proper burial depth, as defined in Section 2.14, is not achieved. The Lessee must include design information and drawings as part of the relevant FDR and must include installation information as a part of the relevant FIR. The

Lessee must also provide BSEE with detailed drawings/information of the actual burial depths and locations where protective measures were used in accordance with the time frames in Section 2.24. The Lessee must post on the project website (Section 1.8, Project Website) a notice of the locations where target burial depths were not achieved and where cable protection measures were used, including an accessible graphic/geo-referenced repository.

2.15.2 If the Lessee requests a variance under Section 1.5 to any cable protection measure, the Lessee must use a CVA for verification of the proposed alternative. A scope of work for CVA verification of the proposed alternative must be included with the variance request.

2.16 Crossing Agreements. The Lessee must provide final cable crossing agreements for each active, in-service submarine cable or other types of in-use infrastructure, such as pipelines, to BOEM at least 60 business days before seabed preparation activities that occur within 500 m of such infrastructure, including boulder clearance. The Lessee must also provide information on cable crossing agreements that have not been finalized, including draft agreements and communication logs between owners or operators. The Lessee must make the agreements and crossing designs available to the CVA for review, unless otherwise determined by BOEM.

2.16.1 If the Lessee concludes that it will be unable to reach a cable crossing agreement, the Lessee must inform BOEM as soon as possible, and no later than 60 business days before any seabed preparation activities that occur within 500 m of the in-use infrastructure, including boulder clearance. A cable crossing agreement will not be required if BOEM has determined—at its sole discretion and based on its review of the record of relevant communications from the Lessee to owners or operators of active, in-service submarine cables or other types of in-use infrastructure—that the Lessee made reasonable efforts to enter an agreement and was unable to do so. Information to support a claim of reasonable efforts may include call logs, emails, letters, or other methods of communication.

2.17 Post-Installation Cable Monitoring. The Lessee must conduct an inspection of each inter-array and export cable to determine cable location, burial depths, and site conditions, and to assess the state of the cables. Inspections must occur within 6 months following installation of the export and inter-array cables, within 1 year following completion of the initial post-installation inspection, and every 3 years thereafter. Additional inspections must be conducted within 180 days of a storm event (as defined in the Post-Storm Event Monitoring Plan, described in Section 2.21). The Lessee must provide BSEE and BOEM with a cable monitoring report within 90 days following each inspection. Inspections of the cable location and burial must include high-resolution geophysical (HRG) methods, involving, for example, multibeam bathymetric survey equipment; and must identify seabed features, natural and man-made hazards, and site conditions along all federal sections of the cable routing, to be included in the cable monitoring report. The cable monitoring report must also include summary records from monitoring systems used to assess the state of the cables, such as distributed temperature sensing or other condition assessment techniques. Additionally, the Lessee must notify BSEE within 30 days if monitoring systems detect changes that exceed thresholds of the cable design associated with the chosen monitoring technique.

2.17.1 If BSEE determines that the condition of the cable or conditions along the cable corridor warrant adjusting the frequency of inspections (e.g., due to changes in cable burial or seabed conditions that may impact cable stability or other users of the seabed), then BSEE may require the Lessee to submit a revised inspection schedule for review and concurrence.

2.17.2 If BSEE determines that conditions along the cable corridor or the state of the cable have deteriorated or changed significantly and remedial actions are warranted, BSEE will notify the Lessee that the Lessee must submit to BSEE the following within 90 days of being notified: a seabed stability analysis and/or cable integrity analysis, a remedial action plan, and a schedule for completing remedial actions. All remedial actions must be consistent with the approved COP. BSEE will review the plan and schedule and provide any comments within 60 days of receiving the plan. The Lessee must resolve all comments to BSEE's satisfaction.

2.17.3 If the Lessee determines that conditions along the cable corridor or the state of the cable have deteriorated or changed significantly and remedial actions are warranted, the Lessee must submit the following to BSEE within 90 days of making the determination: the data used to make the determination, a seabed stability analysis and/or cable integrity analysis, a plan for remedial actions, and a schedule for the proposed work. All remedial actions must be consistent with those described in the approved COP. BSEE will review the plan and schedule and provide comments within 60 days, if applicable. The Lessee must resolve all comments to BSEE's satisfaction.

2.18 Technical WTG and OSP Foundation Requirements.

2.18.1 WTG and OSP Foundation Depths. The Lessee must include, with the relevant FDR, geotechnical investigations at all approved foundation locations along with associated geotechnical design parameters and recommendations pursuant to and consistent with 30 C.F.R. § 285.701(a)(10). The geotechnical investigations at each OSP must include, at a minimum, one deep boring located within the footprint of each OSP.

2.18.2 Limitation of WTG Foundation Type. Suction bucket jacket foundations were shown to be not technically feasible and therefore are prohibited as a foundation base for WTGs. For a suction bucket jacket foundation to be employed, the Lessee must submit a new suction bucket jacket foundation technical feasibility assessment report to BOEM for review and concurrence. Upon review and concurrence of the report, BOEM will notify the Lessee of what additional information BOEM requires in order to determine if a COP revision is necessary in accordance with 30 C.F.R 585.634(a).

2.19 Structural Integrity Monitoring. In accordance with 30 C.F.R. § 285.824(a) (Annual Self-Inspection Plan), the Lessee must submit the inspection plan covering the design life of the facility to BSEE for concurrence with the FDR.

2.19.1 Underwater Inspection. The Lessee must conduct a baseline underwater inspection to establish the as-installed platform condition. The baseline

underwater inspection must be conducted prior to implementation of a risk-based inspection plan for the platform. The minimum scope of work must include the following, unless the information is available from the installation records: a) a visual survey of the platform for structural damage, from the mudline to waterline, including coating integrity through the splash zone; b) a visual survey to verify the presence and condition of the anodes; c) a visual survey to confirm the presence and condition of installed appurtenances; d) measurement of the as-installed mean water surface elevation, with appropriate correction for tide and sea state conditions; e) record the as-installed platform orientation; and f) measurement of the as-installed platform elevation from the mean lower low water datum.

2.19.2 Above-water Inspection. The Lessee must conduct annual above-water inspections to ensure that structural integrity is maintained. The Lessee must inspect the condition of cathodic protection system(s), deteriorating coating systems, excessive corrosion, indications of obvious overloading, and bent, missing, or damaged members of the structure in the splash zone and above the water line. The Lessee must provide a summary of the findings in the Annual Self-Inspection Report pursuant to 30 C.F.R. § 285.824(c). See Section 2.21 for post-storm structural integrity monitoring.

2.20 Foundation Scour Protection Monitoring. The Lessee must inspect scour protection performance. The Lessee must submit an Inspection Plan to BSEE for review and concurrence with the relevant FDR.

2.20.1 The Lessee must carry out an initial foundation scour inspection within 6 months of completing the installation of each foundation location; thereafter at intervals not greater than 5 years; and within 180 days after a storm event (as defined in the Post-Storm Event Monitoring Plan, described in Section 2.21).

2.20.2 The Lessee must provide BOEM and BSEE with a foundation scour monitoring report within 90 days of completing each foundation scour inspection. If multiple foundation locations are inspected within a single survey effort, the foundation scour monitoring reports for those locations may be combined into a single foundation scour monitoring report provided within 90 days of completing the last foundation scour inspection. The schedule of reporting must be included in the Inspection Plan for BSEE review and concurrence.

2.20.3 The Lessee must submit a plan for additional monitoring and/or mitigation to BSEE for review and concurrence if scour protection losses develop within 10 percent of the maximum loss allowance, edge scour develops within 10 percent of the maximum allowance, or spud depressions from installation affect scour protection stability.

2.21 Post-Storm Event Monitoring Plan. The Lessee must provide a plan for post-storm event monitoring of the facility infrastructure, foundation scour protection, and cables to BSEE prior to or with the relevant FDR. The Lessee must address BSEE's comment(s) to BSEE's satisfaction and receive concurrence prior to commencing installation activities. The Lessee may submit separate plans for the cables (including cable protection), the WTGs, and the OSPs. The plan must describe how the Lessee will measure and monitor environmental

conditions and duration of storm events; specify the environmental condition thresholds (and their associated technical justification) above which post-storm event monitoring or mitigation is necessary; describe potential monitoring, mitigation, and damage identification methods; and state when the Lessee must notify BSEE of post-storm event-related activities. At a minimum, post-storm event inspections must be conducted for each OSP, and 10 percent of the WTGs, including associated scour protection, following each storm where any condition(s) exceeds the one-half the design return period. For example, a WTG platform designed for 50-year environmental conditions must be inspected following a storm event with 25-year environmental conditions. Cables must be inspected in accordance with condition 2.17. Post-storm criteria are subject to change based on lessons learned during operations. To change the post-storm event inspection triggering criteria, the Lessee must submit a revised plan for BSEE review and concurrence. BSEE reserves the right to require post-storm mitigations and additional inspections to address conditions that could result in safety risks and/or impacts to the environment.

2.22 High-Frequency Radar Interference Analysis and Mitigation. The Lessee's Project has the potential to interfere with oceanographic high-frequency (HF) radar systems in the U.S. Integrated Ocean Observing System (IOOS®), which is managed by the IOOS Office within NOAA pursuant to the Integrated Coastal and Ocean Observation System Act of 2009 (Pub. L. No. 111-11), as amended by the Coordinated Ocean Observation and Research Act of 2020 (Pub. L. No. 116-271, Title I), codified at 33 U.S.C. §§ 3601–3610 (referred to herein as "IOOS HF-radar"). IOOS HF-radar measures the sea state, including ocean surface current velocity and waves in near real-time. These data have many vital uses, including tracking and predicting the movement of spills of hazardous materials or other pollutants, monitoring water quality, and predicting sea state for safe marine navigation. The USCG also integrates IOOS HF-radar data into its Search and Rescue systems. The Lessee's Project is within the measurement range of seven oceanographic HF radar systems listed in Table 2.22-1 below:

Table 2.22-1: Identified IOOS HF Radar Systems

Radar Name	Radar Operator
Amagansett, New York (AMAG)	Rutgers University
Block Island, RI Long-range SeaSonde (BLCK)	Rutgers University
Martha's Vineyard, MA (MVCO)	Rutgers University
Long Point Wildlife Refuge, MA (LPWR)	Woods Hole Oceanographic Institute (WHOI)
Nantucket, MA SeaSonde (NANT)	Rutgers University
Nantucket, MA LERA (NWTP)	WHOI
Nauset, MA (NAUS)	University of Massachusetts Dartmouth

2.22.1 Mitigation Requirement. Due to the potential interference with IOOS HF-radar and the risk to public health, safety, and the environment, the Lessee must mitigate unacceptable interference with IOOS HF-radar from the Project. The Lessee must mitigate interference before commissioning the first WTG or before blades start spinning, whichever is earlier, and interference mitigation must continue throughout operations and decommissioning until the point of decommissioning where all rotor blades are removed. Interference is considered unacceptable if, as determined by BOEM in consultation with NOAA's IOOS Office, IOOS HF-radar performance falls or may fall outside any of the specific

radar systems' operational parameters or fails or may fail to meet IOOS's mission objectives.

2.22.2 Mitigation Review. The Lessee must submit documentation to BOEM demonstrating how it will mitigate unacceptable interference with IOOS HF-radar systems in accordance with Section 2.22.1. The Lessee must submit this documentation to BOEM at least 120 days prior to commissioning the first WTG or the start of blades spinning, whichever is earlier. If, after consultation with the NOAA IOOS Office, BOEM deems the mitigation acceptable, the Lessee must conduct activities in accordance with the proposed mitigations. If, after consultation with NOAA IOOS Office, BOEM deems the mitigation unacceptable, the Lessee must resolve all comments on the documentation to BOEM's satisfaction.

2.22.3 Mitigation Agreement. The Lessee is encouraged to enter into an agreement with the NOAA IOOS Office to implement mitigation measures, and any such Mitigation Agreement may satisfy the requireme to mitigate unacceptable interference with IOOS HF-radar. The point of contact for the development of a Mitigation Agreement with the NOAA IOOS Office is the Surface Currents Program Manager, whose contact information is available at https://ioos.noaa.gov/about/meet-the-ioos-program-office/ and upon request from BOEM. If the parties reach a mitigation agreement, the Lessee must submit the agreement to BOEM. A Lessee may satisfy its obligations under Section 2.22.2 by providing BOEM with an executed Mitigation Agreement between the Lessee and NOAA IOOS. If there is any discrepancy between Section 2.22.2 and the terms of a Mitigation Agreement, the terms of the Mitigation Agreement will prevail.

2.22.4 Mitigation Data Requirements. Mitigation required under Section 2.22.2 must address the following:

2.22.4.1 Before commissioning the first WTG or before blades start spinning, whichever is earlier, and continuing throughout the life of the Project until the point of decommissioning when all rotor blades are removed, the Lessee must make publicly available via NOAA IOOS near real-time, accurate numerical telemetry of surface current velocity, wave height, wave period, wave direction, and other oceanographic data measured at Project locations selected by the Lessee in coordination with the NOAA IOOS Office.

2.22.4.2 If requested by the NOAA IOOS Office, the Lessee must share with IOOS accurate numerical time-series data of blade rotation rates, nacelle bearing angles, and other information about the operational state of each WTG in the Lease Area to aid interference mitigation.

2.22.5 Additional Notification and Mitigation.

2.22.5.1 If at any time the NOAA IOOS Office or an HF-radar operator informs the Lessee that the Project will unacceptably interfere with an HF-radar system, the Lessee must notify BOEM of the determination and

propose new or modified mitigation pursuant to Section 2.22.5.2 as soon as possible and no later than 30 days from the date on which the determination was communicated.

2.22.5.2 If a mitigation measure other than that identified in Section 2.22.2 is proposed, then the Lessee must submit information on the proposed mitigation measure to BOEM for its review and concurrence. If, after consultation with the NOAA IOOS Office, BOEM deems the mitigation acceptable, the Lessee must conduct activities in accordance with the proposed mitigations. The Lessee must resolve all comments on the documentation to BOEM's satisfaction, prior to implementation of the mitigation.

2.23 Critical Safety Systems and Equipment. The Lessee must provide to BSEE a qualified third-party verification of (1) the identification, (2) proper installation, and (3) commissioning of all critical safety systems and equipment designed to prevent or ameliorate fires, spillages, or other major accidents that could result in harm to health, safety, or the environment (hereinafter "critical safety systems"). The documentation provided to BSEE must demonstrate that the qualified third party verified that the critical safety systems were identified using appropriate methodologies as defined by the operator's risk management standards, were installed and commissioned in conformity with the Original Equipment Manufacturer's (OEM's) standards and the Project's functional requirements, and are functioning properly, as required by the surveillance reporting requirements in Section 2.23.5.

2.23.1 Qualified Third Party. A qualified third party must be a technical classification society, a licensed professional engineering firm, or a registered professional engineer capable of providing the necessary certifications, verifications, and reports. The qualified third party must not have been involved in the design of the Project.

2.23.2 Critical Safety Systems. Critical safety systems include but are not limited to equipment, devices, engineering controls, or system components that are designed to prevent, detect, or mitigate impacts from fires, spillages, or other major accidents that could result in harm to health, safety or the environment including systems that facilitate the escape and survival of personnel.

2.23.3 Identification of Critical Safety Systems Risk Assessment(s). The Lessee must conduct a risk assessment(s) to identify hazards and the critical safety systems used within its facilities, including WTG(s), tower(s), and each OSP, to prevent or mitigate identified risks. The Lessee must submit a description of each risk for which a Critical Safety System acts as a control to BSEE and the qualified third party for review in a single document, no later than submission of the FDR. The submission must include a description of the specific hazard along with the determined likelihood and consequence. The Lessee must arrange with the qualified third party and provide information to the qualified third party necessary for it to make a recommendation to BSEE on the acceptability of the identified risks and any associated conclusions regarding identified hazards and implemented or changed critical safety systems and equipment. The Lessee must

resolve BSEE's comments to BSEE's satisfaction before BSEE completes its review of the associated FDR under 30 C.F.R. § 285.700.

2.23.4 Installation and Commissioning Surveillance Requirements. The Lessee must ensure the proper installation and commissioning of the critical safety systems. The Lessee must arrange for a qualified third party to evaluate whether the installation and commissioning of the critical safety systems are in conformance with the OEM requirements and the Project's functional requirements. BSEE and the Lessee may agree to perform additional tests during commissioning surveillance activities. The third-party must (1) examine the commissioning records of the critical safety systems and equipment for every WTG and OSP and (2) witness the commissioning of the critical safety systems and equipment of 5 percent of the WTGs, including at least one WTG in the first array string, and each OSP. The Lessee must arrange for a qualified third party, at a minimum, to verify the following:

2.23.4.1 The installation procedures and/or commissioning instructions supplied by the manufacturer and identified in the Project's functional requirements are adequate.

2.23.4.2 During commissioning, that the Lessee is following the instructions supplied by the manufacturer and that are identified in the Project's functional requirements.

2.23.4.3 The systems and equipment function as designed.

2.23.4.4 The completion of the final commissioning records.

2.23.5 Surveillance Reporting. The Lessee must submit to BSEE surveillance records, including for the examination of commissioning records and witnessing, (for example, the final results and acceptance of the commissioning test by the qualified third party) or a Conformity Statement and supporting documentation (prepared consistent with *International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Renewable Energy Applications* [IECRE OD-502, 2018)]) for the critical safety systems identified in Section 2.23.2. The Lessee must submit surveillance records for each OSP within one month of verification by the qualified third party. After the commissioning of the critical safety systems has been completed for the first WTG, the Lessee must, on a monthly basis, submit the surveillance records or Conformity Statement and supporting summary documentation for all WTGs that have been verified by a qualified third party within the previous month. If BSEE has not responded to the surveillance records or Conformity Statement and supporting documentation submitted by the qualified third party within 5 business days, the Lessee may presume concurrence and continue operating. If the surveillance records or Conformity Statement and supporting documentation are not submitted within a month of qualified third-party verification of the commissioning of the safety systems or if BSEE objects to the submission, BSEE may require the facility to which the surveillance records or Conformity Statement pertains to cease operations.

2.24 Engineering Drawings. The Lessee must compile, retain, and submit to BSEE the drawings and documents specified in Table 2.24-1.

Table 2.24-1: Engineering Drawings

Drawing Type	Time Frame to Submit "Issued for Construction" (IFC) Drawings	Deadline to Submit Final, As-Built Drawings
Complete set of structural drawing(s), including major structural components.[5]	With FDR submittal. Drawings must be reviewed and stamped by a registered professional engineer.	Submit no later than March 31st of each calendar year, for all structures installed the prior year and submitted annually until completion of installation.
Front, side, and plan view drawings[6]	With FDR submittal. Drawings must be reviewed and stamped by a registered professional engineer. Include a table with and show the relationships between: (1) vertical datum planes including Highest Astronomical Tide (HAT), Mean Lower Low Water (MLLW), Mean Sea Level, and others as applicable, (2) 1,000-year wave crest elevation, and (3) elevation to the underside of the deck.	N/A
Location plat for all Project facilities[7]	With FDR submittal. Drawings must be reviewed and stamped by a registered professional land surveyor.	Submit no later than March 31st of each calendar year, for all facilities installed the prior year and updated annually until completion of installation. Drawings must be reviewed and stamped by a registered professional land surveyor.
Complete set of cable drawing(s)	With FDR submittal. Drawings must be reviewed and stamped by a registered professional engineer.	Submit preliminary as-built reports quarterly for all facilities installed in the previous quarter. Submit final as-built reports within 6 months following installation of the export and inter-array cables.
Proposed Anchoring Plat as required by Section 5.3.3 and 7.1.2	120 days before anchoring activities. If there are fewer than 120 days between anchoring activities and this COP approval, no later than 60 days prior to commencing anchoring activities.	N/A
As-placed Anchor Plats for all anchoring activities	N/A	Submit 90 days after completion of an activity or construction of a major facility component.
Piping and instrumentation diagram(s)	With FDR submittal. Drawings must be reviewed and stamped by a registered professional engineer.	Submit quarterly for all facilities installed in the previous quarter.

[5] As required by 30 C.F.R § 285.701(a)(4). This is applicable to the WTGs and OSPs.

[6] As required by 30 C.F.R § 285.701(a)(3). This is applicable to the WTGs and OSPs.

[7] As required by 30 C.F.R § 285(a)(2). This is applicable for all installed assets on the OCS including scour protection, cables, WTGs, and OSPs.

Table 2.24-1: Engineering Drawings

Drawing Type	Time Frame to Submit "Issued for Construction" (IFC) Drawings	Deadline to Submit Final, As-Built Drawings
Safety diagram(s)[8]	With FDR submittal. Drawings must be reviewed and stamped by a registered professional engineer. Drawings must show location of all lifesaving equipment and egress routes.	Submit quarterly for all facilities installed in the previous quarter.
Electrical drawings, i.e., Electrical one-line drawing(s) and Protective Relay Coordination Study/Diagram	With FDR submittal. Drawings must be reviewed and stamped by a registered professional engineer.	Submit quarterly for all facilities installed in the previous quarter.
Cause and Effect Chart	With FDR submittal.	N/A
Schematics of fire and gas-detection system(s)	With FDR submittal. Drawings must be reviewed and stamped by a registered professional engineer.	Submit quarterly for all facilities installed in the previous quarter.
Area classification diagrams	With FDR submittal.	Submit quarterly for all facilities installed in the previous quarter.

2.24.1 Engineering drawings, as outlined in Table 2.24-1, and the associated engineering report(s) must include the lease number "OCS-A 0521" on all drawings and reports and, where applicable, the Area Name, Block Number, and Structure Designation on all drawings and reports. Also, these drawings and reports must be reviewed and stamped by a licensed professional engineer or a professional land surveyor. Pursuant to 30 C.F.R § 285.705(a), any changes to the approved design must be evaluated by BSEE to determine if the Lessee is required to use a CVA for any project modifications under 30 C.F.R § 285.703(c). This applies beginning from the submission date of FDR and FIR through construction, commissioning, and operations and includes structural, mechanical, electrical, and safety systems. For modified systems, only the modifications are required to be stamped by a licensed professional engineer(s) or a professional land surveyor. The professional engineer or land surveyor must be licensed in a State or Territory of the United States and have sufficient expertise and experience to perform the duties. The Lessee must ensure that the engineer of record submits a stamped report showing that the as-built design documents have been reviewed, any changes that result in material changes from the IFC drawings have been analyzed and are acceptable, and accurately represent the as-installed facility. The Lessee must also ensure that the engineer of record documents any differences between the IFC drawings and the as-built drawings in the stamped report and submits the report with the as-built drawings.

[8] Safety diagrams should depict the location of critical safety systems and equipment designed to prevent or ameliorate major accidents that could result in harm to health, safety, or the environment. This should include, but not be limited to, escape routes, station bill, fire/gas detectors, firefighting equipment, etc.

2.24.2 As-Placed Anchor Plats. The Lessee must provide as-placed anchor plats to BOEM and BSEE within 90 days of completion of an activity (including during operations and decommissioning) or construction of a major facility component (e.g., buoys, export cables, WTGs or OSPs, inter-array cables, etc.) or decommissioning to demonstrate that seafloor-disturbing activities complied with avoidance requirements for seafloor features and hazards, archaeological resources, and/or anomalies. As-placed anchor plats must show the "as-placed" location of all anchors and any associated anchor chains and/or wire ropes and relevant locations of interest or avoidance on the seafloor for all seabed disturbing activities. The plats must be at a scale of 1 inch = 1,000 feet (300 meters) with Differential Global Positioning System (DGPS) accuracy. The Lessee must submit the plats to BSEE.

2.25 Construction Status. Weekly during months in which installation activities are ongoing, the Lessee must provide BSEE, BOEM, and the USCG with a construction status update and any changes to the schedule or process described in the plan required by Section 3.2.1 (Installation Schedule). The Lessee must also include a list of all vessels being used and a comprehensive list and shapefile of As-Built locations of all installed infrastructure (WTG, OSP, cables) with the construction status update.

2.25.1 For WTG, and OSP facilities, the As-Built locations must include the following:

2.25.1.1 Area and block;

2.25.1.2 USCG approved, unique alpha-numeric identification;

2.25.1.3 Latitude and longitude (expressed in decimal degrees relative to the western hemisphere (negative longitude) and Easting and Northing);

2.25.1.4 Water depth (in feet and meters, referenced to MLLW); and

2.25.1.5 Installation date for each major structural component, as applicable (i.e., foundation, transition piece, tower, RNA, blades, topsides (OSP)).

2.25.2 For cables, the As-Built locations must include the following:

2.25.2.1 Unique cable segment identifier (ideally, expressive of the facilities or joints at cable terminations);

2.25.2.2 String number; and

2.25.2.3 Latitude and longitude at 0.001 KP intervals (expressed in decimal degrees relative to the western hemisphere (negative longitude) and Easting and Northing).

2.26 Maintenance Schedule. On a quarterly basis, the Lessee must provide BSEE with its maintenance schedule for any planned WTG, or OSP maintenance.

2.27 Pre-lay Grapnel Run Plan. The Lessee must submit a Pre-lay Grapnel Run Plan for BSEE review and concurrence. The Lessee must submit the plan at least 120 days prior to pre-lay grapnel run activities. BSEE will review the plan and provide comments, if applicable, within 60 business days of submittal. The Lessee must resolve BSEE's comments to BSEE's satisfaction. If BSEE does not provide comments on the plan within 60 business

days of its submittal, then the Lessee may presume BSEE's concurrence with the plan. The plan must be consistent with and meet the conditions of the SMS in Section 2.10.

2.27.1 The plan must include the following:

2.27.1.1 Figures of the location of pre-lay grapnel run activities.

2.27.1.2 A description of pre-lay grapnel run methods, including expected grapnel penetration depth, vessel specifications, metocean limits on operation, etc.

2.27.1.3 A description of removal and disposal methods of debris collected by grapnel run and applicable environmental regulations for disposal.

2.27.1.4 A description of safety distances or zones to limit pre-lay grapnel activities near third-party assets. Descriptions should be consistent with Cable Crossing Agreements (Section 2.16).

2.27.1.5 A description of the environmental footprint of disturbance activities and the measures taken to avoid further adverse impacts to archaeological resources, seafloor hazards, complex habitat, and fishing operations.

2.27.1.6 A description of MEC/UXO ALARP certified areas, which must be consistent with MEC/UXO ALARP Certification (Section 2.6).

2.27.1.7 A summary of any consultation and outreach with resource agencies and the fishing industry in the development of the plan (e.g., notifications to mariners).

2.27.2 The Lessee must submit a letter to BSEE outlining any deviations from the Pre-lay Grapnel Run Plan within 90 days following the completion of pre-lay grapnel run activities.

2.27.3 The Lessee must provide a copy of the final Pre-lay Grapnel Run Plan to NMFS GARFO-HESD.

3 NAVIGATIONAL AND AVIATION SAFETY CONDITIONS

3.1 Design Conditions.

3.1.1 PATON/Markings on PATONs. The Lessee must mark each WTG and OSP with PATONS (Private Aids to Navigation). No sooner than 60 and no less than 30 days before foundation installation, the Lessee must file an application (form CG-2554 or CG-4143, as appropriate), with the Commander of the First Coast Guard District to establish PATONs, as provided in 33 C.F.R. part 66. United States Coast Guard (USCG) acceptance of the application must be obtained before the Lessee begins installation of the facilities. The lighting, marking, and signaling plan must be submitted with the PATON application.

3.1.2 Lighting, Marking, and Signaling Plan. The Lessee must provide a lighting, marking, and signaling plan at least 120 days before foundation installation, for a 60-business day review by BOEM, BSEE and USCG. Concurrence must be obtained from BOEM and BSEE prior to foundation installation. The plan must

conform to applicable Federal law and regulations. A copy of the final lighting, marking, and signaling plan must be sent to USFWS within 14 days of concurrence. The Lessee must use lighting technology that minimizes upward illumination to the extent practicable.

3.1.2.1 Structure Markings. The Lessee must:

3.1.2.1.1 Clearly and visibly mark each individual WTG and OSP with "OCS-A 0521" and the unique, alpha-numeric identification consistent with the attached Rhode Island and Massachusetts Structure Labeling Plot (Attachment 2), as identified in the lighting, marking, and signaling plan (Section 3.1.2). OCS-A 0521 must be inscribed directly above or below the alpha numeric identification characters on each WTG and OSP. The Lessee must additionally display "OCS-A 0521" and the alpha-numeric identification character as identified in the lighting, marking, and signaling plan on each WTG nacelle and on the OSP's heli-host and/or heli-pad area visible from above.

3.1.2.1.2 Provide signage that is visible to mariners in a 360-degree arc around the structures to inform vessels of the vertical blade-tip clearance (also referred to as Air Gap), as determined at HAT.

3.1.2.1.3 Aviation. For each WTG, install red obstruction lighting that is consistent with the Federal Aviation Administration (FAA) Advisory Circular [AC] 70/7460-lM, (Nov. 2020).

3.1.2.1.4 Environmental-Aircraft Detection Lighting System. The Lessee must use an FAA-approved vendor for the Aircraft Detection Lighting System (ADLS), which will activate the FAA hazard lighting only when an aircraft is in the vicinity of the wind facility, to reduce visual impacts at night once the ADLS system is commissioned. The Lessee must confirm the use of, and submit to BSEE, information about the FAA-approved vendor for ADLSs on WTGs and the OSPs as part of at the time the relevant FIR is submitted.

3.1.3 Blade/Nacelle Control. The Lessee must equip all WTG rotors (blade assemblies) with control mechanisms constantly operable from the Lessee's control center.

3.1.3.1 Control mechanisms must enable the Lessee to immediately initiate the shutdown of any WTG upon emergency order from the Department of Defense (DoD) or USCG. The Lessee must initiate braking and shutdown of each requested WTG immediately after the shutdown order. The Lessee may resume operations only upon notification from the entity (DoD or USCG) that initiated the shutdown.

3.1.3.2 The Lessee's Emergency Response Procedure as outlined in Section 2.11 for WTG rotor shutdown and locking must be used to test the shutdown capability (functioning) of at least one WTG within the lease area at least annually. The Lessee must submit the results of testing to BSEE with the Project's annual inspection results.

3.1.3.3 The Lessee must work with USCG to establish the proper blade configuration during WTG shutdown for USCG air assets conducting search and rescue operations.

3.1.3.4 The Lessee must notify USCG and BSEE in advance of trainings and exercises to test and refine notification and shutdown procedures, allow USCG and BSEE to participate in these trainings and exercises, and provide search and rescue training opportunities for USCG Command Centers, vessels, and aircraft.

3.1.4 Structure Micrositing. The Lessee must not adjust approved structure locations in a way that narrows any linear rows and columns oriented both northwest-southeast and northeast-southwest to less than 0.6 nautical miles, nor to a layout that eliminates two distinct lines of orientation in a grid pattern. The Lessee must submit the final as-built structure locations as part of the as-built documentation outlined in Section 2.24.

3.2 Installation Conditions.

3.2.1 Installation Schedule. Not less than 60 days prior to commencing offshore construction activities, the Lessee must provide USCG with a plan that describes the schedule and process for seabed preparation, export, and inter-array cable installation, and installing the WTGs and OSPs, including all planned mitigations to be implemented to minimize any adverse impacts to navigation while installation is ongoing. Appropriate LNM submissions must accompany the plan and its revisions.

3.2.2 Cable Burial. The Lessee must submit a detailed cable burial plan, containing the proposed locations and burial depths, to USCG no later than the relevant FIR submittal. In accordance with Section 2.24, the Lessee must submit to BOEM and USCG a copy of the final as-built cable burial report containing a positioning list that depicts the precise location and burial depths of the entire cable system (export and array routes).

3.2.3 Nautical Charts/Navigation Aids. The Lessee must submit as-built cable burial reports (containing precise cable locations and burial depths, precise locations of cable protection measures with vertical/horizontal dimensions), OSP, and WTG locations to USCG and NOAA, consistent with Section 2.24, to facilitate government-produced and commercially available nautical charts and aid USCG cross-reference structures and navigation aids.

3.3 Reporting Conditions.

3.3.1 Complaints. On a monthly basis, the Lessee must provide BSEE with (1) a description of any complaints received (written or oral) by boaters, fishermen, commercial vessel operators, or other mariners regarding impacts to navigation

safety allegedly caused by construction or operations vessels, crew transfer vessels, barges, or other equipment; and (2) a description of remedial action(s) taken in response to complaints received, if any. BSEE reserves the right to require additional remedial action consistent with 30 C.F.R. Part 285.

3.3.2 Correspondence. On a monthly basis, the Lessee must provide BSEE, BOEM, and USCG with copies of any correspondence received from other federal, state, or local agencies regarding navigation safety issues.

3.4 Meeting Attendance. As requested by BSEE, BOEM and USCG, the Lessee must attend meetings (i.e., Harbor Safety Committee, Area Committee) to provide briefings on the status of construction and operations, and on any problems or issues encountered with respect to navigation safety.

4 NATIONAL SECURITY CONDITIONS

4.1 Hold and Save Harmless – United States Government. Whether compensation for such damage or injury might otherwise be due under a theory of strict or absolute liability or any other theory, the Lessee assumes all risks of damage or injury to any person or property that occurs in, on, or above the OCS in connection with any activities being performed by the Lessee in, on, or above the OCS, if the injury or damage to any person or property occurs by reason of the activities of any agency of the United States Government, its contractors or subcontractors, or any of its officers, agents or employees, being conducted as a part of, or in connection with, the programs or activities of the individual military command headquarters (hereinafter "the appropriate command headquarters") listed below:

United States Fleet Forces (USFF) N46
1562 Mitscher Ave, Suite 250
Norfolk, VA 23551
(757) 836-6206

The Lessee assumes this risk, whether or not such injury or damage is caused in whole or in part by any act or omission, regardless of negligence or fault, of the United States, its contractors or subcontractors, or any of its officers, agents, or employees. The Lessee further agrees to indemnify and save harmless the United States against all claims for loss, damage, or injury in connection with the programs or activities of the appropriate command headquarters, whether the same is caused in whole or in part by the negligence or fault of the United States, its contractors, or subcontractors, or any of its officers, agents, or employees and whether such claims might be sustained under a theory of strict or absolute liability or otherwise.

4.2 Communication Protocol for Construction and Operations. The Lessee must establish a point-of-contact through the DoD Clearinghouse (osd.dod-siting-clearinghouse@mail.mil) to coordinate with the US Fleet Forces Command and Naval Air Warfare Center Aviation Division for the following conditions:

4.2.1 The Lessee must communicate and coordinate the planned construction and operations schedule with appropriate military department commands to deconflict planned construction and operations activities to the extent practicable.

4.2.2 The Lessee and military department commands will mutually determine an appropriate meeting frequency to facilitate communication.

4.2.3 This protocol will serve as a forum to communicate the project schedule and identify potential military mission compatibility concerns or conflicts experienced due to construction activities. The Lessee must seek resolution to conflicts as it is determined to be practicable.

4.3 North American Aerospace Defense Command (NORAD) Operations. The Lessee must enter into a mitigation agreement with the DoD/NORAD for purposes of implementing this Section 4.3. If there is any discrepancy between Section 4.3 and the terms of the mitigation agreement, the terms of the mitigation agreement will prevail. Within 15 days of entering into the mitigation agreement, the Lessee must provide BOEM and BSEE with a copy of the executed mitigation agreement. The DoD point-of-contact for the development of the agreement is osd.dod-siting-clearinghouse@mail.mil. The NORAD point-of-contact for the development of the agreement is John Rowe: John.Rowe.14@us.af.mil. If the NORAD point-of-contact is no longer active, the Lessee must identify a point-of-contact through the DoD Clearinghouse at osd.dod-siting-clearinghouse@mail.mil. Within 45 days of completing the requirements in Section 4.3, the Lessee must provide BOEM with evidence of compliance with those requirements.

4.3.1 Radar Adverse Impact Management (RAM) Scheduling. To mitigate impacts on the NORAD of the Falmouth, Massachusetts Airport Surveillance Radar model 8 (ASR-8), the Lessee must complete the following:

4.3.1.1 NORAD Notification. At least 30, but no more than 60, days prior to the completion of commissioning of the last WTG (i.e., that date by which every WTG in the Project is installed with potential for blade rotation), the Lessee must notify NORAD for RAM scheduling. The Lessee must again notify NORAD when the commissioning of the last WTG is complete.

4.3.1.2 Funding for RAM Execution. At least 30, but no more than 60, days prior to the completion of commissioning of the last WTG (i.e., that date by which every WTG in the Project is installed with potential for blade rotation), the Lessee must contribute funds in the amount of $80,000 to NORAD toward the execution of the RAM. If the time gap between the commissioning of the first and last WTG is anticipated to be 3 years or greater, the Lessee must contribute additional funds in the amount of $80,000 per affected radar to NORAD toward the execution of the RAM when 50 percent of the WTGs are commissioned, and an additional $80,000 per affected radar to NORAD toward the execution of additional RAM when the last WTG is commissioned if commissioning of the last WTG occurs later than 3 years from commissioning of the first WTG. This allows NORAD to manage radar adverse impacts over an extended period of construction.

4.4 Department of the Navy Operations. To mitigate potential impacts on the Department of the Navy's (DON) operations, the Lessee must coordinate with the DON for purposes of implementing Section 4.4. Within 45 days of completing the requirements in Sections 4.4.1

through 4.4.3, the Lessee must provide BOEM with evidence of compliance with those requirements. The DON point-of-contact for coordination is Matthew Senska: matthew.c.senska.civ@us.navy.mil; 571-970-8400. If the DON point-of-contact is no longer active, the Lessee must identify a point-of-contact through the DoD Clearinghouse at osd.dod-siting-clearinghouse@mail.mil.

4.4.1 Distributed Optical Fiber Sensing (DOFS) Technology and Acoustic Monitoring Devices. At least 240 days prior to deployment, the Lessee must provide all information necessary for evaluation of the potential submarine power cables, data cables, and acoustic monitoring devices to be used in the Project to osd.dod-siting-clearinghouse@mail.mil for a 180-day review. If the DON requests additional information, the Lessee must provide it within 15 days of the request. The following information must be provided:

- Sensor deployment dates and duration;
- Siting routes and locations of acoustic monitoring devices;
- Shore station location;
- DOFS and acoustic monitoring capabilities;
- Make and model of integrated (or planned integration/deployment of) and standalone scientific sensors;
- Manufacturers and vendors;
- Plans for data storage;
- Transmission and usage; and
- Associated physical and cybersecurity protocols.

4.4.1.1 The Lessee must provide the DON with notice of the intent to change this information at least 30 days prior to any change.

4.4.1.2 If the DON determines through the evaluation in Section 4.4.1 that the use of DOFS or other acoustic monitoring devices presents risk to national security or military operations, the Lessee must work with the DON to implement mitigation measures to address the risk (Section 4.4.3). The Lessee must implement such measures within 30 days of notification from the DON, or according to a schedule agreed to by the Lessee and the DON.

4.4.1.3 As-Builts. The Lessee must provide the DON with as-built schematics and diagrams showing the exact makes and models of all DOFS equipment and acoustic monitoring devices used at commissioning. The Lessee must provide notification to the DON of any changes to the as-built schematics within 10 business days of any change. The Lessee must provide to the DON the updated as-built schematics and diagrams thereafter according to a schedule agreed to by the Lessee and the DON.

4.4.2 National Security Review.

4.4.2.1 Initial Screening. Within 45 days following approval of the COP, the Lessee must provide the DON with the names of each entity and person having beneficial ownership or control of 5 percent or more of the Lessee and the project operator, and, as available, the names of all material vendors and manufacturers who will regularly visit the project, who supply or manufacture equipment used on the project, control equipment used on the project, or have access to associated data systems. In addition, the Lessee must provide such information for each director and the top five executives of the Lessee and the project operator. The Lessee must also provide the following information for each identified person: full legal name, date of birth, country of citizenship, and permanent address.

4.4.2.2 Supplementary Screenings. The Lessee and DON must establish a process to review additional entities not previously reviewed during the initial screening based on when the information will be available during the project planning process. This process will include Lessee's provision to DON of information regarding any foreign entities and persons allowed to access the wind turbine structures and associated data systems.

4.4.2.3 The DON will screen the names of the entities and persons identified. Once the Lessee submits the names of the entities and persons for screening, the DON will identify to the Lessee, no later than 60 days after the receipt of the name of any entity and person posing a security concern.

4.4.2.4 The Lessee must provide written notice to the DON at least 45 days in advance of the intended use of any material vendor not previously screened pursuant to this section. The Lessee must allow the DON 45 days following such notice to conduct a security review and assess any security concern. Notwithstanding the foregoing, the Lessee need not wait 45 days if an unexpected situation arises for which employing services or vendors immediately is prudent for the safe operation of the Project.

4.4.2.5 In any case in which the DON identifies any entity and any person screened in accordance with this section as posing national security risk, the Lessee agrees to enter into negotiations with the DON to mitigate the risk to national security that arises as a result of the proximity of any entity and person posing a national security concern to military activities. Except in unexpected situations as previously described, the threat to national security must be resolved to the satisfaction of the DON prior to allowing access to the site or its associated data systems by representatives of any entity and person posing a national security concern or the use of wind turbines or other permanent on-site equipment or associated data systems manufactured

by any entity and person posing a national security concern. In any case in which an entity and person is identified as posing a national security concern following an unexpected situation, the threat to national security must be resolved to the satisfaction of DON at the earliest opportunity.

4.4.3 Mitigation Measures. Following the analyses conducted pursuant to Sections 4.4.1 and 4.4.2, the DON and Lessee will coordinate to implement mitigation required to address national security risk. If the DON so determines, the Lessee must enter into an additional mitigation agreement to document the measures resulting from the coordination. Mitigation measures may include, but are not limited to, the following:

4.4.3.1 Lessee appointment of a DON-approved Security Officer, subject to citizenry and other requirements, to monitor compliance with mitigation measures.

4.4.3.2 Restrictions on DOFS, multi-phenomenological sensing, or acoustic monitoring equipment operating modes, parameters, locations, and/or capabilities; these may include programmed modes to avoid distributed sensing on specified portions of a cable when required by DON.

4.4.3.3 Equipment and component restrictions and requirements, to include prohibitions on usage, installation, or connection of equipment or components manufactured in specified foreign countries; no equipment may be used on the Project if it is banned by any agency of the United States.

4.4.3.4 Physical and cybersecurity protections at, and Government inspections of, locations where the Lessee's DOFS and/or acoustic monitoring equipment and components are installed and monitored.

4.4.3.5 Temporary or permanent shutdown or data diversion of cable distributed sensing, multi-phenomenological sensing, or acoustic monitoring devices in sensitive locations, as determined and required by DON.

4.4.3.6 Reporting requirements for the Lessee and subcontractor reporting requirements concerning business and ownership relationships with foreign entities and use of non-citizens for installation and maintenance work.

5 PROTECTED SPECIES AND HABITAT CONDITIONS

5.1 General Environmental Conditions.

5.1.1 Aircraft Detection Lighting System. *See* Section 3.1.2.1.4.

5.1.2 Marine Debris[9] Awareness and Elimination. The Lessee must submit required documents related to marine debris awareness training, reporting, and recovery (e.g., annual training compliance, incident reporting, 24-hour notices, recovery plans, recovery notifications, annual survey and reporting, and decommissioning and site clearance) described in Sections 5.1.2.1 through 5.1.2.8 to BSEE via TIMSWeb.

5.1.2.1 Marine Debris Awareness Training and Certification. The Lessee must ensure that all vessel operators, employees, and contractors engaged in offshore activities pursuant to the approved COP complete marine debris awareness training and are certified prior to engaging in offshore activities and annually thereafter. The training and certification process must include training through viewing of either a marine debris video or training slide pack posted on the BSEE website (https://www.bsee.gov/debris).

5.1.2.1.1 Training Compliance Report. Before engaging in offshore activities pursuant to the approved COP and by January 31 of each year thereafter, the Lessee must submit to BSEE a report that describes its marine debris awareness training process and certifies that all personnel have completed the required training for the previous year. The Lessee must make this certification available for inspection by BSEE upon request.

5.1.2.2 Marking. Any materials, equipment, tools, containers, and other items that are used in OCS activities and that are of such a shape or configuration that make them likely to snag or damage fishing devices or be lost or discarded overboard, must be clearly marked with the vessel or facility identification number and must be properly secured to prevent loss overboard. All markings must clearly identify the owner and must be able to resist the effects of the environmental conditions to which they may be exposed.

5.1.2.3 Recovery. If the marine debris was lost within the boundaries of an archaeological resource/avoidance area, or a sensitive ecological/ benthic resource area, the Lessee must contact BSEE for concurrence before conducting any recovery efforts. The Lessee must take steps to prevent similar releases of marine debris and must submit a description of these preventative actions to BSEE within 30 days from the date on which the release of marine debris occurred.

5.1.2.4 Notification and Recovery. The Lessee must notify BSEE within 24 hours of any releases of marine debris and indicate whether the released marine debris was immediately recovered. If the marine debris was not recovered, the Lessee must provide its rationale for not recovering the marine debris (e.g., marine debris is located within the

[9] Throughout this document, "marine debris" is defined as any object or fragment of wood, metal, glass, rubber, plastic, cloth, paper, or any other man-made item or material that is lost or discarded in the marine environment.

boundaries of a sensitive area, recovery was not possible because conditions were unsafe, or recovery was not practicable and warranted because the released marine debris is not likely to cause undue harm or damage to natural resources or interfere with OCS uses).

5.1.2.5 After reviewing the notification BSEE may order the Lessee to recover the marine debris within a specified timeframe, or at the time of decommissioning, if the debris was not immediately recovered.

5.1.2.6 Recovery Plan. If BSEE orders the Lessee to recover the marine debris, the Lessee must then submit a Recovery Plan to BSEE within 10 calendar days. BSEE may order the Lessee to submit additional or updated Recovery Plans if there is an ongoing loss of marine debris event. Unless BSEE objects within 2 business days after initiating review, the Lessee may proceed with the activities described in the Recovery Plan. BSEE must be notified that recovery activities are complete within 30 days from the time the marine debris notification was submitted, unless BSEE grants the Lessee an extension.

5.1.2.7 Annual Reporting. The Lessee must include, for each release, the following in an annual report submitted to BSEE via TIMSWeb by January 31 of each year: The report should be in chronological order and must include the following:

5.1.2.7.1 Project identification and contact information for the Lessee and for any operators or contractors involved;

5.1.2.7.2 The date and time of the release;

5.1.2.7.3 The lease number, OCS area and block, and coordinates of the object's location (latitude and longitude in decimal degrees);

5.1.2.7.4 A detailed description of the released object(s), including dimensions (approximate length, width, height, and weight), composition (e.g., plastic, aluminum, steel, wood, or paper), and buoyancy (floats or sinks);

5.1.2.7.5 Pictures, data imagery, data streams, and/or a schematic or illustration of the object, if available;

5.1.2.7.6 An indication of whether the item(s) could be detected as a magnetic anomaly of greater than 50 nanoteslas, a seafloor target of greater than 0.5 m (1.6 ft), or a sub-bottom anomaly of greater than 0.5 m (1.6 ft) when operating a magnetometer or gradiometer, side scan sonar, or sub-bottom profiler;

5.1.2.7.7 An explanation of how the object was lost; and

5.1.2.7.8 A description of immediate recovery efforts and results, including photos.

5.1.2.8 Annual Surveying and Reporting, Periodic Underwater Surveys, Reporting of Monofilament and Other Fishing Gear Around WTG Foundations. The Lessee must conduct a survey around the foundations of at least 10 WTG for lost fishing gear annually for the first three years following the commercial operations date and every 5 years thereafter. The Lessee may conduct surveys by remotely operated vehicles or other means to determine the quantity and locations of marine debris. The Lessee must report the results of the surveys to BOEM and BSEE in an annual report, submitted by January 31, for the preceding calendar year. The Lessee must submit annual reports in both Microsoft Word and Adobe PDF format. The Lessee must provide photographic and videographic materials (TIFF or Motion JPEG 2000) in TIMSWeb with the submittal of the annual report. The Lessee may submit photographic and videographic files to marinedebris@bsee.gov if the files cannot be uploaded in TIMSWeb. The Lessee may only modify survey design and effort (i.e., the number of WTGs and frequency of reporting) upon review and concurrence by BOEM and BSEE.

5.1.2.8.1 Annual reports must include a summary of the survey reports including survey date(s); contact information of the operator; location and pile identification number; photographic and/or video documentation of the survey and debris encountered; any animals sighted; and the disposition of any located debris (i.e., removed or left in place).

5.2 Avian and Bat Protection Conditions.

5.2.1 The Lessee must submit all required documents related to avian and bat protection conditions in Sections 5.2.2 through 5.2.7 to BOEM, BSEE, and USFWS. The Lessee must confirm the relevant point-of-contact before submitting the required documents and must also confirm that the agencies have received the documents.

5.2.2 Bird-Deterrent Devices and Plan. The Lessee must submit a Bird Perching Deterrent Plan (BPDP) to BOEM and BSEE, with the FDR, describing the type and location of the bird perching deterrent devices and the safety considerations used to determine the appropriate location(s) for each WTG and offshore substation platform (OSP) to minimize the attraction of roseate terns and other marine birds. BOEM, BSEE, and USFWS will review the BPDP and provide any comments on the plan to the Lessee within 60 business days of its submittal. The Lessee must resolve all comments on the BPDP to BOEM's satisfaction before the Lessee may begin installation of WTGs or OSPs. The BPDP must include a discussion of the best available science, including the documented efficacy, of the proposed devices, the type(s) and locations of bird perching deterrent devices, include a maintenance plan for the life of the Project, allow for modifications and updates as new information and technology become available, track the efficacy of the deterrents, and include a timeline for installation. The structural as-built

drawings, per Section 2.24, must show the location and type of bird-deterrent devices.

5.2.3 Navigation Lighting Upward Illumination Minimization. Nothing in this condition supersedes or is intended to conflict with lighting, marking, and signaling requirements of FAA, USCG, or BOEM. The Lessee must use lighting technology that minimizes impacts on avian species to the extent practicable including lighting designed to minimize upward illumination. The Lessee must provide USFWS with a copy of the final Lighting, Marking, and Signaling plan, and the Lessee's approved application to USCG to establish PATONs (Sections 3.1.1 through 3.1.2).

5.2.4 Avian and Bat Monitoring Program. The Lessee must develop and implement an Avian and Bat Post-Construction Monitoring Plan (ABPCMP) in coordination with USFWS and other relevant regulatory agencies. The objectives of the monitoring plan will include: (1) to advance understanding of how the target species use the offshore airspace and do (or do not) interact with the wind farm; (2) to improve the collision estimates from SCRAM (or its successor) for the three listed bird species; and (3) to inform any efforts aimed at minimizing collisions or other project effects on target species. The plan will be based on the SouthCoast Wind Draft Post-Construction Avian and Bat Monitoring Framework (December 6, 2023 Version). The plan will also include an initial monitoring phase involving deployment of Motus radio tags on listed birds in conjunction with installation and operation of Motus receiving stations on WTGs in the Lease Area following offshore Motus recommendations. The initial phase may also include deployment of satellite-based tracking technologies (e.g., GPS or Argos tags). The plan will include acoustic bat and bird detectors and the use of radar. BOEM and BSEE will use annual monitoring reports to determine the need for adjustments to monitoring approaches and to consider new monitoring technologies, and/or additional periods of monitoring. Prior to or concurrent with offshore construction activities, including seabed preparation activities, the Lessee must submit an ABPCMP for BOEM, BSEE, and USFWS review. BOEM, BSEE, and USFWS will review the ABPCMP and provide any comments on the plan to the Lessee within 60 business days of its submittal. The Lessee must resolve all comments on the ABPCMP to BOEM's and BSEE's satisfaction before implementing the plan and before commissioning the first WTG.

5.2.4.1 Monitoring. The Lessee must conduct monitoring as outlined in ABPCMP. The ABPCMP will allow for changing methods over time (see Conservation Measure 5.d, USFWS BiOp) in order to regularly update and refine collision estimates for listed birds. The plan must include an initial monitoring phase involving deployment of Motus radio tags on listed birds in conjunction with installation and operation of Motus receiving stations on turbines in the Lease Area following offshore Motus recommendations. The initial phase may also include deployment of satellite-based tracking technologies (e.g., GPS or Argos tags).

5.2.4.2 Annual Monitoring Reports. During the first 12 months after final WTG is commissioned for the Project, the Lessee must submit quarterly progress reports to BOEM, BSEE and the USFWS by the 15th day of the first month following the end of each quarter (see addresses in Section 1.10). The quarterly report must include a summary of all work performed, an explanation of overall progress, and any technical problems encountered. The Lessee will transition to submitting annual reports after each full year of post-construction monitoring within 12 months of completion of the survey season (see addresses in Section 1.10). The report must include all data, analyses, and summaries regarding ESA-listed and non-ESA-listed birds and bats. In addition, the Lessee must report observations of injured or dead piping plovers, rufa red knots, and roseate terns; any listed species perching on Project infrastructure (including offshore substations); implementation and effectiveness of avoidance and minimization measures; and any other relevant activity and information related to the proposed action and potential impacts to listed species.

5.2.4.3 Monitoring Plan Revisions. Within 30 business days of submitting the annual monitoring report, the Lessee must meet with BOEM, BSEE, and USFWS to discuss the monitoring results, the potential need for revisions to the ABPCMP, including technical refinements or additional monitoring, and the potential need for any additional efforts to reduce impacts. If the reported monitoring results deviate substantially from the impact analysis included in the Final EIS,[10] the Lessee must transmit to BOEM, BSEE, and USFWS recommendations for new mitigation measures and/or monitoring methods. In consultation with USFWS, BOEM and BSEE may adjust the frequency, duration, and methods for various monitoring efforts in future revisions of the ABPCMP based on current technology (including its cost), and the evolving weight of evidence regarding the likely levels of collision mortality for each listed bird species (See Conservation Measure 5. Monitoring and Data Collection, USFWS BiOp).

5.2.4.4 Operational Reporting. Upon commissioning of the first WTG, the Lessee must submit to BOEM and BSEE an annual report, due by January 31, summarizing monthly operational data from the preceding year, calculated from 10-minute supervisory control and data acquisition data, for all WTGs together in tabular format, including the proportion of time the WTGs were spinning each month, the average rotor speed (monthly revolutions per minute) of spinning WTGs plus 1 standard deviation, and the average pitch angle of blades (degrees relative to rotor plane) plus 1 standard deviation. Any data considered by the Lessee to be privileged or confidential must be clearly marked

[10] https://www.boem.gov/renewable-energy/southcoast-wind-final-environmental-impact-statement

as confidential business information and will be handled by BOEM and BSEE in a manner consistent with 30 C.F.R. § 585.114. To the extent the data generated for the project is not convenient to the format specifications described in this section, BOEM, USFWS, and the lessee may agree to alternative parameters, consistent with the practice of adjacent projects and SCRAM modeling requirements.

5.2.5 Raw Data. The Lessee must store the raw data from all avian and bat surveys and monitoring activities using accepted archiving practices including data collected during COP preparation. Such data must be accessible to BOEM, BSEE, and USFWS upon request for the duration of the Lease. The Lessee must work with BOEM to ensure that the data are publicly available. All avian tracking data (i.e., from radio and satellite transmitters) must be stored, managed, and made available to BOEM and USFWS following the protocols and procedures outlined in the USFWS document entitled, *Guidance for Coordination of Data from Avian Tracking Studies* effective at time of COP approval. All bat data must be stored in NAB at (https://www.nabatmonitoring.org/).

5.2.6 Annual Bird/Bat Mortality Reporting. The Lessee must provide an annual report to BOEM, BSEE, and the USFWS documenting any dead (or injured) birds or bats found on vessels and structures during construction, operations, and decommissioning. The report must contain the following information: the name of the species, date found, location, a picture to confirm species identity (if possible), and any other relevant information. Carcasses with federal or research bands must be reported to the United States Geological Survey Bird Band Laboratory, available at https://www.pwrc.usgs.gov/BBL/bblretrv/. The Lessee must also submit to BOEM, BSEE, and USFWS an annual report covering each calendar year, due by January 31, documenting the implementation of any collision-prevention measures during the preceding year. Additionally, annual reporting of injured or dead listed species will be recorded in the Injury & Mortality Reporting (IMR) system (https://ecos.fws.gov/imr/welcome).

5.2.6.1 Immediate Reporting. Any occurrence of a dead or injured ESA-listed bird or bat in or within 1 mile of the lease area must be reported to BOEM, BSEE, and USFWS as soon as practicable (taking into account crew and vessel safety), no later than 72 hours after the sighting and, if practicable, the dead specimen will be carefully collected and preserved in the best possible state. BOEM will coordinate with USFWS on procedures and required permits for processing and handling specimens.

5.2.7 Compensatory Mitigation for Piping Plover and Red Knot. At least 180 days prior to the start of commissioning of the first WTG, the Lessee must distribute a Compensatory Mitigation Plan for Piping Plover and Red Knot to BOEM, BSEE, and USFWS for review and comment. BOEM, BSEE, and USFWS will review the Compensatory Mitigation Plan and provide any comments on the plan to the Lessee within 60 days of its submittal. The Lessee must resolve all comments on this Compensatory Mitigation Plan to BOEM's and BSEE's satisfaction before implementing the Plan and before commissioning of the first WTG. The

Compensatory Mitigation Plan would provide compensatory mitigation actions to fully offset take of Piping Plover and Red Knot by the fifth year of WTG operation. The Lessee will review the effectiveness of the plan with BOEM, BSEE and USFWS at regular (5-year) intervals thereafter or as new information becomes available, during which alternative and adaptive strategies might be considered. The Compensatory Mitigation Plan must include: (1) a quantification of the level of offsets to fully offset the impact of the incidental take expressed in the ITS, based on scientifically recognized techniques and methodologies for each of the impacted species; Piping Plover and Red Knot; (2) detailed description of the mitigation actions for each species; (3) the specific location for each mitigation action; (4) a timeline for completion of the mitigation measures; (5) details of the mitigation mechanisms (e.g., conservation bank, in-lieu fee, applicant-proposed mitigation); (6) best available science linking the compensatory mitigation action(s) to the projected level of collision mortality; and (7) monitoring and reporting to ensure the effectiveness of the mitigation actions in offsetting take.

5.3 Pre-Seabed Disturbance Conditions.

5.3.1 The Lessee must submit all required documents related to pre-seabed disturbance conditions in Sections 5.3.2 through 5.3.10 (e.g., sand bedform removal plan, anchoring plans, as-placed anchor plats, boulder identification and relocation, micrositing plan, and scour and cable protection) to BOEM, BSEE, and NMFS GARFO-HESD.

5.3.2 Sand Bedform Removal Plan. The Lessee must prepare and implement a Sand Bedform Removal Plan that describes how sand bedforms that could affect the Project will be mitigated. The Lessee must submit this plan to BSEE and BOEM for review and concurrence. The Lessee must submit a Sand Bedform Removal Plan(s) to BOEM and BSEE for the agencies' 60 business day review, 120 days prior to sand bedform removal activities within the scope of the plan. The Lessee must resolve all comments on the Sand Bedform Removal Plan to BOEM's and BSEE's satisfaction prior to implementation of the plan. If BOEM or BSEE do not provide comments on the plan within 60 business days of its submittal, then the Lessee may presume concurrence with the plan. The Lessee must provide a copy of the final Sand Bedform Removal Plan to NMFS GARFO-HESD.

5.3.2.1 The plan must include the following:

5.3.2.1.1 A description of sand bedform removal methods, including expected penetration depth, vessel specifications, equipment specifications, and metocean limits on operation;

5.3.2.1.2 Figures of the location of sand bedform removal activities, including Lessee proposed safety zones associated with third-party assets;

5.3.2.1.3 A description of how dredged material will be handled and disposed of;

5.3.2.1.4 A description of safety distances or zones to limit sand bedform removal activities near third-party assets;

5.3.2.1.5 A description of the environmental footprint of disturbance activities and measures taken to avoid further adverse impacts to archaeological resources, seafloor hazards, complex habitat, and fishing operations;

5.3.2.1.6 A description of how information regarding complex benthic habitats is shared with vessel operators;

5.3.2.1.7 A summary of consultation and outreach with resource agencies and the fishing industry in development of the plan to include LNM; and

5.3.2.1.8 A description of how sand bedform removal will be limited to the extent required to achieve adequate cable burial depth and will not exceed more than 5 percent of the Falmouth export cable route.

5.3.2.2 Sand Bedform Removal Report. The Lessee must provide to BSEE and BOEM, and make available to the approved CVA, a Sand Bedform Removal Report. The report must be submitted within 60 days of completion of the Sand Bedform Removal activities and prior to or with the relevant FIR. The report must include a summary of the activities performed and outline any deviations from the Sand Bedform Removal Plan. The Lessee must also provide to BOEM, BSEE, and NMFS GARFO-HESD a comprehensive list and shapefile of sand bedform removal activities and sediment relocation (latitude, longitude).

5.3.3 Anchoring Plans/Plats. The Lessee must prepare and implement an Anchoring Plan(s) for all areas where anchoring or buoy placement occurs and jack-up barges are used during construction and operations/maintenance within 1,640 ft (500 m) of habitats, resources, and submerged infrastructure that are sensitive, including sensitive benthic habitats;[11] boulders greater than or equal to 0.5 m; ancient submerged landform features (ASLFs); known and potential shipwrecks; potentially significant debris fields; potential hazards; third-party infrastructure, and any related facility installation (such as cable, WTG, and OSP installation). Avoidance buffers must be consistent with the following: exclusion zones for potential and confirmed unexploded ordnances consistent with risks identified in the MEC/UXO Desktop Study (Section 2.1) and relative to risks of planned activities; avoidance of cultural resources and shipwrecks and ASLFs will be consistent with Section 7.1.2 and 7.1.3.

[11] Sensitive benthic habitats include complex habitat, benthic features, and bathymetric features, Complex habitat is defined as coarse unconsolidated mineral substrates (i.e., substrates containing 5 percent or greater gravels), rock substrates (e.g., bedrock), and shell substrates (e.g., mussel reef) consistent with Coastal and Marine Ecological Classification Standards definitions, as well as vegetated habitats (e.g., SAV). Benthic features are defined as sand waves, megaripples, and ripples. Bathymetric features are defined as topographic features of the seafloor such as lumps, scarps, ledges, and banks.

5.3.3.1 The Lessee must provide to all construction and support vessels the locations where anchoring or buoy placement must be avoided or minimized to the extent technically and/or economically practicable or feasible, including sensitive benthic habitats, boulders greater than or equal to 0.5 m, ASLFs, known and potential shipwrecks, potentially significant debris fields, potential hazards, and any related facility installation activities (such as cable, WTG, and OSP installation). If avoidance and minimization is determined to be infeasible, the plans must describe in detail the rationale for such infeasibility. Dynamic positioning systems should be used in these areas instead of anchoring, as practicable. If anchoring is necessary at these locations, then for cable installation all vessels deploying anchors must extend the anchor lines to the extent practicable to minimize the number of times the anchors must be raised and lowered to reduce the amount of habitat disturbance, unless the anchor chain sweep area includes sensitive benthic habitat that may be impacted by the chain sweep. On all vessels deploying anchors, the Lessee must use mid-line anchor buoys to reduce the amount of anchor chain or line that touches the seabed, unless the Lessee demonstrates, to BOEM's and BSEE's satisfaction, that (1) the use of mid-line anchor buoys to reduce the amount of anchor chain or line that touches the seabed is not technically practical or feasible; or (2) a different alternative is as safe and provides the same or greater environmental protection.

5.3.3.2 If placement of jack-up barge spud cans is necessary in sensitive benthic habitats, locations for the spud cans must be selected to avoid or minimize impacts according to the following list, including complex habitat sub-types (using NMFS complexity categories), prioritized from highest to lowest priority, to avoid during micrositing: complex habitats with high density large boulders, complex habitats with medium density large boulders, complex habitats with low density large boulders, complex with scattered large boulders; complex habitats with no large boulders,[12] as technically practicable or feasible. Benthic habitat data (i.e., backscatter, side scan, bathymetry, and boulder layers) should be used to inform the anchoring plan. In the event of any misalignment in avoidance buffers described above with any other permits or authorizations, please refer to Section 1.4.

5.3.3.3 The Lessee must provide the proposed Anchoring Plan to BOEM and BSEE, for the agencies' 60-day review, at least 120 days before anchoring activities or at least 120 days before construction begins for export and inter-array cables, whichever is earlier. The Lessee must resolve all comments on the Anchoring Plan to BOEM's and BSEE's satisfaction before conducting any OCS seabed-disturbing activities that require anchoring. If there are fewer than 120 days between

[12] Benthic features are defined as sand waves, megaripples, and ripples; Bathymetric features are defined as topographic features of the seafloor such as lumps, scarps, ledges, and banks.

anchoring activities and this COP approval, the Lessee must submit the Plan as soon as practicable and no later than 60 days prior to commencing activities. The Lessee must provide the final version of each Anchoring Plan to BOEM, BSEE, NMFS GARFO-HESD, and the USACE. Additionally, the Lessee must provide in the Anchoring Plan a description of how information regarding sensitive benthic habitats is shared with ECC and WTG construction vessel operators.

5.3.4 Micrositing Plan(s). The Lessee must prepare and implement a Micrositing Plan(s) that describes how inter-array cables, export cable routes, WTGs, and OSPs will be microsited to avoid or minimize impacts (as technically and/or economically practicable or feasible) to archaeological resources (Sections 7.1.2 and 7.1.3), sensitive benthic habitats, boulders greater than or equal to 0.5 meters in diameter, and potential and confirmed MEC/UXO. The plan(s) must describe MEC/UXO ALARP Certified areas, which should be consistent with MEC/UXO ALARP Certification (Section 2.9). To the extent practicable, cables should cross sensitive benthic habitat areas perpendicularly at the narrowest points; cables unable to avoid benthic features such as sand waves should be sited along natural benthic contours within troughs/lows, to maximize cable burial while minimizing disturbance to local submarine topography. The Lessee must submit detailed supporting data and analysis as part of the FDR or FIR, including relevant geophysical and geospatial data. The submission of the data may be incorporated by reference or submitted as an attachment to the FDR or FIR. The Micrositing Plan(s) must be consistent with, Cable Routings (Section 2.13) and the Boulder Identification and Relocation Plan(s) (Section 5.3.5).

5.3.4.1 BOEM requires that the Lessee include in the plan a description of how it plans to minimize impacts to sensitive benthic habitat along the Brayton Point ECC (between KP 55-58) from cable laying activities along the northeastern edge of the cable corridor associated with Brown's Ledge as technically and economically feasible.

5.3.4.2 BOEM requires the following WTG micrositing actions be reflected in the Micrositing Plan as technically and economically practicable:

5.3.4.2.1 BK39 should be shifted the maximum allowable distance west;

5.3.4.2.2 BL38 should be shifted the maximum allowable distance west;

5.3.4.2.3 BL39 should be sifted the maximum allowable distance west;

5.3.4.2.4 BL42 should be shifted the maximum allowable distance east;

5.3.4.2.5 BL43 should be sited outside of the benthic ridge feature to the southwest;

5.3.4.2.6 BM40 should be shifted the maximum allowable distance east;

5.3.4.2.7 BM41 should be shifted the maximum allowable distance east.

5.3.4.3 Micrositing may only occur within areas surveyed and within navigational tolerances from the USCG for Navigational Safety Conditions of the COP.

5.3.4.4 The Micrositing Plan(s) must include a figure for each microsited cable segment, including benthic habitat delineations showing sensitive benthic habitat and locations of boulders greater than or equal to 0.5 m. The plan(s) must include a figure encompassing the lease area, depicting large boulder locations, benthic habitat delineations, and the proposed microsited locations for cables, WTGs, and OSPs. Backscatter, bathymetry, and boulder layers should be used to inform the Micrositing Plan.

5.3.4.5 For cables, OSPs, and/or WTGs that cannot be microsited to avoid impacts to sensitive benthic habitat or boulders greater than or equal to 0.5 m, the micrositing plan must identify technically and/or economically practicable or feasible impact minimization measures and use the following prioritized list, including complex habitat sub-types, to avoid during micrositing: complex habitats with high density large boulders, complex habitats with medium density large boulders, complex habitats with low density large boulders, complex with scattered large boulders; complex habitats with no large boulders.

5.3.4.6 The Lessee must submit the Micrositing Plan(s) to BOEM and BSEE for a 60-day review, 120 days prior to site preparation activities for cables, WTGs, and OSP(s) within the scope of the plan. The Lessee must resolve all comments on the Micrositing Plan(s) to BOEM's and BSEE's satisfaction prior to implementation of each plan(s). If there are fewer than 120 days between site preparation activities and this COP approval, the Lessee must submit the plan as soon as practicable and no later than 60 days prior to commencing activities. The Lessee must provide the final version of each Micrositing Plan to BOEM, BSEE, NMFS, and USACE. Additionally, the plan must describe how information regarding sensitive benthic habitats is shared with vessel operators.

5.3.4.7 Post-Installation Micrositing Report. The Lessee must provide a post-installation Micrositing Report to BOEM and BSEE for coordination with NMFS GARFO-HESD. The report must include a summary of the micrositing activities for WTGs, inter-array cables, and the export cables and demonstrate (i.e., figures of as-built locations overlaid on multibeam echosounder backscatter survey data) how impacts to complex habitats and benthic features were avoided and/or minimized within the lease area and ECC. The report must also identify and depict (i.e., figures) areas in which WTGs or cables could not be microsited to avoid complex habitats with a description of the complex

habitat sub-types impacted (see prioritized list of complex habitat sub-types listed under the Micrositing Plan Section 5.3.4) and include documentation of technical feasibility issues encountered. The Lessee must submit the report within 90 days of completion of all WTG and cable installations. The Lessee must also provide BOEM, BSEE, and NMFS GARFO-HESD a shapefile of as-built WTGs, inter-array cables, and the export cables, as well as best-available multibeam echosounder backscatter survey data (i.e., as a raster file for use in ArcGIS).

5.3.5 Boulder Identification and Relocation Plan. The Lessee must submit a Boulder Identification and Relocation Plan(s) to BOEM and BSEE for the agencies' 60-day review, 120 days prior to boulder relocation activities within the scope of the plan. The final version of the Boulder Identification and Relocation Plan must be provided to NMFS GARFO-HESD. The plan(s) should be inclusive of any boulder studies undertaken by the Lessee. The Lessee must resolve all comments on the Boulder Identification and Relocation Plan(s) to BOEM's and BSEE's satisfaction prior to implementation of the plan(s). If BOEM or BSEE do not provide comments on the plan(s) within 60 days of its submittal, then the Lessee may presume concurrence with the plan(s). Concurrence with the plan(s) will be determined by BSEE. The plan(s) must detail how the Lessee will avoid or minimize impacts to sensitive benthic habitats and fishing operations. The plan(s) must provide for relocation of boulders as closely as practicable to the original location, in areas of soft bottom that are immediately adjacent to existing similar habitat from which the boulder originated. The plan(s) must include multibeam backscatter data and boulder (greater than or equal to 0.5 m in diameter) data layers to inform the siting of boulders and areas for relocation. The plan(s) must include sufficient scope to mitigate boulders for facility installation and operational risks. The plan(s) must be consistent with and meet the conditions of the SMS in Section 2.10. The plan(s) must include the following for boulders that are proposed to be relocated:

5.3.5.1 A summary and detailed description of surface and subsurface boulders greater than 0.5 m in diameter and locations along the cable routes and WTG areas where such boulders have been found;

5.3.5.2 A detailed summary of methodologies used in boulder identification, including geological and geophysical survey results;

5.3.5.3 Figures of the location of boulder relocation activities specified by activity type (e.g., pick or plow, removal, or placement);

5.3.5.4 A description of boulder removal and/or relocation methods for each type of boulder relocation activity, and technical feasibility constraints, including, but not limited to, the capacity of the crane used in grab systems, vessel specifications, and metocean limits on operations;

5.3.5.5 A description of the areal extent of the environmental footprint of disturbance activities by habitat type and specific measures taken to avoid further adverse impacts to archaeological resources, sensitive

habitat and fishing activity, and a description of how information regarding these resources is shared with vessel operators;

5.3.5.6 A comprehensive list and shapefile of locations of boulders that would be relocated (latitude, longitude), boulder dimensions (m), buffer radius (m), areas of active (within last 5 years) bottom trawl fishing (latitude, longitude), areas where boulders greater than 2 m in diameter are anticipated to occur (latitude, longitude), and identification of approximate areas to which boulders would be relocated (latitude, longitude);

5.3.5.7 A description of the specific strategies and measures taken to minimize the impacts to sensitive habitats and quantity of seafloor obstructions from relocated boulders in areas of active fishing, as technically and/or economically feasible;

5.3.5.8 The measures taken to minimize the quantity of seafloor obstructions from relocated boulders in areas of active bottom trawl fishing;

5.3.5.9 A description of safety distances or zones to limit boulder relocation near third-party assets;

5.3.5.10 A summary of any consultation and outreach with resource agencies and the fishing industry in the development of the plan (e.g., notifications to mariners);

5.3.5.11 A description of MEC/UXO ALARP certified areas, which must be consistent with MEC/UXO ALARP Certification (Section 2.9); and

5.3.5.12 A statement of consistency with the Micrositing Plan (Section 5.3.4).

5.3.6 The Lessee must provide USCG, NOAA, and the local harbormaster with a comprehensive list and shapefile of positions and areas to which boulders greater than 2 m in diameter would be relocated (latitude, longitude) at least 60 days prior to boulder relocation activities.

5.3.7 Boulder Relocation. The Lessee must implement methods identified in the approved COP and described in the Boulder Identification and Relocation Plan(s) for boulder relocation activities. The Lessee must consider the spatial extent of boulder relocation in the micrositing of WTGs and OSP foundations and inter-array and export cables for this Project and must relocate boulders as closely as practicable to the original location, in areas of soft bottom immediately adjacent to existing similar habitat. The relocation of boulders must be consistent with the Project easement.

5.3.8 Boulder Relocation Decision Protocol. The Plan(s) must include a prioritized relocation decision protocol for export cable, inter-array cable, OSP and WTG positions as follows: 1) relocation is conducted in a manner that ensures safety of the vessel and crew, 2) boulders are not relocated within the exclusion zone of potential or confirmed MEC/UXO, 3) boulders are not relocated within Archaeological Exclusion Zones, 4) boulders are not relocated within any other exclusion or protected zone including but not limited to SAV, shellfish beds

(including mussels), or areas that would impede existing scientific monitoring and research activities in State water, 5) boulders are not relocated in complex benthic hard bottom habitat, 6) boulders are not stacked on top of each other, 7) relocated boulders are grouped together or grouped next to nearby boulders but within similar bottom habitats and/or at the perimeter of the hard/soft bottom habitat interface, 8) relocated boulders are placed as close to the original location as possible, within previously surveyed areas, but outside the clearance radius. If the Lessee believes one or more relocation decision conditions described in this Section is infeasible, the Lessee must submit a technical feasibility analysis with the Boulder Relocation Report for review and concurrence by BOEM and BSEE. A variance request under Section 1.5 is not required if the Lessee submits a technical feasibility analysis pursuant to this Section.

5.3.9 Boulder Relocation Report. The Lessee must provide a Boulder Relocation Report to BSEE, BOEM, and NMFS GARFO-HESD and make the Boulder Relocation Report available to the approved CVA. The report must include a post-relocation summary of the boulder relocation activities and information to certify boulder risks related to the installation and operation of the facility have been properly mitigated. The report must also identify boulders that could not be relocated with documentation of technical feasibility concerns, including information on how, if at all, the final boulder placement differs from the Boulder Relocation Plan and why such changes were necessary. The Lessee must submit the report within 60 days of completion of the boulder relocation activities. The Lessee must also provide BOEM, BSEE, and NMFS GARFO-HESD a comprehensive list and shapefile of boulder locations to which boulders were relocated (latitude, longitude), boulder dimensions (m), any safety distances or zones to limit boulder relocation near third-party assets (m), and areas of active (within last 5 years) bottom trawl fishing (i.e., as a raster file for use in ArcGIS).

5.3.10 Scour and Cable Protection Plan. The Lessee must prepare and implement a Scour and Cable Protection Plan(s) that includes descriptions and specifications for all scour and cable protection materials. The plan(s) must include a depiction of the location and extent of cable protection, the habitat types (from acoustic surveys and transect data) for the areas of cable protection measures, and detailed information on the proposed scour or cable protection materials for each area and habitat type. The Scour and Cable Protection Plan(s) must demonstrate consistency with the Micrositing Plan(s), as appropriate.

5.3.10.1 If technically feasible, the Scour and Cable Protection Plan should not include the use of engineered stone or concrete mattresses in sensitive habitat. The Lessee must ensure that all materials used for scour and cable protection measures consist of natural or engineered stone that does not inhibit epibenthic growth and provides three-dimensional complexity in height and in interstitial spaces. If concrete mattresses are necessary, bioactive concrete (i.e., with bio-enhancing admixtures) must be used as practicable as the primary scour protection (e.g., concrete mattresses) or veneer to support biotic growth. If the Scour and Cable Protection Plan includes the use of engineered stone or

concrete mattresses in sensitive habitat, the Plan must include a technical feasibility analysis demonstrating why the use of those materials is necessary.

5.3.10.2 The Scour and Cable Protection Plan must include the use of cable protection measures that have tapered or sloped edges to reduce hangs for mobile fishing gear. The Plan may not include the permanent use of plastics/recycled polyesters/net material (i.e., rock-filled mesh bags, fronded mattresses) for scour and cable protection. The Plan may include the temporary use for 12 months or less of plastics/recycled polyesters/net material (i.e., rock-filled mesh bags, fronded mattresses) for scour and cable protection.

5.3.10.3 The Lessee must submit the Scour and Cable Protection Plan(s) to BOEM and BSEE for a 60-day review, at least 120 days prior to placement of scour and cable protection within the area covered by the scope of the Plan(s). BOEM and BSEE must concur with the Scour and Cable Protection Plan(s) prior to BSEE issuing a no-objection to an FDR covering the scour and/or cable protection materials.

5.3.10.4 The Lessee must resolve all comments on each Plan to BOEM's and BSEE's satisfaction before placement of the scour and cable protection materials. The Lessee must provide the final version of the Scour and Cable Protection Plan(s) to BSEE, NMFS, and USACE.

5.3.10.5 If the Lessee believes that it is technically infeasible to comply with Section 5.3.10.1 or Section 5.3.10.2, the Lessee must submit a technical feasibility analysis for review and concurrence by BOEM and BSEE. A variance request under Section 1.5 is not required if the Lessee submits a technical feasibility analysis pursuant to this Section. The technical feasibility analysis may be submitted as part of the Scour and Cable Protection Plan.

5.4 Benthic Habitat and Fisheries Monitoring Conditions.

5.4.1 Berm Survey and Report. Where plows, jets, grapnel runs, or other similar methods are used, post-construction geophysical surveys required as part of the Post-Installation Cable Monitoring must be capable of detecting bathymetry changes of 0.5 meters or less and must be completed to determine the height and width of any created berms. The Lessee must capture bathymetry changes greater than 3 feet during the first and second post-installation surveys along the cable routes (as described in Section 2.17). If there are bathymetric changes in berm height greater than 1 meter above grade after the second survey, the Lessee must develop and implement a Berm Remediation Plan to restore created berms to match adjacent natural bathymetric contours (isobaths), as technically and/or economically practical or feasible. The Lessee must submit the Berm Remediation Plan to BOEM and BSEE for a 60-day review within 90 days of completion of the post-construction survey where the change was detected. The Lessee must resolve all comments on the Berm Remediation Plan to BOEM's and BSEE's satisfaction prior to initiating restoration activities. The Lessee must

provide the final version of the Berm Remediation Plan to BOEM, BSEE, NMFS, and USACE.

5.4.2 Benthic and Fisheries Monitoring Plans. The Lessee must conduct benthic and fisheries monitoring to assess benthic habitat and fisheries in the Project area pre-, during, and post-construction.

5.4.2.1 The Lessee must conduct fisheries monitoring consistent with the South Coast Wind Fisheries Monitoring Plan – UMass Dartmouth (SMAST) dated July 2023.

5.4.2.2 As part of the fisheries monitoring plan, the Lessee must inspect deceased cod that are caught in the ventless trap and trawl surveys for spawning condition, assuming it is safe and practicable to do so.

5.4.2.3 The Lessee must update the Benthic Monitoring Plan - Lease Area and Brayton Point ECC dated April 2024 to specifically describe methods to monitor recovery of sensitive benthic habitat impacted by cable laying activities between KP 55-58 and between KP 76-84. The revised plan must be submitted to BOEM and NMFS HESD 60 days prior to implementation of the revised plan.

5.4.2.4 The Lessee must submit the most current Benthic and Fisheries Habitat Monitoring Plan to BOEM, BSEE, and NMFS within 120 days of COP approval for a 60-day review. The Monitoring Plans must address Agency comments received on the Plans.

5.4.2.5 The Lessee must submit any revisions to the plans to BOEM, to BSEE with status updates of submittals in the Annual Certification, and to NMFS GARFO-HESD. The Lessee should also submit the Benthic and Fisheries monitoring plan reports and resulting data to NMFS GARFO-HESD.

5.4.3 Sacrificial Anodes. The Lessee may not use Zinc sacrificial anodes on external components of WTG and OSP foundations. If the Lessee believes that it is technically infeasible to comply with this Section, the Lessee must submit a technical feasibility analysis for review and concurrence by BOEM and BSEE. A variance request under Section 1.5 is not required if the Lessee submits a technical feasibility analysis pursuant to this Section.

5.5 Non-Avian Protected Species Monitoring Plan Conditions.[13]

5.5.1 The Lessee must submit all required documents related to protected species in accordance with the November 7, 2024, NMFS BiOp Term and Conditions 1 & 5. In addition to the requirements in the BiOp, the Lessee must submit all documents to BOEM, BSEE, and USACE.

[13] The requirements in this section set forth BOEM's conditions pursuant the reasonable and prudent measures and the implementing terms and conditions in the Incidental Take Statement of the November 7, 2024, NMFS Biological Opinion. BOEM intends to implement its conditions of approval, including those in this section, consistently with the Terms and Conditions in the Biological Opinion. *See* Condition 1.4.

5.5.2 The Lessee must obtain BOEM's and BSEE's concurrence with the Plan(s) prior to the start of any activity described in the plans. To change an approved non-avian protected species monitoring plan, the Lessee must submit a revised plan for BOEM and BSEE review. BOEM's and BSEE's concurrence with the revised plan is required prior to commencement of activities under the revised plan. The Lessee must follow final plans.

5.6 Endangered and Threatened Species Conditions for Fishery Monitoring. The Lessee must follow requirements in accordance with the November 7, 2024, NMFS BiOp Appendix A, as applicable, as well as submit all required reporting documents related to endangered and threatened species conditions for fishery monitoring surveys in Section 5.4.2 to BOEM, BSEE, and NMFS GARFO-PRD.

5.6.1 The Lessee must ensure that any lost survey gear is reported and recovered according to the Marine Debris Awareness and Elimination conditions in Section 5.1.2 and the November 7, 2024, NMFS BiOp Appendix A. All lost gear must also be reported to NMFS GARFO-PRD and BSEE within 24 hours of the documented time when gear is discovered to be missing or lost. This report must include information on any markings on the gear and any efforts undertaken or planned to recover the gear.

5.6.2 The captain and/or a member of the scientific crew must conduct marine mammal monitoring prior to, during, and after haul-back of gear used for fisheries monitoring surveys. If a marine mammal is determined by survey staff to be at risk of interaction with the deployed gear, all gear must be immediately removed.

5.6.3 The Lessee must ensure all vessels deploying fixed gear have adequate disentanglement equipment (i.e., knife and boathook) onboard. Any disentanglement must occur consistent with the Northeast Atlantic Coast Sea Turtle Disentanglement Network Guidelines and the procedures described in "Careful Release Protocols for Sea Turtle Release with Minimal Injury" (2019).

5.7 Protected Species Training and Coordination. Before beginning any in-water activities involving vessel use (transit), cable installation, pile-driving, and HRG surveys, and when new personnel join the work, the Lessee must conduct briefings for construction supervisors and crews, PSO and PAM teams, vessel operators, and all staff to explain responsibilities, communication procedures, and protected species mitigation, monitoring, and reporting requirements. Training must follow requirements in the November 7, 2024, NMFS BiOp Appendix A, measure 5.

5.8 Vessel Strike Avoidance Conditions.

5.8.1 The Lessee must follow vessel strike avoidance measures as described in the November 7, 2024, NMFS BiOp, inclusive of Appendices (Appendix A, measures 6-11). The Lessee must also submit any required documents related to vessel strike avoidance consistent with the November 7, 2024, NMFS BiOp Term and Condition 1 and Appendix A to BOEM and BSEE.

5.8.2 Visual Observer Requirements. The Lessee must ensure that vessel operators and crew members maintain a vigilant watch for marine mammals and sea turtles, communicate detections, and reduce vessel speed, alter the vessel's course, or

stop the vessel as necessary to avoid striking marine mammals or sea turtles, consistent with identified requirements pursuant to the November 7, 2024, NMFS BiOp inclusive of Appendices.

5.9 Passive Acoustic Monitoring (PAM) of Foundation Installation and Transit Corridor.

5.9.1 Consistent with the requirements described in the MMPA LOA per the November 7, 2024, NMFS BiOp Term and Condition 1, the Lessee must conduct PAM to supplement visual monitoring of marine mammals before, during, and after all monopile and jacket foundation installations.

5.9.2 Consistent with the requirements outlined in the MMPA LOA and Appendix A of the November 7, 2024, NMFS BiOp, if a vessel is traveling at any speed greater than 10 knots (18.5 km/hr) (i.e., no speed restrictions are enacted) in the transit corridor (defined as from a port to the Lease Area or return), in addition to the required dedicated visual observer, SouthCoast Wind must monitor the transit corridor in real-time with PAM prior to and during transits. If a North Atlantic right whale is detected via visual observation or PAM within or approaching the transit corridor, all vessels in the transit corridor must travel at 10 knots (18.5 km/hr) or less for 24 hours following the detection. Each subsequent detection will trigger a 24-hour reset. A slowdown in the transit corridor expires when there has been no further North Atlantic right whale visual or acoustic detection in the transit corridor in the past 24 hours.

5.10 Clearance and Shutdown Zones. The Lessee must follow the MMPA LOA per the November 7, 2024, NMFS BiOp ITS, Tables 11.1.a and 11.1.b (see Tables 5.10-1 and 5.10-2 below), requiring that any pile-driving will not proceed unless the visual PSOs can effectively monitor the full extent of the minimum visibility zones and identified clearance zones for marine mammals and sea turtles. The Lessee must establish and monitor the following clearance and shutdown zones for the specified activity unless otherwise approved by BOEM and BSEE (in consultation with NMFS).

Table 5.10-1: Clearance, Shutdown, and Minimum Visibility Zones, in meters (m), during Sequential and Concurrent Installation of 9/16-m Monopiles and 4.5-m Pin Piles

Installation Order	**Sequential**			**Concurrent**		
Pile Type	**9/16-m Monopile**	**4.5-m Pin Pile**	**9/16-m Monopile**	**4.5-m Pin Pile**	**WTG Mono + 4 OSP Pin Piles**	**4 WTG Pin + 4 OSP Pin Piles**
Method	**Impact Only**	**Impact**	**Vibratory**	**Impact**	**Vibratory**	**Impact Only**
Minimum Visibility zone: Within NARW EMA: 4,800 m (pin piles); 7,400 m (monopiles). Outside NARW EMA: equivalent to blue/fin/sei whale impact pile driving clearance zone.						
NARW Visual Clearance/ Shutdown zone	Sighting at Any Distance from PSOs on Pile-Driving or Dedicated PSO Vessels triggers a delay or shutdown (minimum visibility zone plus any additional distances observable by the visual PSOs on any PSO platform).					
NARW PAM Clearance/ Shutdown zone	10,000 m (pin), 15,000 m (monopile)					
Blue, Fin, Sei Whale Clearance/ Shutdown Zone Summer (Winter)	4,000 m (4,100 m) 2,300 m (2,700 m)	4,200 m	400 m	2,300 m	NAS	4,000 m 3,000 m
Sperm Whales Visual Clearance/ Shutdown zone	NAS					
Sea Turtles Visual Clearance/ Shutdown zone	200 m					

Note: The clearance and shutdown zones for marine mammals reflect the proposed conditions of the MMPA ITA and the zones for sea turtles reflect the zone sizes identified in BOEM's BA. Further modification may be included in the final MMPA ITA.

Table 5.10-2 Clearance Zones during UXO/MEC Detonations

UXO/MEC Weight Charge	NARW, Blue, Fin, and Sei Whales		Sperm Whales		Sea Turtles
	ECC	WFA	ECC	WFA	All Sites
PAM Clearance Zone*	15,000 m				N/A
E4 (2.3 kg) Clearance Zone	800 m	400 m	100 m	50 m	500 m
E6 (9.1 kg) Clearance Zone	1,500 m	900 m	200 m	50 m	
E8 (45.5 kg) Clearance Zone	2,900 m	1,900 m	300 m	100 m	
E10 (227 kg) Clearance Zone	4,200 m	3,500 m	500 m	300 m	
E12 (454 kg) Clearance Zone	4,900 m	4,500 m	600 m	400 m	

Note: These clearance and shutdown zones for marine mammals reflect the proposed conditions of the MMPA ITA and the zones for sea turtles reflect the zone sizes identified in BOEM's BA. Further modification may be included in the final MMPA ITA.

5.11 Long-term PAM. The Lessee must conduct long-term monitoring of ambient noise and baleen whale, and commercially important fish vocalizations in the Lease Area before, during, and following construction. The Lessee must conduct continuous[14] recording at least 1 year before the start of pile installation, through pile installation, initial operation, and for at least 3 but no more than 10 full calendar years of operations[15] to monitor for potential impacts. If the Lessee has pre-existing acoustic monitoring on its lease area, it is at BOEM's discretion as to whether the existing effort can (partially or completely) fulfill the long-term PAM requirement outlined here. The Lessee must meet with BOEM and BSEE at least 60 days prior to conclusion of the third full calendar year of operation monitoring (and at least 60 days prior to the conclusion of each subsequent year until monitoring is concluded) to discuss: (1) monitoring conducted to-date, (2) the need for continued monitoring, which need will be determined by BOEM, and (3) if monitoring is continued, whether adjustments to the monitoring are warranted. The monitoring instrument(s) must be configured to ensure that the specific locations (with confidence intervals) of vocalizing NARW anywhere within the lease area can be identified, assuming a 10 km detection range for their calls. The Lessee may satisfy this condition through either of the options set forth more fully below but must notify BOEM of its choice at least 120 days before pile driving is scheduled to begin. PAM deployment and data submission requirements of this Section must be consistent with Chapter 4. In the case where there is a conflict, the Lessee must follow the language in Chapter 4.

5.11.1 Option 1 - Lessee Conducts Long-term PAM. If the Lessee chooses to comply with Section 5.11 using this option, the Lessee must conduct PAM, including data processing and archiving following the Regional Wildlife Science Collaborative (RWSC) best practices[16] to ensure data comparability and transparency. PAM instrumentation must be deployed to allow for identification of any NARW that vocalize anywhere within the lease area, as well as Atlantic cod. The sampling

[14] Continuous recording in this measure recognizes that PAM devices can be damaged or lost from weather and other ocean uses, mechanical failures, and general maintenance. The Lessee must make every effort to maintain the PAM system as near continuous as possible. If temporal gaps in recording are expected, the lessee must ensure that additional recorders can be deployed to fill gaps.

[15] For the purposes of this condition, operation initiates with the commissioning of the first WTG.

[16] https://rwsc.org/wp-content/uploads/2022/12/RWSC-PAM-Data-Management-Storage-Best-Practices.pdf.

rate (minimum 10 kHz) of the recorders must prioritize baleen whale detections but must also have a minimum capability to record noise from vessels, pile-driving, and WTG operation in the lease area. The system must be configured for continuous recording over the entire year. If temporal gaps in recording are expected, the Lessee must ensure that additional recorders can be deployed to fill gaps. The Lessee must use trawl-resistant moorings to ensure that instruments are not lost and must replace any lost instruments as soon as possible. The Lessee must also notify BOEM if this occurs.

The Lessee must follow the best practices outlined in the RWSC best practices document,[17] unless otherwise required through conditions of COP approval. The best practices include engaging with the RWSC, calibrating the instruments, running QA/QC on the raw data, following the templates for reporting species vocalizations, and preparing the data for archiving at National Centers for Ecological Information (NCEI). Although section III of the RWSC best practices document specifies steps for Section 106 compliance, the Lessee must instead follow the conditions outlined in Section 7.1.1 and the Section 106 Memorandum of Agreement.

The Lessee must document the occurrence of mysticete vocalizations (as well as odontocete clicks, as available based on sample rate) using automatic or manual detection methods. In addition, data must be processed with either manual or automatic detection software to detect vocalizations of spawning cod. The Lessee must submit a log of these detections as well as the detection methodology to BOEM, BSEE, and NMFS (at nmfs.pacmdata@noaa.gov) within 120 days following each recorder retrieval. The Lessee must send all raw data to the NCEI Passive Acoustic Data archive on an annual basis and the Lessee must follow NCEI guidance for packaging the data. Please note that if the DON requires screening of the data, the Lessee will have an additional 90 days for data processing.

5.11.1.1 Long-term Passive Acoustic Monitoring Plan. The Lessee must prepare and implement a Long-term PAM Plan under this option. No later than 120 days prior to instrument deployment and before any construction begins, the Lessee must submit to BOEM and BSEE the Long-term PAM Plan that describes all proposed equipment (including number and configuration of instruments), deployment locations, mooring design, detection review methodology, and other procedures and protocols related to the required use of PAM. If there are fewer than 120 days between the commencement of any construction activity and this COP approval, the Lessee must submit the plan as soon as practicable and no later than 60 days prior to commencing activities. As the Lessee prepares the Long-term PAM Plan, it must coordinate with the RWSC. BOEM and BSEE will review the Long-term PAM Plan and provide comments, if any, on the plan within 45 days of its

[17] https://rwsc.org/wp-content/uploads/2022/12/RWSC-PAM-Data-Management-Storage-Best-Practices.pdf.

submittal. The Lessee may be required to submit a modified Long-term PAM Plan based on feedback from BOEM and BSEE. The Lessee must address all outstanding comments to BOEM's and BSEE's satisfaction and will need to receive written concurrence from BOEM. If BOEM does not provide comments on the Long-term PAM Plan within 45 days of its submittal, the Lessee may conclusively presume BOEM's concurrence with the Long-term PAM Plan.

5.11.2 Option 2 – Financial and Other Contributions to BOEM's Environmental Studies Program.[18] As an alternative to conducting long-term PAM in the Lease Area, the Lessee may make a financial contribution to BOEM's Environmental Studies Partnership for an Offshore Wind Energy Regional Observation Network (POWERON) initiative on an annual basis and cooperate with the POWERON team to allow the team's access to the Lease Area for deployment, regular servicing, and retrieval of instruments. In the event the Lessee selects this Option, BOEM and the Lessee will enter into a separate agreement. The Lessee's financial contribution must provide for all activities necessary to conduct PAM within and adjacent to the Lease Area, such as vessel and staff time for regular servicing of instruments, QA/QC on data, data processing to obtain vocalizations of sound-producing species and ambient noise metrics, as well as long-term archiving of data at NCEI. At the Lessee's request, BOEM will provide an estimate of the necessary amount of the financial contribution. BOEM will also invite the Lessee to contribute to discussions about the scientific approach of the POWERON initiative via the RWSC. The Lessee may request temporary withholding of the public release (i.e., the placement into the NCEI public data archive) of raw acoustic data collected within the Lease Area for up to 180 days after collection of that data. During this temporary hold, BOEM may elect to provide the Lessee with a copy of the raw PAM data collected under this option after the DON has cleared the data for national security concerns.

5.12 WTG and OSP Foundation Installation Conditions. The Lessee must follow measures in the November 7, 2024, NMFS BiOp, including Appendices (Appendix A, measures 12-24), and submit all required documents related to WTG and OSP foundation installation conditions in Sections 5.12.1 through 5.12.4 below to BOEM, BSEE, and NMFS GARFO-PRD.

5.12.1 Seasonal and Daily Restrictions. The Lessee must follow the November 7, 2024, NMFS BiOp ITS, inclusive of Appendices (Appendix A, measures 12-14).

5.12.2 Use of PSOs and PAM Operators for Pile-Driving. The Lessee must follow the November 7, 2024, NMFS BiOp ITS, inclusive of Appendices (Appendix A, measures 14-16, 19, 20, 23, and 24).

5.12.3 Noise Attenuation System. The Lessee must follow the November 7, 2024, NMFS BiOp ITS Term and Condition 4, inclusive of Appendices (Appendix A, measure 21).

[18] The Lessee may elect Option 2 initially or during any subsequent calendar year of monitoring, subject to agreement with BOEM and BSEE.

5.12.4 Soft Start and Shutdown. The Lessee must follow the November 7, 2024, NMFS BiOp ITS Term and Condition 4, inclusive of Appendices (Appendix A, measures 17 and 18).

5.13 Site Assessment and Site Characterization Activities. The Lessee must comply with all applicable measures identified in the November 7, 2024, NMFS BiOp, inclusive of Appendices (Appendix A.2). The Lessee must submit applicable survey plans to BSEE for review and concurrence that PDCs/BMPs are followed appropriately at least 90 days prior to the planned start of geophysical and geotechnical surveys. The Lessee must submit survey reports to BSEE.

5.14 Reporting for Protected Species. The Lessee must implement the reporting requirements necessary in the November 7, 2024, NMFS BiOp, including Terms and Conditions 2, 3, 4, 5, 6, 7, 8 and all Appendices, and as specified in the following conditions. The Lessee must report to BOEM and BSEE within 24 hours of any potential take of an ESA-listed species.

5.14.1 Detected or Impacted Protected Species Reporting. The Lessee must follow reporting requirements in the November 7, 2024, NMFS BiOp Term and Condition 7 and Appendices.

5.14.2 Detected or Impacted Dead Non-ESA-Listed Fish. The Lessee must report any occurrence of at least 10 dead non-ESA-listed fish within established shutdown or monitoring zones to BOEM and BSEE as soon as practicable (taking into account crew and vessel safety), but no later than 24 hours after the sighting. BOEM or BSEE will notify NMFS GARFO-HESD. In the email the Lessee must confirm the relevant point of contact for questions regarding the report and confirm with BOEM and BSEE that the report was received. The email must also include modifications the Lessee will make to reduce the risk of additional fish kills in the project area.

5.14.3 Weekly Pile-Driving Reports. The Lessee must compile and submit weekly reports during construction that document pile driving activities, including associated PSO, SFV, and noise abatement activities. These weekly reports must include the information required by the November 7, 2024, NMFS BiOp Terms and Conditions 2e, 4, 5c, and 7e, and the Lessee must submit the reports to NMFS-OPR, NFMS GARFO-PRD, BOEM, and BSEE. The Lessee may submit the reports directly from the PSO providers and the reports may consist of raw data. Standard PSO reporting fields are included in 5.14.5. The Lessee must submit weekly reports no later than Wednesday for the previous week (Sunday – Saturday). Weekly reports must include:

5.14.3.1 Summaries of pile driving activities and piles installed, including pile ID, type of pile, pile diameter, start and finish time of each pile driving event, hammer log (number of strikes, max hammer energy, duration of piling) per pile, any changes to noise attenuation systems and/or hammer schedule, details on the deployment of PSOs and PAM Operators, including the start and stop time of associated observation periods by the PSOs and PAM Operators, and a record of all observations/detections of marine mammals and sea turtles as detailed in Section 5.14.3.3 below;

5.14.3.2 A summary of SFV, including the results of abbreviated SFV monitoring conducted. and NAS implemented during pile driving;

5.14.3.3 All protected species detections. This includes: species identification, number of animals, time at initial detection, time at final detection, distance to pile/vessel at initial detection, closest point of approach to pile/vessel, and animal direction of travel relative to pile/vessel; description of animal behavior, features used to identify species, and for moving vessels: speed (knots), distance and bearing to animal at initial detection, closest point of approach and bearing to animal, distance and bearing to animal at final detection, and animal direction of travel relative to vessel. Sightings/detections during pile driving activities (clearance, active pile driving, post-pile driving) and all other (transit, opportunistic, etc.) sightings/detection must be reported and identified as such; and

5.14.3.4 Vessel strike avoidance measures taken.

5.14.4 Monthly Project Activity Reports. Starting the first month that in-water activities occur on the OCS, the Lessee must compile and submit monthly reports that include a summary of all Project activities carried out in the previous month, including dates and locations of any fisheries surveys, vessel transits (number of transits, name and type of vessel, ports used, and route inclusive of foreign and domestic ports), piles installed (number and ID), HRG surveys conducted, and all observations of ESA-listed whales, sea turtles, and sturgeon inclusive of any mitigation measures taken as a result of those observations. Sightings/detections must include species ID, time, date, initial detection distance, vessel/platform name, vessel activity, vessel speed, bearing to animal, Project activity, and if any, mitigation measures taken. These reports must include the information identified in the November 7, 2024, NMFS BiOp Terms and Condition 7g, and the Lessee must submit the reports to BOEM, BSEE, and NMFS-OPR, and NMFS-GARFO-PRD no later than the 15th of the month for the previous month.

5.14.5 Standard Reporting Fields for Weekly Pile Driving Monitoring Reports (Condition 5.14.3). PSOs must collect data consistent with standard reporting forms, software tools, or electronic data forms authorized by BOEM for the particular activity. PSOs must fill out report forms for each vessel with PSOs aboard. Unfilled cells must be left empty and must not contain "NA." The Lessee must submit the reports in Microsoft Word and Excel formats (not as a PDF). Enter all dates as YYYY-MM-DD. Enter all times in 24 Hour Coordinated Universal Time (UTC) as HH:MM.

5.14.5.1 The PSO must create a new entry on the Effort form each time a pile segment changes, or weather conditions change, and at least once an hour as a minimum. The PSO must review and revise all forms for completeness and resolve incomplete data fields before submittal. The file name must follow this format: Lease#_ ProjectName_PSOData_YearMonthDay toYearMonthDay.xls. Data fields must be reported in Excel format. Data categories must include

Project, Operations, Monitoring Effort, and Detection, as further specified below. The Lessee must generate all PSO data through software applications or otherwise recorded electronically by PSOs and the Lessee must provide the data to BOEM and BSEE in electronic format (CSV files or similar format) to be checked for quality assurance and quality control. Applications developed to record PSO data are encouraged if the data fields listed below can be recorded and exported into Excel. Alternatively, BOEM has developed an Excel spreadsheet with all the necessary data fields, that is available upon request.

Required data fields include:

Project Information:

- Project name
- Lease number
- State coastal zones
- PSO contractors
- Vessel names
- Reporting dates (YYYY-MM-DD)
- Visual monitoring equipment used (e.g., bionics, magnification, infrared cameras)
- Distance finding method used
- PSO names (Last, First) and training
- Observation height above sea surface

Operations Information:

- Date (YYYY-MM-DD)
- Hammer type used (make and model)
- Greatest hammer power used for each pile
- Pile identifier and pile number for the day (e.g., pile 2 of 3 for the day)
- Pile diameters
- Pile length
- Total number of strikes used to install each pile
- Total hammer energy used to install each pile
- Pile locations (latitude and longitude)
- Number of vessel transits
- Types of vessels used
- Vessel routes used

Monitoring Effort Information:

- Date (YYYY-MM-DD)
- Noise source (ON=Hammer On; OFF=Hammer Off)

- PSO name(s) (Last, First)
- If visual, how many PSOs on watch at one time?
- Time pre-clearance visual monitoring began in UTC (HH:MM)
- Time pre-clearance monitoring ended in UTC (HH:MM)
- Time pre-clearance PAM monitoring began in UTC (HH:MM)
- Time PAM monitoring ended in UTC (HH:MM)
- Duration of pre-clearance PAM and visual monitoring
- Time power-up or ramp-up began
- Time equipment full power was reached
- Duration of power-up or ramp-up
- Time pile driving began (hammer on)
- Time pile driving activity ended (hammer off)
- Duration of activity
- Duration of visual detection
- Wind speed (knots), from direction
- Swell height (m)
- Water depth (m)
- Visibility (kilometers)
- Glare severity
- Latitude (decimal degrees), longitude (decimal degrees)
- Compass heading of vessel (degrees)
- Beaufort scale
- Precipitation
- Cloud coverage (%)
- Did a shutdown/power-down occur?
- Time shutdown was called for (UTC)
- Time equipment was shut down (UTC)
- Habitat or prey observations
- Marine debris sighted

Detection Information:

- Date (YYYY-MM-DD)
- Sighting ID (V01, V02, or sequential sighting number for that day; multiple sightings of the same animal or group must use the same ID)
- Date and time at first detection in UTC (YY-MM- DDT HH:MM)
- Time at last detection in UTC (YY-MM-DDT HH:MM)
- PSO name(s) (Last, First)
- Effort (ON=Hammer On; OFF=Hammer Off)
- If visual, how many PSOs on watch at one time?
- Start time of observations
- End time of observations
- Duration of visual observation

- Wind speed (knots), from direction
- Swell height (m)
- Water depth (m)
- Visibility (kilometers)
- Glare severity
- Latitude (decimal degrees), longitude (decimal degrees)
- Compass heading of vessel (degrees)
- Beaufort scale
- Precipitation
- Cloud coverage (%)
- Sightings including common name, scientific name, or family
- Percent certainty of identification
- Number of adults
- Number of juveniles
- Total number of animals
- Bearing to animals when first detected (ship heading + clock face)
- Bearing to animals at closest approach (ship heading+ clock face)
- Bearing to animal at final detection (ship heading+ clock face)
- Range from vessel and pile (reticle distance in meters)
- Description (include features such as overall size; shape of head; color and pattern; size, shape, and position of dorsal fin; height, direction, and shape of blow, etc.)
- Detection narrative (note behavior, especially changes in relation to activity and distance from service vessel)
- Direction of animal travel in first approach relative to vessel and pile
- Behaviors observed: indicate behaviors and behavioral changes observed in sequential order (use behavioral codes)
- If any bow-riding behavior observed, record total duration during detection (UTC HH:MM)
- Initial heading of animals (degrees)
- Final heading of animals (degrees)
- Shutdown zone size during detection (m)
- Was the animal inside the shutdown zone?
- Closest distance to vessel and pile (reticle distance in m)
- Time at closest approach to vessel and pile (UTC HH:MM)
- Time animal entered shutdown zone (UTC HH:MM)
- Time animal left shutdown zone (UTC HH:MM)
- If observed or detected during ramp-up or power-up: first distance (reticle distance in m), closest distance (reticle distance in m), last distance (reticle distance in m), behavior at final detection

- Did a shutdown/power-down occur?
- Time shutdown was called for (UTC HH:MM)
- Time equipment was shut down (UTC HH:MM)
- Detections with PAM

5.14.6 Annual Project Activity Reports. Beginning one calendar year after the commissioning of the first WTG, the Lessee must compile and submit annual reports that include a summary of all Project activities carried out in the previous year, including vessel transits (number, type of vessel, ports used, and route), repair and maintenance activities, survey activity, and all observations of ESA-listed species. The Lessee must submit the annual reports to BOEM, BSEE, NMFS-OPR, and NMFS GARFO-PRD. The Lessee must submit these reports by April 1 of each year for the previous calendar year (i.e., the 2026 report is due by April 1, 2027). BOEM and BSEE (in consultation with NMFS) may approve changes to the frequency and timing of reports.

5.15 Other Protected Species Conditions. On November 7, 2024, NMFS issued a BiOp, including an ITS for the Project. The ITS includes RPMs and Terms and Conditions that NMFS determined were necessary and appropriate to minimize and monitor the amount or extent of incidental take of species listed as endangered or threatened under the ESA and under NMFS jurisdiction. The Lessee must execute the proposed action in compliance with all avoidance, minimization, and monitoring measures described in the NMFS BiOp, as well as the RPMs and implementing Terms and Conditions included in the NMFS BiOp's ITS. Those RPMs and Terms and Conditions are incorporated by reference in this document. This includes all measures specified in the NMFS BiOp and measures from the MMPA LOA that were incorporated into the NMFS BiOp. The Lessee must comply with all conditions in Appendix A of these Conditions of COP Approval consistent with Sections 1.1 and 1.4.

6 CONDITIONS RELATED TO COMMERCIAL FISHERIES AND FOR-HIRE RECREATIONAL FISHING

6.1 Fisheries Compensation and Mitigation Funds. No later than 120 days prior to commencement of offshore construction activities, unless a different schedule is agreed to as a component of a separate agreement between the Lessee and BOEM and BSEE for funds not subject to a State agreement, the Lessee must establish and implement a direct compensation program to provide monetary compensation to commercial and for-hire fishermen and shoreside support services impacted by the Project and funded in accordance with Section 6.1.1 and Section 6.1.2 below. Calculation steps are shown in Section 6.1.3 below.

6.1.1 Direct Compensation Program. The Lessee must ensure that the Direct Compensation Fund (hereinafter sometimes referred to as "Fund") includes an amount sufficient to be used to pay claims brought by eligible claimants and must be based, at a minimum, on the annual average commercial fisheries landings values as derived from Table 3.6.1-17 (page 3.6.1-24) and Table 3.6.1-26 (page 3.6.1-41) of the SouthCoast Wind Final EIS. The Fund amount must be determined by the formula set out below.

6.1.1.1 In the Fund, for the Other States as noted in Section 6.1.1.3.3, the Lessee must reserve the amount of, at a minimum, 100 percent of annual revenue exposure allocated to the Project during the post-COP approval pre-construction and construction period and (pending BSEE's approval of the Lessee's decommissioning application) projected decommissioning period. The Lessee must reserve 100 percent of annual revenue exposure for the first year after the completion of construction, 80 percent of revenue exposure 2 years after the completion of construction, 70 percent of revenue exposure 3 years after the completion of construction, 60 percent after 4 years, and 50 percent for the 5th year after the completion of construction. DOI will evaluate the need for additional mitigation. The Lessee may propose to BOEM and BSEE that the Lessee would like to fully fund the amounts in the first year of the program in which case the total amount may be modified to reflect present value and may incorporate a discount rate that allows reserve amounts in investment vehicles to anticipate growth in funds over the period for which funds are required to be available. However, if the actual funds are less than the required reserve amounts for a given period, the Lessee will be required to fund the difference. BOEM may require the Lessee's growth projections in order to approve this alternative.

6.1.1.2 The compensation calculations described above must be normalized using the latest annual gross domestic product (GDP) Implicit Price Deflator (U.S. Bureau of Economic Analysis,[19] "Table 1.1.9. Implicit Price Deflators for Gross Domestic Product") to the year construction begins, through the construction period, and thereafter for the 5 years post-construction. The reserve amounts for mitigation during decommissioning must also be normalized.

6.1.1.3 The Lessee must establish the following Funds for compensation of income losses by commercial or for-hire fishermen:

6.1.1.3.1 Rhode Island – The Lessee must contribute $250,000 to the State of Rhode Island as direct financial mitigation for Rhode Island commercial and for-hire fishing sectors and an additional $30,000 to support Rhode Island commercial fishermen, for-hire charter fishermen, and recreational fishermen. This funding has two components: (1) Funding to compensate for economic losses directly attributable to development of the Brayton Point ECC, and (2) Funding to support commercial and for-hire charter fishing operations more generally. The funds will be paid into the Rhode Island Future Viability Trust.

6.1.1.3.2 Massachusetts – The Lessee must establish a $4,217,000 Compensatory Mitigation Fund and contribute $1,500,000

[19] BEA Table 1.1.9. Implicit Price Deflators for Gross Domestic Product

to the Massachusetts Fisheries Innovation Fund. The Compensatory Mitigation Fund will compensate Massachusetts commercial and for-hire charter fishers and shoreside businesses impacted by the Development in lease area OCS-A 0521 and its export cable areas in federal and state waters for direct economic losses arising from the construction, operation, decommissioning of each Phase of the Development, and unforeseen, extraordinary events that lead to later business interruption.

6.1.1.3.3 Other States – The Lessee must establish a Fund and allocate compensation/mitigation funds to the Project in accordance with Section 6.1.3 below as identified in Table 3.6.1-17 (page 3.6.1-24) and Table 3.6.1-26 (page 3.6.1-41) of the SouthCoast Wind Final EIS.

6.1.2 Shoreside Support Services. At least 90 days prior to establishment of the Direct Compensation Program described in Section 6.1.1, the Lessee must submit to BOEM a Shoreside Support Services report for a 60-day review and approval. If a State agreement for compensatory mitigation includes support for shoreside services, such as through a community fund, the amount allocated to shoreside services in the State agreement(s) may be removed from the calculation in Section 6.1.3 if such amount is greater than BOEM's required amounts. The report must include a description of the structure of the Direct Compensation Fund and an analysis of the impacts of the Project to shoreside support services within communities near the ports listed below as identified in Table 3.6.1-16 of the SouthCoast Wind Final EIS:

- Point Judith, RI
- New Bedford, MA
- Montauk, NY
- Newport, RI
- Chatham, MA
- Fairhaven, MA
- Beaufort, NC
- Newport News, VA
- Little Compton, RI
- Westport, MA

6.1.3 Compensation Calculations. The Lessee must use Tables 6.1.3-1 and 6.1.3-2 to calculate the total Fund amount required by Section 6.1.1.1. The required Fund amount must be normalized to current real prices from a base year as described in Section 6.1.1.2. The Lessee may use the most recent complete year's GDP Implicit Price Deflator to estimate Direct Compensation Fund requirements after COP approval if the current year is unavailable (n_i). The Lessee may also update the GDP Implicit Price Deflator, noted in Tables 6.1.3-1 and 6.1.3-2, should the

BEA conduct Annual or Comprehensive Updates to the National, Industry, and State and Local Economic Accounts.

As described in Section 6.1.1.1, the Lessee must ensure that the reserve amount allows for, at a minimum, 100 percent of annual revenue exposure allocated to the Project during the projected post-COP approval pre-construction and construction years and, pending BSEE approval of the decommissioning plan, decommissioning years. The Lessee must use the GDP Implicit Price Deflator to adjust the annual average commercial fisheries revenue as derived from Table 3.6.1-17 (page 3.6.1-24) and Table 3.6.1-26 (page 3.6.1-41) of the SouthCoast Wind Final EIS, less the exposed revenue from the existing State of Massachusetts agreement as described in Section 6.1.1.3.2. After 2 years following the expiration of a Project Period, unclaimed funds for that expired Project Period may be rolled forward or recouped.

Table 6.1.3-1: Calculation Subcomponents for Construction and Decommissioning

Project Period	Base Annual Average Fishing Revenue Exposed to the Wind Farm Area[1,2]	Shoreside Support Services Multiplier[3]	Exposure Ratio	Adjusted Base Annual Average Fishing Revenue Exposed to the Wind Farm Area	Reserve Requirements
Construction	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$	M	1	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right)(1 + \mathrm{M}) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$
Decommissioning[4]	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$	M	1	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right)(1 + \mathrm{M}) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$

Notes:

[1] Inflation-adjusted revenues are derived from Table 3.6.1-17 (page 3.6.1-24), not including Massachusetts, and Table 3.6.1-26 (page 3.6.1-41) of the SouthCoast Wind Final EIS. Derived figures may not be identical to the Final EIS due to rounding. The inflation-adjusted base equation is:

$$\left(\frac{Total\ Commercial\ Fishing\ Revenues}{15} + Annual\ Average\ Recreational\ Fishing\ Revenues\right) \times \frac{\boldsymbol{n_i}}{118.026}.$$

[2] Across Project Periods, it is anticipated that the value for n_i will change. It is also anticipated that the GDP Implicit Price Deflator denominator will change based on BEA Annual or Comprehensive updates.

[3] The Lessee's calculations of the Impacts to Shoreside Businesses Multiplier may use BOEM's draft *Guidelines for Mitigating Impacts to Commercial and Recreational Fisheries on the Outer Continental Shelf Pursuant to 30 C.F.R. Part 585* or future versions, but BOEM must, in all events, review the calculations.

[4] Decommissioning funds may be required pending BSEE's approval of Lessee's decommissioning application.

Table 6.1.3-2: Calculation Subcomponents by Operating Year

	Base Annual Average Fishing Revenue Exposed to the Wind Farm Area[1,2]	Exposure Ratio	Adjusted Base Annual Average Fishing Revenue Exposed to the Wind Farm Area	Shoreside Support Services Multiplier[3]	Reserve Requirements
Operating Year 1	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$	1	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$	M	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right)(1+\mathrm{M}) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$
Operating Year 2	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$	0.8	$\left(\$\,274{,}827 \times \frac{n_i}{118.026}\right) + \left(\$1{,}120 \times \frac{n_i}{118.026}\right)$	M	$\left(\$\,274{,}827 \times \frac{n_i}{118.026}\right)(1+\mathrm{M}) + \left(\$1{,}120 \times \frac{n_i}{118.026}\right)$
Operating Year 3	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$	0.7	$\left(\$\,240{,}473 \times \frac{n_i}{118.026}\right) + \left(\$980 \times \frac{n_i}{118.026}\right)$	M	$\left(\$\,240{,}473 \times \frac{n_i}{118.026}\right)(1+\mathrm{M}) + \left(\$980 \times \frac{n_i}{118.026}\right)$
Operating Year 4	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$	0.6	$\left(\$\,206{,}120 \times \frac{n_i}{118.026}\right) + \left(\$840 \times \frac{n_i}{118.026}\right)$	M	$\left(\$\,206{,}120 \times \frac{n_i}{118.026}\right)(1+\mathrm{M}) + \left(\$840 \times \frac{n_i}{118.026}\right)$
Operating Year 5	$\left(\$343{,}533 \times \frac{n_i}{118.026}\right) + \left(\$1{,}400 \times \frac{n_i}{118.026}\right)$	0.5	$\left(\$\,171{,}767 \times \frac{n_i}{118.026}\right) + \left(\$700 \times \frac{n_i}{118.026}\right)$	M	$\left(\$\,171{,}767 \times \frac{n_i}{118.026}\right)(1+\mathrm{M}) + \left(\$700 \times \frac{n_i}{118.026}\right)$

Notes:

[1] Inflation-adjusted revenues are derived from Table 3.6.1-17 (page 3.6.1-24), not including Massachusetts, and Table 3.6.1-26 (page 3.6.1-41) of the SouthCoast Wind Final EIS. Derived figures may not be identical to the Final EIS due to rounding. The inflation-adjusted base equation is:

$$\left(\frac{Total\ Commercial\ Fishing\ Revenues}{15} + Annual\ Average\ Recreational\ Fishing\ Revenues\right) \times \frac{\boldsymbol{n_i}}{118.026}.$$

[2] Across Project Periods, it is anticipated that the value for n_i will change. It is also anticipated that the GDP Implicit Price Deflator denominator will change based on BEA Annual or Comprehensive updates.

[3] The Lessee's calculations of the Impacts to Shoreside Businesses Multiplier may use BOEM's draft *Guidelines for Mitigating Impacts to Commercial and Recreational Fisheries on the Outer Continental Shelf Pursuant to 30 C.F.R. Part 585* or future versions, but BOEM must, in all events, review the calculations.

6.1.4 Reporting. By January 31 of each year, after the fund is established, the Lessee must submit to BOEM and BSEE an annual report demonstrating implementation of the Direct Compensation Program. The report must include, as applicable, the following: the Fund charter, including the governance structure, audit and public reporting procedures; documentation regarding the funding account, including the dollar amount, establishment date, financial institution, and owner of the account; and the standards used for paying compensatory mitigation for impacts to commercial and for-hire fishers and related shoreside businesses resulting from all phases of the Project development on the Lease Area (post-COP approval pre-construction, construction, operation, and decommissioning); and the number of claims processed, approved, and denied. The Lessee must publicly report an annual audit. Where there is a compensation agreement between a State and the Lessee, the Lessee must submit to BOEM and BSEE verification that any agreed-upon compensatory fisheries mitigation fund is established and funded.

6.1.5 Notification. The Lessee must notify BOEM and BSEE of any compensation and mitigation fund agreements into which a State and the Lessee have entered. The Lessee must request that the Administrator(s) of the direct compensation program(s) listed above, and any others established for other States, notify BOEM when the direct compensation program(s) has been established and is processing claims. Notification can be accomplished by the Administrator(s) transmitting to BOEM an annual financial statement of the direct compensation program(s). The Lessee must request that the Administrator(s) submit the required notification by January 31 of each year, beginning on the second anniversary of the Project's Commercial Operations Date as defined by Addendum "B" of the Lease or as otherwise negotiated with BOEM. The Lessee must request that the notification be signed by the Administrator(s).

6.2 Fisheries Gear Loss Compensation. The Lessee must maintain throughout the life of the Project, a fisheries gear loss claims procedure to implement the financial compensation policy proposed by the Lessee in Appendix W (Page 3 Section 1.3) of the COP, Fisheries Communication Plan. The fisheries gear loss claims procedure must be available to all fishermen impacted by Project activities or infrastructure, regardless of homeport.

6.3 Federal Survey Mitigation Program. There are 14 NMFS scientific surveys that overlap with wind energy development in the northeast region. Ten of these surveys overlap with the Project. Consistent with NMFS and BOEM survey mitigation strategy actions 1.3.1, 1.3.2, 2.1.1, and 2.1.2 in the *NOAA Fisheries and BOEM Federal Survey Mitigation Implementation Strategy - Northeast US Region,*[20] within 1 year plus 120 days of COP approval, the Lessee must submit to BOEM a survey mitigation agreement between NMFS and the Lessee. The survey mitigation agreement must describe how the Lessee will mitigate the Project impacts on the 10 NMFS surveys. The Lessee must conduct activities in accordance with such agreement.

[20] Hare, J.A., Blythe, B.J., Ford, K.H., Godfrey-McKee, S., Hooker, B.R., Jensen, B.M., Lipsky, A., Nachman, C., Pfeiffer, L., Rasser, M. and Renshaw, K., 2022. NOAA Fisheries and BOEM Federal Survey Mitigation Implementation Strategy - Northeast US Region. NOAA Technical Memorandum 292. Woods Hole, MA. 33 pp.

If the Lessee and NMFS fail to reach a survey mitigation agreement, then the Lessee must submit a survey mitigation plan to BOEM and NMFS that is consistent with the mitigation activities, actions, and procedures described in Sections 6.3.1 and 6.3.2 below, within one year plus 180 days of COP approval. BOEM will review the survey mitigation plan in consultation with NMFS Northeast Fisheries Science Center (NEFSC). The Lessee must resolve comments to BOEM's satisfaction and must conduct activities in accordance with the plan.

6.3.1 As soon as reasonably practicable, but no later than 30 days after the issuance of the Project's COP approval, the Lessee must initiate coordination with NMFS NEFSC to develop the survey mitigation agreement described above. Mitigation activities specified under the agreement must be designed to mitigate the Project impacts on the following NMFS NEFSC surveys: (a) Spring Bottom Trawl survey; (b) Autumn Multi-species Bottom Trawl survey; (c) Ecosystem Monitoring survey; (d) Aerial marine mammal and sea turtle survey; (e) Shipboard marine mammal and sea turtle survey; (f) Atlantic Sea scallop survey; (g) Ocean quahog survey; (h) Seal survey; (i) NARW survey; and (j) Sea Turtle Ecology survey. At a minimum, the survey mitigation agreement must describe actions to address impacts on the affected surveys due to the preclusion of sampling platforms and impacts on statistical designs. NMFS has determined that the Project area is a discrete stratum for surveys that use a random stratified design. This agreement may also consider other anticipated Project impacts on NMFS surveys, such as changes in habitat and increased operational costs due to loss of sampling efficiencies.

6.3.2 The survey mitigation agreement must identify activities that will result in the generation of data equivalent to data generated by NMFS' affected surveys for the duration of the Project. The survey mitigation agreement must describe the implementation procedures by which the Lessee will work with NEFSC to generate, share, and manage the data required by NEFSC for each of the surveys impacted by the Project, as mutually agreed upon between the Lessee and NMFS/NEFSC. The survey mitigation agreement must also describe the Lessee's participation in the NMFS NEFSC Northeast Survey Mitigation Program to support activities that address regional-level impacts for the surveys listed above.

7 VISUAL AND CULTURAL RESOURCES CONDITIONS

7.1 Section 106 MOA Conditions.

7.1.1 Reporting. The Lessee must submit all required monitoring, reporting (annual, immediate, or post-discovery), and survey documentation related to cultural resources to BOEM and BSEE.

7.1.2 Avoidance of Known and Potential Shipwrecks and Debris Fields. The Lessee must avoid known and potential shipwrecks and potentially significant debris fields as described below and in the Project Section 106 MOA, Stipulation I. The Lessee must identify avoidance requirements on proposed anchoring plats, as-placed plats, and drawings associated with seabed disturbances (e.g., relevant FDR/FIR documents for export cables, inter-array cables, WTGs, etc.). If the

Lessee determines that avoidance is not possible, the Lessee must notify BOEM and BSEE prior to disturbing the seabed in the excluded area. In such instances, BOEM will notify the Lessee of any additional requirements, which may include additional consultation with consulting parties under Section 106 of the NHPA and additional measures to resolve adverse effects. If any vessel conducting work on behalf of the Lessee or any other activity associated with planning, construction, operation, or decommissioning disturbs the seabed within the avoidance areas noted below, the Lessee must submit an incident report to BOEM and BSEE within 24 hours.

7.1.2.1 Avoidance of Marine Archaeological Resources. The Lessee must comply with protective buffers determined by BOEM such that 31 identified marine archaeological resources (i.e., Potential NOAA 7840 [known shipwreck *Kershaw*]; Potential AWOIS 9821 [known shipwreck *Sagamore*]; Marine Archaeological Resources 20-02, 20-03, 20-04, 20-05, 20-07 [known shipwreck NOAA 9820], 20-08, 20-09, 20-10, 20-11, 20-12, 20-13, 20-14, 21-02, 21-03, 21-04, 21-05, 21-06, BP-03, BP-04, BP-05, BP-09, BP-11, BP-12, BP-13, BP-14, BP-18, BP-19, BP-20, and BP-21 [Swn Ha-20])) are provided buffers as follows:

7.1.2.1.1 For resources with visual footprints measuring greater than or equal to 5 m (16.4 ft), the Lessee will maintain a distance of no less than 50 m (164 ft) from each resource's extant features. These resources include: Potential NOAA 7840 (known shipwreck Kershaw); Potential AWOIS 9821 (Known shipwreck *Sagamore*); 20-07; 20-09; 20-10; 20-12; 21-06; BP-03; BP-04; BP-05; BP-09; BP-12; BP-14; BP-18; BP-19; BP-20; and BP-21 (Swn Ha-20).

7.1.2.1.2 For resources with visual footprints measuring less than 5 m (16.4 ft), the Lessee will maintain a distance of no less than 50 m (164 ft) from each resource's centroid, resulting in a total avoidance area of 7,853.98 m^2 (84,539.54 ft^2) per resource. These resources include: 20-2; 20-03; 20-04; 20-05; 20-08; 20-11; 20-13, 20-14; 21-02; 21-03; 21-04; 21-05; BP-11; and BP-13.

7.1.3 Avoidance of ASLFs. The Lessee must avoid seven (7) ASLFs (i.e., FM-P-21-04A; FM-P-21-04B; FM-P-21-05, FM-P-21-07, BP-P-21-01A, BP-P-21-01B and BP-P-21-03) by complying with protective buffers recommended by the QMA based on the defined spatial extent of each ASLF, which has been determined based on the maximum observed presence within the seismic data, as described in the Project Section 106 MOA, Stipulation I.

7.1.4 Demonstration of avoidance of marine archaeological resources and ASLFs. The Lessee must provide as-placed and as-laid maps with both the horizontal and vertical extent of all seafloor impacts. These seafloor impacts may include anchoring activities (location of all anchors, anchor chains, cables, and wire ropes

on the seafloor, including sweep but excluding the vertical extent of anchor penetration of the seafloor), cable installation (including trenching depths and seafloor footprint of the installation vessel), and WTG installation (anchoring and spudding/jack-up vessel placement). The as-built or as-laid position plats must be submitted at a scale of 1-in. = 1,000-ft., with Differential Global Positioning System (DGPS) accuracy demonstrating that these seafloor disturbing activities complied with the avoidance criteria applied to the archaeological sites or historic properties established in the Section 106 MOA. The Lessee must submit these documents and maps to BOEM no later than 90 days after completion of the seafloor disturbing/construction activities.

7.1.5 Implementation of Minimization Measures in the Terrestrial Area of Potential Effects. The Lessee must conduct archaeological monitoring during onshore construction in areas described in the Section 106 MOA Attachment 3: Falmouth Terrestrial Archaeological Monitoring Plan and Attachment 4: Aquidneck Island Terrestrial Archaeological Monitoring Plan. If archaeological resources or human remains are identified during construction, operations, or decommissioning of the Project, the onsite construction supervisor must stop work immediately and follow the protocols outlined in Attachment 14: Unanticipated Discoveries Plan for Terrestrial Archaeological Resources. The Lessee must execute all aspects of the Section 106 MOA (Stipulation I.A.2, Attachment 3, Falmouth Terrestrial Archaeological Monitoring Plan, and Attachment 4, Aquidneck Island Terrestrial Archaeological Monitoring Plan).

7.1.6 Implementation of Minimization Measures in the Visual Area of Potential Effects. The Lessee must use uniform WTG design, paint color, height, and rotor diameter to reduce visual contrast and decrease visual clutter. The Lessee must confirm these conditions as part of the final FIR.

7.1.7 Implementation of Mitigation Measures to Resolve Physical Adverse Effects to Historic Properties in the Marine APE. The Lessee must fund and implement mitigation and monitoring measures consistent with the Section 106 MOA, Stipulation III.C, Stipulation IV, and MOA Attachment 6, Historic Properties Treatment Plan for Ancient Submerged Landforms and Submerged Cultural Resources to resolve adverse effects to two Ancient Submerged Landform Features and one marine archaeological site in the marine APE.

7.1.8 Implementation of Mitigation Measures to Resolve Physical Adverse Effects to Historic Properties in the Terrestrial APE. The Lessee must fund and implement mitigation measures consistent with the Section 106 MOA, Stipulation III.D and MOA Attachment 7, Historic Properties Treatment Plan for Terrestrial Archaeological Sites in Rhode Island to resolve adverse effects to two terrestrial archaeological sites in the terrestrial APE.

7.1.9 Implementation of Mitigation Measures to Resolve Visual Adverse Effects to Historic Properties. The Lessee must execute all aspects of Stipulation III.E of the Section 106 MOA; Attachment 8: Historic Properties Treatment Plan for Chappaquiddick Island Traditional Cultural Place, Attachment 9: Historic Properties Treatment Plan for Nantucket Historic District, Attachment 10:

Historic Properties Treatment Plan for Nantucket Sound Traditional Cultural Place, and Attachment 11. Historic Properties Treatment Plan for Oak Grove Cemetery. The Lessee must fund and implement mitigation measures consistent with the Section 106 MOA, Stipulation III.E to resolve visual adverse effects to four historic properties. The four adversely affected historic properties in the visual APE are:

7.1.9.1 Chappaquiddick Island Traditional Cultural Place

7.1.9.2 Nantucket Historic District

7.1.9.3 Nantucket Sound Traditional Cultural Place

7.1.9.4 Oak Grove Cemetery

7.1.10 Annual Monitoring and Reporting on the Section 106 MOA. By January 31 of each year, the Lessee must submit for BOEM's review a summary report detailing work undertaken pursuant to the Section 106 MOA during the preceding year. The Lessee must address any BOEM comments and after BOEM's review and agreement, the Lessee must share the summary report with all participating consulting parties identified in Attachment 1 of the Section 106 MOA. The report must include a description of how the stipulations relating to avoidance, minimization, and mitigation measures (Section 106 MOA Stipulations I, II, and III) were implemented; any scheduling changes proposed; any project modifications; any changes to the attachments of the MOA; any amendments to the MOA; any problems encountered; and any disputes and objections received in BOEM's efforts to carry out the terms of the Section 106 MOA. The Lessee may satisfy this reporting requirement by providing the relevant portions of the Annual Certification of Compliance required under 30 C.F.R. § 285.633.

7.1.11 Phased Identification. The Lessee must conduct phased identification of historic properties, assess effects, and resolve adverse effects within limited areas of the terrestrial APE. The phased identification and evaluation of historic properties will occur after publication of the Final EIS and ROD, consistent with the Section 106 MOA, Stipulation V and Attachment 12, Terrestrial Archaeology Phased Identification Plan. The Lessee must implement phased identification to ensure potential historic properties are identified, effects assessed, and adverse effects are resolved prior to initiation of onshore construction at the locations subject to phased identification as specified in the Section 106 MOA Attachment 12, Terrestrial Archaeology Phased Identification Plan.

7.1.12 Implementation of Post-Review Discovery Plans. If properties are discovered that may be historically significant or unanticipated effects on historic properties are found, the Lessee must implement the Post-Review Discovery Plans found in Section 106 MOA Stipulation XII, Attachment 13: Unanticipated Discoveries Plan for Marine Archaeological Resources, and Attachment 14: Unanticipated Discoveries Plan for Terrestrial Archaeological Resources. The Lessee must implement the following actions:

7.1.12.1 Immediately halt all ground- or seabed-disturbing activities within the area of discovery or unanticipated effect on a known historic property

in accordance with all safety procedures and emergency shut-down protocols while considering whether stabilization and further protections are warranted to keep the discovered resource or known historic property from further degradation and impact.

7.1.12.2 As soon as practicable and no later than 72 hours after the discovery or unanticipated effect, notify BOEM and BSEE simultaneously with a written report, describing the discovery in detail, including a narrative description of the manner of discovery (e.g., date, time, heading, weather, information from logs); a narrative description of the potential resource, including measurements; images that may have been captured of the potential resource; portions of raw and processed datasets relevant to the discovery area; recommendations on the need and urgency of stabilization and additional protections; and any other information considered by the Lessee to be relevant to BOEM's or BSEE's understanding of the potential resource. BOEM and/or BSEE may request additional information and/or request revisions to the report.

7.1.12.2.1 In the event that the post-review discovery includes human remains or potential funerary objects or features, the Lessee will notify federally recognized Tribal Nations at the same time as BOEM and BSEE.

7.1.12.3 Keep the location of the discovery or known historic property confidential and take no action that may adversely affect the discovery or known historic property until BOEM, with the assistance of the Lessee, has made an evaluation or assessment and instructs the Lessee on how to proceed.

7.1.12.4 Conduct any additional investigations and submit documentation as directed by BOEM to determine if the discovery is eligible for listing in the National Register of Historic Places (NRHP) (30 C.F.R. § 585.702(b)) or if unanticipated adverse effects have occurred to a historic property. The Lessee must satisfy this requirement if (1) the discovery has been impacted by the Lessee's Project activities; (2) impacts on the discovery from Project activities cannot be avoided; or (3) additional information is needed on the extent of unanticipated effects on the historic property.

7.1.12.5 If investigations indicate that the discovery is potentially eligible for listing in the NRHP or if the historic property has been adversely affected due to the unanticipated effect, BOEM, with the assistance of the Lessee, will consult with the other relevant signatories, Tribal Nations, and consulting parties to the Section 106 MOA who have a demonstrated interest in the affected historic property on the further avoidance, minimization, or mitigation of adverse effects.

7.1.12.6 If BOEM or BSEE incurs costs in addressing the discovery or unanticipated effect on a historic property, under Section 110(g) of the

NHPA, BOEM or BSEE may charge the Lessee reasonable costs for carrying out preservation responsibilities under OCSLA (30 C.F.R. § 585.702(c)-(d)).

7.1.13 Emergency Situations and Section 106 Consultation. In the event of an emergency or disaster that is declared by the President or the Governors of Massachusetts or Rhode Island, which represents an imminent threat to public health or safety or creates a hazardous condition due to impacts from the Project's infrastructure damaged during the emergency and affecting historic properties in the APEs, the Lessee must notify BOEM and BSEE. BOEM and/or BSEE, with the assistance of the Lessee, will notify the consulting federally recognized Tribal Nations, SHPOs, and the Advisory Council on Historic Preservation (ACHP) of the condition that has initiated the situation and the measures taken to respond to the emergency or hazardous condition consistent with the Section 106 MOA. BOEM and/or BSEE will make this notification as soon as reasonably possible, but no later than 48 hours from when the Bureau(s) becomes aware of the emergency or disaster. If the consulting federally recognized Tribal Nations, SHPOs, or the ACHP would like to provide technical assistance to BOEM and/or BSEE, they will submit comments within 7 days from notification if the nature of the emergency or hazardous condition allows for such coordination.

7.1.14 No Impact without Approval. The Lessee may not knowingly impact a potential archaeological resource without BOEM's and BSEE's prior concurrence. If a possible impact to a potential archaeological resource occurs, the Lessee must immediately halt operations; report the incident within 24 hours to BOEM and BSEE; and provide a written report within 72 hours to BOEM and BSEE.

7.2 Visual and Scenic Resource Conditions.

7.2.1 Scenic and Visual Impact Monitoring Plan. In coordination with BOEM, the Lessee must prepare and implement a scenic and visual resource monitoring plan that monitors and compares the visual effects of the wind farm during construction and operations and maintenance (daytime and nighttime) to the findings in the COP Visual Impact Assessment and verifies the accuracy of the visual simulations (photo and video). The monitoring plan must include monitoring and documenting the meteorological influences on actual WTG visibility over an agreed duration of time from selected onshore key observation points, as determined by BOEM and the Lessee. In addition, the Lessee must include monitoring of the operation of ADLS (see Section 3.1.2.1.4) in the monitoring plan. The Lessee must monitor the frequency that the ADLS is operative, documenting when (dates and time) the aviation warning lights are in the on position and the duration of each event. The Lessee must include details for monitoring and reporting procedures in the plan.

7.2.2 Onshore Visual Mitigation. The Lessee must implement and incorporate the mitigation design measures listed in the COP for reducing visual impacts by the onshore Project components.

7.2.2.1 Falmouth Onshore Project Area Mitigation.

7.2.2.1.1 Conform to landscape codes and edge treatments (i.e. visual buffers) to improve site aesthetics and screen new development from view. In areas where vegetation removal needs to occur to support construction, new landscaping should be provided and maintained.

7.2.2.1.2 Design buildings to blend in and consider local aesthetic; minimize the number of separate elements. The buildings and substation electrical components (e.g., transformers, overhead power line towers, etc.) will be color treated in a single, non-reflective color/surface coating with a non-reflective matte to semi-gloss finish to reduce visual contrast, such as BLM Environmental Color Chart CC001 Yuma Green, or Shadow Gray, unless consultation with the Town of Falmouth results in the selection of an alternative color.

7.2.2.1.3 Locate several substation components inside the building(s) to minimize outdoor features and reduce the quantity of lightning masts.

7.2.2.1.4 Revised proposed building design to better fit village context. For example, use pitched roofs and painted wood siding to better match local Cape Cod vernacular design. The buildings associated with onshore substation development will match local Cape Cod design standards. The design of the substation buildings will relate to the local design context and guidelines.

7.2.2.1.5 Construct the Project facility lightning protection masts at the minimum height and diameter required for safety and function.

7.2.2.2 Falmouth Onshore Project Area and the Brayton Point Onshore Project Area Lighting.

7.2.2.2.1 Lighting at the converter station site will be designed and installed in consideration of sustainable outdoor lighting specifications in accordance with local and state regulations to minimize impact to natural night skies and adjacent properties. Measures include, but are not limited to, utilization of LEDs, focused task lighting kept to a minimum and turned on only as needed by manual or auto shut off, and fully shielded lights, follow guidance in the National Park Service Sustainable Outdoor Lighting best practices and BLM Technical Note 457, Night Sky and Dark Environments: Best Management Practices for

Artificial Light at Night, along with other industrial lighting and safety standards literature.

7.3 Other Conditions.

7.3.1 PAM Placement Review. The Lessee may place PAM systems only in locations where an analysis of the results of geophysical surveys has been completed. This analysis must include a determination by a QMA as to whether any potential archaeological resources are present in the area. This activity may have already been performed as part of the Lessee's submission of archaeological resources reports in support of its approved COP. Except as allowed by BOEM under Stipulation 4.2.6 of Addendum "C" of the Lease and Section 7.1.2 above, the PAM placement activities must avoid potential archaeological resources by a minimum of 50 meters from the outer edge of magnetic anomalies or acoustic contacts for each of the resources, and the avoidance distance must be calculated from the maximum discernible extent of the archaeological resource. The Lessee must submit as-placed PAM system plats to BSEE within 90 days of placement.

7.3.1.1 If PAM placement activities impact potential historic properties, the Lessee must take the actions described in Post-Review Discoveries (Section 7.1.12).

7.3.1.2 If PAM placement activities impact potential historic properties identified in the archaeological surveys without BOEM's prior authorization, the Lessee and the QMA must provide to BOEM and BSEE a statement documenting the extent of these impacts. This statement must be made to BOEM and BSEE consistent with Stipulation 4.3.7 of Addendum C of the Lease and Section 7.1.14, above. BOEM may require the Lessee to implement additional mitigation measures as appropriate based on a review of the results and supporting information.

8 AIR QUALITY CONDITIONS

8.1 Reporting. The Lessee must submit all reporting requirements related to air quality that are included in the OCS air permit to the appropriate EPA regional contact(s). Upon request, the Lessee must also furnish to BOEM, BSEE, or USFWS copies of records that are required to be maintained by the OCS air permit. The Lessee must confirm the relevant EPA point of contact prior to reporting and confirmation of reporting receipt.

8.2 Lye Brook Wilderness Area Air Quality Related Values (AQRV) Mitigation Framework. If air quality modeling shows that AQRV are being impacted at Lye Brook Wilderness Area, the Lessee must develop a framework for the mitigation of AQRV impacts at the Class I area. The Lessee must submit the framework (if required) to BOEM and to the Federal Land Manager or National Park Service representative for the impacted Class I area within 180 days of COP approval, or on a schedule agreed to by the Lessee, BOEM, and the applicable Federal Land Manager or National Park Service representative for the impacted Class I area. The framework must include:

8.2.1 A description of existing conditions and monitoring objectives;

8.2.2 A description of preventative and any voluntary offsetting mitigation measures;

8.2.3 Identification of the avoidance or offset value for each measure;

8.2.4 The mechanism for the transfer of any funding from the Lessee to USFWS; and

8.2.5 Reporting to demonstrate completion of implementation.

8.3 OCS Air Permit Incorporation by Reference. Pursuant to Clean Air Act Section 328, the Lessee must obtain an OCS air permit for OCS sources. When required, the Lessee must demonstrate that the air quality impacts from emissions attendant to both the construction and operation and maintenance phases will not interfere with attainment and maintenance of any applicable federal or state ambient air quality standard and Prevention of Significant Deterioration of Air Quality Increments. The Lessee must comply with the anticipated OCS air permit issued by the EPA or the delegated state/local permitting authority. The terms and conditions for Air Quality incorporate by reference the entirety of the expected EPA OCS Permit, and the air quality mitigation measures found in Appendix G, Table G-3, under AQ-01 through AQ-08 of the Final EIS. Of AQ-01 through AQ-08, AQ-08 is the only measure under BOEM's jurisdiction to enforce. If OCS Air Permit conditions are inconsistent with AQ-08 and deviate from the requirements of this measure, the Lessee will transmit to BOEM and BSEE recommendations to resolve the inconsistencies. BSEE, in consultation with BOEM, will determine how the Lessee must proceed. The EPA is the sole enforcement authority for ensuring compliance with the air quality conditions listed in the OCS Air Permit.

9 FEDERALLY RECOGNIZED TRIBAL NATIONS CONDITIONS

9.1 Environmental Data Sharing with Federally Recognized Tribal Nations. No later than 90 days after COP approval, the Lessee must make a request to both the BSEE Tribal Liaison Officer and the Eastern Seaboard Tribal Liaison at the same email address, tribalengagement@bsee.gov, to coordinate with federally recognized Tribal Nations with geographic, cultural, or ancestral ties to the project area (hereinafter "interested Tribal Nation"), including, but not limited to: Delaware Tribe of Indians, Mashantucket (Western) Pequot Tribal Nation, Mashpee Wampanoag Tribe, Mohegan Tribe of Connecticut, The Narragansett Indian Tribe, The Shinnecock Indian Nation, and Wampanoag Tribe of Gay Head (Aquinnah). The purpose of this coordination is to (1) solicit Tribal Nation interest in participating as an environmental liaison during construction and/or maintenance activities, so the environmental liaison can safely monitor, and participate in postmortem examinations of mortality events, as a result of these activities; and (2) provide open access to the following: reports generated as a result of the Fisheries Research and Monitoring Plan; reports of NARW sightings; injured or dead protected species reporting (sea turtles, NARW, sturgeon); NARW PAM monitoring; PSO reports (e.g., pile-driving reports); pile-driving schedules and schedule changes; and any interim and final SFV reports, and their associated data. If an interested Tribal Nation expresses interest in participating as an environmental liaison, the Lessee must provide the interested Tribal Nation information regarding training(s), certification(s), and safety measures, required for participation. Environmental liaisons must be invited to monitor/participate from a safe platform, such as a vessel. The Lessee must provide to the interested Tribal Nation, in a manner suitable to the Tribal Nation, access to all ESA reports, Post Review Discovery Plans, and other

documents listed in this paragraph no later than 30 days after the information becomes available. The Lessee may redact or withhold a document(s) listed in this paragraph when it includes information that the Lessee would not generally make publicly available and the disclosure of which the Lessee considers to be contrary to the Lessee's commercial interests. The Lessee must submit a justification for the request to redact/withhold in writing to the BSEE Tribal Liaison Officer and the Eastern Seaboard Tribal Liaison at tribalengagement@bsee.gov. Only upon approval from BSEE of such request may the document be redacted/withheld.

ATTACHMENT 1: LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADLS	Aircraft Detection Lighting System
ALARP	As Low as Reasonably Practical
APE	Area of Potential Effects
ASLF	Ancient Submerged Landform Feature
ASR	Airport Surveillance Radar
BHMP	Benthic Habitat Monitoring Plan
BiOp	Biological Opinion
BOEM	Bureau of Ocean Energy Management
BSEE	Bureau of Safety and Environmental Enforcement
CBRA	Cable Burial Risk Assessment
C.F.R.	Code of Federal Regulations
CHIRPs	compressed high-intensity radiated pulses
COP	Construction and Operations Plan
CVA	Certified Verification Agents
CZMA	Coastal Zone Management Act
dB	decibels
DGPS	Differential Global Positioning System
DoD	Department of Defense
DOI	Department of the Interior
DOFS	Distributed Optical Fiber Sensing
DON	Department of the Navy
DPS	distinct population segment
DTS	Desktop Study
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
FAA	Federal Aviation Administration
FDR	Facility Design Report
FIR	Fabrication and Installation Report
ft	foot/feet
ft^2	square foot/square feet
GARFO	Greater Atlantic Regional Fisheries Office
GDP	Gross Domestic Product
GIS	Geographic Information System
GPS	Global Positioning System
HESD	Habitat and Ecosystem Services Division
HF	high frequency
HRG	high resolution geophysical

IC	Incident Commander
ICS	Incident Command System
IFC	issued for construction
IMT	Incident Management Team
IOOS	U.S. Integrated Ocean Observing System
IR	infrared
ITA	Incidental Take Authorization(s)
ITS	Incidental Take Statement
km	kilometer(s)
KP	kilometer post
kts	knots
Lease	commercial lease OCS-A 0483
LNM	Local Notice to Mariners
LOA	Letter of Agreement
m	meter(s)
m^2	square meters
MEC	Munitions and Explosive of Concern
MMPA	Marine Mammal Protection Act
MOA	Memorandum of Agreement
Motus	Motus Wildlife Tracking System
MSA	Magnuson-Stevens Fishery Conservation and Management Act
NAD83	North America Datum of 1983
NARW	North Atlantic right whale
NAS	Naval Air Station or Noise Attenuation System
NAWCAD	Naval Air Warfare Center Aviation Division
NCEI	National Centers for Environmental Information
NEFSC	Northeast Fisheries Science Center
NHPA	National Historical Preservation Act
nmi	nautical miles
NMFS	National Marine Fisheries Service
NMS	noise mitigation systems
NOAA	National Oceanic and Atmospheric Administration
NORAD	North American Aerospace Defense Command
NRHP	National Register of Historic Places
OCS	Outer Continental Shelf
OCSLA	Outer Continental Shelf Lands Act
OEM	Original Equipment Manufacturer
OPR	Office of Protected Resources
OSPD	Oil Spill Preparedness Division
OSRO	Oil Spill Removal Organization

OSRP	Oil Spill Response Plan
OSP	offshore substation platform
PAM	Passive Acoustic Monitoring or Passive Acoustic Monitor(s)
PATON	Private Aids to Navigation
PIT	passive integrated transponder
POWERON	Partnership for an Offshore Wind Energy Regional Observation Network
Project	SouthCoast Wind Project
PSO	Protected Species Observer
PTS	permanent threshold shift
QA/QC	quality assurance/quality control
QI	Qualified Individual
QMA	Qualified Marine Archaeologist
RAM	Radar Adverse-Impact Management
ROD	Record of Decision
RVMP	Reduced Visibility Monitoring Plan
RWSC	Regional Wildlife Science Collaborative
SEL	sound exposure level(s)
SF_6	Sulfur Hexafluoride
SFV	Sound Field Verification
SMS	Safety Management System
SROT	Spill Response Operating Team
USACE	United States Army Corps of Engineers
USCG	United States Coast Guard
USFFC	United States Fleet Forces Command
USFWS	United States Fish and Wildlife Service
UAS	unmanned aircraft systems
UTC	Coordinated Universal Time
UTM	Universal Transverse Mercator
UXO	unexploded ordnance
VHF	Very High Frequency
WCD	worst-case discharge
WTG	wind turbine generator

ATTACHMENT 2 RHODE ISLAND AND MASSACHUSETTS STRUCTURE LABELING PLOT

AY 28	AY 29	AY 30	AY 31	AY 32	AY 33	AY 34	AY 35	AY 36	AY 37	AY 38	AY 39	AY 40	AY 41	AY 42	AY 43	AY 44	AY 45	AY 46	AY 47	AY 48	AY 49	AY 50
AZ 28	AZ 29	AZ 30	AZ 31	AZ 32	AZ 33	AZ 34	AZ 35	AZ 36	AZ 37	AZ 38	AZ 39	AZ 40	AZ 41	AZ 42	AZ 43	AZ 44	AZ 45	AZ 46	AZ 47	AZ 48	AZ 49	AZ 50
BA 28	BA 29	BA 30	BA 31	BA 32	BA 33	BA 34	BA 35	BA 36	BA 37	BA 38	BA 39	BA 40	BA 41	BA 42	BA 43	BA 44	BA 45	BA 46	BA 47	BA 48	BA 49	BA 50
BB 28	BB 29	BB 30	BB 31	BB 32	BB 33	BB 34	BB 35	BB 36	BB 37	BB 38	BB 39	BB 40	BB 41	BB 42	BB 43	BB 44	BB 45	BB 46	BB 47	BB 48	BB 49	BB 50
BC 28	BC 29	BC 30	BC 31	BC 32	BC 33	BC 34	BC 35	BC 36	BC 37	BC 38	BC 39	BC 40	BC 41	BC 42	BC 43	BC 44	BC 45	BC 46	BC 47	BC 48	BC 49	BC 50
BD 28	BD 29	BD 30	BD 31	BD 32	BD 33	BD 34	BD 35	BD 36	BD 37	BD 38	BD 39	BD 40	BD 41	BD 42	BD 43	BD 44	BD 45	BD 46	BD 47	BD 48	BD 49	BD 50
BE 28	BE 29	BE 30	BE 31	BE 32	BE 33	BE 34	BE 35	BE 36	BE 37	BE 38	BE 39	BE 40	BE 41	BE 42	BE 43	BE 44	BE 45	BE 46	BE 47	BE 48	BE 49	BE 50
BF 28	BF 29	BF 30	BF 31	BF 32	BF 33	BF 34	BF 35	BF 36	BF 37	BF 38	BF 39	BF 40	BF 41	BF 42	BF 43	BF 44	BF 45	BF 46	BF 47	BF 48	BF 49	BF 50
BG 28	BG 29	BG 30	BG 31	BG 32	BG 33	BG 34	BG 35	BG 36	BG 37	BG 38	BG 39	BG 40	BG 41	BG 42	BG 43	BG 44	BG 45	BG 46	BG 47	BG 48	BG 49	BG 50
BH 28	BH 29	BH 30	BH 31	BH 32	BH 33	BH 34	BH 35	BH 36	BH 37	BH 38	BH 39	BH 40	BH 41	BH 42	BH 43	BH 44	BH 45	BH 46	BH 47	BH 48	BH 49	BH 50
BJ 28	BJ 29	BJ 30	BJ 31	BJ 32	BJ 33	BJ 34	BJ 35	BJ 36	BJ 37	BJ 38	BJ 39	BJ 40	BJ 41	BJ 42	BJ 43	BJ 44	BJ 45	BJ 46	BJ 47	BJ 48	BJ 49	BJ 50
BK 28	BK 29	BK 30	BK 31	BK 32	BK 33	BK 34	BK 35	BK 36	BK 37	BK 38	BK 39	BK 40	BK 41	BK 42	BK 43	BK 44	BK 45	BK 46	BK 47	BK 48	BK 49	BK 50
BL 28	BL 29	BL 30	BL 31	BL 32	BL 33	BL 34	BL 35	BL 36	BL 37	BL 38	BL 39	BL 40	BL 41	BL 42	BL 43	BL 44	BL 45	BL 46	BL 47	BL 48	BL 49	BL 50
BM 28	BM 29	BM 30	BM 31	BM 32	BM 33	BM 34	BM 35	BM 36	BM 37	BM 38	BM 39	BM 40	BM 41	BM 42	BM 43	BM 44	BM 45	BM 46	BM 47	BM 48	BM 49	BM 50
BN 28	BN 29	BN 30	BN 31	BN 32	BN 33	BN 34	BN 35	BN 36	BN 37	BN 38	BN 39	BN 40	BN 41	BN 42	BN 43	BN 44	BN 45	BN 46	BN 47	BN 48	BN 49	BN 50
BP 28	BP 29	BP 30	BP 31	BP 32	BP 33	BP 34	BP 35	BP 36	BP 37	BP 38	BP 39	BP 40	BP 41	BP 42	BP 43	BP 44	BP 45	BP 46	BP 47	BP 48	BP 49	BP 50
BQ 28	BQ 29	BQ 30	BQ 31	BQ 32	BQ 33	BQ 34	BQ 35	BQ 36	BQ 37	BQ 38	BQ 39	BQ 40	BQ 41	BQ 42	BQ 43	BQ 44	BQ 45	BQ 46	BQ 47	BQ 48	BQ 49	BQ 50
BR 28	BR 29	BR 30	BR 31	BR 32	BR 33	BR 34	BR 35	BR 36	BR 37	BR 38	BR 39	BR 40	BR 41	BR 42	BR 43	BR 44	BR 45	BR 46	BR 47	BR 48	BR 49	BR 50
BS 28	BS 29	BS 30	BS 31	BS 32	BS 33	BS 34	BS 35	BS 36	BS 37	BS 38	BS 39	BS 40	BS 41	BS 42	BS 43	BS 44	BS 45	BS 46	BS 47	BS 48	BS 49	BS 50
BT 28	BT 29	BT 30	BT 31	BT 32	BT 33	BT 34	BT 35	BT 36	BT 37	BT 38	BT 39	BT 40	BT 41	BT 42	BT 43	BT 44	BT 45	BT 46	BT 47	BT 48	BT 49	BT 50
BU 28	BU 29	BU 30	BU 31	BU 32	BU 33	BU 34	BU 35	BU 36	BU 37	BU 38	BU 39	BU 40	BU 41	BU 42	BU 43	BU 44	BU 45	BU 46	BU 47	BU 48	BU 49	BU 50
BV 28	BV 29	BV 30	BV 31	BV 32	BV 33	BV 34	BV 35	BV 36	BV 37	BV 38	BV 39	BV 40	BV 41	BV 42	BV 43	BV 44	BV 45	BV 46	BV 47	BV 48	BV 49	BV 50

ATTACHMENT 2: RHODE ISLAND AND MASSACHUSETTS STRUCTURE LABELING PLOT (COORDINATES)

Lease Number	Owner	Longitude	Latitude	Row	Column
OCS-A 0521	SouthCoast Wind Energy LLC	-70.28318784	40.92229752	AZ	46
OCS-A 0521	SouthCoast Wind Energy LLC	-70.26119804	40.92254015	AZ	47
OCS-A 0521	SouthCoast Wind Energy LLC	-70.30484933	40.90537152	BA	45
OCS-A 0521	SouthCoast Wind Energy LLC	-70.28286533	40.9056182	BA	46
OCS-A 0521	SouthCoast Wind Energy LLC	-70.26088105	40.90586069	BA	47
OCS-A 0521	SouthCoast Wind Energy LLC	-70.32649979	40.88844158	BB	44
OCS-A 0521	SouthCoast Wind Energy LLC	-70.30452158	40.8886923	BB	45
OCS-A 0521	SouthCoast Wind Energy LLC	-70.28254309	40.88893884	BB	46
OCS-A 0521	SouthCoast Wind Energy LLC	-70.26056433	40.88918118	BB	47
OCS-A 0521	SouthCoast Wind Energy LLC	-70.34813921	40.87150769	BC	43
OCS-A 0521	SouthCoast Wind Energy LLC	-70.32616679	40.87176245	BC	44
OCS-A 0521	SouthCoast Wind Energy LLC	-70.30419409	40.87201303	BC	45
OCS-A 0521	SouthCoast Wind Energy LLC	-70.28222112	40.87225942	BC	46
OCS-A 0521	SouthCoast Wind Energy LLC	-70.26024788	40.87250162	BC	47
OCS-A 0521	SouthCoast Wind Energy LLC	-70.36976761	40.85456987	BD	42
OCS-A 0521	SouthCoast Wind Energy LLC	-70.34780099	40.85482866	BD	43
OCS-A 0521	SouthCoast Wind Energy LLC	-70.32583408	40.85508327	BD	44
OCS-A 0521	SouthCoast Wind Energy LLC	-70.30386689	40.8553337	BD	45
OCS-A 0521	SouthCoast Wind Energy LLC	-70.28189942	40.85557995	BD	46
OCS-A 0521	SouthCoast Wind Energy LLC	-70.25993169	40.85582201	BD	47
OCS-A 0521	SouthCoast Wind Energy LLC	-70.391385	40.83762812	BE	41
OCS-A 0521	SouthCoast Wind Energy LLC	-70.36942417	40.83789094	BE	42
OCS-A 0521	SouthCoast Wind Energy LLC	-70.34746304	40.83814958	BE	43
OCS-A 0521	SouthCoast Wind Energy LLC	-70.32550164	40.83840404	BE	44
OCS-A 0521	SouthCoast Wind Energy LLC	-70.30353995	40.83865433	BE	45
OCS-A 0521	SouthCoast Wind Energy LLC	-70.28157799	40.83890043	BE	46
OCS-A 0521	SouthCoast Wind Energy LLC	-70.25961576	40.83914235	BE	47
OCS-A 0521	SouthCoast Wind Energy LLC	-70.41299139	40.82068245	BF	40
OCS-A 0521	SouthCoast Wind Energy LLC	-70.39103635	40.82094929	BF	41
OCS-A 0521	SouthCoast Wind Energy LLC	-70.36908101	40.82121196	BF	42
OCS-A 0521	SouthCoast Wind Energy LLC	-70.34712539	40.82147045	BF	43
OCS-A 0521	SouthCoast Wind Energy LLC	-70.32516948	40.82172477	BF	44
OCS-A 0521	SouthCoast Wind Energy LLC	-70.30321329	40.8219749	BF	45
OCS-A 0521	SouthCoast Wind Energy LLC	-70.28125683	40.82222086	BF	46
OCS-A 0521	SouthCoast Wind Energy LLC	-70.2593001	40.82246264	BF	47
OCS-A 0521	SouthCoast Wind Energy LLC	-70.23734311	40.82270025	BF	48
OCS-A 0521	SouthCoast Wind Energy LLC	-70.21538586	40.82293368	BF	49
OCS-A 0521	SouthCoast Wind Energy LLC	-70.43458679	40.80373287	BG	39
OCS-A 0521	SouthCoast Wind Energy LLC	-70.41263753	40.80400373	BG	40
OCS-A 0521	SouthCoast Wind Energy LLC	-70.39068798	40.80427042	BG	41
OCS-A 0521	SouthCoast Wind Energy LLC	-70.36873814	40.80453293	BG	42
OCS-A 0521	SouthCoast Wind Energy LLC	-70.34678801	40.80479127	BG	43
OCS-A 0521	SouthCoast Wind Energy LLC	-70.3248376	40.80504544	BG	44
OCS-A 0521	SouthCoast Wind Energy LLC	-70.30288691	40.80529543	BG	45
OCS-A 0521	SouthCoast Wind Energy LLC	-70.28093594	40.80554124	BG	46

Lease Number	Owner	Longitude	Latitude	Row	Column
OCS-A 0521	SouthCoast Wind Energy LLC	-70.25898471	40.80578288	BG	47
OCS-A 0521	SouthCoast Wind Energy LLC	-70.43422774	40.78705426	BH	39
OCS-A 0521	SouthCoast Wind Energy LLC	-70.41228397	40.78732496	BH	40
OCS-A 0521	SouthCoast Wind Energy LLC	-70.39033991	40.78759149	BH	41
OCS-A 0521	SouthCoast Wind Energy LLC	-70.36839556	40.78785385	BH	42
OCS-A 0521	SouthCoast Wind Energy LLC	-70.34645092	40.78811204	BH	43
OCS-A 0521	SouthCoast Wind Energy LLC	-70.32450599	40.78836606	BH	44
OCS-A 0521	SouthCoast Wind Energy LLC	-70.30256079	40.7886159	BH	45
OCS-A 0521	SouthCoast Wind Energy LLC	-70.28061532	40.78886157	BH	46
OCS-A 0521	SouthCoast Wind Energy LLC	-70.25866958	40.78910307	BH	47
OCS-A 0521	SouthCoast Wind Energy LLC	-70.4561712	40.78677938	BH	38
OCS-A 0521	SouthCoast Wind Energy LLC	-70.43386899	40.77037559	BJ	39
OCS-A 0521	SouthCoast Wind Energy LLC	-70.41193071	40.77064614	BJ	40
OCS-A 0521	SouthCoast Wind Energy LLC	-70.38999213	40.77091251	BJ	41
OCS-A 0521	SouthCoast Wind Energy LLC	-70.36805326	40.77117472	BJ	42
OCS-A 0521	SouthCoast Wind Energy LLC	-70.34611411	40.77143276	BJ	43
OCS-A 0521	SouthCoast Wind Energy LLC	-70.32417467	40.77168662	BJ	44
OCS-A 0521	SouthCoast Wind Energy LLC	-70.30223495	40.77193632	BJ	45
OCS-A 0521	SouthCoast Wind Energy LLC	-70.28029497	40.77218185	BJ	46
OCS-A 0521	SouthCoast Wind Energy LLC	-70.45580697	40.77010088	BJ	38
OCS-A 0521	SouthCoast Wind Energy LLC	-70.47774465	40.769822	BJ	37
OCS-A 0521	SouthCoast Wind Energy LLC	-70.43351054	40.75369688	BK	39
OCS-A 0521	SouthCoast Wind Energy LLC	-70.41157774	40.75396726	BK	40
OCS-A 0521	SouthCoast Wind Energy LLC	-70.38964464	40.75423348	BK	41
OCS-A 0521	SouthCoast Wind Energy LLC	-70.36771125	40.75449554	BK	42
OCS-A 0521	SouthCoast Wind Energy LLC	-70.34577758	40.75475342	BK	43
OCS-A 0521	SouthCoast Wind Energy LLC	-70.32384362	40.75500714	BK	44
OCS-A 0521	SouthCoast Wind Energy LLC	-70.30190939	40.7552567	BK	45
OCS-A 0521	SouthCoast Wind Energy LLC	-70.45544304	40.75342232	BK	38
OCS-A 0521	SouthCoast Wind Energy LLC	-70.47737524	40.7531436	BK	37
OCS-A 0521	SouthCoast Wind Energy LLC	-70.49930712	40.75286072	BK	36
OCS-A 0521	SouthCoast Wind Energy LLC	-70.43315239	40.73701811	BL	39
OCS-A 0521	SouthCoast Wind Energy LLC	-70.41122506	40.73728834	BL	40
OCS-A 0521	SouthCoast Wind Energy LLC	-70.38929744	40.7375544	BL	41
OCS-A 0521	SouthCoast Wind Energy LLC	-70.36736953	40.7378163	BL	42
OCS-A 0521	SouthCoast Wind Energy LLC	-70.34544133	40.73807404	BL	43
OCS-A 0521	SouthCoast Wind Energy LLC	-70.32351285	40.73832761	BL	44
OCS-A 0521	SouthCoast Wind Energy LLC	-70.45507941	40.73674372	BL	38
OCS-A 0521	SouthCoast Wind Energy LLC	-70.47700614	40.73646516	BL	37
OCS-A 0521	SouthCoast Wind Energy LLC	-70.49893255	40.73618244	BL	36
OCS-A 0521	SouthCoast Wind Energy LLC	-70.52085865	40.73589556	BL	35
OCS-A 0521	SouthCoast Wind Energy LLC	-70.43279454	40.72033929	BM	39
OCS-A 0521	SouthCoast Wind Energy LLC	-70.41087268	40.72060937	BM	40
OCS-A 0521	SouthCoast Wind Energy LLC	-70.38895053	40.72087527	BM	41
OCS-A 0521	SouthCoast Wind Energy LLC	-70.36702809	40.72113702	BM	42
OCS-A 0521	SouthCoast Wind Energy LLC	-70.34510536	40.72139461	BM	43
OCS-A 0521	SouthCoast Wind Energy LLC	-70.45471609	40.72006506	BM	38

Lease Number	Owner	Longitude	Latitude	Row	Column
OCS-A 0521	SouthCoast Wind Energy LLC	-70.47663735	40.71978667	BM	37
OCS-A 0521	SouthCoast Wind Energy LLC	-70.49855829	40.71950411	BM	36
OCS-A 0521	SouthCoast Wind Energy LLC	-70.52047892	40.7192174	BM	35
OCS-A 0521	SouthCoast Wind Energy LLC	-70.54239923	40.71892652	BM	34
OCS-A 0521	SouthCoast Wind Energy LLC	-70.43243699	40.70366043	BN	39
OCS-A 0521	SouthCoast Wind Energy LLC	-70.4105206	40.70393034	BN	40
OCS-A 0521	SouthCoast Wind Energy LLC	-70.38860391	40.70419609	BN	41
OCS-A 0521	SouthCoast Wind Energy LLC	-70.36668694	40.70445769	BN	42
OCS-A 0521	SouthCoast Wind Energy LLC	-70.45435308	40.70338635	BN	38
OCS-A 0521	SouthCoast Wind Energy LLC	-70.47626886	40.70310812	BN	37
OCS-A 0521	SouthCoast Wind Energy LLC	-70.49818434	40.70282573	BN	36
OCS-A 0521	SouthCoast Wind Energy LLC	-70.52009951	40.70253919	BN	35
OCS-A 0521	SouthCoast Wind Energy LLC	-70.54201436	40.70224848	BN	34
OCS-A 0521	SouthCoast Wind Energy LLC	-70.56392888	40.70195361	BN	33
OCS-A 0521	SouthCoast Wind Energy LLC	-70.43207974	40.68698151	BP	39
OCS-A 0521	SouthCoast Wind Energy LLC	-70.41016881	40.68725126	BP	40
OCS-A 0521	SouthCoast Wind Energy LLC	-70.38825759	40.68751686	BP	41
OCS-A 0521	SouthCoast Wind Energy LLC	-70.45399037	40.6867076	BP	38
OCS-A 0521	SouthCoast Wind Energy LLC	-70.47590069	40.68642953	BP	37
OCS-A 0521	SouthCoast Wind Energy LLC	-70.49781071	40.6861473	BP	36
OCS-A 0521	SouthCoast Wind Energy LLC	-70.51972041	40.68586092	BP	35
OCS-A 0521	SouthCoast Wind Energy LLC	-70.5416298	40.68557039	BP	34
OCS-A 0521	SouthCoast Wind Energy LLC	-70.56353887	40.68527569	BP	33
OCS-A 0521	SouthCoast Wind Energy LLC	-70.58544761	40.68497685	BP	32
OCS-A 0521	SouthCoast Wind Energy LLC	-70.43172278	40.67030254	BQ	39
OCS-A 0521	SouthCoast Wind Energy LLC	-70.40981731	40.67057214	BQ	40
OCS-A 0521	SouthCoast Wind Energy LLC	-70.45362796	40.67002879	BQ	38
OCS-A 0521	SouthCoast Wind Energy LLC	-70.47553283	40.66975088	BQ	37
OCS-A 0521	SouthCoast Wind Energy LLC	-70.49743739	40.66946882	BQ	36
OCS-A 0521	SouthCoast Wind Energy LLC	-70.51934164	40.66918261	BQ	35
OCS-A 0521	SouthCoast Wind Energy LLC	-70.54124557	40.66889224	BQ	34
OCS-A 0521	SouthCoast Wind Energy LLC	-70.56314918	40.66859772	BQ	33
OCS-A 0521	SouthCoast Wind Energy LLC	-70.58505246	40.66829905	BQ	32
OCS-A 0521	SouthCoast Wind Energy LLC	-70.60695542	40.66799622	BQ	31
OCS-A 0521	SouthCoast Wind Energy LLC	-70.43136613	40.65362352	BR	39
OCS-A 0521	SouthCoast Wind Energy LLC	-70.45326585	40.65334993	BR	38
OCS-A 0521	SouthCoast Wind Energy LLC	-70.47516527	40.65307218	BR	37
OCS-A 0521	SouthCoast Wind Energy LLC	-70.49706438	40.65279029	BR	36
OCS-A 0521	SouthCoast Wind Energy LLC	-70.51896318	40.65250424	BR	35
OCS-A 0521	SouthCoast Wind Energy LLC	-70.54086166	40.65221405	BR	34
OCS-A 0521	SouthCoast Wind Energy LLC	-70.56275982	40.6519197	BR	33
OCS-A 0521	SouthCoast Wind Energy LLC	-70.58465765	40.6516212	BR	32
OCS-A 0521	SouthCoast Wind Energy LLC	-70.60655516	40.65131855	BR	31
OCS-A 0521	SouthCoast Wind Energy LLC	-70.62845233	40.65101175	BR	30
OCS-A 0521	SouthCoast Wind Energy LLC	-70.45290405	40.63667101	BS	38
OCS-A 0521	SouthCoast Wind Energy LLC	-70.47479802	40.63639343	BS	37
OCS-A 0521	SouthCoast Wind Energy LLC	-70.49669168	40.6361117	BS	36

Lease Number	Owner	Longitude	Latitude	Row	Column
OCS-A 0521	SouthCoast Wind Energy LLC	-70.51858503	40.63582583	BS	35
OCS-A 0521	SouthCoast Wind Energy LLC	-70.54047807	40.6355358	BS	34
OCS-A 0521	SouthCoast Wind Energy LLC	-70.56237078	40.63524162	BS	33
OCS-A 0521	SouthCoast Wind Energy LLC	-70.58426317	40.6349433	BS	32
OCS-A 0521	SouthCoast Wind Energy LLC	-70.60615523	40.63464083	BS	31
OCS-A 0521	SouthCoast Wind Energy LLC	-70.62804695	40.63433421	BS	30
OCS-A 0521	SouthCoast Wind Energy LLC	-70.4963193	40.61943307	BT	36
OCS-A 0521	SouthCoast Wind Energy LLC	-70.51820721	40.61914736	BT	35
OCS-A 0521	SouthCoast Wind Energy LLC	-70.49594722	40.60275438	BU	36
OCS-A 0521	SouthCoast Wind Energy LLC	-70.51782969	40.60246884	BU	35