

The table below was adapted from Table 1-1 in Section 1.7 of the New England Wind 2 (Commonwealth Wind) Draft Environmental Impact Report (DEIR) filed in July 2023 by the project proponent with the Executive Office of Energy and Environmental Affairs (EEA) under the Massachusetts Environmental Policy Act (MEPA). Table 1-1 in the DEIR shows the federal, state, regional and local environmental permits, reviews and approvals needed by the project and their status at the time of the DEIR filing in July 2023. The table below was adapted to provide an update on the status in December 2024.

The first and second columns contain the same information found in Table 1-1. The third column includes (in black text) the project proponent’s July 2023 status of environmental permits, reviews and approvals found in Table 1-1. The red **text** inserted in the third column addresses the Town’s understanding of the current status of the project’s environmental permits, reviews and approvals, whether known or not, as of December 2024. If a box in this column does not include red text, that’s because the action was already final at the time of the proponent’s DEIR filing in July 2023 and no update is needed.

A fourth column was added to address whether a public comment process is associated with the filing. If the filing has been completed (e.g., a permit was issued already), the box includes a “no” because the time for comment would have closed. A box also may include a “no” because not every permit has a public comment process.

Environmental Permits, Reviews, and Approvals for the New England Wind 2 Connector

Agency/ Regulatory Authority	Permit/Review/Approval	Status as of December 2024 in red	Public comment process? Yes or No
<i>Federal</i>			
US Bureau of Ocean Energy Management (BOEM)	Site Assessment Plan (SAP) approval	Completed	No.
	Construction and Operations Plan (COP) approval/Record of Decision (ROD)	COP filed with BOEM July 2, 2020 Completed.	No.
	National Environmental Policy Act (NEPA) Environmental Review	Initiated by BOEM June 30, 2021, Draft Environmental Impact Statement Issued on December 23, 2022 Completed.	No.
	Facility Design Report (FDR) and Fabrication and Installation Report (FIR)	To be filed (TBF) Unknown.	Unknown

Agency/ Regulatory Authority	Permit/Review/Approval	Status as of December 2024 in red	Public comment process? Yes or No
Federal			
US Environmental Protection Agency (EPA)	EPA Permits under Section 316(b) of the Clean Water Act (CdWA), including National Pollutant Discharge Elimination System (NPDES) Permit(s)	TBF Status not known.	Yes, if final permit has not been issued.
	Outer Continental Shelf (OCS) Air Permit	Filed with EPA October 7, 2022 Draft CAA permit for offshore wind farm (no work in the Town) was issued in April 2024. Final permit in process with public comment period closing on 1/16/2025.	Yes. Scope of the permit is the Clean Air Act for Outer Continental Shelf activities
US Army Corps of Engineers (USACE)	CWA Section 404 Permit Rivers and Harbors Act of 1899 Section 10 Individual Permit	Filed with USACE August 1, 2022 Status not known.	Unlikely, public comment period appears to have closed on 2/21/2023.
US National Marine Fisheries Service (NMFS)	Letter of Authorization (LOA) or Incidental Harassment Authorization (IHA)	Application considered adequate and complete July 20, 2022 Appears completed.	No.
US Coast Guard (USCG)	Private Aid to Navigation (PATON) authorization	TBF Status not known.	No.
Federal Aviation Administration (FAA)	No Hazard Determination (for activities at construction staging areas and vessel transits, if required)	TBF Status not known.	No.
State			
Massachusetts Environmental Policy Act (MEPA) Office	Certificate of Secretary of Energy and Environmental Affairs (EEA) on Environmental Notification Form	ENF filed September 30, 2022 DEIR filed May 31, 2023 (this filing) DEIR Certificate issued 10/24; No change since then.	Yes.

Energy Facilities Siting Board (EFSB)	G.L. c. 164, § 69 Approval	Petition filed November 1, 2022. Docket # EFSB22-06 No change in status.	Yes.
Massachusetts Department of Public Utilities (DPU)	G.L. c. 164, § 72, Approval to Construct G.L. c. 40A, § 3 Zoning Exemption	Filed November 1, 2022 Docket #: EFSB22-06 No change in status.	Yes.
Massachusetts Department of Environmental Protection (MassDEP)	Chapter 91 Waterways License and Dredge Permit Water Quality Certification (Section 401 of the CWA)	Joint Application TBF Status not known. Permit cannot be issued until after the ongoing MEPA review has been completed.	Yes.
Massachusetts Department of Transportation (MassDOT)	Non-Vehicular Access Permit(s)	TBF Status not known. Permit cannot be issued until after the ongoing MEPA review has been completed.	No.
Massachusetts Board of Underwater Archaeological Resources (MBUAR)	Special Use Permit	Special Use Permit 21-006 Renewal Application Approved on April 6, 2023	No.
Natural Heritage and Endangered Species Program (NHESP)	Conservation and Management Permit (if needed)	TBF (if needed) Status not known. Permit, if needed, cannot be issued until after the ongoing MEPA review has been completed.	No.

Agency/ Regulatory Authority	Permit/Review/Approval	Status as of December 2024 in red	Public Comment Process? Yes or No
State			
Massachusetts Historical Commission (MHC)	State Archaeologist Permit #4227 (980 C.M.R. § 70.00)	Intensive survey permit application filed August 18, 2022 State Archaeologist's Permit #4227 for Intensive Survey issued October 4, 2022 (issued to archaeologist, not Commonwealth Wind, LLC)	No.
Massachusetts Division of Marine Fisheries (DMF)	Letter of Authorization and/or Scientific Permit (for surveys and pre-lay grapnel run)	TBF Status not known.	No.
Massachusetts Office of Coastal Zone Management (CZM) / Rhode Island Coastal Resources Management Council (CRMC)	Federal Consistency Determination (15 CFR 930.57)	MA CZM review initiated September 14, 2022 RI CRMC review initiated August 5, 2022 MA CZM provided conditional concurrence on 11/09/2023 for Federal Consistency Review. Completed.	No.
Massachusetts Department of Conservation and Recreation	Construction and Access Permit (if needed)	TBF Status not known. Permit cannot be issued until after the ongoing MEPA review has been completed.	No.
Regional (for portions of NE Wind 2 Connector within regional jurisdiction)			
Cape Cod Commission (CCC)	Development of Regional Impact (DRI) Review	TBF No known change in status.	Yes.
Martha's Vineyard Commission (MVC)	DRI Review	TBF Completed May 2024	No.
Local (for portions of NE Wind 2 Connector within local jurisdiction)			
Edgartown Conservation Commission	Notice of Intent (NOI)	TBF NOI filed in 11/2023. Status not known.	Yes, if process has not concluded.

Barnstable Conservation Commission	NOI	TBF No change in status.	Yes.
Mashpee Conservation Commission	NOI	TBF Status not known.	Yes.
Nantucket Conservation Commission	NOI	TBF Order of Conditions issued in December 2023.	No.

Table 1-1 in the DEIR, and therefore this Table, did not include an anticipated Stormwater Management Permit from the Town DPW under Chapter 185 of the Town Code and associated DPW regulations under Chapter 903. The Stormwater Management Permit requirement did not exist when the proponent filed its DEIR with EEA in July 2023 because the Town’s ordinance and regulations were not enacted until May 2024.