Ørsted
Long Island Wind

Section 6

Project Development Plan

Portions of this proposal contain confidential, proprietary, and/or commercially sensitive information that has been redacted from the "Public Version" of this proposal. Ørsted and Bay State Wind d/b/a Long Island Wind have submitted a "Confidential Version" of this proposal that includes the redacted information, which should be treated as a non-public record that is exempt from disclosure to the extent permitted under applicable laws and/or as expressly set forth in the Request for Proposals.

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List of Acronyms

°C	degrees Celsius
AC	alternating current
ft	feet
GW	gigawatt
IPO	initial public offering
km	kilometer
kV	kilovolt

[redacted]

m	meter
m/s	meters per second
[redacted]	
MW	megawatt
[redacted]	
nm	nautical mile
NOAA	National Oceanic and Atmospheric Administration
[redacted]	
NYSERDA	New York State Energy Research and Development Authority
OCS	Outer Continental Shelf
[redacted]	
O&M	Operations and Maintenance
[redacted]	
OREC	Offshore Wind Renewable Energy Certificates
[redacted]	
POI	point of interconnection
[redacted]	
SGRE	Siemens Gamesa Renewable Energy
[redacted]	

[redacted]

U.S.	United States

[redacted]

WTG	wind turbine generator

6.0 PROJECT DEVELOPMENT PLAN

6.2.6 The Project Development Plan must be submitted as a single file, not to exceed 100 pages, with the following included subsections. The Submission must include both Confidential and Public versions of the Project Development Plan.

6.1 PROJECT TEAM

6.2.6.1 This section of the Submission must describe the Project Team's experience in developing generation and transmission facilities of similar size, technology and complexity and ability to work together effectively to bring the Project to commercial operation in a timely fashion.
Proposers are required to provide the following information with their Proposal:

6.1.1 Business Entity Structure

A description of the business entity structure of Proposers' organization from a financial and legal perspective, including all general and limited partners, officers, directors, and involvement of any subsidiaries supporting the Project.

Bay State Wind LLC is a wholly-owned, indirect subsidiary of Orsted North America Inc. and ultimately of Ørsted A/S, a Danish multinational energy company headquartered in Fredericia, Denmark. Through its subsidiaries, Ørsted A/S is the world's largest offshore wind developer, operating more offshore wind energy projects than any other company in the world. Orsted North America Inc. employs approximately 700 individuals in the United States (U.S.). In North America, Ørsted has successfully developed, and actively operates, more than 4 gigawatts (GW) of renewable gross capacity and manages another roughly 4 GW in projects currently under development, including offshore and onshore wind, solar, biomass, and energy storage solutions.

[redacted]

6.1.2 Organizational Chart

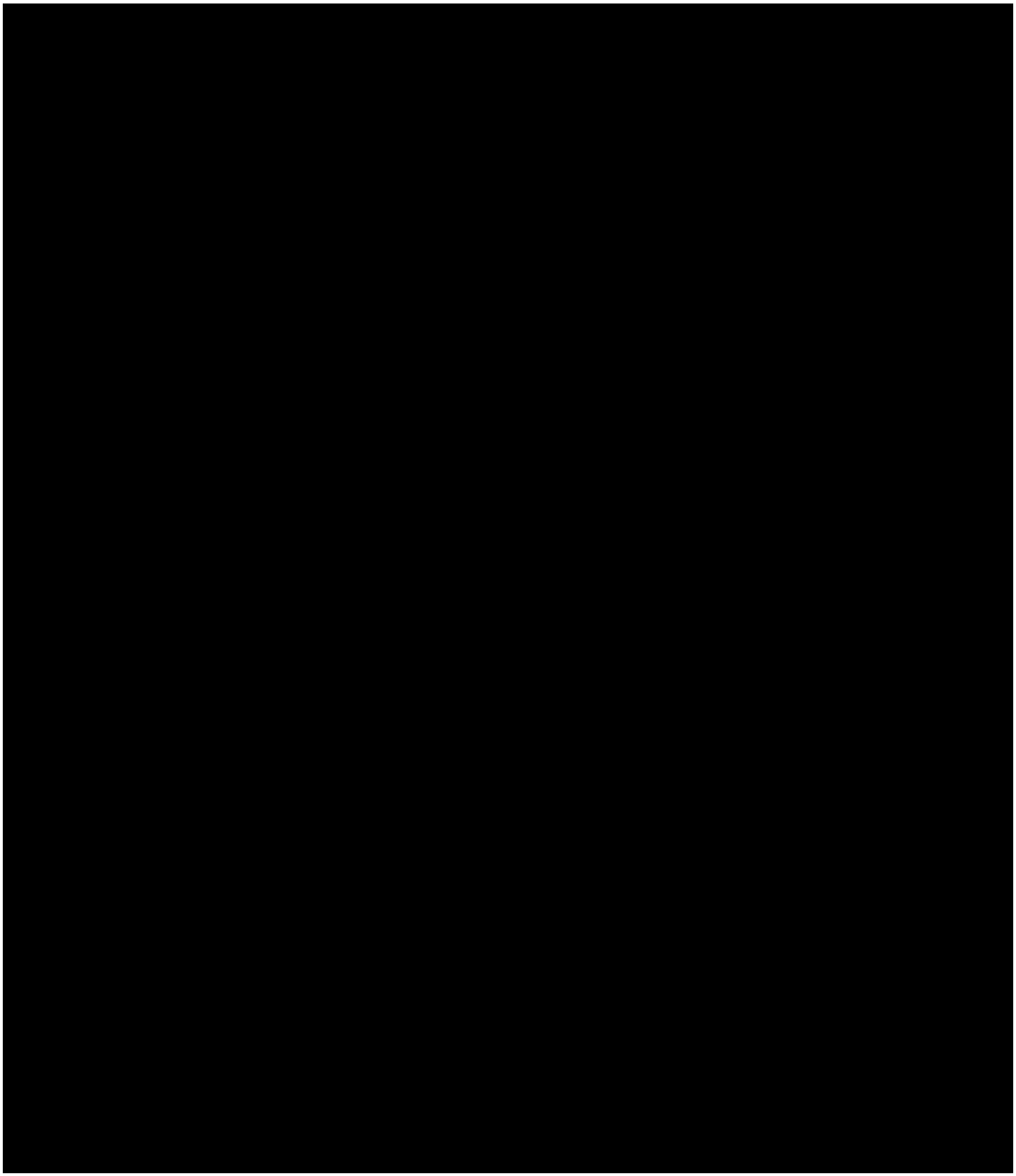
An organizational chart for the Project that lists the Project participants, including parent companies and joint ventures transacting business in the energy sector, identifies the corporate structure, including general and limited partners, and shows the relationship among the different Project participants.

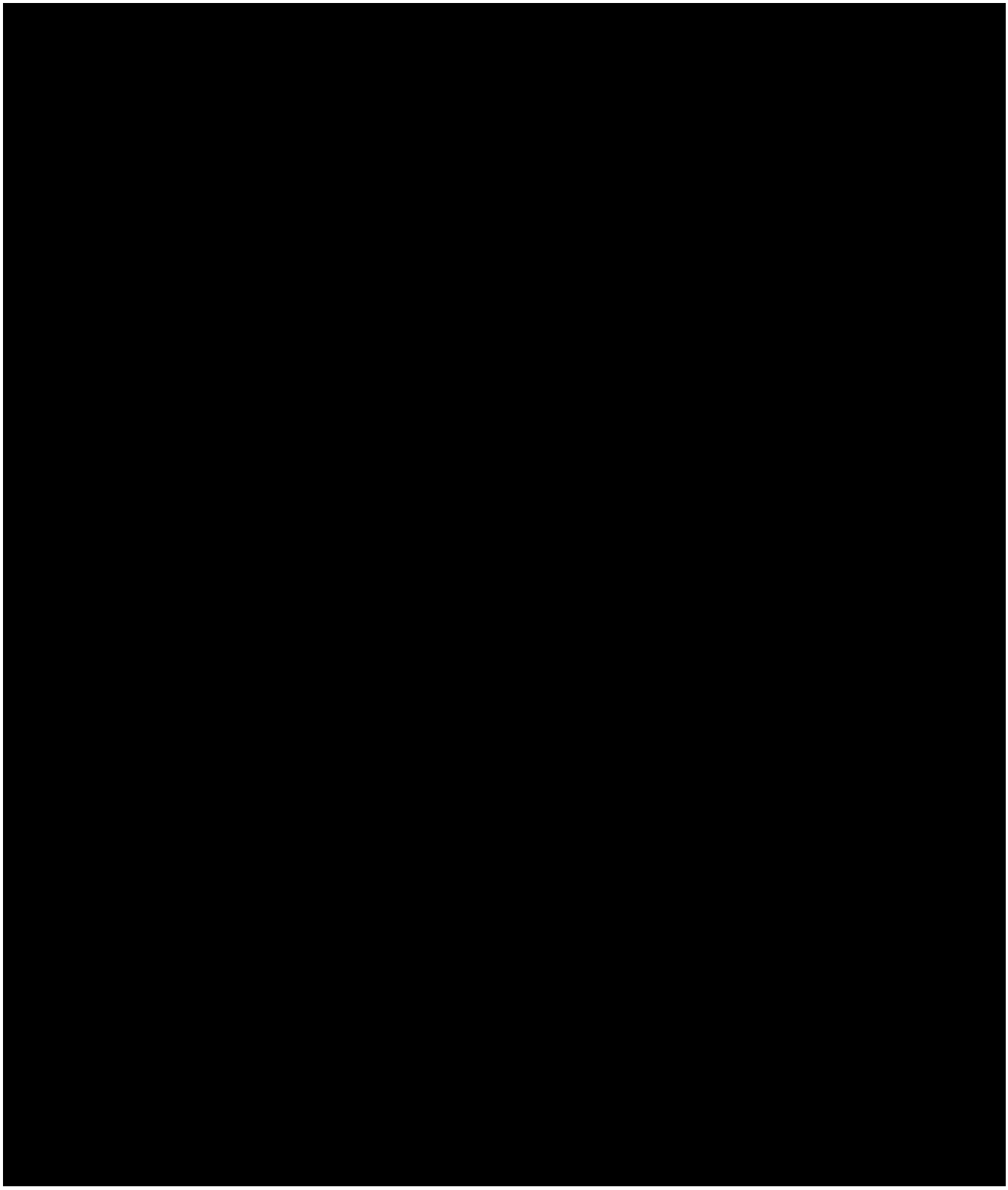
[redacted]

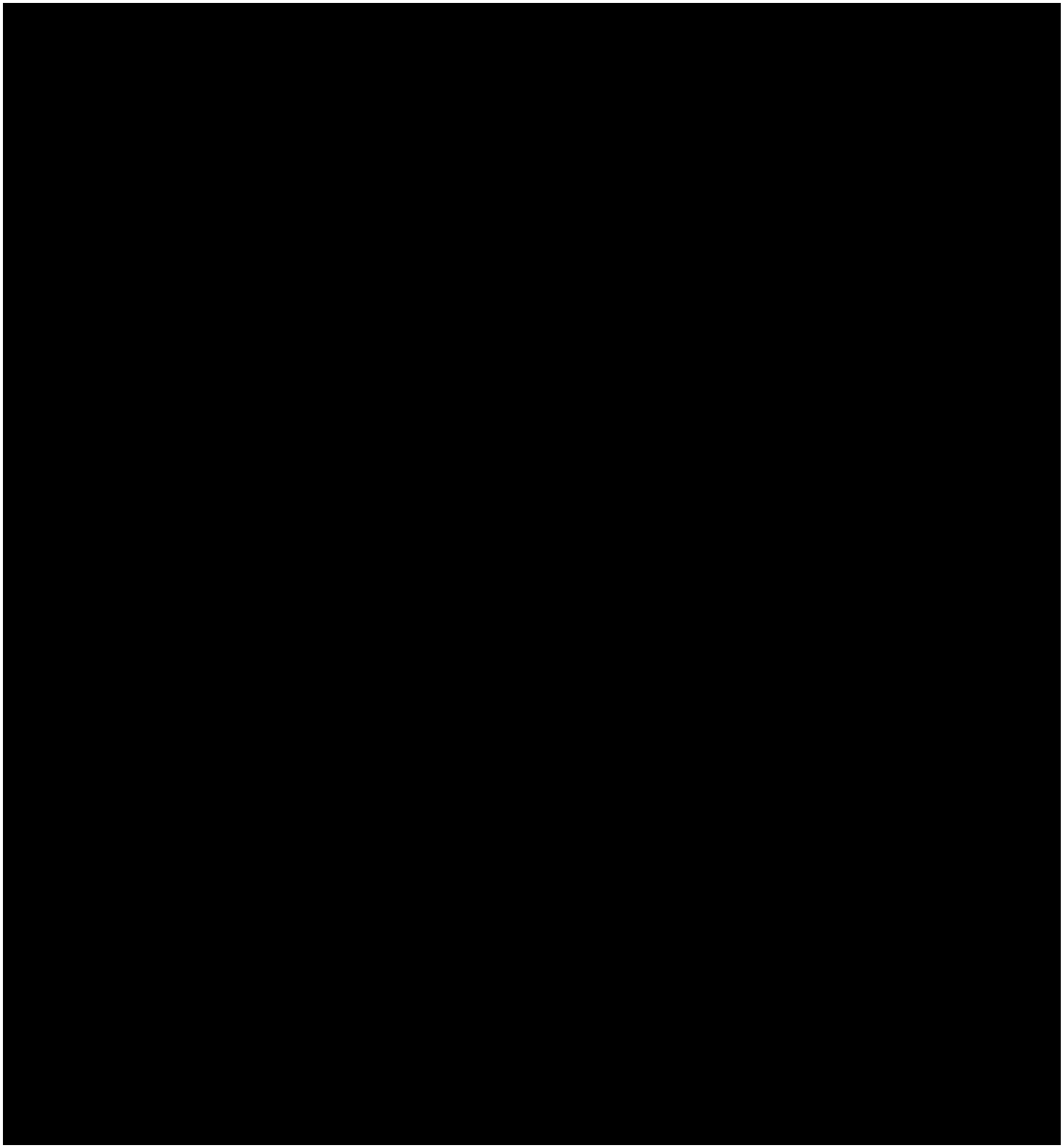
6.1.3 Management Chart

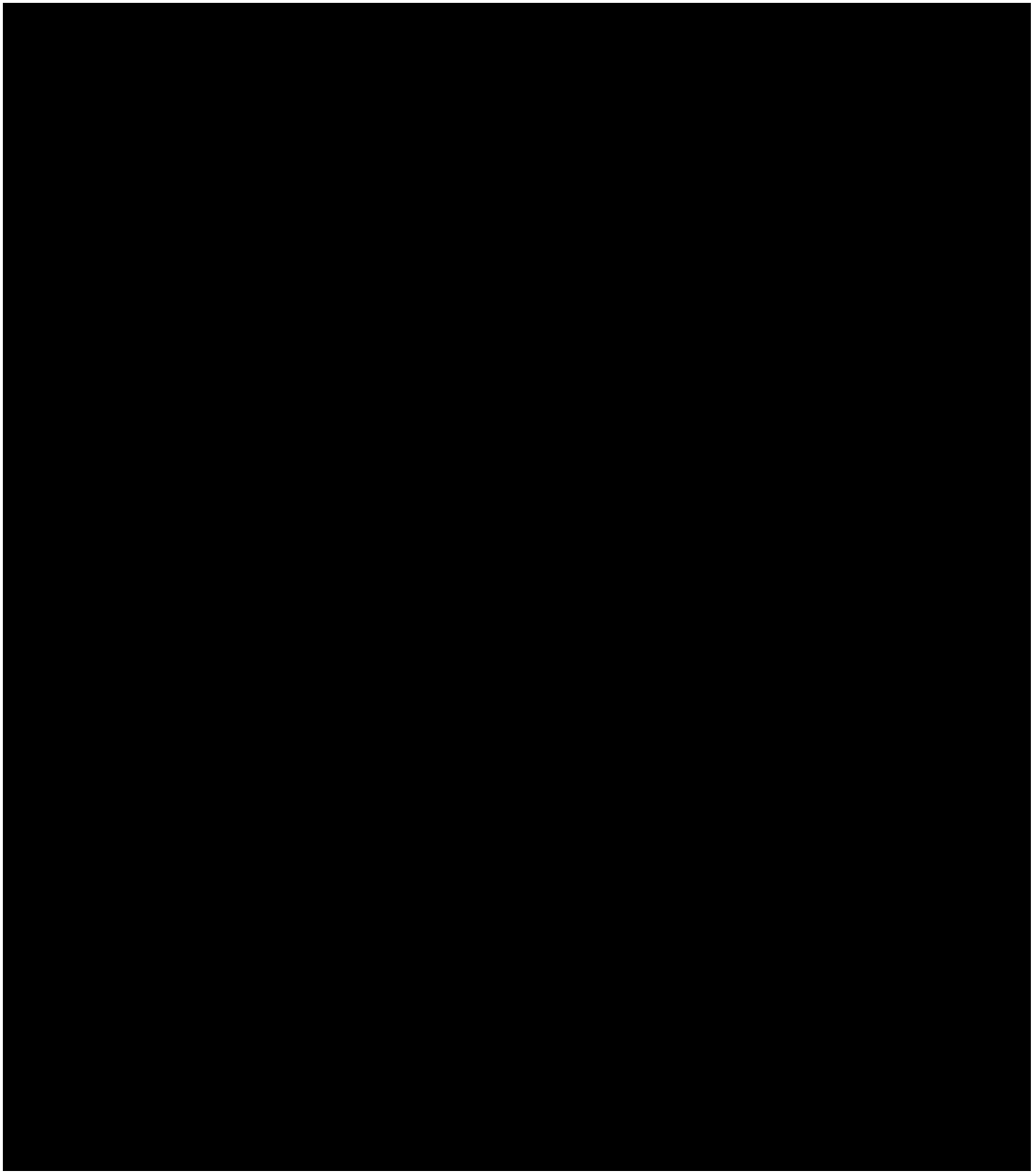
A management chart that lists the Project Team principals dedicated to this Project and a short statement for each describing the rationale for their selection based on either their experience in a technical subject matter or demonstrated similar skill sets. Identify the team members that are currently based in New York State and those team members who will relocate to New York State.

Ørsted has an experienced team that will lead and manage the successful implementation of the Project throughout all development aspects in accordance with management models that have executed dozens of previous projects. Table 6.1 provides information about Ørsted key personnel.









6.1.4 Project Team

Identify and describe, including relevant experience, the entity or entities responsible for the following, as applicable:
a. Construction Period Lender, if any
b. Community Liaison Officer
c. Diversity, Equity, and Inclusion Officer
d. Environmental Consultant
e. EPC Contractor (if selected)
f. Facility Operator and Manager
g. Financial Advisor
h. Health and Safety Consultant
i. Labor Liaison
j. Legal Counsel
k. Operating Period Lender and/or Tax Equity Provider, as applicable
l. Owner's Engineer
m. Transmission Consultant

Ørsted's expertise in developing, financing, constructing, and operating energy projects will be supplemented by third-party firms as described below. This approach has been used in the successful construction of South Fork Wind and the start of construction of Sunrise Wind and Revolution Wind.

a. Construction Period Lender

[redacted]

b. Community Liaison Officer

[redacted]

c. Diversity, Equity, and Inclusion Officer

[redacted]

d. Environmental Consultant

[redacted]

[redacted]

e. EPC Contractor (if selected)

[redacted]

f. Facility Operator and Manager

[redacted]

Offshore

[redacted]

Onshore

[redacted]

g. Financial Advisor

[redacted]

h. Health and Safety Consultant

[redacted]

i. Labor Liaison

[redacted]

j. Legal Counsel

[redacted]

k. Operating Period Lender and/or Tax Equity Provider

[redacted]

l. Owner's Engineer

[redacted]

m. Transmission Consultant

[redacted]

[redacted]

6.1.5 Project Experience

A list of projects of similar type, size, technology and/or complexity that each of the Project participants (Proposer and any development partners) has had a role in developing, financing, owning, and operating generation and transmission facilities, and any evidence that the Project participants have worked jointly on other projects. Identify the specific members of the Project Team that worked on each project listed.

Ørsted has projects [redacted] More details can be provided upon request.

Table 6.2. Ørsted Project Experience

Project	Location	Description	Size and Project Technology	Commercial Operation Date	Status
U.S.					
Skipjack Wind	Maryland	Offshore Wind	966 megawatt (MW); [redacted]	[redacted]	Under Development
Sunrise Wind [3]	New York	Offshore Wind	924 MW; [redacted]	2026	Under Contract
Revolution Wind [3]	Rhode Island / Connecticut	Offshore Wind	304 MW + 400 MW; [redacted]	2025	Under Construction
South Fork Wind [3]	New York	Offshore Wind	132 MW; [redacted]	2024	In Operation
Starboard Wind		Offshore Wind	1,200 MW		Under Development
Coastal Virginia Offshore Wind [4]	Virginia	Offshore Wind	12 MW; Siemens Gamesa SWT-6.0-154	2020	In Operation[3]
Block Island Wind	Rhode Island	Offshore Wind	30 MW; GE 6 MW SWT	2016	In Operation
Denmark					
Anholt	Kattegat	Offshore Wind	400 MW; Siemens Gamesa SWT-3.6-120	2013	In Operation
Avedøre Holme	Øresund	Nearshore Wind	10.8 MW; Siemens Gamesa SWT-3.6-107/120	2009 / 2011	In Operation
Horns Rev 1	North Sea	Offshore Wind	160 MW; Vestas V80-2 MW	2003	In Operation
Horns Rev 2	North Sea	Offshore Wind	209.3 MW; Siemens Gamesa SWT-2.3-93	2010	In Operation
Nysted	Fehmarnbel	Offshore Wind	165.6 MW; Bonus SWT 2.3-82	2003	In Operation
Frederikshavn	Kattegat	Nearshore Wind	10.6 MW; Vestas V90-3.0, Nordex N90/2300, Bonus B82-2300	2003	Divested
Middelgrunden	Øresund	Nearshore Wind	20 MW; Bonus B76/2000	2001	Divested
Vindeby	Smålandsfarvandet	Offshore Wind	4.95 MW; Bonus B35/450	1991	Decommissioned
Germany					
Borkum Riffgrund West 3	North Sea	Offshore Wind	913 MW; [redacted]	[redacted]	Under Contract
Gode Wind 3	North Sea	Offshore Wind	110 MW; [redacted]	[redacted]	Under Contract
Borkum Riffgrund 2	North Sea	Offshore Wind	450 MW; MVOW 8.3 MW-164	2018	In Operation
Gode Wind 1	North Sea	Offshore Wind	330 MW; Siemens SWT 6.0-154	2016	In Operation
Gode Wind 2	North Sea	Offshore Wind	252 MW; Siemens SWT 6.0-154	2016	In Operation
Borkum Riffgrund 1	North Sea	Offshore Wind	312 MW; Siemens SWT 4.0-120	2015	In Operation
Netherlands					
Borssele 1 & 2	North Sea	Offshore Wind	752 MW; Siemens Gamesa 8 MW	2020	In Operation
UK					
Hornsea 03	North Sea	Offshore Wind	2,800 MW; [redacted]	[redacted]	Under Contract
Hornsea 02	North Sea	Offshore Wind	1,386 MW; SGRE-8.0-167	2022	In Operation
Hornsea 01	North Sea	Offshore Wind	1,200 MW; SGRE-7.0-154	2020	In Operation
Race Bank	North Sea	Offshore Wind	573 MW; SWT-6.0-154	2018	In Operation
Burbo Bank 1+2	Irish Sea	Offshore Wind	348 MW; SWT-3.6-107, V164-8.0 MW (MHI Vestas Offshore Wind)	2017	In Operation
Westermost Rough	North Sea	Offshore Wind	210 MW; SWT-6.0-154	2015	In Operation

[redacted]

Project	Location	Description	Size and Project Technology	Commercial Operation Date	Status
West of Duddon Sands	Irish Sea	Offshore Wind	388.8 MW; SWT-3.6-120	2014	In Operation
Gunfleet Sands Demo	Thames Estuary	Offshore Wind	12 MW; SWT-6.0-120	2013	In Operation
Lincs	North Sea	Offshore Wind	270 MW; SWT-3.6-120	2013	In Operation
London Array 1	Thames Estuary	Offshore Wind	630 MW; SWT-3.6-120	2013	In Operation
Walney 1+2	Irish Sea	Offshore Wind	367.2 MW; SWT-3.6-107, SWT-3.6-120	2011	In Operation
Walney 3+4	Irish Sea	Offshore Wind	659 MW; MHI-Vestas V164-8.0MW (Walney 3) and SWT-7.0-154 (Walney 4)	2011	In Operation
Gunfleet Sands 1+2	Thames Estuary	Offshore Wind	172.8 MW; SWT-3.6-107	2010	In Operation
Barrow	Irish Sea	Offshore Wind	90 MW; V90-3 MW Offshore (Vestas)	2006	In Operation
Taiwan					
Greater Changhua 2b&4	Taiwan Strait	Offshore Wind	924 MW; [redacted]	[redacted]	Under Contract
Greater Changhua 1&2	Taiwan Strait	Offshore Wind	905 MW; [redacted]	[redacted]	Under Constructio
Formosa 1 - Phase 1&2	Taiwan Strait	Offshore Wind	Phase 1: 8 MW; 4.0 MW SWT-120, Phase 2: 120 MW; 6.0 MW SWT-154	2019	In Operation

[redacted]

Notes:

[redacted]

[3] Project team members listed in Section 6.1.3 have contributed in some manner to these projects. More details can be provided upon request.
[4] Coastal Virginia Offshore Wind was built by Ørsted, but it is now being operated by another party.
Source: Ørsted

6.1.6 Project Disputes or Litigation

Disclose any pending (currently or in the past three years) Health/Safety Enforcement Notice, litigation or disputes related to projects planned, developed, owned or managed by Proposer or parent companies or JV partners, or related to any energy product sale agreement.

Pending litigation information can be found in the annual reports (Section 6.3.7), which disclose material litigations involving Ørsted's respective affiliates. [redacted]

The only litigation directly relevant to the Project was Save Long Beach Island et al. v. U.S. Department of Commerce et al., Civ. No. 23-1886 (D.N.J.), in which the plaintiffs challenged marine mammal incidental take authorizations associated with site-characterization surveys for multiple offshore wind projects in development off the East Coast of the U.S. (including surveys within the area of the Outer Continental Shelf (OCS) covered by the Proposer's Lease OCS-A 0500). Orsted North America Inc. accordingly intervened in the case, which the court dismissed without prejudice on February 29, 2024. On March 29, 2024, the plaintiffs filed an amended complaint that no longer challenged any Ørsted incidental take authorization. Orsted North America Inc. therefore withdrew from the case effective April 17, 2024.

Since September 2021, eight lawsuits have been filed against federal, New York State, and local government entities challenging their approvals for the South Fork Wind project, recently constructed by the Proposer's affiliate, South Fork Wind, LLC:

- *Kinsella v. N.Y. Pub. Serv. Comm'n & N.Y. Dep't of Pub. Serv.*, No. 2021-06572 (N.Y. App. Div. (2d Dep't)) (filed Sept. 10, 2021)
- Citizens for the Preservation of Wainscott v, N.Y. Pub. Serv. Comm'n et al., No. 2021-06582 (N.Y. App. Div. (2d Dep't)) (filed Sept. 10, 2021)
- *Kinsella et al. v. Long Island Power Auth. et al.*, No. 621109/2021 (N.Y. Sup. Ct. (Suffolk County)) (filed Nov. 9, 2021)
- Mahoney et al. v. U.S. Dep't of the Interior et al., Civ. No. 22-1305 (E.D.N.Y.) (filed Mar. 9, 2022)
- *Kinsella v. Bureau of Ocean Energy Mgmt. et al.*, Civ. No. 22-2147 (D.D.C.) (filed July 20, 2022)

- Preservation Soc'y of Newport Cty. v. Haaland et al., Civ. No. 23-3510 (D.D.C.) (filed Nov. 22, 2023)
- Se. Light Found. v. Haaland et al., Civ. No. 23-3514 (D.D.C.) (filed Nov. 22, 2023)
- Green Oceans et al. v. Haaland et al., Civ. No. 24-1087 (D.D.C.) (filed Jan. 16, 2024)

One of the lawsuits (Citizens for the Preservation of Wainscott v. N.Y. Pub. Serv. Comm'n et al.) has been decided on the merits in favor of the South Fork Wind project. One of the lawsuits (Mahoney) has been dismissed (with no appeal pursued). The other six remain pending. South Fork Wind, LLC, has intervened or been named as a respondent in all of the cases and is defending the challenged governmental action(s) in all of the still-pending ones.

In addition, three companion lawsuits to the most recently filed South Fork Wind project lawsuits have been filed against Federal officials challenging their approvals for the Revolution Wind project, which is currently being developed by the Proposer's affiliate, Revolution Wind, LLC:

- Preservation Soc'y of Newport Cty. v. Haaland et al., Civ. No. 23-3513 (D.D.C.) (filed Nov. 22, 2023)
- Se. Light Found. v. Haaland et al., Civ. No. 23-3515 (D.D.C.) (filed Nov. 22, 2023)
- Green Oceans et al. v. Haaland et al., Civ. No. 24-141 (D.D.C.) (filed Jan. 16, 2024)

Revolution Wind, LLC has intervened in all three lawsuits. Furthermore, a state-court lawsuit was filed on June 12, 2023, against the Rhode Island Coastal Resources Management Council regarding its *Coastal Zone Management Act* consistency certification concurrence for Revolution Wind, LLC (*Green Oceans v. Coastal Resources Management Council*, Civ. No. NC-2023-0206 [R.I. Super. Ct. Newport Cty.]).

Finally, a Federal-court lawsuit was filed on August 6, 2024 against Ørsted A/S (the Proposer's ultimate corporate parent) and five other defendants by X Corp. alleging violations of federal antitrust laws in connection with advertising on the social media platform X (formerly known as Twitter) (X Corp. v. World Fed'n of Advertisers et al., Civ. No. 24-114 (N.D. Tex.)). Ørsted A/S is evaluating how to respond.

[redacted]

[redacted]

6.1.7 Purchase or Sales Disputes

Describe any material litigation, disputes, claims or complaints, or events of default or other failure to satisfy contract obligations, or failure to deliver products, involving Proposer or a parent company, and relating to the purchase or sale of energy, capacity or RECs or other electricity products.

Neither the Proposer nor any of its affiliates has been implicated in any litigation, disputes, claims or complaints, or events of default or other failure to satisfy contract obligations, or failure to deliver products, relating to the purchase or sale of energy, capacity, or renewable energy certificates or other electricity products in the U.S.

[redacted]

See Section 6.1.6 for further details regarding pending litigation.

6.2 PERMITTING PLAN

6.2.6.2 All required federal, regional, state, and local permits and approvals must be identified, and the status of each permit or approval must be provided. Proposers should provide context to the status of each permit, such as known barriers or issues which may materially affect the Project's permitting approval timelines.
Proposers are required to demonstrate a plan for environmental assessment and permit acquisition for the Offshore Wind Generation Facility. Proposers should provide the following information:

Ørsted has a great deal of experience in siting and permitting large energy infrastructure projects, standing out among its peer group of developers. As the largest offshore wind developer in the U.S., Ørsted is currently engaged at both the federal and state levels in substantial environmental assessment work in support of permit acquisition. Ørsted currently has 17.6 GW total installed renewable energy capacity worldwide, with additional capacity under construction, and awarded. Ørsted successfully permitted and constructed the first commercial-scale offshore wind facility in the U.S., South Fork Wind, and is currently constructing Sunrise Wind and Revolution Wind.

[redacted]

[redacted]

Ørsted is confident that the first-hand experience that NYSERDA has with the Project team exhibits Ørsted's knowledge in environmental assessment work and permit acquisition and, importantly, results in the continued ability to further Ørsted's partnership with New York State and construct the Project.

6.2.1 Permits, Licenses, Environmental Assessments and/or Environmental Impact Statements

6.2.6.2. Proposers are required to demonstrate a plan for environmental assessment and permit acquisition for the Offshore Wind Generation Facility. Proposers should provide the following information:
1. A comprehensive list of all the permits, licenses, and environmental assessments and/or environmental impact statements required to construct and operate the Project. Along with this list, identify the governmental agencies that are responsible for issuing approval of all the permits, licenses, and environmental assessments and/or environmental impact statements. If a Proposer has secured any permit or has applied for a permit, please indicate this in the response.

To support the timely construction and operation of the Project, Ørsted has developed a viable permitting plan that consists of the following key elements:

- Robust engagement with the regulatory community and other stakeholders.
- Thorough evaluation of impacts through offshore and onshore field surveys, complex modeling, and desktop assessments, including an alternatives assessment.
- Refinement of Project parameters, [redacted] based on the results of engagement and assessment, and subject to regulatory review.
- Development of appropriate mitigation measures to reduce or eliminate impacts to the extent practicable.

[redacted]

[redacted]

6.2.1.1 Federal Authorizations and Consultations

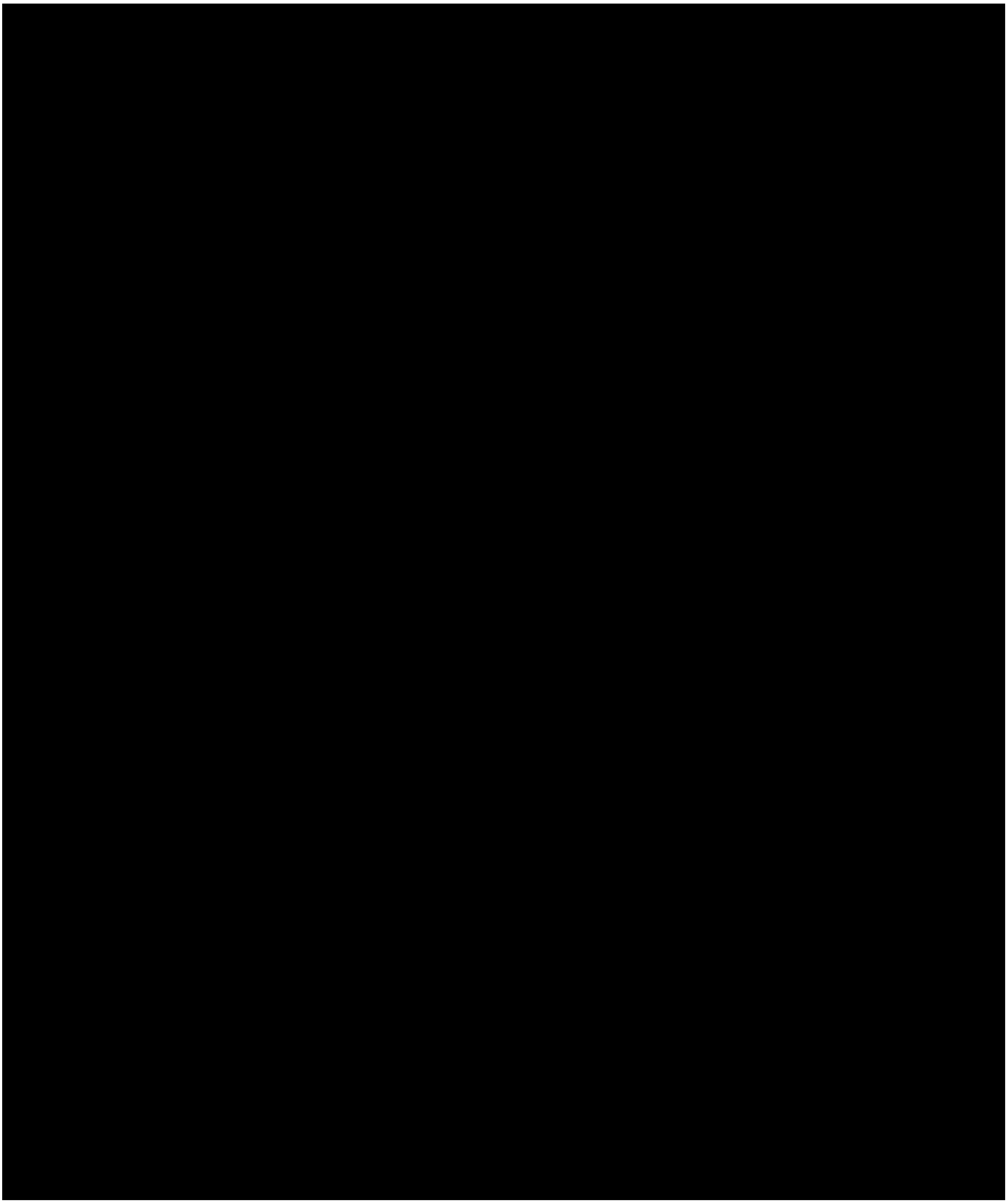
[redacted]

[redacted]

6.2.1.2 New York Authorizations and Consultations

Components of the Project are located within New York State waters and on New York State land, [redacted]. Certain New York regulatory agencies have jurisdiction over the Project. Necessary New York permits, licenses, and environmental assessments and/or environmental impact statements [redacted]

[redacted]



6.2.2 Anticipated Timeline for Seeking and Receiving Required Permits

6.2.6.2. Proposers are required to demonstrate a plan for environmental assessment and permit acquisition for the Offshore Wind Generation Facility. Proposers should provide the following information:
2. The anticipated timeline for seeking and receiving the required permits, licenses, and environmental assessments and/or environmental impact statements. Include a Project approval assessment which describes, in narrative form, each segment of the process, the required permit or approval, the status of the request or application and the basis for projection of success by the milestone date. All requirements should be included on the Project Schedule as described in Section 6.2.5.1.

Section 6.1 provides a comprehensive list of required permits, licenses, regulatory consultations, and environmental assessments necessary for Project authorization. [redacted]

As detailed in Section 6.1, Ørsted has extensive experience in acquiring permits for commercial projects of similar scale. Furthermore, Ørsted has considerable experience ([redacted] in advancing the permitting process consistent with its comprehensive development plan and associated Project schedule (see Attachment 5-1). [redacted]

[redacted]

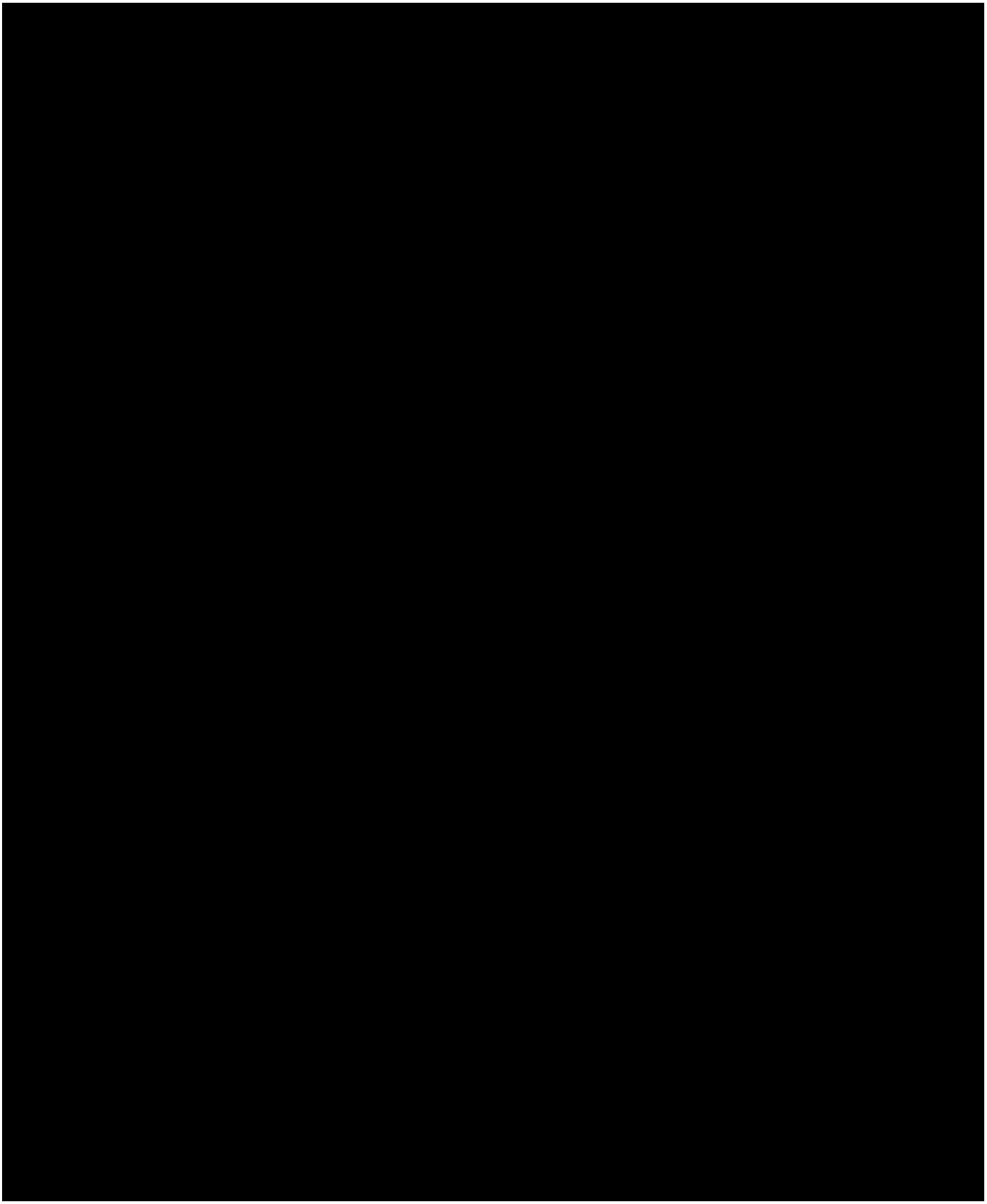
- Consistent engagement with regulatory agencies;
- In-depth knowledge of federal and state permitting processes; and
- Ørsted's collective experience in conducting environmental impact assessments and permitting large infrastructure projects.

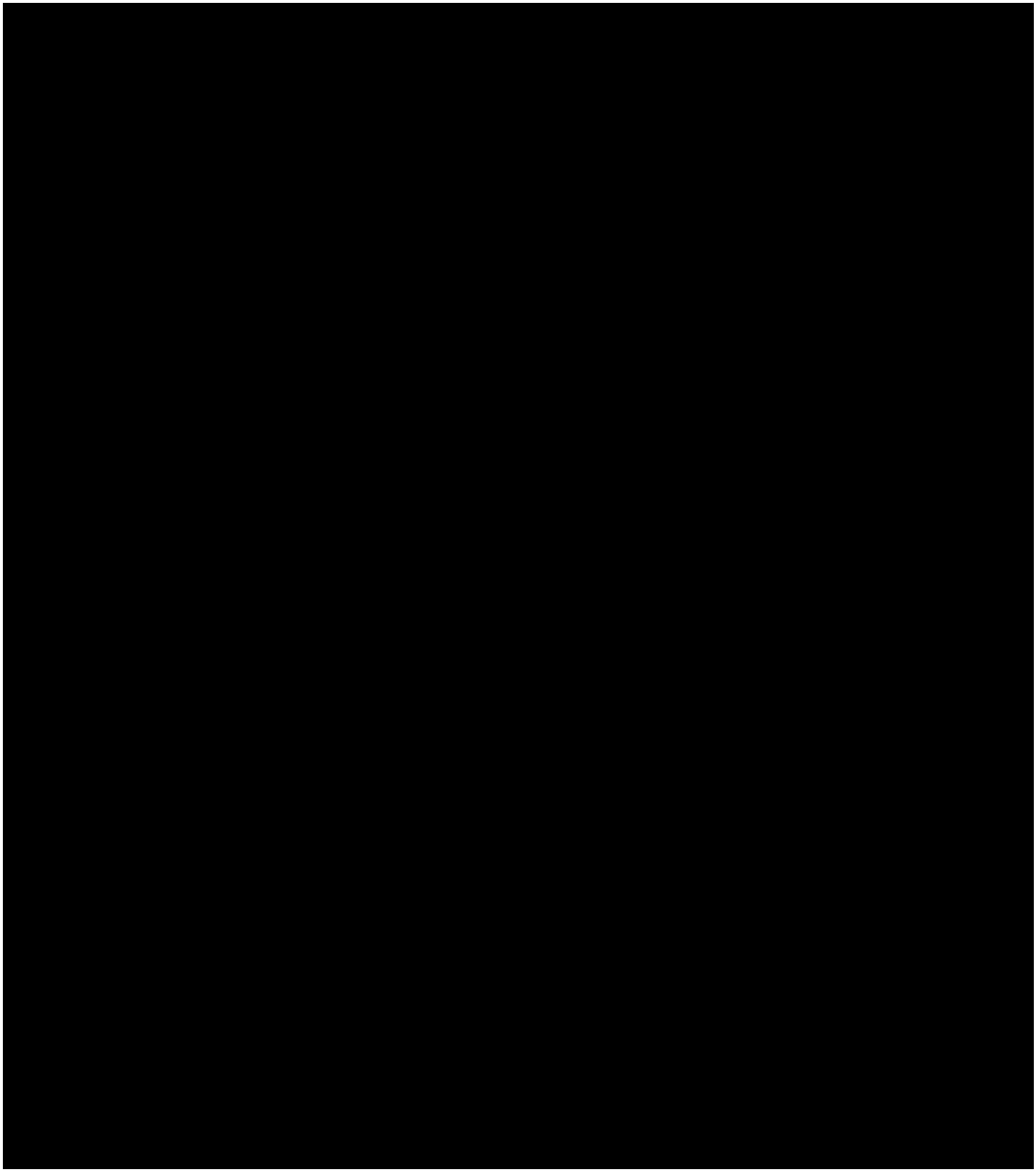
[redacted]

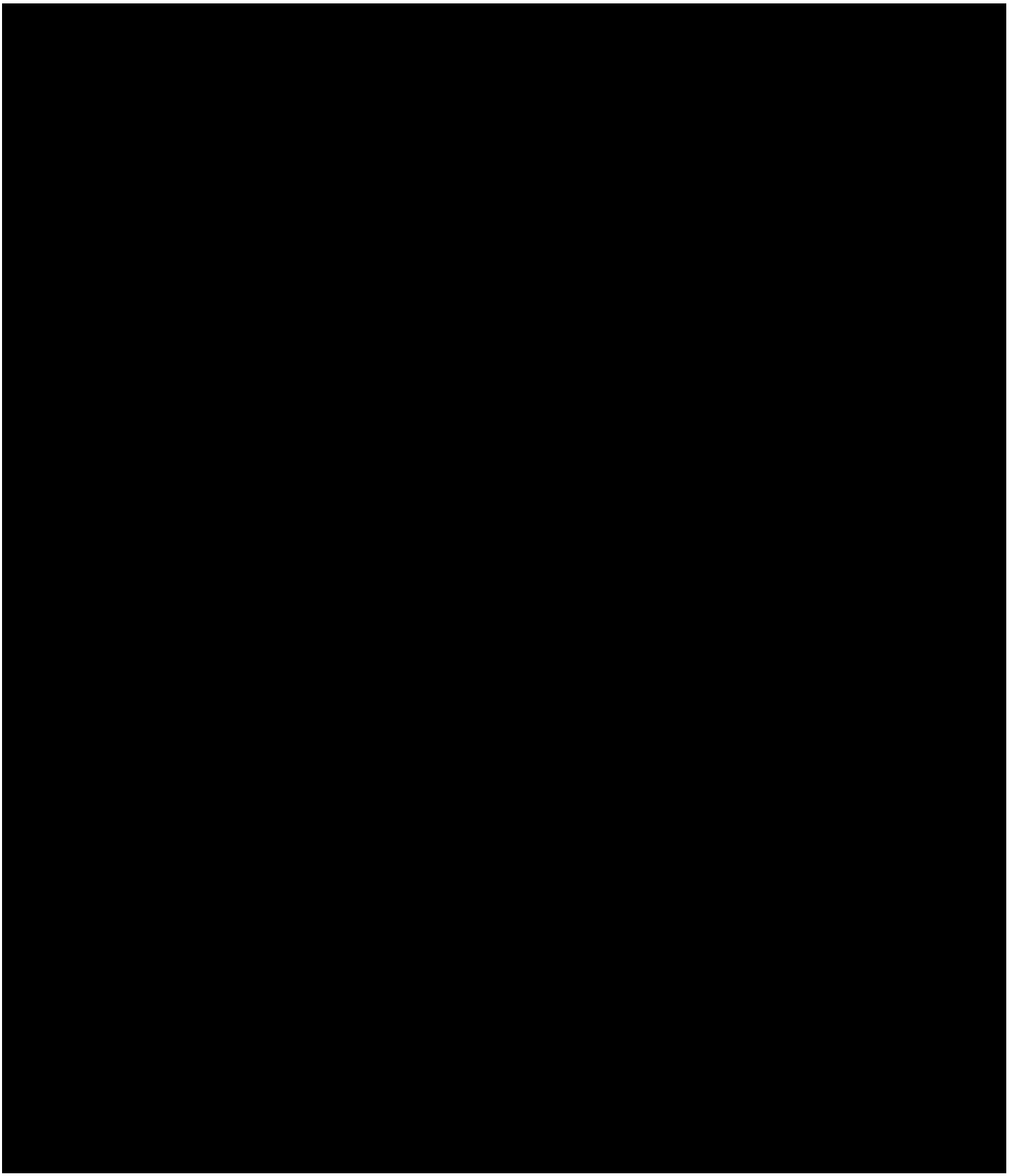
6.2.2.1 Federal Permits and Approvals

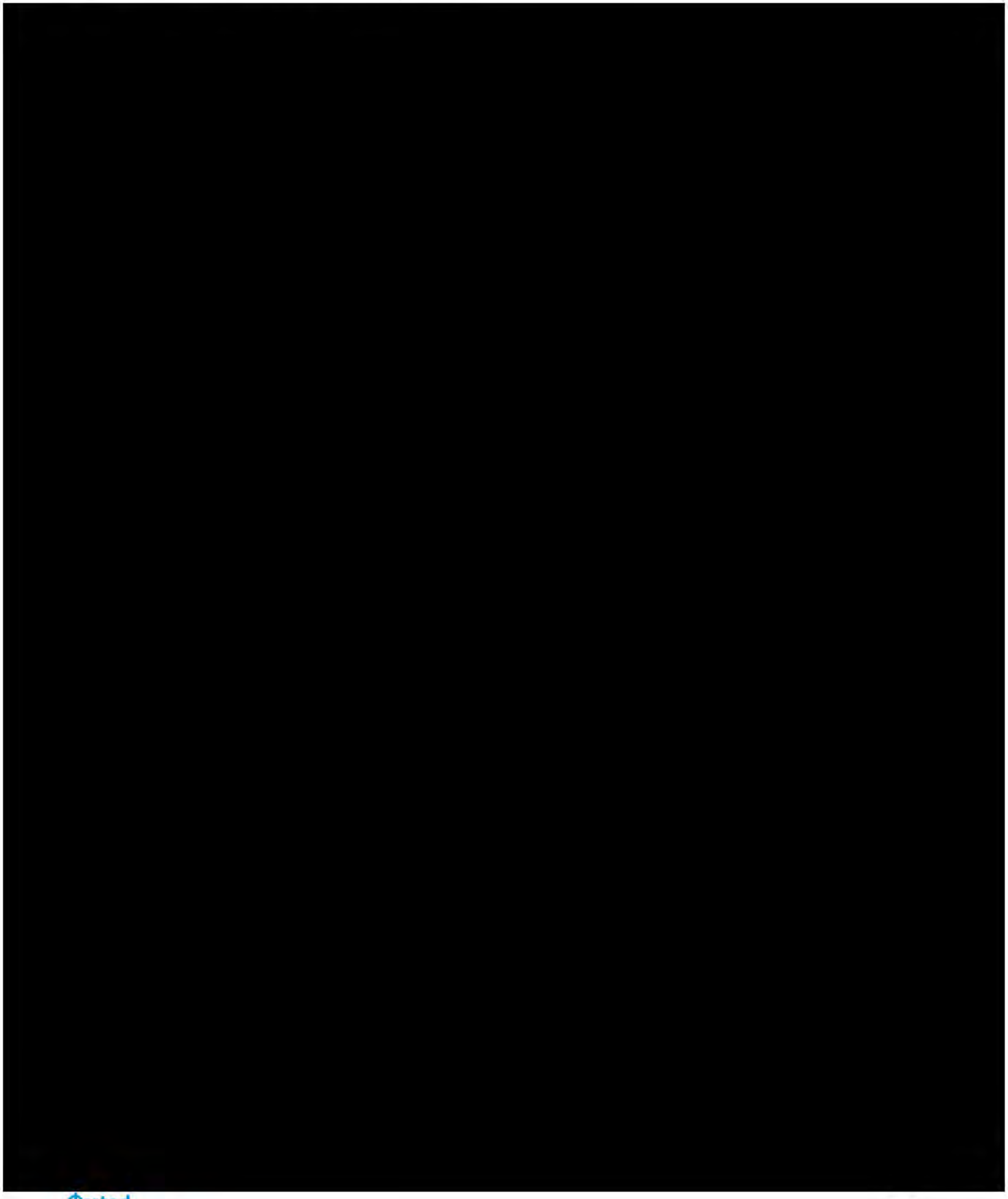
[redacted]

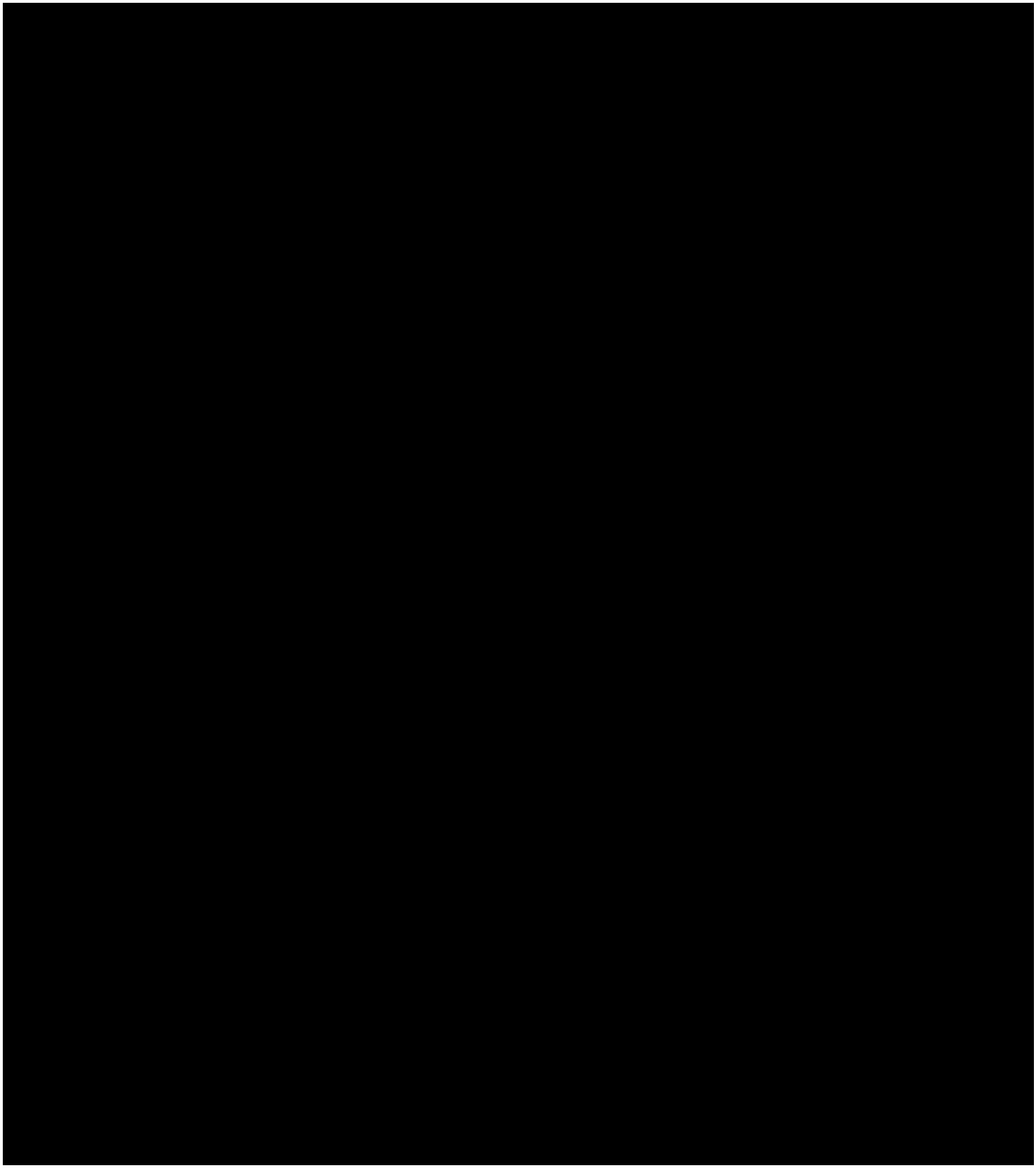
[redacted]

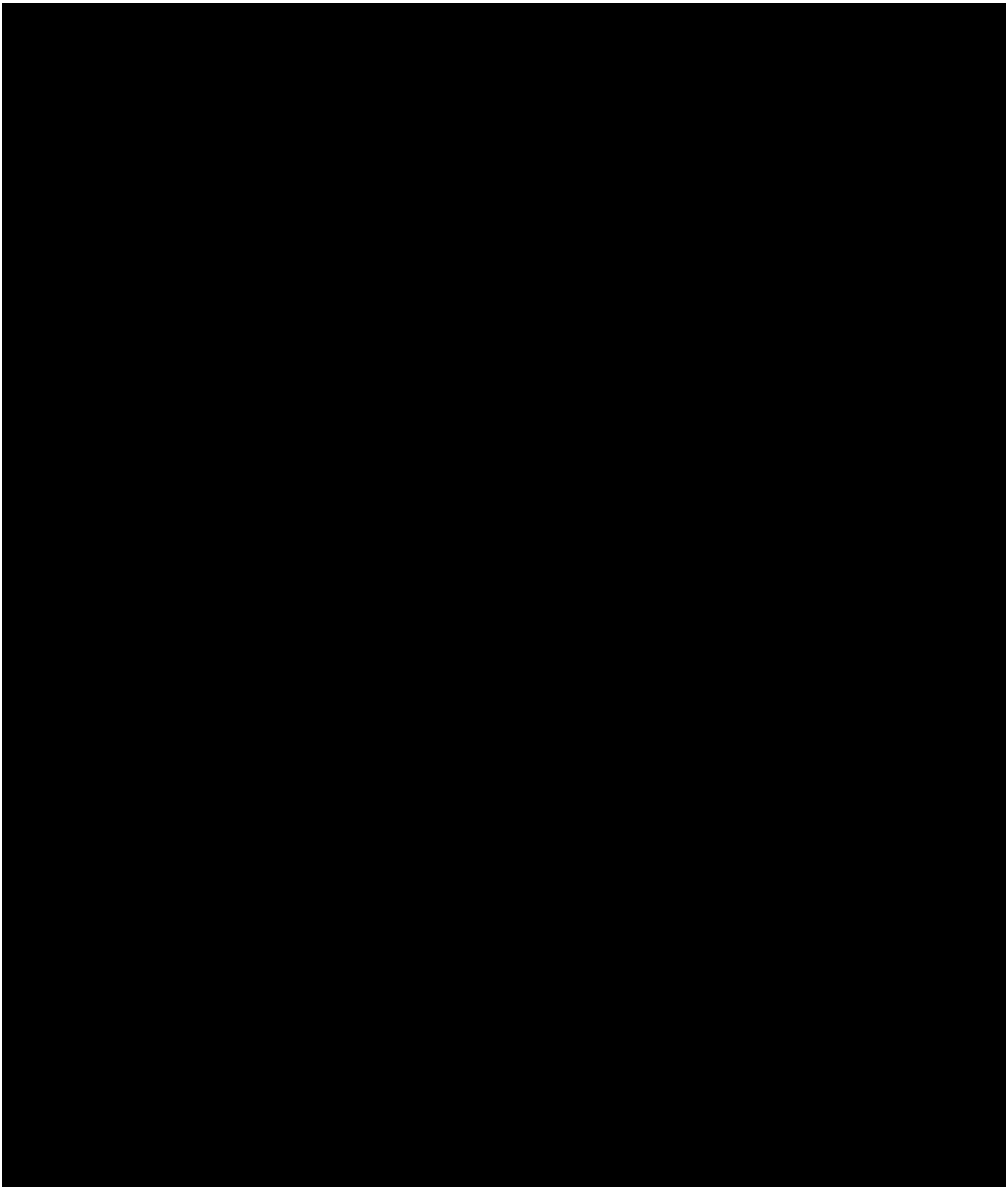


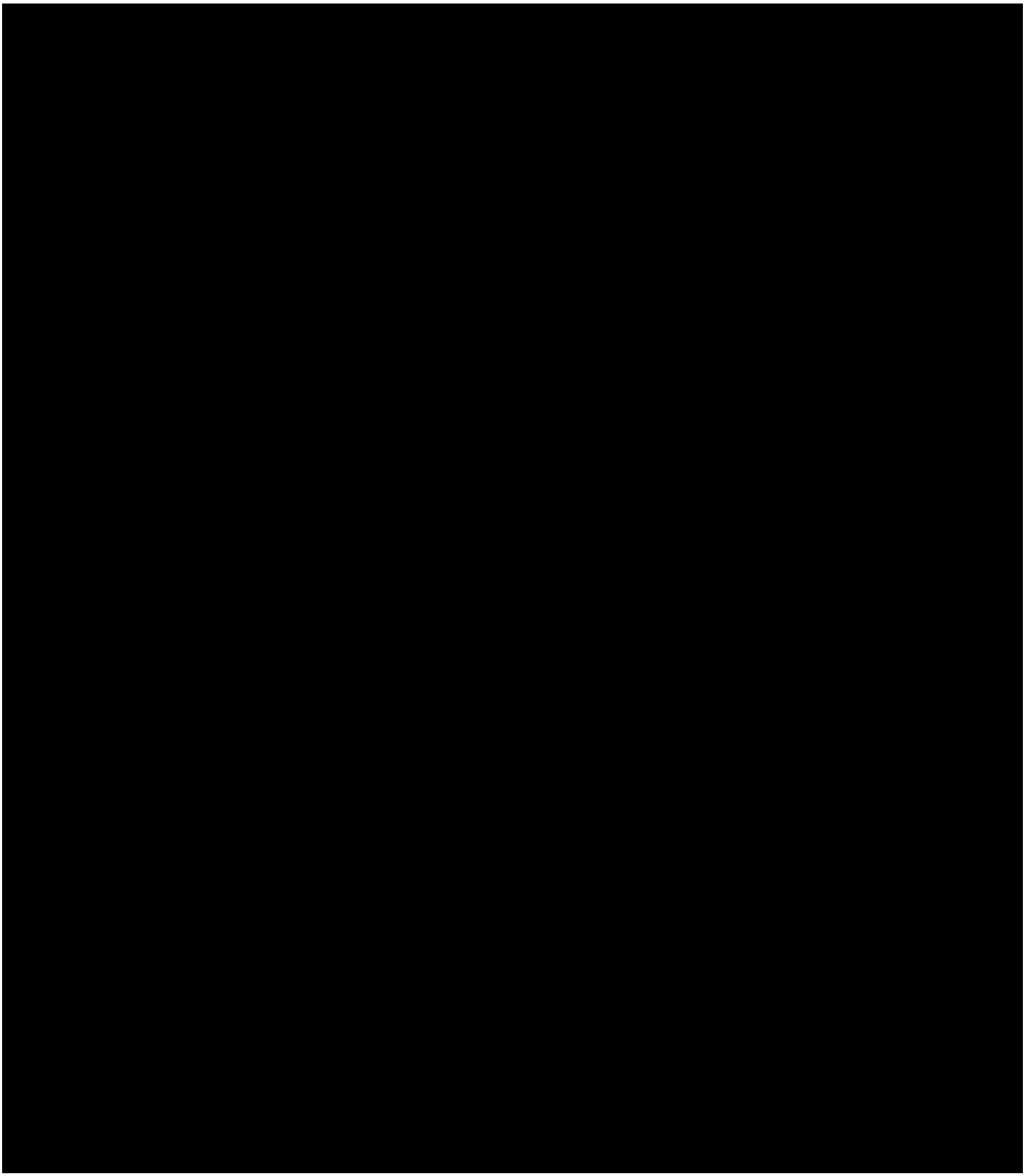












6.2.3 Site Assessment Plan and COP

6.2.6.2. Proposers are required to demonstrate a plan for environmental assessment and permit acquisition for the Offshore Wind Generation Facility. Proposers should provide the following information:
3. The SAP and COP, if completed. If the SAP and/or COP are not completed, provide the status of development of these plans and a proposed plan and timeline for completion.

[redacted]

6.3 FINANCING PLAN

6.2.6.3 Proposers must submit a financing plan that demonstrates a firm financing commitment for the Project that supports project execution. The Financing Plan must include:

6.3.1 Financing History

A short description of projects that the Proposer has financed or is in the process of financing.

[redacted]

6.3.2 Detailed Financing Plan

A description of the Financing Plan for the Project including construction and term financing including:
a. Project financiers (or those being considered to finance) and the related financing mechanism or mechanisms that will be used (i.e., convertible debenture, tax or contingent equity, other) including repayment schedules and conversion features
b. Project's existing financial structure and projected financial structure
c. Expected sources of debt and equity financing and uses, including details of how the construction phase of the project will be financed and any agreements, both pre and post Commercial Operation Date, entered into with respect to equity ownership in the proposed Project and any other financing arrangement
d. How any such agreements would differ under different pricing options for the Submission (e.g., Fixed OREC vs. Index OREC, Inflation Adjusted, or Interconnection Cost Sharing)
e. Estimated construction costs and consideration for contingencies or cost overruns

[redacted]

(e) The estimated construction cost for the Project [redacted]

6.3.3 Financial Strength

Evidence that Proposer has the financial resources and financial strength to complete and operate the Project as planned.

As described throughout this section, Ørsted is a stable and diverse energy company with a robust balance sheet that reflects the financial strength needed to complete and operate the Project in the ordinary course of business.

Ørsted is traded on Nasdaq Copenhagen Stock Exchange, with an equity market capitalization of approximately $23 billion. Ørsted was listed in June 2016. The initial public offering (IPO) was the largest in Europe in the last 5 years and the largest IPO ever in Denmark, both in terms of deal size and market cap.

[redacted]

As demonstrated, Ørsted generated a [redacted]

[redacted]

6.3.4 Insurance Program

The planned insurance program, including how climate-related physical risks are factored into the insurance deductible and if added resilience measures or design and construction features taken to strengthen the ability of the Project to handle climate shocks or stresses may act to lower insurance premiums or deductibles.

The offshore wind insurance sector is well established and has been insuring the physical damage-related risks associated with the construction and operation of offshore wind farms worldwide, including in the U.S.[2]

Weather-related risks such as hurricanes, earthquakes, and floods are well understood by the insurance market and there is significant capacity available globally for companies to insure these types of weather-related risks where they cause physical damage. In locations more susceptible to weather-related risks (whether caused by changing climate or not), the insurance market will require higher insurance premiums related to these perils and will require higher deductibles and implement sub-limits.

[redacted]

[2] In addition to Project insurance, it is also important to note that many components also carry warranties.

[redacted]

[redacted]

6.3.5 Inflation Estimate

The method the Proposer will use to estimate inflation using an index or indices that are relevant to the Project's construction and operations costs.

[redacted]

[redacted]

6.3.6 Tax Credits

The role of the Federal Production Tax Credit, Investment Tax Credit, or LPO Financing (or other incentives) on the financing of the Project, including presumed qualification year and percentage and estimated eligible capital expenditures or estimated level of financing. Provide an explanation for the assumed ability or inability to qualify for the Federal Production Tax Credit, Investment Tax Credit, or LPO Financing. The Proposal may not be contingent on receipt of the Production Tax Credit, Investment Tax Credit, or LPO Financing. Refer to Section 2.1.4 and to Section 5.07 of the Agreement for the Fixed OREC Price or Index OREC Strike Price adjustment related to receipt of Project Qualifying Federal Support or LPO Financing. For purposes of determining treatment of the Energy Community Bonus Credit, the primary Project configuration and associated ITC qualification for each Proposal must be clearly delineated.

6.3.7 Financial Statements and Annual Reports

Complete copies of the most recent audited financial statement and annual report for each Proposer for each of the past three years; including parent companies of Proposer (if audited statements are not available, reviewed or compiled statements are to be provided). Also, provide any credit ratings from Standard & Poor's and Moody's (the senior unsecured long-term debt rating or, if not available, the corporate rating) of Proposer and any parent companies and development partners.

Annual financial statements for the past three fiscal years are provided in Attachment 6-2. Ørsted's annual reports for the past three fiscal years (ending December 31, 2023) are publicly available:

- Ørsted's annual report - 2023[3]
- Ørsted's annual report - 2022[4]
- Ørsted's annual report - 2021[5]

[redacted] Standard & Poor's and Moody's rating agencies. The current senior unsecured (long-term) debt ratings of Ørsted are provided in Table 6.10.

Table 6.10. Ørsted Credit Ratings (as of February 2024)

S&P	Moody's	Fitch
BBB (stable)	Baa1 (negative)	BBB+ (stable)

6.3.8 Security

The Proposer's ability (and/or the ability of its credit support provider) to provide the required security, including its plan for doing so.

The Proposer will provide the required award and contract security to NYSERDA under the specifications of the RFP and OREC Agreement. [redacted]

[3] https://orstedcdn.azureedge.net/-/media/annual-report-2023/orsted-ar-2023.pdf?rev=526307f68e2047b3a1df8dd2cdf719ec&hash=E6069E12C1792AD620FA12898587394C
[4] https://via.ritzau.dk/ir-files/13560592/6237/9071/Ørsted annual report 2022.pdf
[5] https://orstedcdn.azureedge.net/-/media/annual2021/annual-report-2021.ashx?rev=9d4904ddf4c44594adab627f7e4c62be&hash=69CE31C5D5935DD0DB46313E3BDEC952

6.3.9 Credit Issues

A description of any current or recent credit issues / credit rating downgrade events regarding Proposer or parent companies raised by rating agencies, banks, or accounting firms. Provide information regarding any exposure of the Proposer and/or parent companies including joint ventures to adverse events related to investments and other activities in Russia. Discuss corporate withdrawals from investments in Russia, the impact of write-offs, write-downs and/or related impairment charges and government sanctions arising from the conflict in Ukraine affecting the Proposer, parent companies and/or joint venture participants, including limited liability corporations.

S&P Global and Fitch perceive Ørsted as stable, which reflects Ørsted's strong financial standing and ability to successfully manage the industry risks associated with the offshore wind industry. In 2023, Ørsted encountered challenges due to supply chain disruptions and rising interest rates, leading to impairments in some of its U.S. offshore wind projects. The financial impacts of Impairment are detailed in the 2023 financial statements of Ørsted, set out in the Attachment 6-2. After the announcement of impairments in the US portfolio, S&P Global placed Orsted on CreditWatch negative and Moody's downgraded its outlook for Ørsted from stable to negative.

In February 2024 S&P Global lowered the long-term issuer credit rating on Ørsted to 'BBB' with stable outlook from 'BBB+ and at the same time, removed the ratings from CreditWatch negative, where they were placed in November 2023.

In March 2024, Fitch Ratings revised Ørsted's Outlook to stable from negative following the release of its updated 2024-2030 strategy. Both Fitch Ratings and S&P Global acknowledge the company's strong business model and positive forward financial outlook.

There are no known government sanctions, arising from the conflict in Ukraine, affecting the Proposer and its parent, Ørsted.

6.3.10 Credit Issues Associated with Energy Projects

Details of any events of default or other credit/financial issues associated with all energy projects (other than those under contract with NYSERDA) in which the Proposer (and other equity partners), its parent companies, and directors, officers, and senior managers of those entities, participated over the past three years.

Neither the Proposer nor any of its affiliates has been implicated in any events of default or other credit/financial issues associated with energy projects in which the Proposer participated over the past three years. The annual reports referenced in Section 6.3.7 include any material claims relating to affiliates of the Proposer's parent company Ørsted.

6.3.11 Project Budget Assurances

The allowances or mechanisms in place to address high risk contingencies and cost overruns in the Project budget, including how the Proposer will address the risk of increases to project cost. For example, refer to the Project's commitment to utilize financial hedging instruments and/or pass through commodity price risk to suppliers.

[redacted]

[redacted]

[redacted]

[redacted]

6.3.12 External Audit Management

A recent external audit management letter covering the Proposer.

[redacted]

6.4 EQUIPMENT, DEVELOPMENT, AND LOGISTICS PLAN

6.2.6.4 The Equipment, Development, and Logistics Plan will highlight the proposed technology inclusive of procurement strategy for the Primary Components, key marine terminals, and vessels to support the construction, operations, and maintenance phases of the Project, and include a holistic risk assessment to all Project phases. The Equipment, Development, and Logistics Plan must first outline the specific technology or equipment planned for the Project, including the track record of the technology and equipment and other information as necessary to demonstrate that the selected Primary Component equipment and technology is viable. To the extent that the Proposer expects technology progress to enable evolution of the Project design beyond currently available turbine and cable equipment, these expectations should be described, along with a discussion of how this will affect Project development.
Provide a preliminary engineering plan which includes at least the following enumerated information. If specific information is not known, identify manufacturers, vendors, and equipment that will be considered.

6.4.1 Preliminary Engineering Plan

6.4.1.1 Type of Technology

1. *Type of turbine and sub-station foundation, Offer Capacity, and radial export cable transmission technology.*

[redacted]

[redacted]

[redacted]

[redacted]

For the Meshed Ready Proposal, additional information regarding the meshed ready equipment is provided in Section 7.11.

6.4.1.2 Primary Components

2. Primary Components to be used, including the manufacturer or proposed manufacturer and location of manufacturing for each.

[redacted]

[redacted]

6.4.1.3 Status of Acquisition of Primary Components

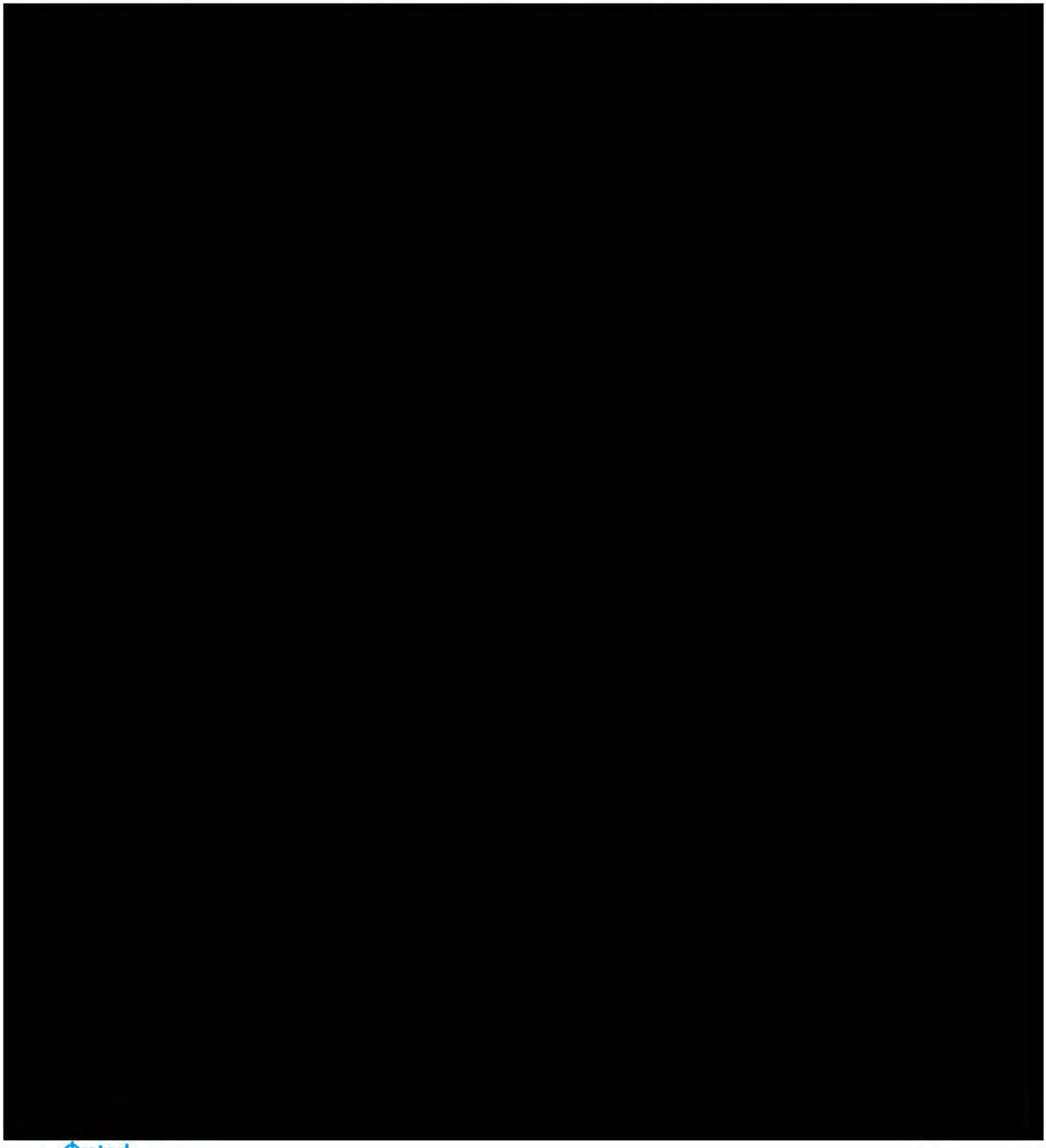
T3. Status of acquisition of the Primary Components, including any contracts for the Primary Components that Proposer has secured or plans to secure and the status of any pertinent commercial arrangements.

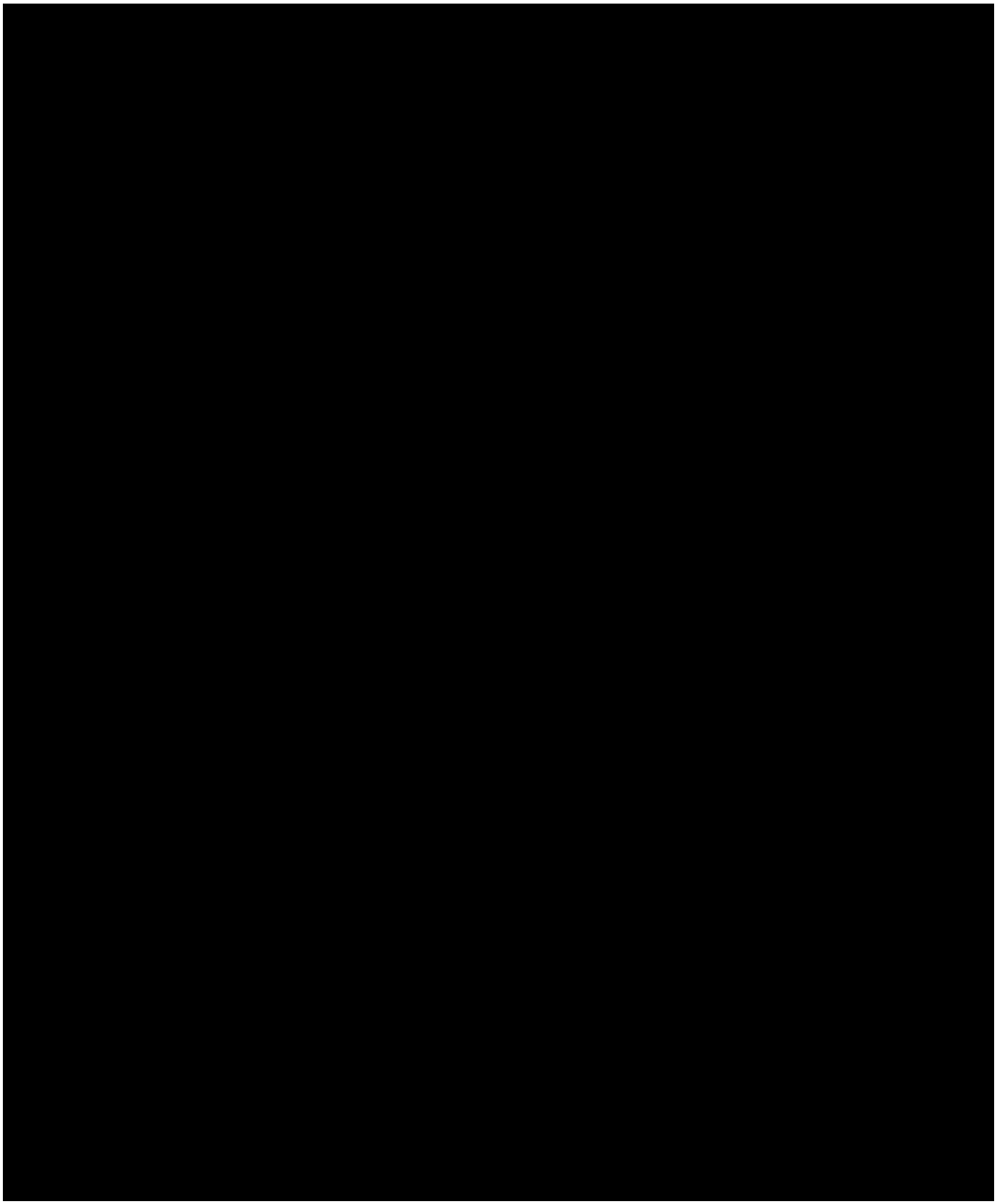
[redacted]

6.4.1.4 Other Equipment or Service Vendors

4. Other equipment or service vendors identified/considered.

In addition to the identified potential manufactures for the major components, Ørsted is also considering using the suppliers listed in Table 6.13. Through its many other projects, Ørsted already has experience working with many of these vendors.





[redacted]

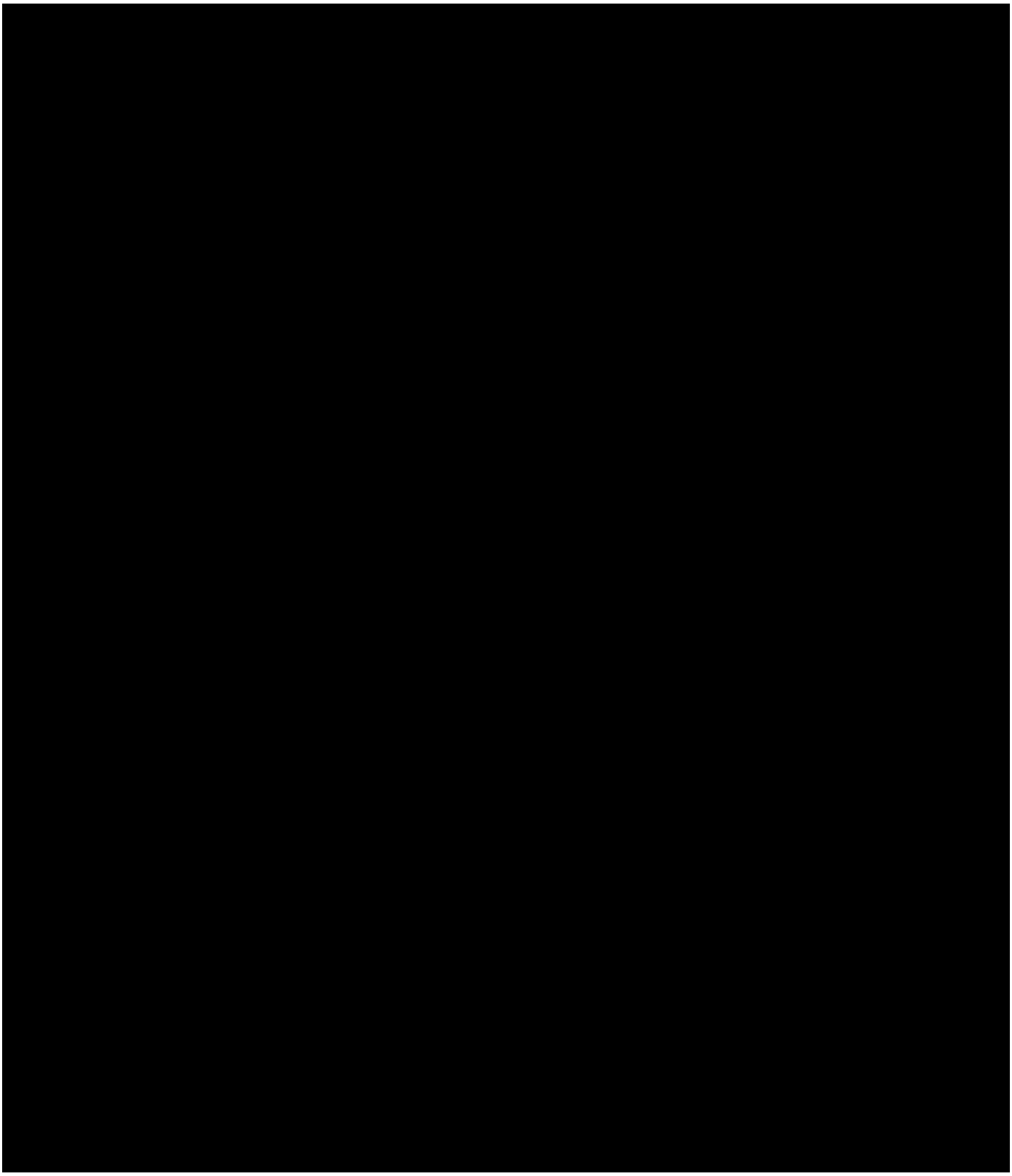
6.4.1.5 Design and Performance History

5. Design and performance history of the selected Primary Components and equipment.

The bid is based on proven technology and equipment produced by industry-leading manufacturers. The equipment will all build on technology platforms with a strong history of performance described in [redacted]

[redacted] Examples of potential future technology progress are provided in [redacted]

[redacted]



[redacted]

[redacted]

6.4.1.6 Design Considerations for the Circular Economy

6. Design considerations that help to support responsible disposal and/or recycling of Primary Components after the end of their useful life and equipment plans that generally aim to consider the precepts of the circular economy.

By 2040, all aspects of Ørsted's operations and supply chain are targeted to be carbon neutral, including all project decommissioning procedures. All decommissioned materials removed from the Project are intended to be recycled or repurposed for another use, ensuring the value of the materials/resources are retained and maintained as best as possible within a circular economy framework. Component disposal is viewed as a last resort.

The following section describes Ørsted's current supply chain activities to develop and design offshore wind projects, including Long Island Wind. These activities maximize construction efficiencies and reduce materials/resources consumed from the outset. Specifically:

[redacted]

[redacted]

Ørsted is committed to a zero-carbon procurement strategy and reducing environmental impacts through its value chain. [redacted]

6.4.1.7 Procurement Strategy for Additional Components

7. In the event the Primary Components or Sub-component manufacturers have not yet been selected, identify in the equipment procurement strategy the factors under consideration for selecting the preferred equipment, including alignment with the considerations above, as well as the anticipated timing associated with the selection of the equipment manufacturer, including the timing for binding commercial agreement(s).

Experience gained during Ørsted's many offshore wind farm projects and other large-scale utility projects shows that the best way of achieving [redacted] Globally, offshore wind has faced serious challenges in recent years arising from macroeconomic trends and global supply chain bottlenecks. [redacted] Ørsted has gained significant insights in the past several years regarding how to optimize the procurement strategy for offshore wind projects, particularly from our successful completion of South Fork Wind, the first utility scale offshore wind project in the U.S. This experience has also enabled us to take Final Investment Decision to start construction on the Revolution Wind and Sunrise Wind projects.

[redacted]

[redacted]

6.4.2 Construction and Logistics

The Equipment, Development, and Logistics Plan must further explain the necessary arrangements and processes for outfitting, assembly, storage, and deployment of Primary Components. Please provide a section focused on construction and logistics that captures the following objectives:

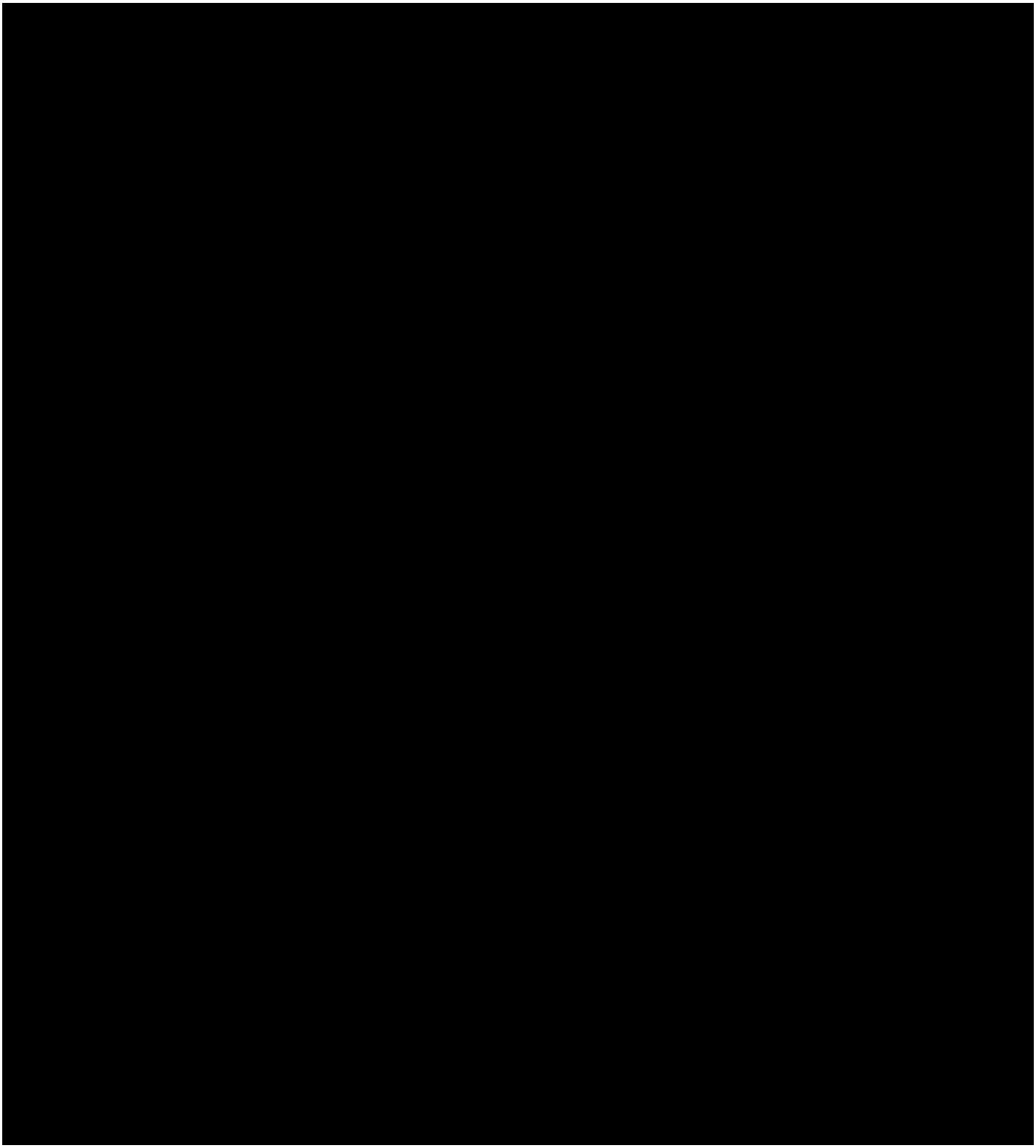
6.4.2.1 Deployment - Major Tasks and Responsible Parties

1. *List the major tasks or steps associated with deployment of the proposed Project and the necessary specialized equipment (e.g., vessels, cranes).*
2. List the party or parties responsible for each deployment activity and describe the role of each party. Describe the status of Proposer's contractual agreements with third-party equipment/service providers.

[redacted]

[redacted]

[redacted]



6.4.2.2 Marine Terminals and Other Waterfront Facilities

3. Identify the marine terminals and other waterfront facilities that will be used to stage, assemble, and deploy the Project for each stage of construction.
a. If available, evidence that Proposer or the equipment/service provider have right(s) to use a marine terminal and/or waterfront facility for construction of the Project (e.g., by virtue of ownership or land development rights obtained from the owner).
b. If not available, describe the status of acquisition of real property rights for necessary marine terminal and/or waterfront facilities, any options in place for the exercise of these rights and describe the plan for securing the necessary real property rights, including the proposed timeline. Include these plans and the timeline in the overall Project Schedule in Section 6.2.5.1.
c. Identify any joint use of existing or proposed real property rights for marine terminal or waterfront facilities.

The marine terminals and other waterfront facilities that will be used to stage, assemble, and deploy the Project for each stage of construction are not finally selected yet, but some likely locations are summarized in Table 6.16.

[redacted]

[redacted]

[redacted]

6.4.2.3 Laydown Facilities

4. Describe the proposed approach for staging and deployment of Primary Components to the Project site. Include a description and discussion of the laydown facility/facilities to be used for construction, assembly, staging, storage, and deployment.

[redacted]

[redacted]

[redacted]

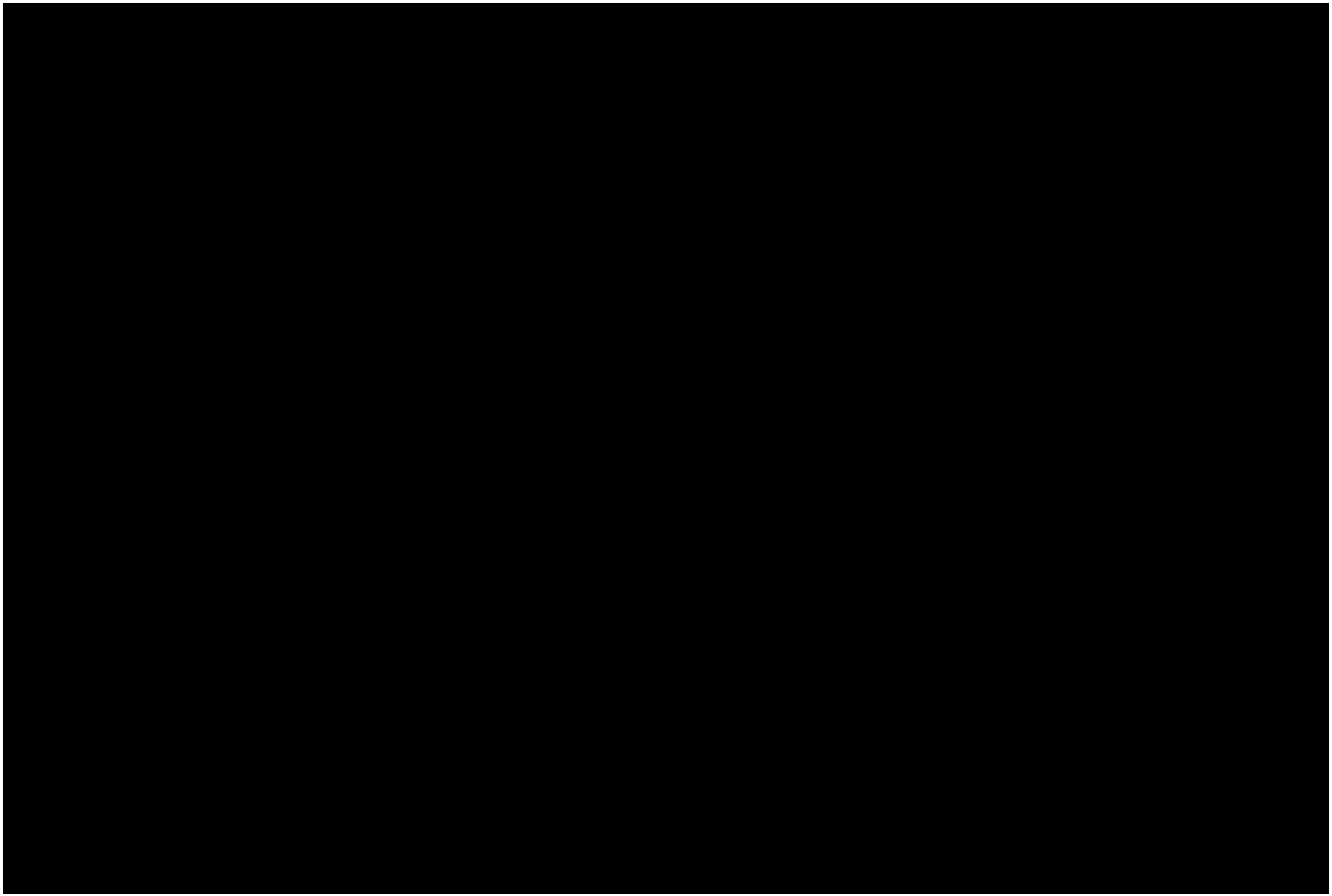
6.4.2.4 Vessels

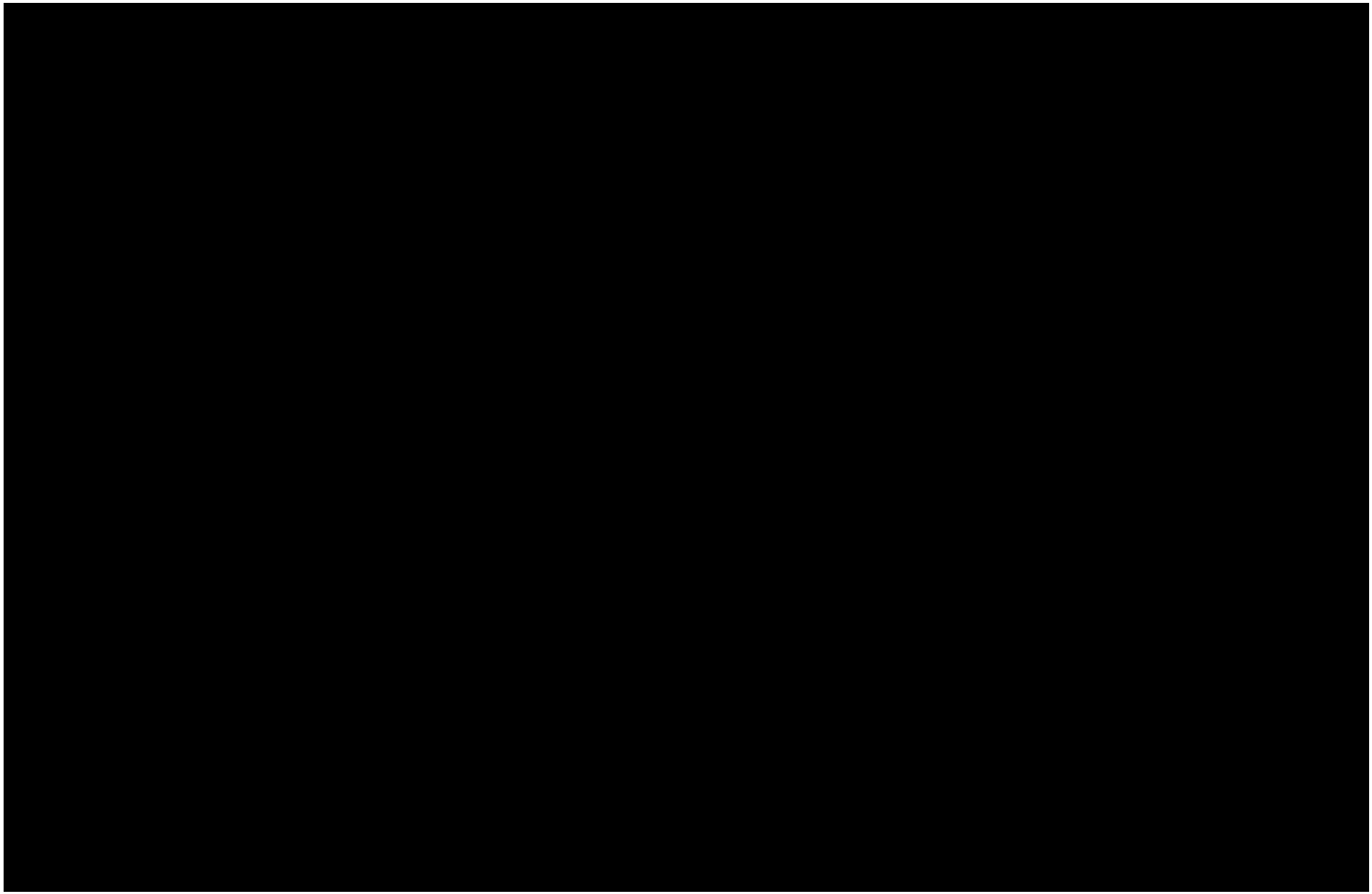
5. Indicate the number, type and size of vessels that will be used, their respective uses, and how vessels will be secured for the required construction period. Explain how Proposer's deployment strategy will conform to requirements of the Merchant Marine Act of 1920 (the Jones Act).

Ørsted has identified the anticipated types of vessels that will be used for the Project.

Jones Act Qualification

[redacted]





6.4.3 Operating Parameters

The Equipment, Development, and Logistics Plan should then detail the operating parameters for the Project, including the anticipated maintenance schedule.
1. Provide partial and complete planned outage requirements in weeks or days for the Offshore Wind Generation Facility. Also, list the number of months required for the cycle to repeat (e.g., list time interval of minor and major overhauls, and the duration of overhauls)

6.4.3.1 Maintenance Outage Requirements

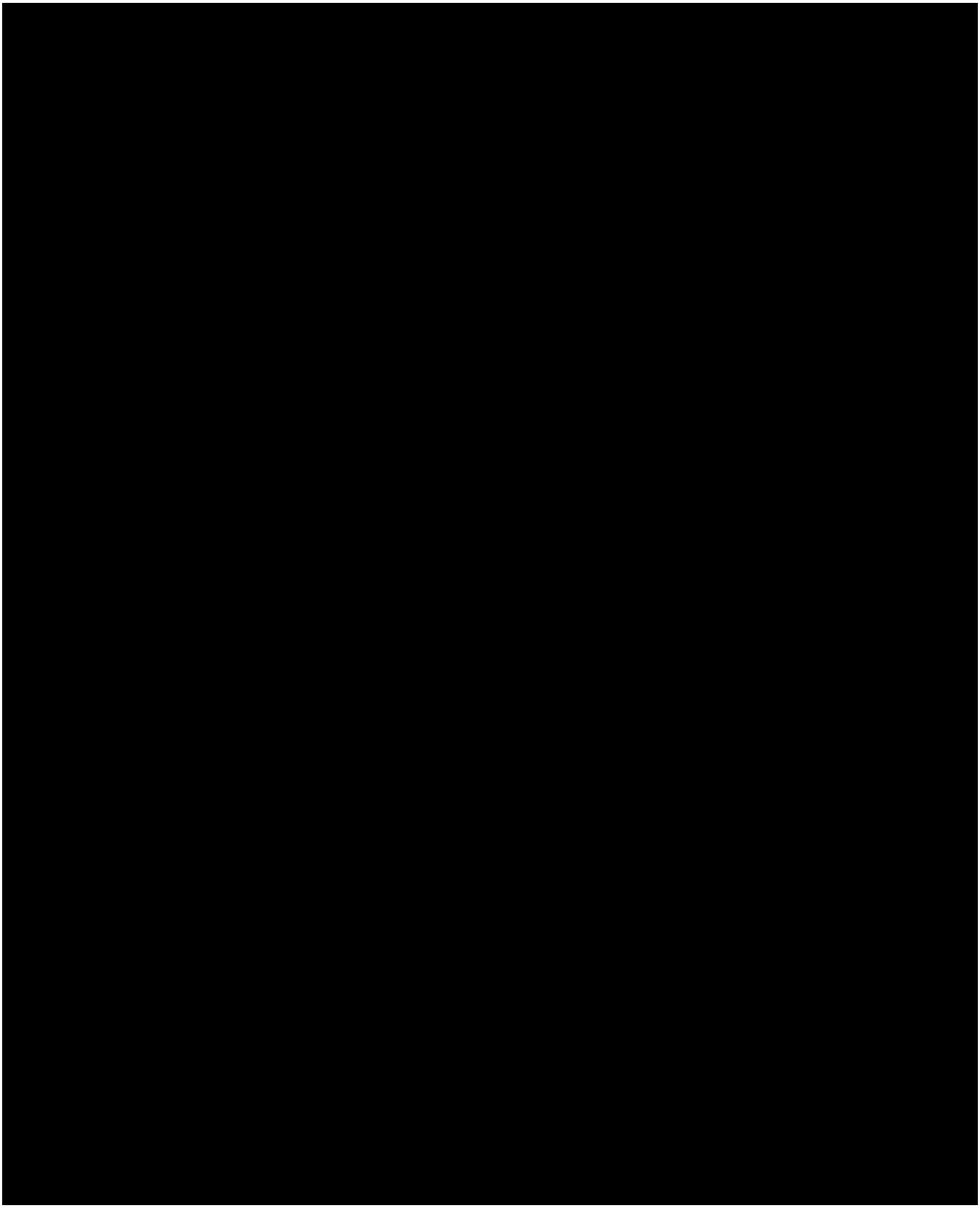
[redacted]

[redacted]

Maintenance Plan

Wind Turbine Generators

[redacted]



[redacted]

[redacted]

6.4.3.2 Operating Constraints

2. Provide all the expected operating constraints and operational restrictions for the Project, the reason for the limitation, and characterize any applicable range of uncertainty.

[redacted]

Technical Parameters

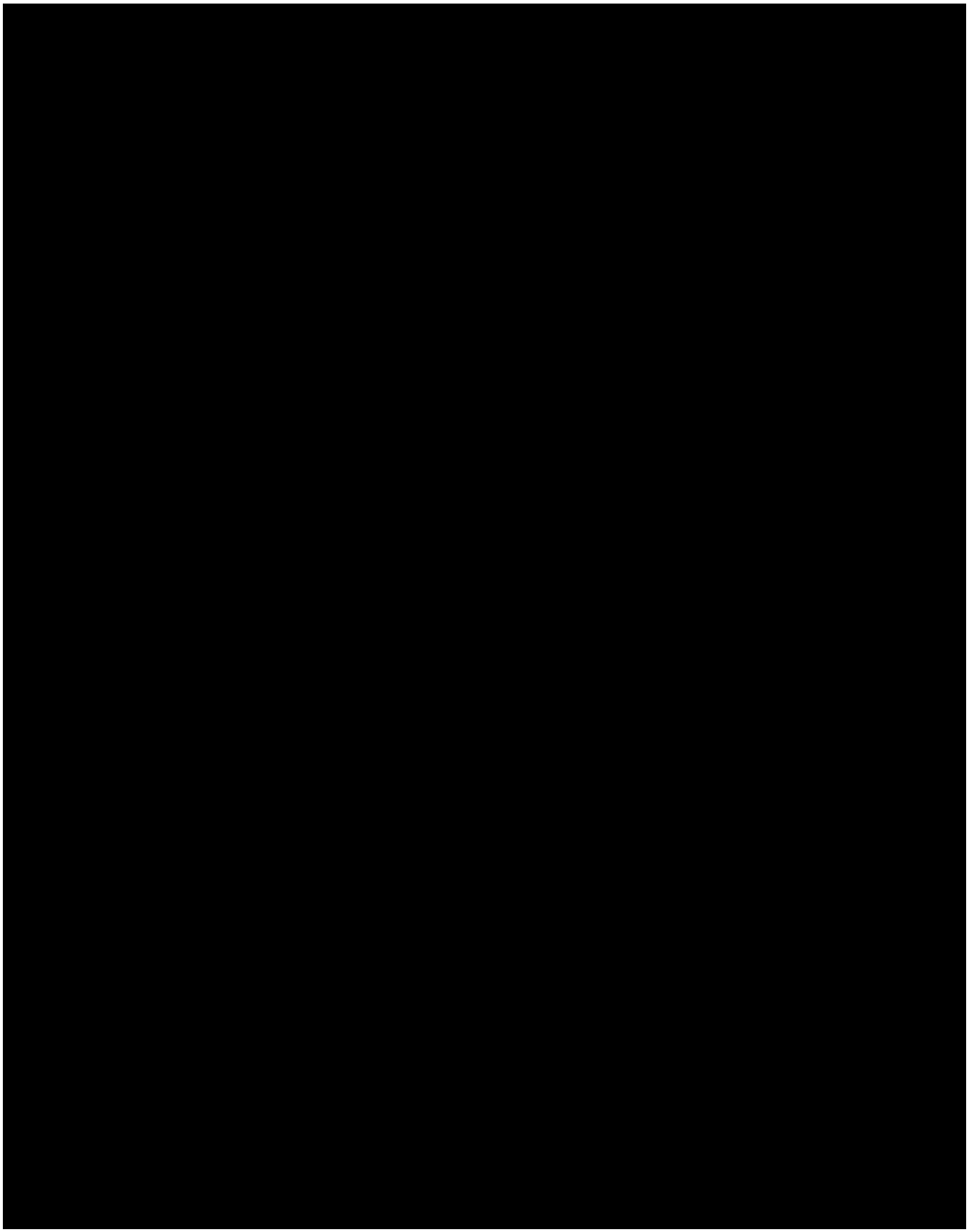
[redacted]

[redacted]

Offshore Accessibility for Maintenance Work

Accessibility is primarily determined by wave height for sailing operations. [redacted]

[redacted]



[redacted]

6.5 QUALITY, HEALTH, AND SAFETY

6.2.6.5 The Quality Health and Safety section should outline the overall approach to ensuring quality health and safety for the project and include:
Description and status of contractual requirements for Major Suppliers and other third-party services to adhere to Quality, Health, and Safety standards.
Demonstration of loss prevention through risk observation, near miss, and incident reporting and tracking systems.

Ørsted is deeply committed to providing a safe, healthy workplace for all of its employees and contractors. Ørsted takes its responsibility towards its employees' health and well-being seriously. Ørsted continuously improves its health and safety performance by pursuing pro-active safety targets and the use of hazard identification and risk management principles to minimize the risk of illness and injuries. Please see Attachment 6-3 (Section 1) for additional details on the company's safety management system.

Quality, Health, and Safety Contractual requirements for Major Suppliers and other third-party services is a critical function of the Management System. Ørsted has dedicated personnel who evaluate the safety programs of potential contractors to company and legal standards. As part of the bidding process, the Ørsted Supplier HSE Qualification department assesses offshore contractors' and subcontractors' HSE standards and performance. Please see Attachment 6-3 (Section 3) for additional information on Ørsted's Contractor Management.

All incidents, near misses, and observations of unsafe conditions or behaviors are to be reported, no matter how insignificant. Please refer to Attachment 6-3 (Section 7) for details on Ørsted's incident reporting, investigation and tracking system.

Disclosure of any Health/Safety Convictions and any Health/Safety Enforcement Notice(s) in the past 10 years

Ørsted has not had any Health/Safety convictions or Health/Safety Enforcement Notices in the U.S. Ørsted continuously improves its health and safety performance by pursuing proactive safety targets and using hazard identification and risk management principles to minimize the risk of illness and injuries.

Examples of the Project Team safety and security policies or best practices to be implemented through all the project phases (e.g., ritual pre-job safety meetings, Stop the Job or Stop Work Authority policies, basic injury prevention, IT and Cyber Security measures, fatigue management, site access requirements, etc.) and the degree to which Major Suppliers and any contractor or supplier of the Project are expected to be trained in and adhere to Project Team best practices.

Ørsted has adopted a risk-based approach for safety and security risks in all phases of its construction projects and operating sites. This risk-based approach requires that all hazards that may impact health, safety or the environment be identified and evaluated. Refer to Attachment 6-3 (Section11) for more information on Ørsted's safety and security policies to be implemented through all phases of the Project.

6.6 PROJECT RISK REGISTER

6.2.6.6 The Proposal must include a Project Risk Register that identifies a minimum of 30 significant risks to realizing the successful development and operation of the Project. This must include the provision of any significant infrastructure outside the remit of the Project on which the Project depends. For example, a new point of interconnection.
The project risk register should include identification and treatment of the risks associated with permitting, engineering, procuring equipment, construction, operations, maintenance, health, safety, security, or any other risks associated with the Project.
The Project risk register should be included in Microsoft Excel format structured as follows:
1. Each sheet should correspond to the key Project phases: Development, Construction and Installation, Operations and Maintenance, and Decommissioning.
2. For each sheet, the spreadsheet rows each correspond to one specific risk associated with permitting, engineering, procuring equipment for, constructing, servicing and operating the project.
3. For each sheet, the separate spreadsheet columns should:
a. Describe each risk in detail.
b. Provide an assessment of the likelihood of occurrence and impact on, or consequences for, the project schedule and/or cost of each potential risk, preferably in a combined risk score, describe the various scenarios under which the risk may occur and the likelihood of occurrence (low, medium, high)
c. Describe the severity of impact to project quality or personnel health and safety if the risk were to occur (low, medium, high). Proposers should consider the worst-case scenario. Each potential impact can be related to but not limited to the proposers, their collaborations, permitting, finance, technology, construction, operations, including project quality, security, health or safety risk, and energy yield.
d. Identify the risk treatment or risk mitigation measures to be applied. Measures taken to address the risk either reduce the likelihood of occurrence (avoid the risk) or reduce the severity of impact (through mitigation, insurance, and/or protection)
e. Describe how each proposed risk treatment will be implemented and enforced, including the status of implementation where applicable, and assess the effectiveness of proposed risk reduction strategies and re-score the perceived risk (low, medium, high).

The Project Risk Register is attached as Attachment 6-4.

Ørsted
Long Island Wind

Attachment 6-1

SAP Approval Letter for OCS-A 0500 Lease Area

United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT
WASHINGTON, DC 20240-0001

JUN 29 2017

Mr. Thomas Brøstrom
General Manager, North America
Bay State Wind LLC
100 Oliver Street, Suite 2610
Boston, Massachusetts 02110

Dear Mr. Brøstrom:

This letter serves to inform you that the Bureau of Ocean Energy Management (BOEM) has approved the Site Assessment Plan (SAP) submitted on December 20, 2016, by Bay State Wind LLC, subject to the enclosed conditions of approval pursuant to 30 CFR 585.613(e)(1). Your five year site assessment term commences on the date of this letter, pursuant to 30 CFR 585.235(a)(2).

To help maintain compliance with the approved SAP, please take note of the following requirements, among others, that must be implemented:

1. Adhere to the enclosed Conditions of SAP Approval, pursuant to 30 CFR 585.613(e)(1).
2. Notify BOEM in writing within 30 days of completing installation activities approved in your SAP, pursuant to 30 CFR 585.615(a).
3. Prepare and submit to BOEM a report annually each November 1 of your site assessment term that summarizes your site assessment activities and the results of those activities, pursuant to 30 CFR 585.615(b).
4. Submit a certification of compliance annually, pursuant to 30 CFR 585.615(c), with the enclosed Conditions of SAP approval. Together with your certification, you must submit:
    a. Summary reports that demonstrate compliance with the terms and conditions that require certification; and
    b. A statement identifying and describing any mitigation measures and monitoring methods that you have taken, as well as their effectiveness. If you identify measures that are not effective, you must make recommendations for substitute mitigation measures or monitoring methods, and explain why you believe they would be effective.

    These reports are due annually starting on November 1, 2017.
5. Develop a comprehensive annual Self-Inspection Plan, pursuant to 30 CFR 585.824(a); and submit an annual Self-Inspection Report no later than November 1 of each year that your site assessment facility is in operation, pursuant to 30 CFR 585.824(b).

This letter constitutes a final BOEM decision that may be appealed pursuant to 30 CFR 585.118, 30 CFR Part 590, and 43 CFR Part 4, Subpart E.

Please do not hesitate to contact Mr. Luke Feinberg at (703) 787-1705 if you have any questions.

Sincerely,

James F. Bennett
Program Manager
Office of Renewable Energy Programs

Enclosure

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT

Conditions of Site Assessment Plan Approval

Lease Number OCS-A 0500

The Lessee's rights to conduct activities under the approved Site Assessment Plan (SAP) are subject to the following conditions. The Lessor reserves the right to impose additional conditions incident to any future approval of any modifications to the SAP.

Table of Contents

Section:

Attachments:

1 CONDITIONS FOR NATIONAL SECURITY AND MILITARY OPERATIONS

1.1 Notification. The Lessee must provide written notification to the Lessor and the Department of Defense (DoD), using the contact information listed in Attachment 1, or updated contact information as provided by the Lessor, of any proposal to add new sensors to the data collection buoy(s). The Lessee must include in its notification the technical specifications (manufacturer, model number, spectrum requirements, etc.) for any proposed new sensors, specifically seismometers and hydrophones.

2 CONDITIONS FOR CULTURAL RESOURCE PROTECTION

2.1 No Impact without Approval. The Lessee must not knowingly impact a potential archaeological resource without the Lessor's prior approval.

2.2 Post-Review Discovery Clauses. If, while conducting activities pursuant to the SAP, the Lessee discovers a potential archaeological resource, such as the presence of a shipwreck (e.g., a sonar image or visual confirmation of an iron, steel, or wooden hull; wooden timbers, anchors; concentrations of historic objects; or piles of ballast rock), or pre-contact archaeological site (e.g., stone tools, pottery) within the project area, the Lessee must:

2.2.1 Immediately halt seafloor/bottom-disturbing activities within the area of discovery;

2.2.2 Notify the Lessor within 24 hours of discovery;

2.2.3 Notify the Lessor in writing via report to the Lessor within 72 hours of discovery;

2.2.4 Keep the location of the discovery confidential and take no action that may adversely affect the archaeological resource until the Lessor has made an evaluation and instructed the applicant on how to proceed; and

2.2.5 Conduct any additional investigations as directed by the Lessor to determine if the resource is eligible for listing in the National Register of Historic Places (NRHP; 30 CFR § 585.802(b)). The Lessor will direct the Lessee to conduct such investigations if: (1) the site has been impacted by the Lessee's project activities; or (2) impacts to the site or to the area of potential effect cannot be avoided. If investigations indicate that the resource is potentially eligible for listing in the NRHP, the Lessor will instruct the Lessee as to how to protect the resource, or how to mitigate adverse effects to the site. If the Lessor incurs costs in protecting the resource, under Section 110(g) of the National Historic Preservation Act, the Lessor may charge the Lessee reasonable costs for carrying out preservation responsibilities under the OCS Lands Act (30 CFR § 585.802(c-d)).

3 CONDITIONS FOR AVIAN AND BAT PROTECTION

3.1 Reporting Requirement for Avian and Bat Species. The Lessee must provide an annual report to the Lessor and USFWS using the contact information in Addendum A, or updated contact information as provided by the Lessor by January 31 of each year of the site assessment term of the Lease. This report must document dead or injured birds or bats found on vessels and the meteorological buoy during construction, operations, and

decommissioning of the meteorological buoy. Each report must contain the following information: the name of species, date found, location, a picture to confirm species identity (if possible), and any other relevant information. In addition to submitting the Annual Report, the Lessee must report carcasses with Federal or research bands to the United States Geological Survey Bird Band Laboratory within 30 calendar days of discovery, using the following website: https://www.pwrc.usgs.gov/bbl/, or updated contact information as provided by the Lessor.

4 CONDITIONS RELATING TO MARINE MAMMALS AND SEA TURTLES

4.1 Prior to conducting activities pursuant to the SAP , the Lessee must hold a briefing to establish responsibilities of each involved party, define the chains of command, discuss communication procedures, provide an overview of monitoring procedures, and review operational procedures. This briefing must include all relevant personnel and crew members. New personnel must be briefed as they join the work in progress.

4.2 The Lessee must ensure that all vessel operators and crew members are familiar with, and understand, the requirements specified in Section 3 though Section 4 of these conditions.

4.3 The Lessee must ensure that a copy of Section 3 through Section 4 of these conditions is made available on every project-related vessel.

4.4 Marine Debris Prevention. The Lessee must ensure that vessel operators, employees, and contractors engaged in activities pursuant to the SAP are briefed on marine trash and debris awareness elimination as described in the Bureau of Safety and Environmental Enforcement Notice to Lessee (NTL) No. 2015-G03 (“Marine Trash and Debris Awareness and Elimination”) or any NTL that supersedes this NTL, except that the Lessor will not require the Lessee, vessel operators, employees, and contractors to undergo formal training or post placards. The Lessee must ensure that its employees and contractors are made aware of the environmental and socioeconomic impacts associated with marine trash and debris, and their responsibilities for ensuring that trash and debris are not intentionally or accidentally discharged into the marine environment. The above-referenced NTL provides information the Lessee may use for this awareness briefing.

4.5 Requirements for Vessel Strike Avoidance. The Lessee must ensure that all vessels conducting activities pursuant to the SAP, including those transiting to and from local ports and the lease area, comply with the vessel strike avoidance measures specified below, except under extraordinary circumstances when complying with these requirements would put the safety of the vessel or crew at risk.

4.5.1 The Lessee must ensure that vessel operators and crews maintain a vigilant watch for marine mammals and sea turtles, and slow down or stop their vessel to avoid striking protected species.

4.5.2 The Lessee must ensure that vessels 19.8 meters (m) (65 feet [ft]) in length or greater that operate between November 1 through July 31 operate at speeds of 10 knots (18.5 km/hr) or less.

4.5.3 The Lessee must ensure that between November 1 and July 31, vessel operators monitor NMFS North Atlantic Right Whale reporting systems (e.g., the Early Warning System, Sighting Advisory System, and Mandatory Ship Reporting System) for presence of North Atlantic right whales.

4.5.4 The Lessee must ensure that all vessel operators comply with 10 knot (18.5 km/hr) speed restrictions in any Dynamic Management Area.

4.5.5 North Atlantic right whales.

4.5.5.1 The Lessee must ensure all vessels maintain a separation distance of 500 m (1,640 ft) or greater from any sighted North Atlantic right whale.

4.5.5.2 The Lessee must ensure that the following avoidance measures are taken if a vessel comes within 500 m (1,640 ft) of any North Atlantic right whale:

4.5.5.2.1 If underway, any vessel must steer a course away from the North Atlantic right whale at 10 knots (18.5 km/h) or less until the 500 m (1,640 ft) minimum separation distance has been established (unless 4.5.5.2.2 below applies).

4.5.5.2.2 If a North Atlantic right whale is sighted within 100 m (328 ft) of an underway vessel, the vessel operator must immediately reduce speed and promptly shift the engine to neutral. The vessel operator must not engage the engines until the North Atlantic right whale has moved beyond 100 m (328 ft), at which point the Lessee must comply with 4.5.5.2.1 above.

4.5.5.2.3 If a vessel is stationary, the vessel operator must not engage engines until the North Atlantic right whale has moved beyond 100 m (328 ft), at which point the Lessee must comply with 4.5.5.2.1 above.

4.5.6 Non-delphinoid cetaceans (whales) other than the North Atlantic right whale.

4.5.6.1 The Lessee must ensure all vessels maintain a separation distance of 100 m (328 ft) or greater from any sighted non-delphinoid cetacean.

4.5.6.2 The Lessee must ensure that all vessel operators reduce vessel speed to 10 knots or less when mother/calf pairs, pods, or large assemblages of non-delphinoid cetaceans are observed near an underway vessel.

4.5.6.3 The Lessee must ensure that the following avoidance measures are taken if a vessel comes within 100 m (328 ft) of any sighted non-delphinoid cetacean:

4.5.6.3.1 If underway, the vessel underway must reduce speed and shift the engine to neutral, and must not engage the engines until the non-delphinoid cetacean has moved beyond 100 m (328 ft).

4.5.6.3.2 If stationary, the vessel must not engage engines until the non-delphinoid cetacean has moved beyond 100 m (328 ft).

4.5.7 Delphinoid cetaceans and Pinnipeds (dolphins, porpoises, and seals).

4.5.7.1 The Lessee must ensure that all vessels underway do not divert to approach any delphinoid cetacean and/or pinniped.

4.5.7.2 The Lessee must ensure that all vessels maintain a separation distance of 50 m (164 ft) or greater from any sighted delphinoid cetacean or pinniped, except if the

delphinoid cetacean and/or pinniped approaches the vessel, in which case, the Lessee must follow 4.5.7.3 below.

4.5.7.3 If a delphinoid cetacean and/or pinniped approaches any vessel underway, the vessel underway must avoid excessive speed or abrupt changes in direction to avoid injury to the delphinoid cetacean and/or pinniped.

4.5.8 Sea Turtles. The Lessee must ensure all vessels maintain a separation distance of 50 m (164 ft) or greater from any sighted sea turtle.

4.6 Reporting Requirements for Protected Species. The Lessee must ensure compliance with the reporting requirements in this Section for activities conducted pursuant to the SAP.

4.6.1 The Lessee must use the contact information provided as Addendum A, or updated contact information as provided by the Lessor, to fulfill these reporting requirements.

4.6.2 The Lessee must ensure that sightings of any injured or dead protected species (i.e., marine mammals, sea turtles, or sturgeon) are reported to the Lessor, NMFS, and the NMFS Northeast Region Stranding Hotline within 24 hours of sighting, regardless of how the injury or death was caused. The Lessee must use the form provided in Addendum B to report the sighting or incident. If the Lessee's activity is responsible for the injury or death, the Lessee must ensure that the vessel assists in any salvage effort as requested by NMFS.

4.6.3 The Lessee must report any observations concerning any impacts on ESA-listed marine mammals, sea turtles, or sturgeon to the Lessor and NMFS Northeast Regional Stranding Hotline within 48 hours.

5 CONDITIONS RELATING TO OIL SPILL RESPONSE PLAN (OSRP)

5.1 BOEM is in receipt of the revised OSRP that the Lessee submitted on June 1, 2017. As a condition of this approval and based on the technical specifications of your submission, BOEM considers the OSRP to be enforceable as part of the SAP. BOEM has the authority under 585.820-821 to conduct inspections designed to verify compliance with the lessee's OSRP.

5.2 For as long as facilities containing oil approved in the SAP remain on the OCS, if any information in the OSRP changes, the OSRP must be updated and notice provided to BOEM no more than 30 days after said change.

6. CONDITIONS RELATED TO PRIVATE AIDS TO MARITIME NAVIGATION

6.1 The Lessee must file an application (form CG-2554), either in paper form or electronically, with the commander of USCG First District to establish a private aid to maritime navigation (PATON) for a meteorological buoy, per 33 CFR Part 66.

6.2 Upon receipt of the application, the commander of USCG First District will provide an information sheet outlining the Lessee's responsibilities for the establishment, operation, maintenance, and discontinuance of the PATON.

6.3 The Lessee must submit a copy of the USCG approved PATON to BOEM prior to buoy deployment.

7 MODIFICATIONS

7.1 The Lessee, by itself or through its designated operator, may request a modification of a term in the SAP or these conditions of approval. The Lessor will review this request and determine whether the modification requires a revision to the SAP under 30 CFR 585.617. If the Lessor determines that the requested modification does not require a revision to the SAP, the Lessor will provide a written response to the Lessee and its designated operator approving, approving with conditions, or disapproving the modification. This written response will become a part of the approved SAP.

Attachment 1

Contact Information for Reporting Requirements

The following contact information must be used for the reporting and coordination requirements specified in Section 1.1 of the Conditions for Site Assessment Plan approval:

United States Fleet Forces (USFF) N46
1562 Mitscher Avenue, Suite 250
Norfolk, Virgina 23551
(757) 836-6206

The following contact information must be used for the reporting and coordination requirements specified in Section 3.1 of the Conditions for Site Assessment Plan approval:

U.S. Fish and Wildlife Service
Supervisor
New England Field Office
70 Commercial St., Suite 300, Concord, NH 03301

The following contact information must be used for the reporting requirements in Section 4.6.1 of the Conditions for Site Assessment Plan approval:

Reporting Injured or Dead Protected Species
NOAA Fisheries Northeast Region's Stranding Hotline
866-755-6622

All other reporting requirements in Section 4
Bureau of Ocean Energy Management
Environment Branch for Renewable Energy
Phone: 703-787-1340
Email: renewable_reporting@boem.gov

National Marine Fisheries Service
Northeast Regional Office, Protected Resources Division
Section 7 Coordinator
Phone: 978-281-9328
Email: incidental.take@noaa.gov

Vessel operators may send a blank email to ne.rw.sightings@noaa.gov for an automatic response listing all current DMAs.

Attachment 2

Incident Report: Protected Species Injury or Mortality

Photographs/Video should be taken of all injured or dead animals.

Observer's full name: _____

Reporter's full name: _____

Species Identification: _____

Name and type of platform: _____

Date animal observed: _____ Time animal observed: _____

Date animal collected: _____ Time animal collected: _____

Environmental conditions at time of observation (*i.e., tidal stage, Beaufort Sea State, weather*):

_____

_____

Water temperature (°C) and depth (m/ft) at site: _____

Describe location of animal and events 24 hours leading up to, including and after, the incident (*incl. vessel speeds, vessel activity, and status of all sound source use*): _____

_____

_____

_____

_____

_____

Photograph/Video taken: YES / NO If Yes, was the data provided to NMFS? YES / NO
(*Please label species, date, geographic site, and vessel name when transmitting photo and/or video*)

Date and Time reported to NMFS Stranding Hotline: _____

Sturgeon Information: *(please designate cm/m or inches and kg or lbs)*

Species: _____

Fork length (*or total length*): _____ Weight: _____

Condition of specimen/description of animal: _____

_____

_____

Fish Decomposed: NO SLIGHTLY MODERATELY SEVERELY

Fish tagged: YES / NO If Yes, p*lease record all tag numbers.*

Tag #(s): _____

Genetic samples collected: YES / NO

Genetics samples transmitted to:_____ on____/_____/201….

Sea Turtle Species Information: *(please designate cm/m or inches)*

Species:_____ Weight (kg or lbs):_____

Sex: Male Female Unknown

How was sex determined?:_____

Straight carapace length:_____ Straight carapace width:_____

Curved carapace length:_____ Curved carapace width:_____

Plastron length:_____ Plastron width:_____

Tail length:_____ Head width:_____

Condition of specimen/description of animal:_____

_____

_____

Existing Flipper Tag Information:

Left:_____ Right:_____

PIT Tag#:_____

Miscellaneous:

Genetic biopsy collected: YES NO Photographs taken: YES NO

Turtle Release Information:

Date:_____ Time:_____

Latitude:_____ Longitude:_____

State:_____ County:_____

Remarks: (*note if turtle was involved with tar or oil, gear or debris entanglement, wounds, or mutilations, propeller damage, papillomas, old tag locations, etc.*)_____

_____

_____

_____

_____

Marine Mammal information: *(please designate cm/m or ft/inches)*

Length of marine mammal (*note direct or estimated*): _____

Weight (*if possible, kg or lbs*):_____

Sex of marine mammal (*if possible*):_____

How was sex determined?:_____

Confidence of Species Identification: SURE UNSURE BEST GUESS

Description of Identification characteristics of marine mammal:_____

_____

_____

_____

_____

Genetic samples collected: YES / NO

Genetic samples transmitted to:_____ on____/_____/201….

Fate of marine mammal:_____

_____

_____

_____

Description of Injuries Observed:_____

_____

_____

_____

Other Remarks/Drawings:_____

_____

_____

Ørsted
Long Island Wind

Attachment 6-2

Annual Financial Statements

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Attachment 6-3

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Attachment 6-4

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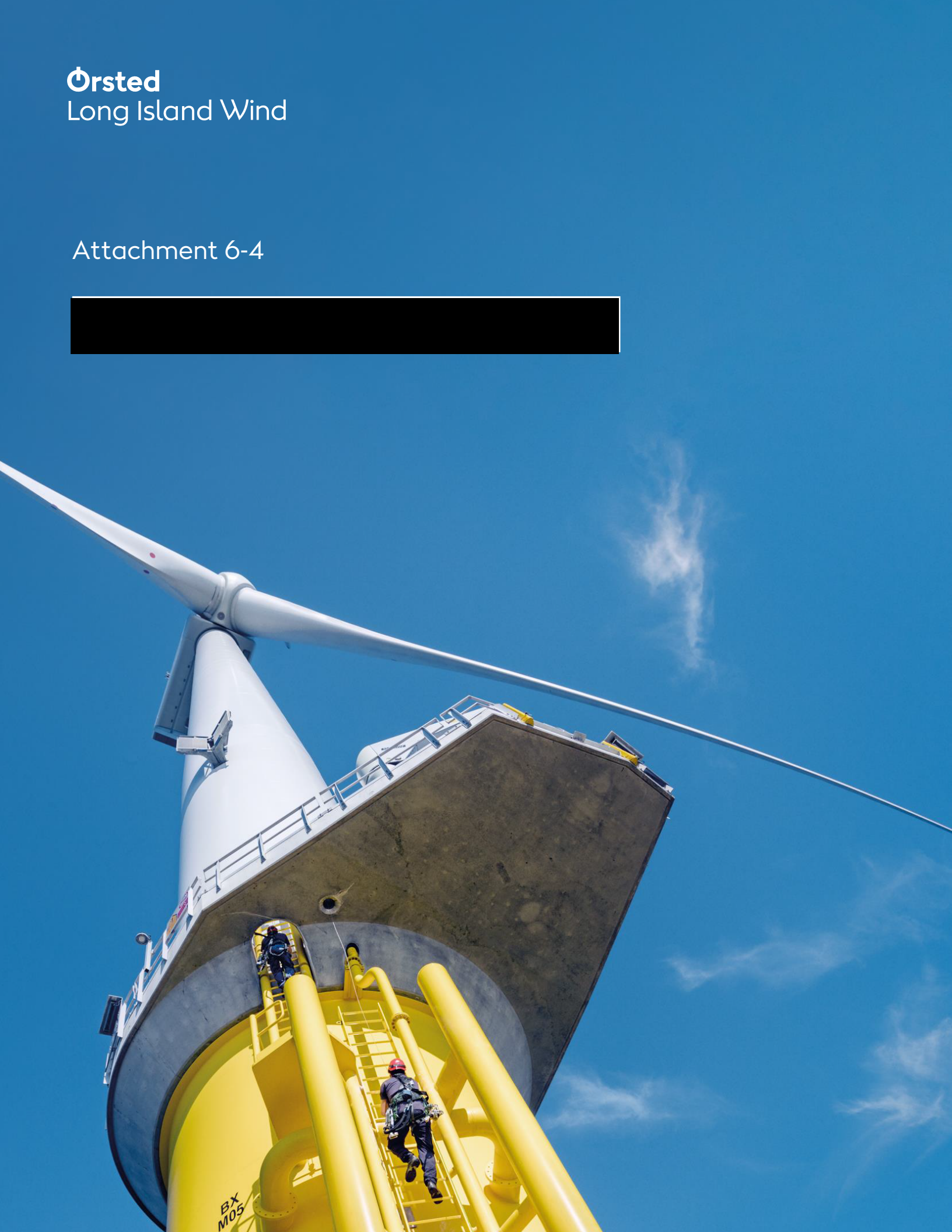

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Long Island Wind

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