



United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT
WASHINGTON, DC 20240-0001

Ms. Rachel Pachter
Chief Development officer
Vineyard Wind LLC
700 Pleasant Street, Suite 510
New Bedford, Massachusetts 02740

Dear Ms. Pachter:

On behalf of the Bureau of Ocean Energy Management (BOEM), Office of Renewable Energy Programs, regarding the Vineyard Wind LLC (Vineyard Wind) – Vineyard Wind 1 Project regulatory departure request submitted on October 20, 2020, pursuant to BOEM’s regulations at 30 C.F.R. § 585.103, BOEM hereby approves Vineyard Wind LLC’s request to depart from §585.700(b). **This letter rescinds the previously issued departure from §585.700(a).**

Vineyard Wind requests a regulatory departure from §585.700(b) requiring that fabrication of approved facilities not begin until BOEM provides notification that it has received and has no objections to the submitted Facility Design Report (FDR) and Fabrication and Installation Report (FIR). Vineyard Wind proposes to fabricate, but not install the following project elements:

- 1) Monopile foundations;
- 2) Electrical service platform;
- 3) Export cable;
- 4) Inter-array cables; and
- 5) Wind turbine generator facilities.

BOEM finds that the requested departure would facilitate appropriate lease activities in accordance with § 585.103(a)(1) since, as represented by Vineyard Wind, allowing these fabrication activities to take place earlier in time would allow Vineyard Wind to adhere to its construction schedule, maintain its qualification for the Federal Investment Tax Credit, and meet its contractual obligations under the Power Purchase Agreements with Massachusetts distribution companies. This departure is subject to the following conditions:

- 1) The departure is limited to fabrication of the project elements described herein;
- 2) The Certified Verification Agent (CVA) (DNV-GL) will review the design and conduct onsite inspections to ensure that the fabrication conforms with: (i) accepted industry standards, (ii) the construction and operations plan, and (iii) the project design basis for these project elements;

- 3) The departure does not authorize any activities on the Outer Continental Shelf (OCS);
and
- 4) Vineyard Wind assumes all business risks associated with any fabrication activities that occur as a result of this departure and acknowledges that future reviews (e.g., objections to the FDR or FIR) could result in the redesign and/or re-fabrication of any of the components relevant to this departure.

BOEM finds that the requested departure also complies with the criteria outlined in § 585.103(b). The departure is consistent with subsection 8(p) of the OCS Lands Act and protects the environment and the public health and safety to the same degree as if there were no approved departure, since the design and fabrication of these components would occur under the supervision of the approved CVA, as required by BOEM's regulations. Further, approval of the departure would not impair the rights of third parties.

If there are any questions, please contact Meredith Lilley at Meredith.Lilley@boem.gov or 703-787-1037.

Sincerely,

**JAMES
BENNETT**

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James F. Bennett
Chief
Office of Renewable Energy Programs