

W.W.S APPROVED PLANS PERMIT #: <sup>SL/SP/WE-043/24</sup> DATE: 01/08/2025 BY: Matthew Jones (SEE PERMIT CONDITIONS)

# Maryland Offshore Wind Project

## **Mitigation Plan – Delaware**

October 2024 (revised)

US Wind, Inc. 401 East Pratt Street Baltimore, Maryland 21202





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## Introduction

US Wind, Inc. (US Wind) is developing the Maryland Offshore Wind Project (the Project), an offshore wind project of up to 2 gigawatts within the area described in 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 would include up to 114 wind turbine generators (WTG), up to four (4) offshore substations (OSS), and one (1) Meteorological 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 230-275 kV export cables via new substations in Delaware.

US Wind's proposed export cables would come ashore from the Lease area to land at 3R's Beach Parking Lot, south of Indian River Inlet Bridge, via horizontal directional drilling (HDD). Transition vaults are proposed to be buried under the existing parking lot. From the transition vaults the export cables would enter Indian River Bay via HDD, traverse the bay with cables buried to a target depth of 1.8 meters (6 feet), and exit Indian River to the onshore substation location near the Indian River Power Plant. The cable route through Indian River Bay is referred to as the Onshore Export Cable South Corridor in US Wind's Construction and Operations Plan submitted to BOEM and is used for consistency.

The Project area within Delaware state waters and onshore at the 3R's Beach landfall is provided in Figure 1.



Figure 1. Export Cable Landfall and Route to Point of Interconnection



US Wind proposes mitigation associated with the installation and operation of export cable infrastructure within Indian River Bay in response to review by subject matter experts at the Delaware Department of Natural Resources and Environmental Control (DNREC) and public comments regarding US Wind's applications. US Wind's proposed mitigation activities are in addition to the avoidance and minimization measures detailed in US Wind's permit application materials submitted March 29, 2024, as well as measures proposed in US Wind's Construction and Operations Plan submitted to BOEM.

US Wind's Mitigation Plan – Delaware (revised) establishes mitigation measures following proposals by both DNREC and US Wind, and related discussions to refine such measures. US Wind appreciates the conversations to develop mitigation measures appropriate to the impacts and potential impacts of US Wind's proposed activities.

### Fisheries

#### Resident/Local/Anadromous Fish Studies

US Wind is unaware of any effect, particularly large-scale, to the "movements of numerous resident, local, and anadromous fish or aquatic life species" from export cables buried 6 feet (ft) below the bottom of Indian River Bay. US Wind supports DNREC's efforts in conjunction with Delaware State University to establish baseline and additional post-construction monitoring of the movements of numerous resident, local and anadromous fish and aquatic life species. US Wind would support efforts for the baseline study and to monitor potential alterations to species movement following installation of US Wind's export cables in Indian River Bay. US Wind will provide a total of \$8 million to DNREC for these activities with \$5 million for an intensive 2-year baseline survey provided at the close of financing for the MarWin (First Construction Campaign) and \$1.5 million for year 3 and year 4 monitoring after construction.

#### **Shellfish Population Monitoring**

US Wind will conduct monitoring of shellfish populations across the Inland Bays of Delaware to monitor shellfish population or distribution, and potential changes, if any, in response to US Wind's export cable installation or operation. US Wind proposes a survey one year prior to installation of the first export cable (Construction Campaign 1) and every five years thereafter for 30 years. US Wind would coordinate the monitoring plan with DNREC's Department of Fish and Wildlife for appropriate survey protocols. US Wind received prior estimates at a cost of approximately \$200,000 for field work, equipment and vessel rental, and date analysis and reporting for a survey of Indian River Bay. To cover the Inland Bays an approximate cost of \$500,000 per survey is estimated for a total value of \$3.5 million.

#### **Recreational Access Facilities**

US Wind's proposed activities will not directly affect state-owned boat ramps, docks, or piers in Indian River Bay, nor in the Inland Bays. Mitigation is proposed for potential effects should the recreational use of Indian River Bay be altered by the presence of buried export cables. US Wind would make an up-front contribution of \$500,000 at least 180 days prior to construction in Delaware waters or state of Delaware-owned land with annual contributions to DNREC of \$500,000 for 20 years for maintenance and/or upgrades to state-owned recreational access facilities in the Inland Bays, for a total value of \$10 million.



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#### **Maintenance and Research Fund**

US Wind and DNREC would enter into a Memorandum of Understanding or Memorandum of Agreement to establish a Maintenance and Research Fund in an amount not to exceed \$10 million over a 20-year period. The intent of the fund would be to provide DNREC with resources for activities such as: conducting quarterly channel marking in Indian River and Indian River Bay, conducting bathymetric surveys outside of US Wind's export cable corridor (Onshore Export South Cable Corridor), removing marine debris in Indian River and/or Indian River Bay, and/or support other research or resource management projects identified by DNREC as relates to potential impacts from US Wind's activities and infrastructure in Delaware state waters. Future research or resource management projects would be agreed upon by DNREC and US Wind. Following a \$1 million contribution to DNREC at least 180 days prior to construction in Delaware waters or state of Delaware-owned land, US Wind would provide a contribution to DNREC of \$1 million every two years.

#### **Commercial Shellfish Facility**

US Wind's proposed activities will not directly affect the ability to dock, offload, or land catch at any commercial fishing facilities in Delaware. However, to mitigate for potential effects to fisheries in Indian River Bay, US Wind will provide funds to DNREC for the construction and operation of a docking, offloading, and landing facility for local commercial fish and shellfish harvesters. US Wind will make an up-front contribution of \$1.5 million at least 180 days prior to construction in Delaware waters or state of Delaware-owned land with annual contributions to DNREC of \$150,000 for 10 years for a total value of \$3 million. US Wind would not design, construct, or operate the facility.

#### Aquaculture Startup Grant Fund

While US Wind's cable corridor was sited to avoid the existing Shellfish Aquaculture Development Area (SADA), US Wind understands DNREC's and Delaware's interest to establish aquaculture in Indian River Bay. \$250,000 would be made available to DNREC at least 180 days prior to construction in Delaware waters or state of Delaware-owned land with annual contributions to DNREC of \$250,000 for a total period of six years for a total value of \$1.5 million.

#### **Fisherperson Compensation Claims**

US Wind will compensate impacted Delaware commercial and for-hire recreational fishers. The mechanism to provide direct compensation has not been finalized, however, US Wind believes that direct compensation would be appropriate to be included in the Direct Compensation Fund, or potentially the Community Resilience Fund for Delaware, consistent with the Letter of Intent (LOI) signed by DNREC and US Wind on July 9, 2024. US Wind believes that it may be confusing to fishermen in the area if multiple compensation programs are put in place. Additionally, consistent with the compensation model proposed by BOEM and the National Marine Fisheries Service, the exposure period for fishermen would be 9 years, made up of 4 years of construction and decommissioning and 5 years of operations: during construction (2 construction campaigns, \$150,000), 5-years of operation at a reducing rate of exposure (\$270,000), and decommissioning (anticipated 2 seasonal campaigns, \$330,000) for a maximum set aside value of \$750,000, to be established 180 days prior to construction in Delaware waters or state of Delaware-owned land and returned to US Wind if claims are not made.



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# Turbidity and Water Quality (including SAV)

#### Submerged Aquatic Vegetation Restoration Facility

US Wind's surveys did not identify any submerged aquatic vegetation (SAV) in or in the immediate vicinity of the proposed cable corridor in Indian River Bay. However, US Wind supports DNREC's efforts to reestablish SAV in Indian River Bay and the Inland Bays. US Wind will contribute \$1 million for construction and startup of an SAV restoration facility in Lewes, Delaware, which would be made available to DNREC at least 180 days prior to construction in Delaware waters or state of Delaware-owned land with annual contributions to DNREC of \$125,000 for 20 years for a total value of \$3.5 million. US Wind would not design, construct, or operate the facility.

#### **Okie Preserve Project**

US Wind supports habitat restoration and shoreline protection in the area. US Wind proposes to contribute funding for the Okie Preserve Habitat Restoration and Shoreline Protection Project. DNREC intends that the project would implement nature-based practices to restore the native habitat, reduce loss of habitat and erosion, enhance human access and use, establish shoreline habitat that can withstand changing coastal conditions, and assist with nutrient sequestration. The completed project would result in restored and protected ecologically significant coastal habitat as well as strengthened coastal resilience for the natural area and surrounding coastal communities. If the Okie Preserve Habitat Restoration and Shoreline Protection Project does not move forward, US Wind proposes using the provided funds to advance engineering plans, site testing, and other activities to ready locations in Indian River Bay, Indian River, and/or the Inland Bays to receive materials from dredging projects in the Inland Bays for beneficial use, at DNREC's discretion.

US Wind would make a one-time \$3.6 million contribution to DNREC for the Okie Preserve Habitat Restoration and Shoreline Protection Project, or similar project(s), no later than 180 days prior to construction activities in Delaware waters or state of Delaware-owned land. US Wind would not design, construct, or operate the facility.

### Waterway Management

#### **Regional Docks and Channel Access**

US Wind proposes to fund, on an as-identified and as-needed or as-directed by DNREC basis, coordination, training, and infrastructure improvements to maintain compliance with the Emergency Response Plan – Delaware developed by US Wind. Activities could include:

- Coordination and training of local Emergency Response personnel to respond to situations that might occur as a result of the construction and long-term operation/maintenance of the export cables and related interconnection infrastructure, both onshore and offshore, including any specialty equipment necessary to provide appropriate services in both onshore and offshore environments.
- Improvements of regional dock structures and access channels to ensure that safety
  personnel and gear can reach those in need (e.g. ensure that strategically located dock
  facilities can accommodate small vehicles, stretchers, and other necessary equipment to
  transport injured personnel to local medical facilities), e.g. Bethany FD Cotton Patch
  Hills Port of Entry dock facility improvements & maintenance.



Funding would initially be provided, as needed or as directed, no later than 180 days prior to construction activities in Delaware waters or state of Delaware-owned land. The value of US Wind's potential funding of this mitigation measure is estimated at \$6 million (\$2 million capital costs, then \$1 million every 5 years for 20 years).

In summary, US Wind proposes a total value of \$49,850,000 between US Wind- and DNRECadministered projects for mitigation of effects and potential effects associated with US Wind's proposed cable installation and ongoing operations. A summary table is included as Appendix A.

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## Appendix A Mitigation Plan Summary

	US Wind Projects	DNREC Administered Projects	Total Mitigation Value	Up front/one- time cost	Annual cost	Duration
Fisheries					•	
Resident/Local/Anadromous Fish Studies (acoustic monitoring network)		\$8M	\$8M	\$5M	\$1.5M (yrs 3 and 4)	4 years
Annual monitoring of shellfish populations	\$3.5M		\$3.5M		\$500k/ 5 years	30 years
Maintenance/upgrades to state owned recreational access facilities in Inland Bays		\$10M	\$10M	\$500k	\$500k/yr	20 years
Maintenance & Research Fund		\$10M	\$10M	\$1M	\$1M/2 yrs	20 years
Commercial shellfish docking and offloading facility		\$3M	\$3M	\$1.5M	\$150k	10 years
Delaware Aquaculture Startup Grant Fund		\$1.5M	\$1.5M	\$250k	\$250k	6 years
Compensatory mitigation fund		\$750k	\$750k		varies	9 years
Turbidity and Water Quality						
SAV restoration facility		\$3.5M	\$3.5M	\$1M	\$125k	20 years
Okie Preserve Habitat Restoration and Shoreline Protection Project (or equivalent)		\$3.6M	\$3.6M	\$3.6M		
Waterway Management		·			·	
Regional docks and channel access	\$6M		\$6M	\$2M	\$1M/5 yrs	20 years
Totals	\$9.5M	\$40.35M	\$49.85M	\$14.85M	Variable	Variable