



Construction and Operations Plan:
Maryland Offshore Wind Project



VOLUME II: Site Characterization & Impact Assessment

uswindinc.com

Construction and Operations Plan

Volume II. Site Characterization and Impact Assessment

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Maryland Offshore Wind Project

Prepared For:

US Wind, Inc.
Baltimore, MD

Prepared By:

ESS Group, LLC, a TRC Company
Waltham, MA



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Glossary of Terms

Term	Definition
Barrier Beach Landfalls	Locations on land where the Offshore Export Cables may come ashore, specifically 3 R's Beach Parking Lot and Tower Road Parking Lot
Indian River Substation	Delmarva Power and Light (DPL) Substation adjacent to the NRG Indian River Power Plant
Inland Bays	Collection of inland bays in Delaware: Indian River Bay, Rehoboth Bay, Little Assawoman Bay
Inter-array Cables	Cables in the Lease area connecting WTGs in strings to OSSs
Interconnection Facilities	US Wind substations and substation expansion at Point of Interconnection
Lease	OCS-A 0490
Lease area	Area described in the Lease
Maryland WEA	The Wind Energy Area off Maryland that became US Wind's Lease area
Met Tower	Designed and fabricated structure proposed to be deployed in the Lease area, previously covered under an approved SAP
Metocean Buoy	Floating LIDAR buoy, including trawl-resistant bottom mount, deployed in Lease area under approved SAP
O&M Facility	Operations and maintenance facility (admin building and quayside) in the Ocean City, Maryland, region
Offshore Export Cable Corridors	Offshore export cable routes labelled 1 and 2
Offshore Export Cables	Up to 4 cables to be located in the selected Offshore Export Cable Corridor(s)
Onshore Export Cable Corridor 1	"Onshore" cable corridor through Indian River Bay, proposed route from proposed landfall at 3 R's Beach to proposed US Wind substations adjacent to Indian River Substation
Onshore Export Cable Corridors	Potential onshore cable routes labelled 1, 1a, 1b, 1c, 2, 3, and 4
Onshore Export Cables	Up to 4 cables to be located in the selected Onshore Export Cable Corridor(s)

Term	Definition
Point of Interconnection	Where the Project interconnects to the regional electric grid (PJM)
The Project	Maryland Offshore Wind Project; encompasses all project facilities onshore and offshore
Submarine Cables	All cables in water, proposed to be buried beneath the seabed or bay bottom (Indian River Bay)
US Wind Substations	The substation or substations that US Wind will build to connect to the Point of Interconnection

Acronyms and Abbreviations

Notation	Definition
°	Degrees
°C	Degrees Celsius
°F	Degrees Fahrenheit
3/C	Three Conductor
AASHTO	American Association of State Highway and Transportation Officials
AC	Alternating Current
ACPARS	Atlantic Coast Port Access Route Study
ADIZ	Air Defense Identification Zone
ADLS	Aircraft Detection Lighting System
AEP	Auditory Evoked Potential
AIS	Air Insulated Substation
AIS	Automatic Identification System
ALARP	As Low as Reasonably Practicable
ANT	Aids to Navigation Team
AOR	Area of Responsibility
APE	Area of Potential Effect
ARPA	Automatic Radar Plotting Aid
ASL	Above Sea Level
ASMFC	Atlantic States Marine Fisheries Commission
ATON	Aids to Navigation
BACI	Before-After-Control-Impact
BACT	Best Available Control Technology
BC	Black Carbon
BLM	Bureau of Land Management
BMPs	Best Management Practices
BOEM	Bureau of Ocean Energy Management
C & D Canal	Chesapeake & Delaware Canal
CAA	Clean Air Act
CBY	Chesapeake Bay Lowlands
CCTV	Closed-Circuit Television
CFR	Code of Federal Regulations
CH ₄	Methane
cm	Centimeter

Notation	Definition
CMECS	Coastal and Marine Ecological Classification System
CMP	Coastal Management Program
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
COLREGS	International Regulations for Preventing Collisions at Sea 1972
COMAR	Code of Maryland Regulation
COP	Construction and Operations Plan
CP	Cathodic Protection
C-POD	Cetacean Pod
CPR	Cardiopulmonary Resuscitation
CPUE	Catch per Unit Effort
CTD	Conductivity, Temperature, And Depth
CTV	Crew Transport Vessel
CWB	Colonial Nesting Waterbird
dB	Decibels
dbh	Diameter at Breast Height
DC	Direct Current
DE	Delaware
DMA	Dynamic Management Area
DNR	Department of Natural Resources
DNREC	Department of Natural Resources and Environmental Control
DO	Dissolved Oxygen
DOE	Department of Energy
DOE	Determination of Eligibility
DP	Dynamic Positioning
DPL	Delmarva Power and Light
DPS	Distinct Population Segment
DRBA	Delaware River and Bay Authority
DSC	Digital Selective Calling
ECA	Emission Control Area
ECDIS	Electronic Chart Display and Information System
EEZ	Exclusive Economic Zone
EFH	Essential Fish Habitat
eGRID	Emissions and Generation Resource Integrated Database

Notation	Definition
ELMR	Estuarine Living Marine Resources
EMF	Electromagnetic Field
EMS	Ecological Marine Sediment
EPA	Environmental Protection Agency
ERES	Exceptional Recreational or Ecological Significance
ERL	Effects Range-Low
ESA	Endangered Species Act
ESP	Electric Service Platform
ESRI	Environmental Systems Research Institute
ETV	Emergency Towing Vehicle
FAA	Federal Aviation Administration
FACSFAC	United States Navy Fleet Area Control and Surveillance Facility
FDR	Facility Design Report
FIR	Fabrication and Installation Report
FFAESC	Fleet Forces Atlantic Exercise Coordination Center
FR	Federal Register
ft	Feet
ft ²	Square feet
FTE	Full-Time Equivalent
G&G	Geotechnical and Geophysical
GARFO	Greater Atlantic Regional Fisheries Office
GDP	Gross Domestic Product
GIS	Gas Insulated Substation
GIS	Geographic Information System
GPS	Global Positioning System
HAPC	Habitat Area of Particular Concern
HD	High Definition
HDD	Horizontal Directional Drilling
HMS FMP	The 2006 Atlantic Highly Migratory Species Fishery Management Plan
HRG	High Resolution Geophysical
HURISK	National Hurricane Center Risk Analysis Program
HVDC	High Voltage Direct Current
Hz	Hertz
IHA	Incidental Harassment Authorization

Notation	Definition
IMO	International Maritime Organization
IMPLAN	Impact Analysis for Planning
in	Inches
IPaC	Information for Planning and Consultation
IWC	International Whaling Commission
km	Kilometers
km/h	Kilometers Per Hour
km ²	Square Kilometers
KOP	Key Observation Points
LOA	Length Overall
LOA	Letter of Authorization
Lpk	Peak Sound Pressure
LSZ	Landscape Similarity Zones
LTO	Landing and Takeoff
m	Meters
m ²	Square Meters
MABS	Mid-Atlantic Baseline Studies
MAC	Mariner's Advisory Committee
MAFMC	Mid-Atlantic Fisheries Management Council
Magnuson-Stevens Act	The Magnuson-Stevens Fishery Conservation and Management Act
MARUs	Marine Autonomous Recording Units
MBTA	Migratory Bird Treaty Act
MCA	British Maritime and Coastguard Agency
MD	Maryland
MD Project	Maryland Project
MD WEA	Maryland Wind Energy Area
MDAT	Marine-Life Data and Analysis Team
MDE	Maryland Department of Environment
MDNR	Maryland Department of Natural Resources
MEA	Maryland Energy Administration
MEC	Munitions of Explosive Concern
mg/kg	Milligram Per Kilogram
mg/L	Milligrams Per Liter
MHHW	Mean Higher High Water

Notation	Definition
MIHP	Maryland Inventory of Historic Property
mi	Statute Miles
mi ²	Square Miles
MISLE	Marine Information for Safety and Law Enforcement
MLLW	Mean Lower Low Water
MMPA	Marine Mammal Protection Act
MOA	Military Operating Areas
MPA	Marine Protected Area
MSL	Mean Sea Level
MTR	Military Training Routes
MW	Megawatt
N ₂ O	Nitrous Oxide
NAAQS	National Ambient Air Quality Standards
NARW	North Atlantic Right Whale
NAS	Naval Air Station
NASA	National Aeronautics and Space Administration
NCR	National Capital Region
NDBC	National Data Buoy Center
NEFMC	New England Fisheries Management Council
NEFSC	Northeast Fisheries Science Center
NGO	Non-Governmental Agencies
NEPA	National Environmental Policy Act
NHC	National Hurricane Center
NHPA	National Historic Preservation Act
NJ	New Jersey
NJDEP	New Jersey Department of Environmental Protection
NLCD	National Land Cover Dataset
NLEB	Northern Long-Eared Bat
NM	Nautical Miles
NO ₂	Nitrogen Dioxide
NOAA	National Oceanic and Atmospheric Administration
NODE	Navy Operations Area Density Estimates
NOEP	National Ocean Economics Program
NO _x	Nitrogen Oxides

Notation	Definition
NP	Not Present
NRHP	National Register of Historic Places
NSRA	Navigational Safety Risk Assessment
NVIC	Navigation and Vessel Inspection Circular
O&M	Operations and Maintenance
O ₃	Ozone
OCS	Outer Continental Shelf
OCSLA	Outer Continental Shelf Lands Act
OPAREA	Navy Operations Area
OREC	Offshore Wind Renewable Energy Credit
OREI	Offshore Renewable Energy Installation
OSP	Optimum Sustainable Population
OSS	Offshore Substations
PA	Pennsylvania
PA	Programmatic Agreement
PARS	Port Access Route Study
PAH	Polycyclic Aromatic Hydrocarbon
PATON	Private Aids to Navigation
Pb	Lead
PDE	Project Design Envelope
PEL	Probably Effect Level
PM ₁₀	Particulate Matter Less Than or Equal To 10 Micrometers
PM _{2.5}	Particulate Matter Less Than or Equal To 2.5 Micrometers
POI	Point of Interconnection
ppb	Parts Per Billion
ppm	Parts Per Million
ppt	Parts per Thousand
psu	Practical Salinity Units
PTE	Potential to Emit
PTS	Permanent Threshold Shift
RACON	Radar Beacon
RCC	Rescue Coordination Center
RGC&A	R. Christopher Goodwin & Associates
RI	Rhode Island

Notation	Definition
RMS	Root Mean Square
RNA	Regulated Navigational Area
ROV	Remotely Operated Vehicle
ROW	Right-Of-Way
SADA	Shellfish Aquaculture Development Areas
SAP	Site Assessment Plan
SAR	Search and Rescue
SAV	Submerged Aquatic Vegetation
SC	South Carolina
SCADA	Supervisory Control and Data Acquisition
SCUBA	Self-Contained Underwater Breathing Apparatus
SEFSC	Southeast Fisheries Science Center
SELcum	Cumulative Sound Exposure
SGRE	Siemens Gamesa Renewable Energy
SHPO	State Historical Preservation Office
SMA	Seasonal Management Area
SMC	Coast Guard Search and Rescue Mission Coordinator
SO ₂	Sulfur Dioxide
SOLAS	Safety of Life at Sea
SO _x	Sulfur Oxides
SPCC	Spill Prevention, Control, And Countermeasure
SWA	State Wildlife Areas
SWPPP	Stormwater Pollution Prevention Plan
TAP	Toxic Air Pollutant
TEL	Threshold Effect Level
TEU	Twenty-foot Equivalent Units
TMDL	Total Maximum Daily Load
TNC	The Nature Conservancy
TOC	Total Organic Carbon
TOY	Time-Of-Year
TRBM	Trawl Resistant Bottom Mount
TSS	Total Suspended Solids
TSS	Traffic Separation Scheme
TVAT	Traffic Vector Analysis Tool

Notation	Definition
UAV	Unmanned Aerial Vehicle
U.S.	United States
U.S.C.	United States Code
UHF	Ultra-High Frequency
UKC	Under Keep Clearance
UME	Unusual Mortality Event
USACE	United States Army Corps of Engineers
USCB	United States Census Bureau
USCG	United States Coast Guard
USFF	United States Fleet Forces
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UV	Ultraviolet
UXO	Unexploded Ordnance
VA	Virginia
VACAPES	Virginia Capes
VAQF	Virginia Aquarium & Marine Science Center Foundation
VHF	Very High Frequency
VMS	Vessel Monitoring System
VOC	Volatile Organic Compound
VOIP	Voice Over Internet Protocol
VSA	Visual Study Area
VTIS	Vessel Traffic Information Service
VTS	Vessel Traffic Service
WEA	Wind Energy Area
WFF	Wallops Flight Facility
WTG	Wind Turbine Generators
$\mu\text{g}/\text{m}^3$	Microgram per Cubic Meter
μm	Micrometer
μPa	Micropascal

Executive Summary

Volume II of the COP provides the Project site characterization and assessment of impact-producing factors associated with pertinent physical, biological, cultural, visual, and social resources. Volume II includes a description of the affected environment, an assessment of the potential Project impacts, and a listing of the methods being proposed by US Wind to mitigate and monitor for the potential impacts associated with each resource area.

The Project has been designed to meet all applicable regulatory requirements and to minimize impacts to physical, biological, cultural, visual, and social resources. US Wind will continue to coordinate with the appropriate regulatory agencies and other Project stakeholders to identify opportunities to implement additional mitigation and monitoring measures to further reduce Project impacts.

1.0 Introduction

1.1 Project Summary

US Wind is developing the Maryland Offshore Wind Project¹ (the Project), an offshore wind project of up to 2 gigawatts within OCS-A 0490 (the Lease), an area off the coast of Maryland on the Outer Continental Shelf. US Wind obtained the Lease in 2014 when the company won an auction for two leases from the Bureau of Ocean Energy Management (BOEM) which in 2018 were combined into the Lease. The Project will include as many as 121 wind turbine generators (WTG), up to four (4) offshore substations (OSS), and one (1) Met Tower in the roughly 80,000-acre Lease area. The Project is proposed to be interconnected to the onshore electric grid by up to four new 230 kV export cables into a substation in Delaware. The proposed Project layout is provided in Figure 1-1. Figure 1-2 depicts the Project Design Envelope, as presented in Volume I.

¹ The Project includes MarWin, a wind farm of approximately 300 MW for which US Wind was awarded Offshore Renewable Energy Credits (ORECs) in 2017 by the state of Maryland; Momentum Wind, a wind farm of approximately 808 MW for which US Wind was awarded ORECs in 2021 by the state of Maryland; and any subsequent development within the Lease area.

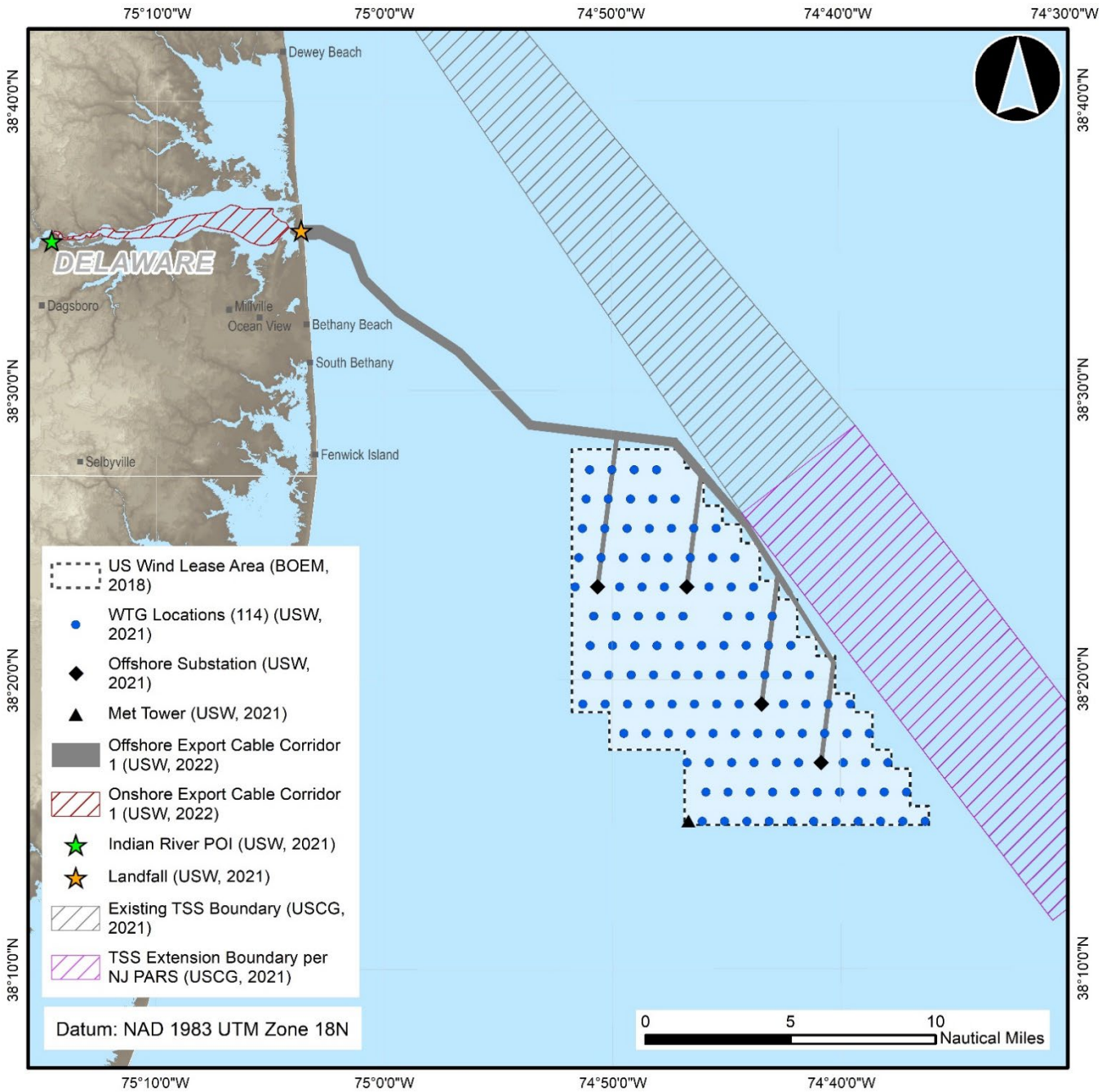


Figure 1-1. Proposed Project

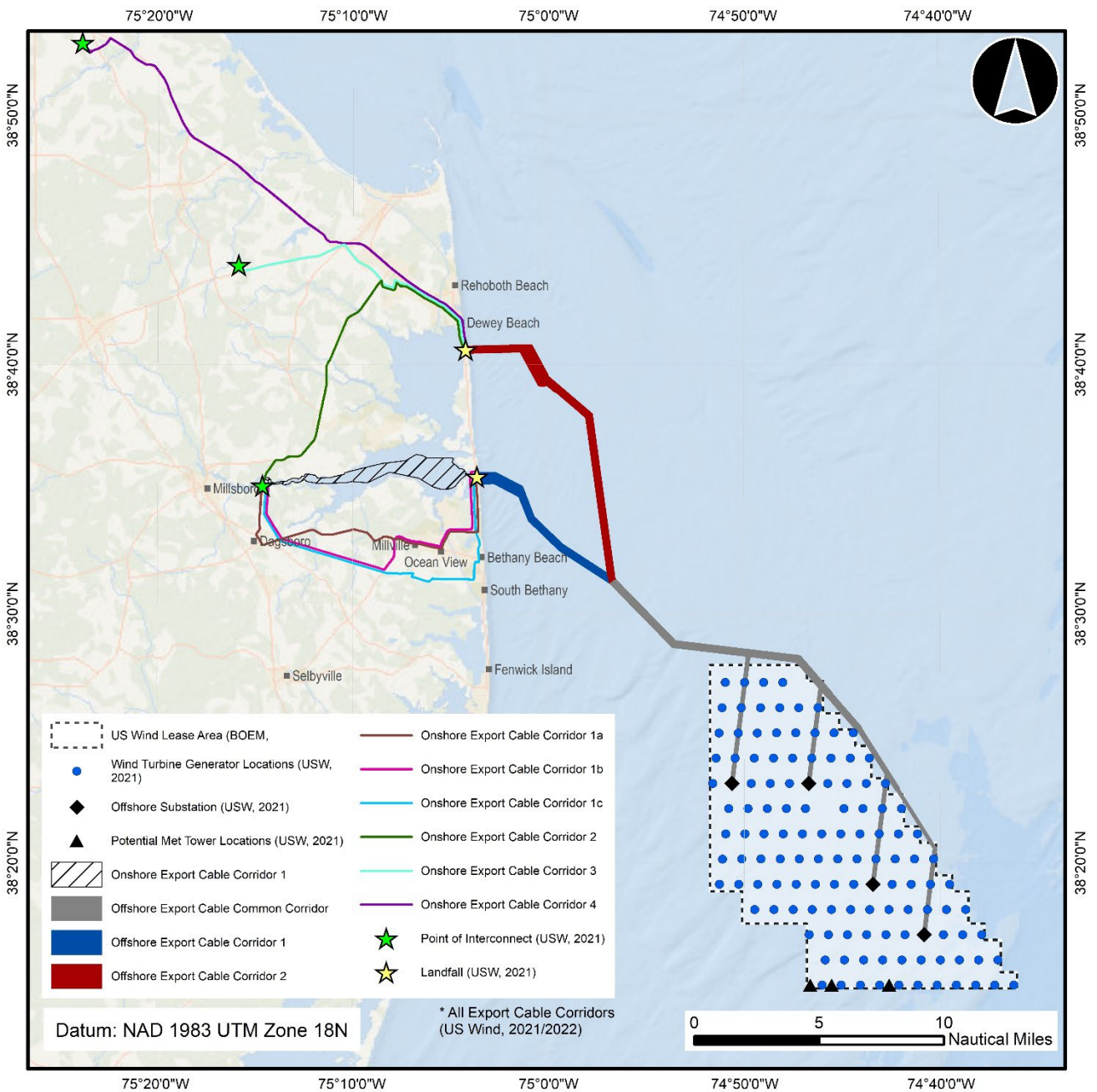


Figure 1-2. Project Design Envelope

1.2 Project Design Envelope

Parameter	Description
Project Layout	
Total Structures	Up to 126, including WTGs, OSSs, and Met Tower
Project Capacity	Up to 2.2 GW
Spacing	0.77 NM E-W (1.43 km, 0.89 mi) 1.02 NM N-S (1.89 km, 1.17 mi)
Water Depths	Approximately 14 – 41 m (46 – 135 ft)
WTG	
Total WTGs	Up to 121
WTG Size	Up to 18 MW
Foundation Type	Monopiles
Rotor Diameter	Up to 250 m (820 ft)
Hub Height	Up to 161 m (528 ft)
Height Tip of Blade	Up to 286 m (938 ft)
OSS	
Total OSS	Up to 4
Foundation Type	Monopiles, or jackets on piles or suction buckets
Met Tower	
Total Met Towers	1
Foundation Type	Braced Caisson
Cables	
Offshore Export Cables	4 – 230-275 kV AC submarine
Maximum Length of Offshore Export Cables (4 Total)	235 km (126 NM)
Inter-array Cables	66 kV AC submarine
Maximum Length of Inter-array Cable	244.6 km (152 mi)
Onshore Export Cables	Up to 4 – 3-phase 230-275 kV or 12 single phase
Maximum Length of Onshore Export Cables (4 Total)	156 km (96 mi)

1.3 Ocean/Bay Bottom/Soil Disturbance Summary

Bottom Disturbance Due to Rock or Structures (Permanent)

Foundations and Scour Protection		Maximum Number of Foundations	Maximum number of piles/buckets per Foundation	Max Area of Direct Disturbance Per pile/bucket (m ²)	Max area of scour protection per Foundation (m ²)	Total Area of disturbance per Foundation (m ²)	Total Area of Foundations and Scour Protection			
							m ²	ft ²	km ²	acres
WTGs	Monopile	121	1	113	905	1,018	123,163	1,325,714	0.12	30.43
OSSs	Monopile	4	2	95	760	1,711	6,842	73,651	0.01	1.69
	Jacket on Suction Bucket		8	177	0	1,414	5,655	60,868	0.01	1.40
	Jacket with Pin Piles		8	13	101	905	3,619	38,956	0.00	0.89
	Large-Pile Jacket		8	7	57	509	2,034	21,896	0.00	0.50
Meteorological Tower	IBGS Jacket	1	3	3	0	55	55	589	0.00	0.01

Cable Protection	Maximum Total Length of Cable (m)	Maximum Length of Cable to be Protected (m)	Width of Cable Protection (m)	Total Area of Cable Protection			
				m ²	ft ²	km ²	acres
Offshore Export Cables	235,000	23,500	6.0	141,000	1,517,710	0.14	34.84
Onshore Export Cables	156,000	15,600	6.0	93,600	1,007,501	0.09	23.13
Inter-array Cables	245,000	24,500	6.0	147,000	1,582,293	0.15	36.32

	Grand Total Foundations + Scour + Cable Protection			
	m ²	ft ²	km ²	acres
MAXIMUM TOTAL SEAFLOOR DISTURBANCE DUE TO FOUNDATIONS AND SCOUR PROTECTION (Worst Case Option - Monopile Foundations for OSSs)	130,060	1,399,954	0.13	32.14
MAXIMUM TOTAL CABLE PROTECTION ALONG THE ONSHORE, OFFSHORE AND INTERARRAY EXPORT CABLE CORRIDORS	381,600	4,107,504	0.38	94.30
TOTAL	511,660	5,507,458	0.51	126.43

Bottom Disturbance Due to Cable Installation, Jack-up Vessels, and Vessel Anchoring (Temporary)

Cable Installation		Maximum Total Length of Cable (m)	Width (m)	Total Area of Cable Installation Disturbance			
				m ²	ft ²	km ²	acres
Offshore Export Cables		235,000	0.6	141,000	1,517,710	0.14	34.84
Onshore Export Cables	Using tracked vehicle to install	156,000	10.0	1,560,000	16,791,684	1.56	385.48
Inter-array Cables		245,000	0.6	147,000	1,582,293	0.15	36.32
MAXIMUM TOTAL BOTTOM DISTURBANCE DUE TO CABLE INSTALLATION				1,848,000	19,891,687	1.85	456.65

Jack-up Vessels		Maximum Number of Foundations	Jack-ups Needed per Foundation	Jack-up Legs per Barge	Area Impacted by Each Leg (m ²)	Total Area of Jack-up Disturbance				
						m ²	ft ²	km ²	acres	
WTG Installation	Monopile	121	2	4	250	242,000	2,604,864	0.24	59.80	
OSS Installation	Monopile	4	2			8,000	86,111	0.01	1.98	
	Jacket on Suction Bucket									
	Jacket with Pin Piles									
	Large-Pile Jacket									
Meteorological Tower	IBGS Jacket	1	2			2,000	21,528	0.00	0.49	
MAXIMUM TOTAL DISTURBANCE DUE TO JACK-UP VESSELS						252,000	2,712,503	0.25	62.27	

Vessel Anchoring	Maximum Number of Foundations	Maximum Area Impacted by Anchoring/Mooring per Foundation (m ²)	Total Area of Jack-up Disturbance			
			m ²	ft ²	km ²	acres
WTG Installation	121	500	60,500	651,216	0.06	14.95
OSS Installation	4	500	2,000	21,528	0.00	0.49
Meteorological Tower Installation	1	500	500	5,382	0.00	0.12
MAXIMUM TOTAL DISTURBANCE DUE TO VESSEL ANCHORING			63,000	678,126	0.06	15.57

Bottom Disturbance Due to Dredging (Temporary)

Dredging	Location	Maximum Number of Dredging Locations	Maximum Area of Dredging (m2)	Total			
				m ²	ft ²	km ²	acres
HDD Cofferdams	Barrier Beach Landfall	8	600	4,800	51,667	0.00	1.19
	Substation	4	600	2,400	25,833	0.00	0.59
MAXIMUM TOTAL DISTURBANCE CAUSED BY DREDGING				7,200	77,500	0.01	1.78

Land Disturbance (Temporary)

Component	Location	Quantity	Area disturbed Per Component (m2)	Total			
				m ²	ft ²	km ²	acres
Construction Laydown Area	Indian River Substation	1	16,258	16,258	175,000	0.02	4.02
Temporary Access Road	Indian River Substation	1		3,076	33,106	0.00	0.76
Transition Vault	Barrier Beach Landfall	4	372	1,486	16,000	0.00	0.37
MAXIMUM TOTAL TEMPORARY LAND DISTURBANCE				20,820	224,106	0.02	5.14

Land Disturbance (Permanent)

Component	Location	Quantity	Area disturbed Per Component (m2)	Total			
				m ²	ft ²	km ²	acres
Project Substations	Indian River Substation	2	23,724	47,447	510,720	0.05	11.72
Interconnect Substation Expansion	Indian River Substation	1	7,432	7,432	80,000	0.01	1.84
Permanent Access Road	Indian River Substation	1		2,307	24,829	0.00	0.57
O & M Facility	Ocean City	1		1,394	15,000	0.00	0.34
MAXIMUM TOTAL PERMANENT LAND DISTURBANCE				58,580	630,549	0.06	14.48

1.4 Threatened and Endangered Species List

	Common Name	Federal Status	DE State Status	MD State Status	Location	Observed in Lease Area
Avian	Roseate Tern	E	-	X	Marine	Yes
	Bermuda Petrel	E	SC	-	Marine	No
	Common Tern ^{BR}	-	E	E	Marine	Yes
	Forster's Tern ^{BR}	-	E	I	Marine	Yes
	Least Tern	-	E	T	Marine	Yes
	Royal Tern	-	-	E	Marine	Yes
	Black Skimmer	-	E	E	Marine	Yes
	Bald Eagle	-	E	-	Coastal	Yes
	Piping Plover	T	E	E	Coastal	No
	Rufa Red Knot	T	-	(T)	Coastal	No
	Eastern Black Rail	T	-	-	Coastal	No
Turtles	Loggerhead Turtle	T	E	T	Marine	Yes
	Green Turtle	T	E	T	Marine	Yes
	Kemp's Ridley Turtle	E	E	E	Marine	Yes
	Hawksbill Turtle	E	-	E	Marine	Yes
	Leatherback Turtle	E	E	E	Marine	Yes
Marine Mammals	North Atlantic Right Whale	E	E	E	Marine	Yes
	Fin Whale	E	E	E	Marine	Yes
	Sei Whale	E	E	E	Marine	Yes
	Blue Whale	E	E	E	Marine	No

	Common Name	Federal Status	DE State Status	MD State Status	Location	Observed in Lease Area
	Sperm Whale	E	E	E	Marine	No
	West Indian Manatee	T	-	-	Marine	No
Fish	Atlantic Sturgeon	E	E	E	Marine	No
	Shortnose Sturgeon	E	E	E	Marine	No
	Giant Manta Ray	T	-	-	Marine	No
Terrestrial	Seabeach Amaranth	E	-	-	Coastal	No
	Evergreen Bayberry	-	-	E	Upland	No
	Bethany Beach Firefly	-	E	-	Coastal	No
	Northern Long-eared Bat	T	E	T	Upland	No

E = Endangered; T = Threatened; (T) = Appears likely to become endangered in MD;
 X = Endangered/Extirpated (MD only); BR Breeding population only; SC= Special Concern;
 I = In Need of Conservation

1.5 Master Mitigation and Monitoring Summary

Geology and Shallow Hazards

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Sediment disturbance/displacement	<ul style="list-style-type: none"> • Select suitable geological locations for the installation of the WTG, OSS and Met Tower foundations and design foundations appropriate to geological conditions. • To the greatest extent practicable, select areas with suitable seabed conditions for cable installation during cable route planning.
Surficial geology impacts	<ul style="list-style-type: none"> • Use submarine cables that have proper electrical shielding and bury the cables in the seafloor, when practicable. • Minimize sediment disturbance by utilizing the best available technologies to achieve deep burial of submarine cable into a stable sediment layer (i.e. jet plow technology, HDD, cofferdams, etc.). • Minimize the amount of scour protection required.
Munitions of Explosive Concern (MEC)/ Unexploded Ordinance (UXO)	<ul style="list-style-type: none"> • Prior to construction, analyze survey data at installation locations to identify potential MEC/UXO and plan avoidance or clearance in line with industry best practices. • Prepare an MEC/UXO Emergency Risk Management Plan prior to construction. • Prior to construction activities, provide an MEC/UXO awareness briefing to vessel crews.
Operations	
Sediment disturbance/displacement	<ul style="list-style-type: none"> • Select suitable geological locations for the installation of the WTG, OSS and Met Tower foundations and design foundations appropriate to geological conditions. • To the greatest extent practicable, select areas with suitable seabed conditions for cable installation during cable route planning. • Minimize the amount of scour protection required.

Water Quality

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Turbidity/Total Suspended Solids (TSS)	<ul style="list-style-type: none"> • Sediment disturbance associated with submarine cable laying will be minimized by jet plowing, HDD techniques and the use of cofferdams where feasible. • Turbidity monitoring will be conducted during construction as required by the permitting authorities. Conduct TSS and water quality monitoring during cable installation activities and post installation as needed.
Frac-out from HDD activities	<ul style="list-style-type: none"> • A drilling fluid fracture contingency plan will be in place prior to the start of HDD activities. Operations will be shut down immediately in the event a frac-out occurs.
Routine and accidental discharges from vessels	<ul style="list-style-type: none"> • US Wind will monitor for and report any environmental release or fish kill to the appropriate authorities, e.g., in Delaware state waters, reports will be made via DNREC 24-hour hotline. • Project-specific SPCC Plan and Oil Spill Response Plan will be prepared prior to construction and for operations activities. • US Wind will develop a Stormwater Pollution Prevention Plan (SWPPP) for onshore construction activities, as appropriate. • Vessel operators, employees, and contractors will be briefed on marine trash and debris awareness elimination as described in BSEE NTL No. 2015-G03 ("Marine Trash and Debris Awareness and Elimination"), per BOEM guidelines for marine trash and debris prevention. • Vessels will adhere to United States Coast Guard (USCG) guidelines; follow applicable regulations related to the discharge of bilge water, gray water, and sanitary waste; maintain discharge permits, as appropriate; follow good maintenance and housekeeping procedures to prevent releases of oil and other chemicals to the sea; maintain up-to-date oil spill response plans to prevent, contain, and clean up any accidental spills.

Potential Impacts	Mitigation and Monitoring Measures
Operations	
Routine and accidental discharges from vessels	<ul style="list-style-type: none"> • US Wind will monitor for and report any environmental release or fish kill to the appropriate authorities, e.g., in Delaware state waters, reports will be made via DNREC 24-hour hotline. • Project-specific SPCC Plan and Oil Spill Response Plan will be prepared prior to construction and for operations activities. • US Wind will develop a Stormwater Pollution Prevention Plan (SWPPP) for onshore construction activities, as appropriate. • Vessel operators, employees, and contractors will be briefed on marine trash and debris awareness elimination as described in BSEE NTL No. 2015-G03 ("Marine Trash and Debris Awareness and Elimination"), per BOEM guidelines for marine trash and debris prevention. • Vessels will adhere to United States Coast Guard (USCG) guidelines; follow applicable regulations related to the discharge of bilge water, gray water, and sanitary waste; maintain discharge permits, as appropriate; follow good maintenance and housekeeping procedures to prevent releases of oil and other chemicals to the sea; maintain up-to-date oil spill response plans to prevent, contain, and clean up any accidental spills.

Air Quality

Potential Impacts	Mitigation and Monitoring Measures
Construction and Operations	
Emissions	<ul style="list-style-type: none"> • US Wind will obtain any necessary Clean Air Act permits under the state of Maryland's delegated program and comply with applicable permit conditions. • Vessel engines will meet the applicable EPA and International Maritime Organization (IMO) marine engine emission standards. • Engines will be operated and maintained in accordance with the manufacturer's recommendations and industry practices. • Diesel fuel for use in the diesel engines will meet the per gallon fuel standards of 40 CFR 80.510(b) as applicable. • Land based engines that meet the EPA non-road engine standards will be used, as applicable. • Unnecessary idling of engines will be limited, where practicable. • Where practicable, engines with add-on emission controls will be used.

Coastal Habitat

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Habitat alteration	<ul style="list-style-type: none"> • US Wind will install cables using HDD to avoid impacts to coastal dunes and interdunal wetlands and to minimize bottom disturbance. • US Wind will minimize ground disturbance by confining cable infrastructure, such as transition vaults and HDD operations, to previously disturbed lands as much as practicable. • Onshore construction activities will be scheduled to avoid impacting sensitive coastal habitats, where practicable. • Between May 1 and August 1, construction activities will not occur within 100 m (328 ft) of hummocks in Indian River Bay in order to avoid impacts to nesting terns. • US Wind will minimize impacts on submerged aquatic vegetation where practicable. • US Wind will establish and maintain buffers around wetlands, implement best management practices (BMPs) to minimize erosion and control sediments and maintain natural surface drainage patterns, as practicable. • US Wind will locate cable landfalls and onshore facilities so as to avoid impacts to known nesting beaches, where feasible. The use of HDD for cable installation under the Barrier Beach Landfalls will avoid impacts on beaches. • Construction is anticipated to occur outside of turtle nesting season. Agency consultation and monitoring will be conducted as needed to mitigate disturbances. • Project-specific SPCC Plan will be prepared prior to construction and for operations activities. • US Wind will develop a Stormwater Pollution Prevention Plan (SWPPP) for onshore construction activities, as appropriate. • Agency consultation and monitoring regarding coastal habitats and species will be conducted as needed to mitigate disturbances, as practicable. • US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others.

Benthic Resources

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Seabed and bay bottom disturbance	<ul style="list-style-type: none"> The Project has been sited to avoid sensitive or rare habitats (such as high-density clam beds) where feasible, and habitat disturbance will be minimized to the extent practicable. Shellfish relocation/restoration in Onshore Export Cable Corridor 1 will be evaluated pre- and post- installation if warranted. Cables will be installed using a jet plow to the greatest extent possible. Any dredging needed is expected to be limited to the temporary cofferdams. Horizontal Directional Drilling (HDD) will be used at landfall locations.
Vessel Anchoring	<ul style="list-style-type: none"> Potential impacts from anchoring will be minimized by avoiding locations with sensitive habitats and utilizing mid-line anchor buoys.
Operations	
Electromagnetic Fields (EMF)	<ul style="list-style-type: none"> Use submarine cables that have proper electrical shielding and bury the cables in the seafloor, when practicable. A site-specific study of potential EMF impacts, if any, on species such as horseshoe crabs, conch, and finfish.

Finfish and Essential Finfish Habitat

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Habitat and migration	<ul style="list-style-type: none"> Conduct surveys and review existing data to identify important, sensitive, and unique marine habitats to be avoided. Seafloor disturbance during construction will be minimized as practicable. Impacts to summer flounder HAPC will be minimized by using dynamic positioning where feasible to minimize the need for construction vessels to anchor to the seafloor and using midline buoys to reduce seafloor scarring when construction vessels need to anchor. Minimize construction activities as practicable in areas containing anadromous fish during migration periods.

Potential Impacts	Mitigation and Monitoring Measures
Monitoring	<ul style="list-style-type: none"> • Fish monitoring equipment including nanotag antennas has been installed on the Metocean Buoy. • US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others.
Turbidity/TSS impacts	<ul style="list-style-type: none"> • Sediment disturbance associated with submarine cable laying will be minimized by jet plowing, HDD techniques and the use of cofferdams where feasible.
Pile driving noise	<ul style="list-style-type: none"> • Soft-start procedures and sound attenuation will be used during foundation pile driving.
Lighting	<ul style="list-style-type: none"> • Work lighting will be limited to the extent practicable to areas of active construction in coordination with USCG and other agencies as appropriate.
Routine and accidental discharges from vessels	<ul style="list-style-type: none"> • Project-specific SPCC Plan and Oil Spill Response Plan will be prepared prior to construction and for operations activities. • Vessel operators, employees, and contractors will be briefed on marine trash and debris awareness elimination as described in BSEE NTL No. 2015-G03 (“Marine Trash and Debris Awareness and Elimination”), per BOEM guidelines for marine trash and debris prevention. • Vessels will adhere to United States Coast Guard (USCG) guidelines; follow applicable regulations related to the discharge of bilge water, gray water, and sanitary waste; maintain discharge permits, as appropriate; follow good maintenance and housekeeping procedures to prevent releases of oil and other chemicals to the sea; maintain up-to-date oil spill response plans to prevent, contain, and clean up any accidental spills.
Operations	
Electromagnetic Fields (EMF)	<ul style="list-style-type: none"> • Use submarine cables that have proper electrical shielding and bury the cables in the seafloor, when practicable. • A site-specific study of potential EMF impacts, if any, on species such as horseshoe crabs, conch, and finfish.

Marine Mammals

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Pile Driving	<ul style="list-style-type: none"> • Prepare a pile driving monitoring plan, to include details about the measures listed below, prior to construction activities. Mitigation measures may be modified to reflect conditions set by NOAA Fisheries following the application for IHA or LOA associated with construction activities. • Implement sound attenuation technologies such as double bubble curtains and nearfield attenuation devices to reduce underwater pile driving noise by 10 dB, with a target of 20 dB, at the source. • Pile driving is planned between April 1 and November 30. Pile driving, if necessary, in April or November may require additional mitigation measures such as larger clearance or exclusion zones. • Establish a clearance zone prior to pile driving using a combination of visual and acoustic monitoring for large whales. The clearance zone is to be monitored for a minimum of 60 minutes and the zone must be clear for 30 minutes before beginning soft-start procedure. • Once clearance zone is confirmed clear of marine mammals, pile driving will begin with minimum hammering at low energy for no less than 30 minutes (soft-start). • Additional restrictions on pile driving will include: no simultaneous pile driving; no more than one monopile driven per day; daylight pile driving only unless health and safety issues require completion of a pile; and initiation will not begin within 1.5 hours of civil sunset or in times of low visibility when the visual clearance zone and exclusion zone cannot be visually monitored, as determined by the lead PSO on duty. • Establish an exclusion zone using a combination of visual and acoustic monitoring for large whales. Pile driving will be halted if species enters defined exclusion zone, with exceptions for health and safety considerations as well as technical feasibility. • Visual clearance and exclusion zones will be monitored by PSOs which are individuals with a current NOAA Fisheries approval letter as a PSO.

Potential Impacts	Mitigation and Monitoring Measures
Vessel Strike Avoidance	<ul style="list-style-type: none"> • PSOs or trained observers will be present on crew vessels and other project vessels. • US Wind will ensure that from November 1 through April 30, vessel operators monitor NOAA Fisheries North Atlantic right whale (NARW) reporting systems (e.g., Early Warning System, Sighting Advisory System, and Mandatory Ship Reporting System) for the presence of NARWs. • Vessels 19.8 m (65 ft) or larger will operate at 10 knots or less in Special Management Areas (SMAs) and Dynamic Management Areas (DMAs). • If underway, vessels will maintain a minimum separation distance of 500 m (1,640 ft) or greater from any sighted NARW and 100 m (328 ft) or greater from any sighted non-delphinoid cetacean other than NARW. • US Wind will continue to evaluate technologies that may increase the ability to detect marine mammals from vessels, such as thermal detection technologies.
Routine/Accidental Releases from Vessels	<ul style="list-style-type: none"> • Vessel operators, employees, and contractors will be briefed on marine trash and debris awareness elimination as described in BSEE NTL No. 2015-G03 (“Marine Trash and Debris Awareness and Elimination”), per BOEM guidelines for marine trash and debris prevention. • Vessels will adhere to United States Coast Guard (USCG) guidelines; follow applicable regulations related to the discharge of bilge water, gray water, and sanitary waste; maintain discharge permits, as appropriate; follow good maintenance and housekeeping procedures to prevent releases of oil and other chemicals to the sea; maintain up-to-date oil spill response plans to prevent, contain, and clean up any accidental spills.
Monitoring	<ul style="list-style-type: none"> • The Metocean Buoy includes acoustic recorders to detect and identify marine mammal calls. • US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others. • Additional opportunities to support passive acoustic monitoring of marine mammals in and around the Lease area in conjunction with ongoing research efforts by others, such as the University of Maryland Center for Environmental Science, will continue to be explored.

Potential Impacts	Mitigation and Monitoring Measures
Operations	
EMF	<ul style="list-style-type: none"> • Use submarine cables that have proper electrical shielding and bury the cables in the seafloor, when practicable.
Monitoring	<ul style="list-style-type: none"> • US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others. • Additional opportunities to support passive acoustic monitoring of marine mammals in and around the Lease area in conjunction with ongoing research efforts by others will continue to be explored.

Sea Turtles

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Pile Driving	<ul style="list-style-type: none"> • Implement sound attenuation technologies such as double bubble curtains and nearfield attenuation devices to reduce underwater pile driving noise by 10 dB, with a target of 20 dB, at the source. • Establish a clearance zone prior to pile driving using visual monitoring for sea turtles. Once clearance zone is confirmed clear of protected species, pile driving will begin with minimum hammering at low energy for no less than 30 minutes (soft-start). • Additional restrictions on pile driving will include: no simultaneous pile driving; no more than one monopile driven per day; daylight pile driving only unless health and safety issues require completion of a pile; and initiation will not begin within 1.5 hours of civil sunset or in times of low visibility when the visual clearance zone and exclusion zone cannot be visually monitored, as determined by the lead PSO on duty. • Establish an exclusion zone using visual monitoring for sea turtles. Pile driving will be halted if species enters defined exclusion zone, with exceptions for health and safety considerations as well as technical feasibility. • Visual clearance and exclusion zones will be monitored by PSOs which are individuals with a current NOAA Fisheries approval letter as a PSO.

Potential Impacts	Mitigation and Monitoring Measures
Vessel Strike Avoidance	<ul style="list-style-type: none"> Vessels will observe NOAA Fisheries collision avoidance guidance, such as establishing minimum separation distances from sea turtles. Trained observers will be present on crew vessels and other project vessels without PSOs.
Habitat Alteration	<ul style="list-style-type: none"> US Wind will locate cable landfalls and onshore facilities so as to avoid impacts to known nesting beaches, where feasible. The use of HDD for cable installation under the Barrier Beach Landfalls will avoid impacts on beaches. Construction is anticipated to occur outside of turtle nesting season. Agency consultation and monitoring will be conducted as needed to mitigate disturbances.
Routine/Accidental Releases	<ul style="list-style-type: none"> Vessel operators, employees, and contractors will be briefed on marine trash and debris awareness elimination as described in BSEE NTL No. 2015-G03 (“Marine Trash and Debris Awareness and Elimination”), per BOEM guidelines for marine trash and debris prevention. Vessels will adhere to United States Coast Guard (USCG) guidelines; follow applicable regulations related to the discharge of bilge water, gray water, and sanitary waste; maintain discharge permits, as appropriate; follow good maintenance and housekeeping procedures to prevent releases of oil and other chemicals to the sea; maintain up-to-date oil spill response plans to prevent, contain, and clean up any accidental spills.
Monitoring	<ul style="list-style-type: none"> US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others.
Operations	
EMF	<ul style="list-style-type: none"> Submarine cables that have electrical shielding will be used and the cables will be buried in the seafloor, where practicable. A site-specific study of potential EMF impacts, if any, on species such as horseshoe crabs, conch, and finfish.

Terrestrial Species and Upland Habitats

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Habitat Alteration	<ul style="list-style-type: none"> • Previously disturbed areas will be used for the construction laydown area and access roads where feasible. • Tree clearing activities required for Project construction are not planned between June 1 and July 31 to avoid or minimize impacts to northern long-eared bat during the summer maternity period.
Accidental Releases	<ul style="list-style-type: none"> • Project-specific SPCC Plan will be prepared prior to construction and for operations activities. • US Wind will develop a Stormwater Pollution Prevention Plan (SWPPP) for onshore construction activities, as appropriate.
Air Emissions	<ul style="list-style-type: none"> • Methods to reduce engine emissions will be implemented during construction and operation of the proposed Project where practicable, including restricting engine idling.
Operations	
Lighting	<ul style="list-style-type: none"> • Lighting-related impacts will be minimized by using best management practices (BMPs) where feasible. Examples of BMPs to minimize the adverse impacts of artificial lighting will include not lighting the facility at night except in the case of an emergency that requires an immediate response, and the use of down-shielded light fixtures to reduce the visibility of light by birds, bats, and insects flying above the facility.
Accidental Releases	<ul style="list-style-type: none"> • Project-specific SPCC Plan will be prepared prior to construction and for operations activities. • US Wind will develop a Stormwater Pollution Prevention Plan (SWPPP) for onshore construction activities, as appropriate.
Air Emissions	<ul style="list-style-type: none"> • Methods to reduce engine emissions will be implemented during construction and operation of the proposed Project where practicable, including restricting engine idling.

Marine Birds

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Monitoring	<ul style="list-style-type: none"> • US Wind proposes preconstruction and post-construction aerial, digital surveys to monitor for avoidance and displacement of avian species (See Appendix II-N2). • Avian monitoring equipment, including nanotag antennas and acoustic sensors, have been installed on the Metocean Buoy. • US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others. • Measures that minimize lighting impacts on avian species will be implemented where feasible, as approved by FAA, BOEM, USCG and other regulatory agencies.
Operations	
Attractions	<ul style="list-style-type: none"> • Anti-perching measures may be installed on the deck/access platform of the WTGs to discourage birds from resting on and congregating around the structures.
Lighting	<ul style="list-style-type: none"> • Measures that minimize lighting impacts on avian species will be implemented where feasible, as approved by FAA, BOEM, USCG and other regulatory agencies.

Bats

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Habitat Alteration	<ul style="list-style-type: none"> Tree clearing activities required for Project construction are not planned between June 1 and July 31 to avoid or minimize impacts to northern long-eared bat during the summer maternity period.
Monitoring	<ul style="list-style-type: none"> The Metocean Buoy has been equipped with a bat acoustic recorder to monitor for the nocturnal calls of bats within the Lease area for up to two years. Acoustic recorders to collect incidental bat calls offshore have been deployed on survey vessels throughout the Lease area and along the Offshore Export Cable Corridors. US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others.

Cultural, Historic, and Archaeological Resources

Potential Impacts	Mitigation and Monitoring Measures
Construction	
	<ul style="list-style-type: none"> The results of HRG and geotechnical surveys will be used to identify potential cultural resources and preserved subaerial landforms. The data will inform US Wind's plans to avoid and minimize impacts to identified resources where practicable. US Wind will develop an Unanticipated Discovery Plan to be implemented during onshore and offshore construction. US Wind will continue to coordinate with the appropriate SHPO and Native American tribes to refine measures to minimize and mitigate impacts to potential cultural resources generally and if particular resources are identified. Mitigation measures commensurate with potential adverse effects to historic properties impacted by views to the Project will be sought through coordination with SHPOs and consulting parties. Planning has taken into account previously recorded cultural resources and areas of high archaeological probability, as well as the extent of prior disturbance, in order to minimize project impacts to known or potential archaeological resources. The Terrestrial Archaeology Resource Assessment will include coordination with SHPOs and consulting parties to ensure that potential impacts or adverse effects to identified archaeological resources are addressed and mitigated to the extent practicable.

Visual Resources

Potential Impacts	Mitigation and Monitoring Measures
Operations	
	<ul style="list-style-type: none"> • US Wind commits to use aircraft detection lighting system (ADLS), or equivalent technology such as light dimming, if commercially feasible and approved by BOEM in consultation with FAA, USCG and other agencies. • The Project will minimize aviation lighting impacts, such as aiming lighting upward and using the longest permissible off cycles, in consultation with the FAA and BOEM. • Lighting and marking will be implemented in consultation with FAA, BOEM, USCG and other regulatory agencies. • Uniform spacing of WTGs and OSSs. • The WTGs and towers will be painted an off-white color which generally blends well with the sky at the horizon. • All offshore and onshore export cables are planned to be buried, or in locations where burial may not be achievable, protected to the greatest extent practicable.

Navigation, Air Traffic, and Military Activities

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Navigation Safety	<ul style="list-style-type: none"> • Coordinate with the appropriate regulatory agencies and other stakeholders during construction to provide timely and effective communications regarding planned vessel movements and construction activities. • Establish and maintain safety zones around active construction areas, and mark areas with highly visible marking and lighting. • Use existing transit lanes for construction and maintenance vessels to the extent practicable. • Route Offshore Export Cable Corridors to avoid USCG proposed anchorage. • Develop emergency procedures for potential vessel allisions with Project structures and other maritime emergencies, such as search and rescue, in consultation (e.g., coordinated drills) with relevant agencies and stakeholders. Establish appropriate chain of command with US Coast Guard and Maryland Department of Natural Resources to respond to emergencies in a

Potential Impacts	Mitigation and Monitoring Measures
	timely, efficient manner and address ongoing issues. Procedures and potential equipment packages to benefit mariners, e.g. WTG cameras or data connectivity enhancements, will be developed through stakeholder outreach.
Operations	
Navigation Safety	<ul style="list-style-type: none"> • Uniform spacing of WTGs and OSSs of 1.02 NM (1.89 km) N/S and 0.77 NM (1.43 km) E/W • A proposed 1 NM (1.9 km) buffer zone between Project structures and the TSS outer boundary. • Use existing transit lanes for construction and maintenance vessels to the extent practicable. • Monitor Project operations continuously and maintain Project emergency contact channels with the USCG and other relevant agencies and stakeholders. • US Wind will work with the USCG to identify measures that may increase mariner and responder situational awareness in the vicinity of the Lease area such as cameras, distinct markings on towers, and enhanced communication connectivity. • Develop emergency procedures for potential vessel allisions with Project structures and other maritime emergencies, such as search and rescue, in consultation (e.g., coordinated drills) with relevant agencies and stakeholders. Establish appropriate chain of command with US Coast Guard and Maryland Department of Natural Resources to respond to emergencies in a timely, efficient manner and address ongoing issues. Procedures and potential equipment packages to benefit mariners, e.g. WTG cameras or data connectivity enhancements, will be developed through stakeholder outreach.
Aircraft Traffic Safety	<ul style="list-style-type: none"> • US Wind commits to use aircraft detection lighting system (ADLS), or equivalent technology such as light dimming, if commercially feasible and approved by BOEM in consultation with FAA, USCG and other agencies. • Lighting and marking will be implemented following guidelines as practicable and in consultation with FAA, BOEM, USCG and other regulatory agencies.
Monitoring	<ul style="list-style-type: none"> • Meteorological and ocean observations from the Met Tower will be made available to the public.

Socioeconomics

Potential Impacts	Mitigation and Monitoring Measures
Construction	
Local Impacts	<ul style="list-style-type: none"> • US Wind will work with local officials to develop a traffic management plan to reduce impacts to local traffic during construction. • US Wind has sited and developed Project elements to minimize disturbance to resources, to the extent practicable, enjoyed by residents of and visitors to the region. • Route Offshore Export Cable Corridors to avoid marine mineral resources areas to the extent practicable.
Tourism Impacts	<ul style="list-style-type: none"> • US Wind will concentrate onshore construction activities outside of the summer recreation season to the greatest extent practicable and will coordinate with DNREC Parks and Recreation to minimize interference with beach activities.
Fisheries Impacts	<ul style="list-style-type: none"> • US Wind developed a Fisheries Communication Plan, in conjunction with the designated Fisheries Liaison Officer and will work with fisheries stakeholders to update it as appropriate. • US Wind established a process for gear loss compensation for commercial fishermen. • US Wind will work cooperatively with commercial/recreational fishing entities and interests to review planned activities and ensure that the construction and operation activities will minimize potential conflicts. • US Wind will evaluate potential pre- and post-construction monitoring for regionally important species, such as a partnership with the University of Maryland Center for Environmental Science to study black sea bass, to identify commercial and recreational fishing impact.
Operations	
Routine/Accidental Vessel Releases	<ul style="list-style-type: none"> • US Wind will implement practices and operating procedures to reduce the likelihood of vessel accidents and fuel spills. An Oil Spill Response Plan has been prepared and will be implemented for construction and for operations activities.
Fisheries Impacts	<ul style="list-style-type: none"> • US Wind developed a Fisheries Communication Plan, in conjunction with the designated Fisheries Liaison Officer and will work with fisheries stakeholders to update it as appropriate. • US Wind established a process for gear loss compensation for commercial fishermen. • US Wind will work cooperatively with commercial/recreational fishing entities and interests to review planned activities and ensure that the construction and operation activities will minimize potential conflicts.

Potential Impacts	Mitigation and Monitoring Measures
	<ul style="list-style-type: none"> US Wind will evaluate potential pre- and post-construction monitoring for regionally important species, such as black sea bass, to identify commercial and recreational fishing impact.
EMF	<ul style="list-style-type: none"> A site-specific study of potential EMF impacts, if any, on species such as horseshoe crabs, conch, and finfish.
Visual Impacts	<ul style="list-style-type: none"> Onshore cables and facilities at the Barrier Beach Landfalls will be buried. WTGs, OSSs, and the Met Tower will be marked per USCG guidelines in consultation with USCG, BOEM and other regulatory agencies as appropriate. Submarine cables will be buried and regularly inspected to maintain cable burial.
Construction and Operations	
Economic Benefits	<ul style="list-style-type: none"> US Wind will coordinate with local stakeholders to develop opportunities for eco-tourism related to the Project. US Wind is committed to creating full and equitable business opportunities for minority, women-owned, veteran-owned, and HUBZone businesses in the development of the Project. US Wind has hired a team of MBE participation and compliance experts to lead the company's outreach efforts to minority businesses and community organizations. US Wind is coordinating with area organized labor organizations to develop a skilled local workforce for the Project. US Wind has a strong interest in the welfare of workers employed by the construction managers, contractors and subcontractors on all components of the Project. US Wind is committed to achieving substantial involvement of Maryland-based small businesses in all phases of the Project. US Wind is committed to creating opportunities for Delaware-based companies able to deliver supply chain components and/or perform on-site work in Delaware. US Wind has a particular focus on creating meaningful economic opportunities for environmental justice communities in the Baltimore, Maryland area. US Wind will support workforce initiatives that are focused on providing support to minority and low-income populations, women, veterans, and underserved communities.

2.0 Environmental Conditions

US Wind has developed initial characterizations of environmental site conditions as they relate to Project design, construction, and operation. The initial site characterization is an integration of observed and modeled conditions from both public and site-specific data sets. Detailed analyses of the Project's metocean and geophysical site characteristics are presented in the following appendices, excerpts of which are summarized in this section:

- Appendix I-L1: Maryland OWF – Design Basis, r. 2
- Appendix I-L2: Independent Metocean Assessment
- Appendix II-A1: Integrated Site Characterization Report (initial)

US Wind is in the process of collecting additional wind resource, metocean, and high-resolution geophysical (HRG) information at the site. This site investigation work includes HRG surveys within the Lease area and along the Offshore Export Cable Corridors, contracted geotechnical investigations, and deployment of the Metocean Buoy within the Lease area for a planned 2-year metocean data collection campaign during the site assessment term of the Lease. In addition to the measurement and survey campaigns, US Wind is augmenting the existing site characterization with extreme event analyses to inform the Project's design basis.

In general, US Wind's characterization of the environmental conditions across the Lease area and export cable routes has not identified any unexpected risks or challenges from a design, construction, or operations perspective. The following subsections outline US Wind's current understanding of basic environmental and site conditions in the region of the Lease area and along the Offshore Export Cable Corridors.

2.1 Regional Overview – the Mid-Atlantic Shelf

Meteorological condition in the vicinity of the Lease area generally reflects a temperate climate consistent with the regional weather of the mid-Atlantic coastal ocean. Seasonal weather in the late spring through mid-summer tends to exhibit lighter winds and, with the exception of summer thunderstorms, relatively fewer adverse weather systems. Stronger winds and more severe weather, including extra-tropical cyclones (e.g. Nor'easters), tropical depressions, and tropical cyclones (including hurricanes), typically occur in the period between late summer through spring.

The Lease area and Offshore Export Cable Corridors are located on the Mid-Atlantic Shelf, which extends from Long Island to Cape Hatteras. This is an area of dynamic oceanographic conditions and complex seafloor morphology.

The ocean circulation on the Mid-Atlantic Shelf is dominated by a counter-clockwise gyre and the counter-clockwise circulation created by large tropical and extra-tropical storms. That circulation creates: a) the north to south littoral currents along the coast and inner shelf and b) forms and defines the NNE-SSW-oriented sand ridges, which are the most predominate morphological features on the inner shelf. These ridges (shoals) are tens- to 100+-kilometers-long, typically spaced (crest to crest distance) at about 2-to 5-km-intervals (6.6 to 16.4 ft) and are as tall as 8 to 10 m (26.2 to 32.8 ft). The ocean and seafloor conditions in most of the Mid-Atlantic Shelf are considered to be storm driven.

The approximately 600-km-long Mid Atlantic Shelf includes three distinct areas that are defined by the Chesapeake and Delaware Bays: offshore New Jersey to the north of Delaware Bay, offshore the Delmarva Peninsula between Delaware Bay and Chesapeake Bay, and offshore Virginia-North Carolina to the south of Chesapeake Bay. The storm discharges from these bays, as well as the flood and ebb tides into and out from the bays, disrupt the regional ocean circulation and add a significant tidal-driven element to the water circulation, currents, seafloor morphology, and sediment transport in front of the two large bays (as well as to a lesser, localized effect seaward of other, smaller bays and outlets along the coast).

The storm discharges and tidal flows associated with the two large bays alter and add complexity to the storm-driven dynamics, which otherwise dominate the ocean column and seafloor processes along most of the inner Mid-Atlantic Shelf. Seaward of the two bays, the predominant NNE-SSW (linear) ridges (shoals) become more irregular and ultimately end. Hence, the character of the seafloor (morphology and bedforms) and sediments that form those seafloor features are more variable in the areas influenced by the storm flows from and tidal flows associated with the two bays.

Since the US Wind lease is located immediately to the south of the mouth of Delaware Bay, the seafloor bedforms and sediments are affected by the interplay among storm-driven currents, storm discharges from the Bay, and flood and ebb tidal flows associated with Delaware Bay. The various seafloor features and bedforms are viewed as being in a state of dynamic equilibrium which can be altered episodically during large storms.

2.2 Air and Sea Temperature

Air and sea temperatures, particularly at the sea bottom, surface, hub height, and at other key structural points (e.g. OSS topside), affect numerous project design and operations parameters. For example, hub height air density is strongly influenced by hub height air temperatures, as is WTG performance in the form of de-rates at high or low temperatures. Further, WTG suitability and lifetime estimates of the site-specific tower and foundation designs are partly based upon the range of temperatures in which they are operating. At the surface, the air and sea temperatures affect operations and maintenance (O&M) planning (e.g. due to fog conditions) and seasonal health and safety practices (e.g. personal protective equipment requirements).

US Wind is currently monitoring surface air temperature, sea surface temperature, and sea floor temperature with the Metocean Buoy. In advance of a full year of observations from that station, regional reference observations provide an initial picture of the air and sea temperatures at the site. Specifically, the NOAA National Data Buoy Center buoy 44009 (NOAA 2021a) provides a long-term metocean data record that is generally representative of conditions at the Lease area. NOAA Buoy 44009 is located approximately 6 km northeast of the Lease area at the terminus of the south-bound Traffic Separation Scheme from Delaware Bay. Plots of monthly air temperatures and sea surface temperatures are provided below in Figure 2-1 and Figure 2-2, respectively. A tabular summary of these temperatures is provided in Table 2-1 below.

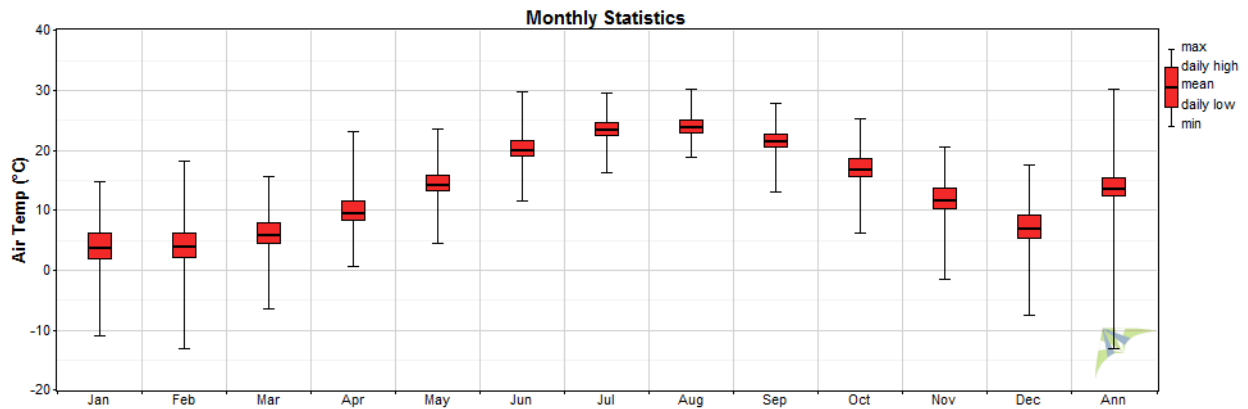


Figure 2-1. Monthly Air Temperature Statistics at 3.8 m MSL, NOAA Buoy 44009 (1997–2021)
Source: NOAA 2021a

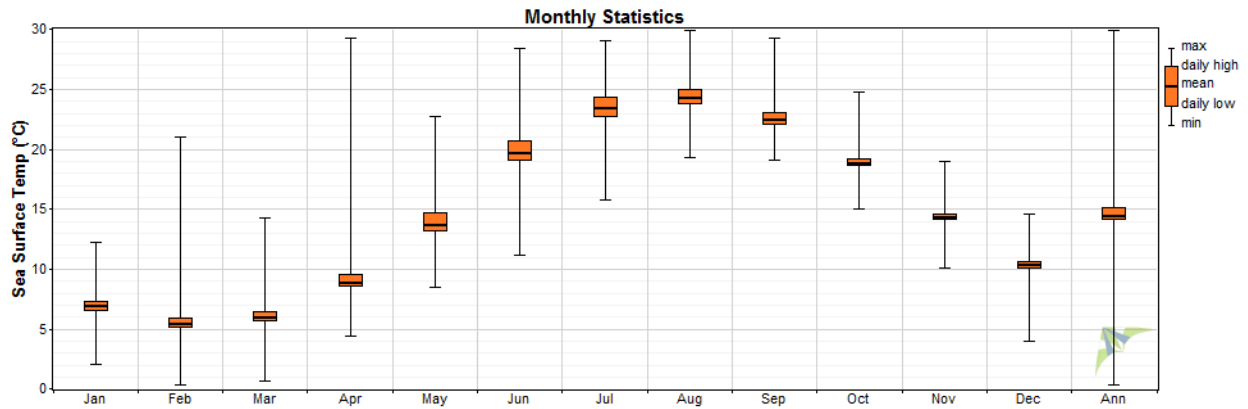


Figure 2-2. Monthly Sea Surface Temperature Statistics at -2.0 m MSL, NOAA Buoy 44009 (1997–2021)
Source: NOAA 2021a

Table 2-1. Monthly Air and Sea Surface Temperature Statistics, NOAA Buoy 44009 (1997–2021)

	Month	Air Temp. at 3.8 m MSL			Sea Surface Temp. at -2 m MSL		
		Mean [°C]	Min [°C]	Max [°C]	Mean [°C]	Min [°C]	Max [°C]
1	Jan	3.91	-10.90	14.90	6.97	2.10	12.30
2	Feb	4.02	-13.00	18.30	5.56	0.40	21.10
3	Mar	6.01	-6.50	15.60	6.04	0.70	14.30
4	Apr	9.72	0.70	23.20	8.96	4.40	29.30
5	May	14.45	4.50	23.50	13.79	8.50	22.80
6	Jun	20.22	11.50	29.80	19.78	11.20	28.40
7	Jul	23.55	16.30	29.50	23.47	15.80	29.10
8	Aug	24.01	18.90	30.20	24.33	19.30	29.90
9	Sep	21.59	13.10	27.80	22.55	19.10	29.30
10	Oct	16.98	6.30	25.30	18.89	15.10	24.80
11	Nov	11.82	-1.50	20.50	14.44	10.10	19.00
12	Dec	7.12	-7.40	17.70	10.40	4.00	14.60
	Annual	13.70	-13.00	30.20	14.56	0.40	29.90

Source: NOAA 2021a

US Wind’s planned updates to the Design Basis include integration of the on-site air and sea surface and sea bottom temperature measurements collected by the Metocean Buoy with the long-term observations from NOAA Buoy 44009 and long-term modeled atmospheric conditions at hub height. These planned updates are expected to inform WTG, foundation, and OSS design efforts in 2022 and beyond.

2.3 Hydrography

Regionally, the seafloor across the Lease area slopes to the west to the east at a gentle gradient of less than 1 percent. The water depth in the Project lease ranges from a minimum of approximately 13.0 meters (42.6 feet) (re: MLLW datum), along the western lease-border, to a maximum of about 41.5 meters (136.1 feet) at the southeast corner of the Lease area. The water depth, however, is typically between about 18 and 32 meters (59 and 105 feet) in most of the Lease area. Many seafloor features and bedforms are present in the Lease area, and significant local water depth variations reflect the presence of many types of seafloor features and bedforms of different orientations, and sizes.

Topographic variations, or seafloor morphology, are due to relict geologic features associated with the last glacial sea level low stand, modification of these geologic features during the

subsequent post-glacial period sea level transgression, and subsequent erosion and deposition (after submergence of the OCS) due to storm and/or tidal currents.

The most prominent bathymetric features in the lease area are the prominent SSW – NNE-trending ridges and swales offshore the Delmarva Peninsula and the Delaware Valley that extends seaward from Delaware Bay and borders the northeast perimeter of the Lease area.

The northeastern ends of the ridges and swales extend several kilometers into the Lease area (See Appendix II – A1 for illustration). To the NNE, the ridgetops deepen and their height diminishes. To the north and east of the prominent sand ridges, the seafloor in the Lease area is flatter and more undulating. Lesser sizes and scale of seafloor bedforms (e.g., sand ripples, waves, and dunes) are present on the flanks of the ridges, and elsewhere. These bedforms are inferred to reflect both geologic processes and sediment mobility. Nearer to the northeast border of the Lease area, many of the smaller seafloor features and bedforms have SW-NE to WSW-ENE orientation.

The tallest and steepest natural slopes in the lease include the up to 8-meter-tall (26-foot-tall) flanks of the SSW – NNE-trending dunes, and a 10-meter-tall (33-foot-tall), ESE-facing slope in the southeast corner of the lease.

These conditions extend to underlie the portions of the Offshore Export Cable Corridors bordering the northeastern and northern Lease area perimeter. Similar conditions are present along much of the corridors.

2.4 Tides and Currents

Water levels and currents in the Project area are produced by storms and tidal conditions as well as the other associated oceanographic processes. These various, related phenomena can affect project siting, design, construction, and operations in an assortment of ways. The phenomena transfer environmental loads, affect vessel access to the offshore structures, and can cause sediment mobility and associated scour. These effects, particularly scour and sediment mobility, may affect Project components within the Lease area, along the Offshore Export Cable Corridors, and at offshore landfall locations.

Along the coast, currents are driven by strong, reversing, semidiurnal tides (tidal current) and the prevailing wind direction (wind currents) and vary seasonally. The mean tidal ranges at Ocean City, Maryland and Indian River Inlet, Delaware are approximately 0.64 meters² and 0.76 meters (2.10 and 2.51 feet), respectively. NOAA Coast Pilot³ publication for the Delmarva Peninsula notes that “currents have considerable velocity in the inlets and in the narrow channels connecting the inlets with adjacent bays and sounds. Surface current velocities of as much as 3 knots may be encountered at times.” Monthly surface currents are provided in Table 2-2. Surface current direction frequency distribution is provided in Figure 2-3.

² Datums for NOAA station 8570283, Ocean City Inlet MD, <https://tidesandcurrents.noaa.gov/datums.html?datum=MLLW&units=1&epoch=0&id=8570283&name=Ocean+City+Inlet&state=MD>
³ NOAA, US Coast Pilot 3, Chapter 8, p. 251, 07 November 2021, https://nauticalcharts.noaa.gov/publications/coast-pilot/files/cp3/CPB3_C08_WEB.pdf

Table 2-2. Monthly Surface Current Speed Statistics, MIKE 21 Hindcast (1998–2017)

	Month	Modeled Surface Current Speed							
		Mean [m/s]	Max [m/s]	Weibull k	Weibull A [m/s]	Mean [knots]	Max [knots]	Weibull k	Weibull A [knots]
1	Jan	0.151	0.720	1.929	0.171	0.294	1.400	1.929	0.332
2	Feb	0.148	0.610	1.957	0.167	0.287	1.186	1.957	0.324
3	Mar	0.149	0.720	1.945	0.168	0.289	1.400	1.945	0.326
4	Apr	0.147	0.520	2.015	0.166	0.285	1.011	2.015	0.322
5	May	0.139	0.560	2.053	0.157	0.270	1.089	2.053	0.305
6	Jun	0.134	0.420	2.139	0.152	0.261	0.816	2.139	0.295
7	Jul	0.132	0.440	2.144	0.150	0.257	0.855	2.144	0.291
8	Aug	0.132	0.490	2.18	0.149	0.256	0.952	2.180	0.290
9	Sep	0.140	0.510	2.061	0.159	0.273	0.991	2.061	0.308
10	Oct	0.148	0.700	1.916	0.167	0.287	1.361	1.916	0.324
11	Nov	0.148	0.600	1.956	0.167	0.288	1.166	1.956	0.325
12	Dec	0.146	0.530	1.98	0.165	0.285	1.030	1.980	0.322
	Annual	0.143	0.720	1.996	0.161	0.278	1.400	1.996	0.314

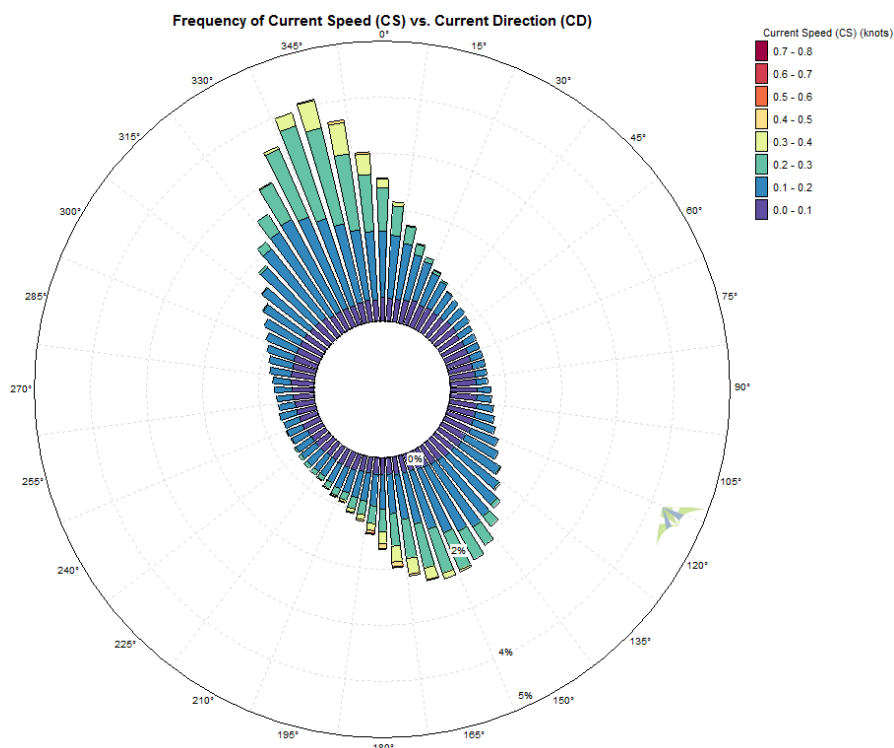


Figure 2-3. Surface Current Direction Frequency Distribution, MIKE 21 hindcast (1998–2017)

US Wind also estimated the 50-year storm current at the Lease area, including wind driven, geostrophic, and tidal current contributions. This initial estimate of extreme current speed is presented below in Table 2-3.

Table 2-3. 50-year Extreme Current Speed at Surface in Lease Area

Return Period	Surface Current Speed [knots]	Surface Current Speed [m/s]
50-year	3.26	1.68

Normal and extreme water levels in the vicinity of the Lease area were assessed based upon the 20-year MIKE 21 hindcast data set and NOAA tide station data. Table 2-4 presents the estimated normal water levels, and Table 2-5 presents extreme water levels at various return periods.

Table 2-4. Normal Water Levels in Lease Area – Astronomical Tides

Astronomical Tide	Tide Levels [m MSL]
Highest Astronomical Tide (HAT)	0.650
Mean Lower Low Water (MLLW)	-0.387
Lowest Astronomical Tide (LAT)	-0.650

Table 2-5. Extreme Water Levels in Lease Area – Storm Surge and Extreme Still Water Levels

Return Period [Years]	1	10	50	500	1000
Storm Surge [m]	1.14	1.19	1.23	1.27	1.29
Highest Still Water Level (HSWL) [m MSL]	1.79	1.84	1.88	1.92	1.94
Lowest Still Water Level (LSWL) [m MSL]	-1.79	-1.84	-1.88	-1.92	-1.94

The Metocean Buoy is presently monitoring water level and current profiles at the site. US Wind plans to update these site characteristics with onsite observations as part of ongoing development and design efforts.

2.5 Winds

2.5.1 Normal Wind Conditions

Normal wind conditions are some of the primary inputs to Project design, construction, and operations. In design, these inputs at hub height (and across the rotor plane) drive WTG fatigue calculation and energy production estimates. The normal conditions also influence assumptions on offshore installation workability, particularly with respect to WTG erection. During operations, normal wind conditions at the surface and hub height influence seasonal O&M planning and execution.

Representative long-term surface wind characteristics from NOAA Buoy 44009 are summarized below. Figure 2-4 and Table 2-6 present observed surface wind conditions at NOAA Buoy 44009 by month. Figure 2-5 illustrates the wind direction distribution (wind rose) by frequency and energy.

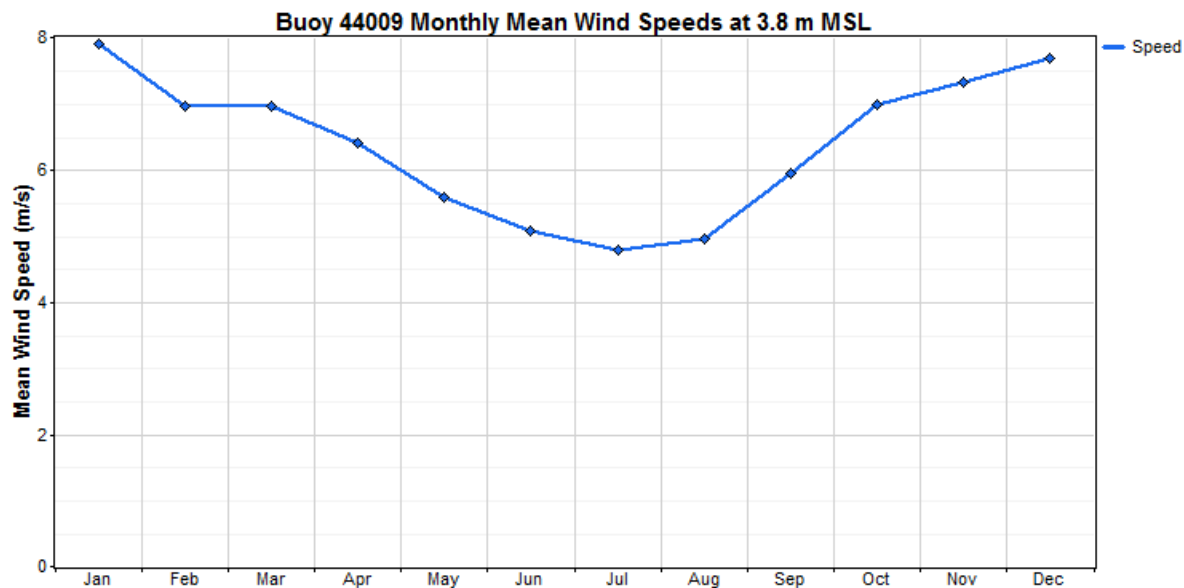


Figure 2-4. Monthly Mean Wind Speeds at 3.8 m MSL, NOAA Buoy 44009 (1997–2021)
Source: NOAA 2021a

Table 2-6. Monthly Mean Wind Speeds at 3.8 m MSL, NOAA Buoy 44009 (1997–2021)(NOAA 2021a)

	Month	Average Wind Speed at 3.8 m MSL							
		Mean [m/s]	Max (m/s)	Weibull k	Weibull A (m/s)	Mean [knots]	Max [knots]	Weibull k	Weibull A [knots]
1	Jan	7.91	23.70	2.26	8.92	15.37	46.07	2.26	17.34
2	Feb	6.96	21.40	1.92	7.79	13.54	41.60	1.92	15.13
3	Mar	6.96	23.10	2.04	7.83	13.53	44.90	2.04	15.22
4	Apr	6.41	19.30	2.05	7.22	12.47	37.52	2.05	14.03
5	May	5.60	19.20	1.99	6.31	10.88	37.32	1.99	12.26
6	Jun	5.08	16.50	2.22	5.73	9.88	32.07	2.22	11.13
7	Jul	4.81	15.60	2.05	5.40	9.34	30.32	2.05	10.49
8	Aug	4.96	20.30	1.96	5.56	9.65	39.46	1.96	10.81
9	Sep	5.95	20.10	1.94	6.69	11.57	39.07	1.94	13.01
10	Oct	6.99	23.10	2.11	7.87	13.58	44.90	2.11	15.30
11	Nov	7.34	20.50	2.09	8.25	14.26	39.85	2.09	16.04
12	Dec	7.70	19.90	2.22	8.68	14.97	38.68	2.22	16.87
	Annual	6.36	23.70	1.94	7.15	12.35	46.07	1.94	13.89

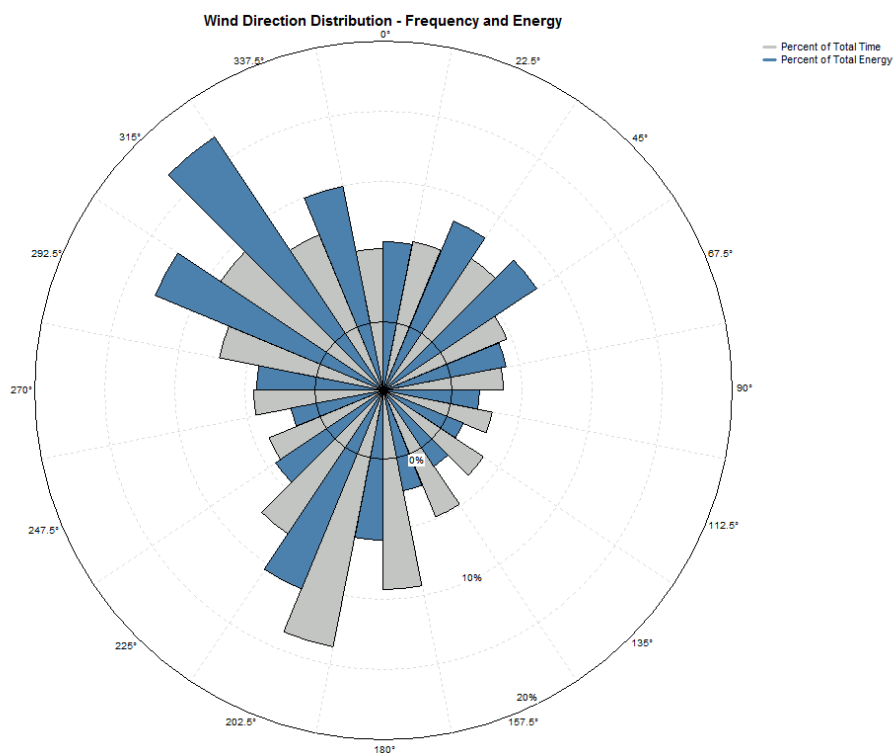


Figure 2-5. Wind Direction Distribution at 3.8 m MSL, NOAA Buoy 44009 (1997–2021)
Source: NOAA 2021a

In advance of collecting a full year of on-site measurements with the floating lidar buoy - the typical minimum duration used to estimate long-term conditions at a site - US Wind acquired a modeled time series of atmosphere conditions at multiple elevations to assess expected normal wind conditions. The data set was comprised of wind speed (including standard deviation), wind direction, air temperature, and pressure near the center of the Lease area from Vortex FdC.⁴ The one-year duration time series was provided at 10-minute timestamps at multiple heights between 50 meters and 210 meters (164 and 689 feet) MSL.

The data set was developed using Vortex’s Weather Research and Forecasting numerical weather prediction model in Large Eddy Simulation mode, based on ERA5 reanalysis input data and run at a final horizontal resolution of 100 meters (328 feet). This model configuration has been validated at multiple offshore locations globally, including the New York Bight.⁵ The time series is representative of long-term conditions, and is based upon Vortex’s “one year rolling method.”⁶ Conditions at the proposed hub height of 139 meters (456 feet) MSL were interpolated from provided heights on a 10-minute basis.

This modeled wind and atmosphere data set has informed most of US Wind’s initial concept designs, as well as initial energy production estimates, and ancillary analyses (e.g. the Navigation Safety Risk Assessment, Appendix II-K1). A summary of the normal wind and

⁴ <https://vortexfdc.com/>

⁵ Vortex FdC, “LES Offshore Validation”, 2020, <https://vortexfdc.com/knowledge/les-offshore-wind-data-validation/>

⁶ Vortex FdC, “Vortex LES: One-year Rolling Methodology”, 2018, <https://vortexfdc.com/knowledge/one-year-rolling-les/>

atmosphere conditions reflected in the modeled time series at hub height is presented in Appendix I-L1.

The Metocean Buoy is presently monitoring wind speed and direction characteristics at 11 heights from the surface to approximately 250 m MSL. US Wind plans to update the characterization of normal wind conditions with additional long-term, high-fidelity atmospheric modeling, which is currently underway, and integration of onsite floating lidar buoy observations once sufficient data have been collected.

2.5.2 Extreme Wind Conditions

Severe weather caused by tropical systems and seasonal local weather patterns contributes to wind forcing/sea state events, more typically during the fall and winter, from November through April, with gale force winds sometimes occurring as early as September (NOAA 2021b). Seasonal nor'easters, or extra-tropical cyclones during the fall and winter months, frequently bring with them wind speeds in excess of 30 to 50 knots. A week of high sea conditions and wind speeds above the average seasonal mean may linger in the region after the weather system has cleared. Summer storms moving in from the Great Plains and Southwest can bring heavy rains, water-spouts, lightning, micro-bursts, and, rarely, hail. These transient systems are occasionally capable of producing localized extreme winds and other storm-related damage. These events typically develop and pass the region very quickly.

The hurricane season along the U.S. Atlantic seaboard runs from June 1 through November 30 each year. Peak hurricane season is typically considered to begin in late summer (mid-August) and extend through October, although substantial and destructive hurricanes can and have occurred prior to and after peak season. Hurricane force winds, storm surge, storm tide, heavy rainfall, inland flooding, rip currents, and tornadoes are all categorized by the NOAA National Hurricane Center (NHC) as major hazards that may be present at the Lease area (National Oceanic and Atmospheric Administration NOAA 2016).

The NHC Risk Analysis Program (HURISK) was developed to assess the vulnerability of areas subject to tropical cyclone weather impacts. HURISK develops chart overviews that depict severe weather tracks, intensities, and return periods for coastal areas along the Atlantic tropical cyclone basin (Neumann 1987). While HURISK return periods are generated with the 1987 methodology, it uses data through 2010 (National Oceanic and Atmospheric Administration NOAA 2010). The NHC HURISK published return periods for both Category 1 and 2 hurricanes passing within 50 NM (92.6 km) of the U.S. Coast (Figure 2-6).

The HURISK data analysis for the Project indicates the Lease area experiences return periods of 15 – 20 years for hurricanes with wind speeds equal to or in excess of 64 knots. The estimated return period for hurricanes with wind speeds equal to or in excess of 96 knots is 44 – 68 years for the Lease area.

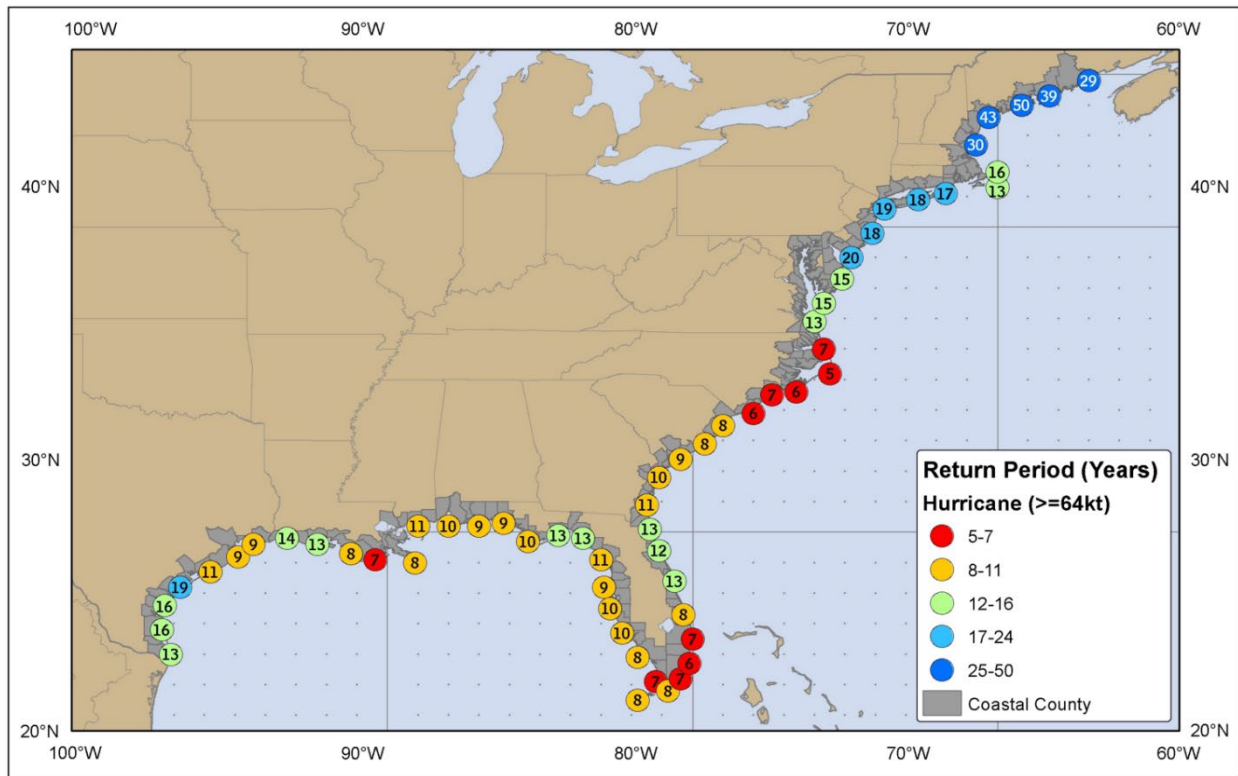


Figure 2-6. NHC HURISK Return Period for Hurricanes (NHC)

Depending on a number of variables including sea surface temperature, adjacent weather systems, and track of a severe storm, wind directions will vary as they rotate counterclockwise along the storm track. The highest winds will occur at the right side of the storm system due to the relative motion of the advancing storm system plus the wind speed of the storm system itself (National Oceanic and Atmospheric Administration NOAA 2016). Figure 2-7 shows the storm tracks passing through the area around the Project since 1940.

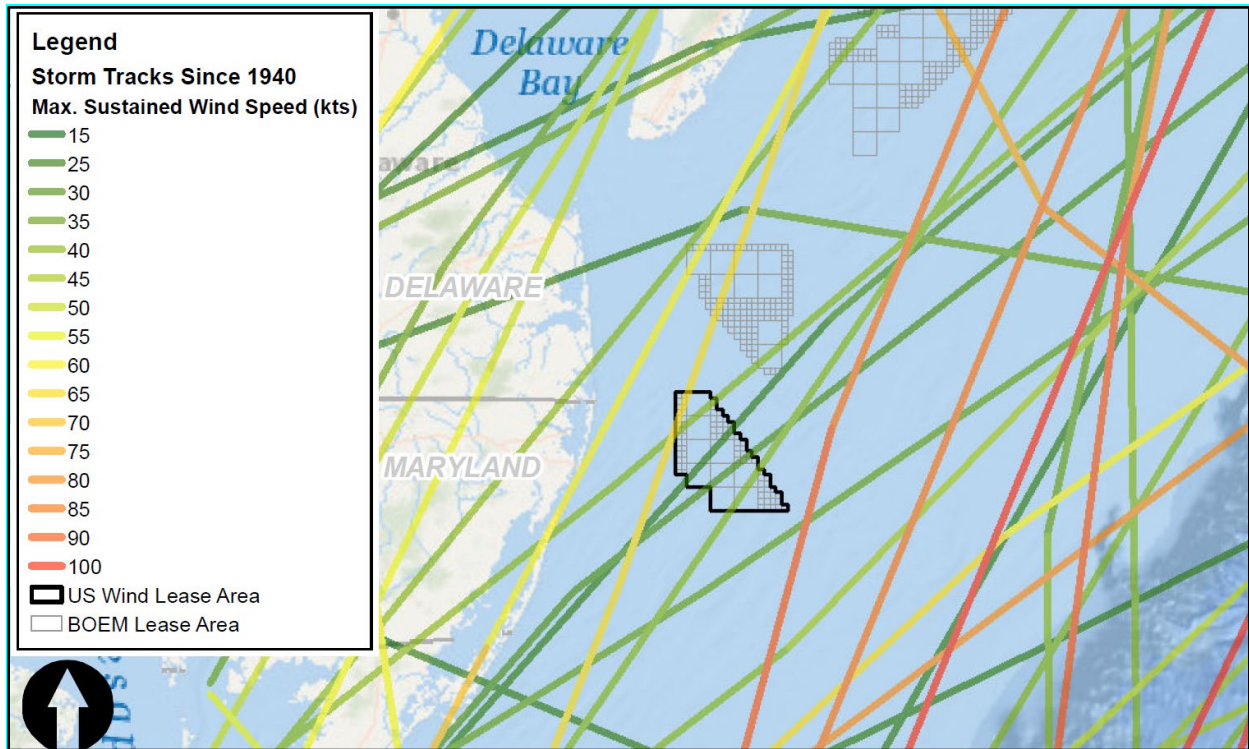


Figure 2-7. Storm Tracks and Maximum Sustained Winds (1940–2018)

Tropical storms and hurricanes typically pass across the Mid-Atlantic Shelf over a period of hours to a few tens of hours. Thus, the main effects of such storms extend for only a limited duration. Like tropical storms, Nor'easters have counter-clockwise circulation around an area of low pressure. In contrast to tropical systems, however, Nor'easters can cross the Mid-Atlantic Shelf more slowly and can also stall on the shelf. For example Nor'Ida (in November 2009) formed from the remnants of Hurricane Ida. This storm stalled while offshore the mid-Atlantic coast, maintained wind gust above 60 knots, and produced five tide cycles of storm surge approaching the HAT with low tides above MHHW. Thus, the effects from large Nor'easters can exceed the effects of tropical cyclones with similar wind speeds.

US Wind has engaged an International Electrotechnical Commission compliant hurricane assessment to more thoroughly characterize the expected design input conditions and implications of tropical systems across the Project area. This work is underway.

2.6 Waves

Representative wave characteristics from NOAA Buoy 44009 are summarized below. Figure 2-8 and Table 2-7 present observed significant wave height conditions at NOAA Buoy 44009 by month. Figure 2-9 illustrates the wave direction distribution (wave rose) by frequency and significant wave height.

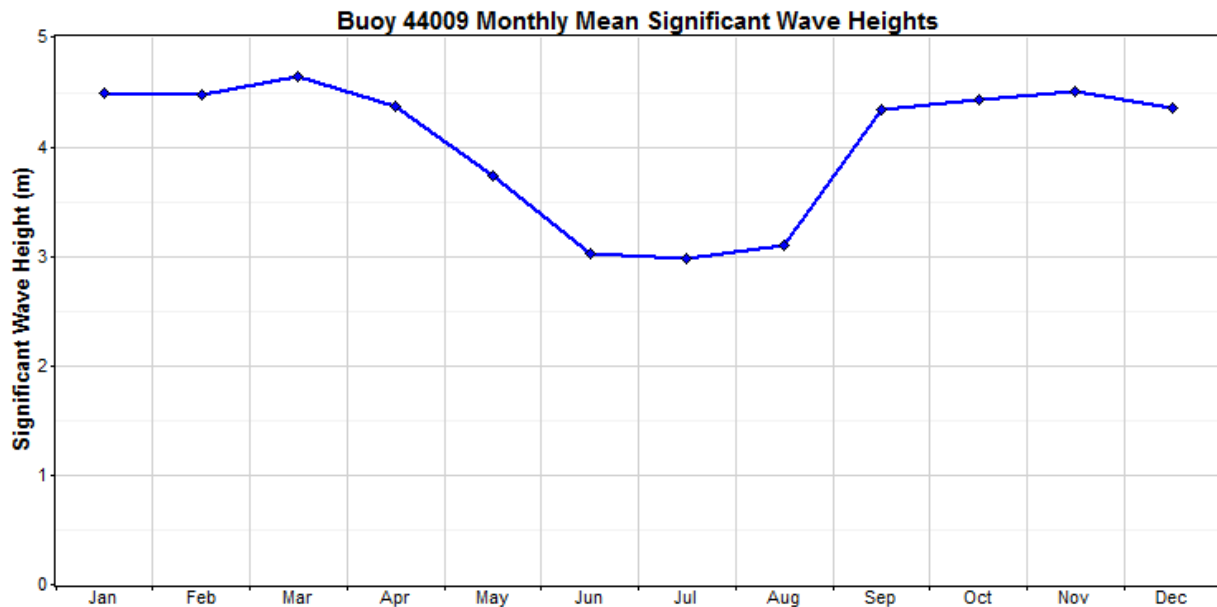


Figure 2-8. Monthly Mean Significant Wave Height, NOAA Buoy 44009 (1997–2021)
 Source: NOAA 2021a

Table 2-7. Monthly Significant Wave Height Statistics, NOAA Buoy 44009 (1997–2021)

	Month	Significant Wave Height							
		Mean [m]	Min [m]	Max [m]	Std. Dev. [m]	Mean [ft]	Min [ft]	Max [ft]	Std. Dev. [ft]
1	Jan	1.37	0.00	8.41	0.76	4.50	0.00	27.58	2.49
2	Feb	1.36	0.00	7.70	0.78	4.47	0.00	25.26	2.57
3	Mar	1.42	0.24	7.80	0.80	4.64	0.79	25.58	2.62
4	Apr	1.33	0.22	5.38	0.66	4.37	0.72	17.65	2.18
5	May	1.14	0.18	6.30	0.60	3.74	0.59	20.66	1.97
6	Jun	0.92	0.19	4.14	0.39	3.02	0.62	13.58	1.28
7	Jul	0.91	0.28	3.82	0.36	2.99	0.92	12.53	1.18
8	Aug	0.95	0.26	6.36	0.47	3.10	0.85	20.86	1.54
9	Sep	1.32	0.27	6.76	0.73	4.34	0.89	22.17	2.41
10	Oct	1.35	0.27	7.38	0.81	4.43	0.89	24.21	2.66
11	Nov	1.38	0.00	8.11	0.78	4.51	0.00	26.60	2.56
12	Dec	1.33	0.00	6.50	0.71	4.36	0.00	21.32	2.32
	Annual	1.23	0.00	8.41	0.70	4.03	0.00	27.58	2.29

Source: NOAA 2021a

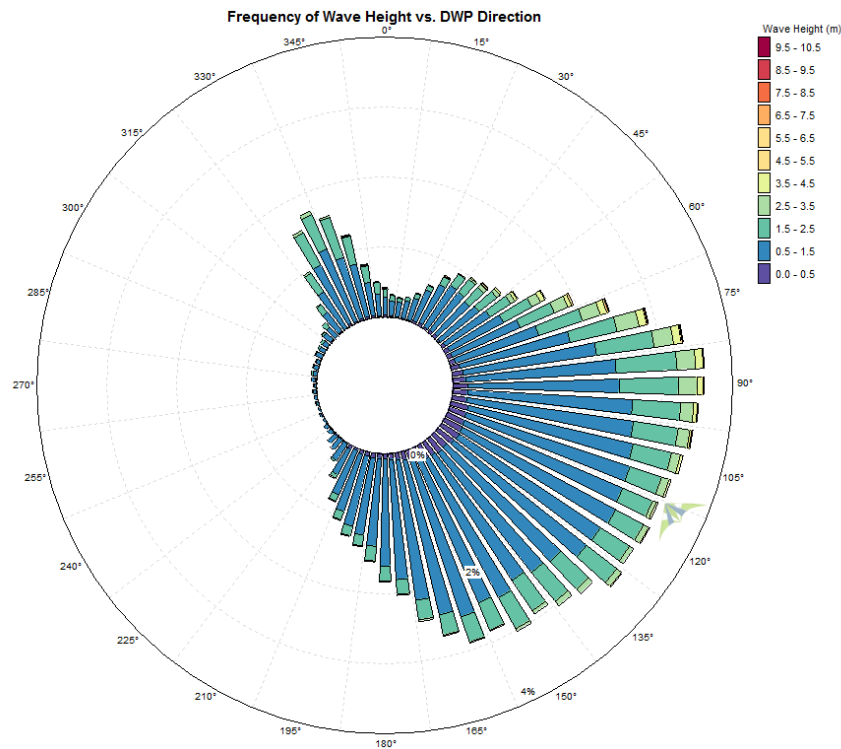


Figure 2-9. Wave Direction Distribution by Frequency and Significant Wave Height, NOAA Buoy 44009 (1997–2021) Source: NOAA 2021a

The NOAA Buoy 44009 wave data, along with third party metocean analyses from A.H. Glenn, have informed most of US Wind’s initial concept designs. More detailed review of the wave conditions onsite as they relate to design of the normal wind and atmosphere conditions reflected in the modeled time series at hub height is presented in Appendix I-L1 and Appendix I-L2.

US Wind’s Metocean Buoy is presently monitoring wave conditions onsite with two instrument packages. US Wind plans to update the characterization of the wave and joint wind-wave site characteristics with those observations, when available. Additionally, long-term, high-fidelity ocean modeling is currently underway to support more detailed preliminary analyses.

2.7 Visibility/Fog

Visibility in the region can occasionally be impaired by fog, precipitation, and haze. During the spring and early summer advection fog can occur via east and southeast winds; which can result when a front holds to the south or the Bermuda High is displaced northward. These instances of fog can be persistent, but often lift somewhat during the day, and more so near the shoreline. Visibilities are most likely to be constrained from December through June. Fog is most likely during April, May, and June when warm air blows over still-cold water and visibilities may drop below 0.5 mile (0.8 km), which is about 3 percent of the time. Visibility of 2 miles (3.2 km) or less is most likely in January and February due to the greater frequency of precipitation, particularly heavy rain and/or snow. Fog is less likely in July, August, and September (NOAA 2021b).

A summary of meteorological conditions and of visibility can be found in Table 2-8 and Table 2-9 (see Appendix E of the Visual Impact Assessment [Appendix II-J1] for the complete Meteorological Conditions Report).

Table 2-8. Summary of Meteorological Conditions (2006-2015)

	Winter	Spring	Summer	Autumn	Annual
Days/Year with 1 or More Daylight Observations					
Clear	80	82	87	78	327
Foggy	5	7	2	4	19
Rainy	36	40	41	38	155
Hazy	6	15	19	6	45
Cloudy	40	52	48	51	191
Days/Year with 50% or More Daylight Observations					
Clear	62	66	74	59	260
Foggy	1	<1	0	<1	1
Rainy	13	8	4	12	37
Hazy	<1	<1	2	<1	4
Cloudy	14	16	11	21	61
Distribution of Hourly Daylight Observations (%)					
Clear	66	66	71	65	67
Foggy	2	1	<1	<1	1
Rainy	17	13	10	14	13
Hazy	1	3	6	1	3
Cloudy	15	17	13	19	16
Distribution of Hourly Nighttime Observations (%)					
Clear	63	60	62	57	60
Foggy	1	2	<1	2	2
Rainy	20	19	18	20	19
Hazy	<1	3	5	1	2
Cloudy	15	16	14	20	17

Table 2-9. Summary of Visibility (2006-2015)

	Winter	Spring	Summer	Autumn	Annual
Days/Year with 1 or More Daylight Observations					
10 nm	78	78	78	74	309
20 nm	67	57	52	58	233
30 nm	45	35	19	31	130
Days/Year with 50% or More Daylight Observations					
10 nm	68	60	55	64	246
20 nm	52	37	26	41	157
30 nm	25	14	4	14	57
Days/Year with 75% or More Daylight Observations					
10 nm	58	44	35	51	187
20 nm	39	21	10	25	95
30 nm	14	6	<1	4	24
Average Daylight Visibility (nm)					
Clear	26	21	17	21	21
Foggy	<1	<1	<1	<1	<1
Rainy	7	6	6	6	6
Hazy	5	4	4	4	4
Cloudy	18	15	14	15	15
Average	21	17	15	17	17
Average Nighttime Visibility (nm)					
Clear	18	13	10	14	14
Foggy	<1	<1	<1	<1	<1
Rainy	6	5	5	5	5
Hazy	5	4	4	4	4
Cloudy	14	11	11	12	12
Average	15	11	9	11	12

2.8 Magnetic Compass Anomalies

The Coast Pilot does not report any Magnetic Compass Anomalies in the vicinity of the Lease area, along the Offshore Export Cable Corridors, or along the Onshore Export Cable Corridors.

2.9 Ice

The Lease area is located in the open ocean of this area of the Atlantic Ocean at a latitude where ice is not a common occurrence. Air temperatures may occasionally stay below freezing long enough that ice may form on the WTG blades, nacelle, tower, work deck, or other components. These events are expected to be rare and short in duration and therefore, related impacts are anticipated to be largely negligible. Where appropriate, US Wind has built in conservative estimates of icing into Project energy projections and O&M planning.

Ice can occur in Indian River Bay during the winter months and may affect the ability to navigate. Floating aids to navigation in Indian River Bay are typically removed during the winter months due to the potential for ice.

2.10 Project Induced Flow Effects

The placement of WTG, OSS, their respective foundations, and other Project components into the offshore environment can influence the flow of air and water around, and in the vicinity of, the structures. Several of these effects merit consideration during Project design, notably scour and wind turbine wakes.

Scour effects and related seabed mobility topics are addressed in Appendix II-A1.

Wake effects are the product of wind turbines extracting energy from the atmosphere, resulting in reduced wind speeds and increased turbulence downstream of individual turbines and the Project as a whole. The magnitude and implications of these wake effects are influenced by numerous atmospheric, ocean, and Project characteristics. These include, but are not limited to: individual turbine performance characteristics, the total number of turbines in a region, inter-turbine and inter-project spacing, atmospheric stability, sea state, and others. The primary effects of wakes within a project and on neighboring projects, are reduced wind speeds and power output, and increased fatigue loading on WTG and foundation components.

US Wind has considered both internal and external wake effects in the design of the Project. For example, the array layout was developed in part based upon optimized energy output from the turbines. Additionally, wake-induced turbulence will be included as an input to the ongoing wind turbine suitability assessment, wind turbine tower design, and foundation design. In all cases, the wake effects will be evaluated with validated wake models embedded in industry-standard energy modeling software packages. Additionally, US Wind's energy production projections will include internal and external wake effects, as well as blockage effects, estimated by qualified 3rd party practitioners.

3.0 Geology and Physical Conditions

This section is a summary of the site geology in the Lease area along the Offshore Export Cable Corridors and Onshore Export Cable Corridor 1. Geophysical and geotechnical survey reports are provided in Appendix II-A. Note that the geophysical survey report of the Lease area and export cable corridors conducted in 2021-2022 will be provided in Appendix II-A2 as per the deferral request included in this submission. The Lease area geotechnical survey exploration reports will also be provided per the departure request updated February 28, 2022.

3.1 Description of Affected Environment

3.1.1 Geological Background

The Lease area lies offshore from the Delmarva Peninsula, which is part of the Atlantic Coastal Plain Province of the eastern United States. The Atlantic coast is a passive margin and therefore a tectonically quiet area with dominant processes related to weathering and erosion. This creates a low relief landscape with thick accumulations of sedimentary deposits. The peninsula overlies a seaward thickening wedge of unconsolidated sediments dating back to Cretaceous time (> 65 million years ago), which are over 2,400 m (7,874 ft) thick near Ocean City, Maryland. Tertiary age (Paleocene-Eocene, 34 – 65 million years ago) marine sediments overlie the Cretaceous deposits (Hobbs, Krantz, and Wikel 2008; Andreasen et al. 2016). A disconformity is present between the Eocene sediments and overlying marine Miocene sands, silts and clays. The top of the Miocene (5 million years old) generally lies between 27 – 43 m (89 – 141 ft) below the Maryland coast.

The Tertiary aged sediments of the Delmarva Peninsula and coastal areas are disconformably overlain by younger Quaternary aged sediments consisting of fluvial sands and gravels, littoral and shallow marine clay, silt, and sand. Fluvial deposits comprise the majority of the Pleistocene age sediments (10,000 - 1.8 million years ago), with upper Pleistocene deposits consisting of barrier, back-barrier and foreshelf origin.

Holocene sediments are typically fine to coarse-grained sands ranging in thickness from less than 1 to 10 m (3.2 to 32.8 ft), are generally deposited in coastal and marsh environments, and are similar to the Pleistocene littoral and shallow marine sediments.

Assateague - Fenwick barrier island is the wave dominated barrier island along the Maryland Coast of the Delmarva Peninsula (CB&I 2014; Oertel and Kraft 1994). Although once connected, a major hurricane in 1933 formed the Ocean City Inlet and separated the two islands. Once the inlet was formed, the inlet was stabilized and is now maintained by the U.S. Army Corps of Engineers (CB&I 2014). Coastal features, such as dune systems, back-bay lagoons and salt marshes, and sedimentary features, such as outwash fans, are typically observed (CB&I 2014).

Indian River Bay, Delaware is located along the eastern shore of the Delmarva Peninsula and is part of the Atlantic Coastal Plain Province (Cross et al. 2013). Indian River Bay is comprised of Holocene age flood tidal delta deposits and lagoon deposits. The flood tidal delta deposits are light-gray to gray, clean to silty, and silty sand and range from well-developed cross-bedding to structureless. Lagoon deposits are generally comprised of medium-grey to dark-grey clayey silt, with rare structures consisting of relic borrows, thin laminae of marsh grass fragments, or very fine sand. The Holocene age sediment deposits are up to 30 feet thick, with the thickest tidal

delta deposits located in the eastern portion of Indian River Bay and the thickest lagoon deposits located near the center of Indian River Bay (Wunsch 2012).

Figure 3-1 depicts the soft sediment types found in the Project area.

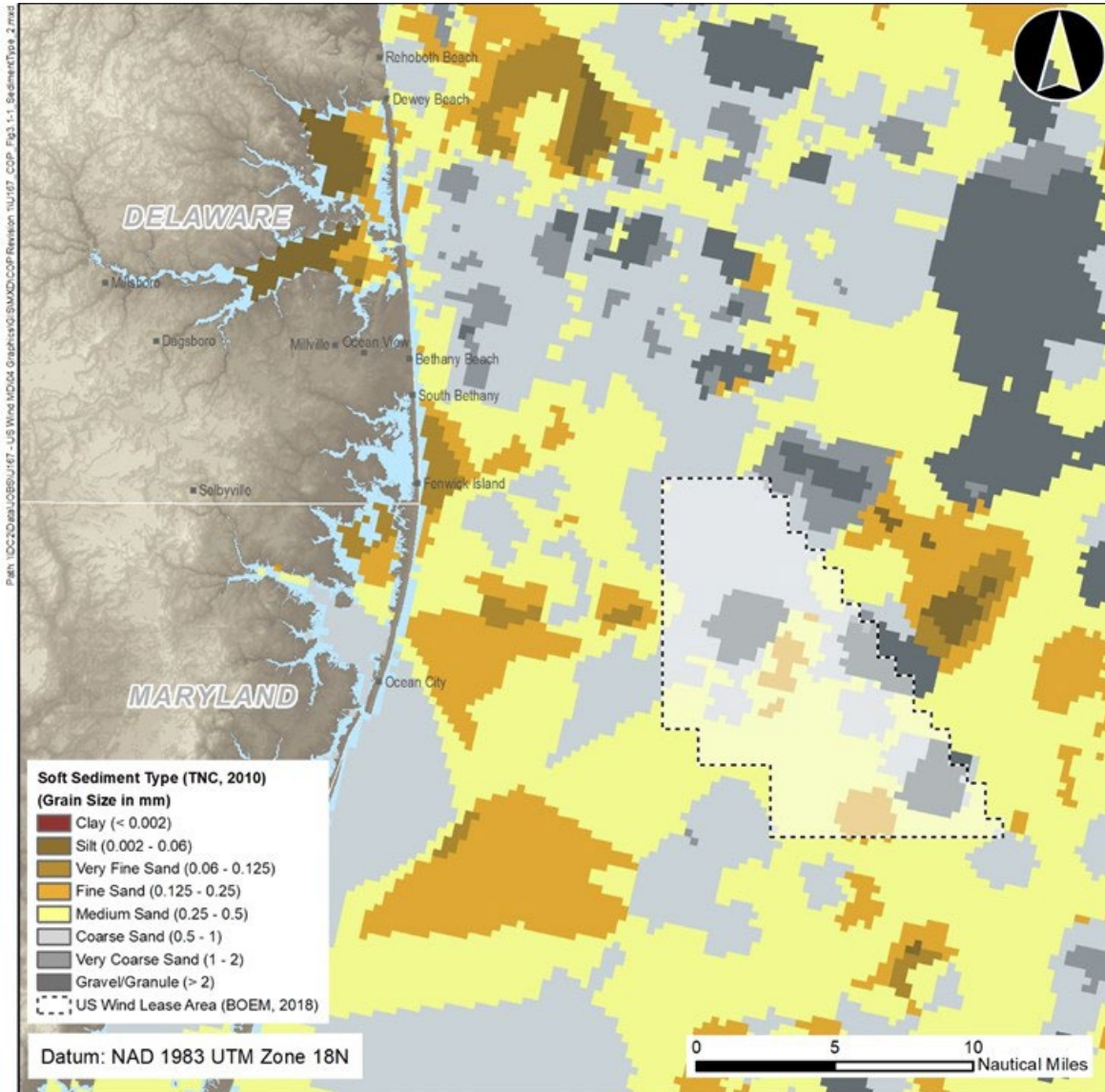


Figure 3-1. Sediment Types

3.1.2 Geotechnical and Geophysical Surveys

Geotechnical and geophysical surveys were conducted in 2013, 2015, 2016, and 2017. The findings of those surveys are summarized below and include surveys of the entire Maryland Wind Energy Area (Maryland WEA) as well as portions of the Lease area and formerly planned offshore export cable route and Onshore Export Cable Corridor 1. Figure 3-2 depicts the Lease area and export cable corridor survey areas. US Wind will provide the results of the 2021

geophysical survey as noted in Volume II, Section 3.0 to ensure that BOEM has adequate information to conduct its environmental analysis prior to issuing its final authorization for construction and operation activity.

2013 CB&I High Resolution Geophysical Resource Survey (CB&I 2014)

In 2013, Coastal Planning & Engineering, Inc. (CB&I) was contracted by the Maryland Energy Administration to conduct a high-resolution geophysical survey of the Outer Continental Shelf (OCS) offshore Maryland in an area designated by the U.S. Department of the Interior as the Maryland WEA. The main objective of the survey was to collect and compile a comprehensive geophysical dataset as well as to identify potential hazards and submerged cultural resources in support of the future development of a large utility-scale wind farm. The surveys consisted of 150 m (492 ft) spaced survey lines together with 900 m (2,953 ft) spaced perpendicular tie lines

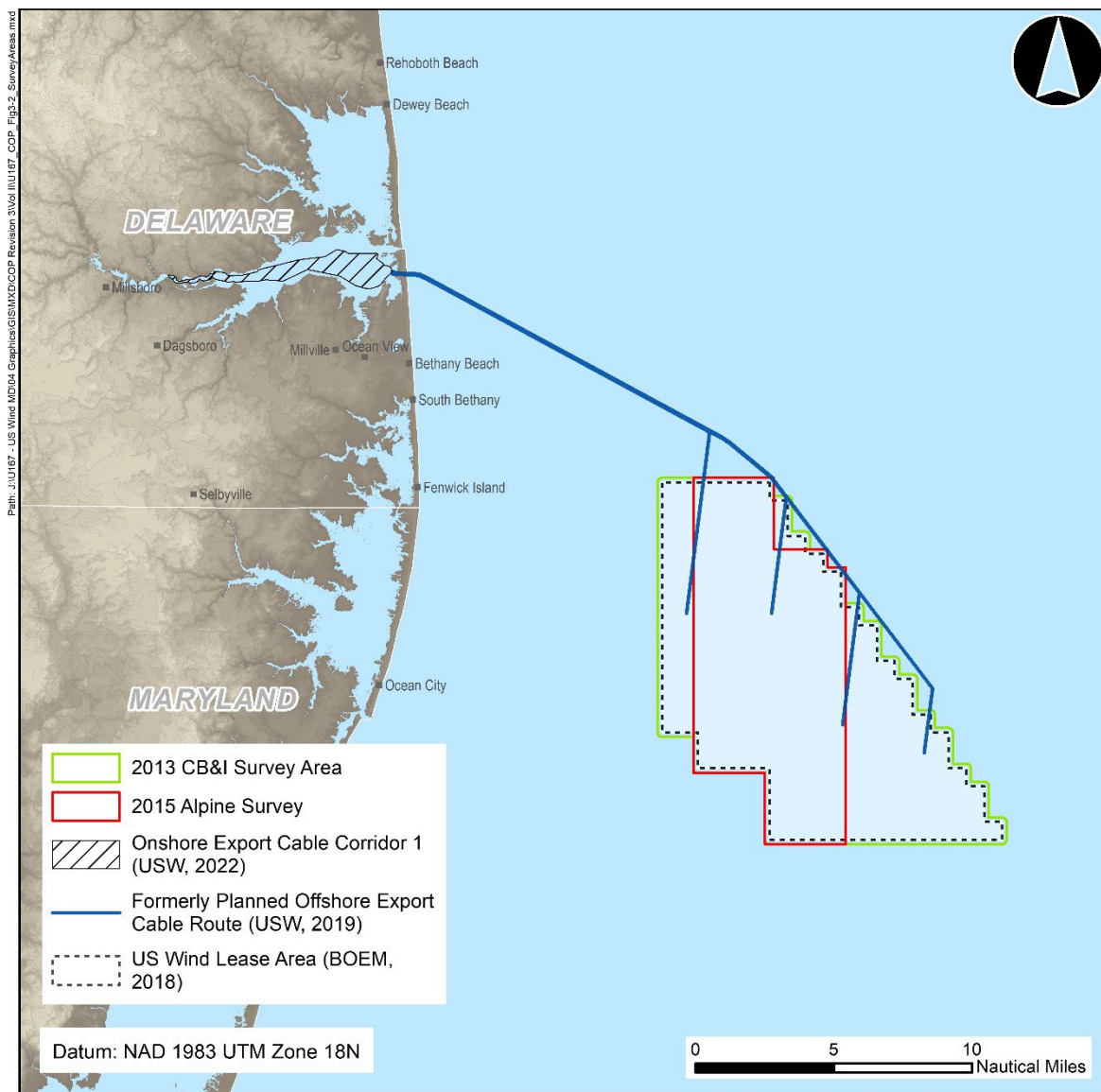


Figure 3-2. Survey Area

covering the entire Maryland WEA and a surrounding 304.8 m (1,000 ft) buffer zone. The survey included multibeam hydrographic data, side scan sonar, magnetometer, shallow-penetration chirp sub-bottom profiler, and medium-penetration multi-channel sparker seismic-reflection geophysical systems.

Multibeam hydrographic data collected during the 2013 CB&I geophysical survey show that seafloor elevations in the survey area range from approximately -10 to -45 m (-33 to -148 ft) mean lower low water (MLLW). Data collected with side scan sonar, a chirp sub-bottom profiler, and multi-channel sparker seismic-reflection were analyzed and the results indicate that the bottom material across the survey area is primarily unconsolidated sand with some gravel overlaying a layer of unconsolidated to consolidated muds with occasional organic materials. Analysis of the side scan sonar data and magnetometer data revealed 104 sonar contacts and 1,142 magnetic anomalies, respectively.

Analysis of the data collected using the multi-channel sparker seismic-reflection geophysical system and the chirp sub-bottom profiler indicate that there are three major seismic facies (Unit 1, Unit 2, and Unit 3) present within the Project Area. Unit 1, which ranges between 0 and 10 m (0 and 33 ft) thick, was interpreted as sandy sediments deposited and/or reworked during the Holocene. Unit 2, which was deposited by a combination of fluvial, tidal, estuarine, and marine processes during the Pleistocene, contains a mixture of muds, sands, and gravels. Unit 3, which was interpreted to be Neogene in age, is presumably comprised of coastal and marine sediments with some fluvial or estuarine sediments mixed in.

The CB&I report is provided in Appendix II-A4.

2015 Alpine Marine Geotechnical and Geophysical Survey (Alpine 2015)

In 2015, US Wind contracted Alpine Ocean Seismic Survey, Inc. (Alpine) to undertake high resolution geophysical, geotechnical, and environmental surveys on the OCS within the Lease area to determine site suitability for WTG design and installation. The 2015 survey covered 251 square km (97 square mi) and took place within the Lease area located 21 km (13 mi) offshore of Ocean City, Maryland. Alpine collected side-scan sonar, shallow penetration sub-bottom, and magnetometer data at a 30 m (98 ft) line spacing to acquire bathymetric and geophysical data to supplement the data collected during the 2013 CB&I survey. Geotechnical data was obtained by advancing a geotechnical borehole at the location where the Met Tower was formerly to be installed and six other pre-determined locations, drilling and cone penetrometer test pushing with the acquisition of samples for physical description and laboratory testing, collecting grab samples, and obtaining underwater video/photography at select locations.

A multibeam echosounder was used to collect bathymetric data in this area only, as bathymetric data for the area outside of the Alpine 2015 survey area was obtained during the 2013 CB&I survey. Two surface sediments were identified in the survey area; medium coarse-grained sand, with trace amounts of gravel and fine-grained sand and medium to coarse-grained sand mixed with gravel. Sub-surface sediments are predominantly sands with occasional interlays of clay and gravel. Geotechnical data were compared to shallow penetration sub-bottom data collected during Alpine's 2015 survey, and with medium penetration sub-bottom data collected during the 2013 CB&I survey. The geophysical and geotechnical data sets correlate well and the three units, Unit 1, Unit 2, and Unit 3, as described above, were identified.

The 2015 Alpine report is provided in Appendix II-A5.

2016 and 2017 Alpine High Resolution Geophysical, Geotechnical, and Environmental Survey (Alpine 2017)

In 2016 and 2017, US Wind contracted Alpine to carry out a marine survey investigation to complete bathymetric, marine high-resolution geophysical, environmental, and geotechnical surveys along the formerly planned offshore export cable route and the majority of Onshore Export Cable Corridor 1. The marine surveys covered an approximate 35 km (22 mi) long route from the substation landfall location near the Indian River Substation located in Dagsboro, Delaware out to the Lease area. Alpine collected bathymetric and geophysical data using a multibeam echosounder, side-scan sonar, a shallow penetration sub-bottom profiler, and a marine magnetometer. Primary line spacing for the offshore portion and the onshore portion of the corridor was 30 m (98 ft) and 15.24 m (50 ft), respectively. An environmental and geotechnical survey was conducted to gather underwater photography and video, benthic grab samples and vibracores. These combined data sets provided the seafloor, bay bottom and sub-surface characterization needed to determine site suitability for the installation of a submarine cable.

Formerly Planned Offshore Export Cable Route

Bathymetry data collected along the formerly planned offshore export cable route indicate that the seafloor dips an average of approximately 1 degree in the offshore direction and seafloor elevations ranged between -2.8 and -31.1 m (-9.1 and -10.2 ft) MLLW. Seabed sediments characterized along this portion of the cable corridor range from silt-clay, sand, gravel, cobbles, and possible small boulders. Side scan sonar data were analyzed and 271 sonar contacts identified, 44 of which are likely of synthetic origin (debris, tires, fishing gear, etc.). The remaining 227 sonar contacts were classified as possible geology. In addition, magnetometer data were analyzed and 178 magnetic anomalies were identified, four (4) of which have corresponding side scan sonar targets.

A total of 14 grab samples and 34 vibracore samples were collected and analyzed along the offshore section of the corridor. The sediments recovered in the grab samples were predominantly fine to coarse-grained sand with some gravel and with occasional cobble. Fine-grained silt-clay was also observed. The vibracore samples recovered silt, clay, peat, organics, sand, and gravel. The core data collected correlates well with the sub-bottom data.

Onshore Export Cable Corridor 1

Bathymetry data collected along the majority of Onshore Export Cable Corridor 1 indicate that the bay bottom is relatively flat and elevation ranged between 0.7 and -9.3 m (2.3 and -30.5 ft) MLLW. Along this portion of the cable corridor, 356 contacts were identified. The majority of the contacts were interpreted as debris or fishing gear and some of the contacts were interpreted as having possible geological origins. In addition, magnetometer data were analyzed and 1,756 magnetic anomalies identified, 59 of which have corresponding side scan sonar targets.

A total of 14 grab samples and 18 vibracore samples were collected and analyzed along Onshore Export Cable Corridor 1. The sediments recovered in the grab samples were predominantly silty-sandy with some medium to coarse sand. The vibracore samples recovered silt, clay, peat, organics, and sand. The core data collected correlates well with the sub-bottom data.

The 2017 Alpine report is provided in Appendix II-A6. The Field Evaluation Report is provided in Appendix II-A7.

2020 McNeilan & Associates Initial, Integrated Geophysical and Geotechnical (G&G) Site Characterization Report (McNeilan & Associates 2020)

In 2020, US Wind contracted McNeilan & Associates to prepare an initial Integrated Site Characterization Report for the Project. The study was based on the geophysical and geotechnical reports described above. These reports, while limited, provide adequate information to:

- Detail the requirements for future G&G surveys and explorations.
- Define the general geologic, seafloor and subsurface conditions that underlie the site.
- Anticipate subsurface layering and its variability.
- Define the types of geohazards that will be most relevant to project development.
- Initiate the ground model development efforts that will be advanced during the different phases of project development.
- Conduct initial foundation design and installation evaluations.

This report will be updated when the 2021 survey data is available.

The McNeilan & Associates report is provided in Appendix II-A1. An updated Integrated Marine Site Characterization Report will be provided in Appendix II-A1 as per the deferral request included in this submission.

2021 EPI Combined MEC/UXO Detailed Threat and Risk Assessment and Risk Mitigation Strategy for the OCS-A 0490 Offshore Lease (EPI Group 2021)

In 2021, US Wind contracted EPI to conduct a desk-based threat and risk assessment and management strategy for munitions of explosive concern (MEC) and unexploded ordnance (UXO) for the Lease area and Offshore Export Cable Corridors. The report indicates that the most likely potential for MEC/UXO is within the nearshore Offshore Export Cable Corridors and from vessels sunk by mine action within the Lease area. There is the potential for MEC/UXO across the Lease area, but this was assessed to not be a significant threat.

The probability of encountering MEC for this project is considered to be moderate to low. MEC is reasonably expected to be identified during HRG survey activities that include side-scan sonar and a magnetometer array. Smaller items of MEC that may be missed during such surveys are considered of lower risk and the risk may be considered to be As Low As Reasonably Practicable (ALARP). Recommended mitigation measures for reducing the risk of MEC are provided in Volume II, Section 3.3.

The EPI report is provided in Appendix II-A3.

2021 Lease Area and Offshore Export Cable Corridors Survey

The geophysical survey report for the 2021 Lease area and Offshore Export Cable Corridors geophysical survey is pending and will be provided in Appendix II-A2 per the deferral request included in this submission.

3.1.3 Geological Features and Hazards

Lease Area

The geophysical and geotechnical data collected during the CB&I and Alpine surveys were reviewed for the presence of natural or man-made hazards which could impact development of the site. The following (Tables 3.1-1 and 3.1-2) are a summary of the potential hazards from the CB&I and Alpine surveys in the Lease area and the Alpine survey of the formerly planned offshore export cable route and Onshore Export Cable Corridor 1. A number of sonar targets and magnetic anomalies were identified in the survey. Additional information on these geologic features and hazard areas are provided in the referenced reports.

Table 3-1. Lease Area Geological Features and Hazards Summary

	CB&I (2014)	Alpine (2015)
Shallow Hazards		
Shallow Faults		Not Present
Gas Seeps or Shallow Gas		Not Present
Mobile Sediments	Active zones of sediment transport in the southwest corner of the Survey Area	Present throughout the survey area in the form of sand ripples.
Potentially Unstable Slopes	Steep Slopes approaching 10° exist throughout the western and southern section of the Survey Area	Small slopes of 2-5 percent grade are located in the western and southern region of the Survey Area Larger scale sand ridges are present in the western and southeastern part of Survey Area
Surface Live Bottoms (Rock exposed at the surface)		Not Present
Buried Channels	Evidence of widespread paleochannels throughout the Survey Area Two highly organized buried channel complexes One large poorly organized buried tidal complex One smaller poorly organized buried channel and tidal complex	Buried paleochannels can be seen throughout the Survey Area
Scour Features	Active scouring in the southwest corner of the Survey Area	Potential scour area identified in the southwest area of survey, adjacent to sand ridges

	CB&I (2014)	Alpine (2015)
Ice Scour of Seabed Sediments	Not Applicable	Not Applicable
Soft Sediments	Map Series 7: Hazard Anomaly Map (Appendix G)	
Seismic Activity		Not Present
Volcanic Activity		Not Present
Man-made Hazards		
Cables / Pipelines		Not Present
Debris	Magnetic Anomalies - 1,142 Sidescan Sonar Targets - 91	Magnetic Anomalies - 2,717 Sidescan Sonar Targets - 1,468
Shipwrecks	Eight documented wrecks and obstructions on NOAA Chart 12200 Cape May to Cape Hatteras lie within the Survey Area	Four known shipwrecks and 2 potential wrecks were discovered within the Survey Area
Ordinance		Possible throughout survey area due to active present and past military use in W-386 area

Table 3-2. Formerly Planned Offshore Export Cable Route and Onshore Export Cable Corridor 1 Geological Features and Hazards – Alpine 2017

Shallow Hazards	
Mobile Sediments	Sand ripples observed along the tidal scour areas just west of the Indian River Inlet
Potentially Unstable Slopes	The seafloor generally dips in the offshore direction with an average slope of approximately 1.0° Prominent sand ridges occur along the offshore section of the corridor
Gas Hydrates	Biogenic gas layers were mapped along the onshore portion of the corridor
Buried Channels	Paleochannels were observed within the Survey Area
Scour Features	The bay bottom is relatively flat within Indian River Bay but exhibits areas of tidal scour near the cut banks along the Indian River as well as in areas west of Indian River Inlet
Man-made Hazards	
Cables / Pipelines	The large quantity of magnetic anomalies made it difficult to distinguish any linear patterns from possible cables or pipelines in most of the survey
Debris	Magnetic Anomalies - 178 Sidescan Sonar Targets - 271

Formerly Planned Offshore Export Cable Route

The seabed along the offshore portion of the formerly planned offshore cable route alternates between a relatively smooth surface and a more irregular appearance with some sand ridges. Some areas of gravel and boulders were observed as well as evidence of paleochannels.

Onshore Export Cable Corridor 1

The bay bottom along Offshore Export Cable Corridor 1 is relatively flat within Indian River Bay but exhibits areas of tidal scour near the cut banks along the Indian River as well as in areas west of Indian River Inlet. The bay bottom is moderately smooth along the survey corridor with some sand ripples and ridges observed. Intermittent areas of biogenic gas from the breakdown of organic matter in the sub-surface were noted.

3.2 Impacts

3.2.1 Construction

Lease Area

Throughout the construction and installation portion of the Project, sediment will be disturbed and displaced in the Lease area. Pile driving for the WTG and OSS foundations, the installation of scour protection, vessel anchoring, cable installation, and the installation of cable protection will impact the surficial geology within the Lease area. Pile driving will temporarily displace sediment; causing it to become suspended locally in the water column. Scour protection, which may include loose or bagged rocks or stones (Fugro 2011), will be placed atop the sediment around the bases of the WTG and OSS. This process may suspend finer grain sediment; however, any suspended sediment will settle out of the water column and then redeposit nearby on similar sediment type. Installation of the inter-array cables using the jet plow technique will cause a temporary disturbance to sediment, which will be suspended into the water column and then redeposited within, or within the vicinity of, the submarine cable routes. It is anticipated that the cable will be entirely subsurface, but up to 10% may require cable protection in the form of concrete mattresses or similar which would be installed as needed.

Offshore Export Cable Corridors

The offshore export cables will begin at an OSS in the Lease area and extend through the Offshore Export Cable Corridors to the proposed landfall located at the 3 R's Beach in Delaware (or Tower Road in Delaware as an alternative), where they will cross under the barrier beach and then continue as "onshore export cables" beneath Indian River Bay (or by upland route as an alternative) until landfall near the existing Indian River Substation and Indian River Power Plant.

The offshore export cables will be installed beneath the seafloor using low-impact jet plow technology until they reach the offshore landfall. US Wind will use submarine cables that have electrical shielding and bury the cables in the seafloor, when practicable (Sharples 2011). The installation of the offshore export cables and associated cable protection may impact the surficial geology along the Offshore Export Cable Corridors. The installation will cause a temporary disturbance and sediment will be suspended into the water column and then redeposited within, or within the vicinity of, the Offshore Export Cable Corridors. Dredging, if required, will temporarily displace sediment; however, sediment will be replaced and seabed conditions will be restored to its original condition after the installation of the submarine cables. It is anticipated that the offshore export cables will be entirely subsurface, but up to 10% may require cable protection in the form of concrete mattresses or the equivalent which would be installed where burial depth is not achieved. While placing the concrete mattress over the existing sediment does not modify the sediment, it will increase the seafloor relief in that area.

Horizontal Directional Drilling (HDD) will be used to install the offshore export cable beneath the barrier beach into the transition vault. This process entails installing a temporary cofferdam and drilling a borehole through sediment layers, which avoids disturbing nearshore subtidal, intertidal, and beach or backshore zones and will not degrade the integrity of the stratigraphic units at the shoreline.

Onshore Export Cable Corridor 1

Onshore export cables would then continue along Onshore Export Cable Corridor 1 beneath Indian River Bay and extend to the substation landfall, which is located at the existing Indian River Power Plant. Low-impact jet plow technology will be used as the preferred method to install the cable in Indian River Bay although other technologies such as pulled plough, tracked tool (jetting plough or mechanical cutter/scooper) or specialized wetland tracked plough may be used in certain areas as needed. HDD and temporary cofferdams will be used to transition to and from Indian River Bay to land which is expected to minimize impacts to sediment. Turbidity monitoring will be conducted during construction as required by permitting authorities.

The installation of the onshore export cables and associated cable protection may impact the surficial geology along Onshore Export Cable Corridor 1. The installation will cause a temporary disturbance and sediment will be suspended into the water column and then redeposited within, or within the vicinity of Onshore Export Cable Corridor 1. Dredging, if required, will temporarily displace sediment; however, sediment will be replaced and bay bottom conditions will be restored to its original condition after the installation of the submarine cables. It is anticipated that the cable will be entirely subsurface, but up to 10% may require cable protection in the form of concrete mattresses or the equivalent which would be installed if needed. While placing the concrete mattress over the existing sediment does not modify the sediment, it will increase the bay bottom relief in that area.

3.3 Operations

Scour protection around the WTG and OSS foundations will be monitored and maintained as necessary. This process may suspend finer grain sediment; however, any suspended sediment will settle out of the water column and then redeposit nearby on similar sediment type.

The submarine cables will be installed beneath the seabed; therefore, the operation of the submarine cables will not impact the surficial geology. Maintenance of the submarine cables and cable protection would include periodic inspections of the offshore and onshore export cables as well as inter-array cables. Buried submarine cables may be damaged by contact with vessel anchors or fishing trawls dragging over or being dropped upon the cable line (Sharples 2011). Cables can also become exposed due to scour, placing the cable at greater risk of damage (Sharples 2011). In the event of damage occurring to a cable, processes similar to those used during construction and installation would be utilized to expose, repair, and rebury the cable. This activity may cause local sediment displacement and temporarily suspend sediment in the water column. Suspended sediment will settle out of the water column and be redeposited within, or within the vicinity of, the submarine cable corridor.

3.3.1 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system to 4.6 m (15 ft) below the mudline. During decommissioning activities, sediment will be temporarily suspended into the water column and then redeposited nearby. During cable removal, some change to the seafloor morphology or relief may occur. In addition, removal of scour protection and cable protection may result in a surficial change from hard bottom materials, rock or stone to a finer grain sediment. Overall, the decommissioning would result in a short term, localized impact.

3.4 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on geological resources.

Geological

- Select suitable geological locations for the installation of the WTG, OSS and Met Tower foundations and design foundations appropriate to geological conditions.
- To the greatest extent practicable, select areas with suitable seabed conditions for cable installation during cable route planning.
- Use submarine cables that have electrical shielding and bury the cables in the seafloor, when practicable.
- Minimize sediment disturbance by utilizing the best available technologies to achieve deep burial of submarine cable into a stable sediment layer (i.e. jet plow technology, HDD, cofferdams, etc.).
- Minimize the amount of scour protection required.

MEC/UXO

- Prior to construction, analyze survey data at installation locations to identify potential MEC/UXO and plan avoidance or clearance in line with industry best practices.
- Prepare an MEC/UXO Emergency Risk Management Plan prior to construction.
- Prior to construction activities, provide an MEC/UXO awareness briefing to vessel crews.

4.0 Water Quality

4.1 Description of Affected Environment

The Project area includes both open marine waters and inland waters. Marine waters include the Atlantic Ocean within the Lease area and along the Offshore Export Cable Corridors between the Lease area and the Delaware shoreline. Marine waters also include coastal waters that could be affected by Project activities (e.g., traversed by vessels during Project installation, operation, decommissioning, and/or non-routine events). Inland waters include waters of the Indian River and Indian River Bay along Onshore Export Cable Corridor 1 from the Delaware coast to the proposed landfall at the Indian River Substation. Indian River Bay is part of the coastal watershed locally known as the Inland Bays, which also includes Rehoboth Bay and Little Assawoman Bay. Rehoboth Bay and Little Assawoman Bay are located outside of the Project area.

Water quality is controlled primarily by the anthropogenic inputs of land runoff, land point source discharges, and atmospheric deposition from discharges to the air. With increasing distance from shore, oceanic circulation patterns play an increasingly larger role in dispersing and diluting anthropogenic contaminants and determining water quality.

The condition of mid-Atlantic estuaries and coastal waters is fair to good in most locations, as measured by the National Coastal Condition Assessment water quality index (USEPA 2016). Among the water quality analytes examined, phosphorus and chlorophyll (algal productivity) were more likely to be rated as fair, while nitrogen, dissolved oxygen, and water clarity were

predominantly rated as good. Coastal waters in the mid-Atlantic region have improved with regard to overall water quality since 2001 (USEPA 2016). The most consistent gains were observed in dissolved oxygen and water clarity.

4.1.1 Lease Area and Offshore Export Cable Corridors

Offshore water quality in the mid-Atlantic region is generally good and recent assessments have found no major indications of poor sediment or water quality. The region generally exhibits low nutrient concentrations and good dissolved oxygen and water clarity measurements (USEPA 2016). The 2006 mid-Atlantic Bight assessment found there were no major indications of poor sediment or water quality and that the dissolved oxygen, sediment contaminants, and sediment total organic carbon (TOC) component indicators were rated good throughout the survey area (USEPA 2012). Additionally, the National Oceanic and Atmospheric Administration (NOAA) rated sediment contaminants and sediment TOC component indicators as good (Balthis et al. 2009).

Within state waters along the Offshore Export Cable Corridors, the Delaware Surface Water Quality Standards (7 DE Admin Code 7401) classify waters of the Atlantic Ocean as suitable for industrial water supply, primary contact recreation, secondary contact recreation, and fish, aquatic life, and wildlife habitat. Along Delaware’s Atlantic coast, stormwater is the main source of pollutants, although water quality exceedances at beaches are rare (USEPA 2016).

Salinity, Temperature and Dissolved Oxygen

Deeper offshore waters of the Offshore Export Cable Corridors and Lease area appear to demonstrate little variation in salinity and temperature from location to location. However, vertical variation in these parameters does occur on a seasonal basis when the water column stratifies. This is supported by conductivity, temperature, and depth (CTD) cast data from numerous survey and research cruises within the Lease area presented on the World Ocean Database (World Ocean Database 2021). Specifically, stratification typically reaches a maximum in the summer when surface waters are warmer and somewhat less saline than bottom waters (Table 4-1). This is followed by a turnover between September and October that results in a well-mixed and more uniform vertical salinity and temperature profile that lasts into the following spring.

Table 4-1. Five years (2014 – 2018) of CTD data from the Lease Area and Adjacent Waters Summarized by Season

Season	Depth (m)	Temperature (°C)			Salinity (PSU)		
		Min	Max	Mean	Min	Max	Mean
Spring	1	1.92	17.80	9.03	29.51	36.11	32.39
	20	4.14	12.86	8.33	31.31	35.63	33.25
	30	4.44	11.93	8.25	31.98	35.53	33.69
Summer	1	22.49	27.27	25.10	30.24	32.00	31.60
	20	10.00	18.62	14.04	32.09	33.16	32.46
	30	8.09	10.47	9.52	32.59	33.19	32.78

Season	Depth (m)	Temperature (°C)			Salinity (PSU)		
		Min	Max	Mean	Min	Max	Mean
Fall	1	13.19	27.84	21.71	29.65	33.58	31.99
	20	10.97	26.11	18.02	31.01	35.46	33.02
	30	9.91	21.18	16.15	32.19	35.10	33.39

Source: World Ocean Database 2021

Additional CTD data were collected during benthic surveys conducted within the Maryland WEA in July 2013. The results from these surveys confirmed the presence of a strongly stratified water column. Coincident with this stratification was a reduction in dissolved oxygen from supersaturated conditions near the surface to less well-oxygenated (near 80% saturation) waters at the bottom. Water quality varied little horizontally, although a north-to-south gradient in the depths of the stratified layers was apparent (Guida et al. 2017).

The shallow coastal marine waters near the Offshore Export Cable Corridors are generally well-mixed, as indicated by salinity, temperature, and dissolved oxygen profiles. Scott and Wong (2012) collected water quality measurements in Delaware's Atlantic coastal waters as part of a study to characterize potential sand borrow areas. Over the course of this study, little to no stratification was observed at these locations, indicating a well-mixed water column. Salinity ranged from approximately 27 practical salinity units (psu) to almost 31 psu, while dissolved oxygen ranged from approximately 10 milligrams per liter (mg/L) to 12 mg/L (USEPA 2016).

Turbidity/Suspended Solids

The Lease area and adjacent coastal waters along the Offshore Export Cable Corridors are characterized by sand ridges and troughs that are oriented along a generally southwest to northeast axis (CB&I 2014; Conkwright, Van Ryswick, and Sylvia 2015). The sand ridges have a complex morphology that is superimposed with smaller scale bedforms (sand waves). This is suggestive of active sediment transport with frequent sediment mobilization, resuspension, and deposition occurring due to tides, currents, and storm activity. Along the Offshore Export Cable Corridors, wave action may also affect sediment transport in water depths shallower than approximately 20 m (66 ft). During these periods of naturally induced sediment transport, short-term increases in turbidity affecting water quality may occur.

Detailed studies of suspended sediment concentrations in the marine waters of the mid-Atlantic indicate turbidity can vary by an order of magnitude at a single location over time, from less than one mg/L to several hundred mg/L in federal waters. Higher values are typically associated with storm events (Louis Berger Group Inc. 1999).

An offshore sediment transport modelling study will be provided as Appendix II-B2 per the deferral request included in this submission. This study will address turbidity and total suspended solids from the construction phase throughout the offshore Project area.

Sediment

Because the state of Delaware has issued guidelines for classifying potential ecological impacts of sediment contamination, a field investigation was conducted within Delaware state waters along the formerly planned offshore export cable route in September 2016 for the purpose of

collecting and analyzing environmental sediment core samples, as illustrated in Figure 4-1. Six environmental vibracores were collected and sampled for bulk physical and chemical properties. Samples were predominantly medium-fine-grained sand and silt, contained little organic matter (0.3-3.8%), and had bulk densities of 1.3 – 2.0 grams per cubic centimeter (gm/cm³) (81.4-127.8 pounds per cubic feet (lbs/ft³))

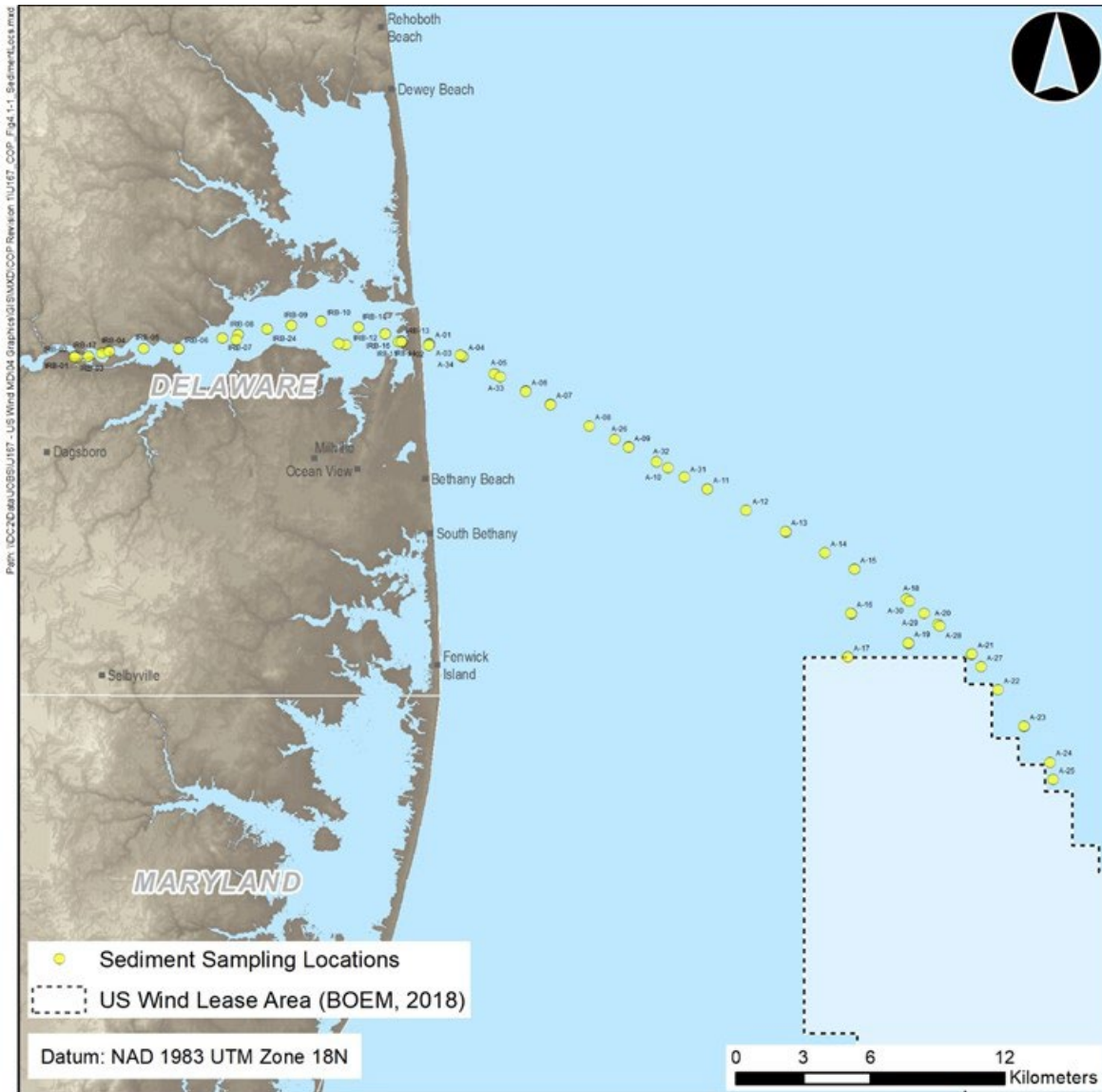


Figure 4-1. 2016 Sediment Sampling Locations

Of the six cores collected along the formerly planned offshore export cable route, only one sample from one core exceeded a Delaware Ecological Marine Sediment Screening Level (DNREC 2018b). Sample VC-A-04-S1, collected at the sediment surface approximately 1 nautical mile offshore, exceeded the screening levels for arsenic and nickel, as well as the NOAA effects range-low (ERL) level for nickel. Arsenic is ubiquitous in the environment at low concentrations (1-40 milligrams per kilogram (mg/kg)), and is transported through natural phenomena such as erosion as well as through human activity, including the use of pesticides

and as waste from metal refining processes (Tchounwou et al. 2014). Nickel is also a commonly encountered heavy metal that is widely used in the manufacturing of stainless steel and batteries.

Complete results of the sediment sample analysis are provided in Appendix II-A7.

US Wind is examining Offshore Export Cable Corridors 1 and 2. Approximately 50 vibracore locations were sampled during the summer of 2021. The resulting data will be provided in the geophysical survey report of the Lease area and export cable corridors conducted in 2021 as Appendix II-A2 as per the deferral request included in this submission.

4.1.2 Onshore Export Cable Corridor 1

Onshore Export Cable Corridor 1 traverses Indian River Bay and estuarine portions of the Indian River. The Delaware Surface Water Quality Standards (7 DE Admin Code 7401) classify both of these waterbodies as suitable for industrial water supply; primary contact recreation; secondary contact recreation; and fish, aquatic life, and wildlife habitat. Parts of Indian River Bay are also classified as Harvestable Shellfish Waters. Additionally, both Indian River Bay and Indian River have been designated as waters of Exceptional Recreational or Ecological Significance.

Despite these water quality classifications, Delaware's 2020 *Combined Watershed Assessment Report* (DNREC 2020) lists both Indian River and Indian River Bay as impaired. Water quality impairments include bacteria, nutrients, temperature, and total suspended solids.

Salinity, Temperature and Dissolved Oxygen

According to data available from the Delaware Water Quality Portal monitoring station buoy, salinity in Indian River Bay ranges from approximately 14 to 33 psu and is typically greatest from July to October (DNREC 2020). Indian River Bay exhibits a strong salinity gradient defined by three salinity segments: oligohaline, mesohaline, and polyhaline/euhaline. Onshore Export Cable Corridor 1 primarily traverses the polyhaline portion of Indian River Bay, where salinity exceeds 18 psu and approaches marine conditions. The polyhaline zone includes the onshore landfall and most of Onshore Export Cable Corridor 1 to the west. Salinity gradually declines toward the substation landfall, which is located in the mesohaline zone of the Indian River. In this zone, salinity regularly falls below 18 psu, but generally remains above 5 psu (DEMAC et al. 2017).

In Indian River Bay, water temperature ranges from approximately 4 degrees Celsius (°C) (40°F) in the winter to the mid-20s°C (mid-70s°F) in the summer, with occasionally colder or warmer conditions. Shallow tidal creeks along the periphery of Indian River Bay may experience colder temperatures in the winter and warmer temperatures in the summer (DEMAC et al. 2017).

Dissolved oxygen levels in Indian River Bay range from 7.0 - 9.8 mg/L in the spring and from to 5.6 - 7.9 mg/L in the summer, which is typically when dissolved oxygen drops to its lowest levels (DEMAC et al. 2017). Adequate dissolved oxygen levels are critical to the survival of fish and other marine organisms. Hypoxic (low oxygen) events are rare but may have a significant impact on finfish and commercially harvested shellfish when they occur. In Indian River Bay, dissolved oxygen levels are typically adequate to support aquatic life year-round (DCIB 2016).

Turbidity/Suspended Solids

For tidal portions of Indian River Bay, the state water quality criterion for total suspended solids (TSS) is a seasonal average of 20 mg/L from March 1 to October 31. TSS data collected from Indian River Bay since 2000 indicate a range in TSS from approximately 6 mg/L to more than 150 mg/L over the course of the year (DEMAC et al. 2017). Water clarity is too low to support the growth of submerged aquatic vegetation in Indian River and most of Indian River Bay, although it generally improves from west to east (DCIB 2016).

A sediment dispersion analysis in Indian River Bay has been prepared and is provided as Appendix II-B1. The analysis identified three potentially sensitive receptors:

- Tidal wetlands along the shoreline of Indian River Bay (sensitive to suspended sediment and deposition).
- Shellfish harvesting areas (sensitive to suspended sediment and deposition).
- The cooling water intake at the Indian River Power Plant (sensitive to suspended sediment). The Indian River Power Plant may soon be retired.

Sediment transport modelling for the Indian River Bay will be conducted as additional survey data is available and will be provided in Appendix II-B3 per the deferral request included in this submission. Analysis of potentially sensitive receptors will be included in the sediment transport modeling.

Sediment

A field investigation was conducted along the Onshore Export Cable Corridor 1 in October 2017 for the purpose of collecting and analyzing environmental sediment core samples, as illustrated in Figure 4-1. Seventeen environmental vibracores were collected from Indian River Bay. Samples were predominantly medium-fine-grained sand and silt, contained little organic matter (0.6-57%), and had bulk densities of 1.0 – 1.7 gm/cm³ (60.5-107.4 lbs/ft³). Of the samples analyzed from these cores, fifteen exhibited concentrations of select target analytes that exceeded one or more of the Delaware Ecological Marine Sediment Screening Levels (DNREC 2018b).

Two samples (VC-IRB-05-S2 and VC-IRB-08-ALT-S2) exceeded the screening levels and threshold effect levels (TELs) for one or both of the polycyclic aromatic hydrocarbons (PAHs) acenaphthene and naphthalene (Buchanan 2008). However, since the detected PAH concentrations were not significantly elevated (detected concentrations less than twice the screening levels) relative to the screening levels and these two samples exhibited the highest TOC results at 31% and 25%, it is anticipated that these contaminants are bound to the organic materials and would not become more available to aquatic organisms as a result of the proposed Project. Furthermore, the detected PAH concentrations did not exceed screening values that are more indicative of adverse biological impacts, such as probable effect levels (PELs) (Buchanan 2008).

Thirteen samples exceeded the screening levels for metals (arsenic and/or nickel), although concentrations were at or below 12 mg/kg for arsenic and 23.8 mg/kg for nickel. Exceedances of the Delaware Department of Natural Resources and Environmental Control (DNREC) screening levels were detected in eleven of the samples for arsenic and thirteen of the samples for nickel. However, the following observations were also made regarding the presence of arsenic and nickel in sediments of Indian River Bay:

- These heavy metals are widespread within the shallow sediments in Indian River Bay. Arsenic and nickel are also the only two heavy metals that exceeded ERL levels in sediment samples that were previously collected during an assessment of the mid-Atlantic Bight in 2006 (Balthis et al. 2009).
- The mean concentration from all of the sediment cores for both of these heavy metals (5.92 mg/kg - arsenic; 12.70 mg/kg – nickel) is below the applicable DNREC screening levels and TELs.
- Detected heavy metal concentrations did not exceed screening values that are more indicative of adverse ecological impacts, such as PELs, (Buchanan 2008).

Complete results of the sediment sample analysis are provided in Appendix II-A7.

Nutrients

Both nitrogen and phosphorus pollution are considered to be problematic in the Inland Bays watershed. DNREC conducted a TMDL analysis for nitrogen and phosphorus in Indian River and Indian River Bay in 1998 (DNREC 1998) and introduced a pollution control strategy (DCIB 2016). The majority of the pollutant reductions proposed in the plan targeted agriculture, because it is the dominant land use in the Inland Bays watershed (DCIB 2016). However, conversion of agricultural lands into developed areas has been occurring at a rapid pace since the plan was developed (DCIB 2016), making stormwater runoff an increasingly important driver of nutrient concentrations in the watershed.

A number of point sources have historically discharged nutrient pollution into Delaware’s Inland Bays, but all of the significant sources of nutrient pollution have since been eliminated. The Town of Millsboro removed its wastewater discharge from the Indian River in 2015 (DCIB 2016), and the City of Rehoboth Beach rerouted its wastewater discharge from an outfall on Rehoboth Bay to an ocean outfall in 2018 (Peikes 2018). Of the thirteen nutrient pollution sources originally identified, only one small point source in Millsboro continues to discharge to the Indian River as of 2018 (DCIB 2018).

Water quality in the Indian River and Indian River Bay has been degraded by these sources of nutrient pollution. The water quality standard for dissolved inorganic phosphorus in both waterbodies is 0.010 mg/L (DNREC 1998). Average concentrations of dissolved inorganic phosphorus between 2011 and 2015 exceeded the standard at three of the four monitoring stations on the River and at three of the four monitoring stations in Indian River Bay (DCIB 2016). The four monitoring stations on the Indian River had average nitrogen concentrations more than double the standard of 0.14 mg/L, but three of the four stations in Indian River Bay met the standard (DCIB 2016). Algae concentrations in Indian River Bay have improved since 2010, but excess nutrients continue to fuel algal growth on the Indian River. From 2011 to 2015, concentrations of chlorophyll *a* at all four monitoring stations on the Indian River exceeded the 15 mg/L standard, but stations in Indian River Bay met the standard (DCIB 2016).

4.2 Impacts

4.2.1 Construction

Suspended Sediment/Deposition

Suspended sediment/deposition associated with construction is anticipated to have a negligible to minor impact on water quality. Pile driving during OSS and WTG foundation installation, use of jack-up and feeder vessels, jet plow operations during cable laying and embedment, and vessel anchoring will disturb sediment on the seafloor. Horizontal Directional Drill (HDD) operations at the landfall locations are also expected to result in some sediment disturbance in and around the temporary cofferdams.

Lease Area

Increases in sediment suspension beyond baseline conditions will be limited during anchoring and pile driving. Sediment suspension is expected to be localized to the area of anchorage or pile driving activity and sediments directly disturbed by the anchor or jack-up vessel, respectively. The small volume of sediment displaced is expected to settle to the seafloor shortly thereafter. Therefore, water quality impacts associated with anchoring and pile driving are expected to be negligible.

Submarine Cables

Although jet plow embedment is the least impactful method for installing submarine cables, jet plow operations during cable laying and embedment will result in the disturbance of sediments within the Lease area and along the Offshore Export Cable Corridors and Onshore Export Cable Corridor 1. Sediment transport in the Project area outside of state waters has not yet been specifically assessed for this project due to geographic separation from potential sources of pollutants, lack of history of offshore spills, and the coarse nature of the substrate in this area, which are likely to minimize the mobilization of contaminants, the extent of sediment suspension and deposition, and the duration of increased TSS in the water column. Based on sediment transport assessment results for Onshore Export Cable Corridor 1 (Appendix II-B1), the vast majority of sediments disturbed by the jet plow in Indian River Bay will quickly return to the cable installation trench. A portion of the disturbed sediments will leave the immediate trench area, resulting in measurable, but temporary increases in suspended sediment that are anticipated to occur within 600 m (1,968 ft) of jet plow operations. Areas of sediment deposition greater than 0.5 mm (0.04 in) are also anticipated to occur within 600 m (1,968 ft) of jet plow operations.

Sediment suspension and deposition are expected to be locally higher in the immediate vicinity of jet plow operations. However, suspended sediment concentrations are expected to return to background levels no more than 24 hours after jet plow passage. Although concentrations of TSS associated with jet plow operations depend on the type of sediment present and the strength of local water currents, a study of particle settlement during cable laying for the Block Island Wind Farm found that measured TSS concentrations during and after plowing were as much as two orders of magnitude smaller than modeled concentrations. Measured TSS concentrations two weeks post plowing were rarely distinguishable from background levels (Elliott et al. 2017). Additionally, as discussed in Volume II, Sections 4.1.1 and 4.1.2, some of the material suspended by the plow may contain elevated levels of arsenic and nickel that are common nearshore and inshore in the Project area. Therefore, water quality impacts associated with jet plow operations are expected to be minor. Sediment transport modeling for the Offshore

Export Cable Corridors and Onshore Export Cable Corridor 1 will be conducted and the results provided as Appendices II-B2 and II-B3 as per the deferral request included in this submission.

Stormwater

Land-based construction activities related to the Project include the installation of the US Wind substations, associated laydown area and access roads and the possible construction of an O&M Facility. Potential stormwater impacts related to the construction of the Project include the discharge of sediment, or other pollutants, from the construction site(s) that may impact the quality of waters of the State. The total volume of stormwater discharge from the construction site is dependent on factors such as the size of the site and overall weather conditions.

DNREC regulates construction activities that result in land disturbance equal to or greater than one acre that discharge stormwater to Waters of the State through the National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP), effective March 11, 2021. Construction of the Project may result in the disturbance of approximately 0.08 km² (20 acres) of land during the construction activities noted above. US Wind anticipates that a CGP will be required and will develop an associated Stormwater Pollution Prevention Plan (SWPPP) for construction activities as appropriate.

Onshore Export Cable Corridor 1

Alternative cable installation methods may be necessary in Indian River Bay (e.g., vibro-injector or trenching) where jet plow operation is not feasible. This would result in suspended sediment concentrations that may vary from what would be produced by jet plow installation methods. However, increases in suspended sediment would still be expected to be temporary. Therefore, water quality impacts associated with alternative cable installation methods, if used, are anticipated to be minor.

The use of HDD at the landfalls will minimize water quality impacts in the nearshore environment, and temporary cofferdams will help to contain sediment that becomes suspended in the water column. Some sediment may be displaced during the installation and removal of the cofferdams; however, this would be a relatively small volume of material that would settle out relatively quickly. Consequently, water quality impacts associated with HDD are anticipated to be negligible.

Appropriate avoidance, minimization, and mitigation measures for potential impacts associated with the low concentrations of heavy metals and PAHs that were detected in some of the sediment samples collected along Onshore Export Cable Corridor 1 will be addressed in the water quality certificate obtained for this Project under Section 401 of the Clean Water Act. For example, turbidity monitoring will be conducted during Project construction, if required by the permitting authorities.

Routine/Accidental Releases

During the course of construction, pollutants may be discharged into the environment as part of routine activities, such as the operation of construction vessels and vehicles, or due to accidental spills. Pollutants may be discharged directly into a waterbody or discharged into the air and deposited on the surface of a waterbody. It is anticipated that these releases will have a negligible impact on water quality.

Installation of the WTGs, OSSs, Met Tower, export cables, and inter-array cables will require the operation of vessels. Any discharge of greywater, uncontaminated bilge and ballast water, and treated deck drainage from construction vessels will comport with U.S. Coast Guard and EPA requirements. Refer to Volume I for a discussion of waste and discharge information. While oil and grease, sanitary waste, and solid waste will be stored securely until they can be disposed on land in accordance with federal regulations (33 CFR 151.10, CFR 140 and 149, and 33 CFR 151.51-77), it is possible that small amounts of litter could be unintentionally released to surface waters. Any de minimis amounts of litter inadvertently released during construction of the Project will be insignificant in comparison to the high existing levels of marine debris along the coastline within the Project area. Procedures for preventing and controlling spills will be documented in the Project's Construction Spill Prevention Control and Countermeasures (SPCC) and Oil Spill Response Plans. As described in Volume II, Section 5.0, vessel engines will emit particulates into the air as they combust fuel. Vessels will comport with air permitting and emissions limitations and violations are not anticipated. In addition, the emissions of construction vessels will be insignificant in comparison with other existing sources of atmospheric deposition that impact the Atlantic Ocean. Small releases of lubricants, solvents, or other chemicals could occur during the installation of nacelles, turbines, and blades on the WTGs. In the event of a collision, allision, or other accident, oils and hydraulic fluids contained within components of the WTGs and OSSs could be spilled during installation; however, this is highly unlikely to occur and spill prevention plans will mitigate any impacts. As such, water quality impacts due to routine and accidental releases are anticipated to be negligible.

Nearshore waters of the Atlantic Ocean, Indian River Bay, and the Indian River could be affected by localized release of HDD drilling fluids from deeper subsurface borehole drilling, if drilling fluids are released and not properly contained. However, HDD drilling fluids (bentonite, clay and water) are biologically inert and would not cause appreciable poor water quality conditions. The bentonite contained in the drilling fluid will gel or coagulate upon contact with saline or brackish water. In the event of a fluid release, the bentonite fluid density and composition will cause it to remain as a cohesive mass on the seabed, which can be quickly cleaned up and removed by diver-operated vacuum equipment. The HDD operation will include a drilling fluid fracture or overburden breakout monitoring program during borehole drilling operations to minimize environmental impacts, which at worst will be temporary and localized. Given the small area covered and the short-term duration of HDD operations, impacts to water quality are expected to be negligible.

Construction vehicles will also emit particulates into the air as they combust fuel. While these particles could settle on the surface of the Indian River, Indian River Bay, or the Atlantic Ocean, much of the pollution associated with vehicle emissions will settle over land. The operation of construction vehicles in the Project area will be short-term and temporary, and insignificant when compared to existing sources of atmospheric pollutants that impact the Inland Bays and the Atlantic Ocean. Therefore, water quality impacts due to routine and accidental releases are anticipated to be negligible in nearshore waters. Project activities will comply with all reporting and monitoring conditions established under applicable permits.

4.2.2 Operations

Suspended Sediment/Deposition

Temporary increases in suspended sediment and resulting deposition would be possible during emergency cable repairs, if these become necessary over the course of Project operation, due to cable replacement and/or repair vessel anchoring. However, increases in suspended sediment concentrations will not be a routine occurrence during operations and will have localized impacts similar to or less than the impacts of construction; therefore, their impact on water quality is expected to be negligible.

Increases in suspended sediment may also be possible due to the potential for localized scour of sediments around structures, such as WTG foundations. However, scour of seabed sediments will be minimized by the placement of scour controls around the base of these structures. Therefore, increases in suspended sediment concentrations due to scour are expected to have a negligible impact on water quality.

Routine/Accidental Releases

It is anticipated that routine and accidental releases associated with the Project will have negligible impacts on water quality during operations. Over the lifetime of the installation, regular maintenance will be necessary, as well as potential non-routine repairs. Maintenance personnel and equipment will access the WTGs, OSSs, Met Tower, and submarine cables by boat. Boats traveling to the Project area may discharge sanitary waste, litter, and engine emissions into the Atlantic, as described in Volume II, Section 4.2.1. However, the discharged volume of these materials would be small and unlikely to have a measurable impact on water quality. Materials such as paint, solvent, or lubricant could also be spilled during maintenance work, but these would also be used in relatively small quantities. Boats may also experience accidental oil spills. These scenarios are unlikely to occur and spill prevention plans will mitigate any impacts. Because marine discharges are not a part of routine operations for the Project, it is anticipated that they will have a negligible impact on water quality.

4.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system to 4.6 m (15 ft) below the mudline. As during construction, sediment suspension and routine or accidental releases during decommissioning may temporarily impact water quality within the Project area. Some bottom sediment will be disturbed during removal of the foundations. This sediment could temporarily become suspended in the water column followed by deposition on the seafloor. Cable removal would increase the extent of sediment disturbance, suspension, and deposition, if it were to occur. Discharges to surface waters could result from accidental releases associated with vessel operations and removal of parts from the WTGs, OSSs and Met Tower. However, decommissioning is not expected to result in long-term impacts. Because it is expected that decommissioning will occur decades after the Project goes into operation, it is also likely that improved technology will be available at that time to further minimize environmental impacts.

4.3 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on water quality.

- Sediment disturbance associated with submarine cable laying will be minimized by jet plowing, HDD techniques and the use of cofferdams where feasible.
- Turbidity monitoring will be conducted during construction as required by the permitting authorities. Conduct TSS and water quality monitoring during cable installation activities and post installation as needed.
- A drilling fluid fracture contingency plan will be in place prior to the start of HDD activities. Operations will be shut down immediately in the event a frac-out occurs.
- US Wind will monitor for and report any environmental release or fish kill to the appropriate authorities, e.g., in Delaware state waters, reports will be made via DNREC 24-hour hotline.
- Project-specific SPCC Plan and Oil Spill Response Plan will be prepared prior to construction and for operations activities.
- US Wind will develop a Stormwater Pollution Prevention Plan (SWPPP) for onshore construction activities, as appropriate.
- Vessel operators, employees, and contractors will be briefed on marine trash and debris awareness elimination as described in BSEE NTL No. 2015-G03 ("Marine Trash and Debris Awareness and Elimination"), per BOEM guidelines for marine trash and debris prevention.
- Vessels will adhere to United States Coast Guard (USCG) guidelines; follow applicable regulations related to the discharge of bilge water, gray water, and sanitary waste; maintain discharge permits, as appropriate; follow good maintenance and housekeeping procedures to prevent releases of oil and other chemicals to the sea; maintain up-to-date oil spill response plans to prevent, contain, and clean up any accidental spills.

5.0 Air Quality

5.1 Description of Affected Environment

Air quality may be impacted in the Project area near the vessel routes and ports to be used during the construction, operation and decommissioning of the Project, as discussed below. See Volume I for more information on the vessels, ports and vessel routes to be used for the Project.

5.1.1 National Ambient Air Quality Standards

Air quality is characterized by comparing the ambient air concentrations of criteria pollutants to the National Ambient Air Quality Standards (NAAQS), which have been established by the United States Environmental Protection Agency (EPA) to be protective of public health and the environment. The Clean Air Act (CAA) establishes two types of NAAQS: (1) primary standards, which set limits to protect public health, including the health of "sensitive" populations (e.g., asthmatics, children, and the elderly); and (2) secondary standards, which set limits to protect public welfare, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings. The NAAQS have been established in 40 CFR Part 50 for each of the

six criteria pollutants: sulfur dioxide (SO₂), nitrogen dioxide (NO₂), carbon monoxide (CO), ozone (O₃), particulate matter (PM₁₀ and PM_{2.5}, particulate matter with a diameter less than or equal to 10 and 2.5 micrometers (µm), respectively), and lead (Pb). Current NAAQS levels are provided in Table 5-1 (NAAQS 2019).

Table 5-1. National Ambient Air Quality Standards (NAAQS)

Pollutant	Primary/ Secondary	Averaging Time	Level	Form
CO	Primary	8 hours	9 ppm	Not to be exceeded more than once per year
		1 hour	35 ppm	Not to be exceeded more than once per year
Pb	Primary and Secondary	Rolling 3- month average	0.15 ug/m ³	Not to be exceeded
NO ₂	Primary	1 hour	100 ppb	98 th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Primary and Secondary	1 year	53 ppb	Annual Mean
O ₃	Primary and Secondary	8 hours	0.07 ppm	Annual fourth-highest daily maximum 8-hour concentration averaged over 3 years
PM _{2.5}	Primary	1 year	12.0 µg/m ³	Annual mean, averaged over 3 years
	Secondary	1 year	15.0 µg/m ³	Annual mean, averaged over 3 years
	Primary and Secondary	24 hours	35 µg/m ³	98 th percentile, averaged over 3 years
PM ₁₀	Primary and Secondary	24 hours	150 µg/m ³	Not to be exceeded more than once per year on average over 3 years
SO ₂	Primary	1 hour	75 ppb	99 th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Secondary	3 hours	0.5 ppm	Not to be exceeded more than once per year

When the monitored concentrations in an area exceed the NAAQS for any pollutant, the area is classified as “nonattainment” for that pollutant. The state of Maryland is presently “in attainment” with the NAAQS, except for twelve counties in the Baltimore and Washington, D.C., metropolitan areas. These counties are in densely populated urban core areas and are presently in nonattainment with the ozone NAAQS (Anne Arundel, Baltimore, Baltimore City, Calvert, Carroll, Cecil, Charles, Frederick, Harford, Howard, Montgomery and Prince George’s counties) and the sulfur dioxide NAAQS (Anne Arundel and Baltimore counties). The state of Virginia is presently in attainment with the NAAQS, except for nine counties in the Washington, D.C., metropolitan area and Giles County. These counties are presently in nonattainment with

the ozone NAAQS: Alexandria City, Arlington, Fairfax, Fairfax City, Falls Church, Loudoun, Manassas Park City, Manassas City and Prince William counties. Giles County is in nonattainment with the sulfur dioxide NAAQS. The state of Delaware is presently in attainment with the NAAQS, except for two counties in the Wilmington metropolitan area. Newcastle and Sussex counties are presently in nonattainment with the ozone NAAQS (USEPA 2019).

Ozone is a regional air pollutant issue. Prevailing southwest to west winds carry air pollution from the Ohio River Valley, where major nitrogen oxide (NO_x) emission sources (e.g., power plants) are located, and from mid-Atlantic metropolitan areas to the northeast, contributing to high ozone concentrations in these areas. Major sulfur dioxide sources are power plants and other industrial facilities burning coal and other fossil fuels.

The EPA Regional Haze Rule requires state and federal agencies to develop and implement air quality plans to reduce the air pollution that causes decreased visibility in national wilderness areas and parks designated as Class I areas. The Class I areas closest to the Project are the Brigantine Wilderness Area in New Jersey and Shenandoah National Park in Virginia. Federal Land Managers must be notified of facilities that will be located within 100 km (62 mi) of a Class I area. The Project is not within that distance to any Class I area. It is not anticipated that the Project will impact visibility in any Class I area.

5.2 Impacts

Activities associated with the construction, operation, and decommissioning of the Project have the potential to temporarily affect air quality in the immediate area around Project activities. Potential offshore emission sources include tugboats, crane barges, cable laying vessels, crew boats, jack-up vessels, survey vessels, supply ships and generators. Land based emissions sources may include non-road construction equipment, worker vehicles and delivery vehicles. The WTGs and OSSs themselves are a negligible source of air emissions and will reduce shore-based emissions from existing fossil fuel power plants. Prevailing westerly (west to east flow) winds will minimize the dispersion of offshore emissions associated with the Project to onshore areas.

The combustion of fuels (diesel oil and gasoline) in the propulsion engines of vessels and stationary equipment on vessels installing the WTGs and OSSs (e.g., cranes and generators) will produce emissions of criteria pollutants. These emissions will primarily be NO_x and CO, with lesser amounts of volatile organic compounds (VOCs), an ozone precursor, and PM₁₀ (mostly in the form of PM_{2.5}), and negligible amounts of sulfur oxides (SO_x) and lead. Emissions of non-criteria pollutants are expected to be negligible. Greenhouse gas emissions, including carbon dioxide (CO₂) and small amounts of nitrous oxide (N₂O) and methane (CH₄) will also be emitted.

US Wind has utilized the Bureau of Ocean Energy Management (BOEM) Offshore Wind Energy Facilities Emission Estimating Tool, Version 2.0 (BOEM 2021a) to estimate the potential offshore emissions from the construction and operation of the Project, as well as the estimated emissions avoided due to the reduction in operation of on-shore fossil fuel combustion facilities as a result of the energy generated by the Project. The estimated Project potential emissions will be updated as warranted to match the OCS air permit submission discussed in Volume II, Section 5.2.6. Land based emissions related to the installation of cabling and at the landfall will be evaluated during the Project general conformity determination, as discussed in Volume II, Section 5.2.6. Figure 5-1 shows the anticipated vessel routes and destinations. There are two vessel routes from the proposed staging facility at Sparrows Point, the Chesapeake and

Delaware Canal (C & D Canal) route and the Chesapeake Bay route. Most vessels are anticipated to travel to the Project area using the Chesapeake Bay route and return to port using the C & D Canal route.

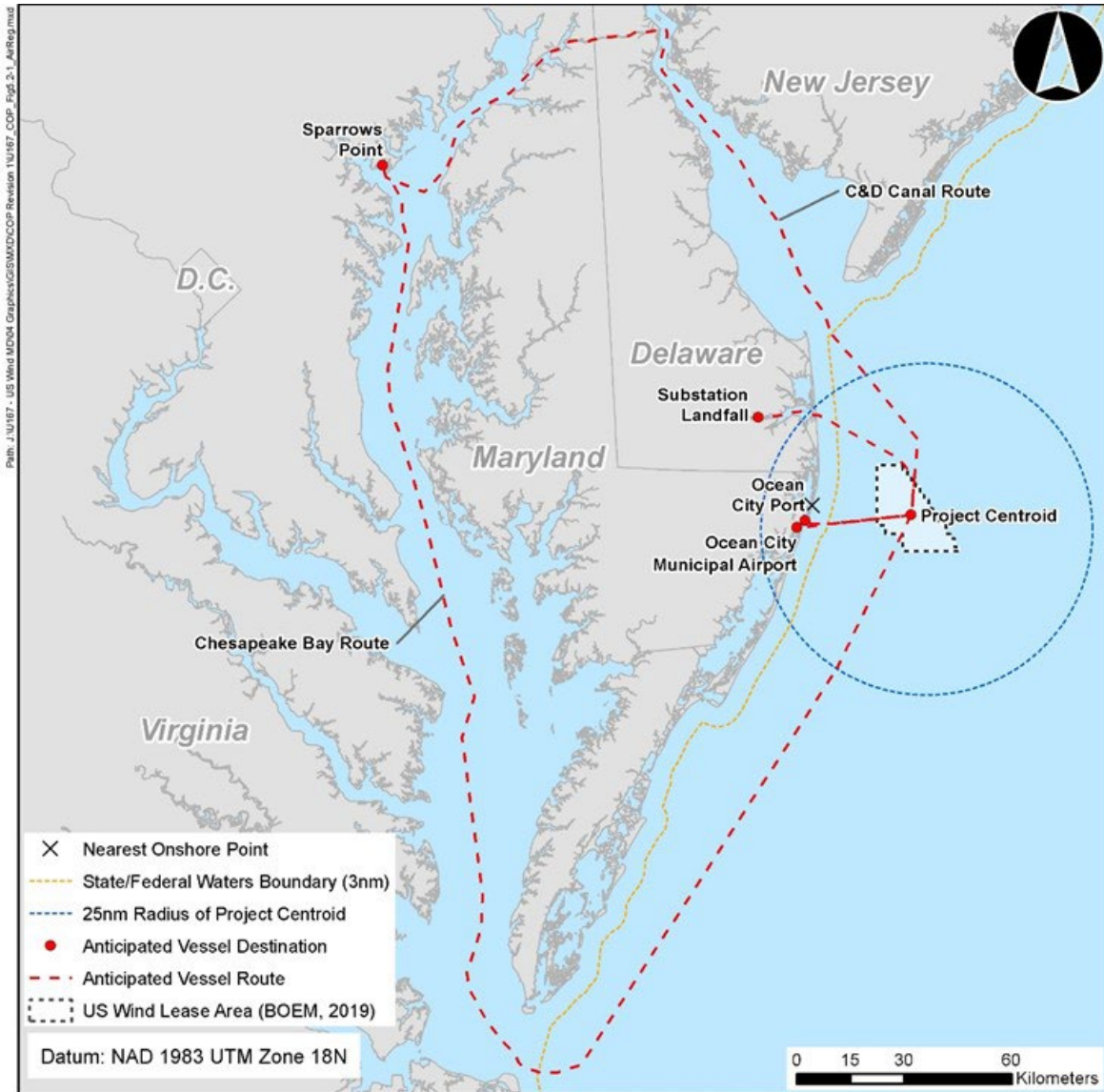


Figure 5-1. Air Regulatory Boundaries and Vessel Routes

Appendix II-C1 contains detailed Project emissions summaries, including the expected number and size of each engine type, the expected usage of each engine, and the load and emission factors used for the Project potential emissions estimates. Summaries of the expected annual emissions during Project construction, operation, and decommissioning are provided in Volume II, Sections 5.2.1 to 5.2.3.

5.2.1 Construction

It is anticipated that installation of the Project will require one or more jack-up vessels containing the installation crane and other support equipment. The jack-up vessel will be supported by additional tugboats, feeder vessels, and crew boats as necessary. Emissions from cable laying operations are also included in the construction emissions estimate. Detailed information on the expected Project emission sources during construction is provided in Appendix II-C1. Estimated Project potential pollutant emissions during construction are provided in Table 5-2.

Table 5-2. Estimated Project Potential Emissions – Construction

Pollutant	Metric Tons	Short Tons
NO _x	5,567	6,136
SO ₂	216	238
PM _{2.5}	107	118
CO ₂	358,519	395,200

5.2.2 Operations

The Project will be powered by wind and will produce no emissions during normal operations. Back-up diesel generators will be located on the OSSs. There will be vessels servicing the Project periodically throughout its operational period. Additional information on the expected Project emission sources during operation is provided in Appendix II-C1. Estimated Project potential pollutant emissions during operation are provided in Table 5-3.

Table 5-3. Estimated Project Potential Emissions – Operations

Pollutant	Metric Tons	Short Tons
NO _x	1,947	2,146
SO ₂	75	83
PM _{2.5}	38	41
CO ₂	125,438	138,271

5.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system to 4.6 m (15 ft) below the mudline. Similar equipment used for Project construction will be used for decommissioning. Project emissions during decommissioning activities are expected to be similar to the construction emissions. Estimated Project potential pollutant emissions during decommissioning are provided in Table 5-4.

Table 5-4. Estimated Project Potential Emissions – Decommissioning

Pollutant	Metric Tons	Short Tons
NO _x	5,567	6,136
SO ₂	216	238
PM _{2.5}	107	118
CO ₂	358,519	395,200

5.2.4 Estimated Avoided Project Emissions

The Project will produce negligible emissions during operation and the energy generated will have the ability to displace the energy production from existing fossil fuel fired power plants resulting in avoided emissions from energy generation. The estimated avoided potential emissions for the proposed project design capacity of 1,676 MW (114 14.7 MW WTG) are provided in Table 5-5. The estimated avoided potential emissions for the maximum project design envelope capacity of 2,178 MW (121 18 MW WTG are provided in Table 5-6.

Table 5-5. Estimated Potential Emissions – Avoided 1,676 MW Project

Pollutant	Metric Tons/ Project Lifespan	Short Tons/ Project Lifespan
NO _x	46,774	51,560
SO ₂	72,981	80,447
PM _{2.5}	8,387	9,245
CO ₂	97,148,921	107,088,323

Table 5-6. Estimated Potential Emissions – Avoided 2,178 MW Project

Pollutant	Metric Tons/ Project Lifespan	Short Tons/ Project Lifespan
NO _x	60,785	67,003
SO ₂	94,840	104,543
PM _{2.5}	10,899	12,014
CO ₂	126,247,225	139,163,704

5.2.5 Estimated Annual Project Emissions

The Project will be completed in four campaigns as discussed in Volume I, Section 2.3. The estimated operational period for each campaign is 25 years. The estimated annual potential emissions over the lifetime of the Project are provided in Table 5-7.

Table 5-7. Estimated Annual Project Emissions

Year	Phase	Campaign	Metric Tons				Short Tons			
			NOx	SO ₂	PM _{2.5}	CO ₂	NOx	SO ₂	PM _{2.5}	CO ₂
Year 1	Construction	Campaign 1	942	37	18	60,673	1,038	40	20	66,880
	Operations	Not Applicable	0	0	0	0	0	0	0	0
	Total	Total	942	37	18	60,673	1,038	40	20	66,880
Year 2	Construction	Campaign 2	1,541	60	30	99,282	1,699	66	33	109,440
	Operations	Campaign 1	13	1	0	849	15	1	0	936
	Total	Total	1,555	60	30	100,131	1,714	66	33	110,376
Year 3	Construction	Campaign 3	1,541	60	30	99,282	1,699	66	33	109,440
	Operations	Campaigns 1,2	35	1	1	2,239	38	1	1	2,468
	Total	Total	1,576	61	30	101,521	1,737	67	33	111,908
Year 4	Construction	Campaign 4	1,541	60	30	99,282	1,699	66	33	109,440
	Operations	Campaigns 1,2,3	56	2	1	3,628	62	2	1	3,999
	Total	Total	1,598	62	31	102,910	1,761	68	34	113,439
Years 5 - 26	Operations	Campaigns 1,2,3,4	78	3	1	5,017	79	3	2	5,104
Year 27	Operations	Campaigns 2,3,4	65	3	1	4,168	67	3	1	4,311
Year 28	Operations	Campaigns 3,4	43	2	1	2,779	45	2	1	2,921
Year 29	Operations	Campaign 4	22	1	0	1,389	24	1	0	1,532
Project Total Emissions	Construction	Project	5,566	216	107	358,520	6,136	238	118	395,200
	Operations	Project	1,947	75	37	125,437	2,146	83	41	138,271
	Total	Project	7,513	291	144	483,957	8,282	321	159	533,471

5.2.6 Regulatory Permitting

Outer Continental Shelf Sources

Section 328 of the Clean Air Act Amendments of 1990 (CAA 1990) directs the EPA to promulgate regulations for Outer Continental Shelf (OCS) sources that may affect the air quality of any state (42 U.S.C. 7627). These regulations are found in 40 CFR Part 55. Under 40 CFR Part 55, the EPA has the authority to regulate the air emissions associated with OCS sources, any vessels used for the purposes of constructing, servicing, or decommissioning them, and the equipment used for seafloor boring. All OCS sources located within 25 NM (46.3 km) of States' seaward boundaries must satisfy the same air permitting requirements as would be applicable if the source were located in the corresponding onshore area. US Wind expects that any CAA permit that may be required for the Project would be issued by the state of Maryland, which has been delegated by the EPA to permit OCS sources. In accordance with 40 CFR § 55.14(e)(10), the Project must comply with all applicable sections of the Maryland Department of Environmental (MDE) Regulations listed in 40 CFR § 55, Appendix A. These regulations include construction and operating permit requirements, control of emissions from fuel burning equipment and new source review.

Section 328 of the CAA 1990 and 40 CFR Part 55 establish a unique treatment for vessels associated with OCS sources. With respect to the calculation of an OCS source's Potential to Emit (PTE) to determine permitting applicability, emissions from vessels that are servicing or are associated with the operations of the OCS source must be counted as direct emissions from the OCS source when those vessels are at the source or en-route to or from the source when within 25 NM (46.3 km) of the source.

General Conformity Rule

BOEM has determined that general conformity does not apply for activities for which it has permitting authority, however activities involving cabling and landfall construction may be applicable. Some of the emissions associated with OCS sources may require compliance with the General Conformity Rule established in 40 CFR Part 93, Subpart B. These regulations implement Section 176 of the CAA 1990 and require that Federal actions conform to applicable State Implementation Plans developed by States and approved by EPA for the purpose of attaining or maintaining compliance with the NAAQS. To determine whether a conformity determination is required for activities described in a particular COP, BOEM would conduct an applicability analysis when the COP is received. A conformity determination is required when the total direct and indirect emissions of criteria pollutants in a nonattainment or maintenance area exceed the rates (known as de minimus rates) specified in 40 CFR 93.153(b)(1) and (2). The emissions estimates must include emissions from the transportation of materials, equipment, and personnel, and must include the construction, operation, and decommissioning of the action.

General conformity applies to emissions within State boundaries (onshore and in state waters). Vessels supporting the Project will travel through state waters of Maryland, Delaware and Virginia. Staging and assembly activities are anticipated at Sparrows Point. It is expected that the materials will travel to the site via the C & D Canal and/or via the Chesapeake Bay and the work crews will travel to the site from Ocean City, Maryland. Operations and maintenance activities would be based out of the O&M Facility located in Ocean City, Maryland.

Permitting Applicability

Based on US Wind's emissions estimates, the potential emissions from the Project during construction, operation, and decommissioning will exceed permitting thresholds. It is anticipated that the Project will require the following permits from MDE:

- OCS Air Permit.
- Air Quality Permit to Construct.
- Air Quality Permit to Operate.

In addition, US Wind will be required to demonstrate general conformity in each of the states in which Project emissions will exceed the established de minimis rates.

US Wind will prepare the Notice of Intent required for 40 CFR § 55.4 that will commence the air permitting process with EPA and MDE. If required by MDE, the Air Quality Permit to Construct will address the implementation of Best Available Control Technology (BACT) for Project emissions sources and will require air dispersion modeling to comply with Code of Maryland Regulation (COMAR) 26.11.15.06, Ambient Impact Requirement. If required, US Wind will follow MDE Guidance Document "Demonstrating Compliance with the Ambient Impact Requirement under the Toxic Air Pollutant (TAP) Regulations (COMAR 26.11.15.06)" (MDE 2016) or other acceptable air dispersion modeling procedures for the analysis. Additional mitigation measures may be identified during the BACT and/or modeling processes.

5.3 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on air quality.

- US Wind will obtain any necessary Clean Air Act permits under the state of Maryland's delegated program and comply with applicable permit conditions.
- Vessel engines will meet the applicable EPA and International Maritime Organization (IMO) marine engine emission standards.
- Engines will be operated and maintained in accordance with the manufacturer's recommendations and industry practices.
- Diesel fuel for use in the diesel engines will meet the per gallon fuel standards of 40 CFR 80.510(b) as applicable.
- Land based engines that meet the EPA non-road engine standards will be used, as applicable.
- Unnecessary idling of engines will be limited, where practicable.
- Where practicable, engines with add-on emission controls will be used.

As a result of these and other measures that may be identified during the permitting process, the impacts of the Project to air quality during construction, operation, and decommissioning will be minimized and the overall impact to onshore air quality is expected to be negligible.

6.0 Coastal Habitat and Birds

6.1 Description of the Affected Environment

The Project area includes coastal habitat between marine subtidal unconsolidated bottom on the Atlantic coast of the barrier beach to the east and intertidal salt marsh located at the substation landfall to the west. The following components of the Project are located within coastal habitat: the Barrier Beach Landfalls, Onshore Export Cable Corridor 1, and the proposed HDD locations within Indian River Bay. The habitat affected by each of these components is described below.

6.1.1 Barrier Beach Landfalls

Coastal habitat in the vicinity of the Barrier Beach Landfalls, defined as the Offshore Export Cable landfall locations at 3 R's Beach and Tower Road including the area where onshore export cables would enter Indian River Bay via HDD to the west, includes areas that fall under the following National Wetland Inventory classifications as shown in Figure 6-1 and 6.1-2: estuarine and marine deepwater (marine and estuarine subtidal unconsolidated bottom), estuarine and marine wetland (marine and estuarine intertidal unconsolidated shore, Atlantic coastal beach and dune, and tidal salt marsh), freshwater emergent wetland (non-tidal freshwater marsh), and freshwater forested/scrub-shrub (non-tidal freshwater scrub-shrub wetland). These habitat types are discussed in the following sections.

6.1.1.1 Unconsolidated Bottom and Shore

Largely unvegetated, regularly flooded, marine intertidal unconsolidated shore of the sand subclass (M2US2N (USDOI and USFWS 2018b)) occupies the intertidal zone on the eastern side of the Barrier Beach Landfalls. Marine subtidal unconsolidated bottom (M1UBL (USDOI and USFWS 2018b)) is located east of the intertidal shore. There is estuarine subtidal unconsolidated bottom (E1UBL (USDOI and USFWS 2018b)) in Indian River Bay, west of 3 R's Beach. Sediment cores collected in Indian River Bay indicate that the substrate is a mixture of predominantly sand (~65%) and silt (~35%) (Appendix II-A6).

6.1.1.2 Atlantic Coastal Beach and Dune

Above the high-tide line, sandy beaches extend landward to grassy dunes and overwash areas, to a complex of shrub-dominated back dunes. Coastal dunes near the Barrier Beach Landfall support a variety of grasses, but the dominant one is American beach grass (*Ammophila breviligulata*). These grassed areas develop on the crests and faces of primary foredunes as well as within the back dune area.

6.1.1.3 Tidal Salt Marsh

The eastern side of Indian River Bay in Delaware Seashore State Park includes 0.65 km² (160 acre) of estuarine intertidal salt marsh. Salt marsh consists of two distinct habitats: high marsh (E2EM1Pd (USDOI and USFWS 2018b)) and low marsh (E2EM1Nd (USDOI and USFWS 2018b)). The former occurs at a higher elevation, where it is subject to shorter tidal inundation, while the latter is flooded for extended periods during daily tidal cycles. High marsh experiences a salinity ranging from 18 to 30 parts per thousand and is dominated by saltgrass (*Distichlis*

spicata) and saltmeadow cordgrass (*Spartina patens*) (Mitsch and Gosselink 2007). High marsh also provides microhabitats such as tidal creeks, salt pannes and pools. The more seaward low marsh is a stressful environment for most plant species due to high salinity and frequent flooding and is predominately vegetated by smooth cordgrass (*Spartina alterniflora*).

6.1.1.4 Non-tidal Freshwater Scrub-Shrub Wetland

A 0.03 km² (6.70 acre) non-tidal freshwater scrub-shrub wetland (PSS3A (USDOI and USFWS 2018b)) is located on the western or inland side of the landfall location at 3 R's Beach, adjacent to Route 1, approximately 1.6 km (1 mile) south of the Indian River Bay Inlet. This wetland type only experiences temporary flooding and is able to support shrubs and low saplings. Loblolly pines (*Pinus taeda*), black gum (*Nyssa sylvatica*), red maple (*Acer rubrum*), red cedar (*Juniperus virginiana*), and American holly (*Ilex opaca*) are saplings that may be found in scrub-shrub wetlands around Indian River Bay (DCIB 2017). These trees may provide nesting habitat for piscivorous birds that forage in salt marshes, such as bald eagles, egrets, herons and osprey (DCIB 2017).

6.1.1.5 Non-tidal Freshwater Marsh

The HDD operations area will be staged out of the proposed landfall location at the existing 3 R's Beach parking lot. There is a 809 m² (0.2 acre) freshwater marsh (PEM1E (USDOI and USFWS 2018b)) immediately south of the parking lot. The dune and swale landforms in this area create wetland habitat in the depressions between sand dunes. The Bethany Beach Firefly (*Photuris bethaniensis*), named for its type locale south of the Barrier Beach Landfalls, inhabits shrub thickets in these interdunal swales (Heckscher and Bartlett 2004).

6.1.1.6 Barrier Beach Landfall Coastal Habitat – 3 R's Beach

The 3 R's Beach landfall location (Figure 6-1) is the proposed landfall location. From the 3 R's Beach landfall location, Onshore Export Cable Corridor 1 traverses in Indian River Bay proceeding westerly in Indian River for connection to the Interconnection Facilities. Location of cofferdams and export cable routes are approximate.

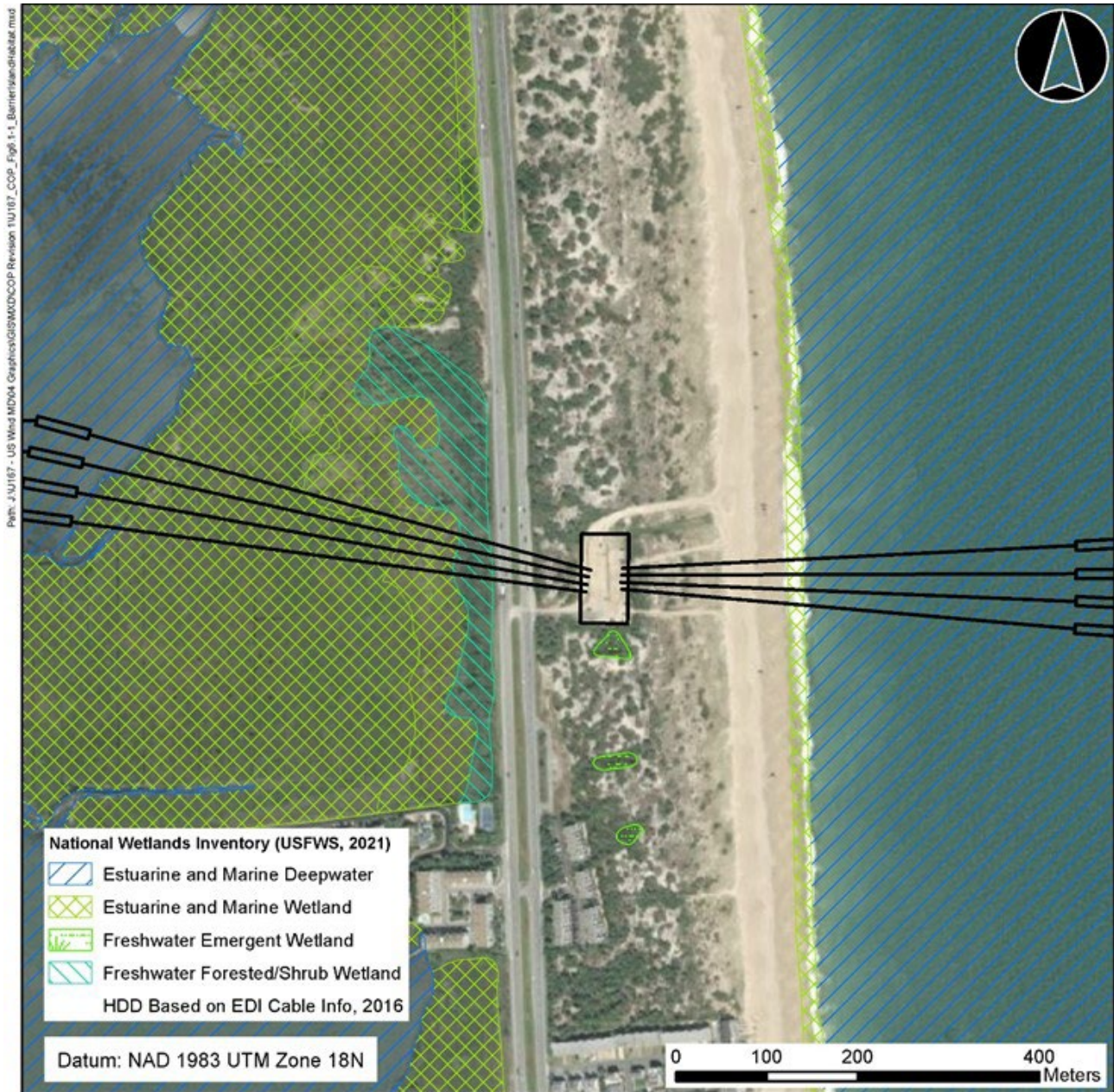


Figure 6-1. Barrier Beach Landfall Coastal Habitat – 3 R’s Beach

6.1.1.7 Barrier Beach Landfall Coastal Habitat – Tower Road

A second cable landfall location under evaluation is Tower Road (Figure 6-2) and is associated with Onshore Export Cable Corridors 2, 3 and 4 (Figure 11-1). There are no non-tidal freshwater wetlands at this location.

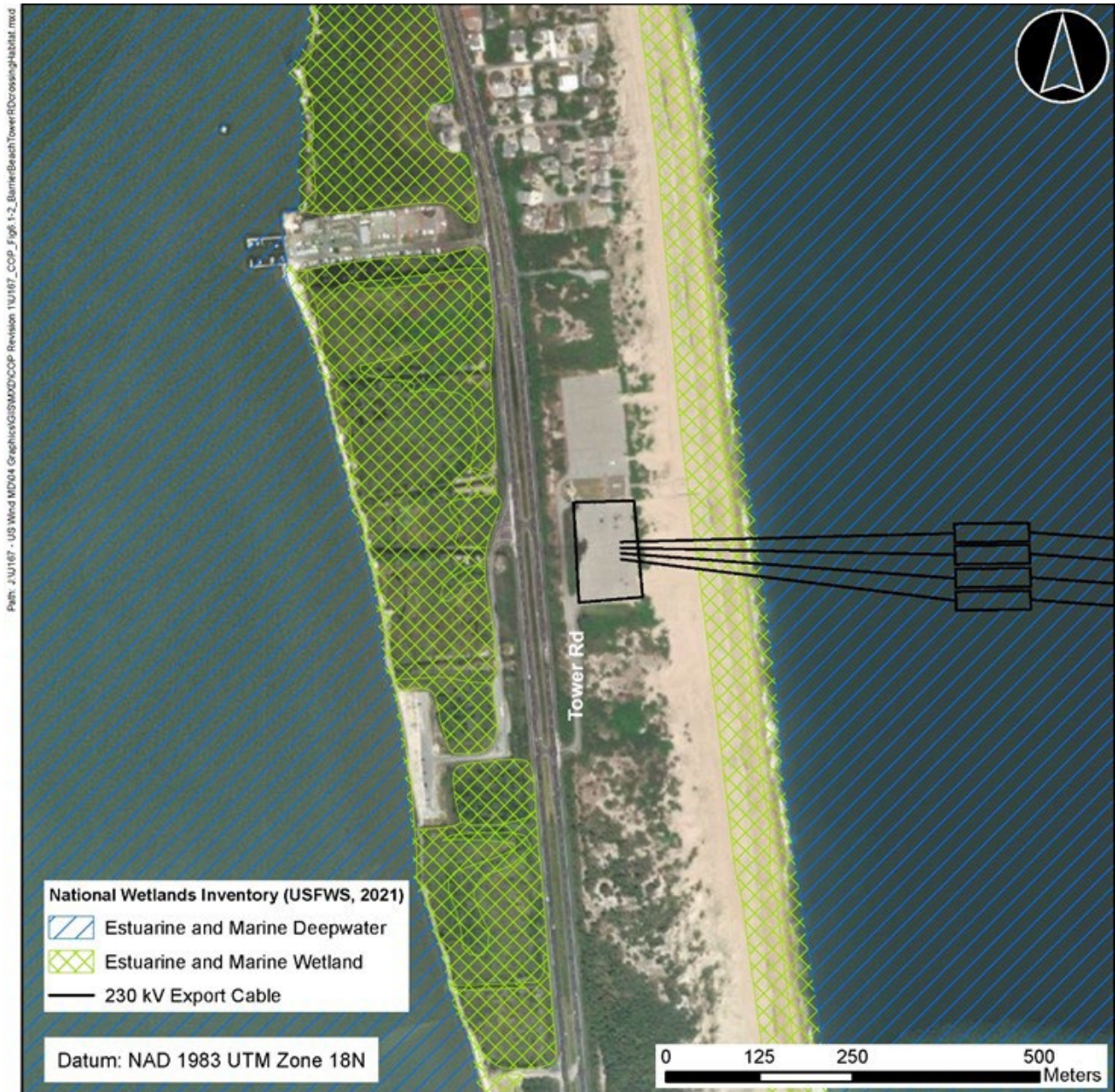


Figure 6-2. Barrier Beach Landfall Coastal Habitat – Tower Road

Birds

As described in Volume II, Section 12.0, birds that may be present in the coastal habitat found in the Project area have been documented by the mid-Atlantic Baseline Studies (MABS) Project and an expansion of the MABS study funded by the Maryland Department of Natural Resources and the Maryland Energy Administration (Williams et al. 2015c; Williams et al. 2015d). This section also considers other species that could occur in mid-Atlantic coastal habitats during at least a portion of the year based on data from field guides and mapping resources (Ridgely et al. 2003; Sibley 2014; Cornell University 2016; NAS 1996). These species can be grouped by shared habitats and life history characteristics as shown in Table 6-1. Groups that are most likely to be impacted by the Project are discussed below. At least some species in each of the first nine groups of birds may be present in the Project area year-round and nest there as well. Migratory birds are only likely to be in the Project area while stopping along their migration routes.

DNREC Colonial Bird Study (DNREC 2021)

DNREC began colonial nesting waterbird (CWB) surveys in Rehoboth Bay in 2019. Surveyors counted birds, including laughing gulls, herring gulls, great black-backed gulls, great egrets and Forster's tern, from the water using spotting scopes or binoculars during the April – September time period. Locations for the surveys, shown in Figure 6-3 below, were selected based on historic breeding records for Species of Greatest Conservation Need (DEDFW 2015). Although hundreds of nesting birds of various species have been documented at these locations, exact nest locations, reproductive success and colony boundaries are currently undetermined. DNREC plans to continue this study and US Wind will review data for applicability to the Project when it becomes available.

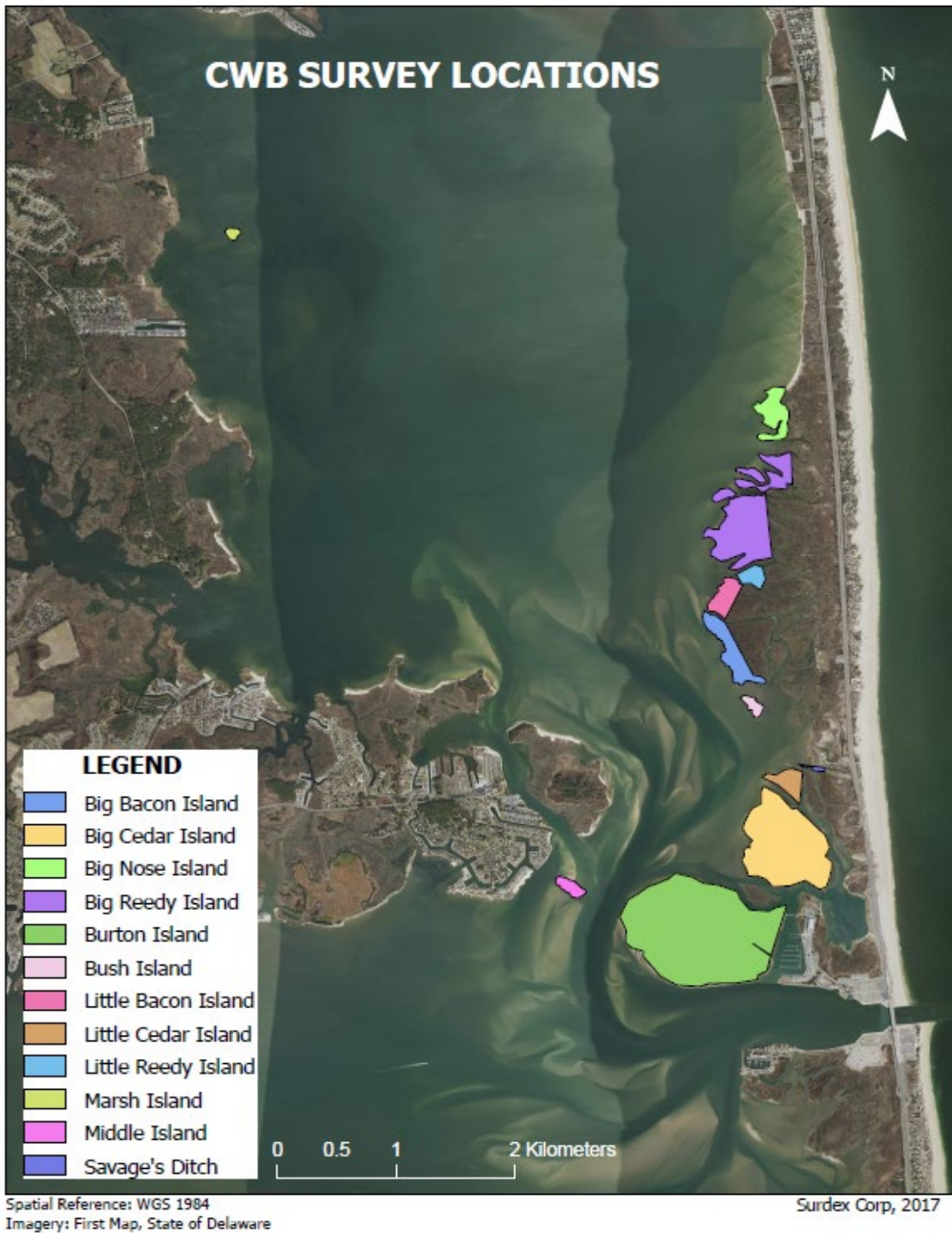


Figure 6-3. Rehoboth Bay Colonial Waterbird Nesting Survey Locations

Mid-Atlantic Baseline Study (Williams et al. 2015d)

According to the MABS survey, cormorants and waterfowl are among the most frequently encountered birds on the mid-Atlantic coast. Most waterfowl are likely to be present in the Project area during their migration between northern breeding grounds and southern wintering areas. Green-winged teal (*Anas Crecca*), brant (*Branta bernicla*), and mallard (*Anas platyrhynchos*) are common in the Project area in the fall (Williams et al. 2015d). Waterfowl that may breed in the Project area include mallard (*Anas platyrhynchos*), wood duck (*Aix sponsa*), and hooded merganser (*Lophodytes cucullatus*). Most waterfowl feed on aquatic vegetation and invertebrates. Shorebirds and pelicans are also likely to be present. Both double-crested cormorant (*Phalacrocorax auritus*) and brown pelican (*Pelecanus occidentalis*) are common in the mid-Atlantic region year-round, where they nest and feed on small schooling fish, such as menhaden and anchovies. Similar to waterfowl, while nearly three dozen shorebird species may be found in the Project area throughout the year, relatively few species would nest there. American oystercatcher (*Haematopus palliatus*), piping plover (*Charadrius melodus*), spotted sandpiper (*Actitis macularius*), and willet (*Tringa semipalmata*) are among the few shorebirds that may nest locally. Overwintering shorebird species include black-bellied plover (*Pluvialis squatarola*), ruddy turnstone (*Arenaria interpres*), dunlin (*Calidris alpina*), and sanderling (*Calidris alba*). Most shorebirds that may nest in the Project area build nests on the ground in beach face and back-dune habitats or in grassy marshes above the high tide line. Resident and migratory species often feed on invertebrates found in the intertidal zone.

Table 6-1. Coastal Bird Families Occurring in the Project Area

Order	Family	Distribution and Ecology
Suliformes	Phalacrocoracidae (Cormorants)	Sit and swim on water. Roost colonially on perches. Nest colonially in the mid-Atlantic; found there year-round.
Pelecaniformes	Pelecanidae (Brown Pelican)	Typically seen sitting on water or in flight. Nests colonially on islands in the mid-Atlantic; found there year-round.
Charadriiformes (Shorebirds)	Recurvirostridae (Avocets and Stilts) Haematopodidae (Oystercatchers) Charadriidae (Plovers) Scolopacidae (Sandpipers, Yellowlegs, Godwits, Dowitchers, Snipe, and Phalaropes)	Diverse group that uses a variety of habitats including beaches, dunes, mudflats, saltmarshes, and rocky coasts. Found in the mid-Atlantic year-round, though few species nest there.
Pelecaniformes (Wading Birds)	Ardeidae (Bitterns, Egrets, Herons, and Night-herons) Threskiornithidae (Ibises)	Nest in coastal areas of the mid-Atlantic; found there year-round.
Gruiformes	Rallidae (Rails, Coots, and Gallinules)	Rails inhabit coastal marshes. Several species breed in the mid-Atlantic and occur there year-round. Coots and gallinules inhabit ponds and marshes, often near the coast. Coots winter in the mid-Atlantic.

Order	Family	Distribution and Ecology
Anseriformes (Waterfowl)	Anatidae (Geese, Swans, and Ducks)	Diverse group that uses a variety of habitats including coastal ponds, bays, saltmarshes, and rivers. Most do not breed in the Project area and are present primarily during winter; however, a handful of species do breed in the Project area including Canada Goose, Mallard, Wood Duck, and Hooded Merganser.
Coraciiformes	Alcedinidae (Belted Kingfisher)	Uses sheltered waters, including coastal bays and marshes. Nests in mid-Atlantic and occurs there year-round.
Passeriformes (Saltmarsh Perching Birds)	Emberizidae (Saltmarsh Sparrow and Seaside Sparrow) Icteridae (Red-winged Blackbird) Troglodytidae (Marsh Wren and Sedge Wren)	Nest in marshes along the mid-Atlantic coast and winter in the Project area. Wrens and Sparrows found in the mid-Atlantic primarily during breeding season. Red-winged Blackbird in the mid-Atlantic year-round.
Various (Birds of Prey)	Pandionidae (Osprey) Accipitridae (Eagles, Hawks, and Harriers) Falconidae (Falcons) Strigidae (Owls) Cathartidae (Vultures)	Found in mid-Atlantic coastal habitats year-round. Osprey and Bald Eagle nest prominently and feed in coastal areas. Northern Harrier, Merlin, Peregrine Falcon, and Short-eared Owl nest in terrestrial habitats but hunt in open coastal habitats.
Passeriformes	Various Species	Typically not associated with marine and coastal habitats in the Project area except during migration. Any species using the Atlantic Flyway could potentially occur in the Project area during migration.

Wading birds, saltmarsh perching birds, and birds of prey that may overwinter in the Project area may potentially be impacted by Project activities that are scheduled to occur in winter months. Wading birds that may overwinter in the Project area include American bittern (*Botaurus lentiginosus*), great blue heron (*Ardea herodias*), black-crowned night heron (*Nycticorax nycticorax*), and white ibis (*Eudocimus albus*). Wading birds feed primarily on fish, amphibians, crayfish, and aquatic insects. Saltmarsh perching birds that may nest and overwinter in the Project area include saltmarsh sparrow (*Ammodramus caudacutus*), seaside sparrow (*Ammodramus maritimus*), marsh wren (*Cistothorus palustris*), sedge wren (*Cistothorus platensis*) (Family Troglodytidae), and red-winged blackbird (*Agelaius phoeniceus*). The two wren species and red-winged blackbird nest in vegetation, while the two sparrow species nest directly on the ground, usually just above the high tide line. As top-level consumers in coastal food webs, birds of prey do not typically achieve large populations, which can make them more sensitive to disturbances than more abundant species. Osprey (*Pandion haliaetus*) were the only raptors that were detected repeatedly during the MABS boat surveys (Williams et al. 2015c; Williams et al. 2015d). Osprey typically nest in bare trees or on nesting platforms overlooking saltmarshes and are adapted to an exclusive diet of fish.

Migratory Birds

Table 6-2 details the migratory bird species that could occur within the onshore portions of the Project area, based on IPaC results.

Table 6-2. Migratory Birds That May Occur in the Project Area

Common Name	Scientific Name	Level of Concern
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Non-BCC Vulnerable *
Bonaparte's Gull	<i>Chroicocephalus philadelphia</i>	Non-BCC Vulnerable
Canada Warbler	<i>Cardellina canadensis</i>	BCC Rangewide (CON **)
Clapper Rail	<i>Rallus crepitans</i>	BCC-BCR ***
Common Loon	<i>Gavia immer</i>	Non-BCC Vulnerable
Common Tern	<i>Sterna hirundo</i>	Non-BCC Vulnerable
Double-crested Cormorant	<i>Phalacrocorax auritus</i>	Non-BCC Vulnerable
Dunlin	<i>Calidris alpina arctica</i>	BCC-BCR
Evening Grosbeak	<i>Coccothraustes vespertinus</i>	BCC Rangewide (CON)
Great Black-backed Gull	<i>Larus marinus</i>	Non-BCC Vulnerable
Herring Gull	<i>Larus argentatus</i>	Non-BCC Vulnerable
Lesser Yellowlegs	<i>Tringa flavipes</i>	BCC Rangewide (CON)
Prairie Warbler	<i>Dendroica discolor</i>	BCC Rangewide (CON)
Prothonotary Warbler	<i>Protonotaria citrea</i>	BCC Rangewide (CON)
Red-breasted Merganser	<i>Mergus serrator</i>	Non-BCC Vulnerable
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	BCC Rangewide (CON)
Red-throated Loon	<i>Gavia stellata</i>	BCC Rangewide (CON)
Ring-billed Gull	<i>Larus delawarensis</i>	Non-BCC Vulnerable
Royal Tern	<i>Thalasseus maximus</i>	Non-BCC Vulnerable
Ruddy Turnstone	<i>Arenaria interpres morinella</i>	BCC-BCR
Rusty Blackbird	<i>Euphagus carolinus</i>	BCC Rangewide (CON)
Semipalmated Sandpiper	<i>Calidris pusilla</i>	BCC Rangewide (CON)
Short-billed Dowitcher	<i>Limnodromus griseus</i>	BCC Rangewide (CON)
Surf Scoter	<i>Melanitta perspicillata</i>	Non-BCC Vulnerable
Willet	<i>Tringa semipalmata</i>	BCC Rangewide (CON)
Wood Thrush	<i>Hylocichla mustelina</i>	BCC Rangewide (CON)

Source: USFWS 2021a, 2021b

* BCC: Bird of Conservation Concern

** CON: Continental US and Alaska

*** BCR: Bird Conservation Regions (BCC in these areas only)

Terrapins

The Diamondback terrapin (*Malaclemys terrapin*) is the only estuarine turtle species found in North America, spending its life in bays, salt marshes, creeks, and coves (DCIB 2021). Although the terrapin is considered aquatic, female terrapins lay their eggs on sandy beaches and juveniles use adjacent fringe or salt marshes to feed and grow (DCIB 2021) (DE Center for the Inland Bays, 2021). Many of the Delaware Inland Bays, including Indian River Bay, have natural shorelines with alternating beach and marsh habitat, making them excellent terrapin habitat (DCIB 2021). Habitat loss is a significant threat to terrapin in Delaware, arising from shoreline development, shoreline stabilization, and beach disturbance (DCIB 2021).

DNREC conducted a terrapin nesting study in Delaware Seashore State Park in 2005 – 2006. The seven locations for the study, shown in Figure 6-4 below, were selected based on the presence of open-canopied, sparsely vegetated areas, which are considered ideal terrapin nesting habitat. Two of the sites (Creation and Haven Bay) are Delaware Department of Transportation habitat mitigation sites specifically designed to provide terrapin nesting habitat. Terrapin nests were noted at all seven sites, although the exact nest locations were not recorded. The sites were revisited in 2020 to assess vegetative changes and quality of nesting habitat. The sites still contain suitable nesting habitat and site management was determined not to be necessary (DNREC 2021).



Figure 6-4. Indian River Bay and Rehoboth Bay Diamondback Terrapin Nesting Area

Threatened and Endangered Species

Four coastal species that are classified as threatened or endangered under the federal Endangered Species Act (ESA) may be found in the Project area and are discussed below. These include three bird species and one plant species. The federally and state listed species are listed in Table 6-3 and discussed below.

Table 6-3. Federally and State-Listed Coastal Species Potentially Occurring in the Project Area

Common Name	Scientific Name	Federal Status	DE State Status	MD State Status
Bald Eagle	<i>Haliaeetus leucocephalus</i>	-	E	-
Piping Plover	<i>Charadrius melodus</i>	T	E	E
Rufa Red Knot	<i>Calidris canutus rufa</i>	T	-	-
Eastern Black Rail	<i>Laterallus jamaicensis jamaicensis</i>	T	E	E
Black Skimmer	<i>Rynchops niger</i>	-	E	E
Seabeach Amaranth	<i>Amaranthus pumilus</i>	E	-	-
Bethany Beach Firefly	<i>Photuris bethaniensis</i>	-	E	-
Evergreen Bayberry	<i>Morella caroliniensis</i>	-	-	E

Source: USFWS 2021a, 2021b

E = Endangered; T = Threatened

Bald Eagles (16 U.S.C. 668-668d)

Bald eagles (*Haliaeetus leucocephalus*) nest in the mid-Atlantic and are present there year-round. After severe population declines throughout much of the United States during the early- to mid-20th century, the Federal government formally listed the bald eagle as endangered throughout most of its range in 1978. The bald eagle was federally de-listed in 2007 due to increasing numbers; however, the species continues to be protected by the Bald and Golden Eagle Protection Act of 1940, as well as other laws (USDOJ and USFWS 2016). The state of Maryland has updated its listing for the bald eagle to secure (M.W.a.H.S. MDNR 2016b), but the bald eagle remains classified as endangered in Delaware (Delaware Division of Fish and Wildlife 2006), where it is described as inhabiting coastal plain upland forests.

Bald eagles are commonly found close to bays, rivers, lakes, or other bodies of water that reflect the general availability of their primary food sources – fish and waterfowl. They tend to avoid areas with nearby human activity (boat traffic, pedestrians) and development (buildings). Perch sites are typically in deciduous and coniferous trees. Communal roost sites used by two or more eagles are common; some may be used by 100 or more eagles during periods of high use. Large stick nests are usually built in tall trees near water. Nest trees include pines, spruce, firs, cottonwoods, oaks, poplars, and beeches. Females typically lay two eggs each year, sometime between January and April, and chicks fledge in approximately 3 months (USDOJ and USFWS 2019). As of 2020, more than 220 pairs were successfully nesting in Delaware

(Delaware River Basin Commission 2021). The Delaware River provides essential wintering habitat for bald eagles (Delaware River Basin Commission 2021). Bald eagles are less common on the coastline; only two were detected during the MABS-MD aerial surveys (Williams et al. 2015c). DNREC identified a bald eagle nest on Burton Island, where the Indian River Power Plant is located in response to a request from US Wind (DNREC 2017b). Project activities will not intersect the nest location, but if any work is done east of the Power Plant, DNREC requests that US Wind contact United States Fish and Wildlife Services (USFWS) about the nest location. (DNREC 2017b).

Piping Plover (50 FR 50726)

The piping plover (*Charadrius melodus*) is a small, migratory shorebird that breeds on beaches from Newfoundland to North Carolina (Elliot-Smith and Haig 2004; USDOJ and USFWS 1996). According to USFWS (USDOJ and USFWS 2009b), piping plovers that breed on the Atlantic Coast belong to the subspecies *C. melodus*. The Atlantic Coast population is classified as threatened (USDOJ and USFWS 2015) and by both Delaware and Maryland as endangered (DNREC 2013; MDNR 2016a). The most recent abundance estimates by USFWS estimate approximately 1,762 nesting pairs in 2011 (USDOJ and USFWS 2012).

Piping plovers inhabit coastal sandy beaches and mudflats. They use open, sandy beaches close to the primary dune of barrier islands for breeding, preferring sparsely vegetated open sand, gravel, or cobble for nesting sites. They feed on marine worms, fly larvae, beetles, insects, crustaceans, mollusks, and other small invertebrates. They forage along the wrack zone, or line, where dead or dying seaweed, marsh grass, and other debris is left on the upper beach by high tides (USDOJ and USFWS 2015).

A key threat to the Atlantic Coast population is habitat loss resulting from shoreline development (USDOJ and USFWS 1996). Piping plovers are sensitive to human activities, and disturbances from anthropogenic activities can cause breeding birds to abandon their nests. Since the listing of this species under the ESA in 1986, the Atlantic Coast piping plover population has increased 234 percent (USDOJ and USFWS 2009b). Although increased abundance has reduced near-term vulnerability to extinction, piping plovers remain sparsely distributed across their Atlantic Coast breeding range, and populations are highly vulnerable to even small declines in survival rates of adults and fledged juveniles (USDOJ and USFWS 2009b).

The USFWS has designated critical habitat for the wintering population of piping plovers in coastal areas south of the Project area from North Carolina to Texas (USDOJ and USFWS 2001, 2008, 2009a). Some piping plovers migrate to the Bahamas and West Indies from mid-September to March. Although precise routes of migration are not firmly established, it is possible that piping plovers could be present in the Project area during migration.

Rufa Red Knot (79 FR 73705)

The rufa red knot (*Calidris canutus rufa*) is a medium-sized shorebird that was added to the list of threatened species under the ESA in December of 2014 (USDOJ and USFWS 2014). Its listing became effective on January 15, 2015. Large flocks of red knot migrate long distances between breeding grounds in the mid- and high-arctic and wintering grounds in southern South America (USDOJ and USFWS 2013). Their northward migration through the contiguous United States occurs April-June, and their southward migration occurs July-October.

Delaware Bay is the most important spring migration stopover in the eastern U.S., because it is the final place at which the birds can refuel in preparation for their nonstop journey to the Arctic (Baker et al. 2013). Red knots arriving at Delaware Bay depend on readily-available and easily digestible foods such as juvenile clams and mussels and horseshoe crab eggs to restore their depleted energy reserves (USDOJ and USFWS 2013). Up to 90 percent of the entire red knot population can be present in Delaware Bay in a single day (Cornell University 2017). Although their precise migration route has not been firmly established (Niles et al. 2010), it is possible that these birds could be present in the Project area during spring and fall migrations. Due to challenges with the species' migratory habits and differing survey methods across the red knots' range, a range-wide population estimate does not exist; however, survey counts in the mid-Atlantic estimate 48,955 knots stopping in Delaware Bay (2013) and 5,547 to 8,482 knots annually stopping in Virginia (2011-2014) (USDOJ and USFWS 2014).

Along the mid-Atlantic coast, red knots forage along sandy beaches, tidal mudflats, salt marshes, and peat banks (USDOJ and USFWS 2014). In Delaware Bay, they feed primarily on horseshoe crab eggs, and the timing of their arrival at Indian River Bay typically coincides with the annual peak of the horseshoe crab spawning period in May and June. (USDOJ and USFWS 2014; The Nature Conservancy 2021). Red knots are also known to occur in Maryland (USDOJ and USFWS 2014), although they were not observed in the MABS surveys (Williams et al. 2015c; Williams et al. 2015d).

Surveys of wintering red knots along the coasts of southern Chile and Argentina and during spring migration along the U.S. coast indicate that a serious population decline occurred in the 2000s (USDOJ and USFWS 2013). This population decline has been attributed to a reduction in horseshoe crabs (Cornell University 2017; USDOJ and USFWS 2013), which are harvested primarily for use as bait and secondarily to support the biomedical industry (USDOJ and USFWS 2003), but serve as an essential food source for red knot. Other threats to red knot include habitat destruction resulting from beach erosion and shoreline protection and stabilization projects, the inadequacy of existing regulatory mechanisms, human disturbance, and competition with other species for limited food resources.

Eastern Black Rail (85 FR 63764)

The threatened eastern black rail (*Laterallus jamaicensis jamaicensis*), a subspecies of the black rail, is a small marsh bird that occurs in salt, brackish, and freshwater wetlands in the eastern United States (USFWS 2019b). It was listed as threatened on October 8, 2020, with the rule becoming effective on November 9, 2020 (USDOJ and USFWS 2020). Both Maryland and Delaware list this species as a black rail in their records and classify the species as endangered (DEDFW 2015; MDNR 2016a).

Eastern black rail wetland habitat requires dense overhead cover, moist to saturated soils, and nearby shallow water for foraging (USFWS 2019b). The species lives across the elevation gradient between the lower wetland area and the higher upland area of estuarine and palustrine marshes. The upland area serves as a refuge from predation and as a means to escape flooding. Due to their nests being built in moist soil or shallow water, flooding is a frequent cause of nest failure for eastern black rails (USDOJ and USFWS 2020). This species rarely flies and runs to escape predators through the vegetation present in the wetland. Eastern black rails feed on a variety of small aquatic and terrestrial invertebrates and seeds (USFWS 2019b).

The eastern black rail has declined in numbers throughout the entirety of its range. Historically, Chesapeake Bay was considered an important breeding area, but the distribution and counts of

the species has declined in recent studies, with study areas in Maryland experiencing a 13.8% annual rate of decline (Watts 2016). Past stressors include habitat degradation and fragmentation, mainly due to past conversion of marshes and wetlands into agricultural and urban areas and ditching due to mosquito control (USDOI and USFWS 2020). Current stressors include continued development in marsh and wetland areas, sea level rise due to climate change, and incompatible land management (i.e. poorly timed fires, grazing, or mechanical treatment) (USDOI and USFWS 2020).

Seabeach Amaranth

The threatened seabeach amaranth (*Amaranthus pumilus*) is an annual plant species typically found in the lower foredunes of sandy beaches on the Atlantic coast (USDOI and USFWS 2018d). Seeds germinate as early as May, and plants flower as early as June and occasionally as late as December (USDOI and USFWS 2018d). Seabeach amaranth was historically found on barrier islands throughout the Atlantic coast from South Carolina to Massachusetts (USDOI and USFWS 1993). When all known populations were lost outside of New York and the Carolinas, the species was proposed and accepted for ESA listing in 1993. (USDOI and USFWS 1993).

Populations in Sussex County, Delaware have since been identified, although they are declining. Hundreds of seedlings have been planted north of the Project area at Delaware Seashore State Park to help restore a self-sustaining population (USDOI and USFWS 2018e). The area around the Barrier Beach Landfalls also provides suitable habitat for this species. Recent numbers in Delaware have fluctuated between a few dozen and a few hundred plants per year since 2000 (USDOI and USFWS 2018e).

The species is highly sensitive to habitat alteration and fragmentation, but because all known populations occurred on private lands at the time of listing, critical habitat has not been designated for this species (USDOI and USFWS 1993). Beach maintenance activities, including grooming and shoreline stabilization, threaten the continued existence of seabeach amaranth. Erosion, flooding, herbivory, competition, and all-terrain vehicle use during the plant's flowering and fruiting also stress seabeach amaranth populations.

Bethany Beach Firefly

The Bethany Beach firefly (*Photuris bethaniensis*) is found only in Delaware and is listed on Delaware's Endangered Species List. It is restricted to the interdunal wetlands along Atlantic Ocean beaches near Bethany Beach (Figure 6-5). There is a strong habitat association between the Bethany Beach firefly and the rare interdunal wetland habitat found along oceanfront beaches (DEDFW 2015).

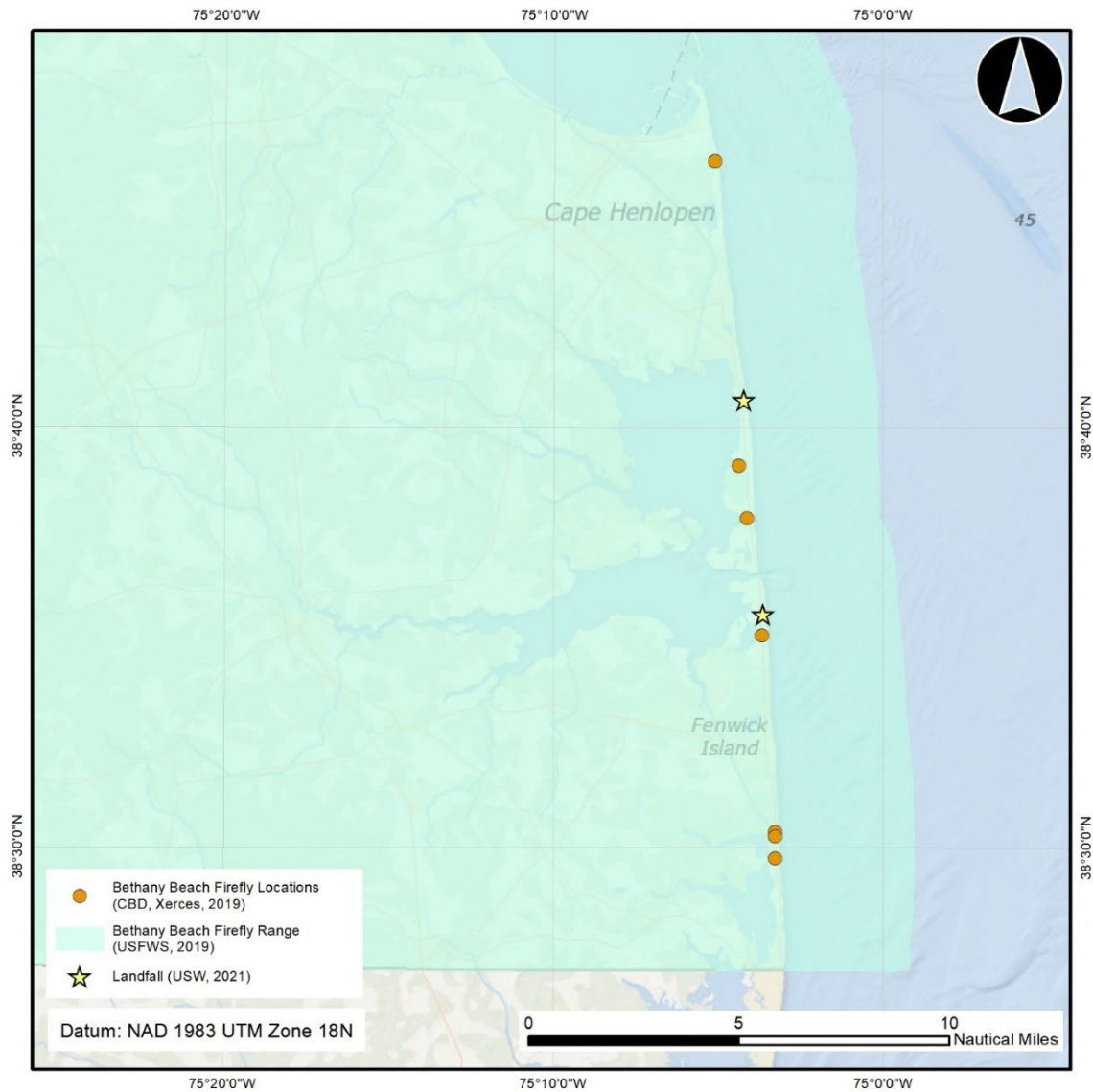


Figure 6-5. Bethany Beach Firefly Locations

Source: USFWS 2019a; The Center for Biological Diversity and The Xerces Society for Invertebrate Conservation 2019

Evergreen Bayberry

The evergreen bayberry (*Morella caroliniensis*) is listed as endangered by the state of Maryland. It is a shrub or small tree found in coastal habitats, such as dunes and wetlands (Native Plant Trust 2021). The plant produces fruits along its stem that are attractive to birds (Native Plant Trust 2021).

6.1.2 Onshore Export Cable Corridors

From the Barrier Beach Landfall at 3 R's Beach, Onshore Export Cable Corridor 1 continues westward across Indian River Bay. The benthos of Indian River Bay are discussed in Volume II, Section 7.0. Indian River Bay does not currently host submerged aquatic vegetation (DCIB 2017). Hummocks, areas of higher elevation that provide coastal habitat for wildlife, are dispersed throughout Indian River Bay. The locations of these hummocks shift over time due to sediment transport and deposition in Indian River Bay. Terns nest on the hummocks in Indian River Bay between May and August (DNREC 2017b). Terns are discussed in greater detail in Volume II, Section 12.0.

Potential land-based Onshore Export Cable Corridors (see Figure 11-1) under consideration are within existing rights of way or rights of way currently under development, primarily roads in previously disturbed lands.

6.1.3 Substation Landfall

After crossing Indian River Bay, Onshore Export Cable 1 would travel up the Indian River and under a tidal salt marsh and uplands before connecting to the proposed Interconnection Facilities. A 0.18 km² (45 acre) estuarine intertidal high marsh (E2EM1Pd (USDOI and USFWS 2018b)) has established in the low-energy environment on the inside of a meander bend about 2.7 km (1.7 mi) from the confluence of Indian River and Pepper Creek at Indian River Bay (Figure 6-6). The marsh is partially ditched or drained, indicating that it has a history of human impact. See the description of tidal salt marsh in Volume II, Section 6.1.1 for more information about the ecology of tidal salt marshes.

A relatively small freshwater mixed (needle-leaved evergreen and broad-leaved deciduous) forested wetland has been mapped just inland from the salt marsh and northeast of the Indian River Substation (PFO4/1Cd, Figure 6-6 (USDOI and USFWS 2018b)). This wetland type is considered a habitat of conservation concern because it is rare in the state and has the potential to harbor a high diversity of uncommon species.

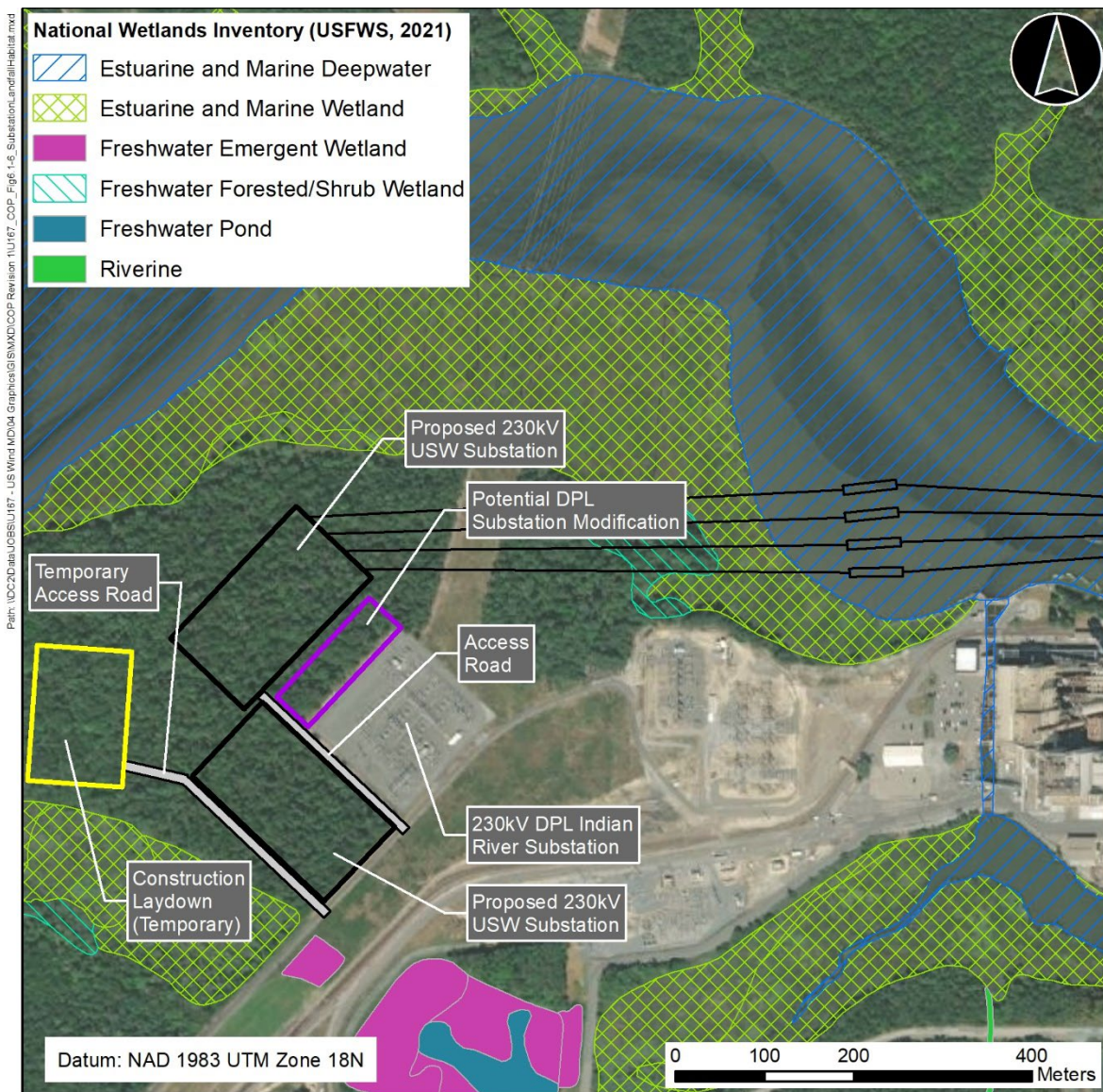


Figure 6-6. Substation Landfall Coastal Habitat

In May 2021, Landmark Science & Engineering (Landmark) performed a wetland field delineation in the area around the proposed US Wind substations and substation landfall, seen in Figure 6-7 below. Investigation of the study area concluded that vegetated tidal wetlands and non-tidal wetland fringe were present in relation to Indian River and Indian Creek. In addition to tidally influenced areas, the upland portion of the study area contains scrub-shrub vegetation and saplings. Based on this field delineation, the upland area is mostly mixed forest vegetation, mainly deciduous and coniferous species. There is a large emergent tidal wetland with a non-tidal wetland fringe along the border with the Indian River. North of the existing substation there is an emergent forested non-tidal wetland, which may be of conservation concern, as noted above. On the westernmost side of the study area, there is an emergent scrub/shrub tidal wetland with a non-tidal wetland fringe. The detailed results can be found in Appendix II-G1.

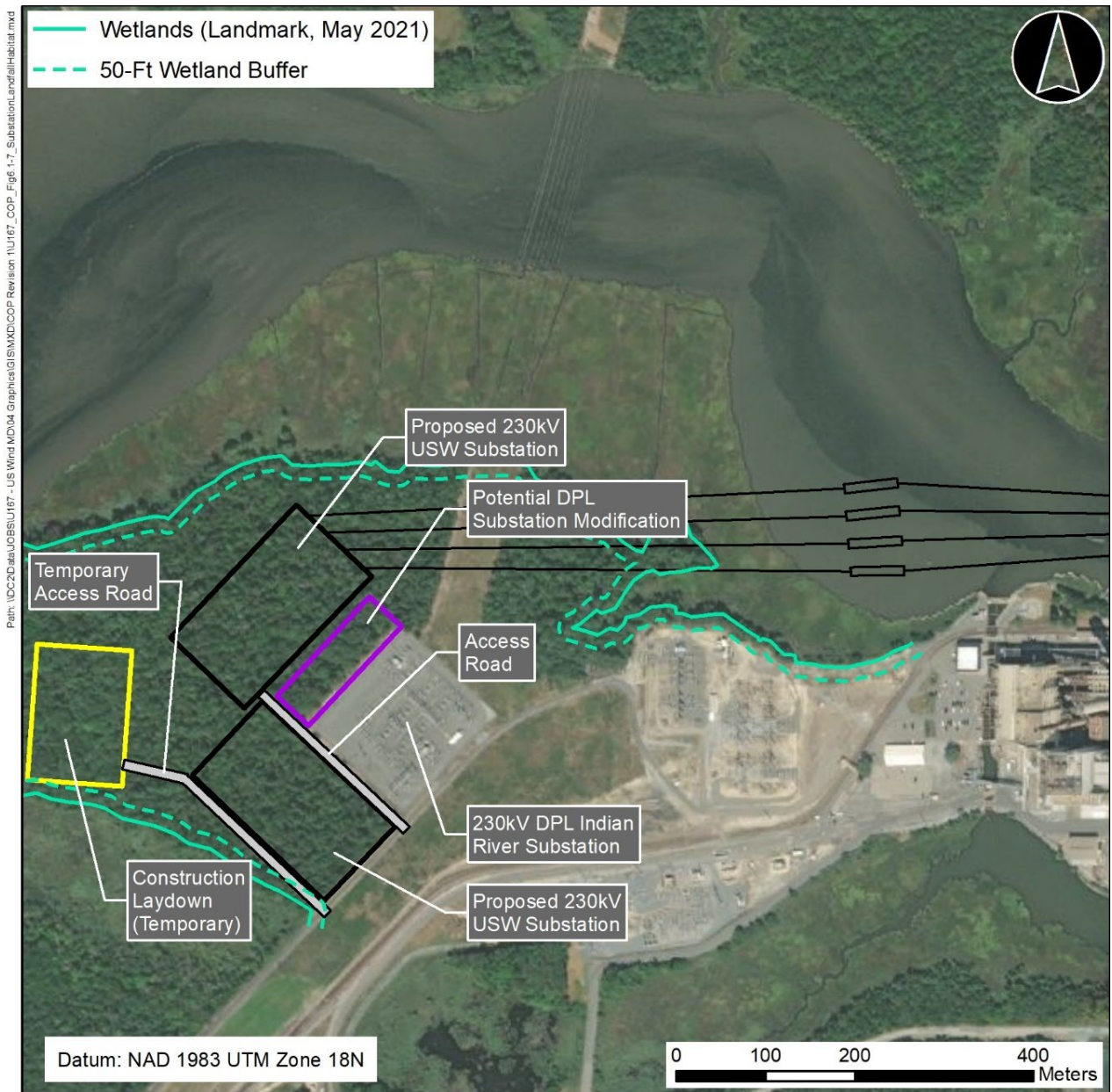


Figure 6-7. Substation Landfall Wetlands Delineation

6.2 Potential Impacts of the Project

6.2.1 Construction

Habitat Alteration

The Barrier Beach Landfalls are planned in parking lots that have already been disturbed and are expected to have negligible habitat alteration impacts. The transition vault box will be installed and HDD operations will occur in the proposed landfall location at the existing 3 R's Beach parking lot or Tower Road parking lot, which are already disturbed. Any material from land-based excavations will be stockpiled in accordance with a storm water management plan and used for backfill or repurposed as required. Limiting ground disturbance to the parking lot also avoids impacting the hydrology of the site since the parking lot is already a compacted surface.

The offshore export cables and Onshore Export Cable 1 will be installed using HDD. The HDD operations will only disturb the ground at the bore entry and exit for each cable. By minimizing ground disturbance, the Project minimizes the area in which complex vegetation re-establishment may be needed. Minimizing ground and vegetation disturbance also avoids impacts to coastal birds.

The Project has been designed to avoid impacts to coastal dunes and interdunal wetlands because they provide critical habitat for rare, threatened, and endangered species for much of the year.

Because ground disturbance will be minimized using the proposed construction approach, it is anticipated that alteration of coastal habitat in the Project area will be negligible.

Routine and Accidental Releases

Vessel traffic associated with construction activities is expected to produce routine and accidental releases of pollutants that will have negligible impacts on coastal habitat. Construction-related impacts from routine and accidental releases, including drilling fluid that could be released in the event of a frac-out during HDD, are discussed in detail in Volume II, Section 4.2.1. Spills of oil and hazardous chemicals can inhibit the growth of aquatic plants and harm or kill aquatic animals. Litter and other marine debris can also injure or suffocate aquatic animals. However, since the routine releases associated with this Project are anticipated to be small quantities of clean discharge and accidental releases associated with this Project are unlikely, the impacts of routine and accidental releases associated with the Project are anticipated to be negligible.

6.2.2 Operations

US Wind plans to use a suitable preexisting facility located pier side in the Ocean City, Maryland area for an O&M Facility and associated warehouse and crew support facility. If required due to real estate constraints, US Wind has also planned for the construction of a facility in close proximity to the harbor in order to limit its footprint in the Ocean City harbor area. Any construction would occur in previously developed areas.

Routine and Accidental Releases

Potential impacts to coastal habitat due to routine and accidental releases associated with Project operations and maintenance are anticipated to be less than impacts associated with construction. Potential impacts of routine and accidental releases during operations and maintenance are discussed in detail in Volume II, Section 4.2.2. Vessels may be used to transport maintenance materials and personnel to the Project in the event that the WTGs, OSS or submarine cables are in need of repair. Vessels may release sanitary waste and engine emissions as part of their routine operations and may inadvertently release trash, oil, or other chemicals that could impact coastal habitats; however, the impact of these releases is anticipated to be negligible due to the anticipated low frequency of maintenance and the low likelihood of accidental discharge.

6.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system to 4.6 m (15 ft) below the mudline. Potential impacts of decommissioning the Project would likely be less than impacts of constructing the Project. Removing OSSs and WTGs would have negligible impact on coastal habitats. It is difficult to assess what the potential impact of removing the cables would be without developing a project plan but impacts on coastal habitat could be minor to moderate depending on how much land disturbance is required in specialized coastal habitats. Habitat restoration or replication could be warranted as mitigation. However, as the decommissioning process is currently conceived, it is anticipated that coastal habitats would be able to fully recover from any impacts associated with decommissioning the Project.

6.3 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on coastal habitat and birds.

- US Wind will install cables using HDD to avoid impacts to coastal dunes and interdunal wetlands and to minimize bottom disturbance.
- US Wind will minimize ground disturbance by confining cable infrastructure, such as transition vaults and HDD operations, to previously disturbed lands as much as practicable.
- Onshore construction activities will be scheduled to avoid impacting sensitive coastal habitats, where practicable.
- Between May 1 and August 1, construction activities will not occur within 100 m (328 ft) of hummocks in Indian River Bay in order to avoid impacts to nesting terns.
- US Wind will minimize impacts on submerged aquatic vegetation where practicable.
- US Wind will establish and maintain buffers around wetlands, implement best management practices (BMPs) to minimize erosion and control sediments and maintain natural surface drainage patterns, as practicable.
- US Wind will locate cable landfalls and onshore facilities so as to avoid impacts to known nesting beaches, where feasible. The use of HDD for cable installation under the Barrier Beach Landfalls will avoid impacts on beaches.

- Construction is anticipated to occur outside of turtle nesting season. Agency consultation and monitoring will be conducted as needed to mitigate disturbances.
- Project-specific SPCC Plan will be prepared prior to construction and for operations activities.
- US Wind will develop a Stormwater Pollution Prevention Plan (SWPPP) for onshore construction activities, as appropriate.
- Agency consultation and monitoring regarding coastal habitats and species will be conducted as needed to mitigate disturbances, as practicable.
- US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others.

7.0 Benthic Resources

7.1 Description of Affected Environment

In developing earlier versions of its benthic habitat assessment and mapping approach, US Wind relied on guidance from the BOEM June 2019 “Guidelines for Providing Benthic Habitat Survey Information for Renewable Energy Development on the Atlantic Outer Continental Shelf Pursuant to 30 CFR Part 585” (BOEM 2019). However, following issuance of the Greater Atlantic Regional Fisheries Office’s (GARFO) May 27, 2020 “Updated Recommendations of Mapping Fish Habitat,” (NOAA Fisheries 2021j) subsequent consultations with BOEM and GARFO on June 15, 2020, and GARFO’s March 29, 2021 “Updated Recommendations for Mapping Fish Habitat,” US Wind revised its habitat mapping approach for surveys that were undertaken in 2021.

This approach commenced with the review of earlier Lease area geophysical and seafloor sampling surveys by US Wind and others, which were used to provide initial context for coarse-scale identification of potentially complex seafloor habitat locations. Following this, US Wind initiated acoustic surveys, the preliminary results of which were then used in tandem with previously existing data to select locations for targeted seafloor sampling in the Lease area. Data products used to support the benthic habitat survey and mapping work include multibeam echosounder bathymetry and backscatter, as well as sidescan sonar mosaics, reflectivity, high-relief targets, and identification of bedforms (e.g., sand ripples).

In the Offshore Export Cable Corridors, preliminary acoustic survey results were not available prior to initiating selection of the benthic sample locations. Therefore, benthic sample locations were selected at discrete intervals of approximately 1 km to provide geographic coverage for characterization of benthic habitats.

The 2021 benthic habitat survey program was conducted in July and August of 2021. It included collection of 0.04 m² benthic grabs, still imagery, and video transects. Separate benthic grab samples were collected and processed for bulk physical and macrofaunal analysis at each sampling location. Still planview imagery was collected at each benthic grab location using a grab-mounted camera. Video transects were approximately 180 m in length and included collection of both oblique and planview imagery.

The results of the fully processed acoustic mapping and targeted seafloor sampling will be integrated to produce final data products that include both characterization and delineation of benthic habitat according to the NOAA Fisheries-modified Coastal and Marine Ecological Classification System (CMECS) taxonomic framework identified in GARFO’s March 29, 2021 “Updated Recommendations for Mapping Fish Habitat.” These data products are pending as per the deferral request included in this submission, and will be used to supplement the information provided in this section once available.

7.1.1 Lease Area

Benthic habitat in the Lease area is generally characterized by mobile sandy substrates on gentle slopes, with shell hash frequently accompanying mineral substrates (Guida et al. 2017). Although sand is the dominant sediment type in the area, gravel is common as a minor component, particularly in northern portions of the Lease area (Guida et al. 2017). Muddy sands are also present in areas protected from strong currents, including portions of the central Lease area. Variations in sediment have been observed to occur over small spatial scales within the Lease area, and though few hard bottom patches are believed to be present, scattered cobble areas have been observed (Guida et al. 2017).

The benthic macrofaunal community in the Lease area appears to be dominated by polychaetes, which were the most abundant taxonomic group observed during benthic sampling conducted within the Maryland WEA in 2013 (Guida et al. 2017). Polychaetes representing 26 distinct taxonomic families contributed more than 50% of the observed total macroinvertebrate abundance. Oligochaete worms were the second-most abundant group observed, followed (in descending order) by mollusks, crustaceans, and other organisms (Guida et al. 2017).

Video surveys and survey trawls of the Lease area suggest that the primary benthic epifaunal taxa include common sand dollar (Clypeasteroidea, *Echinarachnius parma*), sea stars (*Asterias* spp.), tube anemones (*Cerianthus* sp.), hermit crab (*Pagurus* sp.), rock crab (*Cancer* spp.), moon snails (Naticidae), and nassa snails (*Ilyanassa* [*Nassarius*] spp.). Surf clams (*Spisula solidissima*), sea scallops (*Placopecten magellanicus*), penaeid shrimp (Penaeidae), sand shrimp (*Crangon septemspinosa*), horseshoe crab (*Limulus polyphemus*), and ocean quahog (*Arctica islandica*) were also occasionally recorded in survey trawl data (Guida et al. 2017).

2015 Benthic Field Survey

A survey of benthic resources was conducted in July 2015 in the initial proposed location of the Met Tower (Appendix II-D3). Sampling was conducted in accordance with *Guidelines for Providing Benthic Habitat Survey Information for Renewable Energy Development on the Atlantic Outer Continental Shelf Pursuant to 30 CFR Part 585* issued November 4, 2013 by BOEM (BOEM 2019). The benthic field survey was composed of two elements, including 1) collection of still images and video of the seafloor and 2) collection of benthic grab samples for laboratory analysis of taxonomic composition. The benthic field survey focused on six locations as seen in Figure 7-1.

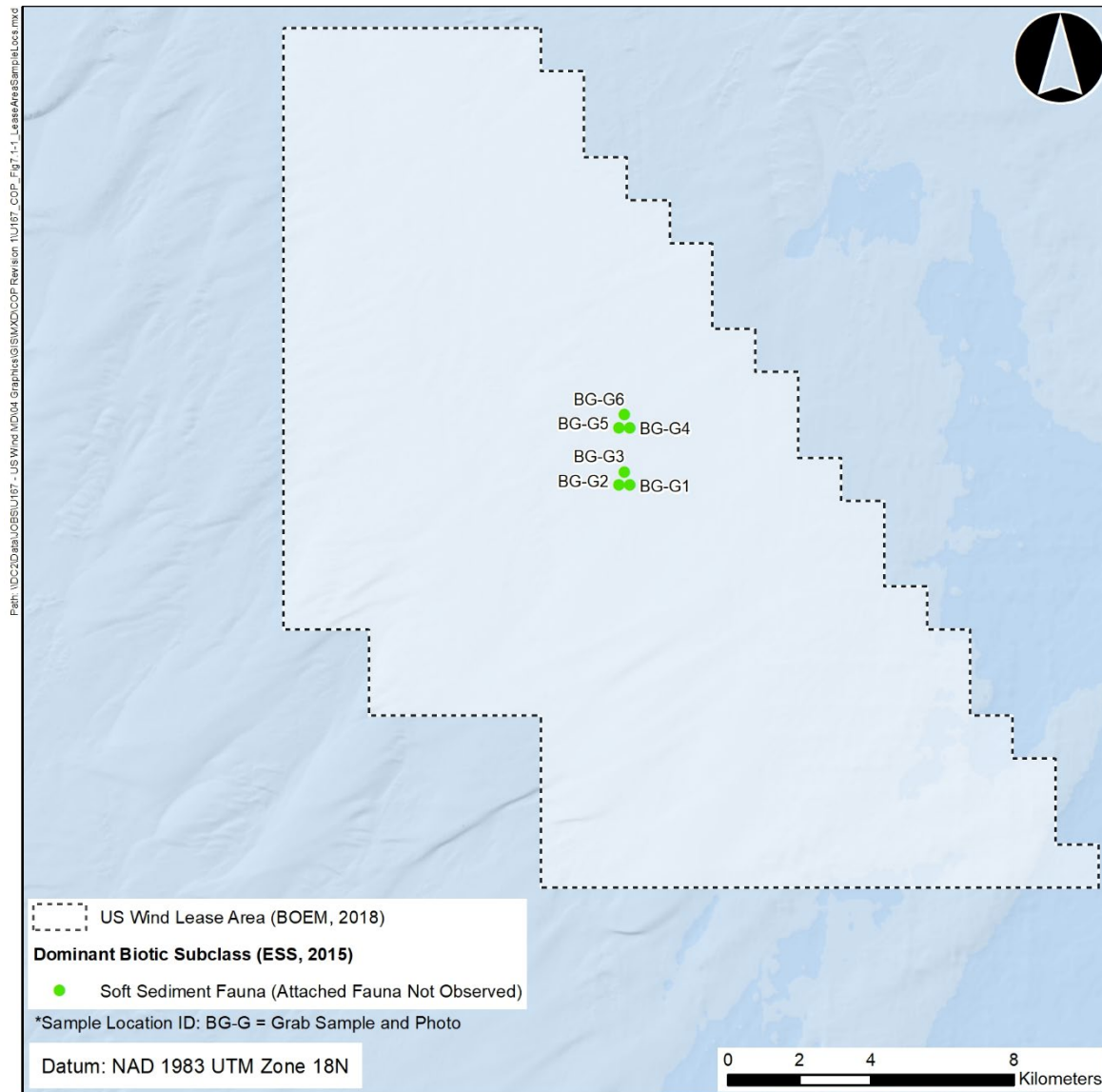


Figure 7-1. Benthic Field Survey Samples CMECS Biotic Subclass Classification and Attached Organism Presence

Qualitative analysis of the benthic imagery obtained indicated the presence of at least eight macrofaunal taxa overall (Table 7-1). Most of the observed taxa were epifaunal species, such as hermit crabs and sand dollars.

Table 7-1. Summary of Macroinvertebrate Taxa Observed in Benthic Field Survey Imagery

Common Name	Scientific Name
Sea stars	Asteroidea
Rock crabs	<i>Cancer</i> spp.
Tube anemones	Cerianthidae
Sand dollars	Clypeasteroidea
Hydrozoans	Hydrozoa
Moon snails (includes egg collars)	Naticidae
Hermit crabs	Paguridae
Bristle worms	Polychaeta

Grab samples provided additional information on the benthic community, especially infaunal taxa. Overall, nineteen species of benthic fauna were observed from the six grab samples. Taxa richness averaged eight per sample (Table 7-2). Polychaete worms were the most taxonomically rich group, contributing over 47% of the taxa richness in the study area. Mollusks represented 26% of observed taxa. Crustaceans, oligochaete worms, and “other” taxonomic groups were observed to be the least taxonomically rich, contributing just of one or two taxa each (5.3% or 10.5% of taxonomic richness).

Overall macrofaunal density averaged close to 3,500 organisms/m² (Table 7-2). Nematode worms (primary constituent of the “other” taxonomic group) were the most abundant organism encountered in the benthic grab sampling program, accounting for almost 40% of macrofaunal density (Table 7-3). Polychaete worms were the second-most abundant benthic organism observed, followed by oligochaete worms, crustaceans, and mollusks (Table 7-2).

Table 7-2. Summary of Key Statistics from the Benthic Field Survey Community Assessment

Statistic	Value
Number of Samples	6
Mean Density per Square Meter (± 1 SD)	3,433 \pm 501
Mean Taxa Richness (± 1 SD)	8 \pm 1
Total Number of Taxa	19
Percent of Taxa Observed by Taxonomic Group	
Polychaetes	47.4
Crustaceans	10.5
Mollusks	26.3
Oligochaetes	5.3
Other	10.5
Percent of Total Abundance by Taxonomic Group	
Polychaetes	35.4
Crustaceans	9.2
Mollusks	3.9
Oligochaetes	9.7
Other	41.7

Table 7-3. Relative Abundance of Taxa Observed in Benthic Field Survey Benthic Grabs

Taxon	Common Name	Percent Relative Abundance
Nematoda	Nematode Roundworm	37
<i>Polygordius sp.</i>	Primitive Bristleworm	16
Tubificidae	Oligochaete Worm	10
<i>Lumbrinerides acuta</i>	Opal Worm	8
<i>Tanaissus psammophilus</i>	Tanaid Shrimp	8
<i>Glycinde solitaria</i>	Chevron Worm	6
Turbellaria	Flatworm	4
<i>Paraonis sp.</i>	Paraonid Worm	2
<i>Ensis directus</i>	Razor Clam	1

Taxon	Common Name	Percent Relative Abundance
<i>Trichophoxus epistomus</i>	Hooded Amphipod	1
Capitellidae	Capitellid Threadworm	1
<i>Sigalion arenicola</i>	Sigalionid Scaleworm	1
<i>Spisula solidissima</i>	Surf Clam	1

* Includes taxa accounting for at least 1% of total abundance.

Most of the benthic macrofaunal taxa observed in the benthic grab samples were small burrowing or tube-building taxa. The most commonly observed polychaete taxa include *Polygordius* sp. and *Lumbrinerides acuta*, both typical of sandy shelf habitats (Solis-Weiss et al. 1995; Ramey 2008). The most abundant crustacean (the tanaid [*Tanaissus psammophilus*]) and mollusk (the razor clam [*Ensis directus*]) are also shallow burrowers (Weiss 1995). Although not abundant, surf clam juveniles were present in two samples.

Larger nematode worms (longer than 500 microns) were included in the data analysis. However, nematodes are often treated entirely as meiofauna and not included in analyses of the benthic macroinvertebrate community. When nematodes are removed from the dataset, polychaete worms become the dominant taxonomic group, contributing over 50% of the total benthic abundance. These community composition results are consistent with previous grab sampling of the benthic community in the Lease area, in which polychaetes contributed approximately 57% of total abundance (Guida et al. 2017).

Previous studies have also not documented the presence of live-bottom benthic habitats in the area (Guida et al. 2017; NOS 2015). Other potentially sensitive or unique benthic habitat types, such as hard bottom, were not directly documented during the benthic or geophysical and geotechnical survey program within the Lease area (Alpine 2015). Although localized areas of hard bottom cobble habitat are known to occur in the Lease area, these are anticipated to be localized (Guida et al. 2017). These findings align with previous studies, which indicate that hard bottom benthic habitats are rare in the Lease area and primarily occur as gravel- or cobble-dominated substrates (Guida et al. 2017; NOS 2015).

More detailed summaries of the methodology used and the results of the benthic field survey are presented in Appendix II-D3.

Taxonomic Classification of Benthic Habitat in the Lease Area

Based on previous grab sampling in the area conducted by Guida et al. (2017) and investigations for this Project, a preliminary classification of the benthic habitat in the Lease area has been completed under the CMECS (Table 7-4). The classification will be updated with the results of the 2021 Benthic Survey.

To identify potentially sensitive habitat areas, the dominant biotic subclass under the CMECS framework was determined for each benthic sample site within the Lease area. All six sites were characterized by soft sediment fauna, and no attached fauna or sensitive or unique benthic habitats, such as hard bottom, live bottom, or submerged aquatic vegetation (SAV), were observed.

Table 7-4. Taxonomic Classification of Benthic Habitat in the Lease Area

CMECS Level		Classification
Biogeographic Setting	Realm	Temperate North Atlantic
	Province	Cold Temperate Northwest Atlantic
	Ecoregion	Virginian
Aquatic Setting	System	Marine
	Subsystem	Nearshore to Offshore
	Tidal Zone	Subtidal
Water Column Component	Water Column Layer*	Marine Nearshore Lower Water Column to Offshore Subtidal Water Column
	Salinity Regime	Euhaline Water
	Temperature Regime	Moderate Water (Seasonal Variation from Cold to Warm)
Geoform Component	Tectonic Setting	Passive Continental Margin
	Physiographic Setting	Continental Shelf
	Geoform Origin	Geologic
Substrate Component	Substrate Origin	Geologic Substrate
	Substrate Class	Unconsolidated Mineral Substrate
	Substrate Subclass*	Coarse to Fine Unconsolidated Substrate
	Substrate Group*	Patchy, Mobile Gravel Mixes to Muddy Sand
Biotic Component	Biotic Setting	Benthic Biota
	Biotic Class	Faunal Bed
	Biotic Subclass	Soft Sediment Fauna

*Indicates multiple classifications within this level of the CMECS hierarchy in the Lease area.

Shellfish

Although not abundant, surf clam juveniles were present in two of the samples collected during the 2015 benthic field survey. This species appears to occur throughout the Lease area, and juveniles were described as prevalent in benthic grab samples collected from the area in 2013 (Guida et al. 2017).

Although no other shellfish of commercial importance were observed in samples collected during surveys within the Lease area, both sea scallops, and ocean quahog were documented in samples collected by the NEFSC LMRCS cruise in 2013 (Guida et al. 2017).

Although horseshoe crabs were not observed during the benthic field survey, this species is known to be present in the Lease area. Horseshoe crabs congregate at sandy beaches in springtime to spawn (notably in Delaware Bay) and overwinter in deeper bay and offshore

waters (USFWS 2006; MDDNR 2021b). Approximately 108.6 km² (41.9 mi²) of the Lease area is located within the southwestern portion of the Carl N. Shuster, Jr. Horseshoe Crab Reserve (Figure 7-2). The Shuster Reserve occupies the area extending 48 km (30 mi) east of the eastern boundary of state-regulated waters off the coast of Delaware Bay, and was designated as a no-harvest zone for horseshoe crabs, effective March 7, 2001, in an effort to maintain sufficient numbers of horseshoe crab eggs to feed migratory shorebirds (Marine Conservation Institute 2019).

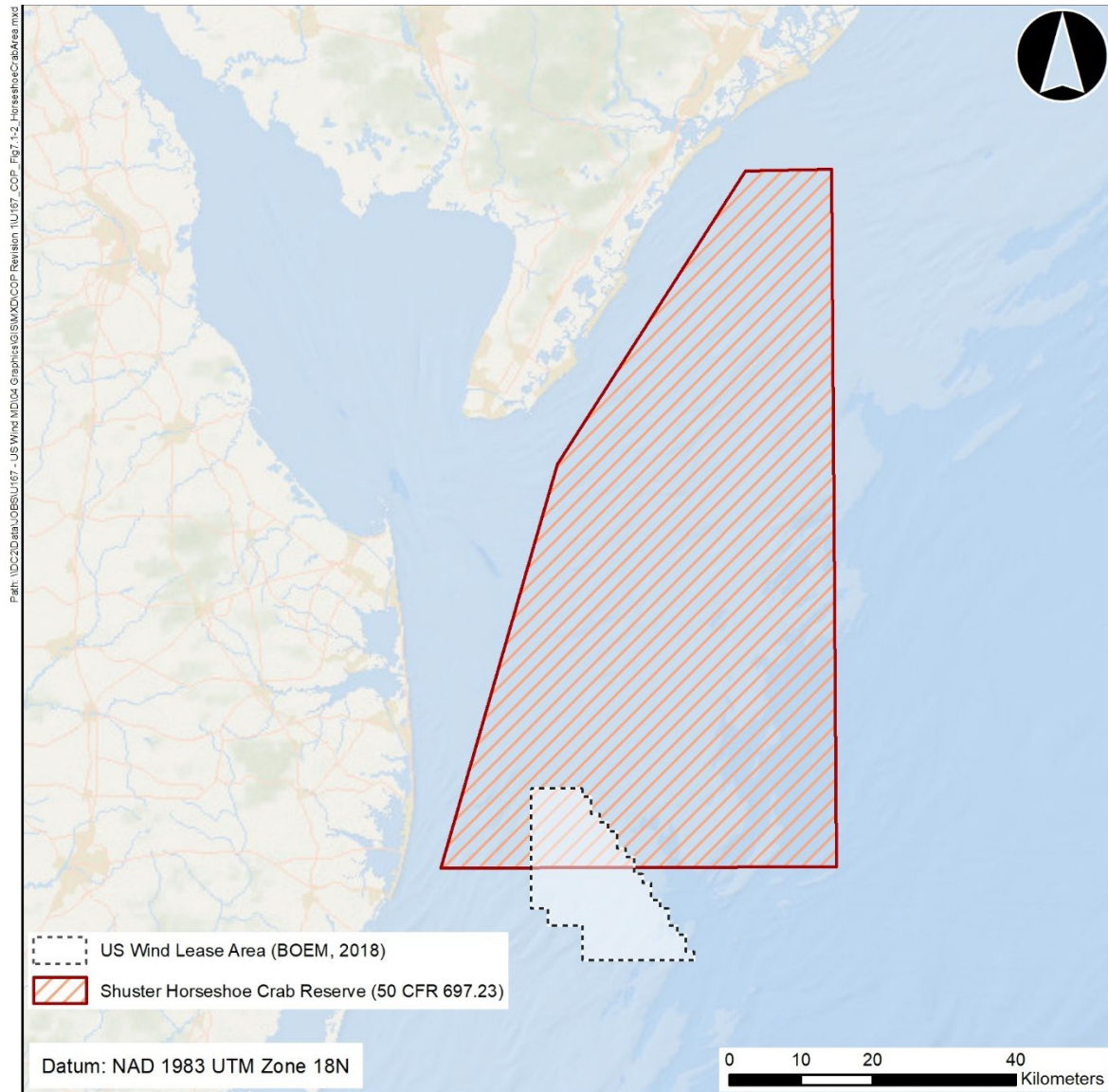
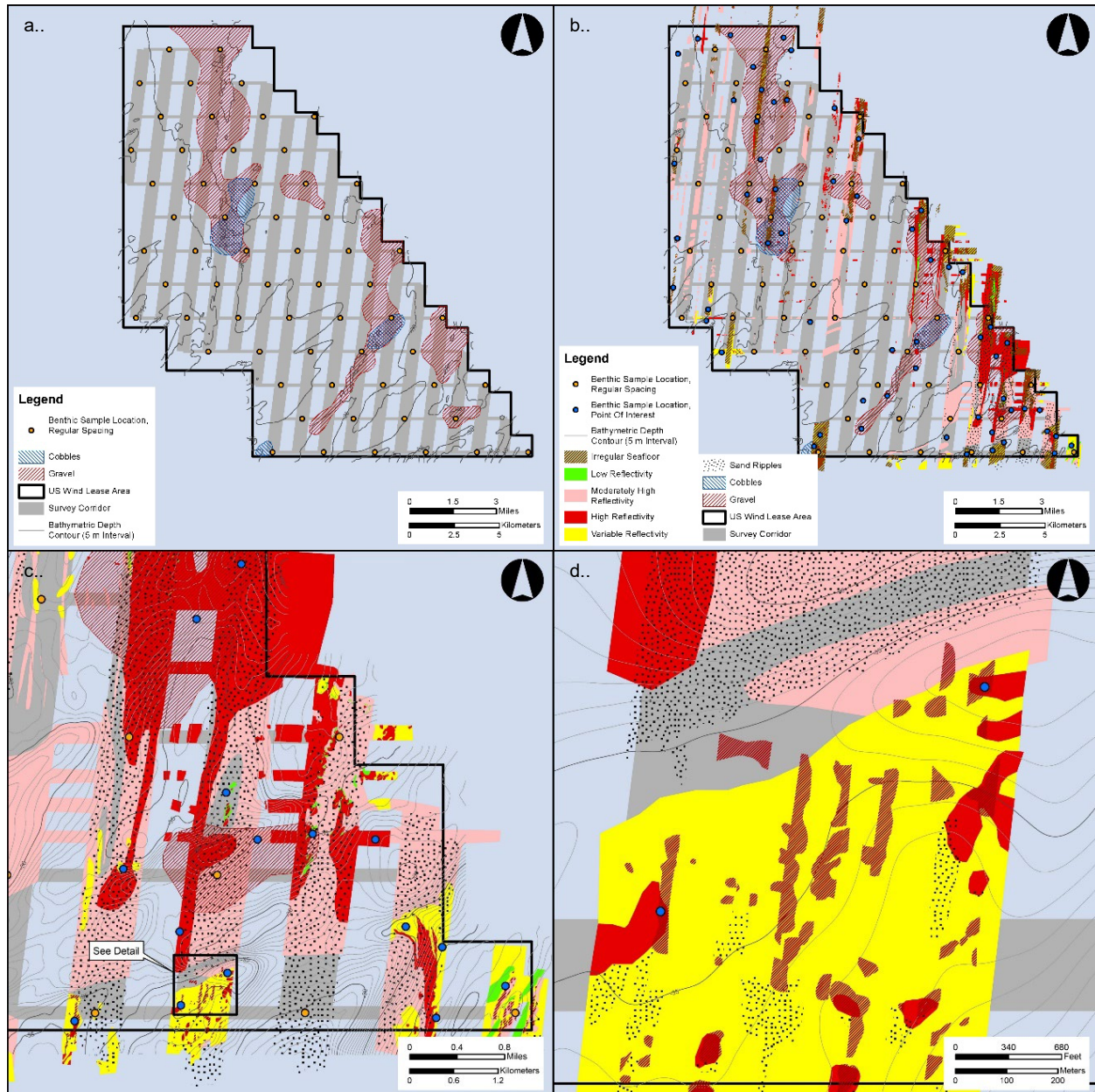


Figure 7-2. Carl N. Shuster, Jr Horseshoe Crab Reserve

See Volume II, Section 17.5 for a discussion of the commercial and recreational value of shellfishing in the Lease area.

2021 Benthic Survey

A field survey of benthic resources in the Lease area was conducted in July and August of 2021. This survey involved the collection of benthic grabs at 120 locations across the Lease area, as well as collection of video transects via remotely operated vehicle (ROV) at 70 locations.



Panel a: Coarse-scale identification of areas with higher frequency of cobble and gravel based on existing data sources. Panel b: Preliminary 2021 acoustic data overlaid on existing data. Panel c: Same as top right map but scale and extent adjusted to show additional detail in southeastern portion of Lease area, including sand ripples (stippled areas) and more detailed bathymetry. Panel d: Detail of inset from bottom left map.

Figure 7-3. Example of selection process for seafloor sampling locations. Blue points represent locations selected for sampling based on habitat.

Of the 120 benthic grab sample locations selected in the Lease area, 60 were fixed locations co-located with proposed WTG or OSS locations. These locations were selected to ensure broad geographic characterization of portions of the Lease area that may be directly impacted by Project construction. The other 60 locations were selected to characterize potential complex habitat, as identified by preliminary interpretation of the 2021 HRG acoustic data and supplemented by other existing sources of data (CB&I 2014; Alpine 2015; Guida et al. 2017). Areas targeted as potential complex habitat were mapped by one or more of these sources as more likely to contain unconsolidated hard bottom, such as gravel, gravel mixes, and gravelly substrates (Figure 7-3).

Of the 70 benthic imagery transects completed in the Lease area, 10 were fixed locations co-located with proposed WTG or OSS locations. The remaining 60 imagery transects were selected to characterize the areas of potential complex habitat. The axes of these transects were aligned to capture features of interest (e.g., high-relief objects, areas of higher reflectivity or rugosity) based on preliminary interpretation of the 2021 HRG acoustic data.

The results of the 2021 Benthic Survey will be provided as Appendix II-D4 as per the deferral request included in this submission. The benthic report will delineate complex seafloor features using NOAA Fisheries modified CMECS classifications.

7.1.2 Formerly Planned Offshore Export Cable Route

The deeper waters of the formerly planned offshore export cable route are euhaline and similar in many ways to those of the Lease area, with vertical thermal and salinity gradients during the summer months. Shallower coastal waters near the offshore landfall are typically well-mixed throughout the year and subject to more variable temperatures, as described in Volume II, Section 4.0.

Benthic habitats in nearshore shelf and offshore areas of Delaware are primarily composed of reworked Holocene deposits with sand as the dominant grain size in most areas (Reid et al. 2005; Coastal Planning & Engineering 2014). The area is generally shaped by sedimentary processes from high wave energy in the Atlantic Ocean. The intense wave action has generated sandy ridges interspersed with depressions, the spacing of which vary substantially with distance from shore. These features tend to become larger and more widely spaced toward the southeast, where they may be spaced 2 to 4 km (1.2 to 2.4 mi) apart and extend tens of kilometers (tens of miles) from end to end. The ridges and adjacent depressions are generally oriented along a southwest to northeast axis with a maximum relief of 5 to 10 m (16 to 32 ft) from trough to crest (Coastal Planning & Engineering 2014). The Offshore Export Cable Corridors traverse the northern periphery of these ridges where the relief is generally less pronounced and takes the form of broad flats in some areas.

Benthic habitats in Delaware coastal waters are variable, but are often dominated by sandy substrates with varying levels of gravel and/or silt, and shell hash (Cutter et al. 2000). A prior study of the benthic community in Delaware coastal waters suggests dominance of fine-grained benthic habitats by polychaete worms, followed by mollusks and crustaceans (Cutter et al. 2000). Among polychaetes, the ampharetid worm *Asabellides oculata*, the mud worm *Spirosetosa*, and the bee worm *Spiophanes bombyx* were common. The majority of mollusks observed were bivalves, though gastropods were also present at lower densities. The crustacean assemblage was dominated by amphipods, although crabs, cumaceans, and other taxa were also present. On coarser substrates, mollusks and crustaceans comprised a larger

portion of the benthic community, with *Astarte* clams (*Astarte* spp.), the crenella bean mussel (*Crenella glandula*), blue mussel (*Mytilus edulis*), and the amphipod *Byblis serrata* most common. Infaunal organism abundance varied greatly, ranging from 90/m² to 70,600/m². Likewise, taxa richness varied from three to 40 taxa per sample.

2016 Benthic Field Survey

A field survey of benthic resources along the formerly planned offshore export cable route was conducted in September 2016. Although this offshore export cable corridor is no longer being considered for the Project, the data is provided as indicative of the general area where the offshore export cables will be installed. This information will be updated with the results of the 2021 Benthic Survey. The 2016 benthic field survey was composed of two elements, including 1) collection of still images and video of the seafloor and 2) collection of benthic grab samples for laboratory analysis of taxonomic composition. Benthic imagery was collected at 22 locations along the formerly planned offshore export cable route, including eight locations that were identified as potential hard bottom habitats based on associated geophysical survey results. Benthic grab samples were collected at fourteen locations, including seven locations within the Old Grounds fishing area (Figure 7-4).

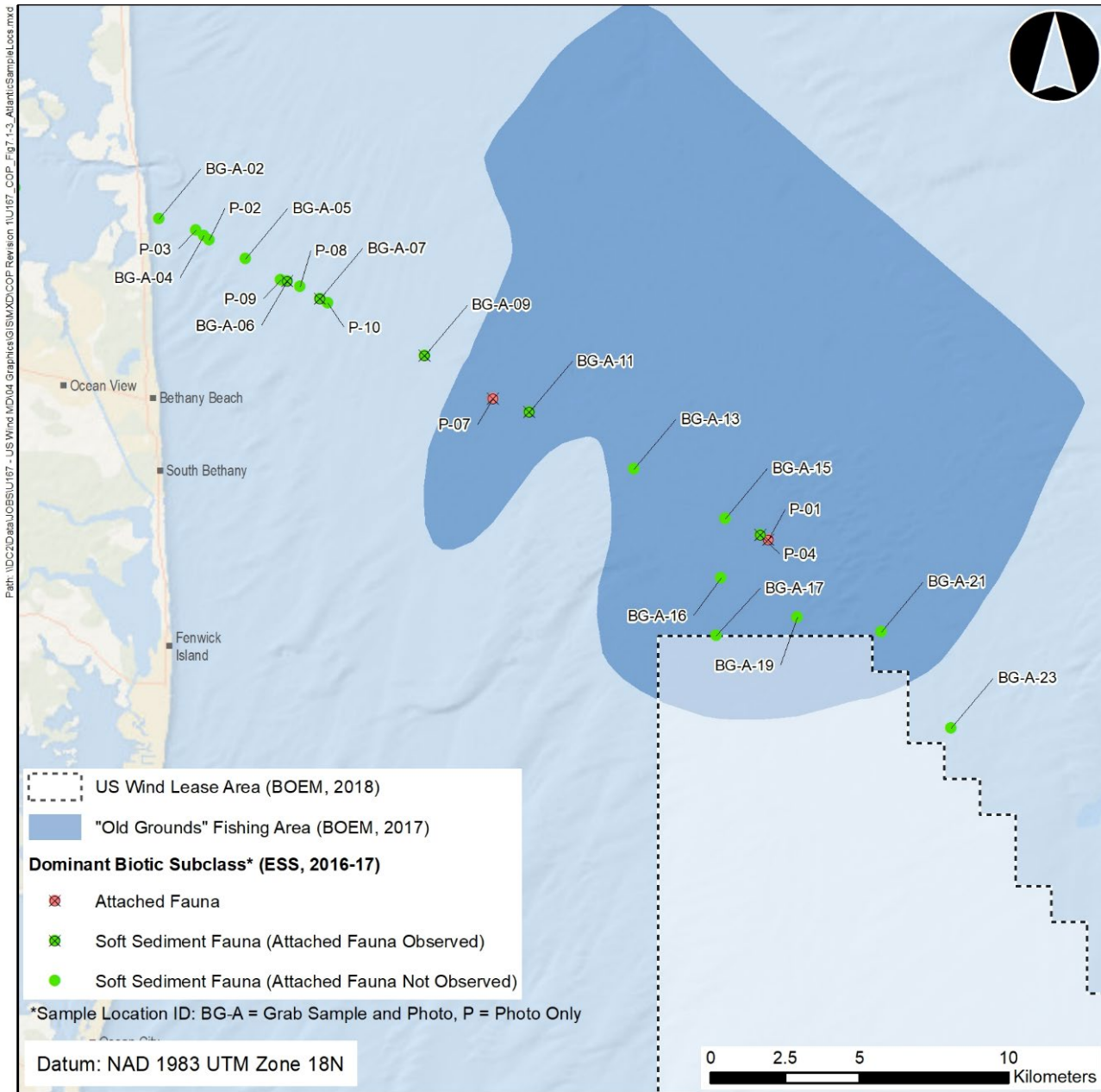


Figure 7-4. Formerly Planned Offshore Export Cable Route Benthic Samples CMECS Biotic Subclass Classification and Attached Organism Presence

Qualitative analysis of the benthic imagery indicated the presence of at least fourteen macrofaunal taxa (Table 7-5). Most of the observed taxa were primarily epifaunal species, such as hermit crabs, sand dollars, and slipper snails (*Crepidula* spp.).

Table 7-5. Summary of Macroinvertebrate Taxa Observed in Formerly Planned Offshore Export Cable Route Benthic Imagery

Common Name	Scientific Name
Tunicates*	Ascidiacea
Astarte clams	Astartidae
Stony coral*	<i>Astrangia</i> sp.
Bryozoans*	Bryozoa
Whelks	Busyconidae
Rock crabs*	<i>Cancer</i> spp.
Tube anemones	Cerianthidae
Sand dollars	Clypeasteroidea
Slipper snails	<i>Crepidula</i> spp.
Shrimps	Decapoda
Sea whip*	<i>Leptogorgia</i> sp.
Moon snails (includes egg collars)	Naticidae
Hermit crabs	Paguridae
Bristle worms	Polychaeta
Sponges	Porifera

*Only observed in areas of hard bottom

Grab samples provided additional information on the benthic community, especially infaunal taxa. Seventy-three marine invertebrate taxa, including polychaete worms, oligochaete worms, bivalves, gastropods, amphipods, isopods, cumacean shrimp, crabs, sand dollars, sea stars, sea cucumbers, nemertean ribbon worms, nematode round worms, and lancelets, were observed in the fourteen samples analyzed. Mean macroinvertebrate density was 813 organisms/m², and taxa richness averaged eight taxa per site, with individual samples ranging between two and twenty-two taxa (Table 7-6). The benthic community observed in the samples was dominated by nematode roundworms (primary constituent of the “other” taxonomic group), which accounted for nearly 67% of all organisms (Table 7-7). Although the nematode roundworms encountered in this study were large enough to be considered macrofauna, this group is often included with smaller meiofauna. When nematode roundworms were excluded, mollusks (including bivalves and gastropods) and polychaetes were co-dominant, constituting 45% and 31% of all non-nematode organisms.

The most abundant non-nematode organism was the common slipper shell *Crepidula fornicata*, which accounted for 12% of all individuals (Table 7-7). The most widely distributed taxa were nematodes and decorator worms (*Diopatra cuprea*), which were observed in nine and five samples, respectively. Polychaete worms and crustaceans were the most taxonomically diverse groups, each accounting for about 36% of all documented taxa.

Table 7-6. Summary of Key Statistics from the Formerly Planned Offshore Export Cable Route Benthic Community Assessment

Statistic	Value
Number of Samples	14
Mean Density per Square Meter (± 1 SD)	813 \pm 1241
Mean Taxa Richness (± 1 SD)	8.0 \pm 5.5
Total Number of Taxa	73
Percent of Taxa Observed by Taxonomic Group	
Polychaete worms	35.6
Crustaceans	35.6
Mollusks	16.4
Oligochaete worms	4.1
Other	8.2
Percent of Total Abundance by Taxonomic Group	
Polychaete worms	10.5
Crustaceans	6.7
Mollusks	15.2
Oligochaete worms	0.8
Other	66.9

Table 7-7. Relative Abundance of Taxa Observed in Formerly Planned Offshore Export Cable Route Benthic Grabs*

Taxon	Common Name	Percent Relative Abundance
Nematoda	Nematode Roundworm	66
<i>Crepidula fornicata</i>	Common Slipper Shell	12
<i>Exogone sp.</i>	Syllid Polychaete	3
<i>Mediomastus ambiseta</i>	Capitellid Polychaete	2
<i>Diopatra cuprea</i>	Decorator Worm	2
<i>Unciola sp.</i>	Aorid Amphipod	1
<i>Scoletoma sp.</i>	Lumbrinerid Worm	1
<i>Crepidula plana</i>	Eastern White Slippersnail	1

*Includes taxa accounting for at least 1% of total abundance

The benthic taxa found in this study are common and representative of coastal shelf habitats of the mid-Atlantic U.S. coast, and have been previously reported from the region (*Diopatra sp.*, *Unciola sp.*, *Mediomastus sp.*) (Cutter et al. 2000). Average benthic organism abundance and taxa richness per sample for the formerly planned offshore export cable route was lower than what was observed in the region by Cutter et al. (2000). Community composition also differed somewhat from previously reported results from the region. The ampharetid worm *Asabellides oculata*, the mud worm *Spio setosa*, and the bee worm (*Spiophanes bombyx*) were commonly observed by Cutter et al. (2000), but were not observed during the present study. However, in agreement with previous surveys, images of coarser substrates along the formerly planned offshore export cable route revealed the presence of Astarte clams (*Astarte spp.*) and blue mussels (Cutter et al. 2000).

The benthic community from samples collected within the Old Grounds differed somewhat from those encountered along the formerly planned offshore export cable route as a whole. Both average organism density (109 ± 106 individuals/m²) and average taxa richness (4.7 ± 2.3) of the seven benthic samples collected within the Old Grounds were notably lower than at all of the sampling locations considered together. Crustaceans accounted for a greater percentage of the total specimens collected within the Old Grounds than along the formerly planned offshore export cable route (36% in the Old Grounds, compared to 6.7% along the formerly planned offshore export cable route). The most abundant taxa from samples collected within the Old Grounds were nematode roundworms, Aorid amphipods (*Pseudunciola obliquua* and *Unciola spp.*), the tanaid *Leptognathia caeca*, the pea crab *Dissodactylus melliata*, and bean mussels (*Crenella sp.*).

The survey indicated that hard bottom habitats occur in a few areas along the formerly planned offshore export cable route, primarily as localized gravel or cobble beds with varying degrees of exposure above sand and shell hash deposits. Most of these habitats were of limited extent and observed in Delaware coastal waters, although occasional areas of gravel or cobble were also observed in federal waters north and northwest of the Lease area. Analysis of benthic imagery indicated that hard bottom areas host occasional invertebrate epifauna such as moss animals (Bryozoa), colonial tunicates (Ascidiacea), sea whips (*Leptogorgia sp.*), stony corals (*Astrangia sp.*), and rock crabs. These observations generally align with those reported in the literature

(NOS 2015). These hard bottom communities are sparsely distributed throughout the region, and NOAA predictive habitat maps indicate that the formerly planned offshore export cable route is “low suitability” habitat for both soft corals (Alcyonacea) and hard corals (Scleractinia), which are more commonly found along the continental slope (Kinlan et al. 2016).

More detailed methodology and results of the formerly planned offshore export cable route benthic field survey are presented in Appendix II-D2.

Taxonomic Classification of Benthic Habitat

The survey found that benthic habitats along the formerly planned offshore export cable route are somewhat variable, though typical of mid-Atlantic nearshore shelf habitats, and included areas of silt, fine, medium, and coarse sand with interspersed shell hash, gravel, and cobble. Water depths along the formerly planned offshore export cable route ranged from 2.8 to 31.1 m (9.2 ft to 102.7 ft).

Based on information reviewed in Cutter et al. (2000) and the field survey, benthic habitat in the formerly planned offshore export cable route was classified under CMECS (Table 7-8). To identify potentially sensitive habitat areas along the formerly planned offshore export cable route, the dominant biotic subclass under the CMECS framework was determined for each benthic site sampled during the field survey. Of the 23 sites sampled, one location (benthic imagery only) could not be classified due to insufficient photo quality. Of the remaining 22 sites, 20 were dominated by soft sediment fauna (Figure 7-4). Attached fauna, indicative of potentially sensitive hard bottom or live bottom benthic habitats, was the dominant biotic subclass observed at the other two sites (both sampled with benthic imagery only). These two sites were characterized by the presence of occasional sea whips, arborescent bryozoans, and stony corals growing attached to cobbles. Other attached organisms, including slipper shells, were also observed through imagery or grab sample analysis at five sites otherwise dominated by soft sediment fauna (Figure 7-4). No evidence of SAV was observed at any of the benthic sample locations.

Table 7-8. CMECS Classification of Benthic Sample Sites Along the Formerly Planned Offshore Export Cable Route

CMECS Level		Classification
Biogeographic Setting	Realm	Temperate North Atlantic
	Province	Cold Temperate Northwest Atlantic
	Ecoregion	Virginian
Aquatic Setting	System	Marine
	Subsystem	Nearshore
	Tidal Zone	Subtidal
Water Column Component	Water Column Layer	Marine Nearshore Lower Water Column
	Salinity Regime	Euhaline Water
	Temperature Regime	Moderate Water (Seasonal Variation from Cold to Warm)

CMECS Level		Classification
Geoform Component	Tectonic Setting	Passive Continental Margin
	Physiographic Setting	Continental Shelf
	Geoform Origin	Geologic
Substrate Component	Substrate Origin	Geologic Substrate
	Substrate Class	Unconsolidated Mineral Substrate
	Substrate Subclass*	Fine Unconsolidated Substrate, Coarse Unconsolidated Substrate
	Substrate Group*	Sand, Gravel, Mud
	Substrate Subgroup*	Coarse Sand, Fine Sand, Medium Sand, Pebble, Silty Clay, Cobble
Biotic Component	Biotic Setting	Benthic Biota
	Biotic Class	Faunal Bed
	Biotic Subclass*	Soft Sediment Fauna, Attached Fauna

*Indicates multiple classifications within this level of the CMECS hierarchy among sample sites

Shellfish

The only shellfish observed in samples collected along the formerly planned offshore export cable route were razor clam, softshell clam (*Mya arenaria*), and blue mussel, none of which was observed to be widespread or abundant in the samples.

Other recent surveys have found surf clams to be present at low densities in sandy to gravelly sediments off the coast of Delaware. Scott (2001) encountered a single adult surf clam in sixteen commercial dredge tows from potential sand borrow areas. More recently, Scott and Wong (2012) documented few juvenile surf clams in a proposed sand borrow area north of the Indian River Bay inlet; out of 34 grab samples, only one contained more than a single surf clam.

Horseshoe crabs were not observed during benthic field studies, but are known to be present in the Project area along the Offshore Export Cable Corridors, which transits approximately 40 – 52 km (25 - 33 mi) of the southwestern portion of the Carl N. Shuster, Jr. Horseshoe Crab Reserve, depending on the final corridor selection. Horseshoe crabs likely utilize areas in the vicinity of the Offshore Export Cable Corridors for overwintering habitat (USFWS 2006; MDDNR 2021b), and individuals may cross the Offshore Export Cable Corridors during annual migrations between breeding beaches and offshore areas.

Chemosynthetic Communities

Chemosynthetic communities exist where there is not enough light or oxygen for photosynthesis to occur, usually in deep sea environments (FSU Brooke Laboratory 2021). This process is carried out by bacteria, which convert carbon (usually carbon dioxide or methane) into organic matter by using inorganic molecules or methane as an energy source (FSU Brooke Laboratory 2021). In the Atlantic Ocean, chemosynthetic communities exist along methane seeps that occur near or on the continental shelf break or within deep sea canyons (USGS 2016). The closest seeps to the Project Area occur between the Norfolk Canyon and Baltimore Canyon at

depths from the shelf-break to 600 m (1,968 ft), approximately 60 kilometers (37 miles) from the Project Area. Therefore, chemosynthetic communities will not be impacted by the proposed Project activities.

2021 Benthic Field Survey

A field survey of benthic resources along Offshore Export Cable Corridors 1 and 2 was conducted in July and August of 2021. This survey involved collection of benthic grabs at approximately 95 locations along the Offshore Export Cable Corridors as well as the collection of approximately 45 video transects via ROV. The results of the 2021 Benthic Survey will be provided as Appendix II-D4 as per the deferral request included in this submission. This benthic report will delineate complex seafloor features using NOAA Fisheries modified CMEC classifications.

7.1.3 Onshore Export Cable Corridor 1

Onshore Export Cable Corridor 1 extends through Indian River Bay from 3 R's Beach landfall location to the vicinity of the Indian River Substation. Salinity and sediment composition are the major factors controlling benthic species distribution in Indian River Bay (DIBEP 1993). Indian River Bay exhibits a strong salinity gradient with salinity generally increasing from west to east, as described in Volume II, Section 4.0. Onshore Export Cable Corridor 1 primarily traverses the polyhaline portion of Indian River Bay, where salinities approach marine conditions and generally remain above 18 psu (DIBEP 1993; DEMAC et al. 2017). However, the westernmost portions of Onshore Export Cable Corridor 1, including the substation landfall, are located in the mesohaline zone, where salinity tends to be lower but also highly variable, depending on the magnitude of freshwater inputs from Indian River and other watershed tributaries. Benthic habitat in Indian River Bay is diverse and consists of areas of mud, sand, and mixed substrate (Chaillou et al. 1996). Muddy substrates are more prevalent than sand, especially in the upper portion of Indian River Bay. The overall silt-clay content in the Indian River Bay system is estimated to be 60% (Chaillou et al. 1996).

A review of historical data (for the period 1974-1976) characterized the benthic community structure of each salinity region within Indian River Bay (DIBEP 1993). Samples from the mesohaline region, which includes the area near the substation landfall, contained an average of nineteen species and had an average density of 6,776 individuals/m². Polychaetes accounted for 49% of all taxa in this salinity segment, with the disturbance-tolerant spionid worm *Streblospio benedicti* comprising the majority of individuals. Crustaceans accounted for 34% of all taxa, with the aorid amphipod *Leptocheirus plumulosus* and the ampeliscid amphipod *Ampelisca abdita* comprising the majority of individuals. Bivalves accounted for 4% of all taxa in this salinity segment, with the amethyst gem clam (*Gemma gemma*) and dwarf surf clam (*Mulinia lateralis*) comprising the majority of individuals.

Samples from the polyhaline region of Indian River Bay were similar to those collected from mesohaline areas in both taxonomic diversity and organism density, but differed in community composition (DIBEP 1993). Polyhaline samples contained an average of eighteen species, and organism density averaged 6,484 individuals/m². Polychaetes accounted for 31% of all taxa in polyhaline areas of Indian River Bay. The capitellid worm *Heteromastus filiformis* was the most abundant species, followed by the spionid worm *S. benedicti*. Crustaceans also accounted for 31% of all taxa, with the ampeliscid amphipod *A. abdita* and the aorid amphipod *L. plumulosus* comprising the majority of individuals. Mollusks, including commercially important shellfish, were more abundant in polyhaline areas of Indian River Bay than in all other regions. Mollusks

accounted for 27% of all taxa in the region, and blue mussel and the clam *Macoma tenta* were the most abundant species (DIBEP 1993). A more recent assessment of benthic communities in Indian River Bay, conducted in 1993, identified a total of 141 species from fifteen different taxonomic groups with an average of seventeen taxa per sample (Chaillou et al. 1996). Chaillou et al (1996) also reported an average density of 34,889 organisms/m² in Indian River Bay samples, which is much higher than reported from the earlier DIBEP (1993) survey. Community composition also differed between the two studies; the most abundant taxonomic group observed by Chaillou et al. (1996) was crustaceans (75% of total abundance), with polychaetes accounting for only 17% of the total abundance. However, polychaetes were the most taxonomically rich group with 60 species, followed by crustaceans (29 species), bivalves (fifteen species), and gastropods (twelve species). The most abundant crustacean species were the amphipods *A. abdita* and *Corophium acherusicum*. *S. benedicti* and *Mediomastus ambiseta* were the most abundant polychaetes. Of the bivalves and gastropods, the northern dwarf-tellin (*Tellina agilis*), amethyst gem clam, and the pitted baby-bubble (*Rictaxis punctostriatus*) were the most abundant species. Chaillou et al. (1996) concluded that approximately 77% of Indian River Bay is characterized by degraded benthic habitat.

2017 Benthic Field Survey

A field survey of benthic resources in Indian River Bay was conducted in October 2017. The benthic field survey was composed of two elements, including 1) collection of still images and video of the bay bottom and 2) collection of benthic grab samples for laboratory analysis of taxonomic composition. Twelve locations along Onshore Export Cable Corridor 1 were sampled (Figure 7-5).

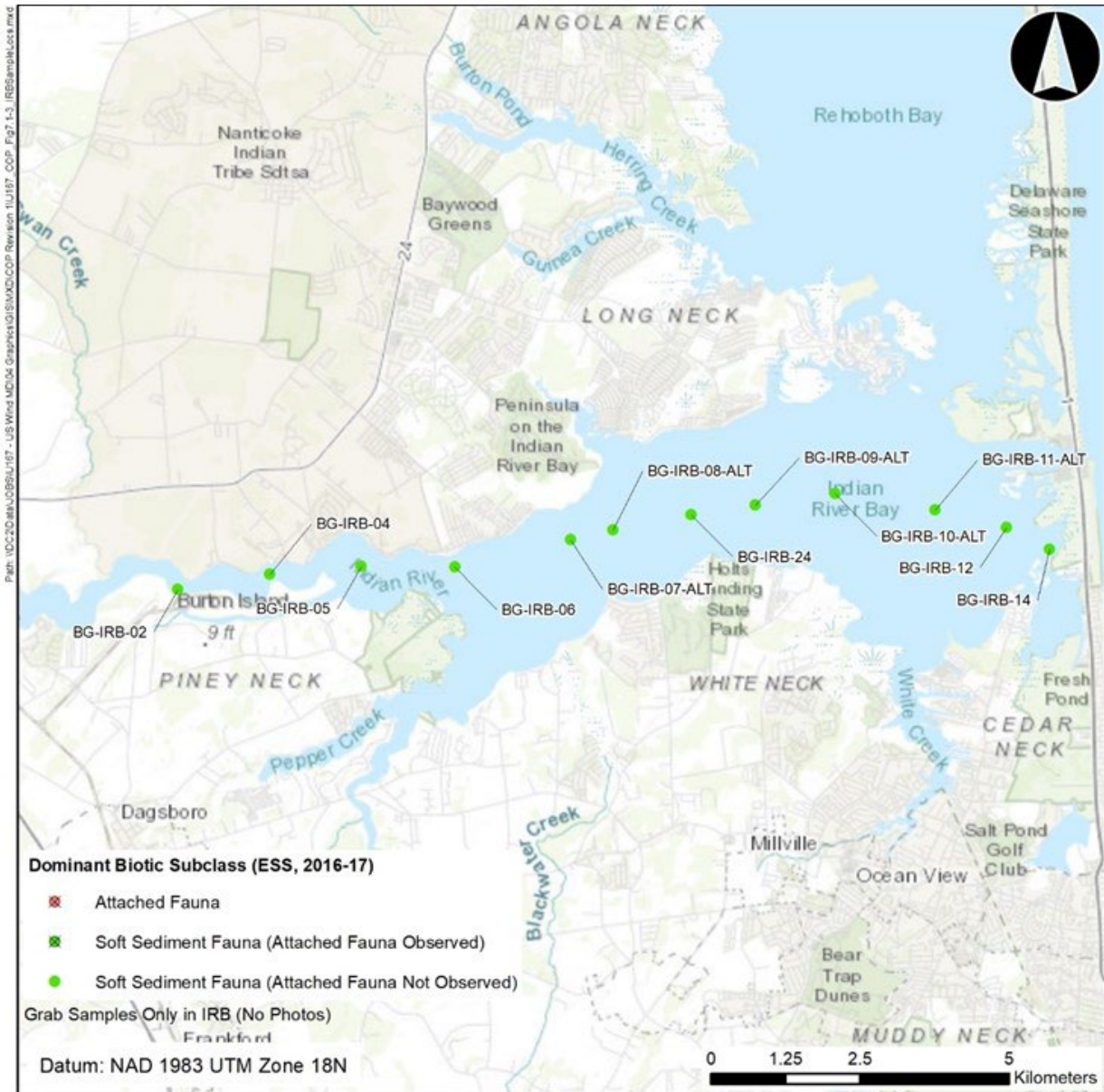


Figure 7-5. Onshore Export Cable Corridor 1 Benthic Samples CMECS Biotic Subclass Classification and Attached Organism Presence

The benthic imagery obtained in Indian River Bay was of limited use due to turbid conditions during the survey. However, qualitative analysis indicated the presence of scattered patches of macroalgal growth, including sea lettuce (*Ulva lactuca*). No SAV beds or epibenthic macrofauna were discernable in the imagery reviewed.

Sixty-three marine invertebrate taxa were observed in the twelve grab samples analyzed from Onshore Export Cable Corridor 1, including polychaete worms, crustaceans, mollusks, oligochaete worms, ribbon worms, cnidarians, sea spiders, and flatworms. Mean macroinvertebrate density was close to 6,500 organisms/m² and taxa richness averaged sixteen taxa per site, with all samples containing at least 10 taxa (Table 7-9). The benthic community observed in the analyzed samples was dominated by polychaete worms, which constituted approximately 88% of all organisms, and 49.2% of all taxa. The most abundant and widely distributed organism was the spionid polychaete *S. benedicti*, which accounted for 71% of all organisms (Table 7-10) and was observed in all twelve samples.

Table 7-9. Summary of Key Statistics from Onshore Export Cable Corridor 1 Benthic Community Assessment

Statistic	Value
Number of Samples	12
Mean Density per Square Meter (± 1 SD)	6,488 \pm 8,796
Mean Taxa Richness (± 1 SD)	15.8 \pm 3.8
Total Number of Taxa	63
Percent of Taxa Observed by Taxonomic Group	
Polychaete worms	49.2
Crustaceans	28.6
Mollusks	11.1
Oligochaete worms	4.8
Other	6.3
Percent of Total Abundance by Taxonomic Group	
Polychaete worms	88.3
Crustaceans	9.1
Mollusks	1.0
Oligochaete worms	0.9
Other	0.8

Table 7-10. Relative Abundance of Taxa Observed in Onshore Export Cable Corridor 1 Benthic Grabs

Taxon	Common Name	Percent Relative Abundance
<i>Streblospio benedicti</i>	Spionid polychaete	71
<i>Mediomastus ambiseta</i>	Capitellid polychaete	10
<i>Ampelisca sp.</i>	Four-eyed amphipod	4
<i>Leucon americanus</i>	Hooded shrimp	3
Goniadidae	Chevron worm	2
Orbiniidae	Orbiniid polychaete	1

*Includes taxa accounting for at least 1% of total abundance

Total taxa richness in the Indian River Bay samples was somewhat lower than observed in the 1993 study, although taxonomic richness per sample was similar (Chaillou et al. 1996; DIBEP 1993).

The benthic taxa found in the survey are common and representative of soft sediment estuarine habitats of the mid-Atlantic U.S. coast, and have been previously reported from Indian River Bay (Chaillou et al. 1996; DIBEP 1993). Many of the species most frequently observed in this survey are tube-building organisms, and the most common species, *S. benedicti*, is known to be pollution tolerant and abundant in this area (Chaillou et al. 1996; Dean 2008).

No rare taxa or taxa indicative of sensitive habitats (e.g., SAV, hard bottom) were observed in the benthic imagery or benthic grab samples collected from Indian River Bay. The predominant bottom type ranged from mud near the substation landfall to fine sand in the central Bay and near the onshore landfall. These observations generally align with those reported in the literature (NOS 2015; DIBEP 1993).

More detailed methodology and results of the 2017 benthic field survey are presented in Appendix II-D1.

Taxonomic Classification of Benthic Habitat

Benthic habitat in Indian River Bay is generally characterized as unconsolidated soft sediment with some areas of shell material (DIBEP 1993). The DIBEP (1993) review describes Indian River Bay as being dominated by sand and clayey silt, though a later study by Chaillou et al. (1996) reported higher percentages of silty-clay substrates, and less sand. The benthic field survey found that benthic habitat along Onshore Export Cable Corridor 1 is typical of Indian River Bay, consisting primarily of fine sand and silty clay. Water depths at the benthic sample locations ranged from 1.2 m to 4.6 m (4 ft to 15 ft).

Based on information reviewed in DIBEP (1993) and Chaillou et al. (1996) and the survey, benthic habitat along Onshore Export Cable Corridor 1 has been classified under the CMECS (Table 7-11). To identify potentially sensitive habitat areas, the dominant biotic subclass under the CMECS framework was determined for each benthic sample site along Onshore Export Cable Corridor 1 (Figure 7-5). All twelve sample sites in the Indian River Bay were characterized

by soft sediment fauna, and no attached fauna or sensitive or unique benthic habitats, such as hard bottom, live bottom, or SAV, were observed.

**Table 7-11. CMECS Classification of Benthic Sample Sites
Along Onshore Export Cable Corridor 1**

CMECS Level		Classification
Biogeographic Setting	Realm	Temperate North Atlantic
	Province	Cold Temperate Northwest Atlantic
	Ecoregion	Virginian
Aquatic Setting	System	Estuarine
	Subsystem	Coastal
	Tidal Zone	Subtidal
Water Column Component	Water Column Layer*	Estuarine Coastal Lower Water Column, Estuarine Open Water Lower Water Column
	Salinity Regime*	Upper Polyhaline Water, Lower Polyhaline Water, Mesohaline Water
	Temperature Regime*	Moderate Water (seasonal variation from cold to hot)
Geoform Component	Tectonic Setting	Passive Continental Margin
	Physiographic Setting	Embayment/Bay
	Geoform Origin	Geologic
Substrate Component	Substrate Origin	Geologic Substrate
	Substrate Class	Unconsolidated Mineral Substrate
	Substrate Subclass	Fine Unconsolidated Substrate
	Substrate Group*	Muddy Sand, Sand, Mud
	Substrate Subgroup*	Silty Sand, Fine Sand, Medium Sand, Coarse Sand, Silt-Clay
Biotic Component	Biotic Setting	Benthic Biota
	Biotic Class	Faunal Bed
	Biotic Subclass	Soft Sediment Fauna

*Indicates multiple classifications within this level of the CMECS hierarchy among sample sites

Shellfish

Hard clam is the primary shellfish species of recreational and commercial concern in Indian River Bay. Hard clams are mapped as either absent or present at low densities over most of Onshore Export Cable Corridor 1, according to maps obtained from DNREC and surveys conducted in 2011 (Bott and Wong 2012) (Figure 7-6). Onshore Export Cable Corridor 1 does cross a narrow band mapped as moderate density hard clam beds. However, the intersection of Onshore Export Cable Corridor 1 with these moderate density beds is unavoidable, as the beds extend from the mouth of White Creek northward across Indian River Bay to Steels Cove. Onshore Export Cable Corridor 1 will avoid areas mapped as high-density hard clam beds where feasible, and only one of the benthic samples collected during the field survey of the Corridor contained hard clams.

Horseshoe crabs were not observed during benthic field studies but are known to be present along Onshore Export Cable Corridor 1. This species is abundant in Indian River Bay during the spawning season (May – June), when they deposit large numbers of eggs on sandy beaches (D.C.f.t.I.B. DCIB 2008).

Although natural oyster reefs are no longer present in Indian River Bay (Ewart 2013), the state of Delaware has designated portions of Indian River Bay as shellfish aquaculture development areas (SADA) for oyster production (Figure 7-6). However, most lease blocks have either been removed due to the presence of hard clam beds or are expected to be removed due to anticipated closure of the area to shellfish harvesting. Onshore Export Cable Corridor 1 does not intersect any of the SADA lease blocks.

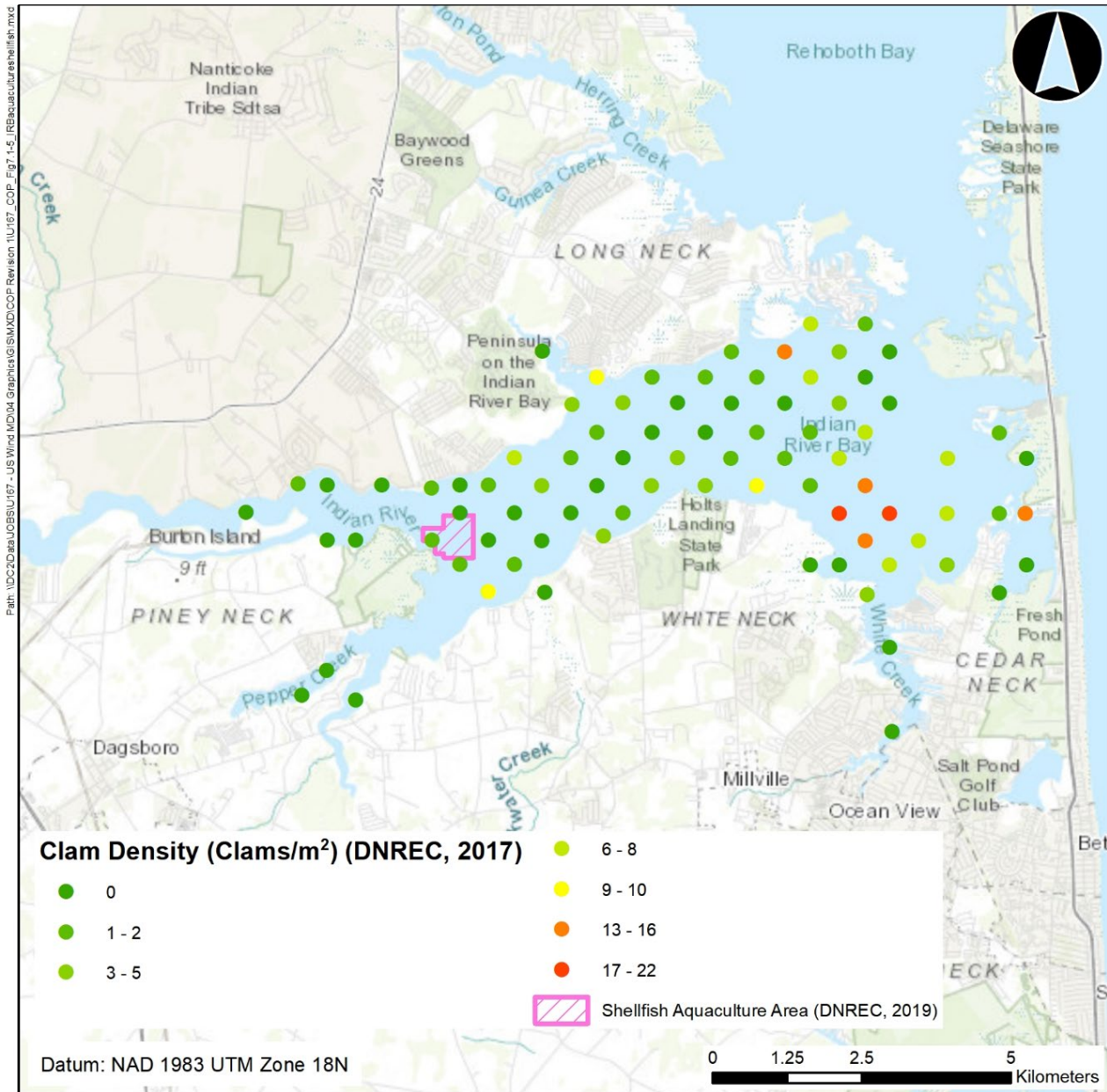


Figure 7-6. Indian River Bay Hard Clam Beds and Shellfish Aquaculture Development Areas

7.2 Impacts

7.2.1 Construction

Habitat Alteration

The primary impacts to benthic organisms from construction activities will result from the placement of the WTG, OSS, and Met Tower foundations and associated scour protection, the installation of the submarine cables, seafloor disturbance due to vessel anchoring during the installation of the WTGs, OSSs and the Met Tower and the construction of temporary cofferdams at the landfalls. Slow-moving or sessile organisms inhabiting benthic sediments in areas directly within the footprint of these activities will suffer mortality from crushing or burial. Although motile organisms, including crabs, lobsters, sea scallops, and horseshoe crabs, may be able to vacate installation areas and avoid direct mortality, these organisms could be temporarily displaced by construction activities.

Summaries of maximum temporary and permanent bottom disturbance in offshore areas and Indian River Bay are presented in Table 7-12 and Table 7-13 below. The values presented in Table 7-12 and Table 7-13 reflect the maximum PDE scenario for each construction element (e.g. the use of monopile foundations for the OSSs, the use of a tracked vessel for installation of the entire onshore export cable, etc.).

Permanent bottom disturbance will occur in the footprint of WTG, OSS and Met Tower foundations and associated scour protection. Sea floor leveling, if needed, is expected to occur within the footprint of the permanent disturbance due to the scour protection. Additional permanent seafloor impacts could occur where burial depth of the Export Cable may be insufficient, requiring the installation of scour protection in the form of rock or concrete mattresses (Table 7-12 and Table 7-13). Installation of these materials will crush or bury benthic organisms in the scour protection footprint. However, because cable laying operations will be located in areas with primarily sandy substrates, and the Project has been sited to avoid known hard bottom habitats to the extent possible, cable protection requirements are expected to be minimal.

Temporary bottom disturbance will result from installation of export cables, anchoring, and the use of jack-up vessels (Table 7-12 and Table 7-13). Cables will be installed using a jet plow, which will minimize the area of temporary bottom disturbance compared to other installation methods (e.g. dredging). This installation method would result in maximum mortality-inducing disturbance of a corridor of seafloor along the length of the inter-array and Offshore and Onshore Export Cable Corridors. Sediment vibrations caused by movement of the cable installation equipment might elicit avoidance behaviors from certain mobile species (e.g. crabs, lobsters, amphipods), but sessile or slow-moving organisms that remain within the directly impacted portion of the cable laying area during installation will suffer mortality (USDOE MMS 2009). WTG, OSS and Met Tower installation procedures will likely utilize Dynamic Positioning (DP) vessels, which may reduce disturbance. However, anchoring may be necessary during construction activities, which would result in disturbance caused by anchor placement and anchor chain contact. To minimize impacts, vessels will avoid anchoring in locations with sensitive habitats when possible and will utilize mid-line anchor buoys to decrease anchor line sweep impacts. Under the maximum impact scenario, areas of the sea floor are expected to be temporarily impacted by the jack-up vessels during installation of foundations and the WTG and OSS. Any depressions in the seafloor caused by the jack-up vessel legs are expected to backfill naturally.

Table 7-12. Estimated Maximum Offshore Seafloor Disturbance

Disturbance Type	Project Component	Max Area of Disturbance	
		km ²	acres
Permanent	WTGs, OSSs, and Met Tower Foundations and Scour Protection	0.13	32.14
	Cable Protection	0.29	71.17
	Total Permanent Disturbance	0.42	103.30
Temporary	Anchoring	0.06	15.57
	Offshore Export Cable Installation	0.14	34.84
	Inter-array Export Cable Installation	0.15	36.32
	Jack-up Vessels	0.25	62.27
	Total Temporary Disturbance	0.60	149.00

Table 7-13. Estimated Maximum Onshore Bay Bottom Disturbance

Disturbance Type	Project Component	Max Area of Disturbance	
		km ²	acres
Permanent	Cable protection	0.09	23.13
	Total Permanent Disturbance	0.09	23.13
Temporary	Onshore export cable installation	1.56	385.48
	HDD Cofferdam Installation - Barrier Beach Landfall	0.00	1.19
	HDD Cofferdam Installation -Substation	0.00	0.59
	Total Temporary Disturbance	1.57	387.26

Horizontal Directional Drilling (HDD) will be used at the offshore, onshore and substation landfalls to minimize impacts to nearshore habitats. For Onshore Export Cable Corridor 1, this operation would require the installation of eight temporary cofferdams, up to four on the Atlantic Ocean side of the barrier beach and up to four in Indian River Bay, and up to four temporary cofferdams at the Indian River Substation landfall, which would require the dredging of sediment from an approximately 0.01 km² (1.8 acres) area. Onshore Export Cable Corridors 1a-c and 2-4 would only require four temporary cofferdams on the Atlantic side of the Tower Road landfall location with a disturbance of approximately 0.002 km² (0.59 acres). Organisms in the dredged area would suffer mortality but the cofferdams would be refilled with excavated material (if suitable) and/or clean material following HDD operations.

Although benthic communities will experience localized mortality and habitat disturbance during construction, these impacts are expected to be temporary and spatially limited. Organisms inhabiting soft sediment communities along the Offshore Export Cable Corridors and in the Lease area are regularly exposed to natural disturbance due to the motile nature of sandy sediments in the region (Guida et al. 2017). These recurrent disturbance events contribute to spatial heterogeneity and resource patchiness in the region (S.F. Thrush and Dayton 2002), and organisms inhabiting this region are adapted to these conditions. Similarly, the benthic community represented in samples collected from the Onshore Export Cable Corridor 1 included many pollution-tolerant and opportunistic species, characterized by rapid dispersal capabilities and high reproductive rates suited to colonization of disturbed areas (e.g., *S. benedicti*, (Levin 1986); *M. ambiseta*, (Hughes 1996)).

As the areas disturbed by construction activities would constitute only a small percentage of benthic habitats in the region, organisms are expected to rapidly recolonize these locations from surrounding undisturbed habitats. Examinations of monitoring results from the Block Island Wind Farm indicate that areas of seafloor disturbance associated with WTG installation, primarily caused by contact with lift boat spud legs and anchors, are likely to physically recover over a short time period; approximately 46% of disturbance areas had completely healed within one year of construction activities (HDR 2018). Physical seafloor recovery was more rapid in areas of fine-grained sand than in areas of medium to coarse grained sand (HDR 2018). Benthic communities in mobile sand habitats, like those of the Lease area and Offshore Export Cable Corridors, have also been observed to recover from natural sediment movement in less than a year (Lindholm, Auster, and Valentine 2004), though the rate of recovery can vary due to local species diversity and organism density. Studies examining dredging impacts have suggested benthic recovery times ranging from 3 months to 2.5 years (Brooks et al. 2006), 1.5 to 2.5 years (D. H. Wilber and Clarke 2007), or up to 3.0 years (D. H. Wilber and Clarke 2007). Recovery times are impacted by the size of the disturbed areas and the composition of the benthic community in surrounding habitats (D. H. Wilber and Clarke 2007), but community composition may not return to baseline conditions until three or more years after the disturbance event (BOEM 2016).

The WTGs, OSSs and the Met Tower will be widely spaced. Installation of these structures, and the submarine cables would only disturb habitats in a small portion of the region offshore of Delaware and Maryland. Large areas of undisturbed benthic habitat will be preserved, which will allow for rapid recolonization of impacted areas. As the Project has been sited to avoid sensitive or rare habitats, including hard bottom areas, artificial reefs, clam beds, and SAV beds, impacts to the benthic community due to installation-related habitat alterations are expected to be minor and temporary.

Suspended Sediment/Deposition

Seafloor-disturbing activities will cause localized and temporary increases in suspended sediment levels and sediment deposition rates, primarily near the submarine cables but also near the WTG, OSS, Met Tower, and temporary cofferdam locations. Increases in suspended sediment will likely occur during installation of the submarine cables. Sediment transport in the Project area outside of state waters was not specifically assessed for this Project due to geographic separation from potential sources of pollutants, lack of history of offshore spills, and the coarse nature of the substrate in this area, which are likely to minimize the mobilization of contaminants, the extent of sediment suspension and deposition, and the duration of increased TSS in the water column. Volume II, Section 4.0 provides details of the expected suspended sediment and deposition due to construction activities.

Elevated suspended sediment concentrations can clog the filtering organs of filter feeding benthic invertebrates, leading to decreased feeding efficiency (S. Thrush et al. 2004). However, many bivalve species, including blue mussel, surf clam, and sea scallop, are able to cope with temporarily increased suspended sediment concentrations by selectively rejecting filtered inorganic material as pseudofeces prior to ingestion (Bayne et al. 1993; Robinson, Wehling, and Morse 1984; MacDonald and Ward 1994). Sessile filter feeding organisms, including tunicates, corals, and sponges are most sensitive to elevated suspended sediment concentrations (S. Thrush et al. 2004). However, the Project has been sited to avoid hard bottom habitats where these taxa are found. Impacts to benthic communities from increased suspended sediment levels are expected to be negligible.

Resuspension of contaminated sediments due to human activities can have negative impacts on benthic communities. However, impacts of this nature are not anticipated to result from Project activities, as sediments within the Project area are not known to be highly contaminated, see Volume II, Section 4.0. Therefore, exposure of benthic organisms to harmful levels of resuspended contaminants is not expected.

In areas where deposition is highest, benthic organisms may become buried. Surface-dwelling motile organisms and actively burrowing organisms are at low risk of harm from burial, as these species will be able to vacate the affected area during disturbance or unbury themselves. However, sessile or less motile buried organisms located in the disturbed area may experience mortality or metabolic impacts due to smothering. However, these conditions are expected to be highly localized and result in negligible impacts to benthic communities.

7.2.2 Operations

Habitat Alteration

The addition of man-made structures to the marine environment, in the form of WTG, OSS and Met Tower foundations and scour protection, will have long term impacts on the benthic community. These structures will provide new habitat, of a type previously rare within the Project area, for the duration of Project operation. Scour protection materials would provide areas of horizontal hard substrate (rocks or concrete mattresses), although depending on exact placement, these may become buried under sediments over time. The WTG, OSS and Met Tower foundations will present large areas of hard, vertical substrate. These structures are expected to act as artificial reefs, and provide additional habitat for fouling organisms including tunicates, sponges, bryozoans, algae, mussels, barnacles, and hydroids. Man-made hard surfaces can host communities that differ from those on adjacent natural substrates (Wilhelmsson and Malm 2008; Glasby 1999; Connell 2000), and WTG foundation structures have been observed to facilitate the spread of invasive species by serving as stepping stones for dispersal (De Mesel et al. 2015; Adams et al. 2014).

In addition to providing new habitat for fouling organisms, the WTGs, OSSs and the Met Tower may impact surrounding soft-sediment communities. The addition of submerged infrastructure may result in the organic enrichment of sediments locally surrounding the WTG, OSS and Met Tower foundations, as epibenthic organisms slough off of structures and fall to the seafloor. Increased carbon loading in sediments can cause local alterations in benthic community composition and sediment chemistry (Lenihan et al. 2003), (classic model from (Pearson and Rosenberg 1978)). These impacts have been observed in the vicinity of a gravity base foundation in the North Sea (Coates et al. 2014), and a jacketed pile foundation in Scotland (Schröder, Orejas, and Joschko 2006). A recent study of the Block Island Wind Farm did not

document any strong localized impacts on the benthic community within the first year following WTG installation, and detected no organic enrichment in the vicinity of the foundations (HDR 2017). However, these results may change over time, with more significant fouling organism colonization of foundation structures, and the subsequent death and sloughing off of this material occurs.

Direct mortality may also be caused by contact with equipment associated with maintenance or repair. However, the area of these disturbances is expected to be limited, and community-scale impacts are not anticipated due to rapid recolonization of impacted areas from nearby habitats.

Overall, O&M impacts to benthic resources from habitat alteration are anticipated to be minor.

Suspended Sediment/ Deposition

Certain activities associated with O&M such as cable repair will result in localized disruption of seafloor sediments and associated temporary increases in suspended sediment concentration. However, these impacts are anticipated to be limited in scope and extent. Therefore, O&M impacts to benthic resources from suspended sediment and deposition are anticipated to be negligible.

EMF

The potential impacts of electromagnetic fields on benthic invertebrates are understudied, and there is little to no information available about the impacts of EMF on most organisms, especially non-commercially-important taxa (BOEM 2021c). One recent study documented subtle but statistically significant changes in the behavior of American lobster (*Homarus americanus*) when exposed to a 330 MW HVDC submarine cable (Hutchison et al. 2018). However, all non-DC types of submarine cables generate limited magnetic fields (Sharples 2011), and no biologically significant impacts on benthic resources have been reported from EMF from AC cables (CSA Ocean Sciences Inc. and Exponent 2019; Thomsen et al. 2015). No differences in the invertebrate community were noted between unburied energized and non-energized cables offshore of California (Love et al. 2016), and a review of recent studies indicates that benthic communities located along cable routes are generally similar to nearby natural habitats (A. Gill and Desender 2020). Additionally, no long-term impacts of EMF on clam habitat have been observed as a result of existing power cables connecting mainland Massachusetts and Nantucket (BOEM 2021c). The effects of EMF on most invertebrate taxa (embryonic and juvenile crustaceans and mollusks, horseshoe crabs, etc.) remain understudied (A. Gill and Desender 2020). However, although a small number of species have demonstrated responses to EMF in recent studies, these responses have been associated with EMF intensities exceeding those produced by renewable energy projects (A. Gill and Desender 2020). Due to the importance of horseshoe crabs to the region, US Wind will conduct a study of the potential EMF effects of the Project on horseshoe crabs.

EMF intensity decreases rapidly with distance from transmission cables, with potentially meaningful EMFs most likely extending less than 15.4 m (50 ft) from each transmission cable (BOEM 2021c). EMF is unlikely to impact benthic organisms in the Project area, as all electrical transmission cables will be buried at a minimum depth of 1 meter (3.2 ft) beneath the substrate, or covered in scour protection. Therefore, impacts to benthic resources from EMF are expected to be negligible.

7.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system to 4.6 m (15 ft) below the mudline. Removal of the WTGs and OSSs would alter the benthic environment by removing hard substrate habitats. This change would result in mortality to organisms attached to these structures but would reestablish soft-bottom habitats similar to baseline pre-construction conditions. Decommissioning would result in additional impacts to the benthic community due to interactions with bottom-contacting equipment (e.g. jack-up vessel pads, vessel anchors) and the temporary resuspension of sediments due to equipment removal. Impacts from these activities would be similar to those described above for construction.

7.3 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on benthic resources.

- The Project has been sited to avoid sensitive or rare habitats (such as high-density clam beds) where feasible, and habitat disturbance will be minimized to the extent practicable.
- Shellfish relocation/restoration in Onshore Export Cable Corridor 1 will be evaluated pre- and post- installation if warranted.
- Cables will be installed using a jet plow to the greatest extent possible. Any dredging needed is expected to be limited to the temporary cofferdams.
- Horizontal Directional Drilling (HDD) will be used at landfall locations.
- Potential impacts from anchoring will be minimized by avoiding locations with sensitive habitats and utilizing mid-line anchor buoys.
- Use submarine cables that have proper electrical shielding and bury the cables in the seafloor, when practicable.
- A site-specific study of potential EMF impacts, if any, on species such as horseshoe crabs, conch, and finfish.

8.0 Finfish and Essential Fish Habitat

8.1 Existing Conditions

8.1.1 Description of Affected Environment

The Project area includes finfish and essential fish habitat in Indian River Bay and the western Atlantic Ocean. Invertebrates, such as shellfish and horseshoe crabs are discussed in Volume II, Section 7.0. The benthic habitat in the Project area is dominantly sandy sediment type and is almost homogenous in that the variations in sediment type observed only occur in small spatial scale (see Volume II, Section 7.0). Benthic habitat is important for fish habitat and influences site fidelity in fish species. The most notable benthic community of the area called the Old Grounds was observed to have the same sediment type but revealed low taxa richness comparatively to the rest of the Project area (Volume II, Section 7.0, Figure 7-4).

The waters along the Atlantic Coast are home to a wide variety of fish species, and the number and types of species present depend on differences in habitat conditions. Fish species richness and biomass data in the Project area are shown in Figure 8-1 through Figure 8-4. These figures were developed by the Marine-Life Data and Analysis Team (Curtice et al. 2018; Fogarty and Perretti 2016), using data from the National Oceanic and Atmospheric Administration's (NOAA) Northeast Fisheries Science Center's (NEFSC) fall trawl surveys. These figures present the expected species richness and biomass of survey trawls which are dependent upon vessel and gear type. Therefore, these data do not reflect absolute fish biomass or species richness hotspots, but rather serve as fishery descriptors. As reflected by NEFSC data, fish species richness in the Lease area is around 35-40 species per tow (Figure 8-1), which is above average for the northeastern U.S. coast as a whole (not pictured). The total biomass is somewhat higher than the surrounding areas at 85-230 kilograms (187-507 pounds) per tow, but these numbers are still low for the northeastern U.S. coast where a single tow can yield thousands of kilograms of fish (Figure 8-2). Demersal fish biomass in the Lease area ranges from 7-14 kg (15-31 lbs) per tow, and forage fish biomass ranges from 5 to 58 kg (11 to 128 lbs) per tow in a hotspot on the western side of the Lease area (Figure 8-3 and Figure 8-4). The low biomass of demersal and forage fish suggests that large predatory fish are common in the Lease area.

Fish assemblages include pelagic, demersal, highly migratory and estuarine fishes. Pelagic fishes are those that generally occur throughout the water column being neither close to the bottom or near the shore, and in contrast demersal fishes (groundfish) are those that occur on or near the ocean bottom. Highly migratory species are those that travel great distances for resources or reproduction, often from the South Atlantic to as far north as the Gulf of Maine. Estuarine fishes are those that occur in brackish water between marine and river environments, such as in Indian River Bay. Fish species of commercial and recreational importance are discussed in Volume II, Section 17.0 and fish species that are protected under a federal fishery management plan are discussed in further detail in Appendix II-E1. Table 8-1 lists fish species that may be present in the Project area.

Metocean Buoy Monitoring

US Wind deployed the Metocean Buoy within the Lease area for a planned 2-year metocean data collection campaign during the site assessment term of the Lease. The Metocean Buoy and its associated seabed mounted Trawl Resistant Bottom Mount (TRBM) have been equipped with a suite of wildlife monitoring sensors as provided in the related Metocean Buoy SAP approved May 5, 2021. This includes a fish telemetry receiver within the TRBM that records detections of previously tagged fish species within the Lease area.

Pelagic Fishes

Pelagic fish fill important roles in coastal food webs, both feeding on zooplankton and providing a source of food for birds, mammals, and larger fish (Able and Fahay 2010). Atlantic silverside (*Menidia menidia*) and bay anchovy (*Anchoa mitchilli*) dominate the pelagic community in the Delaware Inland Bays, which is further discussed under Estuarine Fishes (D.M. Nelson and Monaco 2000). Pelagic community composition can shift when some species migrate inland to estuarine habitats to spawn, primarily from spring to summer. Atlantic menhaden (*Brevoortia tyrannus*) is the only migratory pelagic species that is common in the mid-Atlantic Bight and Delaware Inland Bays (Able and Fahay 2010). Some mid-Atlantic pelagic species, including silver hake (*Merluccius bilinearis*) and bluefish (*Pomatomus saltatrix*), are considered predatory fish.

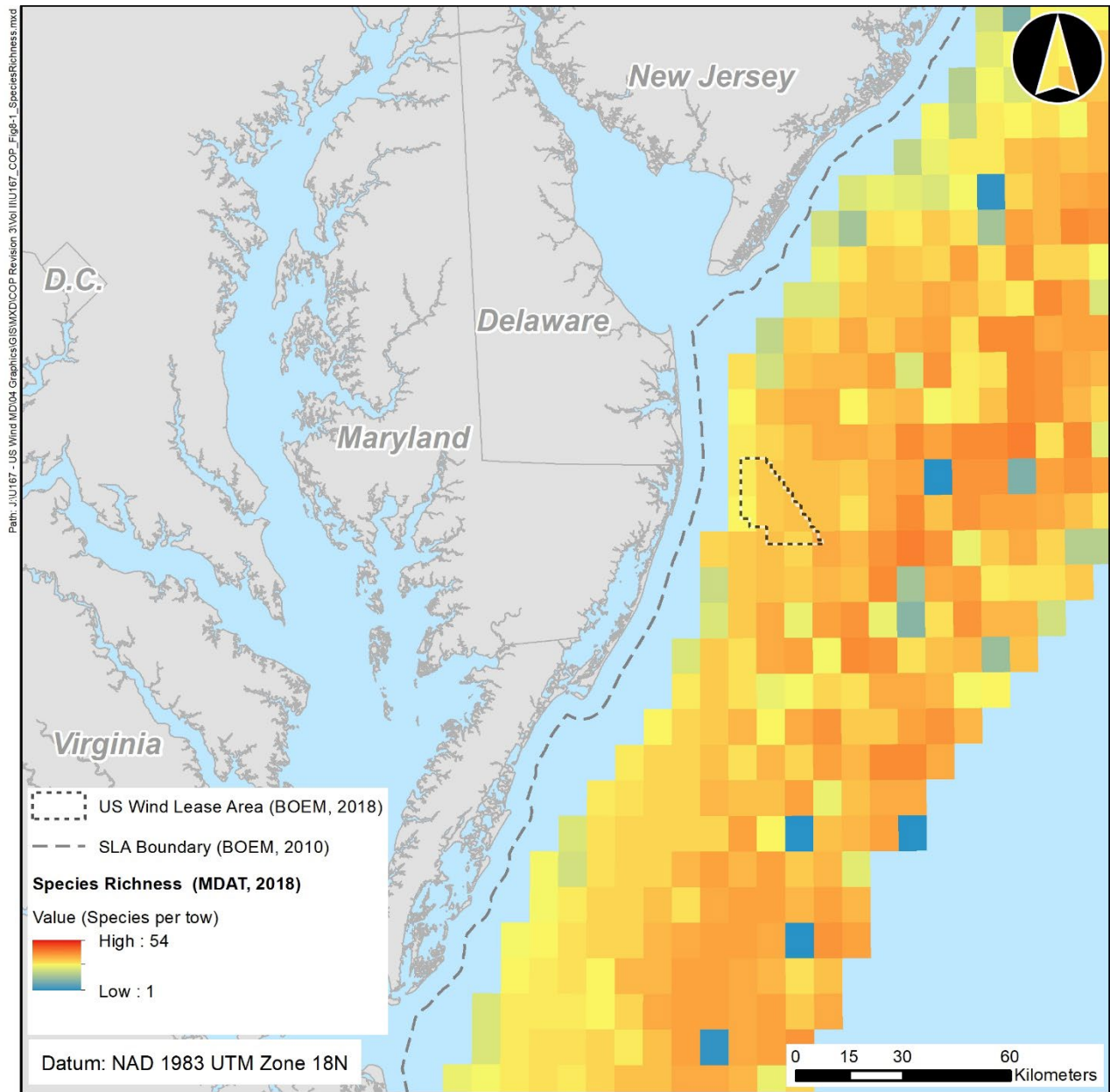


Figure 8-1. Fish Species Richness in the Project Area

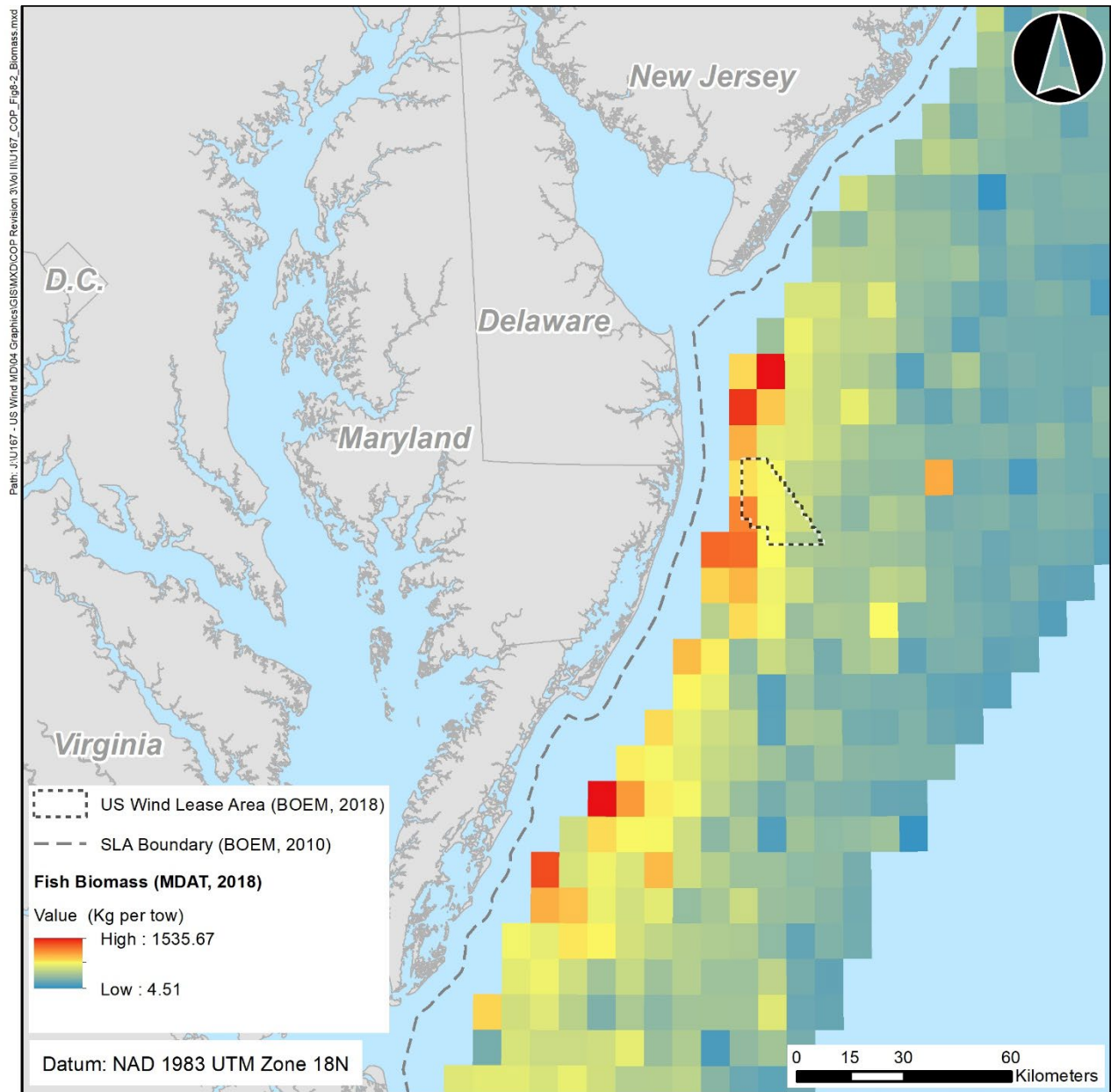


Figure 8-2. Fish Biomass in the Project Area

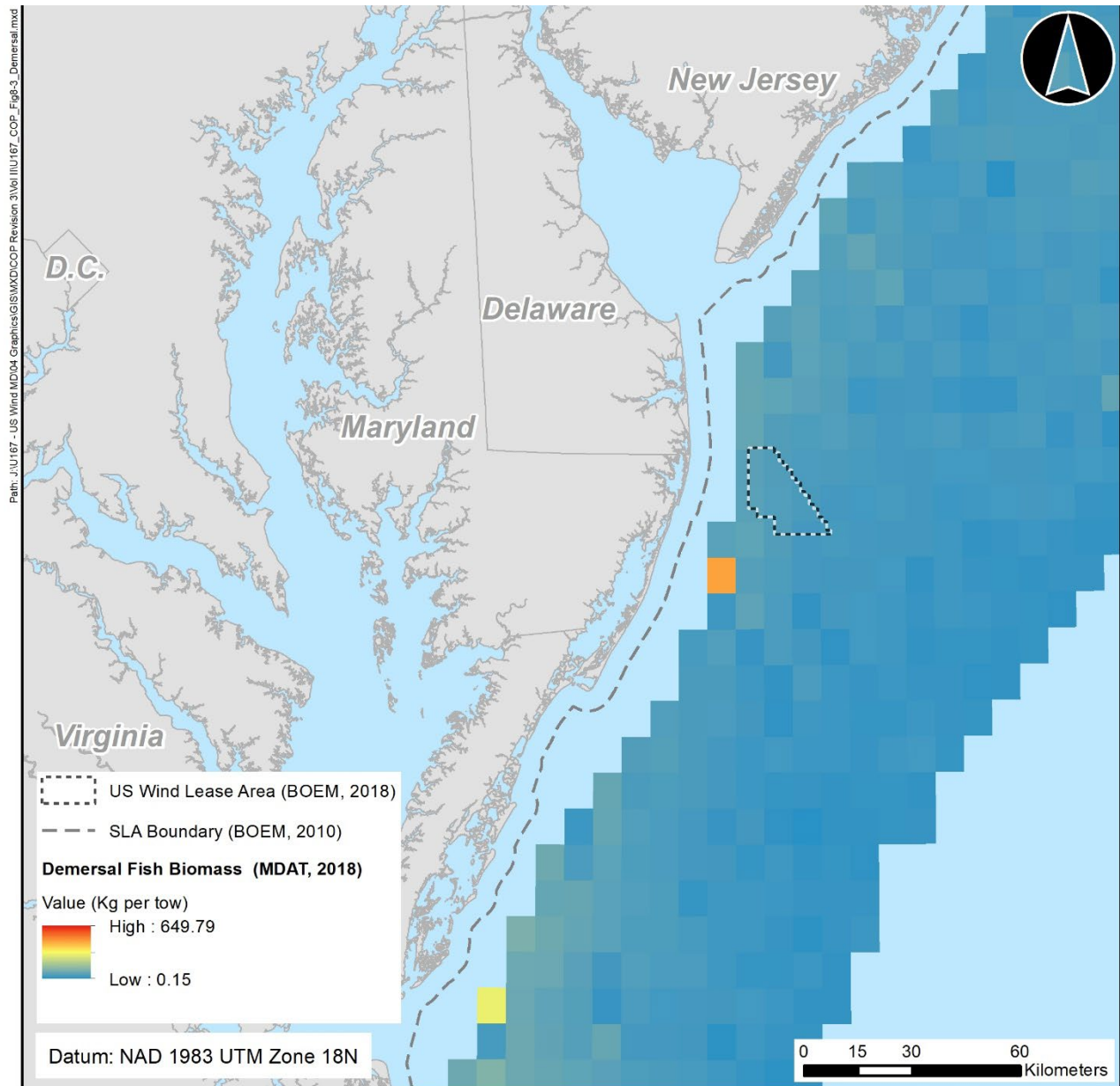


Figure 8-3. Demersal Fish Biomass in the Project Area

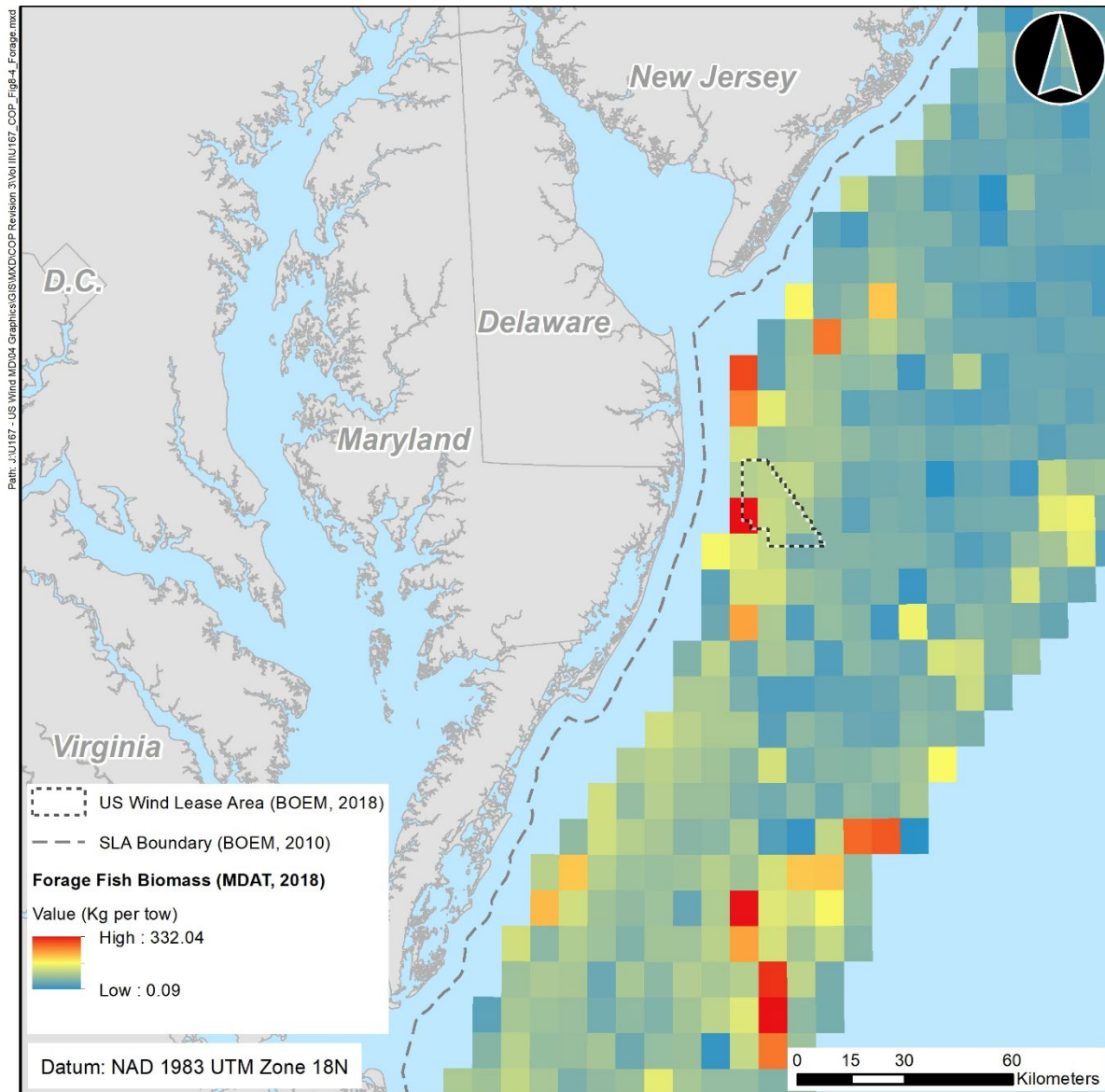


Figure 8-4. Forage Fish Biomass in the Project Area

Demersal Fishes

Demersal fish are often found in mixed species aggregations that differ depending upon the specific area and time of year. Some demersal fish species have pelagic eggs or larvae that are sometimes carried long distances by oceanic surface currents. Many demersal species are sought by commercial and recreational anglers and are managed by multispecies groundfish fishery management plans and single-species management plans.

Summer flounder (*Paralichthys dentatus*) is particularly abundant in the Delaware Inland Bays and has designated Essential Fish Habitat (EFH) and Habitat Area of Particular Concern (HAPC) (D.M. Nelson and Monaco 2000). All native aquatic vegetation, including macroalgae, macrophytes, and seagrasses, within summer flounder EFH is designated as HAPC (MAFMC 1998). Vegetated areas provide important feeding grounds for summer flounder (MAFMC 1998). Submerged aquatic vegetation has been observed to be sparse in Indian River Bay (DCIB)

2016), but the presence/absence of vegetation has not been mapped for the Project area. Larvae are present at a concentration of approximately 0.568 per every 100 cubic m (130 cubic yards) in the Delaware Inland Bays, and summer flounder frequently return to the same estuaries to feed during the summer months (Able and Fahay 2010). Because they can live in both marine and estuarine environments, summer flounder often react to adverse environmental conditions, such as the onset of severe weather or anoxia, by migrating away from the stressor, either inshore or offshore (Able and Fahay 2010).

Offshore NEFSC bottom trawl survey results from the western half of the Lease area from 2003 to 2012 demonstrate a large seasonal shift in demersal species.⁷ Catches in the fall (September to October) primarily consisted of seasonally migratory species including Atlantic croaker (*Micropogonias undulates*), weakfish (*Cynoscion regalis*), spot (*Leiostomus xanthurus*), and northern sea robin (*Prionotus carolinus*). Spring catches (March) were dominated by little skate (*Leucoraja erinacea*), smallmouth flounder (*Etropus microstomus*), and spotted hake (*Urophycis regia*). Most of the spring catch species were also present in the fall, and therefore represent a year-round resident fauna. Additionally, the fall catches were much larger and more diverse (Guida et al. 2017).

Highly Migratory Fishes

Fish that migrate in waters across multiple state boundaries and even different national boundaries require specialized management in order to ensure that policies implemented by different governing bodies do not conflict. The 2006 Atlantic Highly Migratory Species Fishery Management Plan (HMS FMP) combines and supersedes two fishery management plans for highly migratory fish in the Atlantic Ocean: one for Atlantic tunas, swordfishes, and sharks, and one for Atlantic billfishes (NOAA Fisheries 2006). Swordfish and highly migratory billfish are warm-water species that are not known to exist in the Project area, so only sharks and tunas are discussed.

Highly migratory fish include game fish species and shark species that are sought by commercial and recreational anglers. Exploitation of albacore (*Thunnus alalunga*), skipjack (*Katsuwonus pelamis*), and yellowfin tuna (*Thunnus albacares*) took off in the 1950's, when commercial purse seining and recreational vessels turned their attention toward these species. Because tuna spawn in tropical and subtropical waters in winter or spring, juveniles and adults are most likely to be found in the Project area in summer and fall. By contrast, sharks of all life stages may be found in the Project area depending on the species. Pelagic species such as blue shark, common thresher shark, and shortfin mako make use of estuaries and shallow coastal waters to birth pups. Coastal species, such as Atlantic sharpnose, sandbar, and tiger sharks, remain in coastal areas through maturity. The HMS FMP establishes quotas, bycatch release requirements, and other measures designed to promote recovery from finning and other unsustainable fisheries practices that have strained shark populations since the 1970's (NOAA Fisheries 2006).

Estuarine Fishes

The Inland Bays of Delaware, including Indian River Bay, support more than one hundred species of fish. In a 2015 open water trawl survey, the most abundant species were found to be bay anchovy (*Anchoa mitchilli*), Atlantic silverside (*Menidia menidia*), silver perch (*Bairdiella*

⁷ NEFSC trawl data are not available for the eastern half of the Lease area as this area falls within a more diffusely sampled stratum in NEFSC's scheme for stratified random trawl sampling.

chrysooura), and weakfish (*Cynoscion regalis*). Bay anchovy and weakfish abundance have been declining, while silver perch abundance has been increasing. Both weakfish and silver perch spawn in the Inland Bays. Shore-zone surveys from 2011 to 2015 found mummichog (*Fundulus heteroclitus*), Atlantic silverside, striped killifish (*Fundulus majalis*), and spot (*Leiostomus xanthurus*) to be the most abundant species. The abundance of mummichog and striped killifish, which are tolerant of low oxygen levels, indicates poor water quality. However, numbers of spot (*Leiostomus xanthurus*), Atlantic menhaden (*Brevoortia tyrannus*), and bay anchovy are increasing, and may indicate improving conditions. The Inland Bays also support a number of fisheries, including striped bass (*Morone saxatilis*), weakfish, and summer flounder (*Paralichthys dentatus*) (DCIB 2016). Historically, the Inland Bays supported large spawning runs of anadromous fish. However, freshwater habitat decreased significantly with the deepening and widening of the Indian River Inlet, as well as with the dredging and deepening of navigational channels. Today, few anadromous fish are found in the Inland Bays (DCIB 1995).

Table 8-1. Fish Species Potentially Occurring in the Project Area

Species	Habitat Association	EFH in Project Area	Commercial / Recreational Importance	Atlantic Ocean	Indian River Bay
Albacore tuna (<i>Thunnus alalunga</i>)	Pelagic	●	●	●	
Alewife (<i>Alosa pseudoharengus</i>)	Pelagic		●	●	●
American conger (<i>Conger oceanicus</i>)	Benthic				●
American eel (<i>Anguilla rostrata</i>)	Demersal			●	●
American sand lance (<i>Ammodytes americanus</i>)	Demersal				●
American shad (<i>Alosa sapidissima</i>)	Pelagic		●	●	●
Atlantic angel shark (<i>Squantina dumeril</i>)	Demersal	●		●	
Atlantic butterfish (<i>Peprilus triacanthus</i>)	Demersal / Pelagic (spring to fall)	●	●	●	●
Atlantic cod (<i>Gadus morhua</i>)	Demersal	●	●	●	●
Atlantic croaker (<i>Micropogonias undulates</i>)	Demersal		●	●	●
Atlantic herring (<i>Clupea harengus</i>)	Pelagic	●	●	●	●
Atlantic mackerel (<i>Scomber scombrus</i>)	Pelagic	●	●	●	
Atlantic menhaden (<i>Brevoortia tyrannus</i>)	Pelagic		●		●

Species	Habitat Association	EFH in Project Area	Commercial / Recreational Importance	Atlantic Ocean	Indian River Bay
Atlantic needlefish (<i>Stongylura marina</i>)	Demersal				●
Atlantic sea scallop (<i>Placopecten magellanicus</i>)	Benthic	●	●		●
Atlantic sharpnose shark (<i>Rhizoprionodon terraenovae</i>)	Pelagic	●		●	●
Atlantic silverside (<i>Menidia menidia</i>)	Pelagic		●		●
Atlantic sturgeon (<i>Acipenser oxyrinchus oxyrinchus</i>)	Demersal			●	
Atlantic surf clam (<i>Spisula solidissima</i>)	Benthic	●		●	
Bay anchovy (<i>Anchoa mitchilli</i>)	Pelagic		●	●	●
Bergall (<i>Tautoglabrus adspersus</i>)	Demersal		●		●
Black drum (<i>Pogonias cromis</i>)	Demersal		●		●
Black sea bass (<i>Centropristis striata</i>)	Demersal	●	●	●	●
Blueback herring (<i>Alosa aestivalis</i>)	Pelagic			●	●
Bluefin tuna (<i>Thunnus thynnus</i>)	Pelagic	●	●	●	●
Bluefish (<i>Pomatomus saltatrix</i>)	Pelagic	●	●	●	●
Blue shark (<i>Prionace glauca</i>)	Pelagic	●		●	
Broad striped anchovy (<i>Anchoa hepsetus</i>)	Pelagic			●	●
Clearnose skate (<i>Raja eglanteria</i>)	Demersal	●		●	●
Common thresher shark (<i>Alopias vulpinus</i>)	Pelagic	●		●	
Crevalle jack (<i>Caranx hippos</i>)	Pelagic		●	●	●
Dusky shark (<i>Carcharhinus obscurus</i>)	Pelagic	●	●	●	
Feather blenny (<i>Hypsoblennius hentz</i>)	Demersal				●
Flathead grey mullet (<i>Mugil cephalus</i>)	Demersal		●		●
Fourspine stickleback (<i>Apeltes quadracus</i>)	Demersal				●
Giant manta ray (<i>Mobula birostris</i>)	Pelagic			●	

Species	Habitat Association	EFH in Project Area	Commercial / Recreational Importance	Atlantic Ocean	Indian River Bay
Gray snapper (<i>Lutjanus griseus</i>)	Demersal / Pelagic		●		●
Hogchoker (<i>Trinectes maculatus</i>)	Demersal				●
Inland silverside (<i>Menidia beryllina</i>)	Pelagic				●
Inshore lizardfish (<i>Synodus foetens</i>)	Pelagic				●
Little skate (<i>Leucoraja erinacea</i>)	Demersal	●		●	
Little sculpin (<i>Myoxocephalus aeneus</i>)	Demersal				●
Longfin inshore squid (<i>Doryteuthis pealeii</i>)	Pelagic		●	●	●
Monkfish (<i>Lophius americanus</i>)	Demersal	●	●	●	
Mummichog (<i>Fundulus heteroclitus</i>)	Demersal			●	●
Naked goby (<i>Gobiosoma bosc</i>)	Demersal				●
Northern kingfish (<i>Menticirrhus saxatilis</i>)	Demersal				●
Northern pipefish (<i>Syngathus fuscus</i>)	Demersal				●
Northern puffer (<i>Sphoeroides maculatus</i>)	Demersal				●
Northern seahorse (<i>Hippocampus erectus</i>)	Demersal				●
Northern sea robin (<i>Prionotus carolinus</i>)	Demersal			●	●
Northern sennet (<i>Sphyræna borealis</i>)	Demersal				●
Northern shortfin squid (<i>Illex illecebrosus</i>)	Demersal	●			●
Northern stargazer (<i>Astroscopus guttatus</i>)	Demersal				●
Ocean quahog (<i>Artica islandica</i>)	Benthic	●			●
Oyster toadfish (<i>Opsanus tau</i>)	Demersal				●
Pinfish (<i>Lagodon rhomboides</i>)	Demersal		●		●
Pollock (<i>Pollachius virens</i>)	Demersal	●	●		●

Species	Habitat Association	EFH in Project Area	Commercial / Recreational Importance	Atlantic Ocean	Indian River Bay
Rainwater killifish (<i>Lucania parva</i>)	Pelagic				●
Red drum (<i>Sciaenops ocellatus</i>)	Demersal		●		●
Red hake (<i>Urophycis chuss</i>)	Demersal	●	●	●	●
Rough silverside (<i>Membras martinica</i>)	Pelagic				●
Sand tiger shark (<i>Carcharias taurus</i>)	Pelagic	●	●	●	●
Sandbar shark (<i>Carcharhinus plumbeus</i>)	Pelagic	●	●	●	
Scup (<i>Stenotomus chrysops</i>)	Demersal (fall) / Pelagic	●	●	●	●
Seaboard goby (<i>Gobiosoma ginsburgi</i>)	Demersal				●
Sheepshead minnow (<i>Cyprinodon variegatus variegatus</i>)	Demersal				●
Shortfin mako (<i>Isurus oxyrinchus</i>)	Pelagic	●	●	●	
Shortnose sturgeon (<i>Acipenser brevirostrum</i>)	Demersal				
Silver hake (<i>Merluccius bilinearis</i>)	Demersal (night) / Pelagic (day)	●	●	●	
Silver perch (<i>Bairdiella chrysoura</i>)	Demersal				●
Skipjack tuna (<i>Katsuwonus pelamis</i>)	Pelagic	●	●	●	
Smallmouth flounder (<i>Etropus microstomus</i>)	Demersal				●
Smoothhound shark (<i>Mustelus canis</i>)	Demersal	●		●	●
Spiny dogfish (<i>Squalus acanthias</i>)	Demersal	●	●	●	
Spot (<i>Leiostomus xanthurus</i>)	Demersal		●	●	●
Spotfin butterflyfish (<i>Chaetodon ocellatus</i>)	Demersal				●
Spotfin killifish (<i>Fundulus luciae</i>)	Demersal				●
Spotted hake (<i>Urophycis regia</i>)	Demersal			●	●
Spotted seatrout (<i>Cynoscion nebulosus</i>)	Demersal		●		●

Species	Habitat Association	EFH in Project Area	Commercial / Recreational Importance	Atlantic Ocean	Indian River Bay
Striped bass (<i>Morone saxatilis</i>)	Demersal		●		●
Striped cusk-eel (<i>Ophidion marginatum</i>)	Demersal				●
Striped sea robin (<i>Prionotus evolans</i>)	Demersal		●		●
Summer flounder (<i>Paralichthys dentatus</i>)	Demersal	●	●	●	●
Striped killifish (<i>Fundulus majalis</i>)	Demersal				●
Tautog (<i>Tautoga onitis</i>)	Demersal			●	
Three-spined stickleback (<i>Gasterosteus aculeatus</i>)	Benthopelagic				●
Tiger shark (<i>Galeocerdo cuvier</i>)	Pelagic	●		●	
Weakfish (<i>Cynoscion regalis</i>)	Demersal			●	●
White mullet (<i>Mugil curema</i>)	Demersal				●
White perch (<i>Morone americana</i>)	Demersal		●		●
Windowpane flounder (<i>Scopthalmus aquosus</i>)	Demersal	●		●	●
Winter flounder (<i>Pseudopleuronectes americanus</i>)	Demersal	●	●	●	
Winter skate (<i>Leucoraja ocellata</i>)	Demersal	●		●	●
Witch flounder (<i>Glyptocephalus cynoglossus</i>)	Demersal	●		●	●
Yellowfin tuna (<i>Thunnus albacares</i>)	Pelagic	●	●	●	●
Yellowtail flounder (<i>limanda ferruginea</i>)	Demersal	●	●	●	

(Sources: Able and Fahay 2010; NOAA Fisheries "Essential Fish Habitat Mapper" ; USDOl and BOEM 2012; D.M. Nelson and Monaco 2000;"FishBase" 2018)

Ichthyoplankton

Ichthyoplankton refers to fish eggs and larvae that occur throughout the water column after spawning aggregations or events. Oceanographic processes and fish species specific life history strategies dictate larval distribution patterns. Ichthyoplankton found in the mid-Atlantic Bight come from warm temperate to cold temperate waters and are generally distributed in an onshore/offshore pattern (Doyle, Morse, and Kendall 1993; Hare, Fahay, and Cowen 2001).

Seasonal occurrence and geographic distribution of ichthyoplankton varies for each fish species. In general, the most abundant fish eggs and larvae found during winter months are those of cold temperate fish species originating in more northerly waters. During spring, summer, and fall months, ichthyoplankton is dominated by warm temperate species originating from more southerly waters. Depending on where spawning takes place on the continental shelf margin, the ichthyoplankton is transported either southwestward or northeastward by currents or frontal zones (Hare et al. 2002).

Ichthyoplankton data is often used to indicate spawning stock biomass and spawning locations for ecologically important fish species in the area. Review of scientific literature, including larval fish recruitment and coastal nursery habitats, suggest that only the outer limits of the Project area contain ichthyoplankton assemblages. No significant data was found on the abundance and duration of ichthyoplankton assemblages within the Project area. Hydrodynamic modeling shows that local fish populations in the Project area are likely to be recruited from southern ichthyoplankton assemblages (Hare et al. 2002). Since the marine connectivity of ichthyoplankton is on a broad scale on the Northeast coast of the U.S., the implications on impacts to larval fish species that contribute to the adult population would be hard to identify.

8.1.2 Threatened or Endangered Fish

Two fish species listed as endangered under the Endangered Species Act (ESA) may occur in the Project area: Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and shortnose sturgeon (*Acipenser brevirostrum*), see Table 8-2. Both are anadromous species, meaning they spawn in rivers and spend their adult lives in the open ocean. The Giant manta ray is listed as threatened under the ESA and may also occur in the Project area.

Table 8-2. Federally and State-Listed Fish Species Potentially Occurring in the Project Area

Common Name	Scientific Name	Federal Status	DE State Status	MD State Status
Giant manta ray	<i>Mobula birostris</i>	T	-	-
Atlantic shortnose sturgeon	<i>Acipenser oxyrinchus</i>	E	E	E
Shortnose sturgeon	<i>Acipenser brevirostrum</i>	E	E	E

Source: NOAA 2021a

E = Endangered; T = Threatened

Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*) (Secor et al. 2020)

The Atlantic sturgeon is an estuarine-dependent, anadromous species that is found along the eastern coast of North America from Canada to Florida. They spend the majority of their lives in the marine environment, but spawn in freshwater. They are present in 36 coastal rivers in the United States, and spawning takes place in at least 20 of these rivers. Larvae and juveniles remain in riverine or estuarine areas where they were spawned and move to higher salinity waters as subadults. Subadults and adults migrate seasonally throughout marine waters. In the summer, they are found in shallow waters of about 10 to 20 m (32.8 to 65.6 ft), and in the winter they move to deeper waters of about 20 to 50 m (65.6 to 164.0 ft). Current threats to Atlantic sturgeon include ship strikes, bycatch, habitat degradation/loss, climate change and habitat impediments such as dams (BOEM 2013; NOAA Fisheries 2017a; NOAA Fisheries 2022). Critical habitat for the New York Bight Distinct Population Segment (DPS) of Atlantic sturgeon includes approximately 547 km (340 mi) of aquatic habitat in the Hudson, Connecticut, Housatonic, and Delaware Rivers (82 FR 39160), and does not coincide with the Project area.

In 2011, telemetered Atlantic sturgeon were detected in nearshore waters off the coast of Maryland, along the southern end of the Delmarva Peninsula. Atlantic sturgeon were observed in shallow, well-mixed, relatively warm freshwater near the 25 m (82 ft) isobath and appeared to be associated with a water mass tied to Delaware Bay (Oliver et al. 2013). Additionally, matching telemetry records with derived seascapes indicate that Atlantic sturgeon prefer a seascape that is associated with the coastline of Delaware Bay and the Atlantic Ocean, with a mean temperature of 19.8°C (68°F) and a mean reflectance of 0.0073 sr⁻¹ at 443 mm (1.45 ft) (Breece et al. 2016). Based on these studies, Atlantic sturgeon would be more likely to occur near the coast rather than further offshore in the Lease area. The Delaware Division of Fish and Wildlife has not reported occurrences of Atlantic sturgeon within the Inland Bays (USACE 2015). Marine-phase Atlantic Sturgeon migrate through Delaware's coastal waters in mid-late March through mid-May and early September through mid-December (DNREC 2017b).

In 2016-2018, tri-annular surveys of acoustically tagged sturgeon revealed an in-depth migratory pattern of movement of Atlantic sturgeon by Secor et al. (2020). Detections of Atlantic sturgeon occurred throughout the fall and the early winter months and briefly during the spring. Within these periods of occurrence, Atlantic sturgeon were at mid-range depths in the Lease area during the fall but occurred in shallower regions within and outside the Lease area in the spring. Detections for Atlantic sturgeon showed stronger association with cross-shelf depth and environmental gradients rather than specific seabed characteristics. The results show that Atlantic sturgeon occurred extensively in the Lease area as transients, and that the Lease area occurred within the migration corridor.

Shortnose Sturgeon (*Acipenser brevirostrum*)

The shortnose sturgeon is an anadromous species found in large rivers and estuaries of the North America eastern seaboard from the Indian River in Florida to the St. John River in Canada. The shortnose sturgeon is not found in any of the Delaware Inland Bays systems which include Rehoboth Bay, Indian River Bay, and Little Assawoman Bay, but is found in the Delaware River. Adults migrate downstream in the fall and upstream in the spring to spawn. Larvae and juveniles are found in deep channels of rivers with strong currents. Shortnose sturgeon are most commonly found in the estuary of their respective river. While they do occasionally enter the marine environment, they generally remain close to shore, and are not likely to be present in the Lease area (Moser and Ross 1995; Collins and Smith 1997; Dadswell et al. 1984). Current threats to shortnose sturgeon include dams, pollution, and habitat alteration

(NOAA Fisheries 2015). Shortnose sturgeon is not known to occur within the Delaware Inland Bays (USACE 2015).

Giant Manta Ray (*Mobula birostris*)

Giant Manta ray are large bodied, pelagic planktivores that are broadly spread in tropical and temperate waters of the Pacific, Atlantic and Indian oceans. This species is not regularly encountered in large numbers and overall encountered with far less frequency than any other manta species despite having a larger distribution across the globe (IUCN 2011). While manta rays feed typically in shallow waters, they can dive as deep as 3,300 feet (1,000 meters) (Miller and Klimovich 2016; NOAA 2017). Giant manta rays are observed to migrate by following prey abundance (Farmer et al 2021). It is understood that the population of this species is in decline and it is ESA threatened throughout its range, which includes New England/Mid-Atlantic, the Pacific Islands, and the Southeast. Giant mantas are slow growing and long-lived with low fecundity and reproductive output with a gestation period up to one year. These biological traits make them prone to overexploitation, with their most direct threats being by-catch and intentional hunting for gill rakers by the Asian market (White et al. 2006).

Recorded occurrences of Giant manta rays within the Project are considered rare and only two recorded observations in 2016 and 2021 confirm Giant manta ray range is off the coast of Delaware. Farmer et al. (2021) integrated decades of sightings and survey effort data from numerous sources in a comprehensive species distribution modeling (SDM) framework for the eastern U.S. and revealed that Giant manta rays were most commonly detected at productive nearshore and shelf-edge upwelling zones at surface thermal frontal boundaries within a temperature range of approximately 15–30 °C (15-86°C). The SDMs predicted high nearshore concentrations off Northeast Florida during April, with the distribution extending northward along the shelf-edge as temperatures warm, leading to higher occurrences north of Cape Hatteras, North Carolina from June to October, and then south of Savannah, Georgia from November to March as temperatures cool (IUCN 2011; Miller and Klimovich 2016; Marshall et al. 2011; Farmer et al. 2021; White, Giles, and Dharmadi 2006).

8.1.3 Essential Fish Habitat

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires fishery management councils to: (1) describe and identify EFH in their respective regions; (2) specify actions to conserve and enhance that EFH; and (3) minimize the adverse impacts of fishing on EFH. The Magnuson-Stevens Act requires Federal agencies to consult on activities that may adversely affect EFH designated in fishery management plans. Additionally, fishery management councils identify habitat areas of particular concern (HAPCs) within fishery management plans. HAPCs are discrete subsets of EFH that provide extremely important ecological functions or are especially vulnerable to degradation. A HAPC has been identified for the sandbar shark in a portion of the nearshore area off the Delaware coast and into Delaware Bay, north of the Project area. All vegetated areas of summer flounder EFH are considered HAPCs.

EFH has been designated for the following species for one or more life stages in the Project area. A detailed assessment of the specific EFH habitat requirements, descriptions of species with EFH designated in the Project area, and discussion of potential Project-related impacts to these species are included in Appendix II-E1. Table 8-3 provides a summary of the Regional Fishery Management Plan Species.

Table 8-3. Regional Fishery Management Plan Species

New England Fishery Management Plan Species	Mid-Atlantic Fishery Management Plan Species	Atlantic Highly Migratory Species Fishery Management Plan Species
Atlantic herring	Atlantic mackerel	Albacore tuna
Atlantic sea scallop	Atlantic surf clam	Atlantic angel shark
Atlantic cod	Black sea bass	Atlantic bluefin tuna
Clearnose skate	Bluefish	Atlantic sharpnose
Little skate	Long-finned squid	Blue shark
Monkfish	Ocean quahog	Common thresher shark
Pollock	Scup	Dusky shark
Red hake	Spiny dogfish	Sand tiger shark
Silver hake	Summer flounder	Sandbar shark
Yellowtail flounder		Shortfin mako
Windowpane flounder		Skipjack tuna
Winter skate		Smooth dogfish
Witch flounder		Tiger shark
		Yellowfin tuna

8.2 Impacts

8.2.1 Construction

Habitat Alteration

As discussed in Volume II, Section 7.0, the installation of submarine cables, foundations, and scour protection and the operation of jack-up and anchored vessels during construction would alter benthic habitat in Indian River Bay and the Atlantic Ocean. Immobile and slow-moving benthos may be lost during these installations, temporarily reducing the potential food supply for demersal fish until these species recover to pre-construction population levels.

It is anticipated that habitat alteration would have a negligible to minor impact on finfish. The reduction in benthic food supply would be temporary and localized, and the loss of soft-bottom habitat associated with the Project would be small relative to the overall extent of benthic habitat available within and around the Project area. Impacts to summer flounder HAPC will be minimized by using dynamic positioning to minimize the need for construction vessels to anchor to the seafloor and by using midline buoys to reduce seafloor scarring when construction vessels need to anchor for offshore construction activities. Installation of Onshore Export Cable Corridor 1 may involve tracked vehicles and the onshore export cable route will be planned to avoid submerged aquatic vegetation to the extent feasible. No seagrass beds have been documented in the Project area.

Turbidity/Suspended Sediment

Increases in turbidity and TSS are expected to occur during foundation construction and submarine cable laying, but will be minimized by using installation techniques such as jet plow. It is anticipated that suspended sediment and sedimentation would have a negligible to minor impact on finfish and EFH. As discussed in Volume II, Section 4.0, turbidity levels along the Offshore Export Cable Corridors and Onshore Export Cable Corridor 1 could be significantly elevated for a period of less than 24 hours during construction. While some fish may struggle to navigate during this time due to reduced visibility and alterations in water chemistry, others may benefit from the increased turbidity because it will help conceal them from predators (D.H. Wilber and Clarke 2001). Gilled fish may also experience increased respiration during periods of increased turbidity in order to maintain sufficient oxygen intake (Newcombe and Jensen 1996). As suspended sediment settles out of the water column, fish eggs could be buried, and demersal fish that feed on benthic organisms may experience difficulty finding food (USDOJ and MMS 2007). However, it is expected that most fish will seek food and shelter outside of the Project area when vessel traffic and other construction noises begin, and construction of onshore and nearshore export cables will be planned to occur outside the spring spawning season. Additionally, cofferdams will be placed around the HDD bore holes to contain sediment at the landfalls. As suspended sediment concentrations are expected to return to background levels quickly after construction ceases, it is anticipated that the impact of increased turbidity and suspended sediment on finfish would be negligible to minor depending on the species.

Noise

Pile driving and vessel traffic would produce ambient noise during construction. The impacts of construction noises on fish are not as well understood as the impacts of noises on marine mammals. Like marine mammals, fish responses to sounds are species-specific, but all fish are expected to exhibit behavioral responses to sounds at larger distances than those at which they would exhibit physiological responses. Historically, 150 decibels (dB) has been used as the threshold above which fish may modify their behavior, although recent work suggests that this number may be conservative (California Department of Transportation (Caltrans) 2009). The most likely behavior change in fish is avoiding the source of noise, but some species may be attracted to noises (Normandeau Associates 2012). In either case, the most severe impact would be that fish may be deterred from annual migration routes, which could interfere with their feeding and reproductive success.

Potential physiological impacts to fish exposed to construction noise include stress, injury, and death. While fish may experience minor loss of hearing as a result of exposure to intense sounds, the loss would not be permanent as fish have the ability to repair or replace damaged sensory hairs (Lombarte et al. 1993). However, exposure to continuous boat noise over a period of half an hour can increase cortisol levels in fish (Wysocki, Dittami, and Ladich 2006). Continuous noise exposure over multiple hours can reduce fishes' sensitivity to sound, which may make them less likely to notice predators and prey, physical hazards, and communication from other fish (Normandeau Associates 2012). Most of the scientific literatures discusses noise impacts to mature fish, but a study of sole (*Soleidae* spp.) found no response in larvae to sounds as loud as 206 dB (Bolle et al. 2012).

Exposure to pile driving noise has been shown to cause internal bleeding and organ damage (Halvorsen et al. 2012) and even death in some cases (California Department of Transportation (Caltrans) 2009). A study on Black sea bass auditory detection bandwidth and thresholds done by Stanley et al. (2020) revealed juvenile Black sea bass have low thresholds and adult Black

sea bass have decreased auditory sensitivity. The results also show that the most sensitive range of sound detection capabilities directly overlaps with the highest sound energy created from pile driving activity. This suggests that Black sea bass will be able to hear noise from pile driving in many circumstances (Stanley et al. 2020).

An underwater acoustic assessment was conducted to evaluate the potential for pile driving noise to impact fish populations (Appendix II-H1). US Wind will implement sound attenuation and other mitigation measures during pile driving to reduce the impact of pile driving noise. See Volume II, Section 9.3 for additional mitigation and monitoring measures to minimize noise impacts.

It is anticipated that construction noise will have a negligible to minor impact on finfish. The most sensitive of fish species do not present physiological impacts at cumulative sound exposures less than 203 dB relative to 1 microPascal (re 1 μ Pa) of pressure, and species that do not have swim bladders (i.e. flatfish, sharks and rays) present no physiological impacts at sound exposures as high as 216 dB re 1 μ Pa (Normandeau Associates 2012). Pile driving noise can be as loud as 235 dB re 1 μ Pa at a 1 m (3.3 foot) distance (Tougaard et al. 2009b), so fish eggs and any fish that do not have an avoidance response to the noise may be negatively impacted. However, since fish can restore their own hearing loss, and fish such as Chinook salmon exposed to sounds as loud as 213 dB re 1 μ Pa have recovered from physical injury in a matter of days (Casper et al. 2012), it is expected that most species of fish will experience temporary impacts from which both the individual and its population will be able to recover. Best practices such as soft-start procedures, will be used to initiate pile driving throughout the course of Project construction in order to allow fish to vacate the affected area before they are exposed to more severe noise impacts. Additionally, sound attenuation technologies designed to minimize underwater sound would reduce the number of fish exposed to potentially injurious noise levels.

Vessel Traffic

There is a risk that construction vessels may hit aquatic organisms, potentially causing injury or death. It is anticipated that vessel traffic will have a negligible impact on finfish. Fish may differ their spatial distribution patterns in the presence of construction vessels. For example, skipjack tunas have shown attraction responses to floating objects (NOAA Fisheries 2006) which may draw them toward construction vessels. However, avoidance or attraction responses to construction vessels are not expected to have a net impact on fish, either positive or negative. In the event of collision with a construction vessel, fish are unlikely to be harmed due to their small size relative to the vessel, which allows the vessel to absorb the fish's momentum with no real impact to the fish or the vessel.

Lighting

If Project construction activities extend before sunrise or after sunset, artificial lighting may be used. It is anticipated that such construction lighting would have a negligible impact on finfish and EFH. While it is possible that fish may alter their movement toward or away from the light (Orr, Herz, and Oakley 2013), this reaction is not well-studied, and it is not expected that this behavior would have a net impact on fish, either positive or negative. Lighting will be limited to areas of active construction, which will leave most of the Project area unaffected at any given time.

Cable Installation

The installation of offshore submarine cables would most likely cause short-term disturbance to the benthic habitat and mortality to benthic resources directly in the line of cable installation activities. The sediment mixing from the jet plow will inadvertently mix plankton in the waters. However, due to the nature of the waters in the mid-Atlantic Bight and the volume of water withdrawn, displacement and/or disruption of the sediment will have negligible impact on benthic resources. Since the water withdrawal is a surface-oriented intake, the naturally occurring surface plankton could be entrained in the system. The duration and extent of impacts would be limited and short-term and planktonic assemblages would recover from the disturbance (BOEM 2021c).

Routine/Accidental Releases

As discussed in Volume II, Section 4.0, wastes from Project construction vessels may be released into Indian River Bay or the Atlantic Ocean either as part of their allowed operations or during an accidental spill. Because permissible releases are relatively clean and accidental releases would be infrequent and dilute quickly in these large bodies of water, it is anticipated that routine and accidental releases will have a negligible impact on finfish.

8.2.2 Operations

Habitat Alteration

As discussed in Volume II, Section 7.0, loss of soft-bottom habitat at the locations of the WTGs, OSSs, Met Tower and any scour protection that is installed during construction would be a permanent alteration for the lifetime of the Project. Conversion of natural soft-bottom habitat to artificial hard substrate would result in a loss of spawning habitat for fish species that prefer to lay eggs in sandy areas and a long-term change in the composition of the benthic community that supports the demersal fish population in the Project area. The WTGs, OSSs and Met Tower themselves would also create new hard-surface habitat within the water column, which could attract finfish seeking to feed on algae and crustaceans that may colonize these surfaces. In this way, the Project could create a “reef effect,” in which the WTGs, OSSs and Met Tower will provide new hard-surface habitat similar to the way in which artificial reef structures do, and, consequently, become hotspots of fish diversity and density relative to the surrounding area because of the different food sources they are able to support (Reubens et al. 2013). While this reef effect would likely produce a localized increase in fish biodiversity and the WTGs, OSSs and Met Tower could serve as “fish aggregating devices” attracting commercially-important species (Kirkpatrick et al. 2017), the majority of the Project area would not be affected.

No new habitat alterations are anticipated as a part of routine maintenance of the Project. Benthic habitat may be altered during operation of the Project if any of the submarine cables, WTG, OSS or Met Tower foundations or scour protection are damaged and require repair or replacement. The impacts of repairing or replacing submarine structures would be similar to, but less than the impacts from construction.

Turbidity/Suspended Sediment

Increases in turbidity and TSS are expected to occur during foundation construction and submarine cable laying. Routine operations of the Project will not affect turbidity levels in Indian River Bay or the Atlantic Ocean. However, should the submarine cables or WTG, OSS or Met Tower foundations require repair during the lifetime of the Project, sediment disturbance may

occur. The impacts of increases in turbidity associated with Project maintenance would be similar to but less than the impacts of turbidity increases incurred during Project construction.

Noise

During Project operation, noise would be produced by vessels and the WTGs. Aquatic organisms that reside in the Project area are likely habituated to the sound of vessel traffic and unlikely to respond to it. Noises produced by the movement of the WTG are not expected to be loud enough to exceed thresholds at which fish would begin to experience behavioral or physiological impacts.

EMF

Once the Project is operational, electric current will be continuously transmitted through the inter-array and export cables. This current can produce an electromagnetic field (EMF). The EMF created by the cables could interfere with naturally occurring EMF.

At least some marine fishes are able to detect EMFs, including sharks, skates, rays, salmonids, sturgeons and mackerels (Normandeau Associates Inc. 2011). Many of the fish that are able to detect EMFs occupy different habitats during different times of year or life stages, and it has been suggested that these fish may use electromagnetic signatures to navigate (Kenneth J. Lohmann, Putman, and Lohmann 2008). Fish that feed on benthic organisms may also use EMFs to locate prey that may be difficult to see due to camouflage or low light levels (Collin and Whitehead 2004). Juveniles of some species, such as clearnose skate, are able to detect electrical signals produced by adults of other marine species that could be potential predators (Sisneros et al. 1998).

The mechanisms by which fish detect EMFs and use the information that they obtain are poorly understood, so studies of fishes' behavioral responses to EMFs provide the best indication of how they may be impacted by potential changes in EMFs caused by the Project. For example, little skate have been observed to increase their movement and the amount of time they spend near the seafloor in the presence of an EMF that exceeds background levels (Hutchison et al. 2018). Variability in individual speeds and distances traveled were also greater in the presence of a high EMF. While the skates modified their behavior in the presence of EMF alteration, the altered EMF did not prevent them from accessing any part of the study area (Hutchison et al. 2018). Although some species may use EMFs for important functions such as locating mating and spawning grounds, the high frequency of EMFs produced by submarine power cables relative to fishes' sensitivity levels (Normandeau Associates Inc. 2011) and the high variability observed in individual responses to EMF alterations suggest that population-level impacts are unlikely to occur. It is uncertain whether migratory species would be misled by an electromagnetic anomaly, use the anomaly as a navigational landmark, or disregard the anomaly as noise, as some species disregard their own EMF signals (Bodznick, Montgomery, and Tricas 2003). Demersal species are most likely to experience negligible, short-term impacts to their feeding and navigation patterns because the EMF generated by the cables will be strongest near the ocean floor and will only be detectable within a few meters of the cable route (Normandeau Associates Inc. 2011). Burying the cables will minimize the impact of the EMFs they produce, and the proposed submarine cables include protective shielding to further reduce the impact of EMFs produced by transmission cables in the Project area.

Vessel Traffic

Over the lifetime of the installation, regular maintenance will be necessary, as well as potential non-routine repairs. Maintenance personnel and equipment will access the WTGs, OSSs, Met Tower, and submarine cables by boat. The impact of maintenance vessel traffic on finfish would be similar to but less than the impacts of vessel traffic during Project construction.

Lighting

Artificial lighting will be installed on the WTGs, OSSs and Met Tower for navigational safety purposes. It is not expected that this lighting will impact fish because it is not intended to penetrate the water's surface. Should any of the Project infrastructure be compromised during the lifetime of the Project, it is possible that maintenance vessels may need to use artificial lighting while repairing or replacing the infrastructure during nighttime hours. The impacts of this lighting on finfish would be similar to but less than the impacts of artificial lighting used during Project construction.

Routine/Accidental Releases

Emissions of liquids and gases into the environment are not part of the Project's routine operations. However, fuel discharges may occur if the Project infrastructure necessitates maintenance vessel trips, and lubricating oils contained within the WTGs could be released if the structures are damaged. The impact of these releases on finfish would be similar to but less than the impacts of routine and accidental releases that occur during Project construction.

8.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system to 4.6 m (15 ft) below the mudline. Removal of the WTGs, OSSs and Met Tower would alter the benthic environment by removing hard substrate habitats. Decommissioning would result in additional impacts to the benthic community due to interactions with bottom-contacting equipment (e.g. jack-up vessel pads, vessel anchors) and the temporary resuspension of sediments due to equipment removal. Impacts from these activities would be similar to those described above for construction. Removal of foundations and scour protection could have a significant negative impact on finfish by removing structures that provided artificial habitat. Leaving the submarine cables in place would significantly reduce turbidity impacts on finfish.

8.2.4 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on finfish and essential fish habitat.

- Conduct surveys and review existing data to identify important, sensitive, and unique marine habitats to be avoided.
- Minimize construction activities as practicable in areas containing anadromous fish during migration periods.
- Seafloor disturbance during construction will be minimized as practicable.
- Impacts to summer flounder HAPC will be minimized by using dynamic positioning where feasible to minimize the need for construction vessels to anchor to the seafloor

and using midline buoys to reduce seafloor scarring when construction vessels need to anchor.

- Sediment disturbance associated with submarine cable laying will be minimized by jet plowing, HDD techniques and the use of cofferdams where feasible.
- Soft-start procedures and sound attenuation will be used during foundation pile driving.
- Fish monitoring equipment including nanotag antennas has been installed on the Metocean Buoy
- Work lighting will be limited to the extent practicable to areas of active construction in coordination with USCG and other agencies as appropriate.
- Project-specific SPCC Plan and Oil Spill Response Plan will be prepared prior to construction and for operations activities.
- Vessel operators, employees, and contractors will be briefed on marine trash and debris awareness elimination as described in BSEE NTL No. 2015-G03 ("Marine Trash and Debris Awareness and Elimination"), per BOEM guidelines for marine trash and debris prevention.
- Vessels will adhere to United States Coast Guard (USCG) guidelines; follow applicable regulations related to the discharge of bilge water, gray water, and sanitary waste; maintain discharge permits, as appropriate; follow good maintenance and housekeeping procedures to prevent releases of oil and other chemicals to the sea; maintain up-to-date oil spill response plans to prevent, contain, and clean up any accidental spills.
- Use submarine cables that have proper electrical shielding and bury the cables in the seafloor, when practicable.
- A site-specific study of potential EMF impacts, if any, on species such as horseshoe crabs, conch, and finfish.
- US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others.

9.0 Marine Mammals

9.1 Description of the Affected Environment

The following description of the affected environment for marine mammals draws upon recent studies focused on offshore areas that include the Lease area and areas around the Lease area that could be affected by the Project. In addition to the studies described below, other resources referenced include New Jersey's Ocean/Wind Power Ecological Baseline Studies Final Report: January 2008 – December 2009 (Geo-Marine 2010).

MABS Survey (Williams et al. 2015a, 2015b)

The Mid-Atlantic Baseline Studies (MABS) were conducted for the Department of Energy (DOE) and the Maryland Energy Administration (MEA) to provide wildlife information specific to the WEAs in the mid-Atlantic. The wildlife information was collected between 2012 and 2014 across a 13,245 km² (3,862 square NM) study area off the coasts of Delaware, Maryland, and Virginia, using HD digital aerial surveys and boat-based surveys. Over the survey period, sixteen boat surveys and fifteen aerial surveys were conducted within the WEAs. The surveys were designed

to sufficiently capture the biological variations in both spatial and temporal dimensions, in accordance with BOEM wildlife survey guidelines.

In 2013, during the second year of the MABS study, MDNR and MEA expanded the existing surveys to cover a greater extent of Maryland's state and federal waters. This expansion, called the Maryland Project (MD Project), extended the ongoing boat surveys into Maryland state waters, extended the ongoing aerial surveys into areas west and south of the Maryland WEA, and added an additional annual aerial survey over Maryland waters. Survey findings from the MD Project are presented in a separate report (Williams et al. 2015b), and have been incorporated into the MABS Mid-Atlantic Outer Continental Shelf Final Report (Williams et al. 2015a).

VAQF Survey (S. Barco et al. 2015)

The Virginia Aquarium & Marine Science Center Foundation (VAQF) study was conducted for the Maryland Department of Natural Resources (MDNR) to provide fine scale data on the presence of protected species for Maryland's offshore wind development efforts. The wildlife information was collected monthly between 2013 and 2015 via observer based aerial surveys. Over the survey period, a total of twelve aerial surveys were conducted, resulting in over 16,000 km (8,639 NM) of observed track line running from shore to 50-70 km (27-38 NM) offshore, encompassing the entire Maryland WEA. The surveys were designed to sufficiently capture biological variations in both spatial and temporal dimensions, in accordance with the BOEM wildlife survey guidelines. For survey methodologies and details, a copy of this report can be requested from MEA.

Determining Offshore Use by Marine Mammals and Ambient Noise Levels Using Passive Acoustic Monitoring Study (H. Bailey et al. 2018a)

This survey, conducted by scientists from the University of Maryland Center for Environmental Science Chesapeake Biological Laboratory and the Cornell University Bioacoustics Research Program, sought to detect vocalizations of large and small cetaceans within and around the Maryland WEA. This study was conducted from November 2014 to January 2017 and utilized Marine Autonomous Recording Units (MARUs) and Cetacean PODs (C-PODs, tonal click detectors) to detect whale presence in the area and characterize ambient noise levels.

US Wind 2015, 2016, 2017 and 2021 G&G Surveys ((Alpine Ocean Seismic Survey Inc. 2015, 2017)

US Wind conducted preliminary geotechnical and geophysical (G&G) surveys within the boundaries of the Lease area in 2015, and along the formerly planned offshore export cable route in 2016, and along Onshore Export Cable Corridor 1 within Indian River Bay in 2017. Activities occurred onboard the Research Vessel (RV) Shearwater in 2015 and 2016 for a total of 44 and fifteen survey days, respectively. The 2017 survey within Indian River Bay was conducted on the MV George over a total of six survey days. Protected species observers (PSO) monitored the areas surrounding the survey boats for marine mammals using visual observation and passive acoustic monitoring. Observational data is included with the survey reports.

US Wind also conducted G&G surveys within the Lease area and along Offshore Export Cable Corridors in 2021. The results of these surveys, including the associated PSO reports, will be provided in Appendix II-A2 as per the deferral request included in this submission.

Marine-Life Data and Analysis Team Marine-Life Data to Support Regional Ocean Planning and Management (J. Roberts, Schick, and Halpin 2021; J.J. Roberts et al. 2018; J.J., L., and P.N. 2017; J. J. Roberts et al. 2016; Curtice et al. 2019)

The Marine-Life Data and Analysis Team (MDAT), in collaboration with the Northeast Regional Planning Body and expert work groups composed of regional scientists and managers, produced a series of data products presented on the Northeast Ocean Data Portal and the Mid-Atlantic Ocean Data Portal (J.J. Roberts et al. 2018; J.J. Roberts, Mannocci, and Halpin 2017c; J. J. Roberts et al. 2016; Curtice et al. 2019). This resource provides modeled estimates of the predicted distribution and abundance of marine mammal, bird, and fish species in the Western North Atlantic. These models were originally published in 2016 and were updated in 2018 and 2019. Additionally, the North Atlantic right whale model was updated in 2020 (Version 9, provided directly by Dr. Jason Roberts, (J. Roberts, Schick, and Halpin 2021)). To obtain density estimates for marine mammal species within the Project area and adjacent waters, ESS utilized current GIS information from the MDAT data sources for the different marine mammal species to determine density metrics. For each species, each month's data in the Project area was analyzed to identify the greatest minimum and maximum values and to create a summary for each species/month analysis cycle. A similar analysis was conducted on the annual data. For North Atlantic right whales, estimated densities presented in Roberts et al. (2021) based upon data collected between 2010 and 2018 were used, as modeled data based upon this timeframe yielded the greatest estimated densities of right whales in the Lease area and adjacent waters.

NOAA Fisheries Marine Mammal Stock Assessment Reports (Waring et al. 2015a; Waring et al. 2014; Hayes et al. 2021; Hayes et al. 2019a; Hayes, Josephson, et al. 2018; Hayes et al. 2017a)

The National Marine Fisheries Service and the United States Fish and Wildlife Service are required to generate stock assessment reports for all marine mammal stocks within the U.S. Exclusive Economic Zone. This requirement was established under the 1994 amendments to the Marine Mammal Protection Act. Stock Assessment Reports are prepared by staff of the Northeast Fisheries Science Center (NEFSC) and Southeast Fisheries Science Center (SEFSC) and are updated annually for strategic stocks and at least every 3 years for non-strategic stocks. These reports include estimates of stock sizes and annual human-caused serious injury/mortality.

Navy OPAREA Density Estimates (DON 2007)

The Navy Operations Area (OPAREA) Density Estimates for the Northeast OPAREA, which includes Boston, Narragansett Bay, and Atlantic City, provide area-specific marine mammal and sea turtle density information estimates (DON 2007). These data were prepared for the United States Navy Fleet Forces Command to meet compliance requirements for the National Environmental Policy Act, Marine Mammal Protection Act, and Endangered Species Act. Though this data source has been superseded by more up-to-date abundance information for most species, this report provides the best available estimates of harbor and gray seal densities within the Lease area.

Metocean Buoy Monitoring

US Wind has deployed the Metocean Buoy within the Lease area for a planned 2-year metocean data collection campaign during the site assessment term of the Lease. The Metocean Buoy and its associated seabed mounted TRBM have been equipped with a suite of wildlife monitoring sensors as provided in the related Metocean Buoy SAP approved May 5, 2021. This includes two hydrophone sensors within the TRBM for the monitoring of marine

mammal species. One sensor records detections of dolphin, and potentially large whale species, and the other sensor records detections of porpoise species within the Lease area.

Overview

The Atlantic Coast's marine mammals are represented by members of the taxonomic orders Cetacea, Carnivora, and Sirenia. The order Cetacea includes the mysticetes (baleen whales) and the odontocetes (toothed whales). Occurrence of cetacean species is generally widespread in Western North Atlantic waters with many of the large whales and populations of smaller toothed whales undergoing seasonal migrations along the length of the U.S. Atlantic coast. The order Carnivora, suborder Pinnipedia, family Phocidae, includes two species of seal that may occur in the mid-Atlantic, though these animals are mainly found in the North Atlantic. The order Sirenia is represented by the West Indian manatee, which occurs mainly in the South Atlantic.

Table 9-1 lists the marine mammal species that are known to occur at least occasionally in the mid-Atlantic OCS region and have a known stock presence in the area. Many of the toothed whale species presented in Table 9-1 have not been observed during several recent multi-year surveys of the region, and are modeled to occur at low densities in the Project area (J. J. Roberts et al. 2016; J.J. Roberts, Mannocci, and Halpin 2017a; Curtice et al. 2018). Odontocete species that commonly occur only further offshore in shelf edge, slope, or oceanic waters (e.g., Risso's dolphin, Cuvier's beaked whale, Mesoplodon beaked whales, striped dolphin) or occur at low densities through the mid-Atlantic OCS region (e.g., killer whale, spinner dolphin, false killer whale) (J. J. Roberts et al. 2016; J.J. Roberts, Mannocci, and Halpin 2017a; Curtice et al. 2018) are not expected to be impacted by Project activities, so are not discussed further. Though sperm, sei, and blue whales are unlikely to be encountered in the Project area, these species are ESA listed as endangered, so are discussed below.

Though individual sightings of manatees have occurred in the mid-Atlantic in summer months, and even as far north as Massachusetts, warm weather sightings are most common in Florida and coastal Georgia (Rathbun, Bonde, and Clay 1982; Schwartz 1995; Fertl et al. 2005; USFWS 2007, 2014, 2021d). West Indian manatees are a sub-tropical species and cannot tolerate temperatures below 20°C (68°F) for extended periods of time. It is highly unlikely that this species will be encountered in the Project area, so it is not discussed further.

9.1.1 Cetaceans

The status and distribution of species classified as either common or uncommon in the region of the Project area are discussed below. Though the sei whale (*Balaenoptera borealis*), and the sperm whale (*Physeter macrocephalus*) are classified as rare, these species are listed as federally endangered under the ESA, so were considered further. The blue whale (*Balaenoptera musculus*) is classified as absent from the mid-Atlantic OCS region (BOEM 2014) and is highly unlikely to be found within the relatively shallow waters of the Lease area. However, this ESA-listed endangered species may be encountered by vessels traveling to the Lease area from overseas or the Gulf of Mexico, so is discussed below. Risso's dolphins (*Grampus griseus*), though generally rare in the Project area, were observed during recent visual surveys of the region, so are discussed below.

In total, sixteen cetacean species are discussed in the following sections, all of which are federally protected by the Marine Mammal Protection Act (MMPA). Five of these species are listed as federally endangered under the ESA; the North Atlantic right whale (NARW) (*Eubaelena glacialis*), the fin whale (*Balaenoptera physalus*), and the previously mentioned sei whale, sperm whale, and blue whale.

Table 9-1. Marine Mammals with Potential Occurrence in the Project Area

Common Name	Scientific Name	Stock	ESA/ MMPA Statusa	Best Abundance Estimate of Stockb	MDAT Density Modelsc		MABS Mid- Atlantic Surveysd		MABS MD Surveyse		VAQF Surveyf	MD WEA Acoustic Surveyg	General Occurrence within the Project Area
					Estimated Max Density in Project Area and Adjacent Waters	Month of Max Density	Boat Survey Sightingsda	Aerial Survey Sightingsdb	Boat Survey Sightingsea	Aerial Survey Sightingseb	Aerial Survey Sightingsfa	Presence Detectedga	
Order Cetacea													
Baleen Whales (Mysticeti)													
North Atlantic right whale	<i>Eubalaena glacialis</i>	Western North Atlantic	E/D	412	0.63 ^{ca}	March	1	8	0	0	5 (13)	Y	Common
Fin whale	<i>Balaenoptera physalus</i>	Western North Atlantic	E/D	6,802	0.47	June	3	1	0	0	9 (14)	Y	Common
Humpback whale	<i>Megaptera novaeangliae</i>	Gulf of Maine		1,396	0.21	May	12	2	1	1	2 (2)	Y	Common
Minke whale	<i>Balaenoptera acutorostrata</i>	Canadian East Coast		21,968	0.62	May	3	3	3	1	1 (1)	Y	Common
Sei whale	<i>Balaenoptera borealis</i>	Nova Scotia	E/D	6,292	0.03	April	1	0	0	0	0		Rare
Blue whale	<i>Balaenoptera musculus</i>	Western North Atlantic	E/D	UNK	0.00	Annual	0	0	0	0	0		Rare
Toothed Whales (Odontoceti)													
Atlantic spotted dolphin	<i>Stenella frontalis</i>	Western North Atlantic		39,921	2.73	August	4	0	0	0	1 (45)		Uncommon

Common Name	Scientific Name	Stock	ESA/ MMPA Statusa	Best Abundance Estimate of Stockb	MDAT Density Modelsc		MABS Mid- Atlantic Surveysd		MABS MD Surveye		VAQF Surveyf	MD WEA Acoustic Surveyg	General Occurrence within the Project Area
					Estimated Max Density in Project Area and Adjacent Waters	Month of Max Density	Boat Survey Sightingsda	Aerial Survey Sightingsdb	Boat Survey Sightingsea	Aerial Survey Sightingseb	Aerial Survey Sightingfa	Presence Detectedga	
Atlantic white-sided dolphin	<i>Lagenorhynchus acutus</i>	Western North Atlantic		93,233	3.73	May	0	0	0	0	0		Uncommon
Bottlenose dolphin	<i>Tursiops truncatus</i>	Western North Atlantic Offshore; W. N. Atl. Northern Migratory Coastal	D ^{aa}	62,851; 6,639	85.08	June	874	677	243	340	417 (2978)	Y	Common
Clymene dolphin	<i>Stenella clymene</i>	Western North Atlantic		4,237	0.04	Annual	0	0	0	0	0		Rare
Cuvier's beaked whale	<i>Ziphius cavirostris</i>	Western North Atlantic		5,744	0.00	Annual	0	0	0	0	0		Rare
Dwarf sperm whale	<i>Kogia sima</i>	Western North Atlantic		7,750 ^{ba}	0.00 ^{cb}	Annual	0	0	0	0	0		Rare
False killer whale	<i>Pseudorca crassidens</i>	Western North Atlantic		1,791	0.01	Annual	0	0	0	0	0		Rare
Fraser's dolphin	<i>Lagenodelphis hosei</i>	Western North Atlantic		UNK	0.01	Annual	0	0	0	0	0		Rare

Common Name	Scientific Name	Stock	ESA/ MMPA Statusa	Best Abundance Estimate of Stockb	MDAT Density Modelsc		MABS Mid- Atlantic Surveysd		MABS MD Surveyse		VAQF Surveyf	MD WEA Acoustic Surveyg	General Occurrence within the Project Area
					Estimated Max Density in Project Area and Adjacent Waters	Month of Max Density	Boat Survey Sightingsda	Aerial Survey Sightingsdb	Boat Survey Sightingsea	Aerial Survey Sightingseb	Aerial Survey Sightingfa	Presence Detectedga	
Harbor porpoise	<i>Phocoena</i>	Gulf of Maine/ Bay of Fundy		95,543	11.06	December	0	3	0	1	0	Y	Uncommon
Killer whale	<i>Orcinus orca</i>	Western North Atlantic		UNK	0.00	Annual	0	0	0	0	0		Rare
Long-finned pilot whale	<i>Globicephala melas</i>	Western North Atlantic		39,215	0.23 ^{cc}	Annual	0	0	0	0	0		Uncommon
Melon- headed whale	<i>Peponocephala electra</i>	Western North Atlantic		UNK	0.23	Annual	0	0	0	0	0		Rare
Mesoplodon beaked whales	<i>Mesoplodon spp.</i>	Western North Atlantic		10,107	0.23	Annual	0	0	0	0	0		Rare
Northern bottlenose whale	<i>Hyperoodon ampullatus</i>	Western North Atlantic		UNK	0.23	Annual	0	0	0	0	0		Rare
Pantropical spotted dolphin	<i>Stenella attenuata</i>	Western North Atlantic		6,593	0.00	Annual	0	0	0	0	0		Uncommon
Pygmy sperm whale	<i>Kogia breviceps</i>	Western North Atlantic		7,750 ^{ba}	0.00 ^{cb}	Annual	0	0	0	0	0		Rare
Risso's dolphin	<i>Grampus griseus</i>	Western North Atlantic		35,493	0.17	July	0	1	0	1	0		Rare

Common Name	Scientific Name	Stock	ESA/ MMPA Statusa	Best Abundance Estimate of Stockb	MDAT Density Modelsc		MABS Mid- Atlantic Surveysd		MABS MD Surveyse		VAQF Surveyf	MD WEA Acoustic Surveyg	General Occurrence within the Project Area
					Estimated Max Density in Project Area and Adjacent Waters	Month of Max Density	Boat Survey Sightingsda	Aerial Survey Sightingsdb	Boat Survey Sightingsea	Aerial Survey Sightingseb	Aerial Survey Sightingfa	Presence Detectedga	
Rough-toothed dolphin	<i>Steno bredanensis</i>	Western North Atlantic		136	0.01	Annual	0	0	0	0	0		Rare
Short-beaked common dolphin	<i>Delphinus delphis</i>	Western North Atlantic		172,974	25.66	January	209	52	26	27	24 (199)	Y	Common
Short-finned pilot whale	<i>Globicephala macrorhynchus</i>	Western North Atlantic		28,924	0.23 ^{cc}	Annual	0	0	0	0	0		Uncommon
Sperm Whale	<i>Physeter macrocephalus</i>	North Atlantic	E/D	4,349	0.05	July	0	0	0	0	0		Rare
Spinner dolphin	<i>Stenella longirostris</i>	Western North Atlantic		4,102	0.01	Annual	0	0	0	0	0		Rare
Striped dolphin	<i>Stenella coeruleoalba</i>	Western North Atlantic		67,036	0.00	Annual	0	0	0	0	0		Rare

Common Name	Scientific Name	Stock	ESA/ MMPA Status ^a	Best Abundance Estimate of Stock ^b	MDAT Density Model ^c		MABS Mid- Atlantic Survey ^d		MABS MD Survey ^e		VAQF Survey ^f	MD WEA Acoustic Survey ^g	General Occurrence within the Project Area
					Estimated Max Density in Project Area and Adjacent Waters	Month of Max Density	Boat Survey Sightings ^{da}	Aerial Survey Sightings ^{db}	Boat Survey Sighting ^{sea}	Aerial Survey Sighting ^{seb}	Aerial Survey Sighting ^{fa}	Presence Detected ^{ga}	
Order Carnivora													
Earless seals (Phocidae)													
Harbor seal	<i>Phoca vitulina</i>	Western North Atlantic		75,834	6.04 ^{cd}	February	0	0	0	0	0		Rare
Gray seal	<i>Halichoerus grypus</i>	Western North Atlantic		27,131	6.04 ^{cd}	February	0	0	0	0	0		Rare
Order Sirenia													
Manatee (Trichechidae)													
West Indian manatee	<i>Trichechus manatus</i>	Florida	T	4,834 ^{bb}			0	0	0	0	0		Rare

^aAll species are protected under the MMPA, D = Depleted under the MMPA, E = Endangered under the ESA, T= Threatened under the ESA

^{aa}Western North Atlantic Northern Migratory Coastal stock only

^bSource: NOAA Stock Assessment Reports (Hayes et al. 2021, 2020, 2019; Waring et al. 2015. UNK indicates that stock size is unknown.

^{ba}Estimated abundance includes both dwarf and pygmy sperm whales

^{bb}Minimum population estimate from most recent stock assessment report for this species (USFWS 2014). USFWS (2021) indicated that the estimated population for the southeastern United States and Puerto Rico is more than 6,500 individuals.

^cSource: Roberts et al. 2016, Roberts et al. 2017, Roberts et al. 2018, Roberts et al. 2020, Curtice et al. 2019. Manatee densities not modeled.

^{ca}Estimated density from Roberts et al. (2021a, 2021b, 2020, 2016a, 2016b) based upon data from 2001-2018, and additional data from 2019 and 2003 - 2020. NARW density is modeled as # per 5 x 5 km grid square in Roberts et al. 2021a and 2021b (all other species densities presented in this table are modeled as # per 10 x 10 km grid square).

^{cb}Estimated abundance includes both dwarf and pygmy sperm whales

^{cc}Estimated abundance includes both long-finned and short-finned pilot whales

^{cd}All seal species were modeled together as a guild by Roberts et al. 2018, with a max monthly density of 12.08 individuals per km². Based upon guidance from NOAA Fisheries, harbor seals and gray seals were each assumed to account for 50% of total seal density in the Lease Area

^dSource: Williams et al. 2015a

^{da}Total number of individuals observed during 16 boat-based surveys of the mid-Atlantic conducted between March 2012 and May 2014. Only sightings of individuals identified to species are included. Additional MM sightings not included in table: 113 unidentified dolphin, 11 unidentified whale, 4 unidentified large whale

^{db}Total number of individuals observed during 15 digital video aerial surveys of the mid-Atlantic conducted between March 2012 and May 2014. Additional MM sightings not in table: 1044 small beaked cetacean to 3m, 188 unidentified dolphin, 63 unidentified toothed whale, 1 unidentified fin/sei whale, 5 unidentified cetacean, 1 unidentified medium whale

^eSource: Williams et al. 2015b

^{ea}Total number of individuals observed during 16 boat-based surveys in the vicinity of the MD WEA conducted between April 2012 and April 2014. Only sightings of individuals identified to species are included. Additional sightings of MM not included in table: 29 unidentified dolphin, 4 unidentified whale

^{eb}Total number of individuals observed during 14 aerial surveys in the vicinity of the MD WEA conducted between March 2012 and May 2014. Additional sightings or MM not classified to species: 644 small beaked cetacean to 3 m, 102 unidentified dolphin, 6 unidentified toothed whale, 1 unidentified medium whale

^fSource: Barco et al. 2015

^{fa}Total number of sightings (and total number of individuals observed) during monthly aerial surveys of the MD WEA and surrounding waters between July 2013 and June 2015. Additional MM sightings not reported in table: 11 (18) unidentified dolphin, 1 (1) unidentified whale, 2 (2) unidentified baleen whale

^gSource: Bailey et al. 2017

^{ga}Y indicates marine mammal species detected during monthly passive acoustic monitoring of the MD WEA and surrounding waters between November 2014 and January 2017

North Atlantic Right Whale (*Eubaelena glacialis*)

North Atlantic right whales (NARW) are among the rarest of all marine mammal species. NARW average approximately 15.25 m (50 ft) in length and can weigh about 63,503 kg (70 tons) (NOAA Fisheries 2021h). NARW have stocky, black bodies with no dorsal fin, and bumpy, coarse patches of skin on their heads called callosities. Right whales are slow moving grazers that feed on dense concentrations of prey, primarily zooplankton and copepods belonging to the *Calanus* and *Pseudocalanus* genera (Hayes et al. 2021), at or below the water's surface, as well as at depth (NOAA Fisheries 2021h). Research suggests that NARW must locate and exploit extremely dense patches of zooplankton to feed efficiently (Mayo and Marx 1990). These dense zooplankton patches are likely a primary characteristic of the spring, summer, and fall NARW habitats (R.D. Kenney et al. 1986; R.D. Kenney, Winn, and Macaulay 1995). Historically, the population suffered severely from commercial overharvesting and has more recently been threatened by incidental fishery entanglement and ship strikes. The NARW is a strategic stock⁸ and is listed as endangered under the ESA. This species is also currently experiencing an unusual mortality event (NOAA Fisheries 2021a).

These baleen whales have two separate stocks: the eastern and western Atlantic stocks. The NARW occurring in U.S. waters belong to the western Atlantic stock. The western Atlantic NARW population ranges primarily from calving grounds in coastal waters of the southeastern United States to feeding grounds in New England waters and the Canadian Bay of Fundy, Scotian Shelf, and Gulf of St. Lawrence (Hayes et al. 2019a). The size of this stock is considered to be extremely low relative to its Optimum Sustainable Population (OSP) in the U.S. Atlantic Exclusive Economic Zone (EEZ). In the Western North Atlantic, right whales are subject to relatively high levels of injury and mortality from collisions with vessels and entanglement in fishing gear (A.R. Knowlton and Kraus 2001; Kraus et al. 2005). The minimum rate of annual human-caused mortality and serious injury to right whales averaged 8.15 individuals per year for the period of 2014 through 2018 (Hayes et al. 2021). The best available estimates of minimum NARW population size are 412 individuals (presented in the 2020 NOAA stock assessment report, (Hayes et al. 2021), and 356 individuals (estimate of NARW alive at the end of 2019, based upon assessments published in the 2020 NARW annual report card, (Pettis, Pace, and Hamilton 2021)).

The NARW is a strongly migratory species that undertakes well-defined, strongly seasonal movements from their northeast feeding grounds (generally spring, summer and fall habitats) south along the U.S. east coast to their sole known calving and wintering grounds in the waters of the southeastern U.S. (R.D. Kenney and Vigness-Raposa 2009). Mid-Atlantic waters are a primary migration corridor during these seasonal migrations (A. Knowlton, Ring, and Russel 2002; Firestone et al. 2008). NARWs are usually observed in groups of less than twelve individuals, and most often as single individuals or pairs. Larger groups may be observed in feeding or breeding areas (Jefferson, Webber, and Pitman 2008). Surveys have demonstrated the existence of seven areas where Western North Atlantic right whales congregate seasonally: the coastal waters of the southeastern United States; the Great South Channel; Jordan Basin; Georges Basin along the northeastern edge of Georges Bank; Cape Cod and Massachusetts Bays; the Bay of Fundy; and the Roseway Basin on the Scotian Shelf (Hayes et al. 2021).

⁸ A strategic stock is defined by the MMPA as a stock for which the level of direct human-caused mortality exceeds the potential biological removal, is declining and is likely to be listed as threatened under the ESA in the foreseeable future, or is currently listed as threatened or endangered under the ESA or designated as depleted under the MMPA.

NOAA Fisheries has designated two critical habitat areas for the NARW: the Gulf of Maine/Georges Bank region, and the southeast calving grounds from North Carolina to Florida. Two additional critical habitat areas in Canadian waters, Grand Manan Basin and Roseway Basin, were identified in Canada's final recovery strategy for the North Atlantic right whale (Brown et al. 2009).

Observations from recent aerial and acoustic surveys indicate that NARW are present in the region of the Lease area (Williams et al. 2015a; H. Bailey et al. 2018a; S. Barco et al. 2015). This species was visually observed in the mid-Atlantic in February and March (Williams et al. 2015a), and in the Lease area from January to March (Williams et al. 2015a; S. Barco et al. 2015). However, acoustic data indicate that NARW are present in the vicinity of the Lease area throughout the year, with maximum abundance reported during the late winter and early spring (H. Bailey et al. 2018a). These findings align with observations from North Carolina and Georgia waters, where NARW were acoustically detected in all seasons (Hodge et al. 2015). These observation patterns suggest that though pulses of NARW travel through mid-Atlantic waters during seasonal migrations, the region may also be a destination for non-breeding individuals (S. Barco et al. 2015). Roberts et al. (2021; 2021; 2020; 2018; 2016) indicates that the highest density of NARW in the Lease area and adjacent waters occurs in March and is estimated to be 0.63 individuals per 5 km (2.7 NM) grid square (estimated density of 2.73 individuals per 100 km², Figure 9-1).

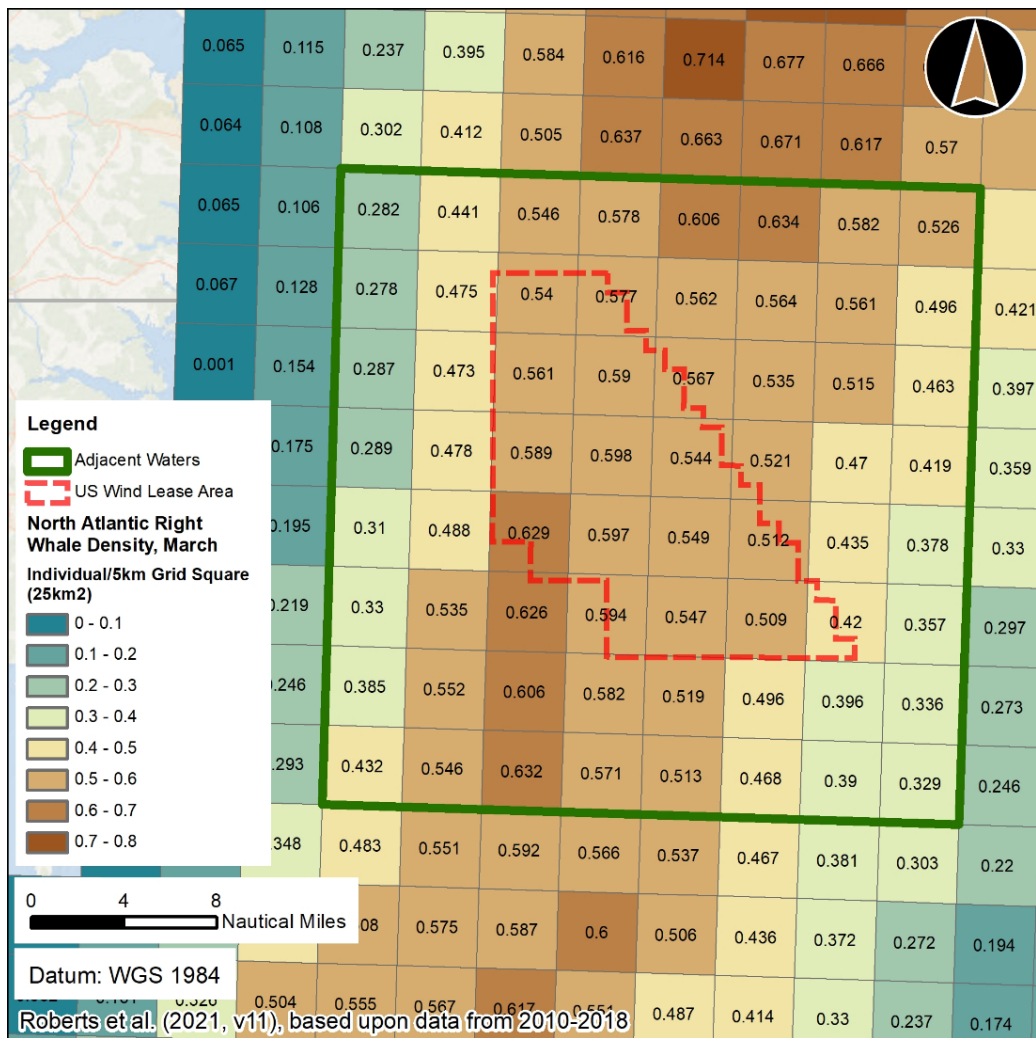


Figure 9-1. Right Whale Density in Lease Area and Adjacent Waters in March (month of max density)

In order to protect this species, Seasonal Management Areas (SMAs) for reducing ship strikes of NARWs have been designated in the U.S. and Canada. Vessels greater than 19.8 m (65 ft) in overall length must operate at speeds of 10 knots or less within these areas during seasonal time periods. The closest SMA is located approximately 13 km (7 NM) from the northwestern portion of the Lease area and is active between November 1 and April 30 each year (Figure 9-2). Dynamic Management Areas (DMAs) may also be established by NOAA Fisheries if three or more NARW are visually sighted within a specific area. Vessels are encouraged to avoid these areas or reduce speeds to 10 knots or less while traveling through the DMA. NOAA Fisheries also establishes Right Whale Slow Zones when the presence of NARW has been detected from acoustic receivers. Vessels are encouraged to avoid these areas or reduce speeds to 10 knots or less while traveling through the Right Whale Slow Zone for 15 days (NOAA Fisheries 2021i).

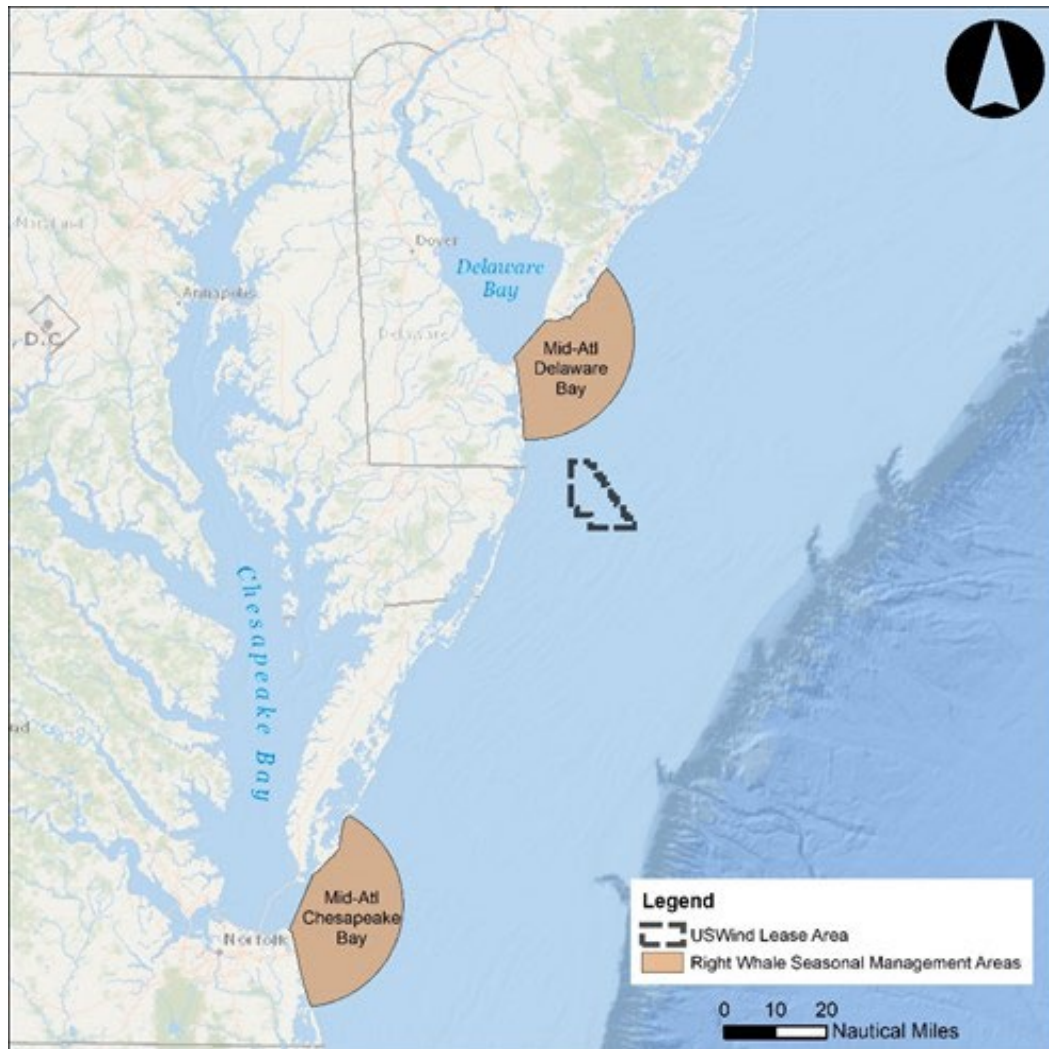


Figure 9-2. Right Whale Seasonal Management Areas

Fin Whale (*Balaenoptera physalus*)

Fin whales are the second-largest species of baleen whale, with a maximum length of about 23 m (75 ft) in the Northern Hemisphere (NOAA Fisheries 2019d). These whales have a sleek, streamlined body with a V-shaped head making them fast swimmers. This species has a distinctive coloration pattern; the dorsal and lateral sides of the body are black or dark brownish gray and the ventral surface is white. Fin whales feed on krill, small schooling fish (e.g. herring, capelin and sand lance) and squid by lunging into schools of prey with their mouths open (R.D. Kenney and Vigness-Raposa 2009). They occur year-round in a wide range of latitudes and longitudes, but the density of individuals in any one area changes seasonally (NOAA Fisheries 2019d). Fin whales are the most commonly sighted large whales in continental shelf waters from the mid-Atlantic coast of the United States to Nova Scotia (Sergeant 1977; Sutcliffe and Brodie 1977; CeTAP 1982; Hain et al. 1992; G.T. Waring et al. 2015b). The fin whale is listed as endangered under the ESA.

Fin whales off the eastern coast of the United States, Nova Scotia and the southeastern coast of Newfoundland are believed to constitute a single Western North Atlantic stock under the present International Whaling Commission (IWC) scheme (Donovan 1991). The best abundance estimate available for the Western North Atlantic fin whale stock is 6,802 individuals (Hayes et al. 2019a). The status of this stock relative to OSP in the U.S. Atlantic EEZ is unknown, but the North Atlantic population is listed as a strategic stock under the MMPA. Like most other whale species present along the U.S. east coast, ship strikes and fisheries entanglements are perennial causes of serious injury and mortality. For the period 2014 through 2018, the minimum annual rate of human-caused mortality and serious injury to fin whales was 2.35 individuals per year (Hayes et al. 2019a; S. Hayes et al. 2019b).

The fin whales' range in the Western North Atlantic extends from the Gulf of Mexico and Caribbean Sea, to the southeastern coast of Newfoundland in the north (Hayes et al. 2021). Fin whales are common in waters of the U. S. Atlantic EEZ, principally from Cape Hatteras northward. While fin whales typically feed in the Gulf of Maine and the waters surrounding New England, mating and calving (and general wintering) areas are largely unknown (Hayes et al. 2021). It is likely that fin whales occurring in the U.S. Atlantic EEZ undergo migrations into Canadian waters, open-ocean areas, and perhaps even subtropical or tropical regions. However, the popular notion that entire fin whale populations make distinct annual migrations like some other mysticetes has questionable support (Hayes et al. 2021). Based on an analysis of neonate stranding data, Hain et al. (1992) suggested that calving takes place during October to January in latitudes of the U.S. Mid-Atlantic region. Fin whales are the dominant large cetacean species during all seasons from Cape Hatteras to Nova Scotia, having the largest standing stock, the largest food requirements, and therefore the largest influence on ecosystem processes of any cetacean species (Hain et al. 1992; R.D. Kenney et al. 1997). There are currently no critical habitat areas established for the fin whale.

Recent acoustic and visual surveys indicate that fin whales are present in the region of the Lease area in all seasons, and are relatively abundant in the area, compared to other baleen whale species (Williams et al. 2015a; H. Bailey et al. 2018a; S. Barco et al. 2015). Though this species was not observed in Maryland waters during the Williams et al. (2015b) study, fin whales were the most frequently observed whale species during the Barco et al. (2015) surveys, and were one of the most frequently detected large whale species during the Bailey et al. (2018a) study. This species was most abundant in the region of the Lease area during the winter and early spring (S. Barco et al. 2015; Williams et al. 2015a), but is present in the area during all seasons, with lowest abundances likely occurring in summer and early fall (H. Bailey et al. 2018a). These findings align with those of other passive acoustic surveys conducted to the south of the Lease area in North Carolina, Georgia, and New Jersey, which detected fin whale presence year round (Rice et al. 2014; Geo-Marine 2010). Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest density of fin whales in the Lease area and adjacent waters occurs in June and is estimated to be 0.47 individuals per 10 km (5.4 NM) grid square (

Figure 9-3).

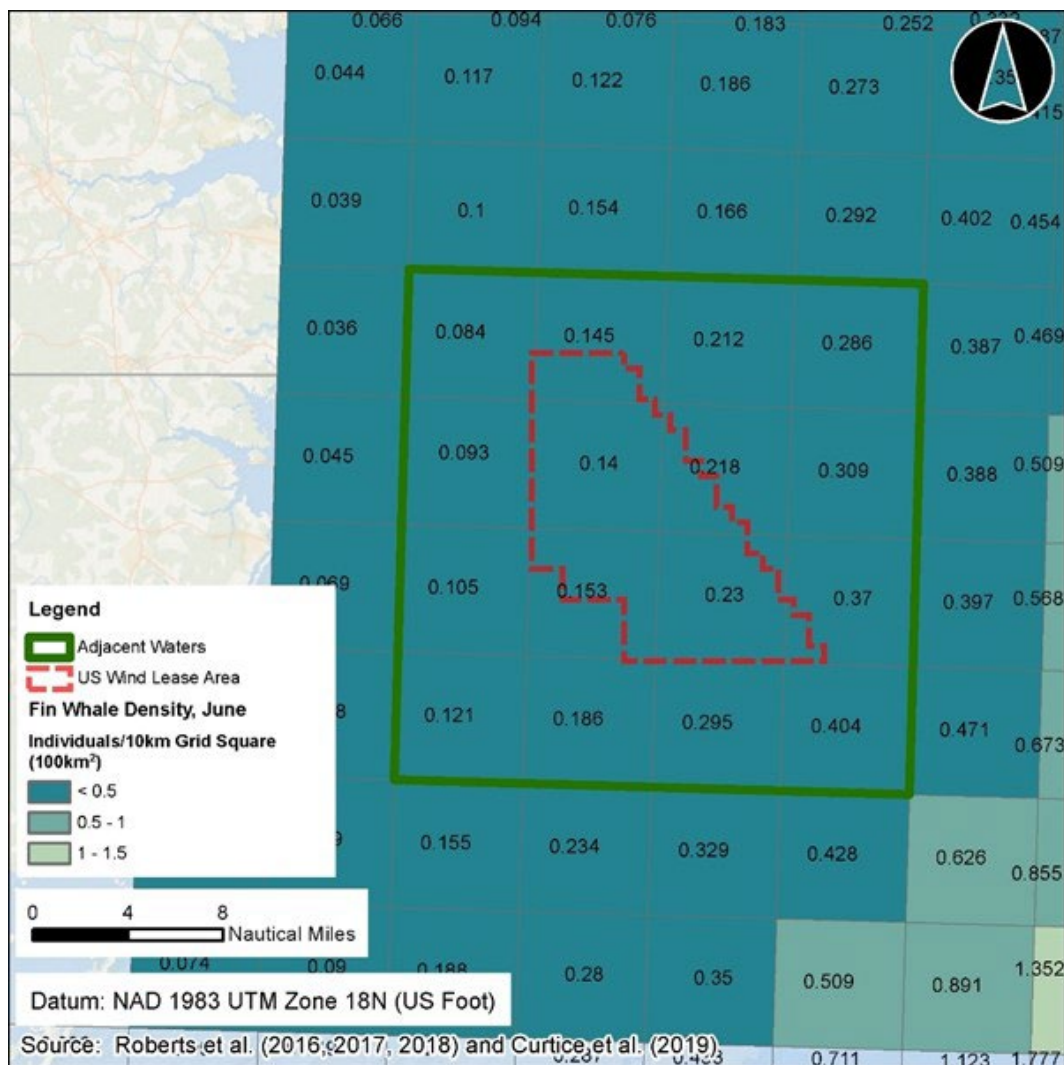


Figure 9-3. Fin Whale Density in the Lease Area and Adjacent Waters in June (month of max density)

Humpback Whale (*Megaptera novaeangilae*)

Humpback whales can reach lengths of up to 18.3 m (60 ft) and are primarily dark gray in coloration, but individuals have a variable amount of white on their pectoral fins, belly, and flukes. These distinct coloration patterns are used to identify individuals (NOAA Fisheries 2019h). Humpback whales frequently perform aerial displays, such as breaching or slapping the surface with their tails, heads, or large pectoral fins. These baleen whales feed on small prey that is often found in large concentrations, including krill and fish such as herring and sand lance (R.D. Kenney and Vigness-Raposa 2009). Humpback whales use unique behaviors, including bubble nets, bubble clouds, and flickering of their flukes and fins, to herd and capture prey (USDOC and NOAA Fisheries 1991). This species was previously listed as endangered under the ESA throughout its range. However, in September 2016 NOAA Fisheries identified fourteen Distinct Population Segments (DPSs) of humpback whale and revised the ESA listing for this species. Four DPSs were listed as endangered, one as threatened, and listing was deemed not warranted for the remaining eight DPSs. All humpback whales living along the North American

Atlantic coast belong to the West Indies DPS, which is not at risk and has been delisted from the ESA (NOAA Fisheries 2019h). This species is also currently experiencing an unusual mortality event, which may be the result of human interactions (ship strikes and entanglement, (NOAA Fisheries 2021a)).

In the North Atlantic, six separate humpback whale subpopulations have been identified by their consistent matrilineally determined fidelity to different feeding areas (Clapham and Mayo 1987). These populations can be found in the Gulf of Maine, the Gulf of St. Lawrence, Newfoundland/Labrador, western Greenland, Iceland, and Norway (Hayes et al. 2019a). The large majority of humpbacks that inhabit the waters off the eastern U.S. belong to the Gulf of Maine stock. The best abundance estimate for the Gulf of Maine stock of humpback whales is 1,396 individuals (Hayes et al. 2019a). For the period of 2013 through 2017, the minimum annual rate of human-caused mortality and serious injury to the Gulf of Maine humpback whale stock averaged 12.15 individuals per year (Hayes et al. 2021).

Humpback whales in the Gulf of Maine stock typically feed in the waters between the Gulf of Maine and Newfoundland during the spring, summer, and fall, but have been known to feed over a range that encompasses the entire U.S. east coast. Humpback whales from most feeding areas, including the Gulf of Maine, migrate to the West Indies (including the Antilles, the Dominican Republic, the Virgin Islands, and Puerto Rico) in the winter, where they mate and calve their young (Hayes et al. 2019a). However, not all humpback whales from the Gulf of Maine stock migrate to the West Indies every winter, because significant numbers of animals can be found in mid- and high-latitude regions at this time (Swingle et al. 1993). Humpback whales utilize the mid-Atlantic as a supplemental winter feeding ground and migration pathway (Hayes et al. 2019a). There are currently no critical habitat areas designated for this species.

Recent acoustic surveys indicate that humpback whales are present in the region of the Lease area in all seasons (Williams et al. 2015b; H. Bailey et al. 2018a). These findings align with previous studies conducted to the south of the Lease area in North Carolina and Georgia, and in New Jersey, which detected humpback presence year round (Rice et al. 2014; Geo-Marine 2010). In the mid-Atlantic and the region of the Lease area, humpbacks were most frequently visually observed in the winter months (Williams et al. 2015b, 2015a; S. Barco et al. 2015). Acoustic monitoring revealed that humpback presence was lowest from June to September, increased through the winter, and peaked in April (H. Bailey et al. 2018a). Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest density of humpback whales in the Lease area and adjacent waters occurs in May and is estimated to be 0.21 individuals per 10 km (5.4 NM) grid square.

Minke Whale (*Balaenoptera acutorostrata*)

Minke whales are the smallest baleen whale species found in North America waters, reaching only 10 m (35 ft) in length (NOAA Fisheries 2019j). Minke whales have a cosmopolitan distribution, as they can occur in temperate, tropical and high latitude waters in most seas worldwide (Hayes et al. 2017a; S.A. Hayes et al. 2017b). The minke whale is common and widely distributed within the U.S. Atlantic EEZ (CeTAP 1982). This species has a dark gray to black back and a white ventral surface (NOAA Fisheries 2019j). Their diet is comprised primarily of crustaceans, schooling fish, and copepods. Minke whales generally travel in small groups (one to three individuals), but larger groups are observed on feeding grounds (NOAA Fisheries 2019j). Minke whales are not currently listed as threatened or endangered under the ESA. This species is also currently experiencing an unusual mortality event, which may be the result of human interaction or infectious disease (NOAA Fisheries 2021a).

In the North Atlantic, there are four recognized populations—Canadian East Coast, west Greenland, central North Atlantic, and northeastern North Atlantic (Donovan 1991). Until better information becomes available, minke whales off the eastern coast of the United States are considered to be part of the Canadian East Coast stock, which inhabits the area from the western half of the Davis Strait (45°W) to the Gulf of Mexico. It is uncertain if there are separate sub-stocks within the Canadian East Coast stock. The current estimate of the size of this stock is 21,968 individuals (Hayes et al. 2021). Between 2014 to 2018, the average annual minimum human-caused mortality and serious injury was 10.55 individuals per year (Hayes et al. 2021).

Sightings data suggest minke whale distribution is largely centered in the waters of New England and eastern Canada (Hayes et al. 2019a). There also appears to be a strong seasonal component to minke whale distribution. Spring to fall are times of relatively widespread and common occurrence and when the whales are most abundant in New England waters. During winter, the species appears to be largely absent (Risch et al. 2013). Like most other baleen whales, minke whales generally occupy the continental shelf proper (< 100 m (328 ft) deep), rather than the continental shelf-edge region (Hayes et al. 2019a; S. Hayes et al. 2019b). Mating and calving most likely take place during the winter season in lower latitude wintering grounds (NOAA Fisheries 2019j).

Recent multi-year surveys detected minke whales in the mid-Atlantic and the region of the Lease area (S. Barco et al. 2015; H. Bailey et al. 2018a; Williams et al. 2015a, 2015b). Though this species was the most frequently identified whale species within Maryland waters during the Williams et al. (2015b) study, minke whales were only observed a total of four times. Similarly, the Barco et al. (2015) surveys only identified one minke whale, and this species was infrequently acoustically detected in the region of the Lease area (H. Bailey et al. 2018a). Minke whales are likely most abundant in the region during the fall, winter, and spring months, as sightings and detections occurred in November, January, February, and April (H. Bailey et al. 2018a; S. Barco et al. 2015; Williams et al. 2015b). These findings roughly align with the conclusions of an earlier study to the north of the Lease area, which detected minke whales in New Jersey waters in winter (February) and spring (June) (Geo-Marine 2010). Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest density of minke whales in the Lease area and adjacent waters occurs in May and is estimated to be 0.62 individuals per 10 km (5.4 NM) grid square.

Sei Whale (*Balaenoptera borealis*)

Sei whales are large sleek-bodied baleen whales that can reach 12 - 18 m (40 - 60 ft) in length and dive for up to 20 minutes (NOAA Fisheries 2019l). This species is dark-bluish gray to black in color, with a pale underside, and is usually observed in small groups of two to five individuals (NOAA Fisheries 2019l). Sei whales are largely planktivorous, feeding primarily on euphausiids and copepods, but will also feed on small schooling fishes and cephalopods (NOAA Fisheries 2019l). The sei whale is often found in the deeper waters characteristic of the continental shelf edge region (Hain et al. 1985), though they have been observed to make episodic and unpredictable incursions into shallower inshore waters (Hayes et al. 2017a). This species is listed as endangered under the ESA.

Sei whales found in U.S. Mid-Atlantic waters belong to the Nova Scotia stock, which includes the continental shelf waters north to Newfoundland. The best abundance estimate available for the Nova Scotia sei whale stock is 6,292 individuals (Hayes et al. 2021). However, this estimate is considered conservative as the surveyed area was only a portion of the sei whale range, and uncertainties exist regarding population structure and sei whale movement patterns (Hayes et

al. 2021). Between 2014 to 2018, the average annual minimum human-caused mortality and serious injury to sei whales was 1.2 individuals per year (Hayes et al. 2021).

Though the distribution and movement patterns of the sei whale are not well known (NOAA Fisheries 2019), the Nova Scotia sei whale stock is likely centered in northerly waters, perhaps on the Scotian Shelf, during much of the year (Mitchell and Chapman 1977). Sei whale abundance in U.S. waters is greatest in spring, with sightings concentrated along the southwestern and eastern margins of Georges Bank and into the Northeast Channel area (CeTAP 1982). Though the sei whale is a widely distributed and highly migratory species, it appears to be more restricted to mid-latitude temperate zones than other large whales (Reeves, Stewart, and Clapham 2002; Shirihai and Jarrett 2006; Jefferson, Webber, and Pitman 2008). The migratory pattern of this species is thought to encompass long distances from high-latitude feeding areas in the summer to low-latitude breeding areas in the winter; however, the location of winter areas remains largely unknown (Perry, DeMaster, and Silber 1999). The sei whale does not commonly occur in the mid-Atlantic, and sightings reported from this area are likely to be extralimital. There are currently no critical habitat areas established for the sei whale.

Recent visual and acoustic surveys did not yield any confirmed sightings or detections of sei whales in the region of the Lease area (S. Barco et al. 2015; H. Bailey et al. 2018a; Williams et al. 2015a, 2015b) though this species was sighted once during surveys of the mid-Atlantic (Williams et al. 2015a). Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest density of sei whales in the Lease area and adjacent waters occurs in April and is estimated to be 0.03 individuals per 10 km (5.4 NM) grid square (Figure 9-4).

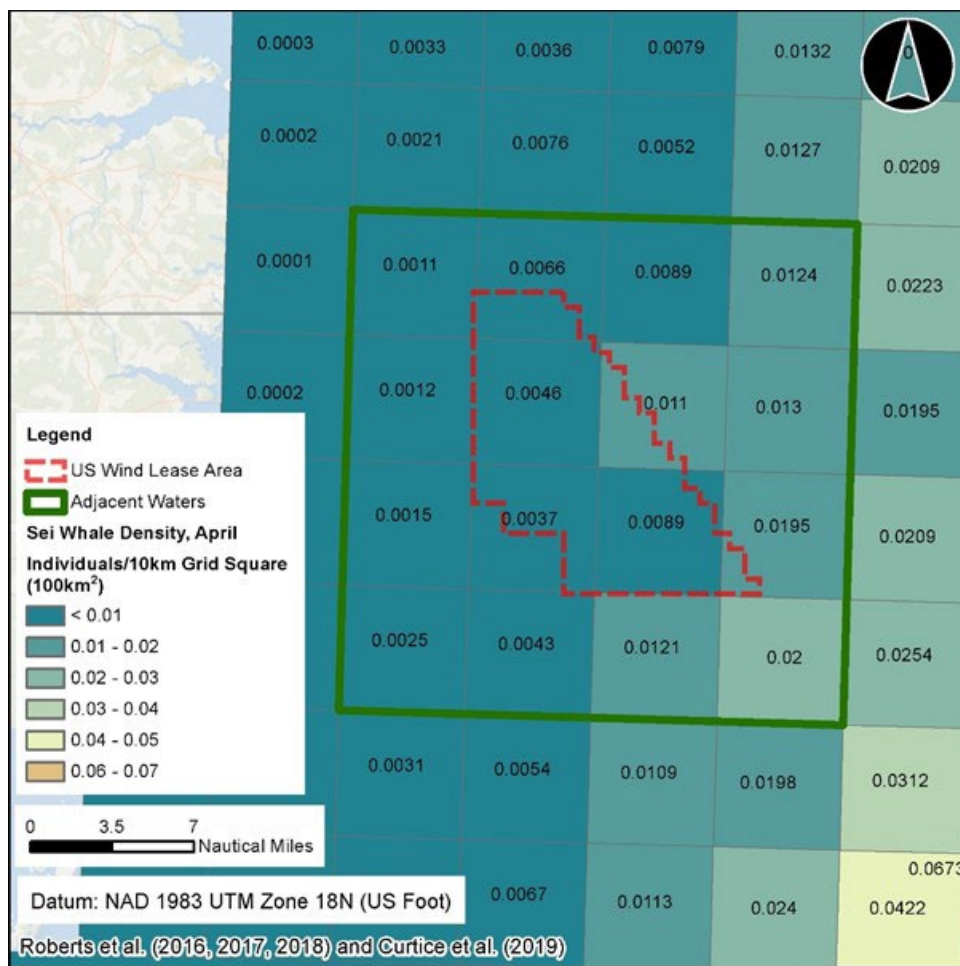


Figure 9-4. Sei Whale Density in the Lease Area and Adjacent Waters in April (month of max density)

Blue Whale (*Balaenoptera musculus*)

Blue whales range throughout the world’s oceans, with the exception of Arctic waters, and are the largest animal that has ever existed (NOAA Fisheries 2021). Individuals in the subspecies *Balaenoptera musculus*, which are found in the north Atlantic and the north Pacific, can reach lengths of over 27 m (90 ft) (Hayes et al. 2021; NOAA Fisheries 2021c, 2020a). Blue whales are slender and mottled blue-gray in color, and are most frequently observed alone or in pairs in deeper continental shelf, slope, and open ocean habitats (USDOI and BOEM 2012; NOAA Fisheries 2021c). Blue whales feed primarily on krill, though they will occasionally consume copepods and fish (NOAA Fisheries 2021c). In the north Atlantic, blue whales are most frequently encountered in the waters off eastern Canada, and are only occasional visitors in Atlantic Exclusive Economic zone waters (Wenzel, Mattila, and Clapham 1988; CeTAP 1982). This species is listed as endangered under the ESA.

Blue whales observed in U.S. Atlantic waters belong to the Western North Atlantic Stock (Hayes et al. 2021). The best available abundance estimate for this stock of blue whales is 402 individuals (Hayes et al. 2021). This estimate is based upon a catalogue of photo-identified blue whale individuals from the Gulf of Saint Lawrence compiled between 1980 to 2008 (Hayes et al.

2021). Though ship strikes and fisheries entanglements are regarded as threats to this species, there have been no recent observations of fishery-related mortalities or serious injuries to blue whales in US Atlantic EEZ or Atlantic Canadian waters (Hayes et al. 2021).

The distribution and migratory patterns of north Atlantic blue whales are not well known, though individuals generally travel from summer feeding grounds to winter breeding grounds, and abundance is largely driven by the availability of prey species (NOAA Fisheries 2021c). In the northwestern Atlantic, blue whales are most commonly found in the Gulf of Saint Lawrence in spring, summer, and fall, and in waters off of southern Newfoundland in winter (Hayes et al. 2021). Infrequent sightings of blue whales in the Atlantic EEZ have generally occurred in late summer (July/August), and this region may represent the southern limit of the species' range (Hayes et al. 2021). The blue whale is generally considered to be absent from mid-Atlantic waters (USDOI and BOEM 2012). There are currently no critical habitat areas established for the blue whale.

Recent multi-year visual and acoustic surveys specific to the Lease area and surrounding waters did not yield any confirmed blue whale detections or sightings (Williams et al. 2015a; S. Barco et al. 2015; Williams et al. 2015b; Williams et al. 2015d). Blue whales tend to occur in more northern regions of the Atlantic, and offshore at or beyond the continental shelf break, and therefore are unlikely to be found in the Lease area. However, this species could be encountered by vessels transiting to the Lease area from overseas ports. Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest annual density of blue whales in the Lease area and adjacent waters is estimated to be 0.0009 individuals per 10 km (5.4 NM) grid square (Figure 9-5).

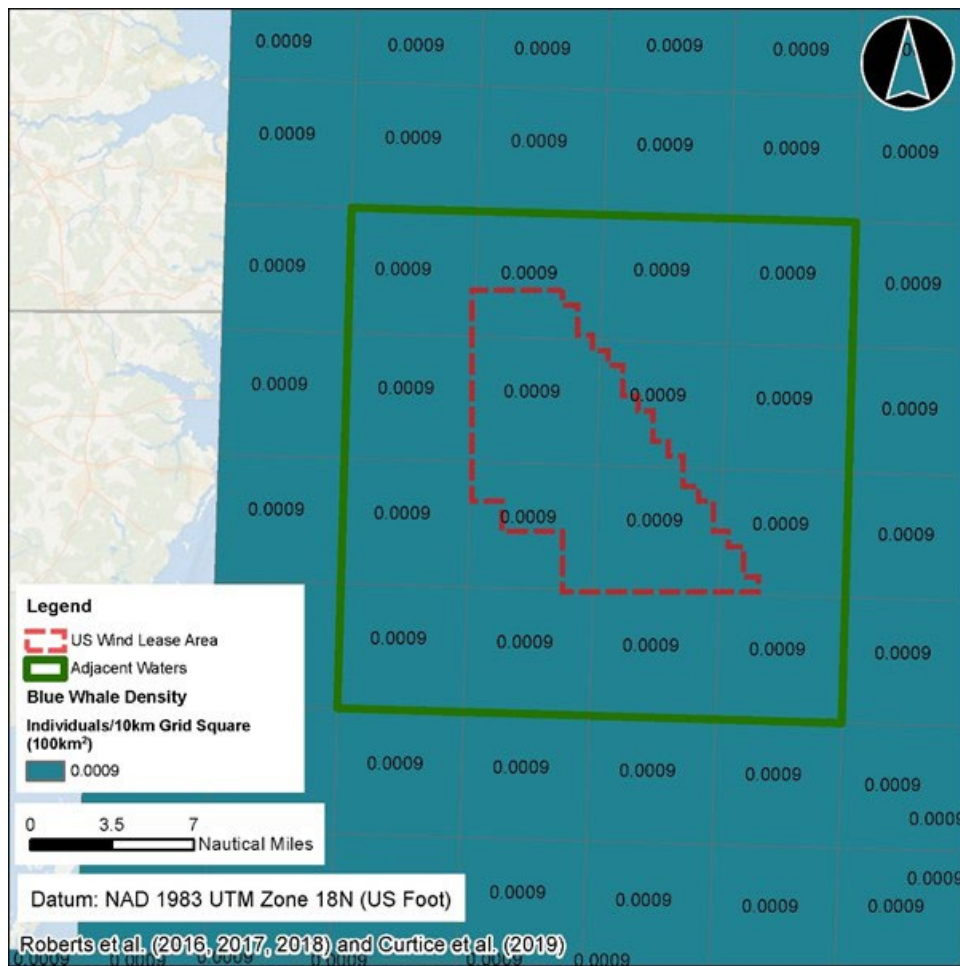


Figure 9-5. Blue Whale Maximum Annual Density in the Lease Area and Adjacent Waters

Atlantic Spotted Dolphin (*Stenella frontalis*) and Pantropical Spotted Dolphin (*S. attenuata*)

Two species of oceanic spotted dolphins can occur within the northwestern Atlantic: the pantropical spotted dolphin (*Stenella attenuata*) and the Atlantic spotted dolphin (*S. frontalis*). These species vary slightly in appearance, but both are relatively small (generally less than 2.3 m (7.5 ft) long) and accumulate dark spots, especially on their dorsal surfaces, as they age (NOAA Fisheries 2019k, 2019a). *Stenella* species in the Atlantic can be difficult to distinguish at sea, and hybrids have been documented (Kingston, Adams, and Rosel 2009). Pantropical spotted dolphins, which are often observed in groups ranging in size from 700 to 1000 individuals (NOAA Fisheries 2019k), are more gregarious than Atlantic spotted dolphins, which are most often found in groups of 50 individuals or less (NOAA Fisheries 2019a). These species feed upon a variety of organisms, including fish, cephalopods, and benthic invertebrates (NOAA Fisheries 2019a). Neither spotted dolphin species is listed as threatened or endangered under the ESA.

Pantropical and Atlantic spotted dolphins in U.S. Atlantic waters belong to Western North Atlantic Stocks, which are managed separately for each species. The best available abundance estimates for Atlantic spotted dolphins and pantropical spotted dolphins in the western North Atlantic are 39,921 and 6,593 (Hayes et al. 2020). These estimates are from summer 2016

surveys covering waters from the lower Bay of Fundy to central Florida (Hayes et al. 2020). Total annual estimated fishery-related mortality and serious injury to both stocks of *Stenella* dolphins between 2013–2017 was presumed to be zero (Hayes et al. 2020). Neither of these stocks is classified as strategic (Hayes et al. 2020).

Pantropical spotted dolphins are widely distributed, and found in all tropical and subtropical oceans worldwide (NOAA Fisheries 2019k). This species has been sighted offshore of the US east coast, with sightings concentrated in the slope waters north of Cape Hatteras and in deeper offshore waters off the mid-Atlantic states, though sightings have been reported from as far north as George’s Bank (Hayes et al. 2020). The migration patterns and life history of this species is not well understood, but pantropical spotted dolphins are believed to inhabit more inshore waters in the fall and winter, and to migrate offshore in the spring (NOAA Fisheries 2019k). Atlantic spotted dolphins are found in tropical and warm temperate waters along the U.S. east coast from southern New England through the Gulf of Mexico (NOAA Fisheries 2019a; Leatherwood, Caldwell, and Winn 1976). This species regularly occurs in continental shelf waters south of Cape Hatteras and in continental shelf edge and continental slope waters north of this region (P.M. Payne, Selzer, and Knowlton 1984a; Mullin and Fulling 2003). Both species of spotted dolphins are most frequently observed in waters less than 305 m (1,000 ft) deep but may occasionally forage in deeper waters.

Recent visual and acoustic surveys conducted by Barco et al. (2015), Williams et al. (2015a, 2015b), and Bailey et al. (2018a) indicate that both species of spotted dolphins have a limited presence in the region, and are most likely to be present in the summer months. Barco et al. (2015) observed one group of 45 spotted dolphins (*Stenella* sp.) east of the Lease area in July 2014, and Williams et al. (2015a) sighted four individuals during a shipboard survey outside of Maryland waters in June 2013. No spotted dolphins were detected during a two-year acoustic survey of the Lease area and surrounding region (H. Bailey et al. 2018a). Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest densities of Atlantic spotted dolphins in the Lease area and adjacent waters occur in August and is estimated to be 2.73 individuals per 10 km (5.4 NM) grid square. Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest annual densities of pantropical spotted dolphins in the Lease area and adjacent waters is estimated to be 0.00002 individuals per 10 km (5.4 NM) grid square.

Atlantic White-Sided Dolphin (*Lagenorhynchus acutus*)

Atlantic white-sided dolphins are found in cold temperate and subpolar waters of the North Atlantic (Cipriano 2002). The Atlantic white-sided dolphin is robust and attains a body length of approximately 2.8 m (9 ft) (Jefferson, Webber, and Pitman 2008). It is characterized by a strongly “keeled” tail stock and distinctive, white-sided color pattern (BOEM 2014). Atlantic white-sided dolphins form groups of varying sizes, ranging from a few individuals to over 500 (NOAA Fisheries 2019b). Atlantic white-sided dolphins feed mostly on small schooling fishes, shrimps, and squids, and are often observed feeding in mixed-species groups with pilot whales and other dolphin species (Cipriano 2002; Jefferson, Webber, and Pitman 2008). This species is not listed as threatened or endangered under the ESA.

Atlantic white-sided dolphins observed off the eastern U.S. coast are part of the Western North Atlantic stock. The best available abundance estimate for white-sided dolphins in the Western North Atlantic stock is 92,233 individuals, estimated from data collected during June-September 2016 surveys (Hayes et al. 2021). Annual estimated average fishery-related mortality or serious

injury to this stock between 2013-2017 was 26 individuals per year (Hayes et al. 2021). The Western North Atlantic stock is not classified as strategic (Hayes et al. 2021).

The Western North Atlantic stock of white-sided dolphins inhabits waters from central West Greenland to North Carolina, primarily in continental shelf waters to the 100-m (328 ft) depth contour (Hayes et al. 2021). Sighting data indicate seasonal shifts in distribution (Northridge et al. 1997). During January to May, low numbers of white-sided dolphins are found from Georges Bank to Jeffreys Ledge (New Hampshire). During this time period, even lower numbers of white-sided dolphins are present south of Georges Bank, as documented by a few strandings collected on beaches from Virginia to South Carolina. From June through September, large numbers of white-sided dolphins are found from Georges Bank to the lower Bay of Fundy. From October to December, white-sided dolphins occur at intermediate densities from southern Georges Bank to the southern Gulf of Maine (M. Payne and Heinemann 1990).

This species does not commonly occur in the mid-Atlantic, and sightings reported from this area are likely to be extralimital. Recent visual and acoustic surveys conducted by Barco et al. (2015), Williams et al. (2015a, 2015b), and Bailey et al. (2018a) did not yield any confirmed sightings or detections of Atlantic white-sided dolphins in the region of the Lease area or in the mid-Atlantic. Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest density of Atlantic white-sided dolphin in the Lease area and adjacent waters occurs in May and is estimated to be 3.73 individuals per 10 km (5.4 NM) grid square.

Bottlenose Dolphin (*Tursiops truncatus*)

Bottlenose dolphins are one of the most well-known and widely distributed species of marine mammals. These dolphins reach 2 to 4 m (6 to 12.5 ft) in length, and are light gray to black in color (NOAA Fisheries 2019c). Bottlenose dolphins are commonly found in groups of two to 15 individuals, though aggregations in the hundreds are occasionally observed (NOAA Fisheries 2019c). They are considered generalist feeders and consume a wide variety of organisms, including fishes, squids, and shrimps and other crustaceans (Jefferson, Webber, and Pitman 2008). Bottlenose dolphins are not listed as threatened or endangered under the ESA.

Within the western North Atlantic there are two distinct bottlenose dolphin forms, or ecotypes: coastal and offshore. The two forms are genetically and morphologically distinct, though regionally variable (Jefferson, Webber, and Pitman 2008), and in areas north of Cape Hatteras, North Carolina, the coastal form is likely restricted to waters less than 25 m (82 ft) deep (R. D. Kenney 1990). Bottlenose dolphins in waters off of Maryland belong to one of two stocks; the Western North Atlantic offshore stock or the Western North Atlantic northern migratory coastal stock. The best available population estimate for the offshore stock of bottlenose dolphins in the Western North Atlantic is 62,851 (Hayes et al. 2021). This estimate is from summer 2016 surveys covering waters from central Florida to the lower Bay of Fundy (Hayes et al. 2021). The best available estimate for the northern migratory coastal stock of bottlenose dolphins in the western North Atlantic is 6,639 (S.A. Hayes, E, et al. 2018). This estimate is derived from aerial surveys conducted during the summer of 2016 covering waters from Virginia to New Jersey (S.A. Hayes, E, et al. 2018). Between 2013-2017, estimated mean annual fishery-related mortality or serious injury to the offshore stock of bottlenose dolphins was 28 individuals per year (Hayes et al. 2021). During 2014-2018, fishery related mortality to the northern coastal migratory stock ranged from 12.2 to 21.5 individuals (Hayes et al. 2021).

Bottlenose dolphins of the offshore morphotype are distributed primarily along the OCS and continental slope in the northwest Atlantic Ocean from Nova Scotia to the southern Florida

peninsula but have been documented to occur relatively close to the shore south of Cape Hatteras, North Carolina (Hayes et al. 2021). Coastal form bottlenose dolphins are continuously distributed along the Atlantic Coast from south of New York to around the Florida peninsula and may overlap with the offshore form off the southeastern U.S. (Hayes et al. 2017a). Generally, bottlenose dolphin population density appears to be higher within inner shelf areas than offshore (Jefferson, Webber, and Pitman 2008). Torres et al. (2003) found a statistically significant break in the distribution of coastal and offshore morphotypes at 34 km (18 NM) from shore based upon genetic analysis of tissue samples collected from New York to Florida. The offshore bottlenose dolphin morphotype was found exclusively seaward of 34 km (18 NM) and in waters deeper than 34 m (111 ft), and all animals were of the coastal morphotype within 7.5 km (4 NM) of shore (Torres et al. 2003). However, offshore morphotype dolphins have been found in waters as shallow as 13 m (43 ft) and as close to shore as 7.3 km (4 NM) (Garrison 2003). Therefore, bottlenose dolphins of both the offshore and coastal stocks may be present in the region of the Lease area. Bottlenose dolphins from New York to Florida experienced an Unusual Mortality Event (UME) from July 2013 to March 2015 caused by cetacean morbillivirus infections (NOAA Fisheries 2018a).

Bottlenose dolphins were the most frequently observed marine mammal species during multiple recent surveys of the Lease area and surrounding waters (H. Bailey et al. 2018a; S. Barco et al. 2015; Williams et al. 2015b). This species was observed primarily in warmer months; the number of sightings was greatest in spring, and group size and individual abundance was highest in summer (S. Barco et al. 2015). This pattern suggests that bottlenose dolphins arrive in or migrate through the study area in spring, remain in the region during summer, and begin to vacate the region with the arrival of cold weather in the late fall. Bottlenose dolphins were observed in groups ranging from one to 230 individuals (S. Barco et al. 2015), and were most acoustically active in the evening and early morning hours (H. Bailey et al. 2018a). Generally, detections of bottlenose dolphins occurred more frequently to the west of the Lease area during spring, summer, and fall and further offshore during the winter (S. Barco et al. 2015). Williams et al. (2015b) states that bottlenose dolphins are the species that is most likely to be exposed to construction activities in the Lease area during the spring, summer and fall. Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest density of bottlenose dolphin in the Lease area and adjacent waters occurs in June and is estimated to be 85.08 individuals per 10 km (5.4 NM) grid square.

Harbor Porpoise (*Phocoena phocoena*)

The harbor porpoise is the only porpoise species found in the Atlantic. It is a small, stocky cetacean with a blunt, short-beaked head, a dark gray back, and a white underside (NOAA Fisheries 2019f). They reach a maximum length of 1.8 m (6 ft) and feed on a wide variety of small fishes and cephalopods (R.D. Kenney and Vigness-Raposa 2009; Reeves, Stewart, and Clapham 2002). Most harbor porpoise groups are small, usually between five and six individuals, although they aggregate into large groups for feeding or migration (Jefferson, Webber, and Pitman 2008). This species is not listed as threatened or endangered under the ESA.

There are four distinct populations of harbor porpoise in the Western Atlantic: Gulf of Maine/Bay of Fundy, Gulf of St. Lawrence, Newfoundland, and Greenland (Hayes et al. 2021). Harbor porpoises observed off the U.S. east coast are considered part of the Gulf of Maine/Bay of Fundy stock. The best current abundance estimate of the Gulf of Maine/Bay of Fundy harbor porpoise stock is 95,543 individuals (Hayes et al. 2021). The total annual estimated average

human-caused mortality due to U.S. fisheries is 150 harbor porpoises per year (Hayes et al. 2021).

Harbor porpoises are usually found in shallow waters of the continental shelf, although they occasionally travel over deeper offshore waters. They are commonly found in bays, estuaries, harbors, and fjords less than 200 m (650 ft) deep (NOAA Fisheries 2019f). Hayes et al. (2019b) reports that harbor porpoises are generally concentrated along the continental shelf within the northern Gulf of Maine and southern Bay of Fundy region during the summer months (July-September). During fall (October-December) and spring (April-June), they are more widely dispersed from New Jersey to Maine. During winter (January-March), they range from New Brunswick, Canada, to North Carolina (Hayes et al. 2019a).

Recent multi-year visual and acoustic surveys specific to the Lease area and surrounding waters indicate that harbor porpoises are present but uncommon in the region. Though this species was not observed during the Barco et al. (2015) study, acoustic monitoring indicates that harbor porpoises are present in the vicinity of the Lease area, primarily between January and May (H. Bailey et al. 2018a). These findings align with observations from the Williams et al. (2015b) survey, which observed one porpoise in the Maryland study area in March of 2013. Harbor porpoise presence is likely variable between years, and this species was most acoustically active during the evening and early morning hours (H. Bailey et al. 2018a). Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest density of harbor porpoises in the Lease area and adjacent waters occurs in December and is estimated to be 11.06 individuals per 10 km (5.4 NM) grid square.

Pilot Whales (*Globicephala* sp.)

Two species of pilot whale occur within the Western North Atlantic: the long-finned pilot whale (*Globicephala melas*) and the short-finned pilot whale (*G. macrorhynchus*). These species are difficult to differentiate at sea and cannot be reliably identified during most surveys, so some of the descriptions below refer to *Globicephala* sp. (Hayes et al. 2017a; Rone and Pace 2012). Pilot whales have bulbous heads, are dark gray, brown, or black in color, and can reach approximately 7.3 m (25 ft) in length (NOAA Fisheries 2019i, 2019n). These whales form large, relatively stable aggregations that appear to be maternally determined (NOAA Fisheries 2019i, 2019n). Pilot whales feed primarily on squids, although they also take small to medium-sized fishes and octopus when available (NOAA Fisheries 2019i, 2019n). Neither pilot whale species is listed as threatened or endangered under the ESA.

Within the U.S. Atlantic EEZ, both species are categorized into Western North Atlantic stocks. The best available population estimates for short-finned and long-finned pilot whales in the Western North Atlantic are 28,924 and 39,215 individuals, respectively (Hayes et al. 2021). These estimates are from summer 2016 surveys covering waters from central Florida to the lower Bay of Fundy (short-finned), and summer 2016 surveys covering waters from central Virginia to Maine and in Canadian waters from the US border to Labrador (long-finned, (Hayes et al. 2021)). Total annual estimated average fishery-related mortality or serious injury during 2013-2017 was 160 short-finned pilot whales and 21 long-finned pilot whales (Hayes et al. 2021). The Western North Atlantic stocks of short-finned and long-finned pilot whales are not considered strategic under the MMPA (Hayes et al. 2021).

Short-finned pilot whales are generally found within warm temperate to tropical waters and long-finned pilot whales occur in temperate and subpolar waters. The two species overlap spatially between the southern flank of Georges Bank and New Jersey, where they both occur along the

mid-Atlantic shelf break (P.M. Payne and Heinemann 1993; G.T. Waring et al. 2015b). Short-finned pilot whales have occasionally stranded as far north as Massachusetts, and Long-finned pilot whales have stranded as far south as Florida (Pugliares et al. 2016). In northwest Atlantic waters, pilot whales generally inhabit continental shelf edge habitats off the northeastern U.S. coast in winter and early spring (CeTAP 1982; P.M. Payne and Heinemann 1993; Abend and Smith 1999; Hamazaki 2002). In late spring, pilot whales move into the Gulf of Maine and northern waters, and onto Georges Bank, and remain in these regions through late autumn (CeTAP 1982; P.M. Payne and Heinemann 1993). Though the exact latitudinal ranges of the two species of pilot whale are not clearly understood, most sightings south of Cape Hatteras are expected to be short-finned pilot whales, while most sightings north of ~42°N are expected to be long-finned pilot whales (Hayes et al. 2021).

Recent multi-year visual and acoustic surveys specific to the Lease area and surrounding waters did not yield any confirmed pilot whale detections or sightings (Williams et al. 2015a; S. Barco et al. 2015; Williams et al. 2015b; Williams et al. 2015d). Pilot whales tend to occur at or beyond the continental shelf break, and therefore are most likely to be found east of the study area (Williams et al. 2015a). Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest annual density of pilot whales in the Lease area and adjacent waters is estimated to be 0.23 individuals per 10 km (5.4 NM) grid square.

Risso's Dolphin (*Grampus griseus*)

Risso's dolphins are widespread throughout the world's temperate and tropical oceans (Jefferson, Webber, and Pitman 2008; Jefferson et al. 2014). Risso's dolphins can reach lengths of 2.6 to 4 meters (8.5 to 13 feet). Coloration of this species changes with age; calves have a dark saddle and cape, and young individuals are black, dark gray, or brown. Coloration lightens to pale gray or nearly white with age, and adult dolphins are generally marked with numerous light-colored scars from prey and interactions with conspecifics (NOAA Fisheries 2020b). Risso's dolphins are usually found in groups of between 10 and 30 individuals, and feed primarily at night, on a variety of fish, cephalopods, and krill (NOAA Fisheries 2020b). Though this species is active at the water surface, Risso's dolphins can dive to at least 305 meters (1,000 feet), and are generally found in deep offshore waters near the continental shelf edge and slope (NOAA Fisheries 2020b). Risso's dolphins are not listed as threatened or endangered under the ESA.

Risso's dolphins along the U.S. east coast belong to the Western North Atlantic stock, generally occurring from Florida to Eastern Newfoundland (Hayes et al. 2021). The best population estimate for the Western North Atlantic stock of Risso's dolphin is approximately 35,493 individuals (Hayes et al. 2021). This estimate was generated from the sum of surveys conducted by the NEFSC and Department of Fisheries and Ocean Canada from Newfoundland to Florida in 2016 (Hayes et al. 2021). Total annual estimated average fishery-related mortality or serious injury to this stock during 2013–2017 was 54.3 Risso's dolphins (Hayes et al. 2021).

Very little is known about the migration patterns of Risso's dolphins, though movements may be influenced by squid spawning or oceanographic conditions (NOAA Fisheries 2020b). This species has been observed in association with Gulf Stream features and strong bathymetric features in continental shelf and oceanic waters (G.T. Waring et al. 1992; Hamazaki 2002). Risso's dolphins occur from Cape Hatteras northeast to Georges Bank (35° to 42°N) during the spring, summer, and fall, and are present in oceanic waters of the mid-Atlantic bight in winter (CeTAP 1982; P.M. Payne, Selzer, and Knowlton 1984b). Risso's dolphins are known to inhabit

waters of the Mid-Atlantic continental shelf edge year-round (P.M. Payne, Selzer, and Knowlton 1984b).

Recent multi-year visual and acoustic surveys specific to the Lease area and surrounding waters indicate that Risso's dolphin are rare in the region. Though this species was not observed during the Barco et al. (2015) or Bailey et al. (H. Bailey et al. 2018b), study, one Risso's dolphin was sighted during aerial surveys in waters offshore of Maryland in October of 2013 (Williams et al. 2015a; S. Barco et al. 2015; Williams et al. 2015b; Williams et al. 2015d). Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest seasonal average density of Risso's dolphin in the Lease area and adjacent waters occurs in July and is estimated to be 0.17 individuals per 10 km grid square.

Short-Beaked Common Dolphin (*Delphinus delphis*)

The short-beaked common dolphin is one of the most widely distributed cetaceans and occurs in temperate, tropical, and subtropical regions (Jefferson, Webber, and Pitman 2008). Short-beaked common dolphins can reach 2.7 m (9 ft) in length and have a distinct color pattern with a white ventral patch, yellow or tan flank, and dark gray dorsal "cape" (NOAA Fisheries 2019m). This species feeds on squid and small fish, including species that school in proximity to surface waters as well as mesopelagic species found near the surface at night (IUCN 2010; NatureServe 2019). They have been known to feed on fish escaping from fishermen's nets or fish that are discarded from boats (National Oceanic and Atmospheric Administration NOAA 1993). These dolphins can gather in schools of hundreds or thousands, although groups generally consist of 30 or fewer individuals (National Oceanic and Atmospheric Administration NOAA 1993). This species is not listed as threatened or endangered under the ESA.

Short-beaked common dolphins along the U.S. east coast belong to the Western North Atlantic stock, generally occurring from Cape Hatteras, North Carolina to the Scotian Shelf (Hayes et al. 2021). The best population estimate for the Western North Atlantic short-beaked common dolphin is approximately 172,974 individuals (Hayes et al. 2019a). Total annual estimated average fishery-related mortality or serious injury to this stock during 2014–2018 was 399 short-beaked common dolphins (Hayes et al. 2019a).

Short-beaked common dolphins are a highly seasonal, migratory species. In waters off the northeastern U.S. coast this species is distributed along the continental shelf between the 100 - 2000 m (328 – 6,562 ft) isobaths and is associated with Gulf Stream features (CeTAP 1982; Selzer and Payne 1988; G.T. Waring et al. 1992; Hamazaki 2002). Common dolphins occur from Cape Hatteras northeast to Georges Bank (35° to 42°N) during mid-January to May and move as far north as the Scotian Shelf from mid-summer to autumn (Selzer and Payne 1988). Migration onto the Scotian Shelf and continental shelf off Newfoundland occurs when water temperatures exceed 11°C (52°F) (Sergeant, Mansfield, and Beck 1970; Gowans and Whitehead 1995). Breeding usually takes place between the months of June and September and females have an estimated calving interval of two - three years (Hayes et al. 2021). Short-beaked common dolphins are known to inhabit near-shore waters of the mid-Atlantic coast year-round.

Recent multi-year studies in the Lease area and surrounding waters suggest that short-beaked common dolphins occur year-round in the region but exhibit strong seasonal changes in abundance. This species was the second most frequently observed delphinid in Maryland waters, after bottlenose dolphins (Williams et al. 2015b), and was observed in groups ranging in size from one to 75 individuals (S. Barco et al. 2015). Common dolphins are cold tolerant

species, and likely migrate into or through the region of the Lease area in the fall, remain in the area over the winter, and depart in the spring (Williams et al. 2015b). This pattern was observed during the Barco et al. (2015), Williams et al. (2015b), and Bailey et al. (2018a) studies; common dolphins were abundant in the region in the fall, winter, and spring months, and were not detected or observed in the summer. During these time periods, acoustic activity was greatest during the evening and early morning hours (H. Bailey et al. 2018a). Interestingly, though the number of sightings of this species peaked in winter, group size and the number of observed individuals was greatest in spring (S. Barco et al. 2015), and common dolphins were most often detected offshore of the Lease area on the OCS. Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest density of short-beaked common dolphin in the Lease area and adjacent waters occurs in January and is estimated to be 25.66 individuals per 10 km (5.4 NM) grid square.

Sperm Whale (*Physeter macrocephalus*)

The sperm whale is the largest of all toothed whales; males can reach 16 m (52 ft) in length and weigh over 40,823 kg (45 tons), and females can attain lengths of up to 11 m (36 ft) and weigh over 13,607 kg (15 tons) (Perrin, Wursig, and Thewissen 2002). This species tends to be uniformly dark gray in color, though lighter spots may be present on the ventral surface. Sperm whales frequently dive to depths of over 400 m (1,300 ft) in search of their prey, which includes large squid, fishes, octopus, sharks, and skates (Perrin, Wursig, and Thewissen 2002). Sperm whales have a worldwide distribution in deep water and range from the equator to the edges of the polar ice packs (H Whitehead 2002). Sperm whales form stable social groups and exhibit a geographic social structure; females and juveniles form mixed groups and primarily reside in tropical and subtropical waters, whereas males are more solitary and wide-ranging and are found at higher latitudes (H Whitehead 2002; H. Whitehead 2003). This species is listed as endangered under the ESA.

Though Reeves and Whitehead (1997) and Dufault et al. (1999) suggest that sperm whale populations lack clear geographic structure, all sperm whales found off the U.S. Atlantic coast are part of the North Atlantic stock. The best recent population estimate for the North Atlantic stock of sperm whale is 4,349 individuals (Hayes et al. 2021). This estimate was generated from the sum of surveys conducted in 2016 (Hayes et al. 2021). There were no documented reports of fishery-related mortalities or serious injuries to sperm whales in US Atlantic EEZ waters during 2013-2017 (Hayes et al. 2021). The status of the North Atlantic sperm whale stock relative to OSP is unknown, but this stock is classified as depleted and strategic under the MMPA (Hayes et al. 2021).

Sperm whales mainly reside in deep-water habitats on the outer continental shelf, along the shelf edge, and in mid-ocean regions (NOAA Fisheries 2010). Sperm whale migratory patterns are not well defined. However, in U.S. Atlantic EEZ waters sperm whales appear to exhibit seasonal movement patterns (CeTAP 1982; T.M. Scott and Sadove 1997). Sperm whales are concentrated to the east and north of Cape Hatteras during winter months (Hayes et al. 2021). This distribution shifts northward in spring, when sperm whales are most abundant in the central portion of the mid-Atlantic Bight to the southern region of Georges Bank (Hayes et al. 2021). In summer, sperm whale distribution expands to include the area east and north of Georges Bank and the continental shelf to the south of New England (Hayes et al. 2021). In fall months, sperm whales are most abundant on the continental shelf to the south of New England and remain abundant along the continental shelf edge in the mid-Atlantic Bight (Hayes et al. 2021). There are no critical habitat areas designated for the sperm whale (Hayes et al. 2021).

Recent visual and acoustic surveys did not yield any confirmed sightings or detections of sperm whales in the region of the Lease area (H. Bailey et al. 2018a; S. Barco et al. 2015; Williams et al. 2015b) or in the mid-Atlantic (Williams et al. 2015a). Roberts et al. (2018; 2017b; 2016) and Curtice et al. (2019) indicate that the highest density of sperm whales in the Lease area and adjacent waters occurs in July and is estimated to be 0.05 individuals per 10 km (5.4 NM) grid square.

9.1.2 Pinnipeds

The status and distribution of two pinniped species, both federally protected by the MMPA, are discussed below. Both gray and harbor seals are rare in the Mid-Atlantic region but are considered here because one unidentified seal was observed during the 2017 HRG survey Onshore Export Cable Corridor 1 in Indian River Bay (Alpine 2017).

Harbor Seal (*Phoca vitulina*)

The harbor seal, also known as the common seal, is found throughout coastal waters of the Atlantic Ocean and adjoining seas above 30°N and is the most abundant pinniped on the east coast of the United States (Hayes et al. 2017a). This species is approximately 2 m (6 ft) in length and has a blue-gray back with light and dark speckling (NOAA Fisheries 2019g). Harbor seals complete both shallow and deep dives during hunting, depending on the availability of prey (Tollit, Greenstreet, and Thompson 1997). This species consumes a variety of prey, including fish, shellfish, and crustaceans (Bigg 1981; Reeves, Stewart, and Leatherwood 1992; Burns 2002; Jefferson, Webber, and Pitman 2008). Harbor seals commonly occur in coastal waters and on coastal islands, ledges, and sandbars (Jefferson, Webber, and Pitman 2008). The harbor seal is not listed as threatened or endangered under the ESA.

Although the stock structure of the Western North Atlantic population is unknown, it is thought that harbor seals found along the eastern U.S. and Canadian coasts represent one population that is termed the Western North Atlantic stock (Tempte, Bigg, and Wiig 1991; Anderson and Olsen 2010). The best estimate of abundance for harbor seals in the Western North Atlantic stock is 75,834 (Hayes et al. 2021). This estimate was derived from a coast-wide survey along the Maine coast during May/June 2012. For the period 2014-2018 the total human caused mortality and serious injury to harbor seals is estimated to be 365 individuals per year (Hayes et al. 2019a). The Western North Atlantic stock is not considered strategic under the MMPA.

Harbor seals are year-round inhabitants of the coastal waters of eastern Canada and Maine (Katona, Rough, and Richardson 1993), and occur seasonally along the southern New England to New Jersey coasts from September through late May (Schneider and Payne 1983; Barlas 1999; Schroeder 2000; deHart 2002). A general southward movement from the Bay of Fundy to southern New England waters occurs in autumn and early winter (Rosenfeld, George, and Terhune 1988; Whitman and Payne 1990; Barlas 1999; Jacobs and Terhune 2000). A northward movement from southern New England to Maine and eastern Canada occurs prior to the pupping season, which takes place from mid-May through June along the Maine Coast (Richardson 1976; Wilson 1978; Whitman and Payne 1990; M.K. Kenney 1994; deHart 2002). An Unusual Mortality Event, believed to be the result of phocine distemper virus, was declared for pinnipeds on the northeastern coast of the US from July 2018 to the present (NOAA Fisheries 2021b). Though most mortalities have been reported from Maine, New Hampshire, and Massachusetts, strandings have been reported as far south as Virginia (NOAA Fisheries 2021b).

Recent multi-year surveys specific to the Lease area and surrounding waters did not yield any confirmed harbor seal sightings (Williams et al. 2015a; S. Barco et al. 2015; Williams et al. 2015b; Williams et al. 2015d). Though strandings have been reported in Delaware and Maryland (Hayes et al. 2017a), harbor seals are not regular visitors to the Lease area. Roberts et al. (2018; 2017b; 2016) indicates that the highest seasonal average density of seals (no species-specific data available) in the Lease area and adjacent waters occurs in winter and is estimated to be 12.08 individuals per 10 km grid square.

Gray Seal (*Halichoerus grypus*)

Gray seals are the second most common pinniped along the Atlantic coast of the United States (Jefferson, Webber, and Pitman 2008). This species inhabits temperate and sub-arctic waters and lives on remote, exposed islands, shoals, and unstable sandbars (Jefferson, Webber, and Pitman 2008). Gray seals are large, reaching 2-3 m (7.5-10 ft) in length, and have a silver-gray coat with scattered dark spots (NOAA Fisheries 2019e). These seals are generally gregarious, and live in loose colonies while breeding (Jefferson, Webber, and Pitman 2008). Though they spend most of their time in coastal waters, gray seals can dive to depths of 300 meters (984 feet), and frequently forage in OCS regions (Jefferson, Webber, and Pitman 2008). These opportunistic feeders primarily consume fish, crustaceans, squid, and octopus (Bonner 1971; Reeves, Stewart, and Leatherwood 1992; Jefferson, Webber, and Pitman 2008). Gray seals are not listed as threatened or endangered under the ESA.

Gray seals form three populations in the Atlantic: eastern Canada, northwestern Europe and the Baltic Sea (Katona, Rough, and Richardson 1993). The Western North Atlantic stock is equivalent to the eastern Canada population. Available data are insufficient to estimate the size of the entire eastern Canada gray seal population, but estimates are available for portions of the stock for certain time periods (Hayes et al. 2019a). Gray seal pup production at Canadian breeding colonies (Gulf of St Lawrence, Coastal Nova Scotia, and Sable Island) in 2016 totaled 98,650 animals, and the total Canadian Gray Seal population was estimated to be 424,300 in 2016 (DFO 2017). During 2016, at least 6,308 gray seal pups were born at breeding colonies in the U.S.; extrapolated from this data, the total gray seal population in U.S. waters at this time was estimated to be 27,131 individuals (Hayes et al. 2019a). For the period 2014-2018, the total estimated human caused mortality and serious injury to gray seals was 4,729 individuals per year (Hayes et al. 2019a). The Western North Atlantic stock is not considered strategic under the MMPA.

The eastern Canada population ranges from New Jersey to Labrador and is centered at Sable Island, Nova Scotia (Davies 1957; A.W. Mansfield 1966; Katona, Rough, and Richardson 1993; Lessage and Hammill 2001). There are three breeding concentrations in eastern Canada: Sable Island, the Gulf of St. Lawrence, and along the east coast of Nova Scotia (Laviguer and Hammill 1993). In U.S. waters, gray seals currently pup at four established colonies from late December to mid-February: Muskeget and Monomony Islands in Massachusetts, and Green and Seal Islands in Maine (Hayes et al. 2017a). Following the breeding season, gray seals may spend several weeks ashore in the late spring and early summer while undergoing a yearly molt (NOAA Fisheries 2019e). An Unusual Mortality Event, believed to be the result of phocine distemper virus, was been declared for pinnipeds on the northeastern coast of the US from July 2018 to the present (NOAA Fisheries 2021b). Though most mortalities have been reported from Maine, New Hampshire, and Massachusetts, strandings have been reported as far south as Virginia (NOAA Fisheries 2021b).

Recent multi-year surveys specific to the Lease area and surrounding waters did not yield any confirmed gray seal sightings (Williams et al. 2015a; S. Barco et al. 2015; Williams et al. 2015b; Williams et al. 2015d). Though gray seal strandings have been reported from Delaware and Maryland (Hayes et al. 2017a), this species is not a regular visitor to the Lease area. Roberts et al. (2018; 2017b; 2016) indicates that the highest seasonal average density of seals (no species-specific data available) in the Lease area and adjacent waters occurs in winter and is estimated to be 12.08 individuals per 10 km grid square.

9.2 Impacts

Marine mammals in the Project area have the potential to be impacted by a variety of factors associated with Project activities. Given the presence of marine mammals in the Project area, US Wind has designed the Project to minimize and mitigate the potential for mortality, injury and disturbance. The potential Project noise and vessel traffic impacts on marine mammals are discussed in more detail in Volume II, Sections 9.2.1, 9.2.2, and 9.2.3.

9.2.1 Construction

Noise

Marine mammals are heavily reliant upon sound for navigation, communication, reproduction, prey location, and predator avoidance. Marine mammal responses to anthropogenic sound exposure can range from apparent indifference to behavioral changes or physical injury, depending upon the sound source and species. In light of these potential impacts, NOAA issued technical guidance for assessing the effects of anthropogenic sound on marine mammal hearing in 2016. A review of the guidance was initiated in 2017 under Executive Order 13795, and the document was confirmed to represent the best available science in 2018. Though the technical content of the Guidance remained unchanged, it was revised to add clarification on implementation procedures (NOAA Fisheries 2018c). The NOAA acoustic guidance bases the criteria for impacts of sound on marine mammals on the potential of a sound source to cause a permanent loss of hearing (permanent threshold shift, PTS). Exposure to sound levels above PTS thresholds results in Level A harassment under the MMPA.

The NOAA criteria divide marine mammals into five functional hearing groups, based upon differences in sensitivity to noise of varying frequencies (Table 9-2). Due to differences in the generalized hearing ranges of marine organisms, PTS thresholds vary between hearing groups (Table 9-3). Because PTS can result from exposure to either impulsive (short duration, characterized by high peak sound pressures and rapid rise times; e.g. impact pile driving) or non-impulsive (brief or prolonged, continuous or intermittent, broadband, narrowband or tonal, e.g. vibratory pile driving) sound sources, NOAA established independent thresholds for each type of source. Additionally, a dual metric threshold was established for impulsive sounds, as exposure to conditions in excess of either peak sound pressure (Lpk) or cumulative sound exposure (SELcum) can result in PTS.

Though exposure to sound below PTS levels does not cause permanent physical damage to marine mammals, behavioral impacts caused by anthropogenic sound can include masking of communication and exclusion of organisms from the area of activity. These responses have the potential to cause population level impacts due to reduced fecundity or non-direct mortality due to reduced foraging efficiency or access to food, decreased mating opportunities, and reduced time spent nursing or caring of young (reviewed in Tyack 2008; Weilgart 2007). Actions that

have the potential to disturb a marine mammal stock in the wild by altering behavioral patterns are classified as Level B harassment under the MMPA. The auditory thresholds defined by NOAA for Level B harassment are 120 dB_{rms} re 1 μPa for continuous noise, and 160 dB_{rms} re 1 μPa for impulsive noise, which apply to all marine mammals and were not updated with the 2016 technical guidance.

Table 9-2. NOAA Marine Mammal Hearing Groups

Hearing Group	Species that May Occur in the Project Area
Low-Frequency Cetaceans (baleen whales)	North Atlantic right whale
	Fin whale
	Humpback whale
	Minke whale
	Sei whale
Mid-frequency Cetaceans (dolphins, toothed whales, beaked whales, bottlenose whales)	Atlantic spotted dolphin
	Atlantic white-sided dolphin
	Bottlenose dolphin
	Long-finned pilot whale
	Short-beaked common dolphin
	Short-finned pilot whale Sperm Whale
High-frequency Cetaceans (true porpoises, <i>Kogia</i> , river dolphins, cephalorhynchid, <i>Lagenorhynchus cruciger</i> , & <i>L. australis</i>)	Harbor porpoise
Phocid pinnipeds* (true seals)	Harbor seal
	Gray seal

Source: NOAA 2018

*Otariid pinniped hearing group not included as these organisms are not present in the Atlantic EEZ

Table 9-3. NOAA Marine Mammal Acoustic Injury Thresholds

Hearing Group	Generalized Hearing Range ¹	Threshold type ²	PTS Onset Thresholds (received level)	
			Impulsive	Non-impulsive
Low-Frequency Cetaceans	7 Hz – 35 Hz	SELcum	183 dB	199 dB
		Lpk	219 dB	-
Mid-frequency Cetaceans	150 Hz – 160 Hz	SELcum	185 dB	198 dB
		Lpk	230 dB	-
High-frequency Cetaceans	275 Hz – 160 Hz	SELcum	155 dB	173 dB
		Lpk	202 dB	-
Phocid pinnipeds in water*	50 Hz – 86 Hz	SELcum	185 dB	201 dB
		Lpk	218 dB	-

Source: NOAA 2018

*Otariid pinniped hearing group not included as these organisms are not present in the Atlantic EEZ

¹Represents the generalized hearing range for the entire group as a composite (i.e., all species within the group), where individual species' hearing ranges are typically not as broad. Generalized hearing range chosen based on a ~65 decibel (dB) threshold from normalized composite audiogram, with the exception for lower limits for low frequency cetaceans (Southall et al., 2007) and earless seals (approximation).

²SELcum= cumulative sound exposure level (reference value of 1 μ Pa²s), Lpk= peak sound pressure level (reference value of 1 μ Pa).

Project construction activities that will generate noise with the potential to impact marine mammals include pile driving (impact hammer and vibratory) and vessel traffic (including use of DP thrusters).

Pile Driving

Impact pile driving is proposed to install the WTGs, OSSs and the Met Tower piled jacket and monopile foundations. Monopile foundations will take two days to install including approximately 2 – 4 hours of pile driving. Numerous factors, including water depth, impact the sound levels produced by pile driving (HDR 2019), but this procedure generates loud sound pressures (235 dB re 1 μ Papp at 1m, Tougaard et al. 2009b). This activity could affect marine mammals from all four hearing groups detailed in Table 9-2 and has the potential to cause PTS in marine mammals located close to the piling. Because pile driving generates low frequency impulsive sounds, low frequency cetaceans (baleen whales) are likely the most at risk due to the alignment of these species' hearing ranges with the sound frequencies typically generated from pile driving. Of particular concern is the North Atlantic right whale, one of the rarest and most endangered whale species in the world, which is known to occur in the Lease area year-round (H. Bailey et al. 2018a; Williams et al. 2015c; S. Barco et al. 2015). NARW are more vulnerable to communication masking by anthropogenic sounds than other baleen whales due to the lower sound source levels of NARW communication calls compared to the songs of other species (e.g. fin and humpback) (Clark et al. 2009). This species is under stress throughout its range, and research into one area of the NARW's range has identified a dramatic decrease in potential communication space since the 1950's due to increasing vessel traffic and offshore activities (63% loss of communication opportunities on Stellwagen bank) (L.T. Hatch et al. 2012).

Though mid-frequency cetaceans, including dolphins, are not as susceptible to pile driving noise as those species that rely upon low-frequency vocalizations, these mammals could also be impacted by noise from Project construction activities. Certain species, like bottlenose dolphins, are unlikely to experience permanent damage from pile driving, though behavioral effects are likely. Field measurements of pile driving noise off Northeastern Scotland indicated that sound levels sufficient to cause behavioral disturbance, due to masking of bottlenose dolphin communication whistles, were present up to 50 km (27 NM) from the sound source (Helen Bailey et al. 2010). However, sound levels sufficient to cause permanent injury to bottlenose dolphin were only present within 100 m (328 ft) of the pile driving activity (Helen Bailey et al. 2010). Though pile driving noise could result in behavioral impacts to bottlenose dolphins, temporary displacement from the area is the most likely response, and dolphins have shown some ability to modify their behavior when exposed to communication-masking sound levels (reviewed in David 2006). Bottlenose dolphins are common within the Project area, and are expected to experience temporary displacement, but no permanent injury or population-level impacts are anticipated.

Pile driving noise is also likely to impact harbor porpoises, which are present but uncommon in the region of the Lease area. Pile driving noise has been documented to cause displacement of porpoises up to 25 km (13.5 NM) away from the sound source (Tougaard et al. 2009b; Tougaard et al. 2012), and vocalizations of this species have been documented to remain below pre-activity levels until 24 to 72 hours after cessation of pile driving (Brandt et al. 2011). Because breaks between pile driving events are expected to be less than 72 hours, porpoises could be functionally excluded from the Project area for the duration of pile driving operations (Brandt et al. 2011). However, local porpoise distributions are expected to return to pre-event levels within a few days of the completion of pile driving. Impacts to harbor porpoises due to construction within the Lease area are expected to be temporary, and a limited number of individuals are expected to be exposed to pile driving noise due to the scarcity of this species.

An underwater acoustic assessment was conducted to evaluate the potential for the Project's pile driving noise to impact marine mammals (Appendix II-H1). This assessment, and the resulting modeled distances to marine mammal hearing thresholds, are conservative, as the model assumed both that animals would remain in the area and that 4,400 kJ of hammer energy would be used for the total duration of the driving of the 11-m diameter pile. Additionally, sound propagation modeling was based upon environmental conditions in the Project area in April and in May, as these are the months during which pile driving may occur that have the lowest transmission loss (no pile driving will occur between the months of December and March). The unmitigated modeled range to the regulatory behavioral threshold for the pile driving of a monopile was 16,800 m (55,118 ft) for marine mammals. The unmitigated modeled range to the injury marine mammal thresholds were greatest for the LF cetaceans with ranges for the SEL threshold from 10,700 m (35,105 ft). Table 9-4 below provides modeled ranges to the marine mammal behavioral and injury regulatory thresholds assuming various levels of noise attenuation. US Wind will implement sound attenuation measure during pile driving with a minimum reduction of 10 dB at the source. US Wind will implement additional mitigation and monitoring measures as described in Volume II, Section 9.3 to minimize noise impacts to marine mammals.

Table 9-4. Modeled Ranges to Behavioral and Injury Regulatory Threshold Levels for Low-Frequency Cetaceans (Impulsive Sounds)

Mitigation	0 dB	6 dB	12 dB	20 dB
Injury Threshold (183 dB (L _{E,LF,24h}))	10,700 m (35,105 ft)	5,400 m (17,716 ft)	2,550 m (8,366 ft)	750 m (2,461 ft)
Behavioral Threshold (160 dB (L _p))	16,800 m (55,118 ft)	9,100 m (29,856 ft)	4,850 m (15,912 ft)	1,900 m (6,234 ft)

Source: MAI 2022

Vessel Noise

Increased vessel traffic associated with installation activities could impact marine mammals due to the noise from work boats. Vessel noise is primarily composed of low-frequency components caused by propeller cavitation, though rotational and reciprocal machinery movement, and hydrodynamic water movement over the boat hull also contribute to sound generation (Hildebrand 2009). As the intensity of vessel noise is largely related to ship size and speed (Hildebrand 2009), exposure of marine mammals to noise from construction and installation vessels would be variable. Recent research has indicated that porpoises can exhibit behavioral response to low levels of high frequency sound present in vessel noise (Dyndo et al. 2015), and NARW are vulnerable to communication masking due to low frequency vessel traffic (L.T. Hatch et al. 2012). Similarly, high levels of vessel traffic (e.g. from whale watching operations) have been noted to cause behavior changes in many cetacean species (reviewed in E.C.M. Parsons 2012). The Lease area and adjacent waters are well-traveled by commercial shipping traffic in the nearby shipping lanes as well as recreational and commercial fishing. Marine mammals in the region are likely habituated to vessel noise. The underwater acoustic assessment in Appendix II-H1 provides a brief summary of documented ambient noise levels in and around the Lease area based on the passive acoustic study conducted by MAI (2022) and H. Bailey et al. (2018a).

Construction vessel noise related to the Project would be limited, as boats will travel to and from the Project area at reduced speeds and will remain stationary at work sites for extended periods of time. Dynamic positioning thrusters (DP thrusters) may be used during Project installation activities. NOAA has indicated that the sound produced by this equipment is similar to that generated by transiting vessels (communications cited in (CSA Ocean Sciences 2018a, 2018b; Tetra Tech 2018)). Any impacts to marine mammals due to vessel noise during Project installation would be temporary, with behavior rapidly returning to normal following passage of a vessel, and it is unlikely that such short-term effects would result in long-term population-level impacts.

Vessel Traffic

Vessel collisions with marine mammals can cause serious injury or death and are a leading cause of mortality for certain species. Baleen whales are most at risk from ship strikes, and species including fin whale, NARW, humpback whale, and sperm whale are particularly vulnerable (Laist et al. 2001). Most ship strikes resulting in severe injury or death occur from ships traveling at 14 knots or faster, and strikes from larger vessels (>80 m (262 ft)) are more likely to result in mortality (Laist et al. 2001).

The highly endangered NARW experiences the most numerous per capita vessel strikes (Vanderlaan and Taggart 2007) and is especially vulnerable because it primarily utilizes busy coastal areas, swims slowly, and congregates at or just below the water surface (NOAA Fisheries 2018b). This species also shows no avoidance response when exposed to approaching vessels (Nowacek, Johnson, and Tyack 2003), perhaps indicating habituation to ubiquitous vessel noise in its habitat. However, vessel speed restrictions are effective in decreasing NARW ship strikes; vessel speed limits of 10 knots have been shown to reduce ship strike mortality risk by 80-90% (Conn and Silber 2013). Construction vessels will follow NOAA Fisheries collision avoidance guidance, including vessel speed restrictions to minimize the risks to NARW and other marine mammals. In addition, US Wind will continue to evaluate technologies that may increase the ability to detect marine mammals from vessels, such as thermal detection technologies. US Wind anticipates that vessel strike avoidance measures will be modified to reflect conditions set by NOAA Fisheries following the application for Incidental Harassment Authorization (IHA) or Letter of Authorization (LOA). Impacts to marine mammals from vessel strikes are expected to be negligible.

For information about the proposed Project ports, vessel trips and routes can be found in sections: Volume I, Section 4.1 for information about construction ports, Volume I Section 3.7 for information about operations and maintenance ports, and Volume II, Appendix II-C1, Figure 1 and Tables 2 and 3 for vessel routes and trips.

Entanglement and Marine Debris

Entanglement will not pose a risk to marine mammals during Project construction. US Wind does not anticipate the use of anchored vessels during construction. If used, mooring lines during WTG, OSS, Met Tower and submarine cable installation will be of relatively large diameter and will generally be kept under tension, eliminating entanglement risk. US Wind will follow BOEM guidelines for marine trash and debris prevention (see Volume II, Section 4.2). Therefore, construction impacts to marine mammals due to entanglement and marine debris are anticipated to be negligible.

Routine/Accidental Releases

During the course of Project construction, pollutants may be discharged into the environment as part of routine activities, such as the operation of construction vessels and vehicles, or due to accidental spills. See Volume II, Section 4.2 for a discussion of the impacts of routine and accidental releases during Project activities. Water quality impacts due to routine and accidental releases are anticipated to be negligible and are therefore not anticipated to impact marine mammals or their prey species.

Suspended Sediment/Deposition

Pile driving during WTG, OSS and Met Tower foundation installation, the use of jack-up and feeder vessels, jet plow operations during cable laying and embedment, vessel anchoring, and the installation and removal of cofferdams will disturb sediment on the seafloor. See Volume II, Section 4.2 for a discussion of the impacts of these activities on suspended sediment levels and sediment deposition. Water quality impacts associated with jet plow operations, HDD, and other bottom-disturbing activities are expected to be minor and temporally limited and are not anticipated to directly impact marine mammals.

Impacts to marine mammal prey species due to bottom disturbing activities are also expected to be minor. Though direct bottom disturbance and sediment deposition will result in localized

mortality of benthic organisms, impacts to communities of benthic crustacean and shellfish species which may serve as prey for marine mammals are expected to be negligible (Volume II, Section 7.2.1). Therefore, impacts to marine mammals are not anticipated to result from bottom-disturbing activities related to Project construction.

9.2.2 Operations

Noise

Operational Noise

Noise produced by the operation of the WTGs is unlikely to result in population-level impacts to marine mammals. Though operational noise will not approach levels that could permanently harm marine mammals, it is not clear if underwater noise from WTGs will influence marine mammal behavior (Betke, Schultz-von Glahn, and Matuschek 2004). Harbor porpoises have the ability to detect low frequency operational WTG noise, and Koschinski et al. (2003) observed that these species altered their behavior in response to a simulated 2 MW WTG. However, this study utilized amplified playbacks, which included background noise, in addition to WTG noise conditions. Madsen et al. (2006) argues that the observed reactions of harbor porpoises and harbor seals to the playback was likely in response to embedded high frequency background noise, and not noise produced by the WTG. Additionally, Koschinski et al. (2003) only observed responses within 200 m (656 ft) of the simulated WTG area, and modeling conducted by Tougaard et al. (2009) indicated that behavioral responses of harbor porpoises are only expected close to WTGs. As operational WTG noise is considered incapable of masking communication by harbor porpoises (Tougaard, Henriksen, and Miller 2009), any behavioral impacts of WTG operation are likely to be highly spatially limited. Though NARW may detect operational WTG noise up to a few kilometers (nautical miles) from WTGs in quiet conditions (Madsen et al. 2006), any behavioral impacts from Project operation are likely to be minor.

Vessel Noise

Project O&M activities will require vessel travel within the Project area. Vessel noise has the potential to impact marine mammals (see Volume II, Section 9.2.1). However, as the region is heavily traveled by commercial shipping and fishing vessels, low levels of vessel noise associated with Project activities are not anticipated to alter acoustic conditions.

Vessel Traffic

Vessel traffic associated with O&M activities could endanger marine mammals (see Volume II, Section 9.2.1). US Wind will implement vessel strike avoidance procedures in consultation with NOAA Fisheries. PSOs or trained observers will be present on vessels, therefore the risk of harm to marine mammals from vessel strikes is considered negligible. In addition, US Wind will continue to evaluate technologies that may increase the ability to detect marine mammals from vessels, such as thermal detection technologies.

Habitat Alteration

Habitat alteration due to the presence of the submarine cables, WTGs, OSSs and the Met Tower foundations are not expected to impact marine mammal populations. The addition of man-made structures to the marine habitat within the Project area will not physically restrict marine mammal movement. WTG spacing is 0.77 NM East-West (1.43 km, 0.89 mi) by 1.02 NM North-South (1.89 km, 1.17 mi) and the Project will not present a barrier for marine mammals. Studies examining the impact of wind farms on marine mammal density have yielded somewhat

contradictory results. Teilmann and Cartensen (2012) observed a significant decline in harbor porpoise abundance following wind farm construction in the Baltic Sea, whereas Scheidat et al. (2011) documented a dramatic increase in harbor porpoise density in the Dutch North Sea. However, these changes are likely not the result of direct impacts of habitat modification on marine mammal movement or behavior. Secondary effects of physical habitat alteration and Project operation may facilitate increased abundance of some marine mammal species due to increased prey densities due to the artificial reef effect.

EMF

Certain marine mammals have the ability to detect magnetic intensity gradients and use this sensitivity for navigation during migration (Czech-Damal et al. 2012; Kirschvink, Dizon, and Westphal 1986; Normandeau Associates Inc. 2011). The presence of anthropogenic magnetic fields could illicit behavioral responses in marine mammals, ranging from changes in swim direction to alteration of migration routes (A.B. Gill et al. 2005). EMF associated with the submarine cables such as offshore export cables and inter-array cables could be detectable by marine mammals, however impacts are unlikely due to the low intensity and localized nature of these fields. Multiple reviews of current research have documented a lack of evidence of cable EMF impacts on marine mammal behavior (A. Gill and Desender 2020; Normandeau Associates Inc. 2011), though this topic remains understudied. Because the inter-array and export cables will be shielded and buried or covered by cable protection, the intensity of the electromagnetic fields generated by operation of the cables will be minimized (BOEM 2021c). Therefore, impacts to marine mammals due to EMF are anticipated to be negligible.

Entanglement and Marine Debris

Entanglement will not pose a risk to marine mammals during Project operations. Submarine cables will be buried approximately 1 - 4 m (3 - 13 ft) beneath the sea floor or covered with protective material (e.g. concrete mattresses) when target burial depths are not achievable. Similarly, the diameter of the WTG and OSS foundation structures will be 1.5 - 4.0 m (4.9 - 13 ft) for jacket foundation piles, 8 – 12 m (26 - 39 ft) for monopiles and 10 - 15 m (33 - 49 ft) for jacket on suction buckets and do not pose an entanglement risk. Secondary entanglement, due to marine debris becoming snagged on WTG and OSS foundations, is a risk for marine mammals. However, the likelihood of this occurrence is low as the structures are largely free of protrusions upon which such debris could attach. US Wind will follow BOEM guidelines for marine trash and debris prevention (see Volume II, Section 4.2). Therefore, operations impacts to marine mammals due to entanglement and marine debris are anticipated to be negligible.

9.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system to 4.6 m (15 ft) below the mudline. Removal of structures would result in the generation of underwater noise and would necessitate increased vessel traffic in the Project area. Impacts from these activities would be similar to those described above for the construction portion of the Project.

9.3 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on marine mammals.

Pile Driving

US Wind will implement the following pile driving sound mitigation measures:

- Prepare a pile driving monitoring plan, to include details about the measures listed below, prior to construction activities. Mitigation measures may be modified to reflect conditions set by NOAA Fisheries following the application for IHA or LOA associated with construction activities.
- Implement sound attenuation technologies such as double bubble curtains and nearfield attenuation devices to reduce underwater pile driving noise by 10 dB, with a target of 20 dB, at the source.
- Pile driving is planned between April 1 and November 30. Pile driving, if necessary, in April or November may require additional mitigation measures such as larger clearance or exclusion zones.
- Establish a clearance zone prior to pile driving using a combination of visual and acoustic monitoring for large whales. The clearance zone is to be monitored for a minimum of 60 minutes and the zone must be clear for 30 minutes before beginning soft-start procedure.
- Once clearance zone is confirmed clear of marine mammals, pile driving will begin with minimum hammering at low energy for no less than 30 minutes (soft-start).
- Additional restrictions on pile driving will include: no simultaneous pile driving; no more than one monopile driven per day; daylight pile driving only unless health and safety issues require completion of a pile; and initiation will not begin within 1.5 hours of civil sunset or in times of low visibility when the visual clearance zone and exclusion zone cannot be visually monitored, as determined by the lead PSO on duty.
- Establish an exclusion zone using a combination of visual and acoustic monitoring for large whales. Pile driving will be halted if species enters defined exclusion zone, with exceptions for health and safety considerations as well as technical feasibility.
- Visual clearance and exclusion zones will be monitored by PSOs which are individuals with a current NOAA Fisheries approval letter as a PSO.

Vessel Strike Avoidance

US Wind will implement the following vessel strike avoidance mitigation measures:

- PSOs or trained observers will be present on crew vessels and other project vessels.
- US Wind will ensure that from November 1 through April 30, vessel operators monitor NOAA Fisheries NARW reporting systems (e.g., Early Warning System, Sighting Advisory System, and Mandatory Ship Reporting System) for the presence of NARWs.
- Vessels 19.8 m (65 ft) or larger will operate at 10 knots or less in Special Management Areas (SMAs) and Dynamic Management Areas (DMAs).

- If underway, vessels will maintain a minimum separation distance of 500 m (1,640 ft) or greater from any sighted NARW and 100 m (328 ft) or greater from any sighted non-delphinoid cetacean other than NARW.
- US Wind will continue to evaluate technologies that may increase the ability to detect marine mammals from vessels, such as thermal detection technologies

Other Mitigation and Monitoring

US Wind will implement the following other mitigation and monitoring measures:

- Use submarine cables that have proper electrical shielding and bury the cables in the seafloor, when practicable.
- Vessel operators, employees, and contractors will be briefed on marine trash and debris awareness elimination as described in BSEE NTL No. 2015-G03 ("Marine Trash and Debris Awareness and Elimination"), per BOEM guidelines for marine trash and debris prevention.
- Vessels will adhere to United States Coast Guard (USCG) guidelines; follow applicable regulations related to the discharge of bilge water, gray water, and sanitary waste; maintain discharge permits, as appropriate; follow good maintenance and housekeeping procedures to prevent releases of oil and other chemicals to the sea; maintain up-to-date oil spill response plans to prevent, contain, and clean up any accidental spills.
- The Metocean Buoy includes acoustic recorders to detect and identify marine mammal calls.
- US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others.
- Additional opportunities to support passive acoustic monitoring of marine mammals in and around the Lease area in conjunction with ongoing research efforts by others, such as the University of Maryland Center for Environmental Science, will continue to be explored.

10.0 Sea Turtles

10.1 Description of Affected Environment

Sources

The following description of the affected environment for sea turtles draws upon recent studies and literature focused on offshore areas that include the mid-Atlantic WEAs and areas around the WEAs that could be affected by the Project. The most relevant studies relating to sea turtle occurrence are described below.

MABS Survey (Williams et al. 2015a, 2015b)

The MABS were conducted for the DOE and the MEA to provide wildlife information specific to the WEAs in the mid-Atlantic. The wildlife information was collected between 2012 and 2014 across a 13,245 km² (3,862 square NM) study area off the coasts of Delaware, Maryland, and Virginia, via HD digital aerial surveys and boat-based surveys. Over the survey period, sixteen boat surveys and fifteen aerial surveys were conducted concentrating data acquisition within the

WEAs. The surveys were designed to sufficiently capture the biological variations in both spatial and temporal dimensions, in accordance with the BOEM wildlife survey guidelines.

In 2013, during the second year of the MABS study, MDNR and MEA expanded the existing surveys to cover a greater extent of Maryland's state and federal waters. This expansion, called the Maryland Project (MD Project), extended existing boat surveys into Maryland state waters, extended aerial surveys into areas west and south of the Maryland WEA, and added an additional annual aerial survey within Maryland waters. Survey findings from the MD Project are presented in a separate report (Williams et al. 2015b), and incorporated into the MABS Mid-Atlantic Outer Continental Shelf Final Report (Williams et al. 2015a). Observed species data from the "broad" and "narrow" video surveys (2012-2014) and boat surveys (2012 - 2014) were evaluated in a geographic information system (GIS). Species observations were queried from the combined survey data and turtle observations were identified within the Maryland WEA. A distribution ratio "Total Count per Hour" was calculated for each turtle species within the Maryland WEA based on the number of observed individuals divided by the amount of survey time associated with each observation.

VAQF Survey (S. Barco et al. 2015)

The VAQF study was conducted for the MDNR to provide fine scale data on the presence of protected species for Maryland's offshore wind development efforts. The wildlife information was collected monthly between 2013 and 2015 via observer based aerial surveys. Over the survey period, a total of twelve aerial surveys resulted in more than 16,000 km (8,639 NM) of observed track line running from shore to 50-70 km (27-38 NM) offshore encompassing the entire Maryland WEA. The surveys were designed to sufficiently capture the biological variations in both spatial and temporal dimensions, in accordance with the BOEM wildlife survey guidelines. For survey methodologies and details, a copy of this report can be requested from the MEA.

US Wind 2015, 2016, 2017 and 2021 G&G Surveys ((Alpine Ocean Seismic Survey Inc. 2015, 2017))

US Wind conducted preliminary G&G surveys within the boundaries of the Lease area in 2015, along the formerly planned offshore export cable route in 2016, and along Onshore Export Cable Corridor 1 within Indian River Bay in 2017. Activities occurred onboard the RV Shearwater in 2015 and 2016 for a total of 44 and fifteen survey days, respectively. The 2017 survey within Indian River Bay was conducted on the MV George over a total of six survey days. PSOs monitored the areas surrounding the survey boats for sea turtles using visual observation.

US Wind conducted G&G surveys within the Lease area and along the Offshore Export Cable Corridors in 2021. The results of these surveys, including the PSO reports, will be provided in Appendix II-A2 as per the deferral request included in this submission.

Overview

Five species of sea turtle can be found offshore of the U.S. Atlantic coast. Four of these species have the potential to utilize the Project area, all of which are listed as endangered or threatened under the ESA (Table 10-1). These species include the loggerhead (*Caretta caretta*), leatherback (*Dermochelys coriacea*), green (*Chelonia mydas*), and Kemp's ridley (*Lepidochelys kempii*) sea turtles (USDOJ and BOEM 2012). Loggerhead turtles are common in the vicinity of the Lease area, while green, leatherback, and Kemp's ridley turtles are less frequently observed, as described in the following sections. A total of 136 turtle observations were recorded in the Maryland WEA during the MABS survey (Williams et al. 2015a, 2015b). In

general, Williams et al. (2015b) suggested that the Maryland WEA does not appear to be an area with consistently high numbers of sea turtles throughout time (a population hotspot). Though the range of the endangered hawksbill turtle includes the Project area, this species prefers tropical and sub-tropical waters and is rarely found in the mid-Atlantic (USDOJ and USFWS 2018a). However, this species may be encountered by vessels traveling to the Project Area from ports in the Gulf of Mexico. Detailed discussions of the four turtle species likely to occur in the Project area, and hawksbill turtles, are presented below.

Table 10-1. Sea Turtles with Potential Occurrence in the Project Area

Common Name	Scientific Name	ESA Status	MABS Mid-Atlantic Surveys ^a		MABS MD Surveys ^b		MABS WEA Surveys ^c	VAQF Survey ^d	Relative Occurrence in Project Area
			Boat Survey Sightings ^a	Aerial Survey Sightings ^{ab}	Boat Survey Sightings ^{ba}	Aerial Survey Sightings ^{bb}	Annual count per hour per km ² ^{ca}	Aerial Survey Sightings ^{da}	
Family Cheloniidae (hardshell sea turtles)									
Loggerhead turtle	<i>Caretta</i>	Threatened	89	188	15	22	0.00047	809 (833)	Common
Green turtle	<i>Chelonia mydas</i>	Threatened	0	11	0	5	0.00020	45 (45)	Uncommon
Kemp's Ridley turtle	<i>Lepidochelys kempii</i>	Endangered	0	38	0	8	0.00012	1 (1)	Uncommon
Hawksbill turtle	<i>Eretmochelys imbricata</i>	Endangered	0	2	0	1	0.00004	0 (0)	Rare
Family Dermochelyidae (leatherback sea turtle)									
Leatherback turtle	<i>Dermochelys coriacea</i>	Endangered	15	122	3	16	0.00025	14 (14)	Common

^aSource: Williams et al. 2015a

^{aa}Total number of individuals observed during 16 boat-based surveys of the mid-Atlantic conducted between March 2012 and May 2014. Only sightings or individuals identified to species are included. Additional sea turtle sightings not included in table: 6 small turtles (loggerhead, green, hawksbill, or Kemp's ridley), 4 unidentified turtles.

^{ab}Total number of individuals observed during 15 digital video aerial surveys of the mid-Atlantic conducted between March 2012 and May 2014. Additional sea turtle sightings not in table: 1397 small turtles.

^bSource: Williams et al. 2015b

^{ba}Total number of individuals observed during 16 boat-based surveys in the vicinity of the MD WEA conducted between April 2012 and April 2014. Only sightings or individuals identified to species are included. Additional sightings of sea turtles not included in table: 2 small turtles.

^{bb}Total number of individuals observed during 14 aerial surveys in the vicinity of the MD WEA conducted between March 2012 and May 2014. Additional sightings of sea turtles not classified to species: 312 small turtles.

^cSource: Williams et al. 2015a and 2015b.

^{ca}Annual count of observations per hour of survey effort per square km within the MD WEA. Additional sightings of sea turtles not classified to species: 0.00449 small turtles per hour per km².

^dSource: Barco et al. 2015

^{da}Total number of sightings (and total number of individuals observed) during monthly aerial surveys of the MD WEA and surrounding waters between July 2013 and June 2015. Additional sea turtle sightings not reported in table: 83(84) unidentified hard-shelled turtles.

Loggerhead Turtle (*Caretta caretta*)

Loggerhead turtles can reach 1 m (3 ft) in length, have a reddish-brown, slightly heart shaped carapace, and feed primarily upon hard-shelled prey including mollusks, crabs, and horseshoe crabs (NOAA Fisheries 2017e). This species has a circumpolar distribution, and inhabits continental shelves, bays, estuaries, and lagoons throughout the temperate and tropical regions of the Atlantic, Pacific, and Indian Oceans (Dodd 1998). Loggerheads occur in continental shelf waters of the Northwest Atlantic from Florida to Nova Scotia (USFWS and NOAA Fisheries 2008), although their presence varies seasonally due to changes in water temperature (Shoop and Kenney 1992; Epperly, Braun, and Chester 1995; Epperly, Braun, and Veishlow 1995; Braun-McNeill and Epperly 2004). The primary threat to loggerhead turtle populations worldwide is incidental capture in fishing gear, primarily in longlines and gillnets, but also in trawls, traps and pots, and dredges (NOAA Fisheries 2017e). Loggerhead sea turtles in the Northwest Atlantic Ocean distinct population segment (DPS) are listed as threatened under the ESA.

The most recent regional abundance data for the loggerhead turtle was collected in 2010. The preliminary regional abundance was approximately 588,000 individuals based on only positive identifications of loggerhead sightings, and approximately 801,000 individuals based on positive identifications and a portion of unidentified turtles from the survey (National Marine Fisheries Service Northeast Fisheries Science Center 2011).

In the Atlantic, the loggerhead turtle's range extends from Newfoundland to as far south as Argentina (NOAA Fisheries 2017e). Adult loggerheads migrate seasonally from nesting beaches to foraging grounds, primarily driven by changes in sea surface temperatures (T.E.W.G. TEWG 2000b). Nesting sites for loggerhead turtles in the Northwest Atlantic DPS are primarily located along the Atlantic and the Gulf of Mexico coastlines of Florida, South Carolina, Georgia, North Carolina, and Alabama (NOAA Fisheries 2017e). Though it is rare for this species to nest north of Virginia, a limited number of loggerhead nests have been observed in Maryland and Delaware (NPS 2017; DNREC 2018a). The first record of successful loggerhead nesting in Maryland was reported in 2017 at Assateague Island National Seashore, and three nests hatched from this location in 2020 (NPS 2017; WJLA 2020). In Delaware, a single loggerhead nest was laid in Fenwick, Delaware in 2018, below the high tide line (DNREC 2018a). This nest was relocated to Fenwick Island State Park and later successfully hatched, marking the first recorded loggerhead hatching in the state since 1973 (DNREC 2018a). Loggerhead turtles occur year-round in ocean waters off North Carolina, South Carolina, Georgia, and Florida. As coastal water temperatures warm in the spring, loggerheads begin to migrate to inshore waters of the Southeast U.S. and move up the U.S. Atlantic Coast (Epperly, Braun, and Chester 1995; Epperly et al. 1995; Braun-McNeill and Epperly 2004). During spring and summer months, loggerhead turtles are abundant in coastal waters off New York and the mid-Atlantic states, and are found as far north as New England (S.J. Morreale and Standora 1989). In late September through mid-October, loggerhead turtles begin to migrate southward to coastal areas off the south Atlantic states, particularly from Cape Hatteras, North Carolina, to Florida (S.J. Morreale and Standora 1989; Musick, Barnard, and Keinath 1994). During the winter, loggerhead turtles tend to aggregate in warmer waters along the western boundary of the Gulf Stream off Florida (N. B. Thompson 1988), or hibernate in bottom waters and soft sediments in channels and inlets along the Florida coast (Ogren and McVea Jr. 1981; Butler, Nelson, and Henwood 1987). In the winter and spring, loggerheads congregate off southern Florida before migrating northward to their summer feeding ranges (CeTAP 1982). There are 38 critical habitat areas designated for the Northwest Atlantic Ocean DPS of loggerhead sea turtles, including nearshore reproductive

habitat, *Sargassum* habitat, migratory corridors, breeding areas and wintering habitat. All critical habitat areas are located to the south of the Project area.

Recent multi-year surveys specific to the Lease area and the surrounding nearshore waters indicate that loggerhead sea turtles are common between May and October (Williams et al. 2015b). This species was the most frequently observed turtle in the Lease area; loggerheads accounted for 93% of all turtles identified to species during the VAQF survey (S. Barco et al. 2015). This species was detected within the Lease area during the spring, summer, and fall (Williams et al. 2015b). Loggerheads appear to enter the area beginning in mid-May, and leave the region when water temperatures drop in October (S. Barco et al. 2015). The calculated annual density of loggerhead turtles observed within the Lease area during the MABS surveys was 0.00047 individuals per hour per square km (0.29 square nautical mile) (Williams et al. 2015a, 2015b). The MABS survey provides valuable data regarding loggerhead turtle distribution. However, the figures presented above are based only upon confirmed loggerhead sightings, and the majority of small turtles observed during aerial surveys could not be identified to species. Therefore, it is possible that populations of this species could be underestimated (Williams et al. 2015b).

Leatherback Turtle (*Demochelys coriacea*)

Leatherbacks are the largest living turtles, reaching up to 2 m (6.5 ft) in length, and are the only sea turtle that lacks a hard, bony shell (NOAA Fisheries 2017d). The leatherback gets its name from its distinctive longitudinally-ridged carapace, which is composed of layers of oily connective tissue overlain on loosely interlocking dermal bones (NOAA Fisheries 2017d). This species is the most wide-ranging of all sea turtles, and is found in tropical, subtropical, and cold-temperate waters (USFWS and NOAA Fisheries 1992; Carriol and Vader 2002). Leatherbacks have evolved several physiological and anatomical adaptations that allow them to survive in cold waters (USFWS and NOAA Fisheries 1992; Frair, Ackman, and Mrosovsky 1972; Greer, Lazell, and Wright 1973), enabling them to range along the entire east coast of the U.S. (USFWS and NOAA Fisheries 1992). Unlike most other sea turtles, which feed upon hard-shelled organisms, leatherbacks consume soft bodied prey, including salps and jellyfish (NOAA Fisheries 2017d). Threats to leatherback sea turtles include fisheries bycatch, habitat loss, vessel strikes, incidental ingestion of marine debris, legal and illegal harvest of turtles and eggs, climate change, disease, oil and gas activities, and coastal development, among others (USFWS and NOAA Fisheries 2020). Leatherback turtles are currently listed as endangered under the ESA.

On December 17, 2017, NOAA Fisheries and USFWS initiated a review of the leatherback turtle, to gather data on the species, apply the DPS policy, and evaluate this species' risk of extinction. This review was published in 2020 and identified seven leatherback turtle DPSs (USFWS and NOAA Fisheries 2020). Leatherback turtles found along the eastern U.S. Atlantic coast belong to the Northwest (NW) Atlantic DPS. Like all other DPSs, the NW Atlantic leatherback DPS is at high risk of extinction (USFWS and NOAA Fisheries 2020). Confidence in this conclusion for the NW Atlantic DPS is moderate, due to the spatial distribution, diversity, and abundance of this population segment (USFWS and NOAA Fisheries 2020). The best available estimate of nesting female leatherback abundance in the NW Atlantic DPS is 20,659 females, 1,694 of which nest in the United States (USFWS and NOAA Fisheries 2020). This estimate includes all nesting areas utilized by the DPS, largely concentrated from Florida throughout the wider Caribbean region (Dow et al. 2007). In the United States, leatherback nesting occurs primarily on the eastern coast of Florida, Puerto Rico, and St. Croix, though occasional nesting has been observed in North and South Carolina (USFWS and NOAA Fisheries 2020). Though temporal trends vary between nest sites, the NW Atlantic leatherback

turtle DPS, including the Florida nesting population, has exhibited a decreasing nest trend in recent years (USFWS and NOAA Fisheries 2020).

Leatherback turtles are highly migratory, exploiting convergence zones and upwelling areas in the open ocean, along continental margins, and in archipelagic waters (S. Morreale et al. 1994; S. A. Eckert 1999). Adult leatherbacks migrate extensively throughout the Atlantic basin in search of food, and may swim 6,000 to 12,000 km (3,240 to 6,480 NM) in a year (James et al. 2006). In the North Atlantic Ocean, leatherback turtles regularly occur in deep waters (>100 m (328 ft)), but are also sighted in coastal areas of the U.S. continental shelf (USFWS and NOAA Fisheries 1992). Leatherback turtle seasonal movement patterns are dictated by sea surface temperatures (Davenport and Balazs 1991; Luschi et al. 2006). Following breeding and nesting in Florida and the tropical Caribbean and aided by the northward flow of the Gulf Stream, leatherback turtles in the NW Atlantic DPS move northward and westward beyond the shelf break in the spring. During the summer months, leatherbacks move into fairly shallow coastal waters, apparently following their preferred jellyfish prey. Leatherbacks become more numerous off the mid-Atlantic and southern New England coasts in late spring and early summer, and by late summer and early fall, leatherbacks may be found in the waters off eastern Canada (CeTAP 1982; Shoop and Kenney 1992; N.B. Thompson et al. 2001; James et al. 2006). In response to cooling sea surface temperatures in the fall, leatherback turtles move offshore and begin a southward migration to their winter breeding grounds (P.M. Payne, Selzer, and Knowlton 1984a). There are no critical habitat areas designated for the leatherback sea turtle along the U.S. Atlantic coast.

Recent multi-year surveys specific to the Lease area and the surrounding nearshore waters indicate that leatherback sea turtles routinely occur between May and October (Williams et al. 2015b; S. Barco et al. 2015). This species was the second most frequently observed turtle species in the Lease area in the Williams et al. (2015b) study, and the third most frequently observed turtle species in the Barco et al. (2015) study. Leatherbacks accounted for 2% of all turtles identified to species during the VAQF survey (S. Barco et al. 2015). This species was infrequently detected in spring, and was most abundant in the Lease area in summer and fall (S. Barco et al. 2015). The MABS survey identified September and October as the peak period of leatherback occurrence in the Project area (Williams et al. 2015b). The calculated annual density of leatherback turtles observed within the Maryland WEA during the MABS surveys was 0.00025 individuals per hour per square km (0.29 square nautical mile) (Williams et al. 2015a, 2015b).

Green Turtle (*Chelonia mydas*)

The green turtle is the largest hard-shelled sea turtle, and can reach over 1 m (3 ft) in length (NOAA Fisheries 2017b). This species has an oval carapace that is variable in color and can be green, brown, yellow, gray, or black (NOAA Fisheries 2017b). Unique among sea turtles, the adult green turtle is exclusively herbivorous and eats seagrass and algae (NOAA Fisheries 2017b). Green turtles are found worldwide, and are known to occur in temperate waters, though they are generally found in tropical and subtropical regions (NOAA Fisheries 2017b; National Marine Fisheries Service and U.S. Fish and Wildlife Service 1991). Current human-caused threats to green sea turtles include destruction of nesting habitats, noise and light pollution on coastal beaches, boat strikes, disease, and entanglements with fishing gear and marine debris (USDOC 2007; Epperly, Braun, and Chester 1995; TEWG 2000a; NOAA Fisheries 2017b). Green turtles in waters along the eastern U.S. Atlantic coast belong to the North Atlantic DPS, which is listed as threatened under the ESA.

Estimates of the population size of the North Atlantic DPS of green turtles are unavailable. Green turtles in the North Atlantic DPS nest to the south of the Project area; in small numbers in the U.S. Virgin Islands, Puerto Rico, Georgia, South Carolina, and North Carolina, and in larger numbers in Florida (NOAA Fisheries 2017b).

In the Western North Atlantic, green turtles are found in inshore and nearshore waters from Texas to Massachusetts (NOAA Fisheries 2017b). Like other sea turtles, green turtles display highly migratory behavior, making seasonal coastal and annual transoceanic migrations (Godley et al. 2003; Godley et al. 2008; Godley et al. 2010). However, green turtles appear to occupy smaller home ranges than other sea turtle species (Seminoff, Resendiz, and Nichols 2002; Makowski, Seminog, and Salmon 2006; Broderick et al. 2007). This species generally feeds in shallow lagoons, inlets, reefs, shoals, and bays that have abundant algae or sea grass (USDOC 2007). Females nest between June and September on mainland or island sandy beaches along the southeastern U.S. coast, and are not known to nest as far north as the mid-Atlantic states (NOAA Fisheries 2017b). Though green turtles are reported to use the coastal waters of North Carolina and Virginia as summer foraging habitat (K.L. Mansfield et al. 2009), this species is generally classified as uncommon in the mid-Atlantic, and is usually a transient species present during the summer and fall. The only designated critical habitat area for green sea turtles surrounds an island off the coast of Costa Rica, and is far to the south of the Project area (NOAA Fisheries 2017b).

Green turtles were the second most frequently observed turtle species in the Maryland WEA in the VAQF study; they accounted for 5% of all turtles identified to species and were most abundant during the summer (S. Barco et al. 2015). In contrast, green turtles were uncommonly observed in Maryland waters during the MABS survey; only five were identified over the duration of the study (Williams et al. 2015b). The calculated annual density of green turtles observed within the Lease area during the MABS surveys was 0.0020 individuals per hour per square km (0.29 square nautical mile) (Williams et al. 2015a, 2015b). Though the MABS survey is a source of data regarding green turtle abundance, the majority of small turtles observed during aerial surveys could not be identified to species. Therefore, it is possible that green turtle populations could be underestimated (Williams et al. 2015b).

Kemp's Ridley Turtle (*Lepidochelys kempii*)

The Kemp's ridley turtle has a nearly circular grayish-green carapace and is the smallest sea turtle in the world, reaching only 60 to 70 cm in length (24 to 28 in). This species feeds primarily on swimming crabs, but will also consume fish, jellyfish, and mollusks (NOAA Fisheries 2017c). Kemp's ridley turtles primarily reside in the nearshore neritic zone, and rarely venture into waters deeper than 50 m (160 ft) (NOAA Fisheries 2017c; Byles, Nelson, and Henwood 1994). Like other sea turtle species, the Kemp's ridley is threatened by habitat loss (specifically of nesting beaches in the Gulf of Mexico), commercial fishery gear entanglement, disease, climatic changes, and pollution (USDOI and USFWS 1999). The Kemp's ridley turtle is listed as endangered under the ESA.

The most recent estimate of the Kemp's ridley turtle population is 7,000 to 8,000 nesting females (USFWS and NOAA Fisheries 2007). As this species is female biased, there are likely several thousand additional males (USFWS and NOAA Fisheries 2007). Kemp's ridley sea turtles exhibit unique nesting behavior observed in only one other sea turtle species; during events called "arribada" female turtles arrive onshore in large, synchronous aggregations to nest (NOAA Fisheries 2017c). This species nests almost exclusively in the Western Gulf of Mexico, primarily in the states of Tamaulipas and Veracruz, Mexico (BOEM 2014). Though extremely

large arribadas occurred in the 1940s (as many as 42,000 Kemp's ridley turtles were observed in one day in 1947), populations plummeted between the 1940s and the 1980s, reaching a low of fewer than 250 nesting females in 1985 (NOAA Fisheries 2017c). Conservation efforts led to annual increases of approximately 15% in Kemp's ridley breeding populations through 2009. However, recent data indicate a decrease in the number of Kemp's ridley nests since 2010 (NOAA Fisheries 2017c).

The Kemp's ridley sea turtle is found most commonly along the eastern coast of North America, from the Gulf of Mexico to Nova Scotia (NOAA Fisheries 2017c; BOEM 2014). After nesting and breeding in Mexico, this species travels to foraging grounds in shallow coastal waters, embayments, and estuarine systems along the Atlantic seaboard, where they remain for the duration of the spring and summer (BOEM 2014). The Kemp's ridley is present in areas including Chesapeake Bay, Pamlico Sound, Charleston Harbor, and Delaware Bay during the summer (USFWS and NOAA Fisheries 2007), and is the second most common turtle reported off the coast of Virginia (VIMS 2014). Kemp's ridley turtles begin leaving northern areas in mid-September, and most have departed for warmer southern waters by the beginning of November (Burke, Standora, and Morreale 1989; S.J. Morreale and Standora 1989). Wintering habitats for Kemp's ridley turtles include shelf habitats off of Florida and waters south of Cape Hatteras, North Carolina (Gitschlag 1996). There are no critical habitat areas designated for the Kemp's ridley sea turtle, though petitions to designate areas on the Texas coast and marine habitat in the Gulf of Mexico are currently being reviewed.

Kemp's ridley turtles occur in the Project area, but were infrequently observed during the VAQF study (S. Barco et al. 2015). Only one sighting of this species was reported during the study, in August 2014, accounting for just 0.1% of all turtles identified to species (S. Barco et al. 2015). This species was also infrequently observed during the MABS survey; only eight Kemp's ridley turtles were positively identified in Maryland waters over the duration of the study (all of which were observed during aerial surveys) (Williams et al. 2015b). Most observations of this species in the Project area were reported in September and October (Williams et al. 2015b). The calculated annual density of Kemp's ridley turtles observed within the Lease area during the MABS surveys was 0.00012 individuals per hour per square km (Williams et al. 2015a, 2015b). Though the MABS survey is a source of data regarding Kemp's ridley turtle abundance, the majority of small turtles observed during aerial surveys could not be identified to species. Therefore, it is possible that Kemp's ridley turtle populations could be underestimated (Williams et al. 2015b).

Hawksbill Turtle (*Eretmochelys imbricata*)

Hawksbill turtles can reach 65 to 90 cm in length (26 to 35 in) and have highly patterned amber and brown shells and distinctive beak-like mouths (NOAA Fisheries 2021e). This species has a circumtropical distribution in the Atlantic, Pacific, and Indian Oceans (NOAA Fisheries 2021e). Adult hawksbill turtles are most commonly found in shallow coastal areas on healthy coral reefs, though juveniles live in pelagic waters, and utilize floating algal mats for shelter (NOAA Fisheries 2021e; USDOJ and USFWS 2018a). This species feeds primarily on sponges, but will also consume algae, mollusks, crustaceans, jellyfish, and other marine organisms (NOAA Fisheries 2021e). The hawksbill is threatened by habitat loss (specifically of coral reef habitats), entanglement in commercial fishing gear, disease, vessel strikes, incidental ingestion of marine debris, and intentional harvest (NOAA Fisheries 2021e). Historical declines in hawksbill turtle populations were largely driven by harvest of these animals for their beautifully patterned shells, which were used to make a variety of decorative products (USDOJ and USFWS 2018a). Though

harvest of hawksbill turtles is now illegal in most countries, poaching is still a threat to the species (NOAA Fisheries 2021e). The hawksbill turtle is listed as endangered under the ESA.

No DPSs have been established to date for the hawksbill turtle (NOAA 2013). However, available data indicate that distinct populations of hawksbill turtles exist, at least between ocean basins (NOAA 2013). Estimating hawksbill turtle populations and evaluating trends is difficult, as this species nests in low densities on small beaches (NOAA Fisheries 2021e). This dispersed nesting pattern is believed to be the result of past overexploitation of once sizeable colonies (Limpus 1995; Meylan and Donnelly 1999). Current estimates place the number of hawksbill nests laid in United States at 600 to 1,150 nests, located in Puerto Rico and the U.S. Virgin Islands (NOAA Fisheries 2021e). Nesting is rare in the continental United States and is limited to the Florida Keys and the southeastern shore of Florida (NOAA Fisheries 2021e).

In the western Atlantic, hawksbill turtles are largely confined to tropical and subtropical waters, and are found in the Gulf of Mexico, the Caribbean, and the waters surrounding Puerto Rico, the U.S. Virgin Islands, and southern Florida (NOAA Fisheries 2021e). This species is regarded as uncommon north of Florida (BOEM 2014) and rare in the mid-Atlantic (USDOI and BOEM 2012), though deceased individuals have rarely been reported from as far north as Cape Cod (Mass DFW 2019). Hawksbill turtles are believed to exhibit a mixed migratory strategy, with some individuals traveling great distances between nesting beaches and foraging areas, and others remaining in proximity to their natal beaches (NOAA 2013). Female hawksbills turtles return to their natal beaches to nest, generally between April and November (NOAA 2013). Critical habitat for the Hawksbill turtle has been designated around Mona Island, located to the west of Puerto Rico (NOAA 1998).

Hawksbill turtles were not observed during the multi-year Barco et al. (2015) study, and only two confirmed sightings of this species were recorded during the MABS surveys (Williams et al. 2015a), accounting for 0.001% of all turtle observations. Both sightings of this species occurred in October of 2012 (Williams et al. 2015a, 2015b). Though the MABS survey is a source of data regarding hawksbill turtle abundance, the majority of small turtles observed during aerial surveys could not be identified to species. Therefore, it is possible that hawksbill turtle populations could be underestimated (Williams et al. 2015b). Due to the rarity of this species in the region, it is highly unlikely that Project activities would impact hawksbill turtles (USDOI and BOEM 2012). However, vessels transiting to the Project area from ports in the Gulf of Mexico or Caribbean may encounter this species.

10.2 Impacts

Sea turtles in the Project area have the potential to be impacted by a variety of factors associated with Project activities. The impacts of noise and vessel traffic on these organisms are discussed in more detail in Volume II, Sections 10.2.1, 10.2.2, and 10.2.3.

10.2.1 Construction

Noise

Sea turtles may use auditory signals to locate prey, avoid predators, and aid in navigation (Dow Piniak, Mann, et al. 2012). Though adult sea turtles are not known to use sound for communication, hatchlings vocalize in the nest, which may play a role in the synchronization of emergence (McKenna 2016). Relatively little is known about sea turtle hearing capabilities, but recent studies have identified hearing thresholds by examining electrical responses of the

auditory nervous system following the application of a sound stimulus (auditory evoked potentials, AEPs). Results of these studies indicate that sea turtles are generally sensitive to low-frequency sounds, though hearing thresholds vary by species and age.

Examinations of juvenile green sea turtle AEPs indicate that this species can hear sounds between 50 and 800 Hz in air, and 50 and 1600 Hz in water (Dow Piniak, Eckert, Mann, et al. 2012; Piniak et al. 2012). Maximum hearing sensitivity in this species was observed between 300 and 400 Hz in air and 50 and 400 Hz in water, and sensitivity to sounds sharply decreased at frequencies above 400 Hz (Dow Piniak, Eckert, Mann, et al. 2012). An earlier study, utilizing different methodology, reported a narrower hearing range for subadult green turtles of between 100 and 500 Hz (most sensitive between 200 and 400 Hz), and noted that individuals collected from Maryland exhibited an expanded hearing range compared to individuals collected from Hawaii (Bartol and Ketten 2006). This study also described Kemp's ridley turtle hearing, which was found to range from 100 and 500 Hz, and was most sensitive between 100 and 200 Hz (Bartol and Ketten 2006). The hearing range of loggerhead turtles has been described to range from 100 and 1131 Hz (Martin et al. 2012) and 50 and 1100 Hz (Lavender, Bartol, and Bartol 2014). Similar to the other sea turtle species described above, leatherback hatchlings responded to stimuli between 50 and 1600 Hz in air and 50 and 1200 Hz in water, and maximum sensitivity was documented in response to sounds below 400 Hz (Dow Piniak, Eckert, Harms, et al. 2012).

Little is known about sea turtle physiological responses to sound, including if these organisms experience temporary or permanent threshold shifts as a result of noise exposure (Popper et al. 2014), but these organisms are believed to be less sensitive to hearing damage than marine mammals. Additionally, little is known about turtle behavioral responses to sound (Dow Piniak, Eckert, Mann, et al. 2012; Dow Piniak, Eckert, Harms, et al. 2012). Exposure to high levels of pervasive noise may influence sea turtle behavior (Samuel et al. 2004), and individuals exposed to loud noises are expected to exhibit an avoidance response (McCauley et al. 2000). Behavioral impacts could also result from communication masking, perhaps leading to decreased feeding activity.

NOAA has not established formal acoustic guidance for sea turtles, however, the Greater Atlantic Regional Fisheries Office (GARFO) provides thresholds for noise-induced injury and behavioral impacts for ESA-listed species associated with pile driving (GARFO 2018). The GARFO thresholds for sea turtles are 166 dB re 1 μ Pa RMS for behavioral impacts and 180 dB re 1 μ Pa RMS for physiological impacts (GARFO 2018). Sea turtle hearing ranges overlap with low-frequency sounds produced by multiple Project activities, including pile driving and vessel noise, which are discussed below.

Pile Driving

Impact pile driving is proposed during installation of WTG, OSS, and Met Tower piled jacket and monopile foundations. Though the impacts of pile driving on sea turtles are not understood, this activity generates loud sound pressures (Tougaard et al. 2009a) within the hearing range of these organisms.

The impacts of loud impulsive sounds on sea turtles are unclear, but individuals located close to the sound source (where noise levels exceed 180 dB re 1 μ Pa RMS) may experience physiological damage. Sea turtle behavioral responses to pile driving noise may include avoidance behavior, as was noted by McCauley et al. (2000) during seismic airgun survey activities. This study examined the responses of two caged sea turtles (one green and one

loggerhead) to airgun noise, and documented increased swimming speeds when the organisms were exposed to sound louder than 166 dB re 1 μ Pa RMS (McCauley et al. 2000). The turtles exhibited erratic behavior and were deemed to be in an agitated state, indicating a probable avoidance response, when exposed to sound levels exceeding 170 dB re 1 μ Pa RMS (McCauley et al. 2000).

Impacts to sea turtles due to pile driving noise are likely to be minor due to the implementation of mitigation measures, including the monitoring of exclusion zones and employment of soft-start procedures, as well as the deployment of mitigation measures such as double bubble curtains or nearfield attenuation devices. Physiological damage to sea turtles is not expected, as this would only occur within the exclusion zone, in the area immediately surrounding pile driving activities. Any sea turtles present in the vicinity of pile driving activities are expected to rapidly vacate the area upon the initiation of soft start procedures. Additionally, pile driving activities, and any associated impacts, would be short term, temporary, and in discrete locations, and therefore are not anticipated to result in long-term impacts to sea turtle populations in the area.

An underwater acoustic assessment was conducted to evaluate the potential for pile driving noise to impact sea turtles (Appendix II-H1). This assessment, and the resulting modeled distances to sea turtle hearing thresholds, are conservative, as the model assumed that animals would remain in the area and that 4,400 kJ of hammer energy would be used for the total duration of the driving of the pile. Additionally, sound propagation modeling was based upon environmental conditions in the Project area in April and in May, as these are the months during which pile driving may occur that have the lowest transmission loss (no pile driving will occur between the months of December and March). US Wind will implement mitigation and monitoring measures as described in Volume II, Section 10.3 to minimize noise impacts to sea turtles.

The other type of foundation under consideration are jackets on suction buckets. The installation of these foundations would not require pile driving and would generate much lower levels of noise than the installation of traditional piles.

Vessel Noise

Increased noise caused by vessel traffic associated with Project activities could impact sea turtles. Vessel noise is primarily composed of low-frequency components (Hildebrand 2009), and is therefore within the hearing ranges of the sea turtle species likely to occur in the Project area. Exposure of sea turtles to noise from construction and operations vessels would be variable, as the intensity of vessel noise is largely related to ship size and speed (Hildebrand 2009). Because the Project area and adjacent waters are already well-traveled and host active fishing (commercial and recreational) and shipping industries, sea turtles in the region are likely habituated to vessel noise. Construction vessel noise would be limited, as boats will travel to and from the Project area at low speeds and will remain stationary at work sites for extended periods of time. Dynamic positioning thrusters (DP thrusters) may be used during Project installation activities. NOAA has indicated that the sound produced by this equipment is similar to that generated by transiting vessels (communications cited in (CSA Ocean Sciences 2018a, 2018b; Tetra Tech 2018)). Any impacts to sea turtles are expected to be temporary, with behavior rapidly returning to normal following passage of a Project vessel, and it is unlikely that such short-term effects would result in long-term population-level impacts.

Vessel Traffic

Though sea turtles spend a majority of the time submerged (Southwood et al. 1999; Houghton et al. 2002; Scott A. Eckert 2006), these organisms are vulnerable to vessel collisions when feeding or basking in surface waters, or breathing at the water surface (NOAA Fisheries 2017f). These interactions can result in serious injury or death (Susan Barco et al. 2016; Hazel et al. 2007). Hazel et al. (2007) observed that green turtles likely habituate to vessel noise, and found that the proportion of turtles that fled from approaching vessels decreased with increasing vessel speed. This study concluded that turtles in surface waters may not be able to effectively avoid being struck by vessels traveling in excess of 4 knots (Hazel et al. 2007). The risk of vessel strike during Project activities is limited as vessels will follow NOAA Fisheries collision avoidance guidance such as establishing minimum separation distances from sea turtles.

For information about Project ports vessel trips and routes please see the following sections: Volume I, Section 3.1 for information about construction ports, Volume I Section 2.7 for information about operations and maintenance ports, and Volume II, Appendix II-C1, Figure 1 and Tables 2 and 3 for vessel routes and trips.

Entanglement and Marine Debris

Entanglement will not pose a risk to sea turtles during Project construction. US Wind does not anticipate the use of anchored vessels during construction. If used, mooring lines will be of relatively large diameter and will generally be kept under tension, eliminating entanglement risk.

All Clean Water Act and other federal regulations regarding marine debris will be followed during construction activities. Items that have the potential to become marine debris will be disposed of on shore. Construction activities are not anticipated to generate marine debris and will therefore not pose a risk to sea turtles.

Land Disturbance

US Wind will locate cable landfalls and onshore facilities so as to avoid impacts to known sea turtle nesting beaches, where feasible. The use of HDD for cable installation under the Barrier Beach Landfalls will avoid impacts on beaches. Construction is anticipated to occur outside of turtle nesting season. Agency consultation and monitoring will be conducted as needed to mitigate disturbances.

Routine/Accidental Releases

During the course of construction, pollutants may be discharged into the environment as part of routine activities, such as the operation of construction vessels and vehicles, or due to accidental spills. See Volume II, Section 4.2 for a discussion of the impacts of routine and accidental releases during Project activities. Water quality impacts due to routine and accidental releases are anticipated to be negligible and are therefore not anticipated to impact sea turtles or their prey species.

Suspended Sediment/Deposition

Pile driving during WTG, OSS and Met Tower foundation installation, the use of jack-up and feeder vessels, jet plow operations during cable laying and embedment, vessel anchoring, and the installation and removal of cofferdams will disturb sediment on the seafloor. The use of mechanical trenching or conventional cable plowing will also result in sediment disturbance, though this activity will be limited only to areas where site conditions do not allow for the use of

jet plowing. See Volume II, Section 4.2 for a discussion of the impacts of these activities on suspended sediment levels and sediment deposition. Water quality impacts associated with jet plow operations, HDD, and other bottom-disturbing activities are expected to be minor and temporally limited and are not anticipated to directly impact sea turtles.

Impacts to sea turtle prey species due to bottom disturbing activities are also expected to be minor. Though direct bottom disturbance and sediment deposition will result in localized mortality of benthic organisms, impacts to communities of benthic crustacean and shellfish species which may serve as prey for sea turtles are expected to be negligible (Volume II, Section 7.2.1). Similarly, local increases in suspended sediment concentrations are expected to have negligible to minor, and spatially limited, impacts on other sea turtle prey species including jellyfish, ctenophores, and salps, and fish (Volume II, Section 8.2.1). Therefore, impacts to sea turtles are not anticipated to result from bottom-disturbing activities related to project construction.

10.2.2 Operations

Noise

Operational Noise

Sea turtles are likely able to detect noise produced by the operation of WTGs (Dow Piniak 2012). Operational noise is not expected to approach levels that could harm sea turtles, but behavioral responses are possible. However, exposure to operational WTG noise is unlikely to result in population-level impacts to sea turtles in the Project area.

Vessel Noise

Project O&M activities will require vessel travel within the Project area. Vessel noise has the potential to impact sea turtles (see Volume II, Section 10.2.1). However, as the region is heavily traveled by commercial shipping and fishing vessels, low levels of vessel noise associated with Project activities are not anticipated to alter acoustic conditions.

EMF

Several species of sea turtle are able to detect and utilize the earth's natural magnetic field (Kenneth J. Lohmann and Lohmann 1994; Kenneth J. Lohmann et al. 2004; Kenneth J. Lohmann, Putman, and Lohmann 2008). Sea turtles are able to detect both magnetic field intensity (Kenneth J. Lohmann and Lohmann 1996) and magnetic inclination angle (Kenneth J. Lohmann and Lohmann 1994) and possess a heritable "magnetic map" that they use for navigation (K. J. Lohmann et al. 2007). The highest intensity EMF, located directly above the cable, may be experienced by sea turtles foraging in the vicinity of the Project area. Loggerheads, the most common turtle in the Project area, primarily forage for finfish and other prey in the top 10 m (33 ft) of the water column, though this species does intermittently venture to the seafloor in search of benthic invertebrate prey and may come in contact with cable-generated EMF (Smolowitz et al. 2015; Seney and Musick 2007). Green sea turtles may also forage near buried submarine cables. This species exhibits ontogenetic shifts in diet; adult turtles are almost entirely herbivorous, and are found in benthic coastal regions, whereas juveniles consume an omnivorous diet and forage within the water column (Arthur, Boyle, and Limpus 2008). Therefore, adult green turtles are most likely to spend time in proximity to buried cables. In contrast, leatherback turtles are obligate feeders on gelatinous zooplankton and are unlikely to spend time in the vicinity of the submarine cable.

Offshore export cables and inter-array cables will produce EMF. The intensity of EMF generated by the cables will be limited by burial of the cable beneath the sea floor (approximately 1 to 4 m (3.2 – 13.1 ft)) and will only be detectable within a few meters (yards) of the cable (see Volume II, Section 8.0). US Wind will use submarine cables that have electrical shielding and bury the cables in the seafloor, when practicable. Due to the limited spatial extent of the EMF produced by cable operation, population-level impacts to sea turtle behavior are not anticipated.

Habitat Alteration

Habitat alteration due to the installation of the submarine cable and the WTG, OSS and Met Tower foundations, is not expected to negatively impact sea turtle populations. WTG foundations and associated structures will function as artificial reefs and are likely to support increased fish and invertebrate populations in the vicinity of the Project area (Linley et al. 2007). Project structures will likely provide foraging habitat and shelter for sea turtles, which are known to utilize artificial reefs (Gitschlag, Herczeg, and Barcak 1997; Gitschlag and Herczeg 1994). Though commercial and recreational fishing interests may be drawn to the wind farm due to increased fish densities and sea turtles can be injured or killed by interactions with fisheries (Finkbeiner et al. 2011; Lewison, Freeman, and Crowder 2004), no population-level impacts to sea turtles are expected.

Vessel Traffic

Vessel traffic associated with Project O&M activities could endanger sea turtles (see Volume II, Section 10.2.1). Project vessels will follow NOAA Fisheries collision avoidance guidance, therefore the risk of harm to sea turtles from vessel strike is negligible. Vessel strike avoidance procedures would be the same as described and referenced above for the construction portion of the Project.

Entanglement and Marine Debris

Entanglement will not pose a risk to sea turtles during Project operation. Submarine cables will be buried approximately 1 to 4 m (3 to 13 ft) beneath the sea floor or covered with protective material (e.g. concrete mattresses) when target burial depths are not achievable. Similarly, the minimum diameter of the WTG foundation structures will be 8.0 m (26.2 ft) for each monopile, and the minimum diameter of the OSS foundation structures will be 8.0 m (26.2 ft) for each monopile, 2 m (6.6 ft) for each jacket foundation pile, and 10 m (32.8 ft) for jacket on suction buckets and do not pose an entanglement risk. Secondary entanglement, due to marine debris becoming snagged on WTG foundations, is a risk for sea turtles. However, risk of this occurrence is low as the structures are largely free of protrusions upon which such debris could attach.

Additionally, Clean Water Act and other federal regulations regarding marine debris will be followed during operations activities. Items that have the potential to become marine debris will be disposed of on shore. Operations activities are not anticipated to generate marine debris and will therefore not pose a risk to sea turtles.

10.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system to 4.6 m (15 ft) below the mudline. Removal of Project structures would result in the generation of underwater noise and would necessitate increased vessel traffic in the Project area. Impacts from these activities would be

similar to those described above for the construction portion of the Project. Avoidance, minimization, and mitigation measures would be the same as described and referenced above for the construction portion of the Project.

10.3 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on sea turtles.

Pile Driving

- Implement sound attenuation technologies such as double bubble curtains and nearfield attenuation devices to reduce underwater pile driving noise by 10 dB, with a target of 20 dB, at the source.
- Establish a clearance zone prior to pile driving using visual monitoring for sea turtles. Once clearance zone is confirmed clear of protected species, pile driving will begin with minimum hammering at low energy for no less than 30 minutes (soft-start).
- Additional restrictions on pile driving will include: no simultaneous pile driving; no more than one monopile driven per day; daylight pile driving only unless health and safety issues require completion of a pile; and initiation will not begin within 1.5 hours of civil sunset or in times of low visibility when the visual clearance zone and exclusion zone cannot be visually monitored, as determined by the lead PSO on duty.
- Establish an exclusion zone using visual monitoring for sea turtles. Pile driving will be halted if species enters defined exclusion zone, with exceptions for health and safety considerations as well as technical feasibility.
- Visual clearance and exclusion zones will be monitored by PSOs which are individuals with a current NOAA Fisheries approval letter as a PSO.

Vessel Strike Avoidance

- Vessels will observe NOAA Fisheries collision avoidance guidance, such as establishing minimum separation distances from sea turtles.
- Trained observers will be present on crew vessels and other project vessels without PSOs.

Other Mitigation and Monitoring

US Wind will implement the following other mitigation and monitoring measures:

- US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others.
- Submarine cables that have electrical shielding will be used and the cables will be buried in the seafloor, where practicable.
- Vessel operators, employees, and contractors will be briefed on marine trash and debris awareness elimination as described in BSEE NTL No. 2015-G03 ("Marine Trash and Debris Awareness and Elimination"), per BOEM guidelines for marine trash and debris prevention.

- Vessels will adhere to United States Coast Guard (USCG) guidelines; follow applicable regulations related to the discharge of bilge water, gray water, and sanitary waste; maintain discharge permits, as appropriate; follow good maintenance and housekeeping procedures to prevent releases of oil and other chemicals to the sea; maintain up-to-date oil spill response plans to prevent, contain, and clean up any accidental spills.
- US Wind will locate cable landfalls and onshore facilities so as to avoid impacts to known nesting beaches, where feasible. The use of HDD for cable installation under the Barrier Beach Landfalls will avoid impacts on beaches.
- Construction is anticipated to occur outside of turtle nesting season. Agency consultation and monitoring will be conducted as needed to mitigate disturbances.
- A site-specific study of potential EMF impacts, if any, on species such as horseshoe crabs, conch, and finfish.

11.0 Terrestrial Species and Upland Habitats

11.1 Description of Affected Environment

The terrestrial portion of the Project area is in the Delmarva region and includes the proposed Interconnection Facilities, Onshore Export Cable Corridors 1a, 1b, 1c, 2, 3 and 4 and the O&M Facility. The Barrier Beach Landfalls are considered in Volume II, Section 6.0 as a coastal resource.

The proposed Interconnection Facilities are adjacent to the existing Indian River Substation in Sussex County, Delaware (Figure 6-6). The area in the vicinity of the proposed Interconnection Facilities includes areas of forest, the existing Indian River Substation and the nearby Indian River Power Plant. Associated infrastructure includes overhead powerlines, rail lines, and paved access roads. As it is expected that the proposed Interconnection Facilities will be installed within previously disturbed areas to the extent feasible, Project impacts to terrestrial species and upland habitats will be minimal. Additional Interconnection Facilities under consideration as options as described in Volume I, Section 2.6 are also addressed here.

The potential land-based Onshore Export Cable Corridors would be installed in existing Rights-of-Way (ROW) within previously disturbed lands to the extent feasible, see Figure 11-1. The land-based Onshore Export Cable Corridors are not discussed further in this section because disturbance of terrestrial species and habitat alteration is considered to have already occurred.

US Wind plans to use a suitable pre-existing facility located pier side in the Ocean City, Maryland area for the O&M Facility, included a warehouse and crew support facility. If required due to real estate constraints, US Wind would construct a facility in close proximity to the harbor in order to limit its footprint in the Ocean City harbor area. It is anticipated that any construction related to the O&M Facility will occur on previously disturbed land and that no dredging will be required for vessel berthing. The O&M Facility is not discussed further in this section because disturbance of terrestrial species and habitat alteration is considered to have already occurred from the development of the pre-existing facilities.

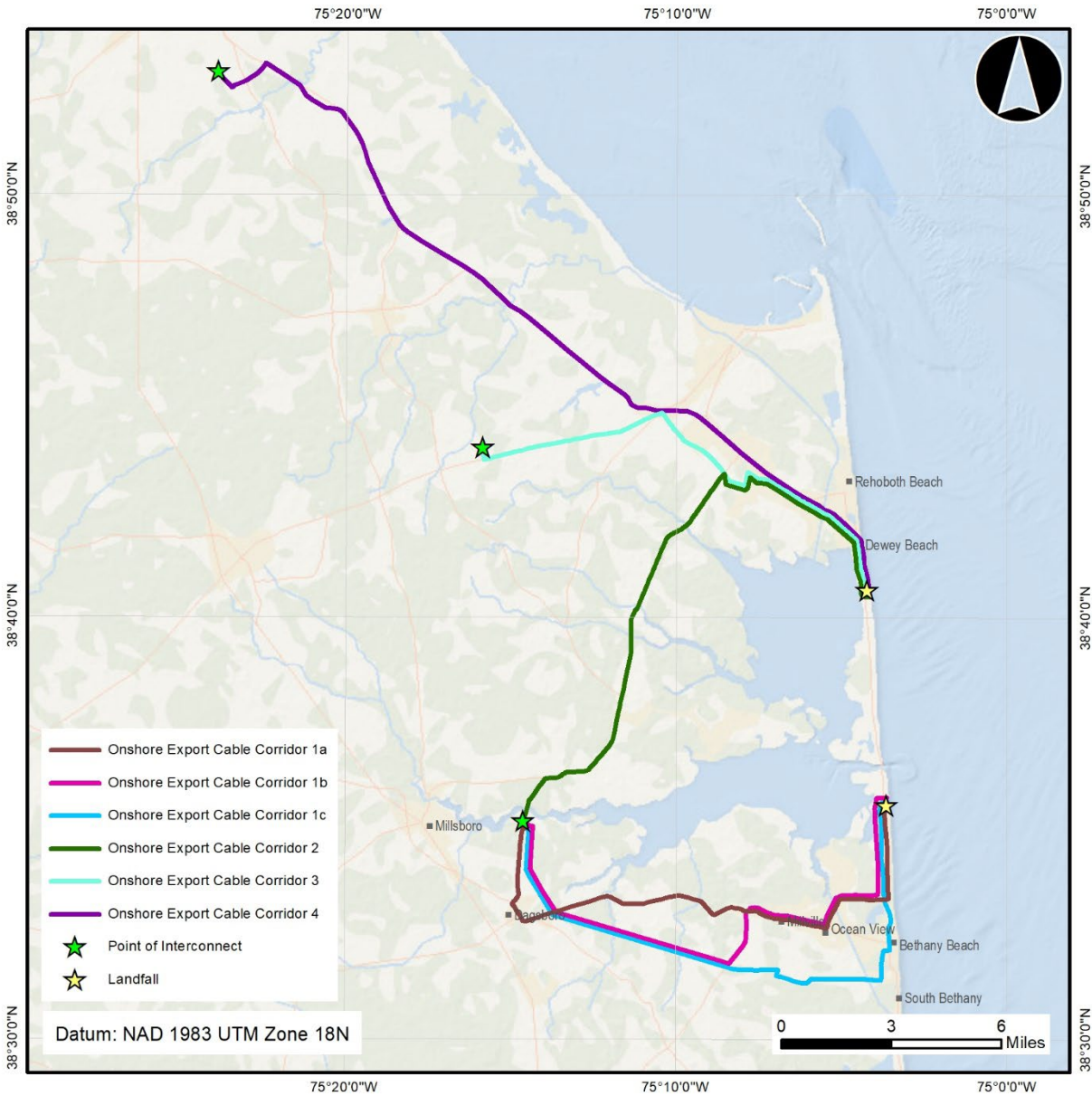


Figure 11-1. Land-based Onshore Export Cable Corridors

Several federal agencies and non-governmental organizations (NGO) have developed systems to classify and describe distinct regions and sub-regions of North America with respect to geography, geology, hydrology, vegetation and wildlife which are used in the section to describe terrestrial portions of the Project. The Interconnection Facilities are located in the Virginian Barrier Island and Coastal Marshes (63d) Level IV Ecoregion (Indian River Bay) and the Delmarva Uplands (63f) Level IV Ecoregion (Cool Springs, Milford) which are part of the larger Middle Atlantic Coastal Plain (63) Level III Ecoregion under the United States Environmental Protection Agency (EPA) hierarchical classification system. The EPA defines Ecoregions as “areas of general similarity in ecosystems and in the type, quality, and quantity of environmental resources; they are designed to serve as a spatial framework for the research, assessment,

management, and monitoring of ecosystems and ecosystem components. Because they include large-scale geophysical patterns in the landscape that are linked to the faunal and floral assemblages and processes at the ecosystem scale, ecoregions provide a useful means for simplifying and reporting on more complex patterns of biodiversity” (USEPA 1999).

The Nature Conservancy (TNC) also classifies North America into ecoregions based on shared biotic and abiotic characteristics (Groves et al. 2002). The TNC system places the Interconnection Facilities in the Chesapeake Bay Lowlands (CBY) ecoregion. The U.S. Forest Service (USFS) classification system places most of Delaware, including the Interconnection Facilities, in the Outer Coastal Plain Mixed Forest Province (R.G. Bailey 1995). These forests are dominated by evergreen oaks and members of the laurel and magnolia families.

DNREC designates State Wildlife Areas (SWAs) through its general authority to manage and conserve all forms of regulated state wildlife. SWAs or refuges are any land or water body of the state, whether in public or private ownership, designated by DNREC in the interest of conservation of wildlife. According to DNREC and the United States Fish and Wildlife Service (USFWS), the Interconnection Facilities are not located in the vicinity of any state or federally owned conservation land (USFWS 2021a).

11.1.1 Vegetative and Wildlife Communities

The primary natural vegetative community types present in the vicinity of the Interconnection Facilities are: Southern Atlantic coastal plain mesic hardwood forest and North Atlantic coastal plain hardwood forest (DEDFW 2015). Generally highly fragmented and dominated by a mix of hickories, oaks, and tulip poplar, Southern Atlantic coastal plain mesic hardwood forests often develop on moist, acidic, nutrient-poor soils in the Coastal Plain on a variety of landforms, including flatwoods, undulating uplands, ravines, and lower slopes. This is one of the common forested habitats in Delaware and it is not listed as a habitat of conservation concern.

North Atlantic coastal plain hardwood forests are found on acidic, sandy soils and are largely dominated by oaks, with pines occasionally as a codominant. An herbaceous layer is typically not well developed and is patchy to sparse throughout the forest floor. According to the Delaware Wildlife Action Plan, this habitat community is considered a habitat of conservation concern (DEDFW 2015).

The wildlife community in the vicinity of the Interconnection Facilities is expected to be typical of that associated with the two habitat community types described above. Both the Southern Atlantic coastal plain mesic hardwood forest habitat and the North Atlantic coastal plain hardwood forest habitat have relatively similar vegetation and physical characteristics and therefore would be expected to host a similar wildlife community. Examples of typical mammal species that may be found in these habitats include: white-tailed deer (*Odocoileus virginianus*), Eastern gray squirrel (*Sciurus carolinensis*) and red fox (*Vulpes vulpes*). Typical bird species that could occur in both forest types include: red tailed hawk (*Buteo jamaicensis*), broad-winged hawk (*Buteo platypterus*), barred owl (*Strix varia*), downy woodpecker (*Dryobates pubescens*), Carolina chickadee (*Poecile carolinensis*), blue-winged warbler (*Vermivora cyanoptera*), Tennessee warbler (*Leiothlypis peregrine*), and blue jay (*Cyanocitta cristata*). Some examples of reptile and amphibian species that may be found in both forest types include: American toad (*Anaxyrus americanus*), Cope’s gray tree frog (*Hyla chrysoscelis*), wood frog (*Lithobates sylvaticus*), Eastern garter snake (*Thamnophis sirtalis*) and Eastern box turtle (*Terrapene carolina*) (DEDFW 2015; Dove, Nyman, and editors 1995). These lists are intended to provide

examples of representative wildlife species that could be expected to occur in these habitat types and are not exhaustive.

11.1.2 Rare, Threatened, and Endangered Species

Based on correspondence and consultation with the USFWS and DNREC Division of Fish and Wildlife, no federally listed species have been identified in the vicinity of the proposed Interconnection Facilities (DNREC 2017b). DNREC has noted the existence of a nearby bald eagle nest, which is discussed in more detail in Volume II, Section 6.1.1 (DNREC 2017b). Federally and state listed species potentially occurring in the vicinity of the Interconnection Facilities are noted in Table 11-1 and discussed in more detail in Volume II, Section 6.1.1.

Table 11-1. Federally and State-listed Terrestrial Species Potentially Occurring in the Vicinity of the Interconnection Facilities

Common Name	Scientific Name	Federal Status	DE State Status	MD State Status
Common Tern ^{BR}	<i>Sterna hirundo</i>	-	E	E
Royal Tern	<i>Thalasseus maximus</i>	-	-	E
Bald Eagle	<i>Haliaeetus leucocephalus</i>	-	E	-
Rufa Red Knot	<i>Calidris canutus rufa</i>	T	-	(T)
Eastern Black Rail	<i>Laterallus jamaicensis</i>	T	-	-
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	T	E	T
Evergreen Bayberry	<i>Morella caroliniensis</i>	-	-	E

Source: DNREC 2017b

E = Endangered; T = Threatened; (T) = Appears likely to become endangered in MD; ^{BR} Breeding population only

Federal Candidate Species

Candidate species are those species for which sufficient information is available to support a proposal for listing as federally endangered or threatened, but for which preparation and publication of a proposal is precluded by higher priority listing actions by USFWS (50 CFR 424.15). As of December 2020, the monarch butterfly (*Danaus plexippus*) became a candidate for listing, due to decreasing population size as a result of habitat loss and fragmentation (USFWS 2021c).

11.2 Impacts

11.2.1 Construction

Construction of the Interconnection Facilities entails two new US Wind substations and expansion of a DPL substation, along with a temporary construction laydown area, and related infrastructure.

The following section describes potential impacts to terrestrial habitats and wildlife species that may occur during construction of the Interconnection Facilities.

Habitat Alteration

The construction of the Interconnection Facilities will result in habitat alteration and impacts are anticipated to be minor. Habitat alteration will generally entail the conversion of currently vegetated, pervious areas to non-vegetated, impervious areas. This habitat alteration will in turn result in an incremental loss of habitat available for use by wildlife species commensurate with the degree of alteration. Two substation configurations are being considered for the US Wind substations which may result in varying degrees of forested habitat loss and require tree and vegetation clearing. Both options will consist of two US Wind substations. The first option includes two air insulated substations (AIS), at 23,724 m² (5.9 acres) each and the second option includes two gas insulated substations (GIS), at 14,152 m² (3.5 acres) each. Construction at the Interconnection Facilities also includes the expansion of the DPL substation, at 7,432 m² (1.8 acres), a construction laydown area, at 16,258 m² (4.0 acres) and access roads at 5,383 m² (1.3 acres). Existing disturbed areas will be used for the construction laydown area and access roads where feasible.

Onshore export cables traversing Onshore Export Cable Corridor 1 would exit Indian River Bay via HDD to the US Wind substations. HDD activities would take place within the footprint of the Interconnection Facilities and would not require any additional clearing. As discussed in Volume II, Section 13.0, the northern long-eared bat has not been identified as being present in the vicinity of the Interconnection Facilities, however it may occur in Delaware and eastern Maryland. Bats tend to use coastal systems, such as barrier islands (specifically Assateague Island), as stopovers during seasonal migrations, which is further discussed in Volume II, Section 13.1.1. The USFWS has established a recommended seasonal time of year (TOY) restriction for tree clearing activities between June 1 and July 31 in areas where the federally-listed northern long-eared bat may occur. Project related tree clearing activities will be avoided during this TOY restriction period.

Noise

Construction of the Interconnection Facilities will generate noise that may temporarily displace wildlife. Noise impacts are considered negligible to minor. Any increase in noise levels during construction will be temporary and limited.

Vehicle Traffic

The use of construction-related vehicles and equipment at the Interconnection Facilities may result in impacts to wildlife in the vicinity due to increased noise, emissions and the potential for vehicle strikes. Vehicle strikes may result in mortality of individual wildlife; however most mobile species would be expected to temporarily relocate from areas of active construction. Given the infrequent nature of vehicle strikes, this potential impact is expected to be negligible.

Air Emissions and Routine and Accidental Releases

Routine releases are chemical releases that would be expected to occur during construction and primarily include engine emissions from construction-related vehicles and equipment. Engine emissions are an unavoidable result of the use of construction vehicles and equipment for any construction project and are not specific to the proposed Project. However, methods to reduce engine emissions will be implemented during construction of the proposed Project, including restricting engine idling. Air quality impacts associated with the generation of vehicle emissions at the Interconnection Facilities will be negligible and temporary in nature.

Accidental releases could occur during construction from the HDD operations (in the case of an accidental frac-out of bentonite) and the use of construction vehicles and equipment. A construction SPCC Plan will be developed and implemented in accordance with applicable local, state, and federal requirements. The SPCC Plan will identify control measures proposed to prevent spills of fuel, oil, lubricants, and other chemicals as well as best management practices to be implemented to prevent and contain chemical releases into the environment. Given the nature of construction-related equipment and methods proposed at the Interconnection Facilities, if an accidental release did occur the impacts associated with such a release would be negligible and temporary.

11.2.2 Operations

The following section will discuss potential impacts to terrestrial habitats and wildlife species that may occur during operation of the proposed Project.

Noise

Noise generation at the Interconnection Facilities is expected to be negligible during operations. Operations are not expected to result in an increase in background noise levels in the vicinity of the proposed Interconnection Facilities. At optional Interconnection Facilities locations, operations are not expected to significantly increase background noise levels. Periodic maintenance and inspection activities may result in an increase in noise; however the incremental increase in noise levels resulting from these activities would be negligible and temporary in nature. US Wind plans to conduct an acoustic assessment of operational noise related to the US Wind substations to support local permitting.

Vehicle Traffic

The Interconnection Facilities will not be staffed on a regular basis; therefore, vehicle traffic during operations is expected to be limited to periodic maintenance and inspection activities. There is a potential for vehicle strikes of wildlife during these activities; however, given the expected intermittent use of vehicles at the site and the relatively infrequent nature of vehicle strikes, this impact would be negligible.

Lighting

Artificial lighting during the night has the potential to alter the behavior of some wildlife species; however lighting-related impacts can be minimized by using best management practices (BMPs). Examples of BMPs to minimize the adverse impacts of artificial lighting include not lighting the facility at night except in the case of an emergency that requires an immediate response, and the use of down-shielded light fixtures to reduce the visibility of light by birds, bats, and insects flying above the facility. Lighting during operation of the Interconnection Facilities is not expected to result in a significant increase in the existing ambient light conditions in the area. The existing Indian River Power Plant and Indian River Substation already contribute to artificial lighting in the vicinity of the proposed Interconnection Facilities; the incremental increase in artificial lighting during the operation of the proposed Interconnection Facilities will therefore be negligible. At Interconnection Facilities under consideration, operations are not expected to result in a significant increase in the existing ambient light conditions in the area.

Air Emissions and Routine and Accidental Releases

Routine releases are chemical releases that would be expected to occur during inspections and maintenance of the Project and primarily include engine emissions from vehicles and equipment. Engine emissions are an unavoidable result of the use of vehicles and equipment and are not specific to the proposed Project. However, methods to reduce engine emissions will be implemented during the operations and maintenance, including restricting engine idling. Vehicle use at the facility would occur infrequently for routine inspection and maintenance purposes. Air quality impacts associated with the generation of vehicle emissions at the Interconnection Facilities during operations will be negligible and temporary in nature.

Accidental releases of chemicals could occur during operations. Such releases would most likely entail the release of oil-filled equipment within the US Wind substations or interconnection substation or a release of fuel, oil, or other chemicals during routine maintenance of the facility. The facility will be designed to include built-in containment to prevent the accidental release of chemicals into the environment. An SPCC Plan will be developed for the facility and will be implemented in the event of an accidental release.

11.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system. Terrestrial species and habitats may be exposed to impacts during decommissioning in a similar manner as during construction. At the time of decommissioning, the Project proponent will review best practices with the USFWS and BOEM to avoid and minimize potential impacts to these resources.

11.3 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on terrestrial species and upland habitats.

- Previously disturbed areas will be used for the construction laydown area and access roads where feasible.
- Tree clearing activities required for Project construction are not planned between June 1 and July 31 to avoid or minimize impacts to northern long-eared bat during the summer maternity period.
- Methods to reduce engine emissions will be implemented during construction and operation of the proposed Project where practicable, including restricting engine idling.
- Project-specific SPCC Plan will be prepared prior to construction and for operations activities.
- US Wind will develop a Stormwater Pollution Prevention Plan (SWPPP) for onshore construction activities, as appropriate.
- Lighting-related impacts will be minimized by using best management practices (BMPs) where feasible. Examples of BMPs to minimize the adverse impacts of artificial lighting will include not lighting the facility at night except in the case of an emergency that requires an immediate response, and the use of down-shielded light fixtures to reduce the visibility of light by birds, bats, and insects flying above the facility

12.0 Marine Birds

This section discusses the marine bird species that may occur in the Project area, the potential impacts to these species that may result from Project activities, and proposed measures to be implemented during construction, operation, and decommissioning of the Project to avoid or minimize the potential impacts.

Avian species associated with the coastal, near-shore environment that may be affected by Project activities are discussed in Volume II, Section 6.0. Terrestrial bird species that may be affected by Project activities are discussed in Volume II, Section 11.0. An Avian Risk Assessment is included as Appendix II-N1.

12.1 Description of Affected Environment

Marine birds are avian species adapted to life in the marine environment, which is characterized by relatively deep, offshore waters generally located 5.5 km (3 NM) or more from the coast. Marine birds may be distinguished from coastal birds, which are adapted to life in relatively shallow, nearshore waters and associated habitats along shorelines, and from terrestrial birds (or “land birds”) that primarily occur in terrestrial habitats inland from the coast. While some marine bird species may be found in coastal areas, marine birds are the species most likely to regularly occur offshore. Many marine bird species spend much of their life cycle at sea, coming to land only during the nesting season. Marine birds include species of loons, grebes, tubenoses, pelicans, cormorants, geese, ducks, eagles, ospreys, falcons, oystercatchers, plovers, sandpipers, turnstones, surfbirds, phalaropes, jaegers, skuas, gulls, terns, alcids, kingfishers, and herons.

The marine bird community in the mid-Atlantic consists of species that breed outside of the region and spend all or part of the non-breeding season in the region (such as gannets and alcids), and of species that breed in coastal areas in the region and take advantage of marine habitats for foraging or resting (such as gulls and terns). Additional description of the marine bird community in the Lease area and an avian risk assessment are provided in Appendix II-N1.

Metocean Buoy Monitoring

US Wind has deployed the Metocean Buoy within the Lease area for a planned 2-year metocean data collection campaign during the site assessment term of the Lease. The Metocean Buoy and its associated seabed mounted TRBM have been equipped with a suite of wildlife monitoring sensors as provided in the related Metocean Buoy SAP approved May 5, 2021. One sensor is a telemetry receiver designed to detect the nanotags for certain species of birds that have been previously tagged. The other sensor is an acoustic recorder for the detection of diurnal and nocturnal calls of various migrating bird species within the Lease area.

12.2 Impacts

As discussed in Appendix II-N1, the overall risk of adverse impacts to marine birds from the construction, operation, and decommissioning of the Project is influenced by two primary considerations: (1) the nature of the potential impact-producing factors and (2) the potential for exposure of birds to those impact-producing factors. The second of these, the potential for exposure of birds to impact-producing factors, is discussed in Appendix II-N1. This section discusses the potential impacts during Project construction, operation, and decommissioning to

marine birds, as well as the proposed measures to avoid or minimize these potential impacts. This analysis assumes 100% WTG operation as a conservative estimate, which is consistent with the Project Design Envelope approach for the COP. Marine birds could potentially be impacted by factors that occur in the offshore environment, including within the Lease area and along a portion of the Offshore Export Cable Corridors. Project-related activities in the coastal and terrestrial environments are not likely to adversely affect marine birds but are also addressed in this section.

12.2.1 Construction

Impacts to marine birds during construction may result from activities related to installation of the WTGs, OSSs, Met Tower, inter-array cables, and export cables. In general, the primary potential impact to marine birds that could result from these activities is disturbance or displacement due to the generation of noise, the movement of vessels through the area, and the generation of artificial lighting. The nature of this potential impact is expected to be indirect, as the effects of noise, vessel traffic, and artificial lighting may alter the behavior of individual birds such that they are potentially displaced from or attracted to the Project area. Activities associated with construction will be temporary in duration, and any potential impacts associated with these activities will likewise be temporary. If disturbance or displacement of birds did occur, this impact would be considered negative, as it would entail an alteration of the natural behavior of individuals and cause them to expend energy that they otherwise would not have in the absence of the Project. The extent of potential disturbance/displacement impacts associated with construction activities is expected to be localized to the immediate vicinity of the Project area.

Noise

Noise will be generated in the offshore environment during construction by pile driving operations, vessels (including cable installation and other vessels), and other construction related activities. Noise generated during construction has the potential to result in disturbance and/or displacement of individual birds in the vicinity of noise-generating activities. Pile driving operations are likely to be the most significant noise generating activity in the offshore environment and the one most likely to result in disturbance or displacement of marine birds due to the high intensity of the sound produced and the intermittent frequency of the activity. Pile driving may also result in the displacement of avian prey (especially fish, see Volume II, Section 8.0) from the vicinity of the activity, which may negatively impact foraging success of marine birds in the area. Noise associated with vessel operations is unlikely to result in disturbance or displacement of marine birds due to the constant and low intensity of the sound, the existing operation of vessels in the offshore environment, and the transient nature of the activity. Therefore, the impacts of noise generated during construction on marine birds are expected to be negligible to minor.

Vessel Traffic

A variety of marine vessels will be used during construction in the offshore environment. Vessels will be used during construction to transport personnel and equipment between the Lease area and shore; to install the WTGs, OSSs, Met Tower, inter-array cables, and export cables; and for other purposes. The use of vessels in the offshore environment has the potential to result in micro-scale disturbance of individual birds and has the potential to attract marine birds. Micro-scale disturbance may occur if an individual bird is sitting on the water in the direct path of a vessel and is forced to relocate to avoid the vessel. In this scenario, the individual

would likely swim or fly a short distance to avoid the path of the vessel and then continue with its previous behavior (i.e., feeding, resting, etc.); individuals would not be expected to be displaced from the wider area by the use of vessels.

The use of vessels in the marine environment may also result in attraction of some marine birds. Gulls in particular are frequently attracted to and follow commercial fishing vessels in search of food; this behavior often extends to non-fishing vessels as well. The potential attraction of seabirds, especially gulls, to vessels used during construction may be considered an adverse impact as it results in an alteration to the behavior of the individual birds that may affect foraging and cause an expenditure of energy that would otherwise not occur. However, this impact is expected to be temporary and restricted to the immediate vicinity of the activity, and therefore is considered a negligible impact.

Lighting

Artificial lighting may be generated by activities conducted in the offshore environment during construction, including the use of vessels and lighting of temporary structures. Artificial lighting has the potential to indirectly impact seabirds by attracting individuals to lighted structures or vessels and thus may increase the risk of collision (Boehlert and Gill 2010). The potentially attracting effects of artificial lighting may be more pronounced at night or during inclement weather, when visibility is generally poorer and the ability of birds to avoid structures may be reduced. This effect is more likely to be of concern during operation and the potential impacts of artificial lighting during construction are expected to be negligible.

12.2.2 Operations

Impacts to marine birds during operations may result from several factors. The primary potential impact of concern is mortality or injury resulting from collision with WTGs (rotating blades or towers). Other potential impacts include disturbance and/or displacement due to noise or vessel traffic, the potential attracting effects of artificial lighting, and displacement due to the presence of the wind energy facility.

Noise

Noise will be generated in the offshore environment during operations primarily by the rotating turbine blades, and secondarily by the operation of vessels used for routine inspections of the facility and by activities related to maintenance or repair of Project infrastructure. Noise generated during operations is unlikely to result in disturbance and/or displacement of birds. Noise associated with the operation of vessels in the marine environment is not expected to result in disturbance or displacement of marine birds. Similarly, noise associated with activities related to maintenance or repair of Project infrastructure are expected to have a low potential for disturbance or displacement impacts due to the infrequent nature of these activities and the likely low intensity of noise associated with them. Rotating turbine blades will generate a constant, low-intensity sound over the operational life of the Project; however, there is little evidence to suggest that this impact has the potential to result in displacement of birds from the Project area. Where avoidance behavior of birds around offshore wind energy facilities has been documented, this is more likely due to the desire to avoid the WTG structures themselves than displacement resulting from increased noise levels in the vicinity of the facility. Therefore, the impacts of noise generated during operations on marine birds are expected to be negligible.

Vessel Traffic

The use of vessels during operations is likely to be functionally the same as during construction in the context of potential impacts to marine birds. This activity would be expected to occur less frequently than during construction, but over a longer period of time. The use of vessels in the offshore environment during operations is expected to result in negligible impacts to marine birds. Vessel traffic through the Lease area is expected to be reduced once the WTGs are operational as current vessel traffic will be rerouted to a proposed Traffic Separation Scheme extension (see Volume II, Section 16.0)

Lighting

During operations, WTG nacelles will include aviation obstruction lighting as required by FAA regulations. Marine birds and other birds passing through the Lease area during migration may be attracted to sources of artificial light, especially at night or during periods of inclement weather. Birds attracted to artificial light sources on the WTGs may be at higher risk of collision with the WTGs, especially given that this attracting effect is most likely to occur at night or in inclement weather when birds may be less likely to detect and avoid the structure. As artificial lighting has the potential to attract birds to operating WTGs and hence increase collision risk, the significance of this impact is considered to be negligible to minor.

The potential attracting impacts of artificial lighting may be reduced by minimizing the number, intensity, and duration of lighting; using red or green lighting instead of white lighting; using flashing or strobing lights instead of steady-burning lights; using flashing lights with the lowest flash rate practicable; minimizing direct lighting of the water's surface; and employing the use of down-shielding devices to limit the visibility of lights from above (Hötker, Thomsen, and Jeromin 2006; BOEM 2013). These measures will be implemented during the operations period when it is safe to do so and when they conform to FAA regulations regarding avian obstruction lighting of structures, BOEM Guidelines for Lighting and Marking of Structures Supporting Renewable Energy Development (BOEM 2021b) and USCG requirements for lighting while using lighting technology (e.g., low-intensity strobe lights) that minimize impacts on avian species (USCG 2017).

Visible Structures

The most significant physical alteration to the marine environment during operations will be the presence of the WTG structures. The physical presence of the WTG structures in the offshore environment may result in two distinct yet related impacts to marine birds: displacement and collision-related mortality or injury. These potential impacts are discussed below. For this section and those that follow, it was assumed that the WTGs would be operating 100% of the time, as is consistent with a Project Design Envelope approach.

Displacement

Displacement occurs when birds alter their movements to avoid the Project. Displacement effects may then represent a form of habitat loss, in that the area within the Project is "unavailable" to birds displaced by its physical presence. Studies of offshore wind energy facilities in Europe have demonstrated clear avoidance behavior among several marine bird groups (Fox et al. 2006; Lindeboom et al. 2011; Krijgsveld et al. 2011); marine birds that use the mid-Atlantic region would similarly be expected to largely avoid the Project. While birds may effectively experience habitat loss as a result of displacement caused by the presence of the WTGs, this effect is not expected to result in significant adverse impacts to individuals or populations. The overall size of the Project is small in the context of the mid-Atlantic OCS and is

not known to provide unique resources to marine birds that would not be provided by nearby areas of the OCS. Additionally, the Lease area does not provide critical habitat for any federally-listed species.

Displacement is related to the risk for collision-related mortality or injury in that birds that avoid the Project are by definition at a lower risk for collision with the WTGs than birds that tend not to avoid the Project. Species or groups that are more likely to avoid (and hence be displaced by) the Project would be expected to be less likely to be at risk for collision, while species or groups that are less likely to avoid the Project may be at a higher risk for collision. Since collision with the WTGs is likely to result in mortality or serious injury to individuals, the effects of displacement on marine birds may help to prevent collisions by reducing the frequency by which marine birds enter the Project area.

Pre- and post-construction aerial digital surveys will be conducted to monitor for avoidance and displacement of marine birds as a result of the Project's construction. Details concerning this work can be found in the Avian Monitoring Plan for the Project, provided as Appendix II-N2.

Collision

Collision with WTGs is widely recognized as the most significant potential impact to birds from the operation of offshore wind energy facilities. Collision with WTG towers or rotating blades is likely to result in mortality or serious injury of individuals, and thus may represent a form of habitat degradation. While avian collisions at offshore wind energy facilities have been documented, the nature of the offshore environment makes studying collision rates and quantifying impacts more difficult than at onshore wind energy facilities. The potential for collision for a given marine bird species is influenced by several factors, including the frequency of occurrence in the Lease area, average flight elevation, how likely the species is to avoid the Project as a whole or WTGs individually, weather conditions, WTG design and lighting characteristics, and other factors (Drewitt and Langston 2006; Fox et al. 2006). In general, the potential for collision at offshore facilities is understood to be lower than at onshore facilities due to the lower density of birds in the offshore environment, greater opportunities to detect (due to the lack of topographic features that could interfere with birds' ability to visually detect WTGs) and avoid (due to the lack of landform or other features that could restrict maneuverability) the Project, habitat homogeneity, and the flight patterns and behaviors of marine birds (i.e., relatively direct flight at a constant elevation) versus some terrestrial birds (i.e., soaring, kettling, and flying along ridges and other landforms). Studies of bird interaction with offshore wind energy facilities in Europe have not documented population-level impacts due to collision-related mortality, and generally find that birds are able to avoid the WTGs.

Most of the impact avoidance and minimization measures for collisions proposed in the literature are focused either on increasing the visibility of the WTGs, and in turn the likelihood that birds will avoid them, or reducing the potential attracting effects of WTGs. The inability to see moving turbine blades may impact birds. To reduce the risk of collisions, a standard single paint pattern will be used and the WTG and tower paint colors will be selected in accordance with BOEM Guidelines for Lighting and Marking of Structures Supporting Renewable Energy Development (BOEM 2021b).

Potential measures to reduce the attracting effects of WTGs are related to lighting and perching opportunities. Opportunities for reducing the attracting effects of aviation obstruction lighting of WTGs are summarized in Volume II, Section 12.2.1. Anti-perching measures may be installed on the deck/access platform of WTGs to discourage birds from resting on and congregating

around the structures. Other authors suggest the use of visual or auditory deterrents to discourage flight through the WTG array (Drewitt and Langston 2006); however, few examples of implementation of these measures are available and their effectiveness is unclear. Therefore, visual and auditory deterrents will not be implemented unless additional data suggests they may be useful in reducing collision risk.

12.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system to 4.6 m (15 ft) below the mudline. Birds may be exposed to impacts during decommissioning in a similar manner as during construction. US Wind will review best practices with BOEM and USFWS at the time of decommissioning to avoid and minimize potential impacts to marine birds.

12.3 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on marine birds.

- Measures that minimize lighting impacts on avian species will be implemented where feasible, as approved by FAA, BOEM, USCG and other regulatory agencies.
- US Wind proposes preconstruction and post-construction aerial, digital surveys to monitor for avoidance and displacement of avian species (See Appendix II-N2).
- Avian monitoring equipment, including nanotag antennas and acoustic sensors, have been installed on the Metocean Buoy.
- Anti-perching measures may be installed on the deck/access platform of the WTGs to discourage birds from resting on and congregating around the structures.
- US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others.

13.0 Bats

13.1 Description of Affected Environment

Up to ten species of bats are present in Delaware and Maryland during at least a portion of the year (Table 13-1) (DNREC 2012a; MDDNR 2015a). All ten species breed in Delaware and Maryland and are present from the spring through the late summer or fall. Following the completion of their annual reproductive cycle, the four species in the genera *Nycticeius*, *Lasiurus*, and *Lasionycteris* (the “tree bats”) migrate out of the area to more southerly wintering grounds (Cryan 2003). By contrast, the six species in the genera *Eptesicus*, *Myotis*, and *Perimyotis* (the “cave bats”) remain in the mid-Atlantic region and begin moving into local winter hibernacula (primarily caves and mines). Among the cave bats are the federally threatened northern long-eared bat (*Myotis septentrionalis*) (DNREC 2012a) (80 FR 17973).

Table 13-1. Bats of Delaware and Eastern Maryland

Common name	Scientific name	Federal Status
Cave Bats		
Big brown bat	<i>Eptesicus fuscus</i>	
Eastern small-footed bat	<i>Myotis leibii</i>	
Little brown bat	<i>Myotis lucifugus</i>	
Northern long-eared bat	<i>Myotis septentrionalis</i>	Threatened
Eastern pipistrelle (Tri-colored bat)	<i>Perimyotis subflavus</i>	
Tree Bats		
Evening bat	<i>Nycticeius humeralis</i>	
Hoary bat	<i>Lasiurus cinereus</i>	
Eastern red bat	<i>Lasiurus borealis</i>	
Silver haired bat	<i>Lasionycteris noctivagans</i>	

Source: DNREC 2012b, MDDNR 2015b

While the specific migration patterns of bats are not well-documented, many species are known to travel along linear landscape features such as rivers and topographic ridges during daily movements and migration, suggesting a preference for overland migration routes. Bats are also known to migrate along the coast. In the mid-Atlantic, eastern red bats (*Lasiurus borealis*), hoary bats (*Lasiurus cinereus*), and silver-haired bats (*Lasionycteris noctivagans*) migrate through Assateague Island National Seashore, a barrier island off the coast of Maryland (Johnson, Gates, and Zegre 2011).

Metocean Buoy Monitoring

US Wind has deployed the Metocean Buoy within the Lease area for a planned 2-year metocean data collection campaign during the site assessment term of the Lease. The Metocean Buoy and its associated seabed mounted TRBM have been equipped with a suite of wildlife monitoring sensors as provided in the related Metocean Buoy SAP approved May 5, 2021. This includes a bat acoustic sensor mounted on the Metocean Buoy which monitors the nocturnal calls of migrating bat species within the Lease area.

13.1.1 Onshore Occurrence

Bats use a variety of natural and anthropomorphic terrestrial habitats during their active period between spring and fall. All bat species that occur in the mid-Atlantic region feed primarily on insects captured in flight and are typically attracted to areas where large numbers of flying insects may be found. These include areas of open water (streams and ponds), clearings, forest canopies, agricultural areas, and around streetlights and other artificial light sources. Depending on the species, summertime diurnal roosting sites may include buildings and other man-made structures or trees beneath loose or peeling bark, in cavities, or among foliage on branches. In the fall, tree bats begin their relatively long-distance migrations to more southerly portions of their range, where they may remain active throughout the year. Cave bats, by contrast, complete relatively short-distance migrations from summer habitats to local hibernacula, where they overwinter until the following spring (DNREC 2012a).

Analysis by Johnson et al. (2010) examined seasonal bat activity along the Atlantic Coast at Assateague Island. By using three Anabat II detectors spread throughout the island, it was determined that bats were using Assateague Island during migration activity but the study did not specify the extent of the use of Assateague Island by bats. Silver-haired bats (*Lasionycteris noctivagans*) used the barrier island as a stopover during migration, while hoary bats (*Lasiurus cinereus*) and eastern red bats (*Lasiurus borealis*) were either migrants or residents year-round. The analysis concluded that bats may be attracted to offshore structures as a resting or mating area, but since the results represented an index of bat activity, not a count, it would be difficult to assess or predict the number of bats affected by offshore wind farms.

DNREC has installed acoustic bat detectors in six locations in the Indian River Bay area (Figure 13-1) and collected data during the 2019–2021 summer breeding season (DNREC 2021). Based on an analysis of the recorded bat calls, DNREC estimates that there is a 90–100% likelihood that *Myotis* were present in 2020 in the vicinity of the detector noted by the blue X on Figure 13-1 and that Northern long-eared bats are potentially present in the area.



Figure 13-1. DNREC Bat Detector Locations Summer 2020

13.1.2 Offshore Occurrence

Most information on offshore bat activity in the mid-Atlantic comes from the New Jersey Ecological Baseline Study which includes survey results for bats over the New Jersey WEA offshore New Jersey out to 37 km (20 NM) (NJDEP 2010). Shipboard acoustic surveys using Anabat II detectors were conducted in March, April, May, June, August, September, and October of 2009. No bats were detected during the March, April or June surveys, and one bat (either a big brown bat or silver-haired bat) was detected in May. Detection frequency increased in the late summer to early fall, with eight nights of bat detections during the August, September, and October surveys. Eastern red bat was the most frequently detected species during this period with 19 identifiable recordings, followed by six detections of big brown/silver-haired bats (recordings not identifiable to species), three recordings of *Myotis* species, one recording of a hoary bat, and 25 unidentifiable records. The mean detection distance from shore was 10.6 km (5.2 NM) and the farthest distance was 19.2 km (10.4 NM) (NJDEP 2010).

In an effort to understand where and when bats occur offshore (beyond 5.5 km (3 NM) from land), an acoustic survey of bat activity on islands, offshore structures, and coastal sites in the Gulf of Maine, mid-Atlantic, and Great Lakes regions was conducted between 2012 to 2014 (Stantec Consulting Services 2016). While research vessels detected bats up to 130 km (70 NM) from land (east of New Jersey), the study documented a statistically significant decline in bat activity as distance from shore increased across the three study areas. Furthermore, the results showed pronounced seasonal patterns and strong influence of weather variability on bat activity depending on region. The study suggests that because of the absence of suitable offshore roost habitat, bats only occur offshore during periods of migration and foraging; as a result, they are presumably less frequent offshore than at terrestrial sites. While the study did not quantify the number of bats present in the offshore environment during different times of year, the results of the study suggest the potential for bats to occur in the vicinity of offshore wind energy facilities.

During the recent Mid-Atlantic Baseline Studies (MABS), twelve presumed eastern red bats were visually observed in the month of September off the coast of New Jersey, Delaware, and Virginia. All observations occurred between 16 and 70 km (9.1 and 22.6 NM) from shore, averaging 30 km (16.2 NM) (S.K. Hatch et al. 2013). Flight elevation for six of the twelve bats was estimable; of these, five were flying over 200 m (660 ft) above sea level (S.K. Hatch et al. 2013). US Wind is collecting data regarding the presence of bats offshore by taking advantage of resources deployed in the Lease area and along the Offshore Export Cable Corridors.

US Wind has deployed a long-term acoustic detector on the Metocean Buoy to gather pre-construction data on the presence of bats in the Lease area. The acoustic detector mounted on the Metocean Buoy monitors for and records the nocturnal calls of bats of any bats passing through the Lease area, which can be used to identify the bat species. The Metocean Buoy is expected to be deployed for up to two years (May 2021-May 2023).

US Wind has also deployed acoustic detectors on the vessels engaged in completing the 2021 HRG and geotechnical survey campaigns all around the Lease area and all along the Offshore Export Cable Corridors. The acoustic detectors mounted on the survey vessels, which have been monitoring the ultrasonic calls of bats throughout the 2021 offshore surveys, provide nocturnal call data which can be used to identify the bat species and using recorded vessel positioning data, their location.

The bat data being collected by the Metocean Buoy and the survey boat acoustic detectors will be used to assess the presence of bats within the Lease area and along the Offshore Export Cable Corridors pre-construction. Based on the pre-construction monitoring results, US Wind will evaluate the need for post-construction bat monitoring. If it is determined that post-construction bat monitoring is warranted by the results of the pre-construction bat monitoring, a bat monitoring plan will be developed, prior to the issuance of the final environmental impact statement.

13.1.3 Rare, Threatened, and Endangered Species

As discussed in Volume II, Section 13.1, one federally-listed bat species may occur in Delaware and eastern Maryland: the federally threatened northern long-eared bat, which is subject to a 4(d) rule under ESA 8 FR 1900, see Table 13-2.

Table 13-2. Federally and State-Listed Bat Species Potentially Occurring in the Project Area

Common Name	Scientific Name	Federal Status	DE State Status	MD State Status
Northern long-eared bat	<i>Myotis septentrionalis</i>	T	-	-

Source: USFWS 2021a

E = Endangered; T = Threatened

Northern Long-eared Bat

The northern long-eared bat (NLEB) is a medium-sized bat that has been listed as threatened at the federal level due to summer habitat loss or degradation, impacts to hibernacula, and white-nose syndrome. White-nose syndrome poses the most severe and immediate threat to NLEB and is the primary reason for the species listing (USDOl and USFWS 2018c).

Northern long-eared bats are widely distributed in the eastern United States and Canada, with the exception of the far southeastern United States (USDOl and USFWS 2018c). During summer months reproductive females roost singly or in colonies in wooded areas, while non-reproductive females and males roost in cooler places such as caves and mines (DNREC 2012a; USDOl and USFWS 2018c). Typically, NLEB migrate to their hibernacula sites (caves and abandoned mines) in August and September, and then enter hibernation around October and November. In April, the bats emerge from hibernation and migrate back to their summer habitat where they feed on insects. Suitable summer habitat for NLEB includes a wide variety of forested habitats, adjacent and interspersed non-forested habitats (i.e., emergent wetlands, adjacent edges of agricultural fields, old field, and pastures), forests and woodlots containing potential roosts (live trees and/or snags ≥ 3 " diameter at breast height (dbh) with exfoliating bark, cracks, crevices, and/or cavities), and other wooded areas with variable amounts of canopy closure (DNREC 2012a; USDOl and USFWS 2018c).

Based on a review of the USFWS IPaC online database, NLEB is not expected to occur in the vicinity of the onshore substations or the offshore export landfall. However, suitable habitat is present and it is possible that NLEB could occur in the area.

13.2 Impacts

This section discusses the potential impacts to bat species that may occur during Project construction, operation, and decommissioning. Bats could potentially be impacted by activities that occur in the offshore environment, including within the Lease area and along the Offshore Export Cable Corridors. Project-related activities in the coastal and terrestrial environments may also affect bats.

13.2.1 Construction

Habitat Alteration

The area in the vicinity of the Interconnection Facilities is comprised primarily of forested habitats, and due to the relatively general nature of many bat species' habitat preferences, may provide suitable habitat for one or more bat species. Construction impacts in the vicinity of the Interconnection Facilities are discussed in more detail in Volume II, Section 11.0 and include vegetation clearing and grubbing. These activities may have the potential to degrade the suitability of the area as habitat for bats. However, given the relatively small size of the footprint of the Interconnection Facilities and the large area of roosting and foraging habitat that will remain available for use by bat species in the immediate vicinity, the effect of this potential impact is considered negligible.

The USFWS has established a recommended seasonal TOY restriction for tree clearing activities in areas where the federally listed northern long-eared bat may occur. This tree clearing TOY restriction recommended for northern long-eared bat is expected to be protective of other bat species which may occur in the area. To avoid or minimize impacts to northern long-eared bat during the summer maternity period, the USFWS recommends tree clearing activities occur between August 1 and May 30. The Project will adopt this tree clearing TOY restriction.

Noise

Construction of the Interconnection Facilities will generate noise that has the potential to result in disturbance or displacement of bats during the construction period. However, noise generating construction activities will generally take place during daylight hours when bats are inactive in their diurnal roosts. Construction activities are not expected to occur at night when bats are actively foraging, and thus are unlikely to interfere with the ability of bats to echolocate or result in significant disturbance or displacement of bats from the vicinity of the Interconnection Facilities. In addition, the area is currently impacted by noise generated by the existing Indian River Power Plant and Indian River Substation. Therefore, the effect of this potential impact is considered negligible.

Lighting

Construction of the Interconnection Facilities may generate artificial lighting that has the potential to result in disturbance or displacement of bats during the construction period. However, construction activities will generally take place during daylight hours when bats are inactive in their diurnal roosts. Construction activities are not expected to occur at night, when bats are actively foraging, and thus are unlikely to interfere with bat behavior or cause disturbance or displacement effects. In addition, the area in the vicinity of the proposed Interconnection Facilities is currently exposed to artificial lighting generated by the existing

Indian River Power Plant and Indian River Substation. Therefore, the effect of this potential impact is considered negligible.

13.2.2 Operations

Lighting

Artificial lighting will be generated by both the Interconnection Facilities as well as offshore by the WTGs, OSSs and the Met Tower during operations (see Volume II, Section 16.3). Artificial lighting generated by the Interconnection Facilities may attract insects, which in turn may attract foraging bats, thus increasing the risk of collision with electrical infrastructure and other above-ground structures. However, artificial lighting generated by the existing Indian River Power Plant and Indian River Substation already exists in the area, and the additional lighting generated by the Interconnection Facilities is not expected to significantly increase the degree of this existing effect.

A similar attraction effect of artificial lighting could also occur at the WTGs; however little work has been done to study the effects of offshore lighting on migratory bat species. In a synthesis of studies of bat fatalities at onshore wind energy facilities, Arnett et al. (2008) found that WTG lighting or lack thereof did not influence bat mortality. This conclusion was also supported by a later study at an onshore wind energy facility in Iowa (Jain et al. 2011). While bat use of the offshore environment is poorly understood, a small number of studies have documented migratory bat species flying offshore during the migratory period, as discussed in Volume II, Section 13.1.2. The potential impacts on bats of artificial lighting generated by WTGs in the offshore environment has not been studied. Based on data from several onshore wind energy facilities, the artificial lighting is not expected to increase the risk of collision and mortality of bats. Therefore, the effect of this potential impact is considered negligible.

Visible Structures

For this section, it is conservatively assumed that the WTGs would be operating 100% of the time, as is consistent with a maximum Project Design Envelope approach. The operation of the WTGs in the offshore environment may pose a collision risk for migratory bat species that occur offshore during the migratory period. Direct mortality of bats at North American onshore wind energy facilities has been widely documented; however little work has been done to study the potential impacts of existing offshore wind energy facilities on migratory bat species. At onshore wind energy facilities, factors such as time of year, local topography, and weather conditions appear to be significant predictors of bat fatality rates (Arnett et al. 2008; Horn, Arnett, and Kunz 2008; Baerwald and Barclay 2011; Jain et al. 2011); of these, time of year is likely to be most significant in the offshore environment. Studies of onshore wind energy facilities also suggest that specific behaviors of bats may increase risk of collision mortality. Bats may approach rotating and non-rotating WTGs with repeated fly-bys. At operational WTGs, bats may follow or become trapped in blade-tip vortices, often resulting in collision (Horn, Arnett, and Kunz 2008). Relatively few bat species and no federally-listed species use the offshore environment. Bat occurrence offshore is intermittent and the probability of collision with a WTG is relatively low, therefore the potential impact of operating WTGs in the Lease area is considered to be negligible.

Stantec (2016) suggests offshore WTGs would provide an opportunity to deploy acoustic detectors, nanotag receiving towers, and other technologies allowing remote, long-term

monitoring of bats. US Wind will evaluate potential post-construction bat monitoring opportunities.

13.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system to 4.6 m (15 ft) below the mudline. Bats may be exposed to impacts during decommissioning in a similar manner as during construction. At the time of decommissioning, the Project proponent will review best practices with the USFWS and BOEM to avoid and minimize potential impacts to bats.

13.3 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on bats.

- Tree clearing activities required for Project construction are not planned between June 1 and July 31 to avoid or minimize impacts to northern long-eared bat during the summer maternity period.
- The Metocean Buoy has been equipped with a bat acoustic recorder to monitor for the nocturnal calls of bats within the Lease area for up to two years.
- Acoustic recorders to collect incidental bat calls offshore have been deployed on survey vessels throughout the Lease area and along the Offshore Export Cable Corridors.
- US Wind will compile a comprehensive wildlife survey and observation information database to include surveys, PSO data, and other wildlife monitoring records. Data will be made available to government, research, and environmental groups, among others.

14.0 Cultural, Historic, and Archaeological Resources

14.1 Offshore Marine Archeological Resources: Research Methodology & Surveys

R. Christopher Goodwin & Associates, Inc. (RCG&A) previously prepared a report, “Marine Archaeological Site Characterization for the US Wind Offshore Energy Project” (Appendix II-I1), which provides the results of a Phase I submerged cultural resources analyses and interpretation of high-resolution geophysical (HRG) survey data to support the Project. Coastal Planning & Engineering Inc. was contracted by the Maryland Energy Administration in 2013 to conduct an HRG survey of the Maryland WEA, which included the Lease area. US Wind conducted HRG surveys from 2015 to 2017 within a portion of the Lease area in federal and Delaware waters. Based on the literature review and Alpine’s survey reports (2015a, 2017), there are known shipwrecks within the Project area. In order to develop minimum avoidances for cultural resources, additional data analyses and consultation with the relevant authorities will be required. US Wind is conducting additional HRG surveys during 2021-2022 and the results of these surveys will be used by RCG&A to prepare a Marine Archaeology Resource Assessment to be provided as a revised Appendix II-I1 as per the deferral request included in this submission.

The revised Marine Archaeological Resource Assessment will be conducted to assist in compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA) (54 USC

304108), and its implementing regulations in 36 CFR 800, entitled “Protection of Historic Properties” and 36 CFR Parts 60 and other related Parts, entitled “National Register of Historic Places.” The work will also assist BOEM in its application of the National Environmental Policy Act of 1969 (NEPA)(42 USC 4321), Archaeological and Historic Preservation Act of 1974 (16 USC 469); the Abandoned Shipwreck Act of 1987 (43 U.S.C. 2101-2106); and that the work is consistent with BOEM’s Guidelines for Providing Archaeological and Historic Property Information (BOEM 2020). Survey efforts for state waters have been coordinated at the state level with Delaware’s State Historic Preservation Office (DE SHPO). US Wind has complied with Lease stipulations under Section 4.2, Archaeological Survey Requirements, including providing notice to applicable tribes for pre-survey meetings.

14.2 Terrestrial Archeological Resources: Research Methodology & Surveys

The Project has the potential to impact terrestrial archeological sites or historic built resources through disturbance or displacement from construction and operations onshore at the Barrier Beach Landfalls, Onshore Export Cable Corridors, US Wind Substations locations, and the O&M Facility. RCG&A has prepared a Terrestrial Archaeology Resource Assessment (Appendix II-12) for the current maximum PDE limits to identify potential resources and mitigation measures. US Wind has planned onshore project elements in areas currently disturbed and or at locations that avoid known terrestrial archeological resources to the extent practicable. A Phase 1 Archeological assessment and survey is expected to be completed as the PDE is refined to confirm and avoid or minimize potential impacts to terrestrial archeological resources.

14.3 Visual Impacts to Historical Resource Analysis

Volume II, Section 15.0 and the Historic Resources Visual Effects Analysis (Appendix II-13) addresses visual and viewshed impacts to historic resources.

14.4 Mitigation and Monitoring

Proposed mitigation and monitoring measures may be refined based on the results of the Marine Archaeology Resource Assessment (Appendix II-11), the Terrestrial Archaeology Resource Assessment (Appendix II-12) and the Historic Resources Visual Effects Analysis (Appendix II-13). US Wind will assess additional avoidance or mitigation measures if they arise under the Section 106 consultation process.

- The results of HRG and geotechnical surveys will be used to identify potential cultural resources and preserved subaerial landforms. The data will inform US Wind’s plans to avoid and minimize impacts to identified resources where practicable.
- US Wind will develop an Unanticipated Discovery Plan to be implemented during onshore and offshore construction.
- US Wind will continue to coordinate with the appropriate SHPO and Native American tribes to refine measures to minimize and mitigate impacts to potential cultural resources generally and if particular resources are identified.
- Mitigation measures commensurate with potential adverse effects to historic properties impacted by views to the Project will be sought through coordination with SHPOs and consulting parties.

- Planning has taken into account previously recorded cultural resources and areas of high archaeological probability, as well as the extent of prior disturbance, in order to minimize project impacts to known or potential archaeological resources. The Terrestrial Archaeology Resource Assessment will include coordination with SHPOs and consulting parties to ensure that potential impacts or adverse effects to identified archaeological resources are addressed and mitigated to the extent practicable.

15.0 Visual Resources

A Visual Impact Assessment for the Project can be found in Appendix II-J1.

15.1 Description of Affected Environment

A Visual Study Area (VSA) for the Project was established that extends 64 km (40 mi) as a radius buffer around the WTGs. For daytime observations, this study area is conservative as meteorological conditions will likely reduce the visual threshold distance dramatically in daytime and nighttime conditions. The resulting VSA is 13,019 km² (5,027 mi²) in area and encompasses 171 km (106 mi) of oceanfront shoreline in Maryland, Delaware, Virginia, and New Jersey. Approximately 3,720 km² (1,436 mi²) (21 percent) of the area is landward of the shoreline (i.e. the shoreward study area). The balance of the VSA is area within the Atlantic Ocean. Section 17 provides more details on the specific oceanfront areas that may be affected by the visual impact from the Project.

The design envelope for the Project considers a range of different WTGs, with capacity ratings up to 18 MW. The total number of proposed WTGs deployed is 114 to 121. For the purposes of the visual assessment, an 18 MW offshore WTG was selected for evaluation, based on the assumption it would be the most visible. The WTGs were also assumed to be in any of the 125 potential locations under consideration and oriented in a grid pattern with spacing of approximately 1.02 NM (1.17 miles) N-S x 0.77 NM (0.89 miles) E-W apart. The WTGs will be connected to up to four OSSs where the voltage will be increased, and the power transmitted to the Interconnection Facilities via the offshore and onshore export cables.

The WTGs are proposed to have aviation safety lighting consisting of two medium-intensity flashing red lights atop the nacelle and four low-intensity flashing red lights mid-tower around the tower in a ring. The medium and low intensity flashing red lights will be configured to flash simultaneously. Navigation lighting is anticipated on the WTGs and OSSs. Appendix II-K2 provides a proposed Project lighting and marking scheme, subject to further review and discussion with BOEM, FAA, and USCG.

The proposed onshore facilities will consist of up to two US Wind substations and interconnection to the Indian River substation located adjacent to the Indian River Power Plant near Millsboro, Delaware. The US Wind substations are proposed to be located northwest and southwest of the substation with the submarine cable entering the US Wind substations underground, then transitioning to an overhead configuration to make the short connections to the Indian River Substation. The Indian River Substation location is anticipated to require expansion to the northwest to allow the interconnections. The proposed additional facilities are consistent with the existing substation visual character and appearance in terms of components and height and were not evaluated further.

15.2 Impacts

The primary impacts to visual resources during construction would be from the vessels and equipment involved in transporting Project components to the staging area and then to the Project area. This equipment will include large jack-up barges and other large transport vessels, as well as mobile cranes, cable laying vessels, and tugboats. There will be an increase in vessel traffic associated with the transport of Project components and personnel, but large vessel activity is not uncommon in this region and impacts to visual resources will be minor and temporary.

Post-construction impacts to visibility from the transmission interconnection will be negligible, because the offshore and onshore export cables will be submarine or underground. The expansion of the Indian River Substation will be consistent with the existing substation visual character and appearance in terms of components and height and therefore negligible visual impacts will occur in the immediate vicinity of the cable landfall and existing substation.

Study area views in the direction of the Project were photographically documented in the field and coordinates were recorded. Locations were chosen from the field documentation to be used as viewpoints for the visual simulations. Locations at Ocean City Beach, Maryland; Assateague Island, Maryland; and Bethany Beach, Delaware were selected to provide representative views of the Project area from directly west of the WTGs (Ocean City), from the northwest (Bethany Beach), and from the southwest (Assateague Island) to represent the overall coastal viewing area. Descriptions of the impacts to these viewpoints are found in the Visual Impact Assessment (Appendix II-J1).

Visual simulations of the WTGs are included as part of the revised Visual Impact Assessment. Simulations have been prepared for each viewpoint to represent different lighting conditions and time of day; early morning, mid-day and afternoon. Nighttime simulations were also prepared to demonstrate the appearance of the Project with the presumed aviation safety lighting described in Volume II, Section 15.1.

When viewed from coastal vantage points, WTGs appear low on the distant horizon and these areas already have significant elements within their existing visual environment, such as flying banners and advertising boats. When detectable, the somewhat regular vertical form of the tubular towers will contrast with the horizontal form of the water/sky horizon. The neutral off-white color of the turbine tower, nacelle and blades will be viewed against the background sky. When the WTGs are backlit, the degree of visual contrast is more noticeable than if viewed in a front- or side-lit condition. Color contrast decreases as distance increases and will diminish or disappear completely during periods of haze, fog or precipitation.

From the shoreline, the proposed WTGs will be the tallest visible elements on the horizon, though at a far distance and will appear shorter than passing vessels. From most foreground and mid-ground vantage points (from vessels on the ocean), the WTGs will be perceived as the main visual element. When viewed from vantage points on land, the WTGs perceived scale and presence are considerably reduced. Inland views are typically screened by dunes, low hills, and existing vegetation or buildings.

When visible from inland locations, views will typically include existing coastal light sources that include commercial and residential building sources, streetlights and vehicle headlights. The WTG lights in the night sky would be expected to be noticeable from certain beach areas and

coastal areas when in operation and under certain atmospheric conditions. When visible, they will appear low on the horizon and will appear to vary in intensity due to the slow flash rate, intermittent shadowing as rotating blades pass in front of the light source, and the atmospheric conditions.

Visual impacts depend on the distance from shore, earth curvature, and atmospheric conditions that could screen some or all of the foundation, and portions of the tower, nacelle, and rotor. Overall, visual impacts to coastal onshore viewers (e.g., beachgoers, hikers and bikers, office workers) of WTGs in daylight would be expected to be minimal to minor. Impacts to offshore viewers (e.g., fishers, charter boat crews, freight transport) would be expected to be moderate to major, based on the viewers' proximity to the WTGs. When the aviation lights are activated, these lights would likely be visible on clear nights from the shoreline. Weather conditions such as fog, haze, clouds or precipitation would greatly limit the visibility of the WTGs and lighting from the shore. Therefore, the presence of a flashing light or lights on WTGs at night would result in minor impacts (BOEM 2021b).

In addition to the Visual Impact Assessment (Appendix II-J1), a Historic Resources Visual Effects Analysis is provided as Appendix II-I3. US Wind will assess additional avoidance or mitigation measures if they arise under the Section 106 consultation process.

15.3 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on visual resources.

- US Wind commits to use aircraft detection lighting system (ADLS), or equivalent technology such as light dimming, if commercially feasible and approved by BOEM in consultation with FAA, USCG and other agencies.
- The Project will minimize aviation lighting impacts, such as aiming lighting upward and using the longest permissible off cycles, in consultation with the FAA and BOEM.
- Lighting and marking will be implemented in consultation with FAA, BOEM, USCG and other regulatory agencies.
- Uniform spacing of WTGs and OSSs.
- The WTGs and towers will be painted an off-white color which generally blends well with the sky at the horizon. The final WTG paint color will be determined in consultation with BOEM, FAA, and USCG.
- All offshore and onshore export cables are planned to be buried, or in locations where burial may not be achievable, protected to the greatest extent practicable.

16.0 Navigation and Military Activities

16.1 Navigation Safety Risk Assessment

The waters around the Project area are utilized by a mix of commercial shipping, military, fishing and recreational vessels. As part of the environmental review for the establishment of the Maryland WEA in the Mid-Atlantic region, BOEM excluded an area of concern for potential navigational impacts identified by the USCG within the Maryland WEA (See Mid-Atlantic, Final Environmental Assessment, p. vi (Jan. 2012)). The analysis concluded that none of the Mid-

Atlantic WEAs overlapped with the existing USCG Traffic Separation Scheme (TSS) (*Id.* at p. 152). Under the Ports and Waterways Safety Act, the USCG must reconcile the need for safe access routes with other reasonable uses of the area involved (46 U.S.C. 470003). The USCG has conducted an Atlantic Coast Port Access Route Study (ACPARS) as part of BOEM’s “Smart from the Start” offshore wind energy initiative (See Final ACPARS Report, 82 FR 16510 (April 5, 2017)). The USCG announced a new Port Access Route Study (PARS) on May 5, 2020 (85 FR 26695)(USCG 2020) for the seacoast of New Jersey including the offshore approaches to the Delaware Bay. The USCG published a draft report on the New Jersey PARS on September 24, 2021 (86 FR 53089)(USCG 2021). In the draft report, the USGC proposes to extend the existing TSS along the eastern side of the Lease area and continuing to the southeast 5 NM (11 km) beyond the boundary of the Lease area (Figure 16-1).

DNV prepared a Navigation Safety Risk Assessment (NSRA) for the Project to evaluate the potential for risks to navigation from the construction, operation, and decommissioning of the Project. A copy of the NSRA is provided in Appendix II-K1. United States Coast Guard (USCG) guidance “Navigation and Vessel Inspection Circular No. 01-19 (NVIC 01-19)” was used in the preparation of the NSRA (USCG 2019). The NSRA serves as the outline and basis for evaluating the potential impact of the Project on the marine transportation system, including navigation safety, traditional uses of waterways and USCG missions. The NSRA also identifies reasonable methods of controlling or mitigating potential Project impacts.

The NSRA prepared for the Project evaluates the current TSS and the benefits of the TSS extension proposed in the USCG’s September 2021, NJ PARS draft report. The TSS extension reduced by approximately half the modeled frequency of a cargo, carrier, or tanker vessel striking, or alliding with, a Project structure at speed.

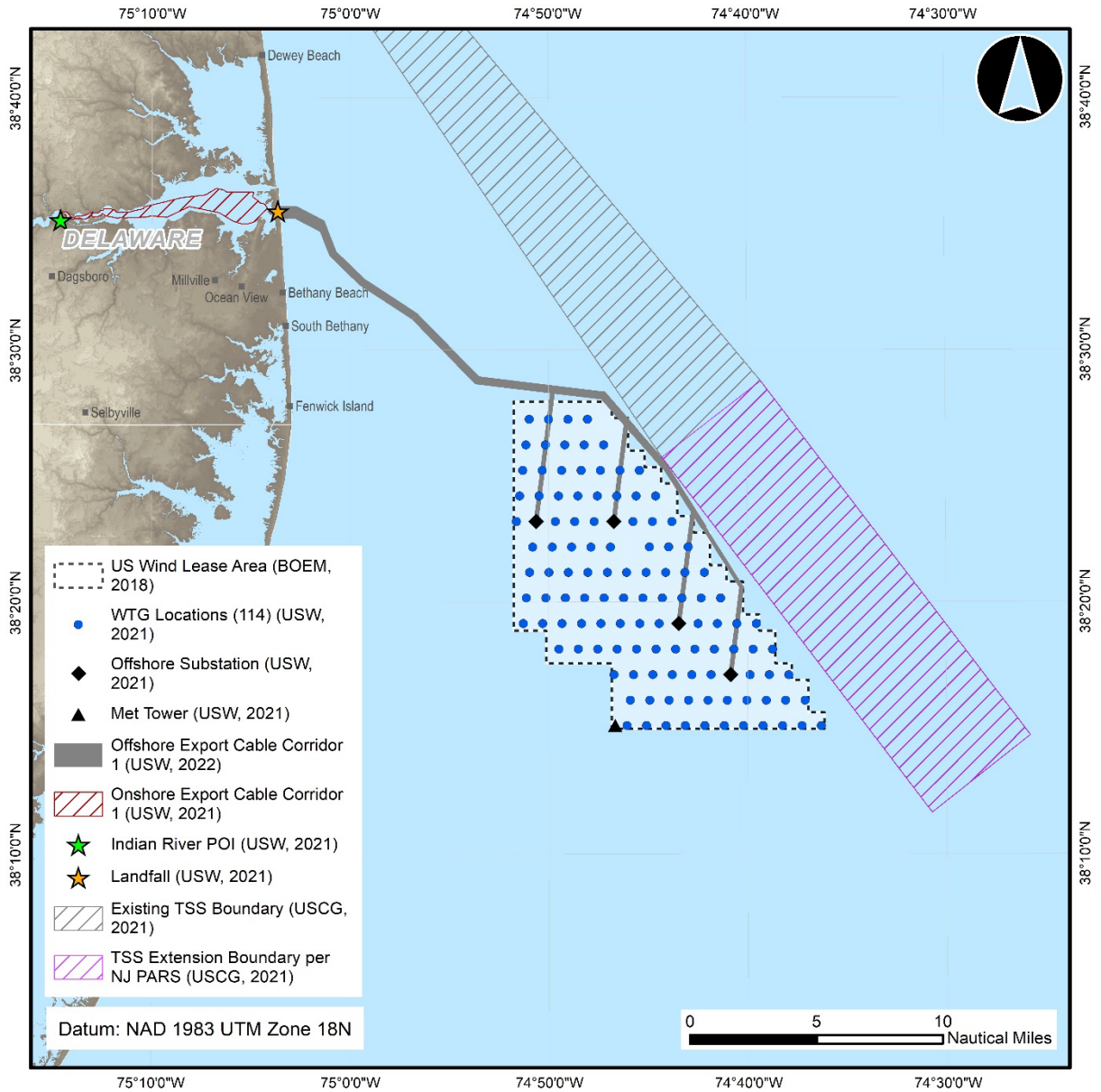


Figure 16-1. Proposed Project Layout with TSS Extension

For the NSRA, the 2019 Automatic Identification System (AIS) vessel traffic data served as the most recent, representative source of marine traffic data available for a full one-year period. To understand general vessel traffic patterns in the waters surrounding the Lease area, AIS tracks were plotted to illustrate vessel transit routes and densities. The vessel traffic data analysis revealed different vessel type routes when comparing cargo ships, tankers, and towing vessel traffic. Based on the AIS data included in the NSRA, US Wind concludes the highest densities of vessel traffic in the Traffic Survey Area are the entrance to Delaware Bay, the Ocean City Inlet, and within the two TSS Approaches (Delaware Bay Eastern Approach and Southeastern Approach). Other patterns show an inshore, coastwise tug-tow route that crosses the TSS and follows the coast as well as generally north-south routes well offshore. Commercial fishing traffic

appears in the data as both transit routes to and from the ports of Ocean City, Maryland and Cape May, New Jersey.

As described in the NSRA, a future case model was developed using the Marine Accident Risk Calculation System (MARCS) to estimate the increase in the number of marine accidents that may result from the Project. Figure ES-1 in the NSRA shows the Project and NSRA study boundaries. The main results of the modeling indicated that the risk of collision increases from a small baseline level to approximately 1 accident every 25 years, primarily due to the assumed increase in vessel traffic generated by the Project. The risk of allision would increase, as would be expected due to new structures in the Lease area, however, the overwhelming majority of the increased allision frequency involves smaller ships navigating in the Lease area with low severity consequences for the vessels and the structures. The risk of higher severity consequence powered allisions of large vessels is expected to be approximately 1 allision every 520 years.

According to the NSRA, the MARCS modeling provides a reasonable and conservative maximum estimate of the additional risk that could result from the presence of the Project assuming the additional transits added to AIS adequately represent the actual traffic. If the number of transits were half of the number in the model, one would expect the risk would reduce significantly. The adoption of mitigation measures, such as use of AIS technology within the Lease area, could further decrease the Project's risk for collision or allision.

The results of the MARCS modeling presented in the NSRA demonstrated the significant potential benefit of the proposed 1 NM (1.9 km) buffer between Project structures and the proposed TSS boundary in reducing allision risk for large vessels with the Project and significantly decreasing the navigational safety risk associated with the Project. The MARCS modeling presented in the NSRA was also conducted with and without the proposed 1 NM (1.9 km) buffer between Project structures and the adjacent TSS to assess the potential reduction in navigational risk that may be associated with adopting such a buffer zone. The modeled allision frequency per structure per year for drift allisions with large vessels decreased approximately 7% with the 1 NM (1.9 km) TSS buffer implemented. The modeled allision frequency per structure per year for higher severity consequence powered allisions with large vessels decreased approximately 30% with the 1 NM (1.9 km) TSS buffer implemented. The modeled total allision frequency per structure per year for large vessels decreased approximately 11% with the 1 NM (1.9 km) TSS buffer implemented.

The impact of the Project on emergency rescue operations was also evaluated. The search pattern used by the USCG during search and rescue (SAR) operations may be impacted if the Project's offshore structures restrict possible flying and sailing search routes within the Lease area. The USCG is evaluating whether the lanes between WTGs provide sufficient access to conduct an air search, because the presence of the offshore structures makes it difficult to search for a small object such as a person in the water. US Wind is working with the USCG to identify mitigation measures that may increase mariner and responder situational awareness in the vicinity of the Lease area such as cameras, distinct markings on towers, and enhanced communication connectivity that may increase location certainty and reduce required search activity for mariners or objects with unknown locations.

The potential Project effects on vessel communications, marine radar and positioning systems were evaluated and it was determined that most instances of interference can be mitigated through the proper use of radar gain controls and AIS data transmission, favorable placement of

vessel radar antennas and regular communication and safety broadcast from vessels operating in the Lease area. Numerous factors may impact marine radar and a post-construction analysis may be conducted to identify the effects on marine radar and to assess potential mitigation methods.

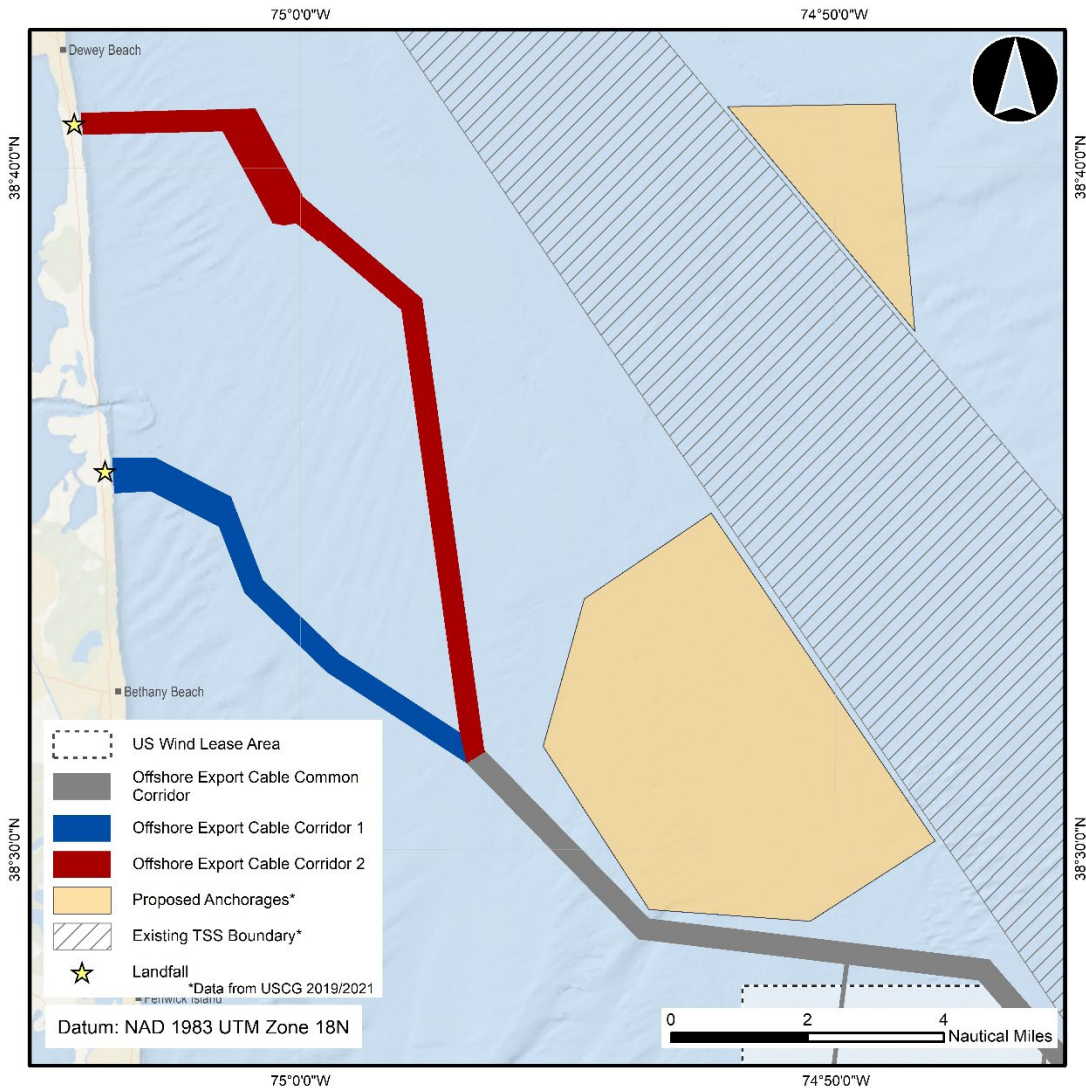


Figure 16-2. Location of Proposed USCG Anchorage Areas

The offshore export cables and inter-array cables will be buried below the seabed. Buried cables present potential snagging risks for vessel anchors. Sufficient cable burial depth and cable protection, including concrete matting where necessary, and routing the offshore export cables to avoid anchoring sites will help protect the cables and OCS users from any potential contact with vessel anchors. US Wind routed the Offshore Export Cable Corridors to the south of anchorage grounds proposed by USCG in the November 29, 2019, Notice of Inquiry, request for comments, 84 CFR 65727 (see Figure 16-2), which was formally proposed in a Notice of Proposed Rulemaking March 22, 2022. The formerly planned offshore export cable route, as shown on Figure 3-2, would have bisected the proposed anchorage area.

US Wind will provide a Cable Burial Risk Assessment based on the 2021-2022 geophysical and shallow geotechnical surveys in the Lease area and along the Offshore Export Cable Corridors. The Cable Burial Risk Assessment will be submitted to BOEM per the deferral request included in this submission.

16.2 Military Activities

16.2.1 Virginia (VACAPES) Operating Area (OPAREA)

The U.S. Navy Fleet Area Control and Surveillance Facility, Virginia Capes (FACSFAC VACAPES) was established in 1977 with the mission of scheduling, controlling, and overseeing military operating areas, training routes, and bombing ranges for the northeastern United States (Commander of U.S. Naval Forces, 2016). Naval Air Force Atlantic oversees 290,079 square km (112,000 square mi) of offshore air, surface, and sub-surface operating areas from Narragansett Bay, Rhode Island to Charlestown, South Carolina. Sailors provide air traffic control for more than 98,000 sorties per year while ensuring all operation aspects are deconflicted from more than 300 hazardous events per year, including missile exercises, unit level training, NASA rocket launches, gunnery evolution, or underwater detonation drills. In addition, the air traffic control mission includes separation of military and commercial flights along the East Coast (FACSFAC VACAPES, Fleet Area Control and Surveillance Facility, Virginia Capes 2018).

The Navy Operating Area (OPAREA) is located in the coastal and offshore waters of the western North Atlantic Ocean adjacent to Delaware, Maryland, Virginia, and North Carolina. The northernmost boundary of the VACAPES Range Complex is located 68.5 km (37 NM) off the entrance to Delaware Bay at latitude 38°45'N, the farthest point of the eastern boundary is 340.8 km (184 NM) east of Chesapeake Bay at longitude 72°41' W, and the southernmost point is 194.5 km (105 NM) southeast of Cape Hatteras, North Carolina, at latitude 39°19' N. The western boundary of the VACAPES Range Complex OPAREA lies 5.6 km (3 NM) from the shoreline at the boundary separating state and Federal waters (50 CFR §218.1). The total operational area encompasses approximately 94,875 square km (27,661 square NM) of surface waters (Virginia Capes Range Complex Final Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) 2009). A figure showing the Project area in relationship to VACAPES, Military Training Routes (MTR) and Military Operating Areas (MOA) is provided below (Figure 16-3).

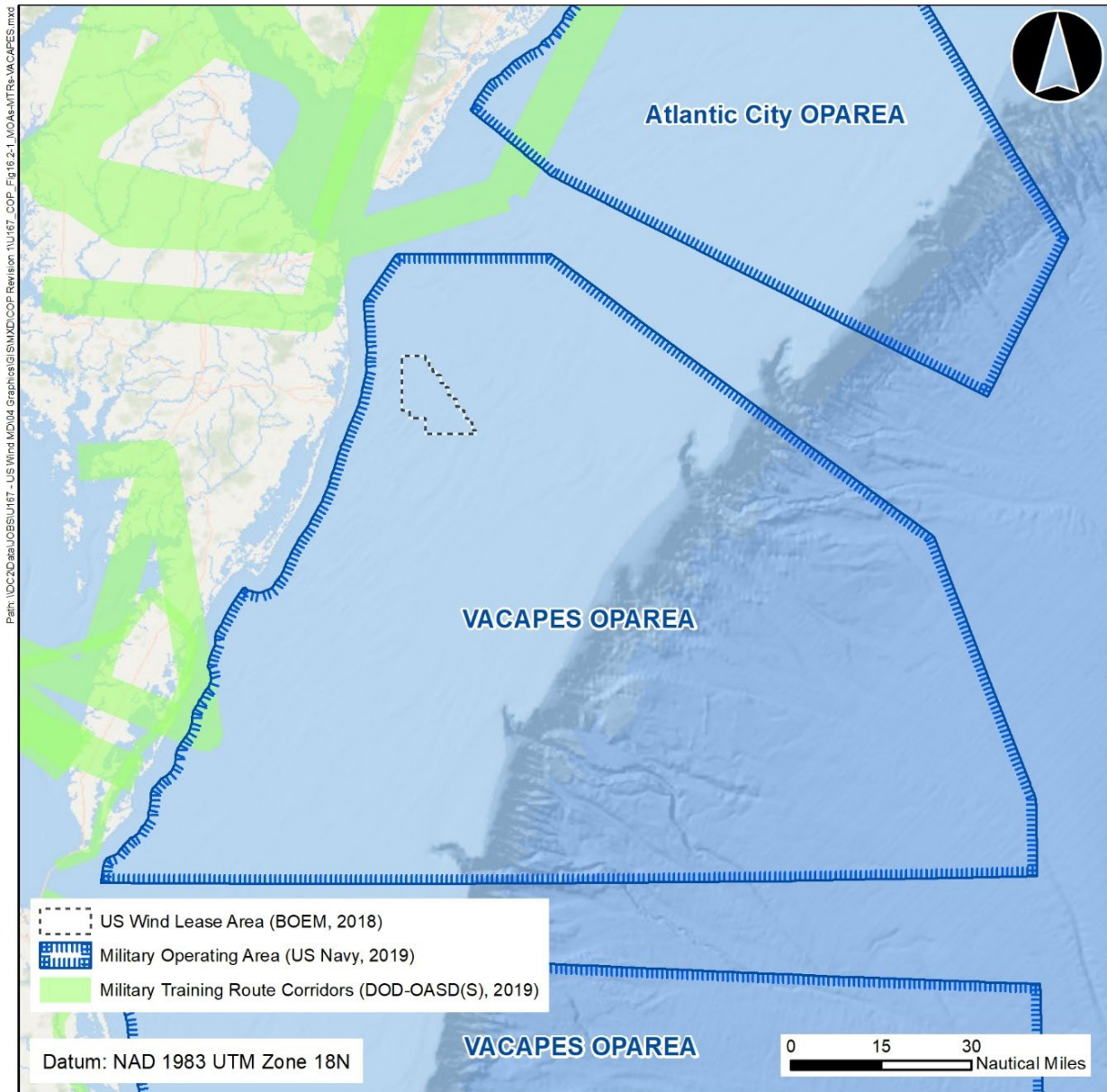


Figure 16-3. Project Relationship to VACAPES, MTRs and MOAs

US Wind has initiated consultations with U.S. Fleet Forces (USFF) N46 and Fleet Forces Atlantic Exercise Coordination Center (FFAECC) at NAS Oceana, Virginia. FFAECC coordinates all regional military/other agency activities (both sea and air) for the VACAPES Operating Area and ensures events are de-conflicted. US Wind has also sent a Request for Informal Review to the Military Aviation Assurance Siting Clearinghouse.

US Wind will continue to consult with Fleet Forces Command prior to any construction or decommissioning activity, regarding the location, density, and planned periods of activity, to minimize potential conflicts with DoD activities in the VACAPES OPAREA. During the US Wind survey activities conducted along the Offshore Export Cable Corridors in 2021, FFAECC requested that the G&G Contractor and survey Vessel Masters coordinate daily with FFAECC, avoid designated areas and comply with any of their requests during survey operations. As a result, US Wind is familiar with FFAECC requirements for Commercial Vessels Working in the VIRGINIA CAPES OPAREAS, will provide all Service Request Forms to FFAECC that are required prior to initiation of construction or decommissioning activities in the Lease Area, and will comply with all FFAECC directives, including any related to lighting or instrumentation, to avoid potential impacts during Project activities.

The Project is located below a variety of U.S. territorial and international airspace classifications, including some controlled and special-use airspace. The Project area is entirely within the Air Defense Identification Zone (ADIZ), in which all aircraft are subject to ready identification in the interest of national security. The majority of the Project area underlies both the Atlantic Low Control Area, which is designated as Class E controlled airspace above 518 m (1,700 ft), and the Virginia Capes Operating Area (VACAPES) “W-386,” which is a National Defense Operating Area off the mid-Atlantic coast that is used for various surface, subsurface, and air-to-surface exercises. The Obstruction Evaluation and Airspace Analysis (Appendix II-K4) includes an assessment of impacts to Military Training Routes and Military Operations Areas.

16.3 Lighting and Marking

Lighting and marking per FAA regulations regarding aviation obstruction lighting of structures and BOEM’s Lighting and Marking of Structures Supporting Renewable Energy Development (BOEM 2021b) will be installed on the WTGs, OSSs and the Met Tower. US Wind will place lighting and signage on applicable structures to aid navigation per USCG circular NVIC 01-19 Guidance on the Coast Guard’s roles and responsibilities for Offshore Renewable Energy Installations (USCG 2019) and comply with any other applicable USCG requirements. See Appendix II-K2 for the proposed Project lighting and marking scheme, subject to further review and discussion with BOEM, FAA, and USCG.

The WTGs are proposed to have aviation safety lighting consisting of two medium-intensity flashing red obstruction aviation lights atop the nacelle, four low-intensity flashing red obstruction lights mid-tower around the tower in a ring, and a helicopter hoist status light. The aviation lights will flash simultaneously at 30 flashes per minute (FPM). The structure aviation safety lights will be visible in all directions in the horizontal plane.

There will also be amber flashing navigation beacons of different intensities installed. All turbines will be marked conspicuously and distinctly for both day and night recognition. The foundation base of all turbines will be painted yellow (RAL 1023) all around from the level of Mean Higher High Water (MHHW) to 15 meters (50 feet) above MHHW. Ladders at the foundation base of all turbines will be painted in a color that contrasts with the recommended

yellow for ease of identification for operations and maintenance personnel. The turbines and towers will be painted with color no lighter than RAL 9010 Pure White and no darker than RAL 7035 Light Grey. The amber flashing navigation lights will be energized from sunset to sunrise and from sunrise to sunset in restricted visibility. They will be visible in all directions from the horizontal.

Each WTG will be designated, marked and charted with a unique alphanumeric designation for quick recognition and reference by mariners and agencies for search and rescue, law enforcement, and other purposes. The bottom of the alphanumeric designation will be located at least 9 meters (30 feet) and no more than 15 meters (50 feet) above MHHW. They will be approximately 3 meters (10 feet) in height, will be visible above any service platforms in a 360-degree arc from the water's surface, and will be applied with retro-reflecting paint to enhance visibility under low light conditions. Each WTG's unique alphanumeric designation will be duplicated below the service platforms.

The OSSs will each be equipped with two medium intensity flashing red obstruction aviation lights, four low-intensity flashing red obstruction lights in a ring, and a helicopter hoist status light. The aviation lights will flash simultaneously at 30 flashes per minute (FPM). The structure aviation safety lights will be visible in all directions in the horizontal. Each OSS will be marked with 6 or 10 second yellow flashing marine lanterns with 360° visibility and with a 2 NM operational range.

The Met Tower will be equipped with a white marine lanterns with an operational range of 10 NM. Perimeter structures, located on the corners or other significant peripheral points, will be marked with quick flashing yellow marine lanterns with 360° visibility and an operational range of at least 5 NM. Intermediate perimeter structures, located along the outside boundary, will be marked with 2.5-second flashing yellow marine lanterns with 360° visibility and an operational range of at least 3 NM. Inner boundary structures will be marked with 6 or 10 second yellow flashing marine lanterns with 360° visibility and with a 2 NM operational range. Lights servicing the same structure designation will be synchronized. This lighting scheme may be adjusted based on the location selected for the Met Tower.

Directional fog signals will be placed on alternating perimeter structures. Each device will sound a 4-second prolonged blast at intervals not to exceed 30 seconds with a range of 2 NM. Each device will be capable of Mariner Radio Activated Sound Signal activation by keying VHF radio frequency 83A 5 times within 10 seconds and continue to sound its signal for 45 minutes after VHF activation.

There will be aviation visibility meters and Mariner Radio Activated Sound Signals and marine visibility meters on perimeter structures. AIS transponders will be placed on alternating perimeter structures capable of transmitting signals marking the locations of all structures within the facility, subject to approval by the USCG.

Aircraft Detection Lighting Systems (ADLS) is planned for the Project if technically feasible, commercially available, and approved for use by FAA, BOEM, and USCG. FAA obstruction lighting on the WTGs would only illuminate when aircraft are approaching the Lease area. Use of ADLS would significantly reduce the amount of time FAA obstruction lights would be lit.

16.4 Aviation

The airport closest to the Project area is the Ocean City Municipal Airport (KOXB). This non-towered airport is located approximately 17 NM (31 km) west of the Lease Area. The Salisbury-Ocean City Wicomico Regional Airport offer air service a few miles outside Snow Hill. The NASA Goddard Space Flight Center's Wallops Flight Facility (WFF) is located approximately 36 NM (67 km) from the Lease Area. NASA conducts science, technology, and educational flight projects from WFF aboard rockets, balloons, and UAV's, using the Atlantic waters for operations on almost a daily basis (USDOJ and BOEM 2012).

US Wind conducted an Obstruction Evaluation and Airspace Analysis to identify potential risks associated with the placement and/or height of the WTGs, OSSs and the Met Tower, provided as Appendix II-K4. US Wind also conducted an Air Traffic Flow Analysis to determine the number of instrument flight rules operations potentially affected by the placement and/or height of the WTGs, provided as Appendix II-K6. The analysis concluded that the number of flights that could have been receiving radar vectoring services within the affected airspace is well below the threshold for a significant volume of IFR operations.

16.5 Radar

The Lease area is located within the range of a long-range radar facility at Dover Air Force Base and the WFF radar facility. Three of the four OSSs and associated WTGs are located within range of these facilities. The WFF radar facility is used to track launch and flight activities conducted by NASA and its partners. The radar may be used to track air-to-air, air-to-surface, surface-to-air, and surface-to-surface missile exercises, gunnery exercises, aircraft flights and rocket launches. When the Wallops Island radar is not in use for range support activities, it may be released to the FAA (USDOJ and BOEM 2012).

The Military Aviation and Installation Assurance Siting Clearinghouse (Clearinghouse) was established in 2011 and provides a timely, transparent, and repeatable process that can evaluate potential impacts of renewable energy projects and other projects with military activities, and explore mitigation options, while preserving the DoD mission through collaboration with internal and external stakeholders.

The Clearinghouse formal review process applies to projects filed with the FAA obstruction evaluation process and addresses all energy projects greater than 61 meters (199 feet) above ground level, proposed for construction within military training routes or special use airspace, whether on private, state, or Federal property. All energy project proponents are encouraged to seek informal reviews as early as possible to identify potential compatibility concerns in advance.

On April 23, 2020, US Wind submitted a Request for Informal Review to the Clearinghouse. The results of the informal review indicated that ten WTGs in the northwestern portion of the Lease area were of NORAD concern. A second Request for Informal Review to the Clearinghouse updated the Project Design Envelope and the potential NORAD impact was again identified. Formal review by DOD will be initiated during the FAA Obstruction Evaluation Airport Airspace Analysis process. US Wind conducted studies of potential interference of proposed WTGs with commercial air traffic control radar systems, national defense radar systems, high frequency coastal radars and weather radar systems. The proposed WTGs will be within line of sight of two Air Route Surveillance Radar and Airport Surveillance Radar locations. In addition, the

proposed WTGs are within line of sight or within the instrumented range of six high frequency radar locations. The proposed WTGs are greater than 15 km (8 NM) from three navigation aid sites, so no further analysis of potential impacts was necessary. No impacts to weather radars are expected. The Radar Impact Evaluation is provided as Appendix II-K3.

16.6 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on navigation and military activities.

- US Wind commits to use aircraft detection lighting system (ADLS), or equivalent technology such as light dimming, if commercially feasible and approved by BOEM in consultation with FAA, USCG and other agencies.
- Uniform spacing of WTGs and OSSs of 1.02 NM (1.89 km) N/S and 0.77 NM (1.43 km) E/W.
- A proposed 1 NM (1.9 km) buffer zone between Project structures and the TSS outer boundary.
- Coordinate with the appropriate regulatory agencies and other stakeholders during construction to provide timely and effective communications regarding planned vessel movements and construction activities.
- Establish and maintain safety zones around active construction areas, and mark areas with highly visible marking and lighting.
- Use existing transit lanes for construction and maintenance vessels to the extent practicable.
- Route Offshore Export Cable Corridors to avoid USCG proposed anchorage.
- Lighting and marking will be implemented following guidelines as practicable and in consultation with FAA, BOEM, USCG and other regulatory agencies.
- Monitor Project operations continuously and maintain Project emergency contact channels with the USCG and other relevant agencies and stakeholders
- US Wind will work with the USCG to identify measures that may increase mariner and responder situational awareness in the vicinity of the Lease area such as cameras, distinct markings on towers, and enhanced communication connectivity.
- Develop emergency procedures for potential vessel allisions with Project structures and other maritime emergencies, such as search and rescue, in consultation (e.g., coordinated drills) with relevant agencies and stakeholders. Establish appropriate chain of command with US Coast Guard and Maryland Department of Natural Resources to respond to emergencies in a timely, efficient manner and address ongoing issues. Procedures and potential equipment packages to benefit mariners, e.g. WTG cameras or data connectivity enhancements, will be developed through stakeholder outreach.
- Meteorological and ocean observations from the Met Tower will be made available to the public.

17.0 Socioeconomics

Socioeconomic resources discussed in this section are varied, from employment and transportation infrastructure to tourism and commercial fishing. The majority of socioeconomic resources are evaluated at the county level. US Wind proposes construction vessels will primarily utilize a port in Baltimore County, Maryland, associated with the Project’s staging and marshalling area, and the O&M Facility is proposed in Worcester County, Maryland. The Barrier Beach Landfalls and Interconnection Facilities are located in Sussex County, Delaware. Offshore the presence of WTGs, OSSs, and the Met Tower in the Lease area and associated submarine cables may affect activities in nearby counties. Figure 17-1 illustrates the locations of the potentially affected counties.

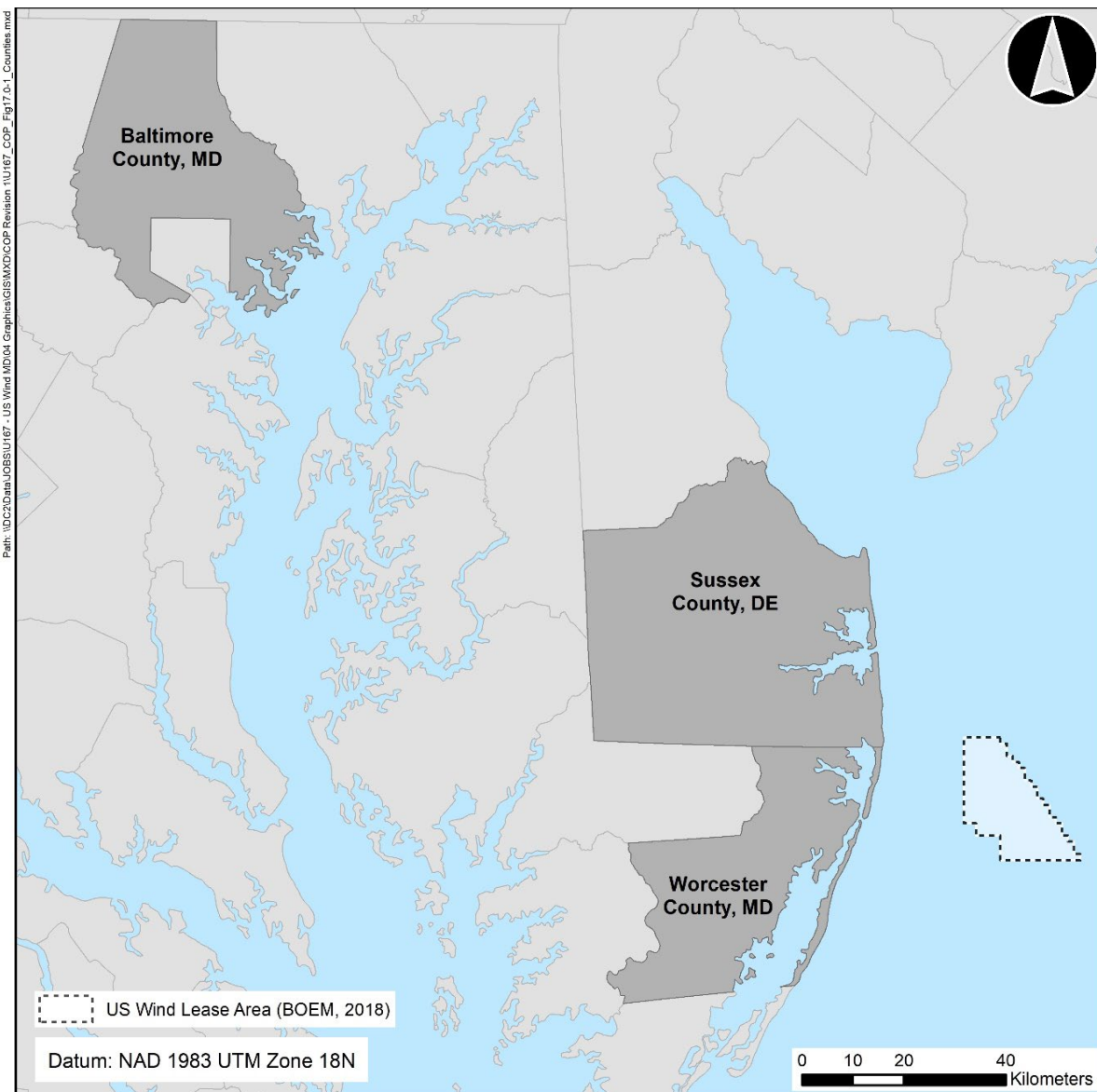


Figure 17-1. Counties potentially affected by the Project

17.1 Demographics, Economy, and Employment

17.1.1 Description of Affected Environment

This section describes the populations and economic status of the counties within the Project area. Population data are primarily derived from the U.S. Census Bureau (USCB). Industry data are primarily derived from the National Ocean Economics Program (NOEP), which reports financial data in 2012 dollars. NOEP provides statistics for the “ocean economy” (or “ocean-based industries”), comprised of industries that use ocean resources, such as marine fisheries, transportation, and offshore mining, and for all industries that conduct business in coastal counties (the “coastal economy”). Many of the statistics referenced in this section are also listed in Table 17-1.

Table 17-1. Demographic, Economic and Employment Statistics for Counties in the Project Area

Location	Estimated Population (2019)	Median Income 2015-2019	Per capita Income 2015-2019	Employment (2019)	Unemployment (2019)
Sussex County, DE	234,225	\$63,162	\$35,491	74,351	4,501
State of Delaware	973,764	\$68,287	\$35,450	413,410	26,481
Baltimore County, MD	827,370	\$76,866	\$40,105	335,413	25,391
Worcester County, MD	52,276	\$63,499	\$38,080	19,535	1,246
State of Maryland	6 million	\$84,805	\$42,122	2,380,865	164,396
United States	328 million	\$62,843	\$34,103	132,989,428	8,713,400

Sources: (USCB 2019a, 2019b)

Sussex County, Delaware

More than 970,000 people resided in Delaware as of July of 2019. Of these people, 24% lived in Sussex County (USCB 2019a). Forty-five percent of the residents of Sussex County lived in the Inland Bays watershed, which encompasses the Barrier Beach Landfalls and Interconnection Facilities, as of 2015 (DCIB 2016). Population growth in the Inland Bays watershed accelerated in the 1990’s with the population doubling between 1990 and 2010 (DCIB 2016). Sussex County’s population swells significantly during the summer season, with County officials estimating that 400,000 people reside there from June through August (MacArthur 2017). At \$63,162 and \$68,287 respectively, the median household income in Sussex County and in the State of Delaware exceeded the nationwide median household income of \$62,843 for the five-year period of 2015-2019 (USCB 2019a). Per capita income exhibits the same trend, at \$35,491 in Sussex County, \$35,450 in Delaware, and \$34,103 nationwide (USCB 2019a).

More than 400,000 Delaware residents are employed, and approximately 74,000 of them live in Sussex County. The unemployment rate in Sussex County was lower than the national

unemployment rate in 2019, at 4.3% and 5.3%, respectively. The construction industry is more significant in Sussex County than it is at the state or national level, accounting for 9.8% of the county's employment compared to 6.9% of employment in Delaware and 6.6% in the U.S. as a whole (USCB 2019b).

Between 2008 and 2018, the ocean economy employed between 5,930 and nearly 12,000 people in Sussex County. Over this 10-year period, these industries generated a minimum gross domestic product (GDP) of \$307 million in 2008 and nearly \$479 million in 2018. Tourism is the largest contributor, employing 97% of the people who were working in the ocean economy in Sussex County in 2018 and exceeding the combined GDP for ocean-based industries. Fisheries are a relatively small part of the county's ocean economy, employing fewer than 100 people and producing a GDP of 5 million in 2018 (NOEP 2020).

Sussex County's coastal economy employs nearly 79,000 people and generated a GDP of \$10.5 billion in 2020. Manufacturing is the largest sector of the county's coastal economy, with a GDP of \$2.9 billion in 2020. Construction accounted for about \$634 million dollars of the 2020 coastal GDP in Sussex County (NOEP 2020).

Baltimore County, Maryland

More than 6 million people lived in Maryland as of July of 2019. More than 827,000 of these people resided in Baltimore County. At \$76,866, median household income in Baltimore County between 2015 and 2019 was lower than median household income in the State of Maryland, at \$84,805. Per capita income exhibits the same trend, at \$40,105 in Baltimore County and \$42,122 in Maryland. Median and per capita income exceeded nationwide values in both geographies for 2015-2019 (USCB 2019a).

More than 2 million Maryland residents are employed, and approximately 330,000 of them live in Baltimore County. Unemployment rates in both Baltimore County and the State of Maryland were lower than national unemployment rates in 2019, at 4.8% and 5.1%, respectively.

In Baltimore County, the ocean economy has been relatively steady since 2008. Tourism and recreation also dominate the ocean economy, employing more than 5,000 people and producing a GDP exceeding \$173 million in 2018. With a workforce exceeding 600 people and a GDP of \$42 million in 2018, transportation is another important sector in the ocean-based economy of Baltimore County. The ocean-based construction industry is about a third as large as the transportation industry, employing less than 200 people and generating a GDP of \$13 million in 2018 (NOEP 2020).

The coastal economy of Baltimore County is dominated by the financial sector, which employed more than 28,000 people and produced a GDP exceeding \$20 billion in 2020. At a GDP of \$5.2 billion, education and health services offered the most jobs in 2020, employing more than 93,000 people. The construction industry employed less than 24,000 people and produced a GDP of \$3.0 billion during the same time (NOEP 2020).

Worcester County, Maryland

Although more than 6 million people lived in Maryland as of July of 2019, only 52,276 lived in Worcester County. While Ocean City's population mushrooms to over 300,000 people in the summer, its full-time residents number just under 7,000 people (Britannica 2019; Maryland

Demographics 2022). Still, among the County's four incorporated towns, it holds the highest number of full-time residents. It remains the County's only coastal municipality.

At \$63,499, median household income in Worcester County between 2015 and 2019 was lower than median household income in the State of Maryland, at \$84,805. Per capita income exhibits the same trend, at \$35,450 in Worcester County and \$42,122 in Maryland. Median and per capita income exceeded nationwide values in both geographies for 2015-2019 (USCB 2019a).

Nevertheless, Worcester, along with Talbot County, are two of the wealthiest counties on Maryland's Eastern Shore with Worcester County having a school system renowned as the best in the state (Federal Reserve Bank of St. Louis 2022).

More than 2 million Maryland residents are employed, and nearly 20,000 of them live in Worcester County. In 2019, the unemployment rate in Worcester County was below state and national unemployment rates at 4.9%. An important part of this county's employment equation is the preponderance of tourism-related jobs during the bustling summer months when the county's unemployment rate is at its lowest (U.S Bureau of Labor Statistics 2020). Locals often take advantage of this, tolerating long summer hours in exchange for equally long winter "vacations" November through March.

Ocean-based industries in Worcester County experienced steady growth between 2008 and 2018. Tourism and recreation dominate the County's ocean economy, contributing more than \$411 million in GDP and employing almost 8,000 people in 2018. Ocean City is not the only driver. An important part of the tourism numbers derive from the County's nature and heritage tourism draw with many campgrounds nestled within Worcester's more than 100,000 acres of permanently protected land (MDDNR 2022b). More than 1 million people visit Assateague Island National Seashore every year (NPS 2022). Assateague State Park and Pocomoke River State Park are also significant drivers of this brand of tourism.

Moreover, according to USDA, Worcester County agriculture, in the form of crops and forestry produced just under \$85 million in income. The construction industry also produced a GDP of more than two million dollars in 2018 and generated more than 1,000 jobs but a GDP of only \$91 million in 2020 (NOEP 2020).

Employing more than 7,000 people and generating a GDP of \$471 million in 2020, leisure and hospitality dominates Worcester County's coastal economy. The financial industry and trade, transportation, and utilities also contributed GDP in excess of \$717 million in 2020. The financial industry employed about 1,100 people, whereas trade, transportation, and utilities offered nearly four times as many jobs.

17.1.2 Impacts

The discussion of impacts on the demographics, economy, and employment in the Project area below uses the economic impact assessment, found in Appendix II-L1.

The assessment used Impact Analysis for Planning (IMPLAN), a predictive model that uses matrices to relate the performance of economic variables for 546 industries (as of completion of the modeling exercise for this Project) for national, state, and county geographies. The Project was modeled under two scenarios over a 7-year fabrication, construction and commissioning timeframe, Scenario 1 is based on using 114 WTGs of the 220 m rotor diameter platform (14.7

MW), and Scenario 2 is based on the PDE maximum with 121 WTGs of the 250 m rotor diameter platform (18 MW). In both scenarios the WTGs are on monopile foundations. The scenarios were modeled with a constant 2021 value, based on a “bill-of-goods” approach to expenditures and labor involved in procurement, installation, and administration during construction. The results of this modeling were in the form of direct, indirect, and induced economic impacts of the Project in the form of, respectively, jobs created due to local operations and spending, jobs created by suppliers, and jobs created due to increased local income and spending as part of construction of the Project.

17.1.2.1 Construction

It is not anticipated that construction will negatively impact the population of the Project area. The onshore components, the Barrier Beach Landfalls and Interconnection Facilities, are not proposed in residential areas and interference with the operations of existing business enterprises would be temporary. The Project is expected to bring new economic and employment opportunities to the Project area.

According to the IMPLAN modeling results, the direct economic impacts of the Project would be driven by expenditures on labor, materials, and equipment used for construction. Scenario 1 of the IMPLAN results tallies the total economic impact for Maryland during the construction phase of the Project. Over the course of the entire construction period, it is estimated that the Project will create the equivalent of 16,780 job years⁹ (direct, indirect, and induced) associated with new business activity in Maryland with total sales effects valued at \$3.44 billion for the state (see Table 17-2 and Table 17-3).

Table 17-2. Scenario 1 Construction Activities Impact on Maryland’s Economy

Impact	All Years
Jobs (in job years)	16,783
Sales (Million 2021\$)	\$3,440.1
State and County (all counties) Tax Revenue (Million 2021\$)	\$147.2
Labor Income	\$1,246.9
Value Added/Gross Regional Product	\$1,918.9

Table 17-3. Scenario 2 Construction Activities Impact on Maryland's Economy

Impact	All Years
Jobs (in job years)	18,717

⁹ One job year is equivalent to one job for one year.

Impact	All Years
Sales (Million 2021\$)	\$3861.5
State and County Tax Revenue (Million 2021\$)	\$162.8
Labor Income	\$1,386.1
Value Added/Gross Regional Product	\$2,127.5

The Project presents an opportunity for the region, and Maryland in particular, to benefit from the economic activity related to the creation of a new industry. US Wind is focused on building out a local supply chain to benefit the Project and the broader U.S. offshore wind industry. US Wind believes that a diverse, well-compensated, and well-trained workforce delivers a higher-quality product and service, which is why US Wind is committed to creating full and equitable business opportunities for minority, women-owned, veteran-owned, and HUBZone businesses in the development of the Project. In November 2021, US Wind was awarded the “Best Practices Award” by the Maryland Minority Contractors Association for the company’s work to maximize minority business enterprise (MBE) participation in the Project. Additionally, US Wind signed agreements with organized labor such as United Steelworkers, Baltimore-DC Building and Construction Trades, and the International Brotherhood of Electrical Workers, to support union engagement with offshore wind in the region.

17.1.2.2 Operations

It is anticipated that the operations and maintenance of the Project will positively impact the population of the Project area. Analysis of potential jobs and spending during operations of the Project is included in Appendix II-L1 and shows this impact to the region and to Maryland once the Project is operational (see Table 17-4 and Table 17-5).

Table 17-4. Scenario 1 O&M Impact on Maryland's Economy

Impact	All Years
Jobs (in job years)	2,936
Sales (Million 2021\$)	\$2,163.0
Labor Income	\$1,103.6
Value Added/Gross Regional Product	\$1,371.3

Table 17-5. Scenario 2 O&M Activities Impact on Maryland's Economy

Impact	All Years
Jobs (in job years)	3,702
Sales (Million 2021\$)	\$2,721.7
Labor Income	\$1,389.4
Value Added/Gross Regional Product	\$1,725.6

17.1.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system. Decommissioning impacts are expected to be similar to construction impacts. Decommissioning is expected to have a positive short-term impact on the economy and employment in the Project area, but a negative long-term impact, as decommissioning the Project constitutes the loss of economic and employment opportunities gained during Project operations.

17.2 Land Use and Coastal Transportation Infrastructure

17.2.1 Description of Affected Environment

Sussex County, Delaware

Land use in Sussex County is described in Table 17-6. Nearly half of Sussex County remains in its natural condition. Most of the county is open water (22%), with very little development (13%). Wetlands and forests comprise approximately 30% of the remaining land cover (19% and 12%, respectively). Nearly one third of the land cover within Sussex County is used for agricultural purposes (33%) (MRLC 2021), but this is changing as increasing amounts of historic farm land is being developed for housing. Between 2008 and 2015, over 10,000 building permits were issued for over 12,000 residential units. According to the County Planning and Zoning Department, the average density of new development has been approximately 1.9 dwelling units per acre in rural areas. As a result, land acreage is being consumed rapidly, particularly in rural areas since the average density is lower in these areas growth areas (Sussex County Comprehensive Plan, 2018).

Table 17-6. Land Use in Sussex County, 2019

Sussex County Land Use Category (NLCD 2019)	Acres	%
Barren Land (Rock/Sand/Clay)	2,822	0.4%
Cultivated Crops	253,043	33.1%
Deciduous Forest	15,622	2.0%
Developed, High Intensity	5,050	0.7%
Developed, Low Intensity	31,328	4.1%
Developed, Medium Intensity	19,354	2.5%
Developed, Open Space	43,123	5.6%
Emergent Herbaceous Wetlands	22,035	2.9%
Evergreen Forest	36,691	4.8%
Grassland/Herbaceous	1,626	0.2%
Mixed Forest	36,678	4.8%
Open Water	169,082	22.1%
Pasture/Hay	1,626	0.2%
Shrub/Scrub	3,136	0.4%
Woody Wetlands	124,019	16.2%
Grand Total	765,235	100.0%

Source: MRLC 2021

The Delaware Inland Bays are framed by Interstate Route 9 to the north and Interstate Route 113 to the west. The barrier beach on either side of the Indian River Inlet is conserved as state parklands as part of Delaware Seashore State Park. State Route 1 (Coastal Highway) connects the north and south banks of the inlet via the Charles W. Cullen Bridge, a concrete bridge consisting of a 290 m (950 ft) cable-stayed center span flanked by 130 m (425 ft) approach units (E. Nelson 2012). It is the fifth bridge built to span the inlet in a 60-year period (E. Nelson 2012). Extreme tides and storm surge make the inlet vulnerable to erosion and scour. The banks of the inlet were armored in 1939 to defend against erosion (DNREC 2019).

A number of public transportation systems serve Sussex County. Nine public bus routes run throughout Sussex County, with four additional routes providing transit between counties (DART 2018). However, all of the bus routes are either inland or north of the Interconnection Facilities. The Jolly Trolley operates immediately north of the Interconnection Facilities, transporting passengers between Rehoboth Beach and Delaware Seashore State Park daily between Memorial Day and Labor Day (Jolly Trolley 2019). Further north, the Cape May-Lewes Ferry transports passengers between Delaware and New Jersey across Delaware Bay. Ferry service operates year-round and accommodates commuters, tourists, and special events (Cape May-Lewes Ferry 2019).

The installation of any upland onshore export cables to reach the Interconnection Facilities may impact public transportation systems in Sussex County. These impacts may result in the temporary cessation of services during construction and the rerouting of traffic to account for road closures. This may reduce access to local businesses in the area. Once the cables have been installed, public transportation services and traffic patterns will resume to the same operations as pre-construction.

Baltimore County, Maryland

Land use in Baltimore County is described in Table 17-7. The predominant land use in Baltimore County is forest (33%); however, developed land occupies nearly the same area (33%). Agriculture accounts for approximately 19% of land use in Baltimore County. Grasslands and shrublands, wetlands, and open water each represent approximately 3% of land in the County. Baltimore County also contains significant industrially-zoned land.

Table 17-7. Land Use in Baltimore County, 2019

Baltimore County Land Use Category (NLCD 2019)	Acres	%
Barren Land (Rock/Sand/Clay)	1,062	0.2%
Cultivated Crops	35,693	8.2%
Deciduous Forest	122,682	28.1%
Developed, High Intensity	11,053	2.5%
Developed, Low Intensity	41,530	9.5%
Developed, Medium Intensity	28,602	6.6%
Developed, Open Space	61,978	14.2%
Emergent Herbaceous Wetlands	2,432	0.6%
Evergreen Forest	1,984	0.5%
Grassland/Herbaceous	1,530	0.4%
Mixed Forest	17,613	4.0%
Open Water	52,890	12.1%
Pasture/Hay	48,870	11.2%
Shrub/Scrub	1,670	0.4%
Woody Wetlands	6,893	1.6%
Grand Total	436,480	100.0%

Tradeport Atlantic is a 3,300-acre property available for industrial development. Once the site of the world’s largest iron and steel making facility, this parcel of land is currently available for industrial, marine, rail, and open land development. Since the emergence of Tradeport Atlantic in 2014, over 10,000 new and permanent jobs have been created (Tradeport Atlantic 2019).

The site is marketed as the largest, multi-modal industrial complex available for development on the east coast, as well as the largest on the Baltimore/Washington market. To date, 9.3 million square feet of distribution, warehousing and industrial facilities have been leased and developed at Tradeport Atlantic, with potential to develop an additional 7 million square feet of Class A industrial development. The marine terminal within the Port of Baltimore has a 15-meter (50-foot) main channel, with four, 670-meter (2,200 linear feet) berths and an access channel ranging from 11 to 12 meters (36 to 41 feet). It is also directly accessible by major highways, such as I-695, I-95, and I-70, and by rail, with direct connections to CSX and Norfolk Southern (Tradeport Atlantic 2019).

The proximity to 16 designated offshore lease areas, coupled with the multi-modal transportation resources at this site, allows Tradeport Atlantic to be highly advantageous for offshore wind development, specifically the manufacture and assembly of foundation components. Basing staging, fabrication, and assembly activities at this location streamlines the construction phase and financially benefits Baltimore County.

Worcester County, Maryland

Worcester County is the easternmost county in Maryland and encompasses all of the state’s oceanfront, from Delaware to the north to Virginia to the south. Land use in Worcester County is described in Table 17-8. The County’s low elevation, coastal position, and restrictive zoning make forest, wetlands, and agriculture the predominant land use. Some 33% of the County is open water, while developed land accounts for nearly 7% of land use. On its entire oceanside flank, lie the barrier islands of Ocean City and Assateague, the county’s main tourism drivers. Some 22 miles of the county’s coast is Assateague Island and the northern 10 miles encompass Ocean City. The islands are separated by the Ocean City Inlet.

Table 17-8. Land Use in Worcester County, 2019

Worcester County Land Use Category (NLCD 2019)	Acres	%
Barren Land (Rock/Sand/Clay)	3,450	0.8%
Cultivated Crops	86,246	19.4%
Deciduous Forest	2,259	0.5%
Developed, High Intensity	2,701	0.6%
Developed, Low Intensity	6,957	1.6%
Developed, Medium Intensity	4,518	1.0%
Developed, Open Space	14,675	3.3%
Emergent Herbaceous Wetlands	16,934	3.8%
Evergreen Forest	24,749	5.6%

Worcester County Land Use Category (NLCD 2019)	Acres	%
Grassland/Herbaceous	563	0.1%
Mixed Forest	12,160	2.7%
Open Water	144,691	32.5%
Pasture/Hay	928	0.2%
Shrub/Scrub	1,190	0.3%
Woody Wetlands	122,630	27.6%
Grand Total	444,653	100.0%

U.S. Routes 13, 50, and 113 provide the primary land-based access in and out of Worcester County. More than 70 trucking establishments utilize these routes. The Bay Coast Railroad, Maryland & Delaware Railroad, and the Norfolk Southern Railway also serve Worcester County. The small Ocean City Municipal Airport and the larger Salisbury-Ocean City Wicomico Regional Airport offer air service a few miles outside of Ocean City and Snow Hill, respectively.

The Pocomoke River is navigable and offers inland access from the Chesapeake Bay, although the river is predominantly used by boaters and paddlers who access the water bodies via numerous up-river boat ramps. The Ocean City Inlet allows ocean-going vessels to access marinas in Ocean City and West Ocean City. Bayside marinas offer hundreds of boat slips with access to power hook-ups and fueling stations approximately 0.4 km (0.25 mi) from the Atlantic Ocean.

Berlin, Newark, Ocean City, Ocean Pines, Pocomoke City, Snow Hill, and West Ocean City have municipal water and sewer systems, although Ocean City, Berlin, Snow Hill, and Pocomoke City are the County’s only incorporated towns. Nine utility providers supply either electricity, natural gas, or telecommunications services to communities in Worcester County (Worcester County Department of Economic Development 2019).

17.2.2 Impacts

17.2.2.1 Construction

Barrier Beach Landfall locations have been chosen to avoid impacts to sensitive coastal areas. Because the transition vaults at the Barrier Beach Landfalls will be buried underground in previously disturbed areas and landfalls will utilize HDD, this portion of the Project will have a negligible impact on land use. Upon completion of the HDD operations, the proposed landfall location at the 3 R’s Beach or Tower Road parking lot in Delaware will be restored to pre-construction grade and conditions. No Barrier Beach Landfall locations are anticipated in Maryland.

Construction of the substations at the proposed Interconnection Facilities will convert open space into impervious surface but will have a minimal impact on land use. No new port or dock facilities are proposed to be constructed as part of the Project. If no alternative exists, US Wind may construct a new administrative building or quayside access.

It is not anticipated that any coastal transportation systems will be interrupted during construction due to a lack of geographic overlap between construction sites and transit locations. It is expected that construction barges will avoid conflicts with ferries because the ferries follow established schedules and routes and construction activities would be coordinated with the USCG and Notices to Mariners issued to inform the maritime interests of anticipated work activities and schedules. Construction activities would result in approximately 1,000 round trips by vessels (See Volume I, Section 3.1 for the proposed ports involved in construction). Onshore, US Wind will work with local officials to develop a traffic management plan to reduce impacts to local traffic during construction. Onshore cable routes, if pursued, would follow existing, previously disturbed utility or roadway Rights-of-Way.

17.2.2.2 Operations

It is anticipated that the O&M of the Project will have negligible impacts on land use and coastal infrastructure. Project operations are projected to require approximately 2,500 round trips out of Ocean City over the estimated 25-year lifetime of the Project (Appendix II-C1). Existing port facilities and infrastructure are anticipated to be used; it is not expected that new infrastructure will be built (See Volume I, Section 3.1 for the proposed ports involved in operations). Routine and non-routine maintenance will be addressed promptly, and only the portion of the Project area that pertains to the affected components would be impacted.

17.2.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system. Decommissioning impacts are expected to be similar to construction impacts.

17.3 Recreation and Tourism

17.3.1 Description of Affected Environment

This section describes the recreational resources and tourist activities that occur in the Project area. Recreational fishing is discussed in Volume II, Section 17.5.

Sussex County, Delaware

Delaware's Sussex County has 42 km (26 mi) of Atlantic Ocean coastline. Shorefronts in this area include 21 beaches, and a diversity of natural and developed landscapes that host substantial recreation, particularly in connection with marine fishing and beach-related activities (ICF Incorporated L.L.C. 2012). It is estimated that the population of the Inland Bays watershed more than doubles during the summer tourist season (DCIB 2016).

Delaware Seashore State Park follows the Atlantic coast for about 8 km (5 mi) north of the Indian River Inlet and more than 1.6 km (1 mi) south of the inlet. Cyclists may use the Charles W. Cullen Bridge to travel between parklands on either side of the inlet. There are campgrounds on either side of the inlet. The Burton Island Nature Preserve on the bay side of the barrier island features a walking path through coastal salt marsh. The Burton Island Nature Preserve is used for birding and for leading guided walks (DNREC 2019).

Delaware Seashore State Park has two ocean swimming beaches and a surfing area. A sand sculpting contest is held annually in July on the South Inlet beach (DNREC 2019). Swimming is

allowed at the beach from May to September (Swim Guide 2019). Clamming and crabbing are only permitted in limited areas of the park, but fishermen pursuing finfish frequent the ocean beaches and the banks of the inlet. The Indian River Marina, located on the north side of the inlet, is open year-round and offers a boat ramp, dock space, and charter fishing trips. Canoes, kayaks, and sailboats use non-motorized boat launches north of the inlet on Rehoboth Bay (DNREC 2019).

As discussed above in Volume II, Section 17.1, tourism and recreation are critical to the economy of Sussex County. In 2018, tourism accounted for 95% of the GDP and provided 97% of the jobs in the County's ocean economy (NOEP 2020). The coastal towns, including Rehoboth Beach, Dewey Beach, Bethany Beach, South Bethany Beach, and Fenwick Island are all heavily dependent on revenues from tourism and real estate sale transfer taxes.

Baltimore County, Maryland

Both local residents and tourists frequent Maryland's coastline and beaches for swimming, boating, fishing, and sunbathing. Seven state parks in Baltimore County feature boat launches with access to Chesapeake Bay (Baltimore County Department of Recreation and Parks 2018). Ramps are open daily year-round. Many of the state parks have areas for walking and picnicking, but the Marshy Point Nature Center is one of the more expansive facilities with its educational exhibits, hiking trails, and a canoe launch (Baltimore County Department of Recreation and Parks 2018). The Baltimore County Sailing Center also teaches students of all ages how to sail on the bay (Baltimore County Department of Recreation and Parks 2018).

As mentioned in the discussion of economy and employment in Volume II, Section 17.1, tourism and recreation play a large part in the ocean and coastal economies of Baltimore County. In 2018, tourism employed more than 5,000 people and generated a GDP exceeding \$209 million for the County's ocean economy. In 2020, the leisure and hospitality industry provided nearly 27,000 jobs and a GDP of \$2 billion in the County's coastal economy (NOEP 2020).

Worcester County, Maryland

As mentioned in the discussion of economy and employment in Volume II, Section 17.1, tourist and recreational activities in Worcester County have significant economic value. Ocean City and the County's ocean economy employed nearly 8,000 people in tourism in 2018, which generated a GDP of about \$497 million. Similarly in 2020, the leisure and hospitality industry employed over 7,000 people and created a GDP of \$471 million of the County's coastal economy (NOEP 2020).

Worcester County oversees 13 public parks that are open year-round. The County also enjoys over 70,000 acres of state and federal land which along with private enterprises boast thousands of campsites (MDDNR 2022b). There are fifteen public boat launches in the County, and some of the parks have piers that visitors can use for fishing or crabbing. Water trails, hiking paths, and boardwalks make parklands accessible to residents and visitors of all abilities and interests.

The County is particularly popular with birdwatchers because many migratory species pass through Worcester County en route to their summer or winter grounds. Assateague Island, known for its highly-rated State Park and National Seashore, is also located in Worcester County (Worcester County 2018). Assateague State Park is the most visited state park in Maryland (MDDNR 2022a).

17.3.2 Impacts

17.3.2.1 Construction

Impacts to recreation in the Project area will be moderate during construction, but short-term in nature. The Barrier Beach Landfalls in Delaware at the proposed 3 R's Beach or Tower Road parking lots will be inaccessible while HDD operations for the landfalls are active. Off-season beachgoers who would typically drive to these locations in the Delaware Seashore State Park will have to temporarily find alternate parking, use alternate transportation, or, most likely, use an alternate beach. Potential beachgoers in this area range from surfers and swimmers to fishermen and beachcombers. No work will be conducted between Memorial Day and Labor Day.

Construction vessel traffic may also impact recreation and tourism in the Project area. Recreational boaters may experience limited access to parts of the near-shore Indian River Bay and minor travel delays due to conflicts with construction vessels. These are routine impacts that can occur between any two vessels while at sea and are generally nothing more than inconveniences. The visual and auditory effects of increased vessel traffic in the Project area can also impact the aesthetic value of the landscape for recreationalists and tourists. Visual impacts of the Project are discussed in greater detail in Appendix II-J1.

Based on the proposed Project schedule, impacts to recreation will be short-term and have no long-term impacts. US Wind proposes concentrating construction activities for land-based onshore export cables and at Barrier Beach Landfalls outside of the summer recreation season (Memorial Day to Labor Day) to minimize negative impacts.

17.3.2.2 Operations

Routine Project operations will have a negligible impact on recreation and tourism. Maintenance activities are expected to occur on a routine basis. Any emergency maintenance that is required will be addressed promptly, and only the portion of the Project area that pertains to the affected infrastructure would be impacted. Few, if any, recreators are expected to forego a trip to a particular location due to occasional increases in boat traffic or similar potential indirect impacts associated with maintenance activities (USDOI and MMS 2007).

A review of current literature related to offshore wind's impact on tourism along the East Coast of the United States indicated that it would likely be positive. A study of the only operating offshore wind project in the US found that Block Island, Rhode Island's vacation rental market shows a significant increase in nightly reservations, occupancy rates and monthly revenue during peak-tourism months after construction of the Block Island Wind Farm. These results aligned with other indications of increased tourism activity for the Block Island Ferry, local for-hire fishing boats and helicopter charters (Carr-Harris and Lang 2019).

A survey was conducted of potential beachgoers along the East Coast to evaluate their reactions to potential wind power projects located at distances ranging from 4 to 32 km (2.5 to 20 mi) offshore. The majority of respondents indicated that their beach experience would not be affected by offshore wind projects. This stated preference survey suggests that for an offshore wind power project near shore (closer than 12 km (7.5 mi)) effects may be negative in economic terms while at further distances (20 – 30 km (12.5 – 20 mi)) there may be a net positive gain (G. Parsons and Firestone 2018).

In September 2017, The Sarah T. Hughes Field Politics Center at Goucher College conducted a poll of 671 Maryland residents. The residents were asked if seeing WTGs on the horizon from the beach of Ocean City, Maryland would make them more or less likely to vacation in Ocean City. The majority of respondents (75%) indicated that the visibility of WTGs would make no difference in vacation plans, 11% were less likely to vacation in Ocean City and 12% were more likely (Goucher Poll 2017).

Generally, the more recent relevant literature suggests that the majority of tourism activity in the area of the Project would be unaffected and that any negative impacts associated with the Project will be offset by positive increases in tourist activity by providing a new tourist attraction for people who would like to see the WTGs once they are operational.

17.3.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system. Decommissioning impacts are expected to be similar to construction impacts.

17.4 Environmental Justice

17.4.1 Description of Affected Environment

Executive Order 12898 instructs federal agencies to consider environmental justice issues in all agency decisions. It directs each federal agency to identify and address disproportionately high and adverse human health or environmental effects of the agency programs or actions on minority and low-income populations and populations that depend on fish and wildlife for subsistence. Low-income and minority communities are most vulnerable to Environmental Justice issues. Often these communities do not have an organized community group that can serve as a point of contact. Additionally, these communities may house a disproportionate amount of polluting facilities putting residents at a much higher risk for health problems from environmental exposures (Maryland Department of the Environment 2015a). The environmental justice characteristics of counties in the Project area are discussed below (Table 17-9).

Table 17-9. Environmental Justice Characteristics of the Project Area, 2019

Location	Poverty Rate (%)	Minority Percentage (%)
Sussex County	11.3%	18.5%
State of Delaware	11.8%	31.9%
Baltimore County	9.0%	40.2%
Worcester County	9.0%	17.1%
State of Maryland	9.2%	45.5%
United States	13.4%	28.2%

Sussex County, Delaware

The poverty rate in Sussex County was 11.3% in 2019, less than both the state poverty rate of 11.8% and the national poverty rate of 13.4%. The percentage of the population representing minority groups in Sussex County in 2019, 18.5%, was also less than the percentage of the population representing minority groups in the state (31.9%) or the nation (28.2%) (USCB 2019a).

Baltimore County, Maryland

The poverty rate in Baltimore County, 9.0%, is less than the state poverty rate of 9.2% and the national poverty rate. However, the percentage of the population of Baltimore County that represented minority groups was 40.2% in 2019, which was less than the state-wide percentage of 45.5%, but greater than the nationwide percentage (USCB 2019a).

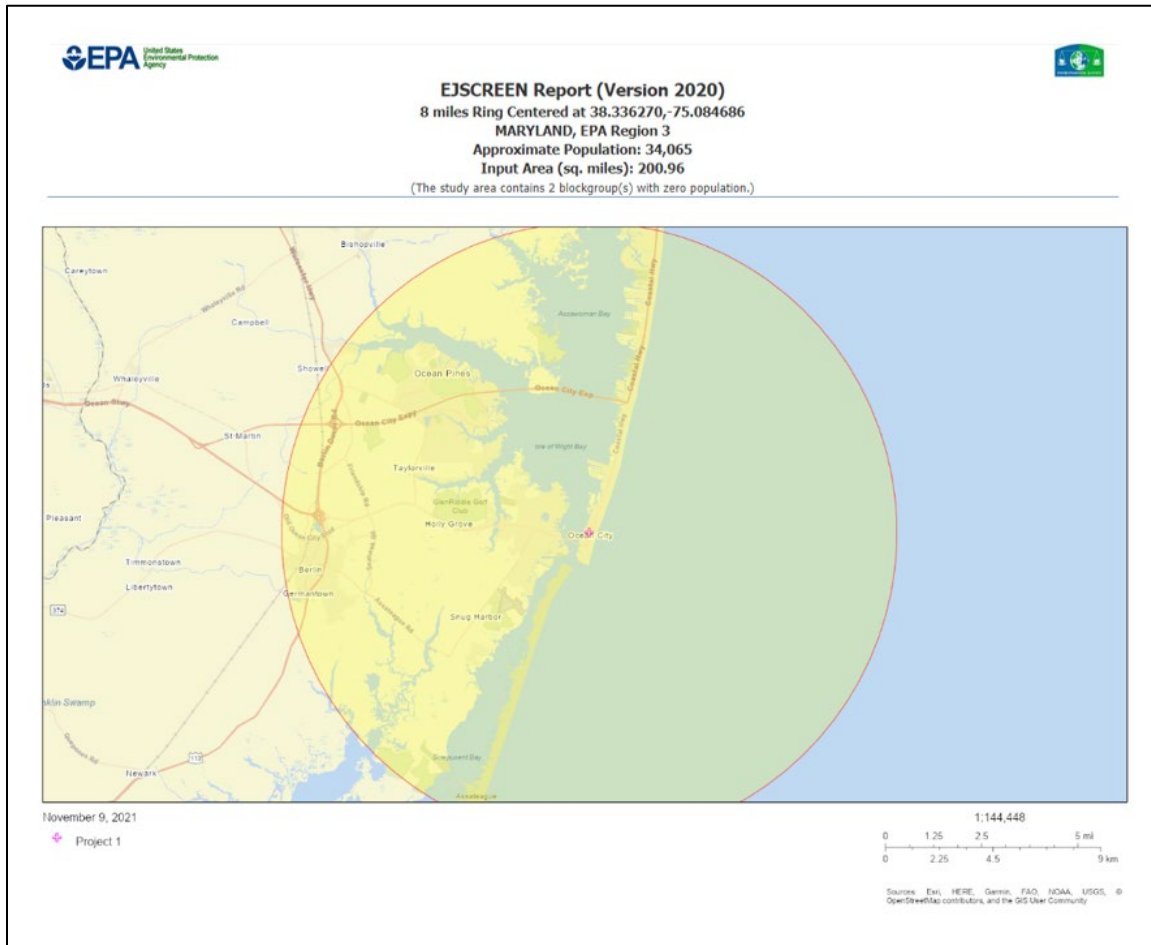
Worcester County, Maryland

At 9.0%, the poverty rate in Worcester County was less than both the statewide poverty rate and the national poverty rate. The percentage of the population of Worcester County representing minority groups is only 17.1%, lower than both the state-wide and nationwide percentages (USCB 2019a).

17.4.1.1 Environmental Justice Screening

An environmental justice screening was conducted to determine potential environmental and demographic issues in the area using the Environmental Justice and Screening Tool (EJSCREEN). USEPA uses EJSCREEN to identify areas that may have higher environmental burdens and vulnerable populations as it develops programs, policies and activities that may affect communities. There are 12 environmental justice indexes in EJSCREEN reflecting environmental indicators. EJSCREEN also uses demographic factors as general indicators of a community's potential susceptibility to the types of environmental factors.

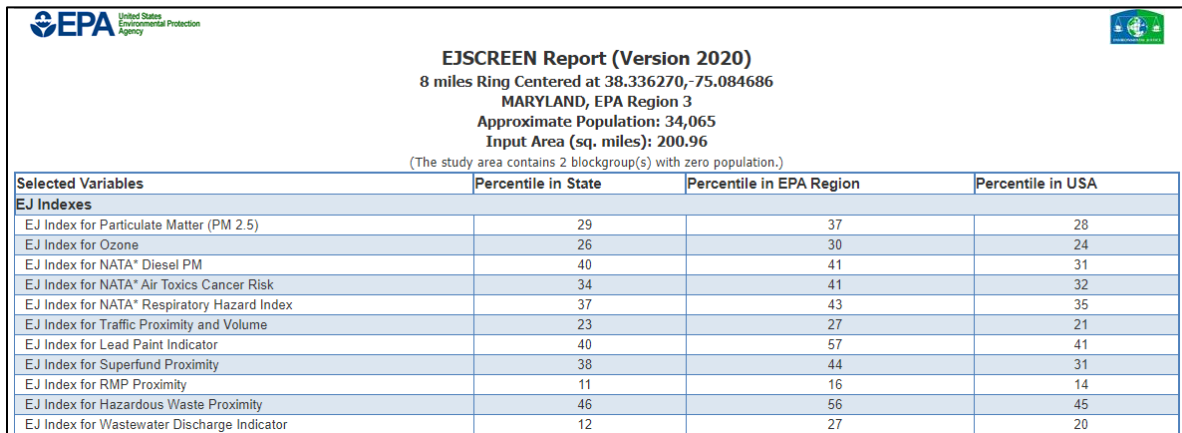
For the Project, the EJSCREEN analysis centered on Ocean City, Maryland, the community closest to the Project location (Figure 17-2).



Source: United States Environmental Protection Agency. 2021. EJSCREEN. Retrieved: 11/09/2021, from <https://ejscreen.epa.gov/mapper/>.

Figure 17-2. Environmental Justice Screening Area (2021)

The EJSCREEN results shown in Figure 17-3 compare the communities in the Project area to the rest of the state, EPA region, and nation using percentiles. These percentiles are a way to see how local residents compare to everyone else in the United States. For example, the national percentile indicates what percent of the US population has an equal or lower potential for exposure, risk or proximity to certain facilities, or a lower percent minority exposure.



EJSCREEN Report (Version 2020)
8 miles Ring Centered at 38.336270,-75.084686
MARYLAND, EPA Region 3
Approximate Population: 34,065
Input Area (sq. miles): 200.96
(The study area contains 2 blockgroup(s) with zero population.)

Selected Variables	Percentile in State	Percentile in EPA Region	Percentile in USA
EJ Indexes			
EJ Index for Particulate Matter (PM 2.5)	29	37	28
EJ Index for Ozone	26	30	24
EJ Index for NATA* Diesel PM	40	41	31
EJ Index for NATA* Air Toxics Cancer Risk	34	41	32
EJ Index for NATA* Respiratory Hazard Index	37	43	35
EJ Index for Traffic Proximity and Volume	23	27	21
EJ Index for Lead Paint Indicator	40	57	41
EJ Index for Superfund Proximity	38	44	31
EJ Index for RMP Proximity	11	16	14
EJ Index for Hazardous Waste Proximity	46	56	45
EJ Index for Wastewater Discharge Indicator	12	27	20

Source: United States Environmental Protection Agency. 2021. EJSCREEN. Retrieved: 11/09/2021, from <https://ejscreen.epa.gov/mapper/>.

Figure 17-3. Environmental Justice Screening Report

EJSCREEN results shown in Figure 17-3 indicate that in general, the study area percentiles range from 11% to 57% and indicate that the study area has lower potential for exposure, risk or proximity to environmental justice issues than Maryland and Delaware, EPA Region 3 and the U.S. For example, the 33rd Percentile in the state, means the average person in the study area has a block group score greater than, or equal to that of 33% of the state population. These indicators included lead paint in housing, proximity to hazardous waste and Superfund sites, and hazards concerning air quality.

Subsistence and Harvest Practices

No published data has been found related to subsistence and harvest practices in the Project area.

As part of its ongoing stakeholder engagement, US Wind is actively working with the Narragansett Indian Tribe, the Shinnecock Indian Nation, and the Lenape Tribe of Delaware as well as thirteen additional Tribes with potential cultural linkage to the Project area in order to better understand how the Project may impact the natural and physical environmental resources, as well as the social and cultural resources, used by these communities. As stated in Executive Order 13175, “The United States continues to work with Indian tribes on a government-to-government basis to address issues concerning Indian tribal self-government, tribal trust resources, and Indian tribal treaty and other rights” (EOP 2000).

In addition to the coordination between BOEM and the tribes, US Wind has communicated and will continue to communicate with the Tribes directly throughout the Project. On September 9, 2021, US Wind requested information from the 16 Tribes BOEM and US Wind have identified that may have a cultural link to areas that may be affected by the Project. US Wind offered to discuss the Project in detail and invited the Tribes, at their discretion, to share pertinent

information about traditions, practices, beliefs, and other cultural resources that may be affected by Project activities. Through on-going outreach efforts, US Wind will work directly with the Tribes to develop measures to avoid negative impacts to the resources, traditions, and cultural practices of these communities.

17.4.2 Impacts

17.4.2.1 Construction

Due to the primarily offshore nature of Project activities and limited need for upland resources, it is anticipated that the Project will not have disproportionately high or adverse environmental or health effects on minority or low-income populations. Upland/coastal activities, which could have the potential to impact minority or low-income populations, are expected to be conducted at existing fabrication sites, staging areas, substations and ports without the need for expansion or significant changes in use relative to existing operations. If upland onshore export cables are installed, the cables would be predominantly located in previously disturbed land. As described in Volume II, Section 17.1, the Project is expected to create new jobs and economic growth in Maryland, which could benefit low-income populations. The Project is not anticipated to have any impacts that would add exposure risk, risk of release, or increase proximity risk to environmental justice communities in the Project area.

17.4.2.2 Operations

Routine Project operations will have a negligible impact on environmental justice. Maintenance activities are expected to occur on a routine basis. Any emergency maintenance that is required will be addressed promptly, and only the portion of the Project area that pertains to the affected infrastructure would be impacted.

17.4.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system. Decommissioning impacts are expected to be similar to construction impacts.

17.5 Commercial and Recreational Fisheries

17.5.1 Description of Affected Environment

Fisheries Management

Commercial and recreational fishing is common throughout the mid-Atlantic region. Commercial fishing within the Project area is managed by the Mid-Atlantic Fishery Management Council, NOAA's Highly Migratory Species Office, and the Atlantic States Marine Fisheries Commission. There are a number of fishery management plans in place for regulating and managing fisheries in the region. These include plans for summer flounder, scup, black sea bass, spiny dogfish, Atlantic mackerel, squid, butterfish, bluefish, surfclam, ocean quahog, and tilefish. See Volume II, Section 8.0 for additional information on fishery management plans.

Sea Risk Solutions prepared a Fisheries Assessment Report (FAR) for the Project (Appendix II-F2). According to the FAR, commercial fishing vessels will head to selected fishing grounds

west to east after departing Ocean City. Commercial fishing vessels transiting from points north and south to access regional fishing grounds offshore of the Lease area will transit in a direction that is generally north/south and may choose to avoid the Lease area once it is built out.

Fishing occurs both offshore in the Atlantic Ocean as well as in the Delaware Inland Bays. However, there are a number of regulations in place in the Inland Bays due to degraded water quality. There are fish consumption advisories for striped bass and bluefish, as a result of elevated concentrations of polychlorinated biphenyls and mercury. Additionally, as of 2016, shellfish harvesting was prohibited in 32 percent of the Inland Bays and approved only seasonally in an additional 7 percent. Hard clam is the primary shellfish species of recreational and commercial concern in Indian River Bay (see Section 7.0) and is harvested using hand-rakes. Oyster reefs were also common in the Inland Bays until the 1950s, when the population was devastated by disease (DCIB 2016). Although natural oyster reefs are no longer present in Indian River Bay (Ewart 2013), the state of Delaware has designated portions of Indian River Bay as shellfish aquaculture development areas (SADA). Volunteer oyster gardeners have found that oysters can grow successfully throughout the Inland Bays, which led to the approval of oyster and clam farming.

Commercial and recreational fishing activities in the Project area are detailed in the sections below.

Commercial Fishing Resources

Commercial fishing in the Project area occurs primarily offshore in both Maryland and Delaware. AIS data for fishing vessels (vessels type classified as “Fishing”, traveling at 5 knots or less) in the vicinity of the Project area in 2019 indicate that activity was primarily located outside of the Lease area (Figure 17-4). Within the Project area, vessel tracks were largely consolidated along a route between Ocean City and offshore fishing grounds to the east of the Lease area (Figure 17-4). U.S. fisheries landings data from 2017 to 2020 indicate that the following species were the top valued commercial fisheries (by revenue) in Delaware: blue crab, eastern oyster, knobbed whelk, black sea bass, and horseshoe crab (NOAA Fisheries 2021e, Table 17-10). These five species accounted for 88.4% of the commercial fishing revenue in Delaware from 2017 to 2020 (NOAA Fisheries 2021e). Collectively, species for which data was withheld for confidentiality reasons accounted for 8.0% of fisheries landings in Delaware between 2017 to 2020 (NOAA Fisheries 2021e). Top fisheries in Maryland between 2017 to 2020 were similar to Delaware, with the most valuable being blue crab, eastern oyster, striped bass, sea scallop, and black sea bass ((NOAA Fisheries 2021e), Table 17-11). Together, these species accounted for 85.4% of the commercial fishing revenue in Maryland from 2017 to 2020 (NOAA Fisheries 2021e). Collectively, species for which data was withheld for confidentiality reasons accounted for 5.8% of fisheries landings in Delaware between 2017 to 2020 (NOAA Fisheries 2021e). In both Delaware and Maryland, blue crab accounted for at least 60% of fisheries revenues from 2017 to 2020 (NOAA Fisheries 2021e).

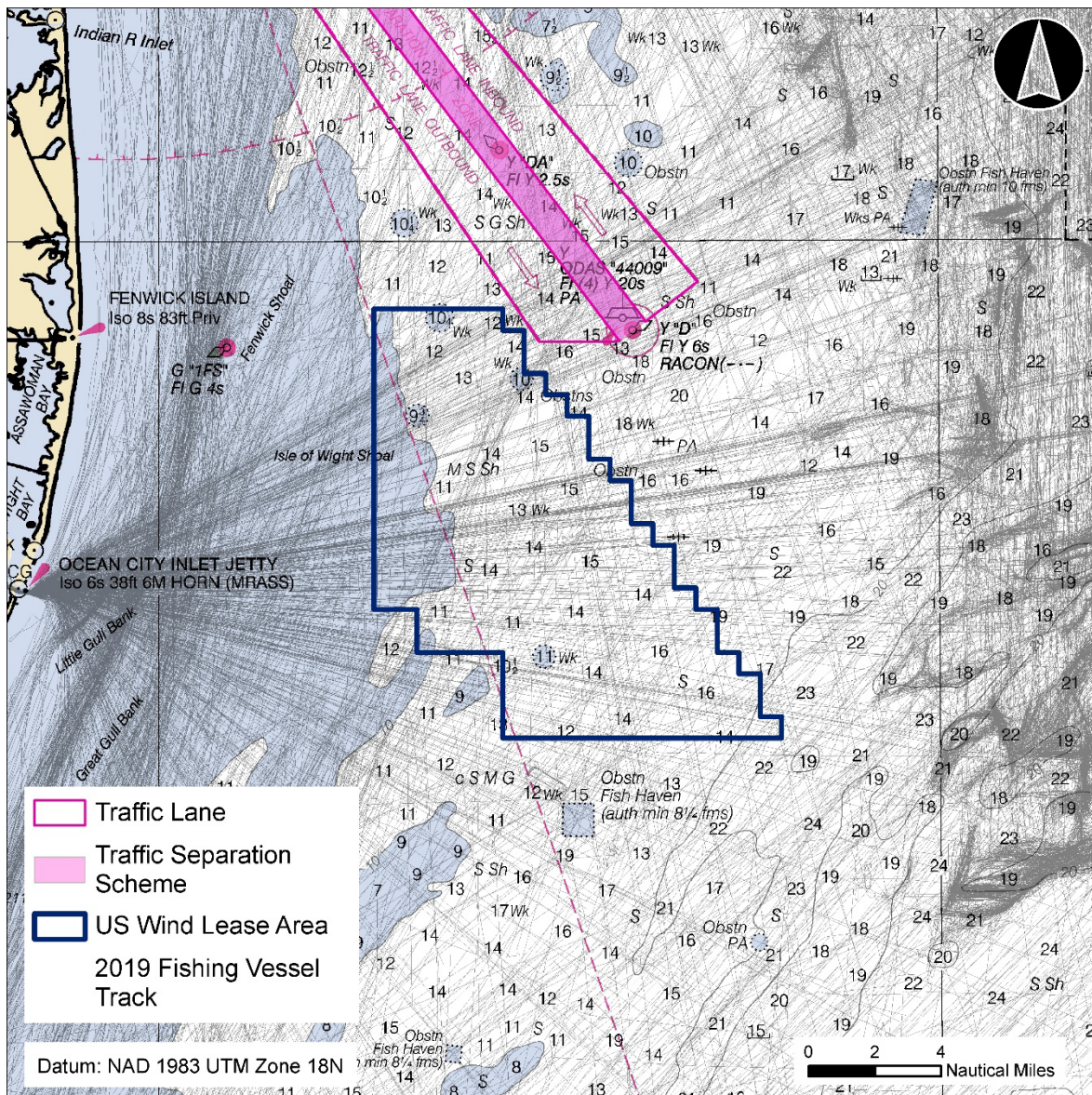


Figure 17-4. Lease Area and 2019 Fishing Vessel Tracks. Includes AIS data for vessels classified as “Fishing” and traveling less than 5 knots (to exclude transiting vessels)

Table 17-10. Delaware Commercial Landings Revenue, 2017 to 2020

Species	2017	2018	2019	2020	2017 - 2020 Total	Percent
Crab, blue	\$7,318,230	\$7,574,143	\$8,479,459	\$7,195,054	\$30,566,886	73.3%
Oyster, Eastern	\$701,035	\$644,134	\$994,059	\$456,833	\$2,796,061	6.7%
<i>Withheld for confidentiality</i>	\$946,144	\$960,824	\$446,575	\$329,388	\$2,682,931	6.4%
Bass, Black Sea	\$277,610	\$512,794	\$493,616	\$429,426	\$1,713,446	4.1%
Whelk, Knobbed	\$237,230	\$639,987	\$518,137	\$260,753	\$1,656,107	4.0%
Bass, Striped	ND	ND	\$470,237	\$477,684	\$947,921	2.3%
Crab, Horseshoe	ND	ND	\$287,394	\$218,405	\$505,799	1.2%
Clam, Quahog, Northern	\$101,178	\$73,050	\$72,566	\$41,900	\$288,694	0.7%
Lobster, American	\$194,902	ND	ND	\$85,450	\$280,352	0.7%
Eel, American	ND	\$96,777	\$42,614	\$5,722	\$145,113	0.3%
Menhaden, Atlantic	\$8,938	\$17,082	\$8,369	\$15,985	\$50,374	0.1%
All other species	\$14,381	\$25,274	\$14,677	\$6,348	\$60,680	0.1%
Total	\$9,799,648	\$10,544,065	\$11,827,703	\$9,522,948	\$41,694,364	100%

Source: NOAA Fisheries 2021

ND = no data available

Table 17-11. Maryland Commercial Landings Revenue, 2017 to 2020

Species	2017	2018	2019	2020	2017 - 2020 Total	Percent
Crab, Blue	\$48,535,248	\$45,307,942	\$48,058,247	\$33,174,255	\$175,075,692	60.0%
Oyster, Eastern	\$10,473,078	\$6,741,398	\$9,949,103	\$9,209,648	\$36,373,227	12.5%
Bass, Striped	\$7,060,881	\$6,021,992	\$6,014,945	\$4,535,955	\$23,633,773	8.1%
<i>Withheld for confidentiality</i>	\$5,559,224	\$6,402,021	\$3,970,662	\$6,000,027	\$21,931,934	7.5%
Scallop, Sea	\$944,785	\$1,208,629	\$2,403,227	\$1,710,241	\$6,266,882	2.1%
Bass, Black Sea	\$1,235,518	\$1,253,816	\$1,192,217	\$960,083	\$4,641,634	1.6%
Catfish, Blue	\$920,308	\$1,082,032	\$1,134,435	\$876,953	\$4,013,728	1.4%
Menhadens	\$648,149	\$732,878	\$627,099	\$964,225	\$2,972,351	1.0%
Clam, Soft	\$1,662,770	\$911,325	\$212,798	\$29,350	\$2,816,243	1.0%
Eel, American	\$1,399,552	ND	\$842,812	ND	\$2,242,364	0.8%
Flounder, Summer	\$563,964	\$608,333	\$402,484	\$484,708	\$2,059,489	0.7%
Swordfish	\$157,185	ND	\$194,935	\$683,600	\$1,035,720	0.4%
Shad, Gizzard	ND	\$555,233	\$248,245	\$141,590	\$945,068	0.3%
Perch, White	ND	ND	\$936,549	ND	\$936,549	0.3%
Tuna, Bigeye	ND	ND	\$570,570	\$352,607	\$923,177	0.3%
Tuna, Yellowfin	\$394,043	\$173,904	\$254,642	\$100,581	\$923,170	0.3%
Whelk, Channeled	\$12,167	\$68,732	\$288,222	\$312,395	\$681,516	0.2%
Lobster, American	\$208,084	\$175,993	\$82,436	\$80,793	\$547,306	0.2%
Shark, Dogfish, Spiny	\$295,487	\$97,349	ND	\$64,646	\$457,482	0.2%
Spot	\$167,147	\$113,323	\$44,852	\$131,232	\$456,554	0.2%
Crab, Horseshoe	\$320,887	\$46,142	ND	\$65,287	\$432,316	0.1%
Perch, Yellow	\$93,841	\$74,018	\$105,487	\$51,561	\$324,907	0.1%
Conchs	\$161,774	\$14,925	\$64,242	ND	\$240,941	0.1%

Species	2017	2018	2019	2020	2017 - 2020 Total	Percent
Crab, Jonah	\$73,596	\$60,399	\$50,866	\$39,390	\$224,251	0.1%
Croaker, Atlantic	\$137,953	\$76,944	\$5,355	\$2,817	\$223,069	0.1%
All other species	\$486,071	\$258,051	\$331,679	\$277,141	\$1,352,942	0.5%
Total	\$81,511,712	\$71,985,379	\$77,986,109	\$60,249,085	\$291,732,285	100%

Source: NOAA Fisheries 2021

ND = no data available

As shown in Figure 17-5, commercial fishing revenue is relatively low in the Project area compared to areas further offshore.

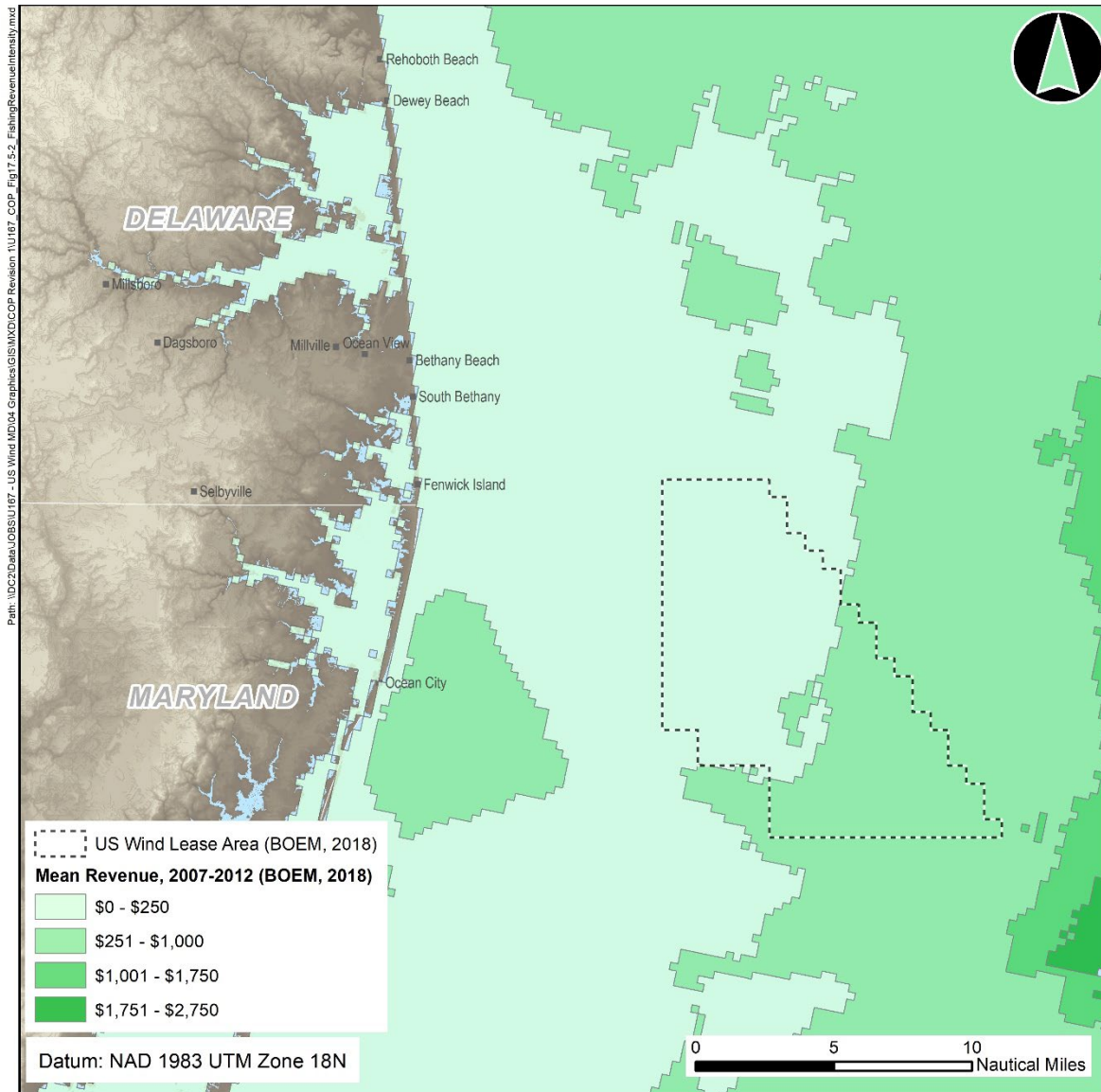


Figure 17-5. Lease Area and Revenue-Intensity Raster from Commercial Fishing Activity

As discussed in the FAR, of the ports in the region, Ocean City receives the most landings from commercial fishing within the Lease area. See Section 3 of Appendix II-F2. Vessels from Ocean City accounted for the greatest percentage of commercial fishing vessel trips to the Project area of any port from 2008 through 2019 (NOAA Fisheries 2021d, 2021f) The small commercial fishing fleet out of Ocean City is dominated by trawlers, gill netters, dredgers, and potters (MDDNR 2021a). The majority (68%) of vessels served by Ocean City are small, with a length of less than 15 m (50 ft) (NOAA NEFSC 2014). Fish packing facilities have not been active in Delaware since the 1980's, so vessels that depart from Delaware typically land their catch in Ocean City to take advantage of one of the three packing facilities as well (NOAA Fisheries

n.d.). The Worcester County Commission zoned the Ocean City harbor as a commercial marine district and oversees a commercial dock in West Ocean City (NOAA Fisheries n.d.).

Fisheries and Gear Types

US Wind contracted Sea Risk Solutions to conduct a study of fisheries and fishing activities in the Lease area (Sea Risk Solutions 2021). See section 2 of Appendix II-F2 for a detailed discussion of fisheries gear types utilized in the Lease area.

Potential Commercial Fishery Activity Exposure to Lease Area Activities

Fisheries landings data from 2008 to 2019 in the Lease area were compiled and summarized by NOAA Fisheries ((NOAA Fisheries 2021d, 2021f), Appendix II-F2). The Lease area was subdivided into two portions (western and eastern, US Wind 1 and US Wind 2, respectively) by NOAA Fisheries for the 2021 fisheries assessments ((NOAA Fisheries 2021d, 2021f), Appendix II-F2). This data informed the 2021 Sea Risk Solutions Fisheries Assessment Report.

Between 2008 and 2019, total annual fisheries revenue within the Lease area averaged \$217,583, and total annual landings averaged 315,917 pounds (Table 17-12 and Appendix II-F2). While the Lease area is lightly fished and the fisheries revenue in the area is low in the context of the region, this revenue is critical to those few fishermen who derive important portions of their incomes from the Lease area (Appendix II-F2).

Table 17-12. Revenue and Landings from within the Lease Area 2008 – 2019

Year	Total Lease Area	
	Revenue	Landings (lbs)
2008	\$279,000	452,000
2009	\$393,000	180,000
2010	\$256,000	664,000
2011	\$200,000	254,000
2012	\$163,000	304,000
2013	\$148,000	439,000
2014	\$173,000	298,000
2015	\$271,000	202,000
2016	\$256,000	264,000
2017	\$145,000	280,000
2018	\$209,000	361,000
2019	\$118,000	93,000
Annual Average	\$217,583	315,917

Source: Appendix II-F2

US Wind 1 and US Wind 2 combined, rounded to the nearest 1,000.

Within the Lease area, the Fishery Management Plans (FMPs) that derived the most revenue between 2008 to 2019, and were therefore the most exposed to potential impacts from development, were the sea scallop, and summer flounder, scup, and black sea bass FMPs (NOAA Fisheries 2021d, 2021f). Harvest of species for which there is no federal FMP also accounted for a significant portion of twelve-year revenue in Lease area (NOAA Fisheries 2021d, 2021f). Landings and revenue data for the most impacted FMPs, and other impacted FMPs, in each portion of the Lease area are presented in Table 17-13 (NOAA Fisheries 2021d, 2021f).

Table 17-13. Total Revenue for Most Impacted FMPs within the Lease Area, 2008 – 2019

FMP	Twelve Year Revenue	Percentage of 12-Year Revenue
Sea Scallop	\$865,000	33.1%
No Federal FMP	\$666,000	25.5%
Summer Flounder, Scup, Black Sea Bass	\$381,000	14.6%
Surfclam, Ocean Quahog	\$176,000	6.7%
Spiny Dogfish	\$145,000	5.6%
Mackerel, Squid, and Butterfish	\$127,000	4.9%
All Others ¹	\$250,000	9.6%

Source: NOAA Fisheries 2021a and 2021b

¹All Others indicates all FMPs not listed, including those with less than three permits or dealers impacted which were not identified in NOAA Fisheries 2021a and 2021b to protect confidentiality.

In the Lease area, sea scallops, whelk, summer flounder, surf clams, and black sea bass accounted for over 65% of 12-year revenue (Figure 17.5-5, Appendix II-F2). Landings data for additional species, and 12-year and average annual revenue by species, are presented in Appendix II-F2.

Table 17-14. Total Revenue by Species within the Lease Area, 2008 – 2019

Species	Twelve Year Revenue	Percentage of 12-Year Revenue
Sea Scallop	\$869,501	33.6%
Whelk	\$284,119	11.0%
Summer Flounder	\$211,209	8.2%
Surf Clam	\$175,246	6.8%
Black Sea Bass	\$169,040	6.5%
All Others	\$880,369	34.0%

Source: Appendix II-F2

A variety of different gear types are utilized within the Lease area ((NOAA Fisheries 2021d, 2021f), Table 17.5-6). Though sea scallop dredging accounts for the greatest percentage of revenue of any gear type in the Lease area, revenue has declined in recent years (Appendix II-F2). Other gear types that account for significant percentages of revenue with the Lease area include bottom trawling, pot fishing (other non-lobster), and sink gillnetting (NOAA Fisheries 2021d, 2021f). The “All Others” category includes species with less than three permits or

dealers impacted to protect data confidentiality. Landings data by gear type in each portion of the Lease area are presented in NOAA Fisheries (NOAA Fisheries 2021d, 2021f).

Table 17-15. Total Revenue by Gear Type within the Lease Area, 2008 – 2019

Gear Type¹	Twelve Year Revenue	Percentage of 12-Year Revenue
Dredge-Scallop	\$854,000	32.7%
Trawl-Bottom	\$531,000	20.4%
Pot-Other	\$462,000	17.7%
Gillnet-Sink	\$226,000	8.7%
Dredge-Clam	\$219,000	8.4%
All Others	\$209,000	8.0%
Pot-Lobster	\$60,000	2.3%
Seine-Purse	\$27,000	1.0%
Longline-Bottom	\$9,000	0.3%
Gillnet-Other	\$11,000	0.4%
Handline	<\$500	<0.01%

Source: NOAA Fisheries 2021a and 2021b

¹"All Others" includes species with less than three permits or dealers impacted to protect confidentiality.

Nearly three quarters of fisheries revenue derived from the Lease area is landed at three ports; Ocean City, Maryland, Cape May, New Jersey, and New Bedford, Massachusetts (Appendix II-F2). A majority of all revenue from the Lease area between 2008 and 2019 was landed at the ports of Ocean City and Cape May, which are located within 25 km (16 mi) and 53 km (33 mi) of the Lease area, respectively (NOAA Fisheries 2021d, 2021f). Revenue data for the most impacted ports for each portion of the Lease area (eastern and western) are presented in Appendix II-F2.

Recreational Fishing Resources

The majority of recreational fishing in Delaware occurs in inland waters. Total catch for recreational fishing in Delaware from 2018 to 2021, including observed harvest, reported harvest, and released fish is included in Table 17.5-7. Top species by catch include summer flounder, bluefish, black sea bass, and white perch. For each of the top twelve species by catch, over 60% of the catch occurred in inland waters for all species except black sea bass, striped mullet, and smooth dogfish (NOAA Fisheries 2021f).

US Wind contracted Sea Risk Solutions to conduct a study of fisheries and fishing activities in the Lease area (Sea Risk Solutions 2021). See section 4.1 of Appendix II-F2 for a discussion of recreational fishing in the Lease area include sport fishing opportunities such as world-famous fishing tournaments for billfishes and tunas. Tournaments include the White Marlin Open, the Big Fish Classic, the Ocean City Tuna Tournament, the Ocean City Marlin Club Canyon Kickoff and the Heels and Reels Tournament.

The most important offshore fishing ground in the vicinity of the Project area is located offshore of Delaware. This area, known for its rocky bottom and corals, is referred to as the “Old Grounds.” The Old Grounds is heavily used for recreational and for-hire charter fishing, primarily targeting winter flounder, summer flounder, black sea bass, tautog, and red hake.

Artificial reefs have been established offshore to provide substrate that encourages growth of marine invertebrates and provides protection for crustaceans and fish. They also provide recreational fishing opportunities. The reef locations are shown in Figure 17-6. None are located within the Lease area. Offshore Export Cable Corridor 2 could potentially intersect with a currently unused portion on an artificial reef location. US Wind enlarged Offshore Export Cable Corridor 2 to avoid the artificial reef if necessary. Charted wreck sites that may also create artificial habitat are shown in Figure 17-6.

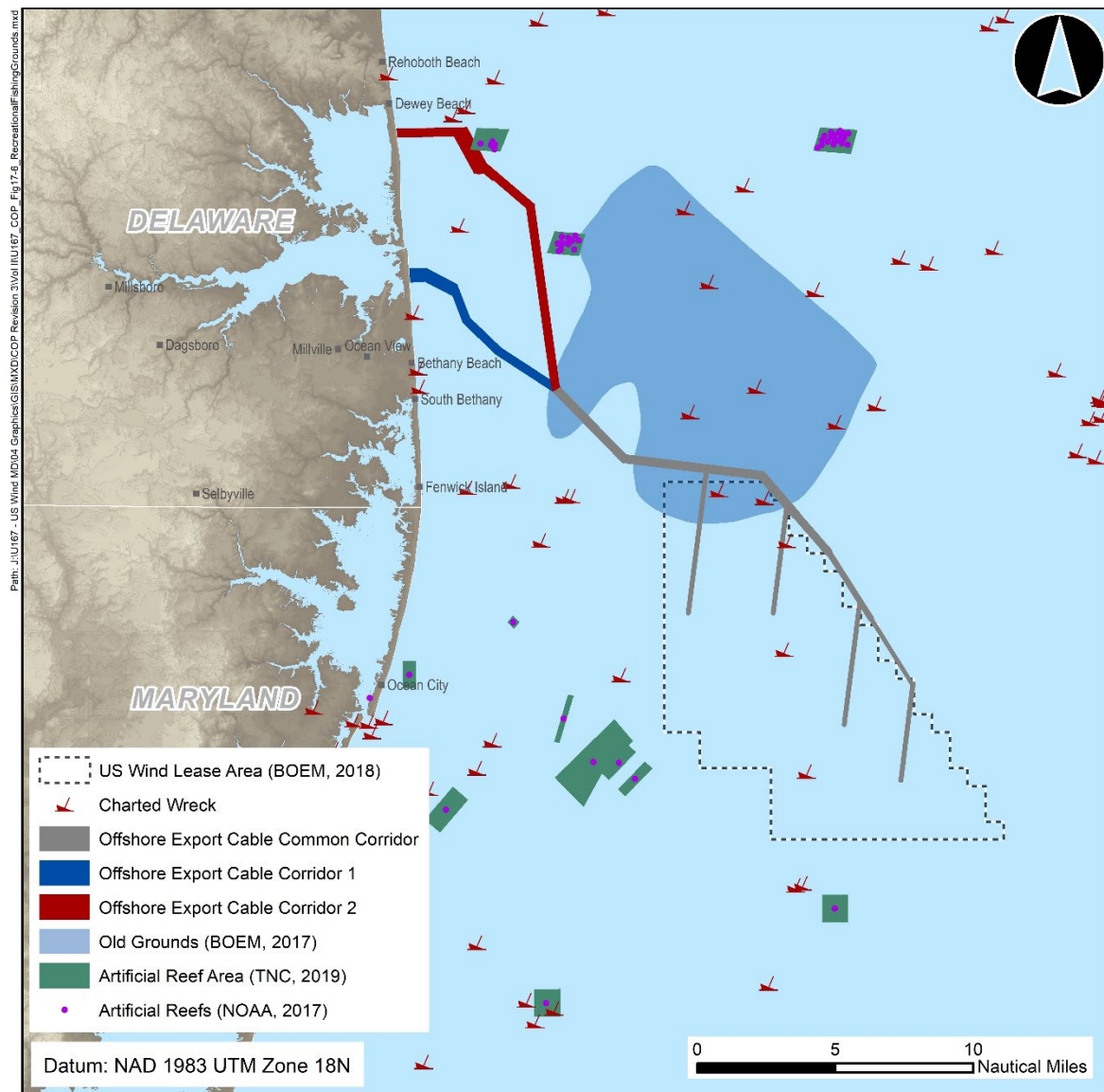


Figure 17-6. Location of Old Grounds fishing area and artificial reefs

Table 17-16. Delaware Recreational Fishing Total Catch, 2018 to 2021

Species	Ocean > 3 mi		Ocean <= 3 mi		Inland		Total	
	Catch (# individuals)	Percent of species catch	Catch (# individuals)	Percent of species catch	Catch (# individuals)	Percent of species catch	Catch (# individuals)	Percent of Grand Total
Atlantic Croaker	50,742	6%	56,337	6%	807,986	88%	915,065	3.08%
Summer Flounder	769,211	33%	56,411	2%	1,499,017	64%	2,324,639	7.81%
Bluefish	52,042	4%	524,269	35%	903,569	61%	1,479,880	4.97%
Black Sea Bass	1,717,529	65%	25,342	1%	902,526	34%	2,645,397	8.89%
White Perch	NP	0%	3,725	0%	2,113,592	100%	2,117,317	7.12%
Spot	NP	0%	161,218	15%	898,274	85%	1,059,492	3.56%
Striped Bass	45,651	4%	84,624	6%	1,173,652	90%	1,303,927	4.38%
Tautog	149,181	11%	38,025	3%	1,222,324	87%	1,409,530	4.74%
Oyster Toadfish	24,738	3%	9,169	1%	893,856	96%	927,763	3.12%
Channel Catfish	NP	0%	NP	0%	496,277	100%	496,277	1.67%
Smooth Dogfish	76,994	14%	172,114	32%	288,431	54%	537,539	1.81%
Striped Mullet	NP	0%	44,404	81%	10,439	19%	54,843	0.18%
All other Species	3,033,421	21%	1,136,800	8%	10,307,174	71%	14,477,395	48.67%
Grand Total	4,311,822	13%	5,001,251	15%	24,674,898	73%	29,749,064	100.00%

Source: NOAA Fisheries 2021

NP= Species is not present/not taken from the area

In the Delaware Inland Bays, over 200,000 recreational fishing trips are made per year (DCIB 2016). In Indian River Bay, fishing access areas include Rosedale's Beach, Massey Landing, Holts Landing, Indian River Marina, and Indian River Inlet. Rosedale's Beach is located at the base of Indian River; Massey Landing and Holts Landing are located near the center of the Bay, on the north and south shores, respectively; and Indian River Marina is located to the east of Indian River Inlet (DNREC 2017a).

The vast majority of recreational fishing in Maryland also occurs in inland waters such as lakes, rivers and inland bays. Total catch for recreational fishing in Maryland from 2018 to 2021 is included in Table 17.5-8. Top species by catch include white perch, striped bass, and spot. For each of the top twelve species by catch, over 80% of the catch occurred in inland waters for all

species except bluefish and black sea bass (NOAA Fisheries 2021f). The density of recreational fishing vessels that included federally permitted party boats and charter boat trips is illustrated in Figure 17-7.

Table 17-17. Maryland Recreational Fishing Total Catch, 2018 to 2021

Species	Ocean > 3 mi		Ocean <= 3 mi		Inland		Total	
	Catch (# individuals)	Percent of species catch	Catch (# individuals)	Percent of species catch	Catch (# individuals)	Percent of species catch	Catch (# individuals)	Percent of Grand Total
White Perch	NP	0%	NP	0%	39,872,049	100%	39,872,049	15.68%
Striped Bass	17581	0%	46,233	0%	26,223,121	100%	26,286,935	10.34%
Spot	66	0%	121,085	0%	24,172,004	100%	24,293,155	9.56%
Atlantic Croaker	16,792	0%	36,755	1%	6,592,912	99%	6,646,459	2.61%
Channel Catfish	NP	0%	NP	0%	9,236,335	100%	9,236,335	3.63%
Largemouth Bass	NP	0%	NP	0%	2,368,920	100%	2,368,920	0.93%
Summer Flounder	417,826	13%	67,049	2%	2,628,975	84%	3,113,850	1.22%
Black Sea Bass	1,449,363	28%	42,557	1%	3,601,666	71%	5,093,586	2.00%
Bluefish	50,334	3%	336,188	20%	1,327,997	77%	1,714,519	0.67%
Yellow Perch	NP	0%	NP	0%	1,786,285	100%	1,786,285	0.70%
Hickory Shad	NP	0%	NP	0%	168,650	100%	168,650	0.07%
Tautog	82,462	6%	107,034	8%	1,130,785	86%	1,320,281	0.52%
All other species	3,007,663	2%	885,265	1%	128,448,645	97%	132,341,573	52.05%
Grand Total	5,042,087	2%	1,642,166	1%	247,558,344	97%	254,242,597	100.00%

Source: NOAA Fisheries 2021

NP= Species is not present/not taken from the area

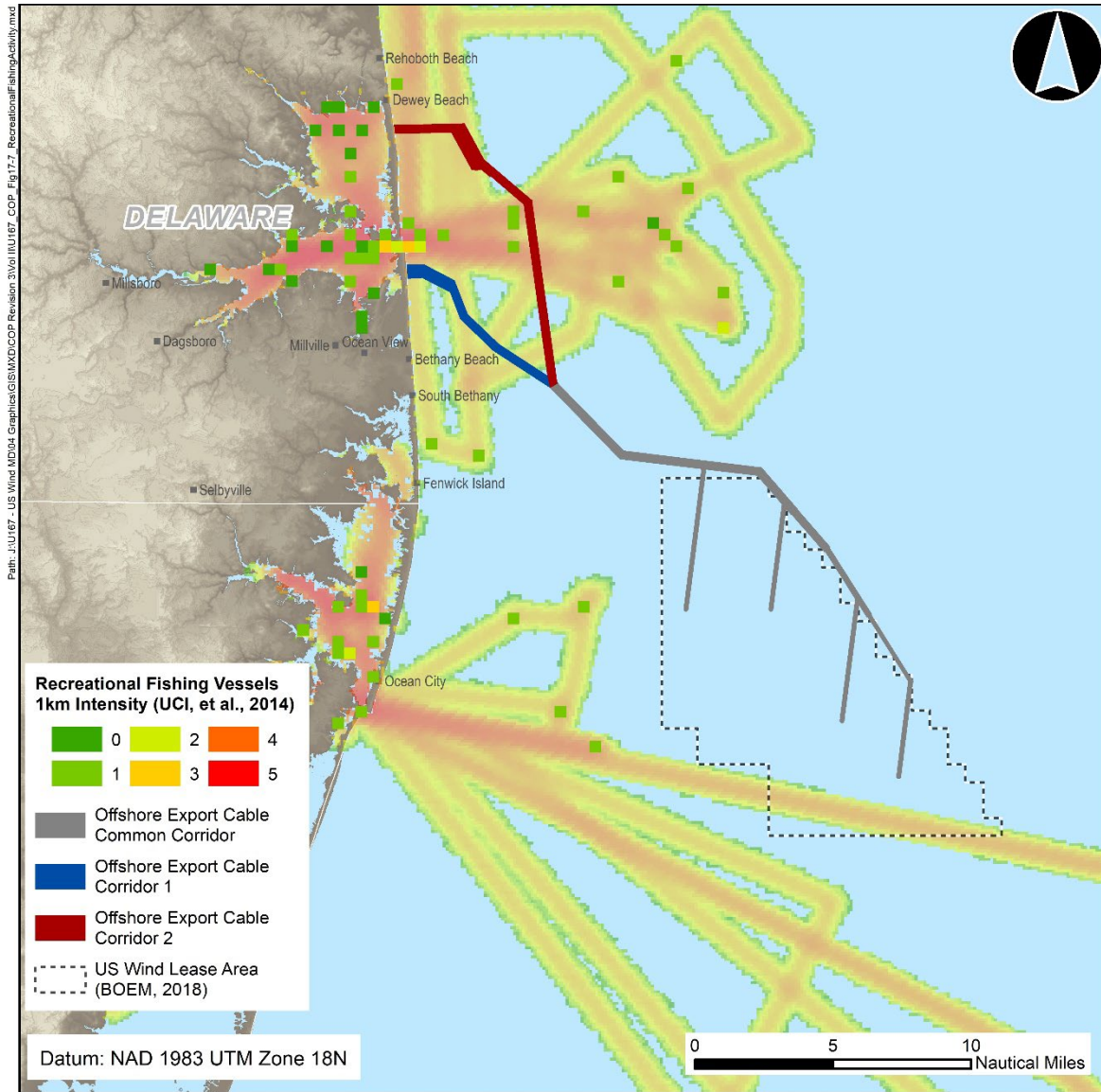


Figure 17-7. Recreational fishing vessel activity in the Project Area

Potential Recreational Fishery Activity Exposure to Lease Area Activities

As referenced in the above discussion of potential commercial fishery exposure to Lease area activities, a BOEM study (Kirkpatrick et al. 2017) assessed existing recreational fisheries-related activities in the Lease area for exposure to wind energy development. It also assessed exposure of shoreside dependents, which include businesses that directly support (e.g. gas stations, bait and ice dealers, transportation, etc.) and/or use the landings of commercial and recreational fisheries (e.g. first point of sale dealers, etc.). Data in the study specific to recreational fisheries activities conducted and/or related to recreational fishing within the Lease area are summarized below.

Table 17.5-9 summarizes recreational fishery activity exposure by state in terms of for-hire boat trips, for-hire angler trips, private angler trips, and total expenditures. Recreational fishing

activity was considered exposed if it occurs on or near the Lease area. Shore-based fishing is not included as these anglers will not, most likely, be exposed to Lease area development activities. Recreational fishing activity exposure, attributable to the Lease area, range from less than one percent to less than seven percent of activity totals in each category. Overall, expenditures for recreational fishing trips are most exposed in New Jersey, at 6.8 percent of total expenditures (Kirkpatrick et al. 2017).

Table 17-18. State-Level Average Annual Exposure of Recreational Fishery to Lease Area, 2007-2012

State	Total For-Hire Boat Trips	Percent Total For-Hire Boat Trips Exposed	Total For-Hire Angler Trips	Percent Total For-Hire Angler-Trips Exposed	Total Private Boat Angler-Trips	Percent Total Private-Boat Angler-Trips Exposed	Total Expenditures (private boat and for-hire)	Percent Total Expenditures Exposed
MD	696	6.3	12,422	6.6	1,704,515	0.36	\$16,122,478	2.9
DE	1,093	1.7	12,512	2.6	522,766	4.53	\$19,771,177	5.0
NJ	8,177	0	153,989	0	3,028,511	1.56	\$44,135,406	6.8

Source: Kirkpatrick et al. 2017

Table 17.5-10 shows that Ocean City, Maryland and Indian River, Delaware, the ports closest to the Project area, had the highest number of for-hire boat trips exposed to the Lease area per year during the BOEM report study period. For both ports, these exposed trips were a small percentage of total for-hire trips. Cape May, New Jersey had the highest total exposure for angler trips (both for-hire and private) and angler expenditures (Kirkpatrick et al. 2017).

Table 17-19. Lease Area Average Annual Private Boat and For-Hire Recreational Exposure by Port Group, 2007-2012

Port Group	Exposed For-Hire Boat Trips	Percent For-Hire Boat Trips Exposed	Exposed For-Hire Angler-Trips	Exposed Private Boat Angler-Trips	Percent Total Angler-Trips Exposed	Total Expenditures (Private Boat and For-Hire)	Percent Total Expenditures Exposed
Maryland							
Ocean City	44	6.3	823	4,364	2.3	\$12,328,325	3.1
Pocomoke City	0	0	0	1,767	2.0	\$3,794,153	2.0
Delaware							
Indian River	18	5.2	316	5,512	6.0	\$4,473,090	6.1
Lewes	~0	~0	2	8,424	5.7	\$6,813,618	4.9

Port Group	Exposed For-Hire Boat Trips	Percent For-Hire Boat Trips Exposed	Exposed For-Hire Angler-Trips	Exposed Private Boat Angler-Trips	Percent Total Angler-Trips Exposed	Total Expenditures (Private Boat and For-Hire)	Percent Total Expenditures Exposed
Milford	~0	7.7	1	0	~0	\$2,092,891	~0
Other Sussex	~0	1.0	~0	9,726	6.0	\$6,391,579	6.0
New Jersey							
Cape May	1	~0	7	47,348	9.7	\$32,011,401	9.4
Ocean City	~0	0.1	2	0	~0	\$1,646,222	~0
Sea Isle City	~0	0.1	10	0	~0	\$2,373,273	~0
Wildwood	~0	0.1	8	0	~0	\$8,104,510	~0
Total	63	0.4	1,168	77,141	5.4	\$80,029,061	5.6

Source: Kirkpatrick et al. 2017

The study concluded that generally recreational fisheries, nor their shoreside dependents, are highly exposed to development of the Lease area (Kirkpatrick et al. 2017).

17.5.2 Impacts

17.5.2.1 Construction

Activities associated with Project construction have the potential to impact commercial and recreational fisheries, though these impacts are expected to be minor and temporary.

Habitat Alteration

Construction activities, including cable burial, cofferdam installation, and contact of anchors and jack-up vessels with the seafloor, will temporarily alter habitat in the area. Benthic organisms located in the path of the jet plow, beneath jack-up vessel legs, in areas of anchor chain sweep, and within cofferdam footprints, will likely experience mortality. However, these impacts will be temporary and localized, as seafloor habitats are expected to undergo rapid physical and biological recovery following disturbance (Refer to Volume II, Section 7.0).

The installation of WTGs, OSSs, Met Tower, scour protection, and cable protection (in areas where cable burial depth is insufficient) will result in direct mortality to organisms located in the footprint of these structures, as well as long-term impacts to the benthic community resulting from conversion of soft sediment habitat to hard substrate (Refer to Volume II, Section 7.0). The area impacted by these activities will be limited and commercial and recreational fisheries are not expected to be impacted.

The offshore export cables and up to four WTGs with associated inter-array cables may be located within the Old Grounds recreational fishing area. As all of the primary species of interest in this area are demersal, Project construction may have temporary minor impacts on recreational fishing in this area. It is expected that demersal fish will temporarily move out of the Project area during active construction and return after construction noise and sediment disturbance have stopped (See Volume II, Section 8.0).

Noise and Suspended Sediment/Deposition

Exposure to elevated sound levels associated with construction activities, including vessel and pile driving noise, is expected to have negligible to minor impacts on fish, and therefore commercial and recreational fisheries, within the Project area. Fish are likely to respond to this activity by temporarily avoiding the area of the sound source (Refer to Volume II, Section 8.0). Similarly, Project activities, including the installation of onshore export cables in Indian River Bay, have the potential to result in temporary and localized increases in suspended sediment concentrations. These water quality changes could impact finfish, and individuals are likely to vacate the area immediately surrounding Project activities (Refer to Volume II, Section 8.0). As avoidance behavior in response to noise and water quality changes will be temporally limited, impacts on commercial and recreational fishing will be negligible.

Space-Use Conflicts

US Wind does not propose any long-term vessel exclusions during construction of the Project. Temporary exclusion areas, including fishing restrictions, will occur in the area of offshore construction activities for safety reasons. Restrictions would be temporary and are anticipated to have negligible impact on commercial and recreational fisheries.

Modest increases in vessel traffic will occur in and around ports used for Project mobilization. However, these temporary changes are unlikely to impact either commercial or recreational fisheries activity. Where feasible, space-use conflicts will be mitigated through the implementation of best management practices (BMPs) as described in BOEM's 2014 report on this topic (Ecology and Environment Inc. 2014).

One of the BMPs for commercial wind energy development identified by BOEM is that a lessee designate a Fisheries Liaison and develop a fisheries communication plan (BOEM 2015). The plan, which is implemented with the assistance of the liaison, allows Lessees to acquire information from representatives of the fishing community and to fully consider the impacts of construction and operation of proposed facilities throughout the life of the Project. US Wind contracted Sea Risk Solutions as the Fishing Liaison Officer. Sea Risk Solutions developed a Fisheries Communication Plan for US Wind to address installation, operation, and decommissioning of the Project as well as activities prior to Project construction such as surveys and deployment of the Metocean Buoy (Appendix II-F1). The Fisheries Communication Plan identifies the Fisheries Liaison who serves as US Wind's outreach representative to the fishing industry and two Fisheries Representatives who represent the local fishing community. A summary of meetings that US Wind has conducted with the fishing community will be included in the stakeholder engagement summary (Appendix II-L2).

17.5.2.2 Operations

Habitat Alteration

The addition of man-made structures to the marine environment, in the form of WTG, OSS and Met Tower foundations and scour protection, will have long term impacts on finfish and shellfish. These structures will provide new habitat, of a type previously absent from the Project area, for the duration of operation. WTG foundations are likely to act as vertical artificial reef systems and fish aggregation devices (see Volume II, Section 8.0). The addition of submerged infrastructure may also result in the organic enrichment of sediments surrounding WTGs, OSSs and Met Tower, which could result in changes to the benthic community (See Volume II, Section 7.0). These impacts will likely be highly localized and are likely to have only minor impacts on commercial fishing activities in the region and is expected to attract recreational fishing.

EMF

While in operation, export and inter-array cables will produce electromagnetic fields (EMFs). Some marine fishes are able to detect EMFs. However, exposure to EMF will be limited by cable shielding and burial, and any impacts to commercial and recreational fisheries from EMFs are expected to be minor and short-term (See Volume II, Section 8.0)

Space-Use Conflicts and Noise

US Wind does not plan to establish any long-term vessel exclusion areas around WTGs, OSSs, Met Tower or other structures during operation of the Project. Temporary and localized fishing and navigation restrictions may be necessary in the immediate area of Project maintenance activities. Noise resulting from maintenance activities has the potential to elicit avoidance responses from fish. However, as fish are expected to rapidly return to these areas following completion of maintenance actions, these activities are not anticipated to impact commercial or recreational fisheries.

The addition of Project components (WTGs, OSSs and Met Tower) will introduce new structures within the Lease area and will result in increased vessel allision risk (see Appendix II-K1). However, these structures will be widely spaced, lit, and marked per USCG guidelines. These factors, coupled with sound boat handling practices, will minimize potential risks to navigation.

The use of mobile gear within the Lease area and along the offshore export cables is unlikely to be restricted during Project operations, as cables will be buried 1 to 4 m (3 to 13 ft) below the seafloor. In areas where sufficient burial depth is not attainable, cable protection in the form of concrete mattresses or rock will be installed. These materials may present a risk for gear entanglement. However, burial is the preferred cable protection approach, and cable protection will be minimized to the greatest extent practicable.

17.5.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system. Removal of Project structures would alter the benthic environment and fish habitat in the Lease area by removing hard substrates. This change would result in mortality to organisms attached to Project structures, and displacement of organisms utilizing Project structures for habitat, but would reestablish baseline pre-construction conditions. Fish are also likely to temporarily avoid the area

immediately surrounding removal activities in response to vessel and equipment noise. Impacts from these activities would be similar to those described above for construction.

17.6 Other Uses

17.6.1 Description of Affected Environment

Marine Minerals

Following the 1994 amendments to the OCSLA, BOEM may offer and enter into a noncompetitive, negotiated lease to mine sand, shell, or gravel located in marine environments for certain types of projects that receive funding or authorization from the Federal Government. The primary function of BOEM's marine minerals program as such is identifying and mining sand on the OCS to be used for beach nourishment and coastal restoration projects (USDOI and BOEM 2012). Most of the area between the Lease area and the Submerged Lands Act boundary is considered to contain sand resources. The Charlene Shoal; Shoals A, B, C, D, and E; Great Gull Bank; Little Gull Bank; Isle of Wight Shoal; Fenwick Shoal; and Weaver Shoal are located in this area, and the Delaware Sand Resource Area is located further north, offshore from the location of the Barrier Beach Landfalls (USDOI and BOEM 2014).

Sediment in these areas ranges from poorly to very well sorted sands, and the mean grain size of sediment in these areas is medium sand or greater. Weaver Shoal and Isle of Wight Shoal are suitable sources for replenishing sand on beaches in Ocean City and Assateague Island. It is estimated that there are more than 253 million cubic m (8,934 million cubic ft) of sand with high resource potential and more than 100 million cubic m (3,521 million cubic ft) of sand with moderate resource potential in the Maryland sand borrow areas and 35 million cubic m (1,236 million cubic ft) of usable sand resources in the Delaware Sand Resource Area (Louis Berger Group Inc. 1999). A small portion of Offshore Export Cable Corridor 1 overlaps with the northeast corner of Borrow Area C, as well as the southwest corner of Borrow Area G before making landfall (See Figure 17-8). These sand borrow areas are currently inactive.

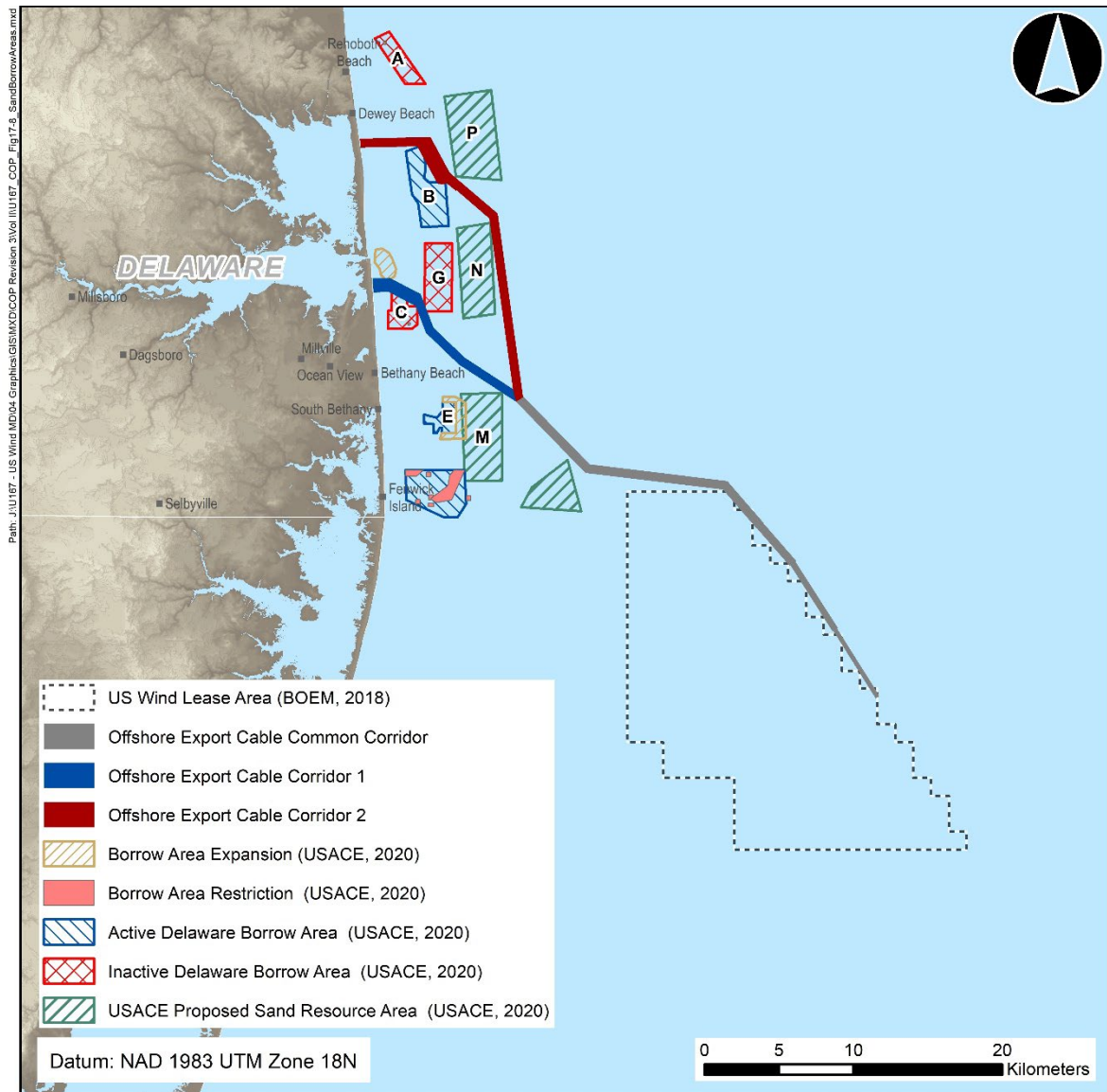


Figure 17-8. Sand Borrow Areas

Utilities

There are no known or documented submerged cables, pipelines or military seabed assets in the vicinity of the Project area. Two offshore wind energy lease areas are located to the north of US Wind’s Lease area: OCS-A 0519, under Skipjack Offshore Energy, LLC, and OCS-A 0482 under GSOE I, LLC.

17.6.2 Impacts

17.6.2.1 Construction

Marine Minerals

It is not anticipated that construction will interfere with marine minerals operations. Active mineral resources are not present in the Lease area, and construction barges will be part of routine traffic passing by the borrow areas offshore Ocean City. No sand resource (borrow) areas have been identified in the vicinity of the Lease area (USDOJ and BOEM 2012). Offshore Export Cable Corridor 1 overlaps a small portion of two inactive sand borrow areas (Borrow Areas C and G) (Figure 17-8). US Wind will coordinate with the United States Army Corps of Engineers (USACE) and others to address as necessary. USACE Proposed sand resource areas have been identified to the west of the Lease area.

Utilities

It is not anticipated that construction will interfere with offshore utilities. No submerged cables or pipelines have been identified in the Project area. The proposed Offshore Export Cable Corridors and vessel routes avoid crossing any neighboring wind energy lease areas. US Wind is willing to coordinate with appropriate parties about future submarine cable crossings as needed.

17.6.2.2 Operations

The Offshore Export Cable Corridors have been designed to avoid active and inactive sand borrow areas to the extent practicable. Due to other constraints in locating the Offshore Export Cable Corridors (See Volume I, Figure 2-1), there are several sections that would be in close proximity to and potentially overlap with existing active and inactive sand borrow areas. US Wind will coordinate with the United States Army Corps of Engineers (USACE) and others to address as necessary.

17.6.2.3 Decommissioning

Decommissioning involves the removal of WTGs, OSSs, Met Tower, scour protection, cable protection, and components of the submarine cable system. Decommissioning impacts are expected to be similar to construction impacts. It is not anticipated that decommissioning will impact marine mineral resources or offshore utilities.

17.7 Mitigation and Monitoring

US Wind will implement the following mitigation measures to reduce Project impacts on socioeconomic resources.

- US Wind will work with local officials to develop a traffic management plan to reduce impacts to local traffic during construction.
- US Wind will concentrate onshore construction activities outside of the summer recreation season to the greatest extent practicable and will coordinate with DNREC Parks and Recreation to minimize interference with beach activities.

- US Wind will coordinate with local stakeholders to develop opportunities for eco-tourism related to the Project.
- US Wind has sited and developed Project elements to minimize disturbance to resources, to the extent practicable, enjoyed by residents of and visitors to the region.
- Onshore cables and facilities at the Barrier Beach Landfalls will be buried .
- US Wind developed a Fisheries Communication Plan, in conjunction with the designated Fisheries Liaison Officer and will work with fisheries stakeholders to update it as appropriate.
- US Wind established a process for gear loss compensation for commercial fishermen.
- US Wind will work cooperatively with commercial/recreational fishing entities and interests to review planned activities and ensure that the construction and operation activities will minimize potential conflicts.
- US Wind will evaluate potential pre- and post-construction monitoring for regionally important species, such as a partnership with the University of Maryland Center for Environmental Science to study black sea bass, to identify commercial and recreational fishing impact.
- US Wind will implement practices and operating procedures to reduce the likelihood of vessel accidents and fuel spills. An Oil Spill Response Plan has been prepared and will be implemented for construction and for operations activities.
- WTGs, OSSs, and the Met Tower will be marked per USCG guidelines in consultation with USCG, BOEM and other regulatory agencies as appropriate.
- Submarine cables will be buried and regularly inspected to maintain cable burial.
- A site-specific study of potential EMF impacts, if any, on species such as horseshoe crabs, conch, and finfish.
- Route Offshore Export Cable Corridors to avoid marine mineral resources areas to the extent practicable.
- US Wind is committed to creating full and equitable business opportunities for minority, women-owned, veteran-owned, and HUBZone businesses in the development of the Project.
- US Wind has hired a team of MBE participation and compliance experts to lead the company's outreach efforts to minority businesses and community organizations.
- US Wind is coordinating with area organized labor organizations to develop a skilled local workforce for the Project.
- US Wind has a strong interest in the welfare of workers employed by the construction managers, contractors and subcontractors on all components of the Project.
- US Wind is committed to achieving substantial involvement of Maryland-based small businesses in all phases of the Project.
- US Wind is committed to creating opportunities for Delaware-based companies able to deliver supply chain components and/or perform on-site work in Delaware.
- US Wind has a particular focus on creating meaningful economic opportunities for environmental justice communities in the Baltimore, Maryland area.

- US Wind will support workforce initiatives that are focused on providing support to minority and low-income populations, women, veterans, and underserved communities.

18.0 Coastal Zone Management Consistency

The Coastal Zone Management Act authorizes states to manage the development and use of coastal waters and adjacent lands. The Act authorizes the state to conduct a consistency review of federal actions that may affect a state's coastal uses and/or resources. In accordance with the Coastal Zone Management Act, US Wind has sought to avoid or minimize impacts to environmental and coastal resources throughout the siting, design, and development of the Project. Accordingly, US Wind provides consistency certifications herein. 16 USC 1451; 15 CFR Part 930.

The Project has been sited and designed, and will be constructed and operated, in a manner that is consistent with the applicable Maryland Department of Natural Resources (DNR) Coastal Management Program (CMP) Enforceable Coastal Policies. The policies were approved by the NOAA on March 11, 2011. The policies that are relevant to the Project are provided in Appendix II-M1 and are accompanied by a brief description of the Project consistency with the policies. This is a voluntary submission as the Project is outside of the Maryland coastal zone (7 Del. C. c: 5104 § 1.3).

The entire state of Delaware has been designated as the Coastal Zone Management Area. The Act authorizes the state to conduct a consistency review of federal actions that may affect Delaware's coastal uses and/or resources. In addition, portions of the Project are within the Delaware Coastal Zone, which generally runs the length of the state along the Delaware River, the Delaware Bay, the Inland Bays and the Atlantic Ocean. US Wind is therefore required to submit a coastal zone management consistency certification for the Project for the state of Delaware. The US Wind Project has been sited and designed, and will be constructed and operated, in a manner that is consistent with the applicable DNREC Coastal Management Program (CMP) policies (updated November 2018). The policies that are relevant to the Project are provided in Appendix II-M2 and are accompanied by a brief description of the Project consistency with the policies.

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