



# United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT  
WASHINGTON, DC 20240-0001

Ms. Patricia DiOrio  
Revolution Wind, LLC  
399 Boylston Street, 12th Floor  
Boston, Massachusetts 02116

Dear Ms. DiOrio:

I am writing on behalf of the Bureau of Ocean Energy Management (BOEM), Office of Renewable Energy Programs, regarding Revolution Wind, LLC's (Revolution Wind) variance request submitted on April 5, 2024, pursuant to lease number OCS-A 0486 Conditions of Construction and Operations Plan Approval (Conditions), condition 6.3 (Federal Survey Mitigation Program).

Revolution Wind requested a variance pursuant to condition 1.5 to extend the deadline for executing a mitigation agreement with National Marine Fisheries Service and submitting the agreement to BOEM from 120 days of Construction and Operations Plan (COP) approval to one year plus 180 days from COP approval, or May 15, 2025. Further, if no agreement is reached between Revolution Wind and NMFS by May 15, 2025, Revolution Wind would submit a Survey Mitigation Plan to BOEM and NMFS 60 days from the requested variance date, or July 14, 2025.

In support of this variance request, Revolution Wind states during coordination with the National Marine Fisheries Service (NMFS) Northeast Fisheries Science Center (NEFSC), it was mutually agreed upon that the allowance for additional time to provide a regionalized approach to Condition 6.3 would be beneficial to both NMFS – NEFSC and Revolution Wind. Revolution Wind states it will continue to meet with NEFSC on a quarterly basis to formulate a regional solution to a mitigation agreement.

BOEM determines that the variance: (1) would not result in a change in the Project impact levels described in the Final Environmental Impact Statement (FEIS) 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 consultation for applicable laws (e.g., Endangered Species Act (ESA), Marine Mammal Protection Act (MMPA), or 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 Section 8(p)(4) of OCSLA.

BOEM, in coordination with the Bureau of Safety and Environmental Enforcement and the NMFS NEFSC, agrees to extending the deadline. BOEM's approval of the variance is limited to the extension of the deadlines for submitting the agreement and plan and does not extend to Lessee's proposed modifications related to the content and process of developing the agreement. The agreement, and how the agreement is reached, is between the Lessee and NMFS NEFSC.

BOEM approves the variance request from Condition 6.3 request as followed, with **bold** for emphasis:

6.3 Federal Survey Mitigation Program (Planning) (Construction) (Operations) (Decommissioning). There are 14 NMFS scientific surveys that overlap with wind energy development in the northeast region. Nine 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*, **by May 15, 2025**, 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 9 NMFS surveys. The Lessee must conduct activities in accordance with such agreement.

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, **by July 14, 2025**. BOEM will review the Survey Mitigation Plan in consultation with NMFS Northeast Fisheries Science Center (NEFSC), and the Lessee must resolve comments to BOEM's satisfaction and must conduct activities in accordance with the plan.

If you have any questions regarding this matter, please contact Whitney Hauer at (571) 536-8698 or [Whitney.Hauer@boem.gov](mailto:Whitney.Hauer@boem.gov).

Sincerely,

David Diamond  
Deputy Chief for Operations,  
Atlantic Outer Continental Shelf  
Office of Renewable Energy Programs