



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Watershed & Land Management
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
www.nj.gov/dep/landuse

SHAWN M. LATOURETTE
Commissioner

SHEILA Y. OLIVER
Lt. Governor

September 19, 2022

Amanda Lefton, Director
Bureau of Ocean Energy Management
1849 C Street, NW
Washington, D.C. 20240

James Bennett, Renewable Energy Program Manager
Bureau of Ocean Energy Management
45600 Woodland Road
Sterling, Virginia 20166

Re: Ocean Wind LLC

Dear Ms. Lefton and Mr. Bennett,

On March 30, 2021, Ocean Wind LLC submitted to the New Jersey Department of Environmental Protection ("NJDEP") a federal consistency certification and a copy of the Construction and Operation Plan ("COP") for the proposed construction and operation of the wind energy project known as the Ocean Wind project (the "Project"). The Project consists of up to ninety-eight (98) wind turbine generators that will be located in federal offshore waters approximately 15 miles southeast of Atlantic City within Bureau of Ocean Energy Management ("BOEM") Lease Area OCS-A 0498 ("Lease Area") as well as accompanying electric transmission cables from the Lease Area to two landfall points in Ocean and Cape May counties, respectively.

Although the Project's Lease Area does not fall within a Geographic Location Description for purposes of 16 USC § 1456(c)(3)(A) and the implementing regulations at 15 CFR Part 930 Subparts D and E, following a request by the NJDEP, Ocean Wind LLC voluntarily submitted the consistency certification to NJDEP to review reasonably foreseeable effects of the Project on coastal uses or resources for consistency with the enforceable policies of the New Jersey coastal zone management program.

NJDEP and Ocean Wind LLC have mutually agreed to stay the NJDEP six-month consistency review period consistent with 15 CFR§ 930.60(b) to provide sufficient time for discussions, meetings, and exchange of materials between Ocean Wind LLC and NJDEP.

The purpose of this letter is to notify BOEM of this stay agreement consistent with 15 CFR § 930.60(b), which is an extension of the first stay agreement as agreed upon by NJDEP and Ocean Wind LLC. Pursuant to the attached stay agreement executed on September 19, 2022, the NJDEP consistency decision in this matter is due no later than April 27, 2023. The NJDEP will notify BOEM when it issues a final decision in this matter.

Please contact Janet Stewart at (609) 633-2289 or by email at Janet.Stewart@dep.nj.gov should you have any questions.

Sincerely,



Vincent J. Mazzei, Jr., P.E.
Assistant Commissioner
Watershed and Land Management

cc David Kaiser, NOAA
 Kerry Kehoe, NOAA
 Jeffrey Payne, NOAA



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

AGREEMENT TO STAY SIX-MONTH REVIEW PERIOD

Between

New Jersey Department of Environmental Protection

And

Ocean Wind LLC

The New Jersey Department of Environmental Protection ("NJDEP") and Ocean Wind LLC ("Ocean Wind") hereby agree as follows.

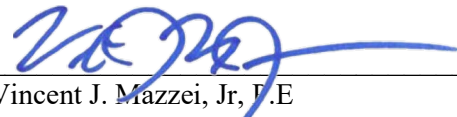
On March 30, 2021, Ocean Wind submitted a federal consistency certification to NJDEP for the proposed construction and operation of a wind energy project, known as the Ocean Wind project (the "Project"), consisting of up to ninety-eight (98) wind turbine generators that will be located in federal offshore waters approximately 15 miles southeast of Atlantic City within Bureau of Ocean Energy Management ("BOEM") Lease Area OCS-A 0498 ("Lease Area") as well as accompanying electric transmission cables from the Lease Area to two landfall points in Ocean and Cape May counties, respectively.

Although the Lease Area does not fall within a Geographic Location Description for purposes of 16 USC § 1456(c)(3)(A) and the implementing regulations at 15 CFR Part 930 Subparts D and E, following a request by the NJDEP, Ocean Wind voluntarily submitted to the NJDEP a federal consistency certification that reviews the reasonably foreseeable effects of the Project on coastal uses or resources for consistency with the enforceable policies of the New Jersey coastal zone management program, therefore the proposed project is subject to NJDEP review pursuant to the Coastal Zone Management Act (CZMA), 16 U.S.C. §§ 1451-1466, and the CZMA's implementing regulations at 15 CFR part 930, subpart D and subpart E. In accordance with 15 CFR § 930.60(b), and in consideration of the parties' mutual interest that the State have additional time to fully assess the proposed project's consistency with the state's enforceable policies, the NJDEP and Ocean Wind mutually agree to the following dates and to stay the NJDEP CZMA six-month review period as specified herein.

- Date the NJDEP 6-month review period commenced: **March 31, 2021**
- Date the 6-month review period was to end: **September 30, 2021**
- Date during the 6-month review period that the first stay began: **March 31, 2021**
- Date that the first stay ended: **April 28, 2022**
- Date the 6-month review period ends & the NJDEP consistency decision was due: **October 28, 2022**
- Date that the second stay begins: **September 19, 2022**
- Date that the second stay ends at which time the remainder of the six-month review period (40 days) shall commence: **March 19, 2023**
- Date that the NJDEP consistency decision is due: **April 27, 2023**

NJDEP will issue its consistency decision on or before April 27, 2023, unless NJDEP and Ocean Wind mutually agree in writing to another later date. The NJDEP and Ocean Wind mutually agree that the NJDEP may issue its consistency decision during the stay period and before the end of the stay if the NJDEP determines it has received sufficient information. Furthermore, should NJDEP conclude its review earlier than anticipated by this agreement, then NJDEP will issue its consistency decision at the earliest possible time prior to April 27, 2023. Any other modification or revocation of this agreement will be mutually agreed upon in writing by NJDEP and Ocean Wind.

These agreements made and entered by:


 Vincent J. Mazzei, Jr., P.E.
 For New Jersey Department of Environmental Protection

September 19, 2022

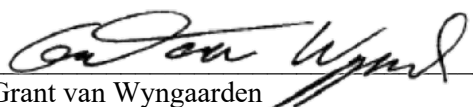
Date


 Marc Reimer

September 19, 2022

Date

For Ocean Wind LLC, by its agent Orsted Wind Power North America, LLC


 Grant van Wyngaarden

Septmeber 19, 2022

Date

For Ocean Wind LLC, by its agent Orsted Wind Power North America, LLC

CC: BOEM

NOAA