



Atlantic Shores Offshore Wind, LLC
1 Dock 72 Way, Floor 7
Brooklyn, NY 11205

June 10, 2022

Christine Harada
Executive Director
Federal Permitting Improvement Steering Committee
1200 New Jersey Avenue, SE
Washington, DC 20590
(submitted via email to: fast.fortyone@fpisc.gov and facilitating agency Department of the Interior at FAST41initiation@ios.doi.gov)

Subject: FAST 41 Initiation Notice for Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS-A 0549)

Dear Ms. Harada:

Atlantic Shores Offshore Wind, LLC ("Atlantic Shores"), a 50/50 joint venture ("JV") between EDF-RE Offshore Development, LLC (an affiliate of EDF Renewables, Inc.; referred to herein as "EDF Offshore") and Shell New Energies US LLC ("Shell New Energies"), is pleased to submit this FAST 41 Initiation Notice ("FIN") to support the development of an offshore wind project ("Atlantic Shores North" or "Project") located on the Outer Continental Shelf in the area (the "Lease Area") set forth in the Commercial Lease of Submerged Lands for Renewable Energy Development OCS-A 0549 (the "Lease"). Atlantic Shores, the current Lessee under the Lease, proposes to construct within the 81,129-acre Lease Area and within Export Cable Route Corridors from the Lease Area to shore landing locations along the coast of New Jersey and/or New York.

Please find enclosed the FIN seeking enhanced coordination and oversight from the Federal Permitting Improvement Steering Committee ("FPISC"). Should you have any questions or comments regarding the enclosed material, please feel free to contact me or the Atlantic Shores Permitting Lead for Lease OCS-A 0549, Megan Hayes:

Megan Hayes, Permitting Lead
Email: megan.hayes@atlanticshoreswind.com
Phone: (510) 381-3263



We thank you in advance for your time, and we look forward to working with you and your team.

Sincerely,

Jennifer Daniels

Jennifer A. Daniels
Development Director
Atlantic Shores Offshore Wind, LLC

cc: Isis Farmer, BOEM
David MacDuffee, BOEM
Annette Moore, BOEM
Michelle Morin, BOEM
Will Waskes, BOEM
Kimberly Sullivan, BOEM
Jen Mallard, FPISC
Manisha Patel, FPISC
Jessica Stromberg, BOEM
Lauren Voluckon, DOI
Megan Hayes, Atlantic Shores

1) Project Information

- Title: Atlantic Shores North
- Sector: Wind
- Type: Federal Offshore
- Location (centerpoint given): 39° 28.328'N Latitude, 74° 0.246'W Longitude

2) Project Sponsor

- Atlantic Shores Offshore Wind, LLC
- Contact information: Megan Hayes, Permitting Lead,
megan.hayes@atlanticshoreswind.com, +1-510-381-3263

3) Statement of the purposes and objectives of the project

The purpose of the Project is to develop offshore wind energy generation facilities within BOEM Lease Area OCS-A 0549 (segmented from Lease Area OCS-A 0499 on April 18, 2022) to provide clean, renewable energy to the Northeastern U.S. late 2020s. Specifically, the Project is designed to provide clean, renewable energy to the New Jersey and/or New York electrical grids. Atlantic Shores has submitted a Construction and Operations Plan ("COP") to the Bureau of Ocean Energy Management ("BOEM") for review and approval that describes the proposed Project, including all necessary information required under BOEM's regulations at 30 CFR Part 585 and its Lease.

The Project will help the U.S., New Jersey and New York achieve their renewable energy goals, diversify the States' electricity supplies, increase electricity reliability, and reduce greenhouse gas emissions (GHGs). The Project will also provide numerous environmental, health, community, and economic benefits and will create substantial new employment opportunities.

This Project also fulfills Congress' intent expressed in the Outer Continental Shelf Lands Act to make the Outer Continental Shelf "available for expeditious and orderly development, subject to environmental safeguards, in a manner which is consistent with the maintenance of competition and other national needs." 43 U.S.C. 1332(3). In the Energy Policy Act of 2005, Congress made clear that offshore renewable energy development such as wind development was a permissible form of development, subject to review and authorization by Interior's Secretary. *Id.* at 1337(p).

In furtherance of Congress' intent, Presidential Executive Order 14008 (*Tackling the Climate Crisis at Home and Abroad*), signed on January 27, 2021, directs the Secretary of the Interior, in consultation with other Federal agencies, to review siting and permitting

processes to identify steps to double offshore wind energy production by 2030 (see Section 207; White House 2021). The States of New Jersey and New York have also set ambitious renewable energy goals and mandates. New Jersey's Global Warming Response Act of 2007, as amended in 2019, mandates a reduction in the State's GHG emissions to 80% below its 2006 levels by 2050. New Jersey's renewable energy goals also include reaching 7,500 MW of offshore wind energy capacity by 2035, as outlined in the 2020 New Jersey Offshore Wind Strategic Plan, and achieving 100% clean energy by 2050, as described in the 2019 Energy Master Plan (Ramboll 2020; NJDEP 2020). On July 18, 2019, New York State enacted the Climate Leadership and Community Protection Act (Climate Act) which aims at reducing greenhouse gas emissions 40% by 2030 and by 85% by 2050 from 1990 levels. The Climate Act sets goals of 70% renewable electricity by 2030 and 9,000 MW of offshore wind capacity by 2035.

In accordance with the New Jersey Offshore Wind Economic Development Act ("OWEDA"), the State of New Jersey will be awarding Offshore Wind Renewable Energy Certificate ("OREC") allowances to offshore wind energy projects through a competitive solicitation process every two years through 2026. The next competitive solicitation by New Jersey will be initiated in Q1 2023. Similarly, the New York State Energy and Research Development Authority ("NYSERDA") anticipates issuing its third offshore wind procurement (OREC RFP22-1) in Q3 of 2022. The Project is being developed to support both of the above-referenced solicitations. Atlantic Shores' Lease Area OCS-A 0549 can play a critical role in supporting New Jersey's and New York's ambitious renewable energy goals.

The Lease Area is one of 11 lease areas in proximity to New Jersey and New York. Of these 11 lease areas, portions of Lease Area OCS-A 0499, Lease Area OCS-A 0512 and portions of Lease Areas OCS-A 0498 and OCS-A 0519 are already associated with offshore wind projects that have received awards under offshore wind solicitations from the States of New York, New Jersey, and Maryland, respectively. Atlantic Shores has submitted a COP to BOEM for the proposed development of two projects within Lease Area OCS-A 0499 which is located directly south of and adjacent to Lease Area OCS-A 0549. Additionally, six of the nearby lease areas (Lease Areas OCS-A 0537, OCS-A 0538, OCS-A 0539, OCS-A 0541 and OCS-A 0542, and OCS-A 0544) are part of the New York Bight lease areas that were awarded in February 2022, which are much earlier in the development process than Lease Area OCS-A 0549. To date, no formal offshore wind projects have been proposed/announced for any of the six newly awarded New York Bight lease areas.

4) Concise description including general location and/or a summary of geospatial information, if available, and the locations, if any, of environmental, cultural, and historic resources.

Atlantic Shores North, at its closest point, is approximately 8.4 miles (13.5 kilometers [km]) from the New Jersey coast and approximately 60 miles (96.6 km) from the New York State

coast and will include an array of wind turbine generators (“WTGs”), multiple offshore substations (“OSSs”), and up to one permanent meteorological (“met”) tower. The COP, developed pursuant to 30 Code of Federal Regulations (CFR) 585.626 and 627, provides extensive information on the Lease Area and proposed project infrastructure including: wind turbine generators; offshore substations; met towers; marine cable system comprised of export, inter-array and interlink cables/routes; onshore interconnection cables/routes; and onshore substations and or converter stations. This information is summarized in the body of the COP and associated technical appendices. The COP, and its supplemental filings coming later in 2022, extensively describes the physical, biological, economic, and cultural resources in the Lease Area.

5) Statement regarding the technical and financial ability of the project sponsor to construct the proposed project

Atlantic Shores Offshore Wind, LLC (“Atlantic Shores”), a 50/50 joint venture (JV) between EDF-RE Offshore Development, LLC (an affiliate of EDF Renewables, Inc.; referred to herein as “EDF Offshore”) and Shell New Energies US LLC (“Shell New Energies”), was formed for the purpose of, but not limited to, acquiring, developing, constructing, owning, operating and maintaining offshore renewable wind energy projects, and engaging in any and all activities necessary or incidental to the foregoing. As a JV, Atlantic Shores actively draws upon the full strength of its two parent companies (“Parents”), including building an experienced team of more than 80 full time equivalents, which will continue to grow as the Project matures toward a Final Investment Decision (“FID”) and start of construction. Our Parents’ technical expertise and capabilities will enable Atlantic Shores to bring the Project to fruition. Atlantic Shores will draw upon the collective experience of hundreds of renewables and offshore specialists who design, procure, manage, construct and operate over 11 GW of renewable energy projects. In the United States alone, Atlantic Shores has access to the extensive combined experience of a 21,000-person workforce, with specific expertise in developing offshore projects and bringing offshore wind power to the electrical grid. This includes overcoming technical challenges, optimizing energy output and minimizing and controlling costs, risks and schedule, building up local supply chains, and cohabiting with other users of the sea.

Per the financial assurance requirements of 30 C.F.R. 585 Subpart E, Atlantic Shores has fully demonstrated compliance with Financial Assurance Requirements and has met all Rent Payments.

Atlantic Shores also has gained invaluable technical and project expertise through its successful submission and achievement of a Notice of Intent under the National Environmental Policy Act (NEPA) on its companion project in the region under OCS-A 0499 Lease in Southern Jersey, which includes an Offshore Renewable Energy Credit (OREC) award of 1,510 megawatts from the New Jersey Board of Public Utilities.

6) Statement of any Federal financing, environmental reviews, and authorizations anticipated to be required

Atlantic Shores is not expecting any Federal financing. Table 1 identifies the expected Federal environmental reviews and authorizations for Atlantic Shores North and their associated timelines.

Table 1: Federal Reviews and Authorizations

Agency/Regulatory Authority	Permit/Authorization	Submission Date	Approval/Completion Date
Federal Permits/Approvals			
BOEM	SAP approval	December 6, 2019	Received Q1 2021
	COP approval/Record of Decision (ROD)	April 29, 2022	Expected Q3 2024
	National Environmental Policy Act (NEPA) Environmental Review	To be initiated by BOEM. Expected Q4 2022	Expected Q4 2024
	Consultation under Section 7 of the ESA with NMFS and USFWS, coordination with New Jersey under the CZMA, government-to-government tribal consultations, consultation under Section 106 of the NHPA, consultation with DoD, consultation with NMFS under the MMPA, and consultation with NMFS for Essential Fish Habitat.	To be initiated by BOEM.	Conducted concurrently with NEPA and COP review and approval process.
	Facility Design Report (FDR) and Fabrication and Installation Report (FIR)	Expected Q1 2025	Expected Q1 2025
EPA	OCS Air Permit	OCS Air Permit Application submission expected Q1 2023	Expected Q4 2024
USACE	CWA Section 404 (required for discharge of dredged materials and placement of foundations, scour protection, and cable protection)	Expected Q4 2023	Expected Q4 2024
	Rivers and Harbors Act of 1899 Section 10 Individual Permit (required for all offshore structures and dredging activities)		
	Section 103 of the Marine Protection, Research, and Sanctuaries Act (for dredged material disposal, if required)		

Agency/Regulatory Authority	Permit/Authorization	Submission Date	Approval/Completion Date
NMFS	Letter of Authorization (LOA) or Incidental Harassment Authorization (IHA)	Expected Q2 2023	Expected Q2 2024
USCG	Private Aid to Navigation (PATON) authorization	Expected Q4 2024	Expected Q2 2025
FAA	Determination of No Hazard to Air Navigation	Expected Q3 2024	Expected Q3 2025

Notes:

Authority to issue the OCS Air Permit currently lies with EPA Region 2, but the State of New Jersey has taken actions towards obtaining delegated authority to issue and enforce OCS air permits. Per 40 CFR §52.11(b), that delegation can occur when New Jersey has demonstrated that the State has adopted the appropriate portions of the regulation into State law, and has adequate authority, resources, and administrative procedures to implement the regulation. New Jersey incorporated 40 CFR Part 55 into the NJDEP regulations (at NJAC 7:27-30) effective May 4, 2020.

7) Assessment that the project meets the definition of a covered project as defined in 42 U.S.C. §4370m(6)(A) of the FAST Act and a statement of reasons supporting the assessment

Atlantic Shores North meets the definition of a “covered project” as defined in 42 U.S.C. §4370m(6)(A) of the FAST Act because:

- 1) It involves construction of infrastructure for renewable energy production.
- 2) It is subject to NEPA. Atlantic Shores recently submitted its COP to BOEM in order to start the process toward BOEM’s development of an Environmental Impact Statement (EIS) under NEPA. Atlantic Shores will not be able to operate unless an EIS is completed for the project and a subsequent Record of Decision (“ROD”) is issued.
- 3) The Project will require a total investment of more than \$200m. An offshore wind project of this size is expected to cost no less than several billion dollars (USD).
- 4) It does not qualify for abbreviated authorization or environmental review processes under any applicable law. Given the magnitude of this project, full non-expedited Federal reviews and authorizations are required.

Ultimately, as this Atlantic Shores North Project is subject to NEPA, requires an EIS, is highly complex, and requires authorization from more than two Federal agencies, it would likely benefit from enhanced oversight and coordination from FPISC.