



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:

I am writing on behalf of the Bureau of Ocean Energy Management (BOEM), Office of Renewable Energy Programs, regarding Vineyard Wind, LLC's (Vineyard Wind's) regulatory departure request submitted on October 15, 2020, pursuant to 30 C.F.R. § 585.103. Through this letter, BOEM approves Vineyard Wind's departure request.

In its letter, Vineyard Wind requested a regulatory departure from the 30 C.F.R. § 585.626(a)(4)(ii) requirement that a Construction and Operations Plan (COP) submission include the results of "*in situ* testing, boring and sampling at each foundation location." Instead of submitting the *in situ* geotechnical data with the COP, Vineyard Wind proposes to submit the required deep geotechnical information at each foundation location with the Facility Design Report and Facility Installation Report.

BOEM's review indicates Vineyard Wind has submitted extensive geophysical and geotechnical information with its COP for its 501 South wind energy facility project that will be further supplemented on or before August 1, 2021, and available for BOEM's review of the COP. We conclude that, collectively, the information is sufficient to facilitate BOEM's COP analysis.

BOEM finds that granting this departure would facilitate appropriate lease activities in accordance with 30 C.F.R. § 585.103(a)(1) by providing Vineyard Wind the flexibility needed to conduct its deep geotechnical campaign as scheduled 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 better aligns the data submission with its intended purpose.

In addition, BOEM finds the departure would not adversely impact the environment or sites of historical or archeological significance or affect public health or safety, as geophysical data has been collected at each turbine location and cleared for the presence of any environmental, historical, or archeological features. Nor will it impair the rights of third parties. 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.

In summary, this departure request satisfies the regulatory criteria set forth in 30 C.F.R. § 585.103 because it “facilitates the appropriate activities on a lease” and does not adversely impact public health and safety or the environment.

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

Sincerely,

**JAMES
BENNETT**

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James F. Bennett
Chief
Office of Renewable Energy Programs