

WELCOME

to the **Joint Information Session**
for the **US Wind Project**
Wednesday, June 5



Presented by

**Delaware Department of Natural
Resources and Environmental Control**
DNREC Division of Water
DNREC Division of Watershed Stewardship

Joined by

U.S. Bureau of Ocean Energy Management
US Wind

We invite you to learn more about the proposal to develop a wind energy project off the coast of Maryland. Offshore/onshore export cables from the project are proposed to land at 3R's Beach parking lot in Delaware Seashore State Park, which will require a federal permitting process, as well as separate permits and authorizations from DNREC.



TIMELINE

This timeline illustrates DNREC's role in the US Wind proposal, but it doesn't cover all activities proceeding in parallel under the Bureau of Ocean Energy Management, the federal agency authorized to oversee offshore wind energy development.

April 15, 2024

DNREC Receives the Final Application

April 28, 2024

DNREC Legal Public Notice: Permit Applications Submitted by US Wind, Inc. (available in English and Spanish) - Subaqueous Lands Permit, Water Quality Certification, Wetlands Permit, Beach Preservation Coastal Construction Permit
Start of Public Comment Period for the Hearing Record

July 9, 2024

DNREC Joint Permitting Public Hearing: US Wind Project

Nov. 2024

Technical Response Memo: DNREC subject-matter experts review public comments and provide technical information to the hearing officer.

March 12, 2024

DNREC Open House: Offshore Wind Transmission Line Impact to Delaware Seashore State Park

April 22, 2024

DNREC Deemed the US Wind Application to be Administratively Complete

June 5 2024

DNREC Public Information Session: US Wind Project

Sept. 9, 2024

Close of Public Comment Period for the Hearing Record

Nov./Dec. 2024

DNREC Secretary's Order



DNREC Permit Process: US Wind Project

Overview

US Wind is proposing a route for a power cable from the 3-mile mark offshore in the Atlantic Ocean to 3R's Beach at Delaware Seashore State Park, under the Indian River Bay, and connect near the former Indian River power plant. DNREC regulates the subaqueous lands seaward up to the 3-mile jurisdictional line.

Two distinct roles in this project:

- 1.** As the landowner of 3R's Beach, the DNREC Division of Parks and Recreation would provide a lease to US Wind for its use.
- 2.** Multiple DNREC divisions evaluate and determine whether to provide permits for the cable based on applicable Delaware laws and regulations.

Permitting Process

The DNREC permits required include:

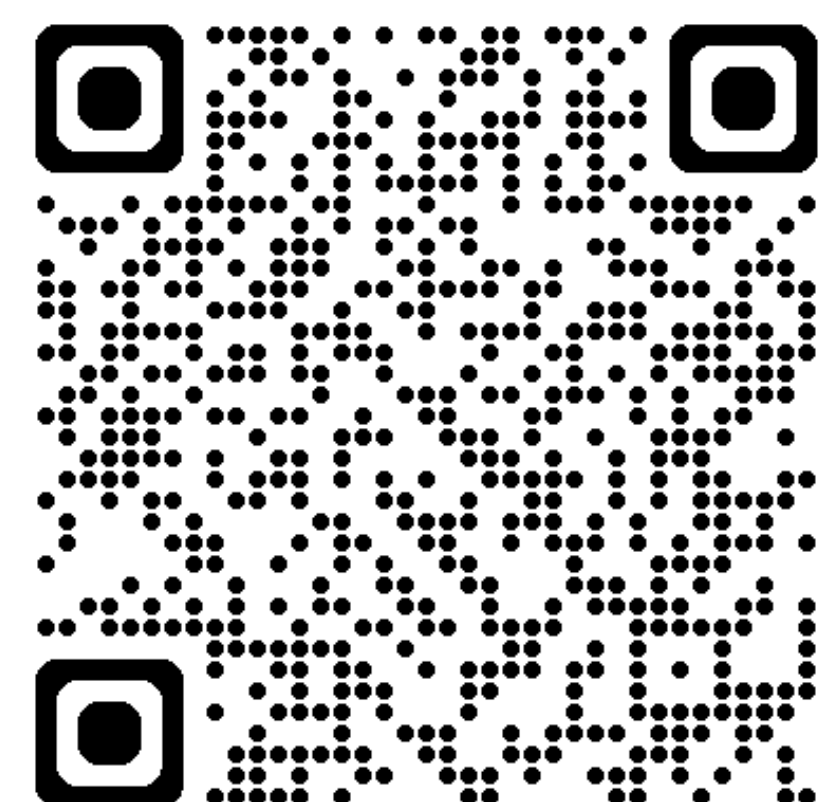
- Subaqueous Lands Permit
- Water Quality Certification
- Wetlands Permit
- Beach Preservation Coastal Construction Permit

The DNREC permitting process for US Wind involves several steps:

- **Legal Public Notice:** DNREC publishes legal notices in Delaware newspapers and online to inform the public of applications and permitting matters.
- **Public Information Session:** Members of the public can ask questions about the application and the application process prior to the public hearing.
- **Public Hearing:** A hearing is held for the public to learn about specific permitting matters and submit comments. Preregistration is required to offer comments during the hearing.
- **Public Comment Period:** Written public comments are accepted.
- **Technical Response Memorandum:** DNREC subject-matter experts review public comments and provide technical information in a memo to assist in writing of Hearing Officer's Report.
- **Secretary's Decision:** After reviewing the entire hearing record, the DNREC Secretary decides whether to approve or deny the permit(s). This decision, and the reasons for it, is formally announced through a Secretary's Order published on the DNREC website.

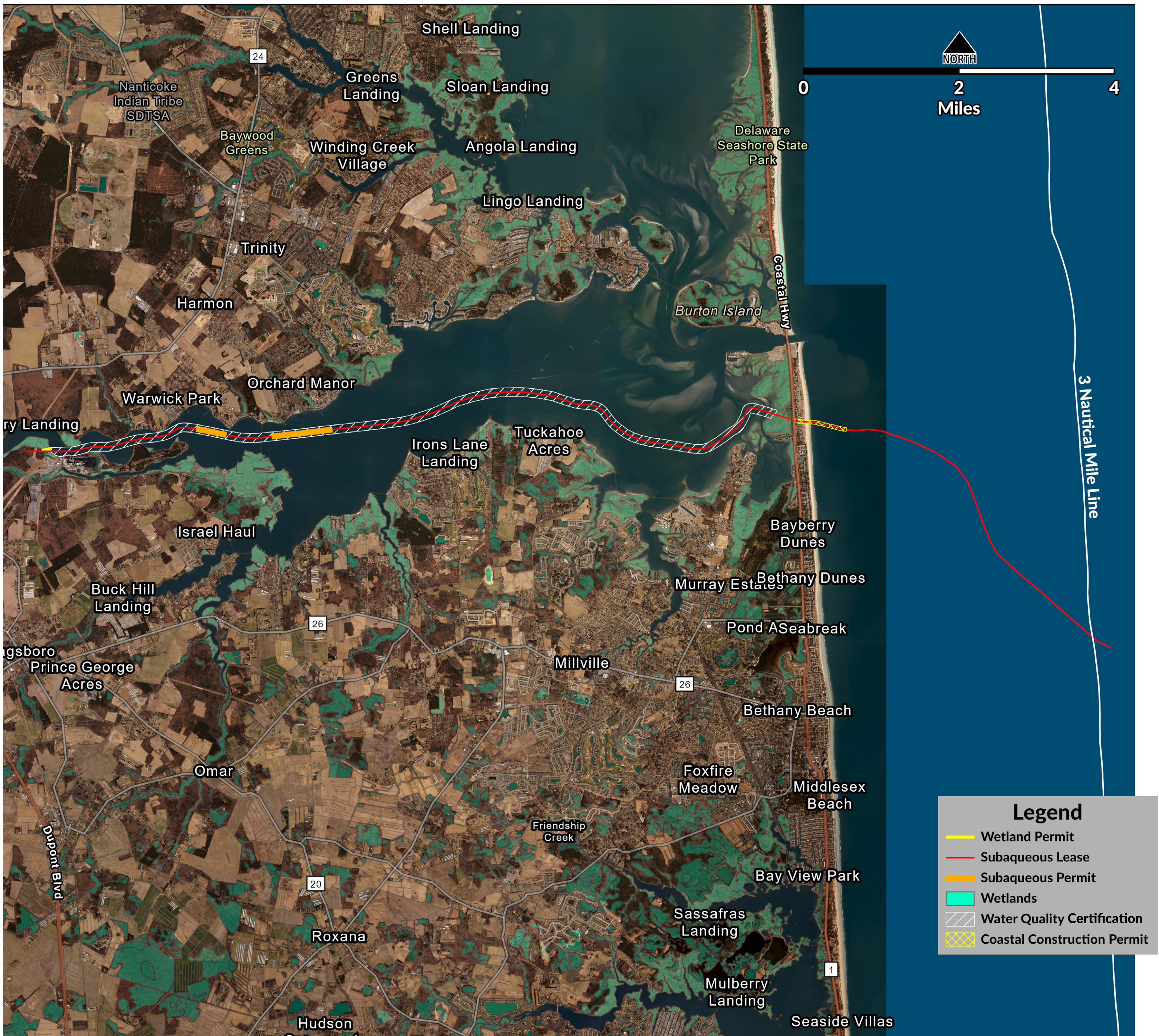
Important Note: DNREC's permitting role is focused on whether the proposed US Wind project complies with applicable state laws and regulations. DNREC is reviewing the turbines under federal consistency.

For more information related to the US Wind project, visit de.gov/uswind.





US Wind Project: Overview Map



US Wind, Inc. proposes to develop a wind energy project off the coast of Maryland. Portions of the export cables would be located under state-regulated wetlands and subaqueous lands in the Atlantic Ocean within Delaware state waters and the Indian River Bay.

This map illustrates the route for the cables, from the 3-mile mark offshore in the Atlantic Ocean to 3R's Beach at Delaware Seashore State Park, under the Indian River Bay, and then connecting near the former Indian River power plant. This map identifies the applicable permits/authorizations required from DNREC for the proposed installation of cable ducts and offshore/onshore export cables using horizontal direction drilling, dredging and trenching, and for the proposed construction of a transition vault using horizontal directional drilling.



US Wind Project: Beach Preservation Coastal Construction Permit

Managed by the DNREC Division of Watershed Stewardship

Why Does the US Wind Project Need a Coastal Construction Permit?

DNREC's Coastal Construction regulatory authority extends 1,000-feet landward and 2,500-feet seaward of the mean highwater line. Any proposed work seaward of the DNREC Building Line (on or below the surface) requires a Coastal Construction Permit rather than a Letter of Approval.



This map shows where the building line would be using the formula in the regulations.

This photo shows excavation by horizontal directional drilling, which is a regulated activity in the beach area.



US Wind Project: Beach Preservation Coastal Construction Permit

Managed by the DNREC Division of Watershed Stewardship

What Does the US Wind Proposal Include?

- The proposed buried cable and transition vaults are within the regulated area as defined in the “Regulations Governing Beach Protection and the Use of Beaches.”
- The four proposed transition vaults will be 47-feet long, 12-feet wide and 11-feet, 9-inches deep and will be buried just below grade in the parking lot. The only visible part will be the manhole covers. The transmission cables will be horizontally drilled underground from the 3R’s parking lot into the ground landward approximately 40-feet deep under Route 1 and seaward approximately 60-feet deep under the beach and dunes.
- The cables are proposed to extend seaward of the DNREC Building Line (the position of which is defined by a formula within the regulations), requiring a permit rather than a Letter of Approval.

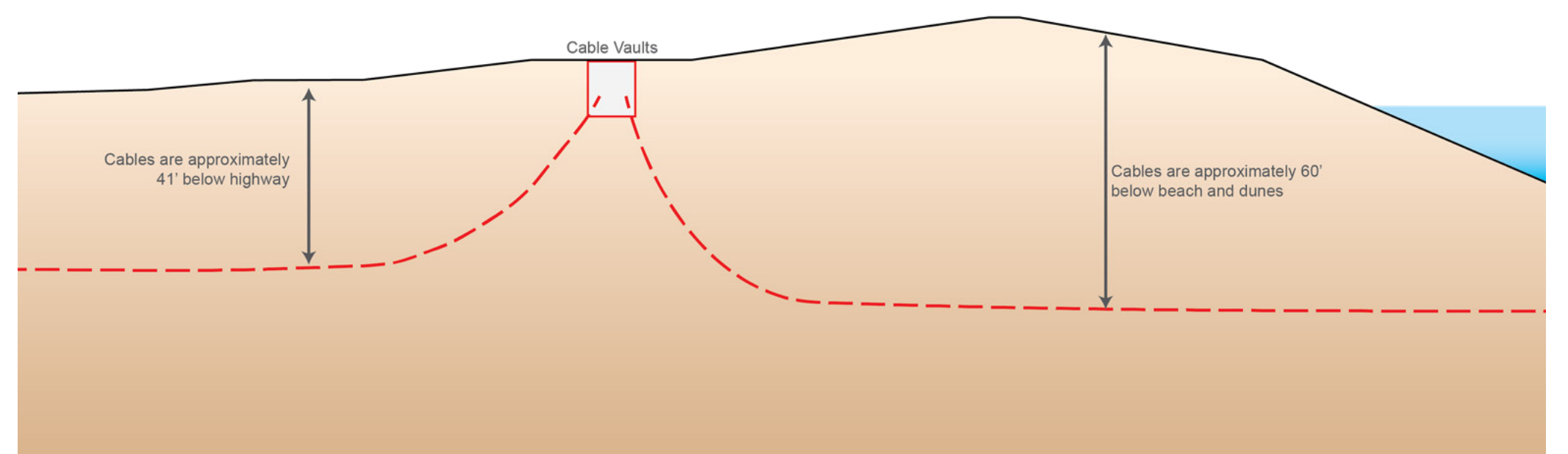


Image provided by US Wind



Image provided by US Wind



Image provided by US Wind



US Wind Project: Beach Preservation Coastal Construction Permit

Managed by the DNREC Division of Watershed Stewardship

What Does the Division of Watershed Stewardship Consider?

- Proximity of permanent structures (cable conduits and transition vaults) to the beach and dunes
 - Will these structures affect the beach and dunes?
- Potential damage or disturbance to the beach and dunes during the construction
- Mitigation measures, such as:
 - Erecting fencing to protect the dunes or other vulnerable areas
 - Planting dune vegetation in areas where vegetation may have been disturbed
 - Pre-construction meeting with and regular inspections by DNREC staff



This image shows the surface with the guide wire.



Beach grass plantings may be a mitigation measure to protect the beach dunes.



US Wind Project: Subaqueous Permit

Managed by the DNREC Division of Water

Why Does the US Wind Project Need a Subaqueous Permit?

Subaqueous Permits are required for any activity impacting subaqueous lands including the construction or modification of docks, piers, bulkheads, jetties, groins or breakwaters. Permits are also required for stormwater management, ponds and dredging projects.

What Does the US Wind Proposal Include?

- The project proposes the hydraulic dredging of approximately 74,000 cubic yards of material with on-site dewatering via Geo-bags.
- Material disposal would occur at the Jones Crossroads Landfill.



Map illustrates the Cable Burial Dredging Areas within Indian River Bay.



This image shows an example of a Passive Dewater Operation using Geobags.



US Wind Project: Subaqueous Permit

What Does the Division of Water Consider?



- Any effect on shellfishing, finfishing, or other recreational activities, and existing or designated water uses.
- Any harm to aquatic or tidal vegetation, benthic organisms or other flora and fauna and their habitats.
- Any loss of natural aquatic habitat.
- Any impairment of air quality, either temporarily or permanently, including noise, odors and hazardous chemicals.
- The extent to which the proposed project may adversely impact natural surface and groundwater hydrology and sediment transport functions.
- Determination of cumulative effects on the aquatic ecosystem, natural surface and groundwater hydrology.
- The degree to which the project represents an encroachment on or otherwise interferes with public lands, waterways or surrounding private interests.
- The degree to which the project incorporates sound engineering principles and appropriate materials of construction.
- The degree to which the proposed project fits in with the surrounding structures, facilities and uses of the subaqueous lands and uplands.
- The degree to which the proposed project may adversely affect shellfish beds or finfish activity in the area.



US Wind Project: Subaqueous Land Lease

Managed by the DNREC Division of Water

Why Does the US Wind Project Need a Subaqueous Land Lease?

Subaqueous Land Lease is a renewable lease required for the placement of any structure (dock, pier, pipeline, shoreline stabilization, etc.) or any fill placed in underwater lands channelward of the mean low water line.

- The lease is required for the installation of the transmission cables.
- It is required for the occupancy of the approximately 340,000 linear feet of public subaqueous lands.

What Does the US Wind Proposal Include?

- Lease would include up to 51,000 sq. ft or 38,250 cu/yards of cable protection (concrete mattress).



This image shows an example of Shallow Water Cable Installation.



This photo shows a representative Jet Sled used to bury cable in shallow water.



US Wind Project: Subaqueous Land Lease

What Does the Division of Water Consider?

In addition to the considerations listed under the Subaqueous Lands Permit, the Department also considers public use impact. The Department shall consider the public interest in any proposed activity which might affect the use of subaqueous lands. These considerations include, but are not limited to, the following:

- The value to the State or the public in retaining any interest in subaqueous lands which the applicant seeks to acquire, including the potential economic value of the interest.
- The value to the State or the public in conveying any interest in subaqueous lands which the applicant seeks to acquire.
- The potential effect on the public with respect to commerce, navigation, recreation, aesthetic enjoyment, natural resources and other uses of the subaqueous lands.
- The extent to which any disruption of the public use of such lands is temporary or permanent.
- The extent to which the applicant's primary objectives and purposes can be realized without the use of such lands (avoidance).
- The extent to which the applicant's primary purpose and objectives can be realized by alternatives, i.e. minimize the scope or extent of an activity or project and its adverse impact.
- Given the inability for avoidance or alternatives, the extent to which the applicant can employ mitigation measures to offset any losses incurred by the public.
- The extent to which the public at large would benefit from the activity or project and the extent to which it would suffer detriment.
- The extent to which the primary purpose of a project is water-dependent.



US Wind Project: Wetlands Permit

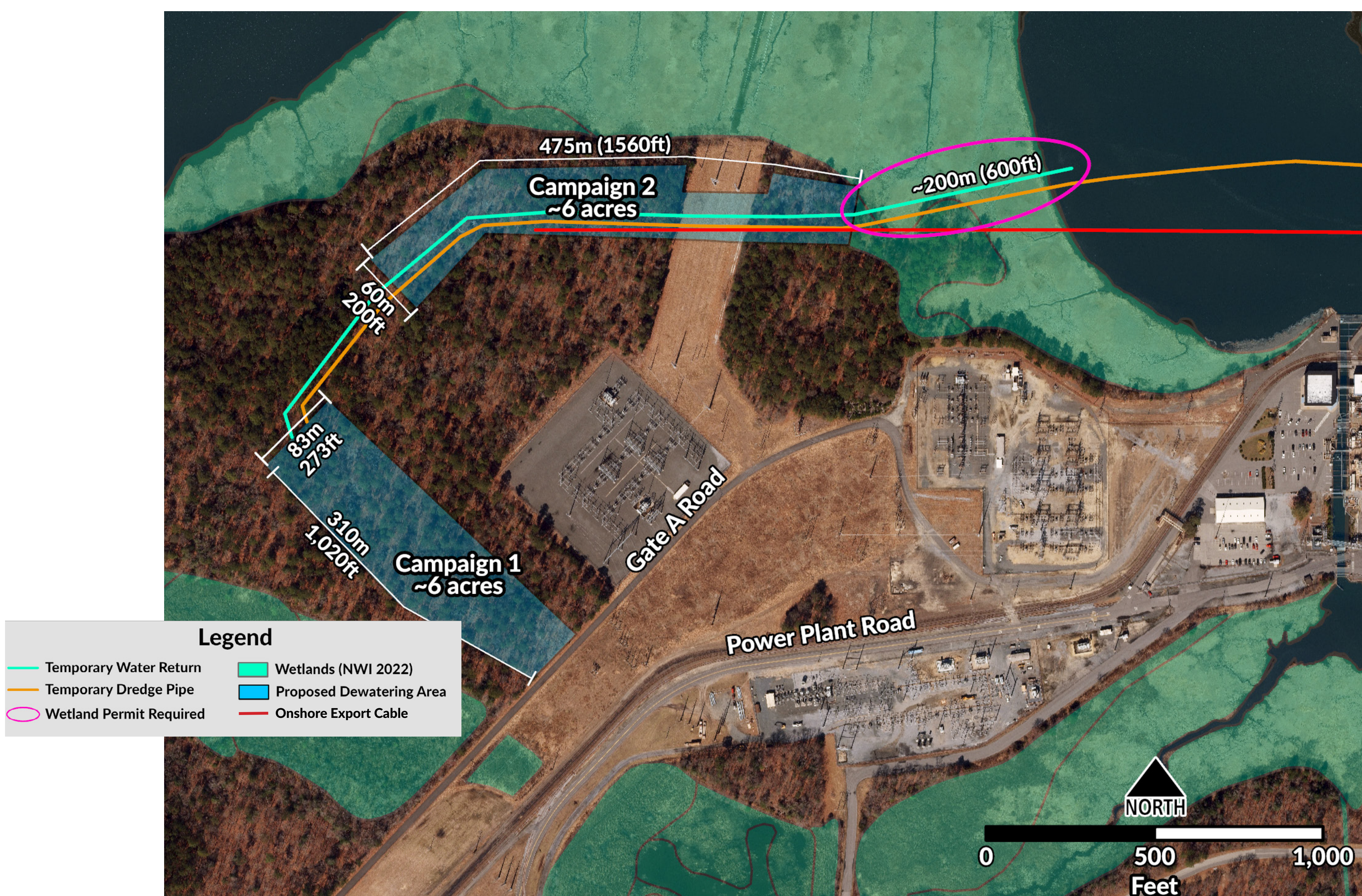
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Why Does the US Wind Project Need a Wetlands Permit?

Wetlands Permits are required for activities that occur in tidal wetlands, as well as those non-tidal wetlands that include 400 or more contiguous acres under the Delaware Wetlands Act and the state's Wetlands Regulations. Types of activities regulated include dredging, draining, filling, construction of any kind, bulkheading, mining, drilling and excavation.

What Does the US Wind Proposal Include?

The project proposes Temporary Dredge Discharge Pipes Crossing of 1200 linear feet (2-600 ft. long pipelines) of State Regulated Wetlands.



What Does the Division of Water Consider?

- Value of tidal ebb and flow
- Habitat Value
- Aesthetic Effect
- Impact of Supporting Facilities
- Effects on Neighboring Land Uses
- Economic Impact
- Project design that eliminates or substantially lessens damage to the wetlands



US Wind Project: Water Quality Certification

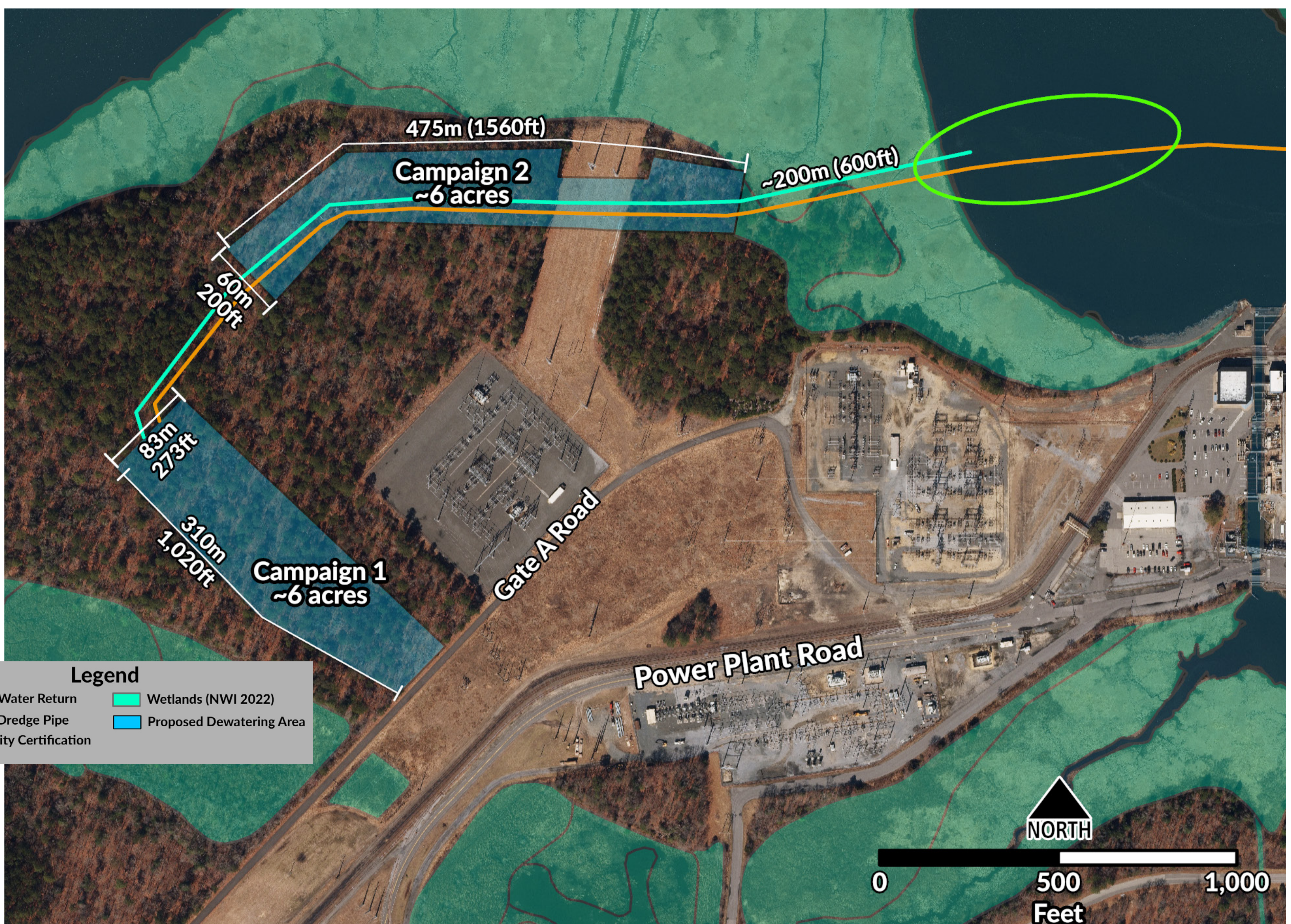
Managed by the DNREC Division of Water

Why Does the US Wind Project Need a Water Certification?

Water Quality Certification is a requirement of the U.S. Clean Water Act to certify that the discharge of dredged or fill material into waters of the United States, including wetlands, that is authorized by the federal government, will not violate the State Water Quality Standards.

What Does the US Wind Proposal Include?

The project will require the assessment of water quality from the discharged water of the proposed dredging.



What Does the Division of Water Consider?

- The dredged or fill material into waters of the United States, including wetlands will not violate the State Water Quality Standards.
- Any readily available water quality-related materials that informed the development of the application.