



United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT
WASHINGTON, DC 20240-0001

Mr. Peter Allen
Sunrise Wind LLC
c/o Ørsted North America Inc.
437 Madison Avenue, Suite 1903
New York, New York 10022

Dear Mr. Allen:

I am writing on behalf of the Bureau of Ocean Energy Management (BOEM), Office of Renewable Energy Programs, regarding Sunrise Wind, LLC's (Sunrise Wind) regulatory departure request submitted on September 1, 2020, pursuant to 30 C.F.R. § 585.103. Through this letter, BOEM approves Sunrise Wind's departure request with the following conditions:

1. BOEM will review the overall site investigation report submitted with the Constructions and Operations Plan (COP) pursuant to 30 C.F.R. § 585.626(a)(6) for adequacy to ensure that it demonstrates that the proposed foundations are feasible and geologic hazards can be mitigated.
2. BOEM must review the final boring locations selected to support the final engineering design.

In its letter, Sunrise Wind requests regulatory departures from the regulations at 30 C.F.R. § 585.626(a)(4)(ii) and (iii), which require the submittal of in situ testing, boring, and sampling at each foundation location; as well as a minimum of one deep boring (with soil sampling and testing) at each edge of the project area and within the project area as part of its COP for the proposed project. As an alternate strategy to meet the requirements of 30 C.F.R. § 585.626(a)(4)(ii), Sunrise Wind proposes to select boring locations based on engineering needs, as well as the results of the geophysical and geotechnical reconnaissance surveys and associated ground model that have and will be conducted and developed. Sunrise Wind proposes to share the boring locations with BOEM, which would verify that they are representative of the Project site and the information obtained from the selected locations will meet BOEM's need for the COP review.

In addition, Sunrise Wind requests to be allowed to conduct the borings that are required to support the final engineering design, pursuant to 30 C.F.R. § 585.626(a)(4)(ii) and (iii), after COP submittal, and then to incorporate the information from the borings into the Facility Design Report (FDR) submission for the project. Sunrise Wind also noted that, if the ground conditions are homogenous across the area to be surveyed, it would like to determine the location (and number) of borings based on the data collected, as well as the ground model.

BOEM's review indicates that the current data in the COP, along with a supplemental submittal forthcoming in August 2021, which will include a foundation feasibility assessment based on the Final Integrated Marine Site Investigation Report (Final MSIR), are sufficient, subject to conditions 1 and 2, to allow BOEM to make a decision on the COP.

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

In addition, approving the departure would not increase the likelihood of adverse impacts to the environment, sites of historical or archeological significance, or affect public health or safety, as sufficient geotechnical and geophysical information will be available to BOEM for inclusion in its environmental review COP. Nor will it impair the rights of third parties as it will not affect their rights to participate in the environmental review process for the COP. The requested departure is also consistent with Section 1337(p) of the Outer Continental Shelf Lands Act, 43 U.S.C. §1337(p)(4), as all protections of safety, environment, and natural resources are maintained to the same degree as if there was no approved departure from the regulations.

If there are any questions, please contact Emily Hildreth at emily.hildreth@boem.gov or (571) 491-7505.

Sincerely,

James F. Bennett
Chief
Office of Renewable Energy Programs