

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Application of Sunrise Wind LLC for a Certificate of Environmental Compatibility and Public Need for the Construction of Up to 6.2 Miles (320 kilovolt [kV]) of Direct Current (DC) Submarine Export Cable from the New York State Territorial Waters Boundary to the Smith Point County Park on Fire Island in the Town of Brookhaven in Suffolk County and Up to 17.5 Miles (320 kV) of Onshore Transmission Cable from the Landfall at Fire Island to a New Onshore Converter Station in the Town of Brookhaven and Up to 1 Mile (138 kV) of Alternating Current (AC) Onshore Interconnection Cable Connecting to the Existing Holbrook Substation in the Town of Brookhaven in Suffolk County

Case 20-T-0617
Deficiency No. 5

**SUNRISE WIND LLC's RESPONSE
TO THE MAY 20, 2021 DEFICIENCY NOTICE**

Deficiency No. 5

16 NYCRR §86.5(a) requires the Applicant to provide a “[s]tatement describing environmental impacts study of proposed facility, including methods employed and summary of findings.” The Deficiency Letter required Sunrise Wind to provide the results of Phase IB shovel testing and analysis of results; or in the alternative, provide clarification as to the proposal for conducting, concluding, and providing results and analyses of these additional archeological surveys, including the timing and extent of studies indicated as appropriate in the Appendix 4-D report. The Deficiency Letter further required Sunrise Wind to explain how that additional information will inform the record and enable findings that environmental impacts have been avoided or minimized; and how the project review and approval will conform with the requirements of Parks, Recreation and Historic Preservation Law §14.09 or National Historic Preservation Law §106.

The deficiency response included in the Application Supplement and Amendment indicates that the Applicant is currently conducting the Phase IB Archaeological Survey and the results of this survey will be provided upon completion. However, Appendix 4-D and the Appendix 4-D Addendum indicate that the archeological testing plans provided thus far are preliminary in nature. Please provide an explanation detailing the status of the Phase IB fieldwork (including a description of any refinements to the Phase IB fieldwork methodology), an anticipated completion date, and an anticipated timeframe in which the Phase IB results will be provided to the SHPO and DPS Staff.

Sunrise Wind's Response:

Appendix 4-D and Appendix 4-D Addendum provide the results of the Phase 1A review, which is based on desktop analysis and reconnaissance level field review and is the first step in the archaeological review process. Phase 1B fieldwork is then conducted, including testing in locations identified in the Phase 1A report.

By way of background, the Applicant provided its Phase 1A report to New York's State Historic Preservation Office (SHPO) and tribal parties on August 26, 2020. In turn, the Applicant received feedback from SHPO on September 1, 2020, indicating the proposed Phase 1B methodology was sufficient. A copy of SHPO's letter response is enclosed as Exhibit A. The Applicant also held a pre-survey consultation meeting with tribal parties on September 21, 2020.

To date, the Applicant has conducted Phase 1B fieldwork along the Onshore Transmission Cable route, including along the Victory Avenue segment of the LIE Service Road Route included in the Amended Application (fieldwork conducted in November to December 2020, February 2021, and May 2021) and along portions of the Montauk Highway Route, an alternative route that is no longer under consideration (fieldwork conducted in December 2020 and February 2021). In total, testing was conducted at approximately 450 locations, including locations along the Montauk Highway Route (again, which is no longer under consideration). For the currently proposed Victory Avenue segment, only modern materials were documented. These materials were noted but not collected. Native American cultural material was encountered along a portion of the Montauk Highway Route, and the Phase 1B fieldwork was halted pending further consultation. Subsequently, the Montauk Highway Route was eliminated from consideration, and the Applicant selected the Victory Avenue segment instead. As a result of that selection, no additional work is anticipated along the Montauk Highway Route. As described above, Phase 1B fieldwork for the Victory Avenue segment was completed in May 2021 with no archaeological discoveries to report.

The Applicant is still working with landowners for access permissions to the Onshore Interconnection Cable route to conduct fieldwork. It is anticipated that this fieldwork will occur this summer. The Applicant is also reviewing a limited number of locations along the Onshore Transmission Cable route where additional Phase 1B fieldwork will be required to support the potential use of additional workspace. Fieldwork has not been conducted at these locations, but it is anticipated to occur this summer.

The Applicant will submit the Phase 1B report to SHPO and DPS Staff once both fieldwork and the resulting assessment have been completed. The Applicant currently anticipates providing the Phase 1B report to SHPO and DPS Staff this summer following completion of the remaining fieldwork.

Exhibit A: New York SHPO September 1, 2020 Letter



**Parks, Recreation,
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

September 01, 2020

Ms. Emily Hildreth
Renewable Energy Program Specialist
Bureau of Ocean Energy Management
45600 Woodland Road
Sterling, VA 20166

Re: BOEM
Sunrise Wind Project - Offshore Wind Farm
19PR00055

Dear Ms. Hildreth:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources.

We have reviewed the report entitled "Phase IA Archaeological Survey, Sunrise Wind Onshore Facilities" (SHPO Report No. 20SR00429). SHPO concurs with the identification, as detailed in the report, of portions of the project's onshore Area of Potential Effects (APE) that have the potential for intact soils in archaeologically sensitive areas. SHPO also concurs with the proposed methods for conducting Phase IB field testing at the select locations. SHPO understands that the onshore APE is preliminary and that the specific locations for Phase IB archaeological testing may change as project planning progresses.

If further correspondence is required regarding this project, please refer to the SHPO Project Review (PR) number noted above. If you have any questions, please contact me via email.

Sincerely,

Tim Lloyd, Ph.D., RPA
Scientist - Archaeology
timothy.lloyd@parks.ny.gov

via e-mail only