

Beacon Wind LLC

Beacon Wind 1  
Article VII Application

**Appendix I**  
**Coastal Zone Management**  
**Consistency Statements**

May 2022

**Table of Contents**

TABLE OF CONTENTS..... |**Error! Bookmark not defined.**  
LIST OF TABLES..... |**Error! Bookmark not defined.**  
ABBREVIATIONS AND ACRONYMS..... |ii

Appendix I Coastal Consistency Statements.....I-1  
    I.1 Introduction.....I-1  
    I.2 New York Consistency Statements.....I-2  
        I.2.1 New York State Coastal Management Program .....I-2  
        I.2.2 Long Island Sound CMP .....I-15  
        I.2.3 New York City LWRP.....I-21  
        I.2.4 Town of East Hampton LWRP .....I-34  
        I.2.5 Town of Southold LWRP .....I-44  
    I.3 New York LWRP Effects Test.....I-49

**List of Tables**

Table I.2-1. New York State Coastal Management Program ..... I-3  
Table I.2-2. Long Island Sound Coastal Management Plan..... I-16  
Table I.2-3. New York City LWRP ..... I-22  
Table I.2-4. Town of East Hampton LWRP ..... I-35  
Table I.2-5. Town of Southold LWRP ..... I-45

## Abbreviations and Acronyms

Abbreviation	Definition
ac	Acres
Applicant	Beacon Wind LLC
APC	Area of Particular Concern
BW1	Beacon Wind 1 project
CFR	Code of Federal Regulations
CMP	Coastal Management Plan
EM&CP	Environmental Management and Construction Plan
EPA	U.S. Environmental Protection Agency
FAB	Fisherman's Advisory Board
ft	Feet
GLD	Geographic Location Descriptions
ha	Hectares
HAB	Habitat Advisory Board
HVAC	High-voltage alternating current
HVDC	High-voltage direct-current
ISO	Independent System Operator
km	Kilometers
Lease Area	Geographic area defined by Renewable Energy Lease Area OCS-A 0520
LIS	Long Island Sound
LWRP	Local Waterfront Revitalization Plan
m	Meter
MW	Megawatts
mi	Miles
nm	Nautical miles
NOAA	National Oceanic and Atmospheric Administration
NRHP	National Register of Historic Places
NYCRR	New York Codes, Rules, and Regulations
NY Project	Portion of BW1 transmission system in New York State
NYSDEC	New York State Department of Environmental Conservation
NYSERDA	New York State Research and Development Authority
Onshore Project Area	Onshore portions of the NY Project, including the onshore substation facility, onshore export cables, interconnection cables, and staging areas.
OCS	Outer continental shelf
OSRP	Oil Spill Response Plan
POI	Point of Interconnection
SMIA	Significant Maritime and Industrial Area
SPDES	State Pollutant Discharge Elimination System
SWPPP	Stormwater Pollution Prevention Plan
USACE	United States Army Corps of Engineers
USCG	United States Coast Guard
WEA	Wind Energy Area

# Appendix I Coastal Consistency Statements

## I.1 Introduction

Beacon Wind LLC (Applicant) proposes to construct and operate the Beacon Wind 1 project (BW1) as one of two separate offshore wind projects to be located within the Bureau of Ocean Energy Management designated Renewable Energy Lease Area OCS-A 0520 (Lease Area). The proposed transmission system for BW1 will connect the offshore wind farm to the point of interconnection (POI) at the Astoria power complex in Queens, New York, and will include one 320-kV HVDC submarine export cable circuit approximately 115 nautical miles (nm) (213 kilometers [km]) in length in New York State waters, one 320-kV HVDC onshore export cable circuit approximately 600 feet (ft) (183 meters [m]) in length, and three 138-kV HVAC interconnection cable circuits approximately 1,400 ft (427 m) in length. An electric transmission line with a design capacity of 125-kV or more, extending a distance of one mile or more, is subject to review and approval by the New York State Public Service Commission (Commission) as a major electric transmission facility. This application is being submitted to the Commission pursuant to Article VII of the New York Public Service Law (PSL) for the portions of the BW1 transmission system to be located within the State of New York (collectively, the NY Project).

The NY Project's POI to the New York State Transmission System operated by the New York Independent System Operator (NYISO) will be at the existing Astoria West 138-kV Substation in Queens, New York. The Astoria West Substation is owned by the Consolidated Edison Company of New York, Inc. The Article VII components of BW1 that constitute the NY Project include:

- One 320-kV HVDC submarine export cable circuit (two cables) located within an approximately 115 nm (213 km)-long submarine export cable corridor from the boundary of New York State waters 3 nm (5.6 km) offshore to the cable landfall at Lawrence Point at the Astoria power complex in Queens, New York;
- A 2,000 ft (610 m) long onshore cable route and substation facility within the Astoria power complex including:
  - One 320-kV HVDC onshore export cable circuit (two cables) installed underground from the landfall to the onshore substation facility within the Astoria power complex (approximately 600 ft [183 m]);
  - One onshore substation facility (inclusive of an onshore converter station and onshore substation) to convert HVDC power to HVAC power; and
  - Three 138-kV cable circuits, each with nine HVAC onshore interconnection cables, buried underground from the onshore substation facility to the Astoria West POI (approximately 1,400 ft [427 m]).

## I.2 New York Consistency Statements

Under the Coastal Zone Management Act of 1972, the New York Department of State implements the State Coastal Management Program (CMP) to ensure that proposed activities in or affecting the New York coastal zone will restore and protect coastal resources. New York State adopted the Waterfront Revitalization of Coastal Areas and Inland Waterways Act in 1981 which enables municipalities to adapt statewide policies to local coastal management programs. Because the NY Project will enter the coastal zone of the following programs and plans, their enforceable policies are applicable to the NY Project:

- New York State Coastal Management Program (**Table I.2-1**)
- Long Island Sound Coastal Management Plan (CMP) (**Table I.2-2**):
- New York City Local Waterfront Revitalization Plan (LWRP) (**Table I.2-3**):
- Town of East Hampton LWRP (**Table I.2-4**):
- Town of Southold LWRP (**Table I.2-5**):

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Consistency with the policies of each coastal program that the NY Project will either pass through or have a reasonably foreseeable effect upon are provided below. Additional information on the NY Project's consistency with coastal policies is provided throughout the Article VII application in the following exhibits: **Exhibit 3: Alternatives**; **Exhibit 4: Environmental Impacts**; **Exhibit 5: Project Design Drawings**; **Exhibit 6: Economic Effects of the Proposed Facility**; and **Exhibit E-6: Effect on Transportation**.

### I.2.1 New York State Coastal Management Program

The NY Project's submarine export cables and Onshore Project Area are located within the New York coastal zone so are subject to the New York State Coastal Management Program. As set forth below, the proposed activities associated with these project elements comply with and will be conducted in a manner consistent with the relevant policies of the New York State Coastal Management Program.

**TABLE I.2-1. NEW YORK STATE COASTAL MANAGEMENT PROGRAM**

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
1	Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound, Block Island Sound, and the East River and will not impact deteriorated and underutilized waterfront areas.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include redevelopment of a dense industrial waterfront area at the Astoria power complex in Queens, New York.
2	Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound, Block Island Sound, and the East River and will not impact water-dependent uses and facilities.	This policy is not applicable because the Onshore Project Area will not be a water-dependent use and will not impact water-dependent uses.
3	Further develop the State's major ports of Albany, Buffalo, New York, Ogdensburg and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of State public authorities, of land use and development which is essential to, or in support of, the waterborne transportation of cargo and people.	The submarine export cables will be consistent with this policy to the extent applicable as they will be associated with an offshore wind project, which will utilize and encourage the development of the state's ports.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will be associated with an offshore wind project, which will utilize and encourage the development of the state's ports.
4	Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.	The submarine export cables will be consistent with this policy to the extent applicable as they will not impact small harbor areas and will not materially impact traditional uses and activities.	This policy is not applicable because the Onshore Project Area will not be located in and will not impact small harbor areas nor traditional uses and activities,
5	Encourage the location of development in areas where public services and facilities essential to such development are adequate.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and will not rely on or impact public services.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will be sited at the Astoria power complex in Queens, New York, a dense industrial development area.

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	The submarine export cables will be consistent with this policy to the extent applicable as they will be sited at suitable locations. The Applicant has completed surveys to micro-site the cable to avoid sensitive areas.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will be sited at the Astoria power complex in Queens, New York, a dense industrial development area suitable for this use.
7	Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.	The submarine export cables will be consistent with this policy to the extent applicable, as they have been sited to avoid identified Significant Coastal Fish and Wildlife Habitats.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will be sited at the Astoria power complex in Queens, New York, a dense industrial development.
8	Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables; installation will be of limited scope/duration and will not result in environmental degradation from waste or pollutants. Vessels will abide by the Bureau of Safety and Environmental Enforcement’s Marine Trash and Debris regulations and all crew will be briefed on marine trash and debris prevention. Wastes generated from the installation activities will be handled in accordance with federal and state laws. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and management of accidental spills or release of oils or other hazardous wastes through the Oil Spill Response Plan (OSRP).	The Onshore Project Area will be consistent with this policy to the extent applicable. Activities will be performed in compliance with regulations regarding the handling, storage, and disposal of solid wastes, toxic pollutants, hazardous materials, and industrial materials. Design of the facility will incorporate the NYSDEC Management Practices Catalogue for Nonpoint Source Pollution Prevention and Water Quality Protection in New York State. As part of the Article VII process, a Construction Contingency Plan and Stormwater Pollution Prevention Plan will be created, which along with other features of the Environmental Management and Construction Plan (EM&CP) will serve to manage and avoid direct and indirect discharges to waterbodies.
9	Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources.	The submarine export cables will be consistent with this policy to the extent applicable as they will not materially impact recreational use of fish and wildlife resources.	This policy is not applicable because the Onshore Project Area will not provide opportunities to increase access, supplement stock, or develop new resources.

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
10	Further develop commercial finfish, shellfish, and crustacean resources in the coastal area by encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities, increasing marketing of the State's seafood products, maintaining adequate stocks, and expanding aquaculture facilities.	This policy is not applicable because the submarine export cables will not provide opportunities to further develop commercial finfish, shellfish, and crustacean resources.	This policy is not applicable because the Onshore Project Area will not provide opportunities to further develop commercial finfish, shellfish, and crustacean resources.
11	Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.	This policy is not applicable because the submarine export cables will be buried in Long Island Sound, Block Island Sound, and the East River and, therefore, will not include the siting of buildings or other structures in the New York coastal area.	The Onshore Project Area will be consistent with this policy to the extent applicable as it includes industrial uses at a previously developed site with substantial existing impervious surfaces and is not expected to adversely affect adjacent shorelines or properties. Design and construction of the facility will incorporate considerations for potential flooding and erosion as necessary.
12	Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried in Long Island Sound, Block Island Sound, and the East River and will not encroach upon or impact beaches, dunes, barrier islands, and bluffs.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will be sited at the Astoria power complex in Queens, New York, a dense industrial development area. Design and construction of the facility will incorporate considerations for potential flooding and erosion as necessary to minimize damage to natural resources and property.
13	The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.	This policy is not applicable because the submarine export cables will be buried in Long Island Sound, Block Island Sound, and the East River and will not include construction or reconstruction of erosion protection structures in the New York coastal area.	This policy is not applicable because the Onshore Project Area will be sited at the Astoria power complex in Queens, New York, a dense industrial development area and will not include construction or reconstruction of erosion protection structures.
14	Activities and development, including the construction or reconstruction of erosion	This policy is not applicable because the submarine export cables will be buried in Long Island Sound, Block	This policy is not applicable because the Onshore Project Area will be sited at the Astoria power complex in Queens, New York, a dense

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
	protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	Island Sound, and the East River and will not include construction or reconstruction of erosion protection structures.	industrial development area and will not include construction or reconstruction of erosion protection structures.
15	Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables in Long Island Sound, Block Island Sound, and the East River. Installation will be of limited scope/duration and will not significantly interfere with the natural coastal processes. Cable pre-lay activities may include pre-installation grapnel run, route clearance and boulder removal, pre-sweeping, dredging, and pre-trenching. The cable burial methods being considered are plowing, jetting, trenching, and drill and expand.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will be sited at the Astoria power complex in Queens, New York, a dense industrial development area and will not significantly interfere with the natural coastal processes.
16	Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.	This policy is not applicable because the submarine export cables will not require public funds for erosion protective structures, nor are erosion protective structures proposed.	This policy is not applicable because the Onshore Project Area will not require public funds for erosion protective structures, nor are erosion protective structures proposed.
17	Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables in Long Island Sound, Block Island	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include industrial uses at an existing industrial site with substantial existing impervious surfaces and are not anticipated to impact flood and erosion problems. Design and

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
		Sound, and the East River and will not impact flooding and erosion.	construction of the facility will incorporate considerations for flooding and erosion as necessary – including nonstructural measures such as setbacks and vegetation.
18	To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the State has established to protect valuable coastal resource areas.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables in Long Island Sound, Block Island Sound, and the East River. Installation will be of limited scope/duration and the cables have been sited to avoid or minimize impacts to resources of economic, social and environmental interests of the state. Additionally, the NY Project will promote the vital economic, social and environmental interests of the State and its citizens by bringing renewable wind power to the New York grid.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include industrial uses at an existing industrial site and will not negatively impact the vital economic, social and environmental interests of the state.
19	Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables; installation will be of limited scope/duration and will not materially impact access to public water related recreation resources and facilities.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include industrial uses at the Astoria power complex in Queens, New York, a dense industrial area in a private gated complex. These facilities will not impact access to public water related recreation resources and facility.
20	Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it shall be provided in a manner compatible with adjoining uses.	This policy is not applicable because the submarine export cables will be buried cables within Long Island Sound, Block Island Sound, and the East River and, therefore, will not be located adjacent to the publicly-owned foreshore.	This policy is not applicable because the Onshore Project Area will be located at the privately owned and gated Astoria power complex in Queens, New York, and will not be located adjacent to the publicly-owned foreshore.
21	Water dependent and water enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the coast.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables; installation will be of limited scope/duration and will not impact water dependent uses in Long Island	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include industrial uses at the Astoria power complex in Queens, New York, a dense industrial area. The facilities will not impact water dependent uses.

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
		Sound, Block Island Sound, and the East River. Once the cables are installed in the seabed, they will have negligible effects on long-standing ocean industries.	
22	Development when located adjacent to the shore will provide for water-related recreation whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.	This policy is not applicable because the submarine export cables will be buried cables within Long Island Sound, Block Island Sound, and the East River and will not involve development adjacent to the shore.	This policy is not applicable because the Onshore Project Area will include industrial uses at the Astoria power complex in Queens, New York, a dense industrial area that is not compatible with water-related recreation.
23	Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables within Long Island Sound, Block Island Sound, and the East River and will only be installed in locations that have been cleared by a Qualified Marine Archaeologist.	The Onshore Project Area will be consistent with this policy to the extent applicable. Activities will not require physical alteration or destruction of any New York State and National Register of Historic Places (NRHP)-eligible or listed buildings. Additionally, the Onshore Project Area facility designs, building types, and roof elevations will be commensurate with the existing local built environment and will occur in previously disturbed areas.
24	Prevent impairment of scenic resources of statewide significance.	The submarine export cables will be consistent with this policy to the extent applicable- as they will require a cable installation vessel with short-term visual impact consistent with past cable/pipeline installations. Once installed, the cable will not have a visual aspect.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will be located in an industrial area consistent with existing adjacent uses and will not impact scenic resources of statewide significance.
25	Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.	The submarine export cables will be consistent with this policy to the extent applicable – they will require a cable installation vessel with short-term visual impact consistent with past cable/pipeline installations. Once installed, the cable will not have a visual aspect.	The Onshore Project Area will be consistent with this policy to the extent applicable. Any building type and roof elevation will be commensurate with the existing local built environment. Therefore, the facilities will not affect the overall scenic quality of the coastal area.

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26	Conserve and protect agricultural lands in the State's coastal area.	This policy is not applicable because the submarine export cables will be buried cables in Long Island Sound. Installation will not be carried out in/near agricultural lands in the coastal area.	This policy is not applicable because the Onshore Project Area will include industrial uses at the Astoria power complex in Queens, New York, a dense industrial area that is not near agricultural lands in the coastal area.
27	Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	The submarine export cables will be consistent with this policy to the extent applicable as they will be associated with a source of renewable energy that supports the renewable energy goals of New York State. Additionally, the submarine export cables have been sited to avoid and minimize impacts to sensitive environmental resources.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will be associated with a source of renewable energy that supports the renewable energy goals of New York State. Additionally, the Onshore Project Area was selected because the site is already developed for industrial use and no major environmental or cultural resource issues are anticipated.
28	Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats, or increase shoreline erosion or flooding.	This policy does not apply because the NY Project will not involve hydroelectric power and ice management practices will not be a required feature of the NY Project.	This policy does not apply because the NY Project will not involve hydroelectric power and ice management practices will not be a required feature of the NY Project.
29	The development of offshore uses and resources, including renewable energy resources, shall accommodate New York's long-standing ocean and Great Lakes industries, such as commercial and recreational fishing and maritime commerce, and the ecological functions of habitats important to New York.	The submarine export cables will be consistent with this policy to the extent applicable as they will be associated with a source of renewable energy on the outer continental shelf. Installation will be of limited scope/duration and, once installed, the cable will not materially impact commercial and recreational fishing and maritime commerce, or the ecological functions of habitats important to New York.	This policy does not apply because the Onshore Project Area will not impact commercial and recreational fishing and maritime commerce, or the ecological functions of habitats important to New York.
30	Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and National water quality standards.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not result in environmental degradation from waste. Vessels will abide by the Bureau of Safety and Environmental	The Onshore Project Area will be consistent with this policy to the extent applicable. Measures will be incorporated into construction and operations procedures to protect public health, control pollution, and prevent degradation of coastal ecosystems. As part of the Article VII process, an EM&CP will be developed that will include contingency plans to address accidental spills and releases of potential pollutants. The facilities will also operate under the requirements of a Stormwater Pollution Prevention Plan (SWPPP) approved by the NYSDEC.

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
		<p>Enforcement’s Marine Trash and Debris regulations and all crew will be briefed on marine trash and debris prevention. Wastes generated from the installation activities will be handled in accordance with federal and state laws. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and management of accidental spills or release of oils or other hazardous wastes through the OSRP.</p>	
31	<p>State coastal area policies and management objectives of approved Local Waterfront Revitalization Programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.</p>	<p>This policy is not applicable as the submarine export cables will be buried cables within Long Island Sound and will not involve modifications of water quality standards.</p>	<p>This policy is not applicable as the Onshore Project Area will not involve modifications of water quality standards.</p>
32	<p>Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.</p>	<p>This policy is not applicable as the submarine export cables will not require the use of alternative or innovative sanitary waste systems.</p>	<p>This policy is not applicable as the Onshore Project Area will not require the use of alternative or innovative sanitary waste systems.</p>
33	<p>Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.</p>	<p>This policy is not applicable as the submarine export cables will not require the control of stormwater runoff and combined sewer overflows.</p>	<p>The Onshore Project Area will be consistent with this policy to the extent applicable. As part of the Article VII process, an EM&amp;CP will be developed that will include contingency plans to address accidental spills and releases of potential pollutants. The facilities will also operate under the requirements of a SWPPP approved by the NYSDEC. Combined sewer overflows are not applicable to the facilities.</p>
34	<p>Discharge of waste materials into coastal waters from vessels</p>	<p>The submarine export cables will be consistent with this policy to the extent</p>	<p>The Onshore Project Area will be consistent with this policy to the extent applicable. Vessels will abide by the Bureau of Safety and</p>

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
	subject to State jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	applicable. Vessels will abide by the Bureau of Safety and Environmental Enforcement’s Marine Trash and Debris regulations and the crew will be briefed on marine trash and debris prevention. Wastes generated from the installation activities will be handled in accordance with federal and state laws. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and management of accidental spills or release of oils or other hazardous wastes through the OSRP.	Environmental Enforcement’s Marine Trash and Debris regulations and the crew will be briefed on marine trash and debris prevention. Wastes generated from the installation activities will be handled in accordance with federal and state laws.
35	Dredging and filling in coastal waters and disposal of dredged material will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	The submarine export cables will be consistent with this policy to the extent applicable. The cable burial methods being considered are plowing, jetting, trenching, and dredging. The equipment selected will depend on seabed conditions, the required burial depths, as well as the results of various cable burial studies; more than one installation and burial method may be selected per route and has the potential to be used pre-installation, during installation, and/or post-installation. Placing fill, if necessary, will occur at locations where cable protection is required, and may consist of rock, rock bags or concrete mattresses and these methods are protective of water quality. These activities will be carried out in compliance with permit requirements and in a manner that will protect significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	This policy is not applicable because construction of the Onshore Project Area will not involve dredging or dredge spoil disposal.

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
36	Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	The submarine export cables will be consistent with this policy to the extent applicable. Vessels will operate in accordance with federal, state, and local laws regulating the at-sea discharges of vessel-generated waste and accidental spills or release of oils or other hazardous wastes will be managed through the OSRP.	The Onshore Project Area will be consistent with this policy to the extent applicable. Measures will be incorporated into construction and operations procedures to protect public health, control pollution, and prevent degradation of coastal ecosystems. As part of the Article VII process, an EM&CP will be developed that will include contingency plans to address accidental spills and releases of potential pollutants. The onshore facility will also operate under the requirements of a SWPPP approved by the NYSDEC. If needed, transport of solid waste or hazardous materials will be done in accordance with applicable regulations.
37	Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	The submarine export cables will be consistent with this policy to the extent applicable. Installation will be of limited scope/duration and installation methods under consideration will minimize sedimentation.	The Onshore Project Area will be consistent with this policy to the extent applicable. Construction activities will comply with this policy to the extent applicable as part of the avoidance, minimization, and mitigation measures proposed to mitigate water quality impacts and nonpoint source pollution. The NY Project will operate in accordance with NYSDEC Management Practices Catalogue for Nonpoint Source Pollution Prevention and Water Quality Protection in New York State. It is anticipated that associated activities will require authorization under the State Pollutant Discharge Elimination System (SPDES) program for both construction and industrial stormwater discharges, and those activities will be undertaken in compliance with these authorizations.
38	The quality and quantity of surface water and groundwater supplies, will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound, Block Island Sound, and the East River and will not impact surface water and groundwater supplies.	The Onshore Project Area will be consistent with this policy to the extent applicable because the Queens, New York, location is not in proximity to streams or wetlands. The onshore cable export route may include open cut trenching, which consists of excavation, laying of cables, and backfilling, typically using the excavated soil, if it is suitable and approved for reuse by permitting authorities. Unsuitable or contaminated soils will be disposed of offsite in an approved manner and location, and suitable and/or uncontaminated soil brought in and used as backfill. The area will then be restored. The trenching will likely avoid groundwater or, if encountered, will be managed in accordance with NYSDEC dewatering requirements.
39	The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not result in environmental degradation from waste.	The Onshore Project Area will be consistent with this policy to the extent applicable. Measures will be incorporated into construction and operations procedures to protect public health, control pollution, and prevent degradation of coastal ecosystems. As part of the Article VII process, an EM&CP will be developed that will include contingency plans to address accidental spills and releases of potential pollutants.

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
	and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land, and scenic resources.	Vessels will abide by the Bureau of Safety and Environmental Enforcement’s Marine Trash and Debris regulations and the crew will be briefed on marine trash and debris prevention. Wastes generated from the installation activities will be handled in accordance with federal and state laws. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and management of accidental spills or release of oils or other hazardous wastes through the OSRP.	The onshore facility will also operate under the requirements of a SWPPP approved by the NYSDEC. If needed, transport of solid waste or hazardous materials will be done in accordance with applicable regulations. Proposed activities will not involve siting solid and hazardous waste facilities and so this component of the policy does not apply.
40	Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.	This policy is not applicable because the submarine export cables will not be associated with a major steam electric generating or industrial facility.	This policy is not applicable because the Onshore Project Area will not be associated with a major steam electric generating facility and will not result in effluent discharge.
41	Land use or development in the coastal area will not cause national or State air quality standards to be violated.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not negatively impact air quality in the coastal area.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will not negatively impact air quality in the coastal area.
42	Coastal management policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.	This policy is not applicable because activities associated with the submarine export cables will not change land classifications related to the prevention of significant deterioration of the Federal Clean Air Act in coastal regions or adjacent areas.	This policy is not applicable because activities associated with the Onshore Project Area will not change land classifications related to the prevention of significant deterioration of the Federal Clean Air Act in coastal regions or adjacent areas.
43	Land use or development in the coastal area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.	This policy is not applicable because the submarine export cables will not involve land use or development in the coastal area.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will not generate nitrates or sulfates.

NY Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
44	Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	This policy is not applicable because the submarine export cables will be located in Long Island Sound, Block Island Sound, and the East River and will not impact tidal and freshwater wetlands.	This policy is not applicable because the Onshore Project Area will include industrial uses at the Astoria power complex in Queens, New York, a dense industrial area that is not in tidal or freshwater wetlands.

**I.2.2 Long Island Sound CMP**

The NY Project's submarine export cables will be installed in the Long Island Sound, so will be subject to the Long Island Sound CMP. As set forth below, associated activities comply with and will be conducted in a manner consistent with the relevant policies of the Long Island Sound CMP.

**TABLE I.2-2. LONG ISLAND SOUND COASTAL MANAGEMENT PLAN**

LIS CMP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables
<p><b>1 &amp; 1.1 – 1.5</b></p>	<p>Foster a pattern of development in the Long Island Sound coastal area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location, and minimizes adverse effects of development.</p> <p>1.1 - Concentrate development and redevelopment in or adjacent to traditional waterfront communities.</p> <p>1.2 - Ensure that development or uses take appropriate advantage of their coastal location.</p> <p>1.3 - Protect stable residential areas.</p> <p>1.4 - Maintain and enhance natural areas, recreation, open space, and agricultural lands.</p> <p>1.5 - Minimize adverse impacts of new development and redevelopment.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as will be buried cables within Long Island Sound and will not impact development in the coastal area. The Applicant has completed surveys to select beneficial locations in the coastal zone and to micro-site the cable to avoid sensitive areas and minimize potential adverse impacts.</p>
<p><b>2 &amp; 2.1 – 2.3</b></p>	<p>Preserve historic resources of the Long Island Sound coastal area.</p> <p>2.1 - Maximize preservation and retention of historic resources.</p> <p>2.2 - Protect and preserve archaeological resources.</p> <p>2.3 - Protect and enhance resources that are significant to the coastal culture of the Long Island Sound.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables within Long Island Sound and will only be installed in locations that have been cleared by a Qualified Marine Archaeologist.</p>
<p><b>3 &amp; 3.1 – 3.2</b></p>	<p>Enhance visual quality and protect scenic resources throughout Long Island Sound.</p> <p>3.1 - Protect and improve visual quality throughout the coastal area.</p> <p>3.2 - Protect aesthetic values associated with recognized areas of high scenic quality.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable – they will require a cable installation vessel with short-term visual impact consistent with past cable/pipeline installations. Once installed, the cables will not have a visual aspect.</p>
<p><b>4 &amp; 4.1 – 4.6</b></p>	<p>Minimize loss of life, structures, and natural resources from flooding and erosion.</p> <p>4.1 - Minimize losses of human life and structures from flooding and erosion hazards.</p> <p>4.2 - Preserve and restore natural protective features.</p>	<p>This policy is not applicable because the submarine export cables will be buried cables within Long Island Sound and will not involve structures or development that could result in flooding or erosion.</p>

LIS CMP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables
	<p>4.3 - Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.</p> <p>4.4 - Manage navigation infrastructure to limit adverse impacts on coastal processes.</p> <p>4.5 - Ensure that expenditure of public funds for flooding and erosion control projects results in a public benefit.</p> <p>4.6 - Consider sea level rise when siting and designing projects involving substantial public expenditures.</p>	
<p><b>5 &amp; 5.1 – 5.5</b></p>	<p>Protect and improve water quality and supply in the Long Island Sound coastal area.</p> <p>5.1 - Prohibit direct or indirect discharges which would cause or contribute to contravention of water quality standards.</p> <p>5.2 - Manage land use activities and use best management practices to minimize nonpoint pollution of coastal waters.</p> <p>5.3 - Protect and enhance the quality of coastal waters.</p> <p>5.4 - Limit the potential for adverse impacts of watershed development on water quality and quantity.</p> <p>5.5 - Protect and conserve the quality and quantity of potable water.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable due to the avoidance, minimization, and mitigation measures that will be implemented to mitigate water quality impacts and nonpoint source pollution. The Project will operate in accordance with NYSDEC Management Practices Catalogue for Nonpoint Source Pollution Prevention and Water Quality Protection in New York State. Specific measures will be detailed in an approved EM&amp;CP.</p>
<p><b>6 &amp; 6.1 – 6.5</b></p>	<p>Protect and restore the quality and function of the Long Island Sound ecosystem.</p> <p>6.1 - Protect and restore ecological quality throughout Long Island Sound.</p> <p>6.2 - Protect and restore Significant Coastal Fish and Wildlife Habitats.</p> <p>6.3 - Protect and restore tidal and freshwater wetlands.</p> <p>6.4 - Protect vulnerable fish, wildlife, and plant species, and rare ecological communities.</p> <p>6.5 - Protect natural resources and associated values in identified regionally important natural areas.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables and installation will be of limited scope/duration. It has been sited to ensure that it will not impact the ecological quality throughout Long Island Sound and to avoid Significant Coastal Fish and Wildlife Habitats. The submarine export cables will not be located within tidal or freshwater wetlands and will not impact vulnerable fish, wildlife, and plant species, and rare ecological communities.</p> <p>Additionally, the submarine export cables have been sited to avoid regionally important natural areas. However, the Atlantic Sturgeon, a New York State-designated critically imperiled species, is found in Long Island Sound and has the potential to occur along the cable route. To actively avoid or reduce interaction with vulnerable plant, fish, and wildlife species, the timing of installation activities will be considered and the Applicant will work with the fishing industry and fisheries agencies on sensitive spawning and fishing periods to actively avoid or reduce interaction with receptors, where</p>

LIS CMP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables
<p><b>7 &amp; 7.1 – 7.3</b></p>	<p>Protect and improve air quality in the Long Island Sound coastal area.</p> <p>7.1 - Control or abate existing and prevent new air pollution. 7.2 - Limit discharges of atmospheric radioactive material to a level that is as low as practicable. 7.3 - Limit sources of atmospheric deposition of pollutants to the Sound, particularly from nitrogen sources.</p>	<p>feasible. The long-term presence and operations of the submarine export cables will have no impacts on these resources. The analysis of impacts supports the overall determination that the NY Project will not result in substantial adverse impacts on vulnerable plant, fish, and wildlife species. Impacts on fish and wildlife species will be short-term and will not affect stocks or populations.</p> <p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not negatively impact air quality in the Long Island Sound coastal area.</p>
<p><b>8 &amp; 8.1 – 8.6</b></p>	<p>Minimize environmental degradation in the Long Island Sound coastal area from solid waste and hazardous substances and wastes.</p> <p>8.1 - Manage solid waste to protect public health and control pollution. 8.2 - Manage hazardous wastes to protect public health and control pollution. 8.3 - Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health. 8.4 - Prevent and remediate discharge of petroleum products. 8.5 - Transport solid waste and hazardous substances and waste in a manner which protects the safety, well-being, and general welfare of the public; the environmental resources of the state; and the continued use of transportation facilities. 8.6 - Site solid and hazardous waste facilities to avoid potential degradation of coastal resources.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not result in environmental degradation from waste. Vessels will abide by the Bureau of Safety and Environmental Enforcement’s Marine Trash and Debris regulations and crew will be briefed on marine trash and debris prevention. Wastes generated from the installation activities will be handled in accordance with federal and state laws. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and management of accidental spills or release of oils or other hazardous wastes through the OSRP.</p>
<p><b>9 &amp; 9.1 – 9.4</b></p>	<p>Provide for public access to, and recreational use of, coastal waters, public lands, and public resources of the Long Island Sound coastal area.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not impact use of waters or public lands. Once the cables are installed in the seabed, they will have negligible effects on</p>

LIS CMP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables
	<p>9.1 - Promote appropriate and adequate physical public access and recreation throughout the coastal area.</p> <p>9.2 - Provide public visual access from public lands to coastal lands and waters or open space at all sites where physically practical.</p> <p>9.3 - Preserve the public interest in and use of lands and waters held in public trust by the state, New York City, and towns in Nassau and Suffolk counties.</p> <p>9.4 - Assure public access to public trust lands and navigable waters.</p>	<p>public access to and recreational use of the Long Island Sound coastal area.</p>
<p><b>10 &amp; 10.1 – 10.7</b></p>	<p>Protect Long Island Sound's water-dependent uses and promote siting of new water-dependent uses in suitable locations.</p> <p>10.1 - Protect existing water-dependent uses.</p> <p>10.2 - Promote maritime centers as the most suitable locations for water-dependent uses.</p> <p>10.3 - Allow for development of new water-dependent uses outside of maritime centers.</p> <p>10.4 - Improve the economic viability of water-dependent uses by allowing for non-water- dependent accessory and multiple uses, particularly water-enhanced and maritime support services.</p> <p>10.5 - Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation, and maintain regionally important uses.</p> <p>10.6 - Provide sufficient infrastructure for water-dependent uses.</p> <p>10.7 - Promote efficient harbor operation.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not impact water dependent uses in Long Island Sound. Once the cables are installed in the seabed, they will have negligible effects on water-dependent uses.</p>
<p><b>11 &amp; 11.1 – 11.6</b></p>	<p>Promote sustainable use of living marine resources in Long Island Sound.</p> <p>11.1 - Ensure the long-term maintenance and health of living marine resources.</p> <p>11.2 - Provide for commercial and recreational use of the Sound's finfish, shellfish, crustaceans, and marine plants.</p> <p>11.3 - Maintain and strengthen a stable commercial fishing fleet in Long Island Sound.</p> <p>11.4 - Promote recreational use of marine resources.</p> <p>11.5 - Promote managed harvest of shellfish originating from uncertified waters.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they are buried cables. Installation will be of limited scope/duration and will not negatively impact living marine resources in Long Island Sound. Once the cables are installed in the seabed, they will have negligible effects on marine resources.</p>

LIS CMP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables
<b>12 &amp; 12.1 – 12.4</b>	<p>11.6 - Promote aquaculture.</p> <p>Protect agricultural lands in the eastern Suffolk County portion of Long Island Sound's coastal area.</p> <p>12.1 - Protect existing agriculture and agricultural lands from conversion to other land uses.</p> <p>12.2 - Establish and maintain favorable conditions which support existing or promote new coastal agricultural production.</p> <p>12.3 - Minimize adverse impacts on agriculture from unavoidable conversion of agricultural land.</p> <p>12.4 - Preserve scenic and open-space values associated with the Sound's agricultural lands.</p>	<p>This policy is not applicable because the submarine export cables will be buried cables within Long Island Sound. Installation will not be carried out in or near agricultural lands.</p>
<b>13 &amp; 13.1 – 13.5</b>	<p>Promote appropriate use and development of energy and mineral resources.</p> <p>13.1 - Conserve energy resources.</p> <p>13.2 - Promote alternative energy sources that are self-sustaining, including solar and wind powered energy generation.</p> <p>13.3 - Ensure maximum efficiency and minimum adverse environmental impact when siting major energy generating facilities.</p> <p>13.4 - Minimize adverse impacts from fuel storage facilities.</p> <p>13.5 - Minimize adverse impacts associated with mineral extraction.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables associated with a responsibly sited renewable and sustainable offshore wind energy source. The Applicant has completed surveys to micro-site the cables to minimize potential adverse environmental impacts.</p>

**I.2.3 New York City LWRP**

The NY Project's submarine export cables and the Onshore Project Area will be located just off of and within New York City, so are subject to the New York City LWRP. As set forth below, the proposed activities associated with these project elements comply with and will be conducted in a manner consistent with the relevant policies of the New York City LWRP.

TABLE I.2-3. NEW YORK CITY LWRP

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
1	Support and facilitate commercial and residential redevelopment in areas well-suited to such development.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will not be located within a commercial or residential area.	This policy is not applicable as the Onshore Project Area will be sited within a dense industrial area at the Astoria power complex in Queens, New York, not in a commercial or residential area.
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will not be located within a commercial or residential area.	This policy is not applicable as the Onshore Project Area will be sited within a dense industrial area at the Astoria power complex in Queens, New York, and the NY Project does not involve commercial or residential redevelopment.
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River.	This policy is not applicable as the Onshore Project Area will be sited within a dense industrial area at the Astoria power complex in Queens, New York.
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will not be associated with redevelopment in the coastal zone.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include redevelopment within a dense industrial area at the Astoria power complex in Queens, New York.
1.4	In areas adjacent to [Significant Maritime and Industrial Areas] SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River, will not be located adjacent to a SMIA, and will not involve residential development.	This policy is not applicable as the Onshore Project Area will not be located adjacent to a SMIA and will not involve residential development.
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will not involve residential or commercial development.	This policy is not applicable as the Onshore Project Area will include redevelopment within a dense industrial area at the Astoria power complex in Queens, New York, and will not involve residential or commercial development.

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
2	Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.	The submarine export cables will be consistent with this policy to the extent applicable as they will be consistent with the surrounding uses. The cables will come ashore within a dense industrial area at the Astoria power complex in Queens, New York, and will not materially interfere with water-dependent uses.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include industrial uses, consistent with the surrounding uses within a dense industrial area at the Astoria power complex in Queens, New York, and it will not materially interfere with water-dependent uses.
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will not be located within an SMIA.	This policy is not applicable because the Onshore Project Area will not be located in an SMIA.
2.2	Encourage a compatible relationship between working waterfront uses, upland development, and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will not be located within an Ecologically Sensitive Maritime and Industrial Area.	This policy is not applicable because the Onshore Project Area will not be located within an Ecologically Sensitive Maritime and Industrial Area.
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will not impact working waterfront uses.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will be located at the Astoria power complex in Queens, New York, which is a part of New York City's working waterfronts. The proposed activities are consistent with the intent of working waterfronts.
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will not include waterfront development.	The Onshore Project Area is consistent with this policy to the extent applicable as it will be located at the Astoria power complex in Queens, New York, which is a part of New York City's working waterfronts. The proposed facilities would constitute infrastructure improvements. Additionally, connecting renewable energy at the Astoria power complex will strengthen New York's energy grid, will help address the need identified by New York State for renewable energy, and will help to advance the State's renewable energy goals.
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will include waterfront development.	The Onshore Project Area will be consistent with this policy to the extent applicable. The designs include mitigation measures to incorporate climate change and sea level rise considerations into building plans, which could improve site conditions of the existing parcel along the waterfront. Additionally, the facilities will be

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
	infrastructure, pursuant to WRP Policy 6.2.		designed according to New York building codes to the extent practicable. Warning signals and procedures for evacuation of employees in case of an emergency will be developed and posted.
3	Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.	The submarine export cables will be consistent with this policy to the extent applicable as they will not interfere with commercial and recreational boating and water-dependent transportation. Installation will be of limited scope/duration and once installed in the seabed, the cables will have negligible effects on long-standing boating and water-dependent transportation uses.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include industrial uses within a dense industrial area at the Astoria power complex in Queens, New York. The facilities will not impact in-water commercial and recreational boating or water-dependent transportation.
3.1	Support and encourage in-water recreational activities in suitable locations.	This policy is not applicable because the submarine export cables will not create opportunities to support or encourage in-water recreational activities.	This policy is not applicable because the Onshore Project Area will not create opportunities to support or encourage in-water recreational activities.
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	This policy is not applicable because the submarine export cables will not create opportunities to support or encourage recreational, educational, and commercial boating. Regardless, the NY Project will not discourage these activities other than temporarily during installation when access near the installation vessels will be limited, to ensure the safety of other boaters.	This policy is not applicable because the Onshore Project Area will not create opportunities to support or encourage recreational, educational, and commercial boating.
3.3	Minimize conflicts between recreational boating and commercial ship operations.	The submarine export cables will be consistent with this policy to the extent applicable. A Local Notice to Mariners will be issued during installation, detailing the location of the temporary mooring area, submarine export cable installation vessels, and the exclusion zone around them. This will serve to support safe boat/vessel operations by recreational boaters and commercial vessel operators who may travel in the area of installation activity. The Applicant has and will continue to coordinate the installation with other relevant port authorities, harbor pilots, and mariner groups.	This policy is not applicable because activities associated with the Onshore Project Area will occur onshore and will not create opportunities to minimize conflicts between recreational boating and commercial ship operations.
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	The submarine export cables will be consistent with this policy to the extent applicable. The activities associated with installation and maintenance of the submarine export cables and temporary mooring activities will be temporary and localized. Therefore, they should not influence the impact of commercial or recreational boating on the aquatic environment and surrounding land and water uses.	This policy is not applicable because activities associated with the Onshore Project Area will occur onshore and will not create opportunities to influence the impact of commercial or recreational boating on the aquatic environment and surrounding land and water uses.

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	The submarine export cables will be consistent with this policy to the extent applicable as they will not be located in Priority Marine Activity Zones. The activities associated with installation and maintenance of the submarine export cables and temporary mooring activities will be designed to allow for the continuation of water-dependent uses and will not impact ongoing maintenance of maritime infrastructure in Priority Marine Activity Zones.	The Onshore Project Area will be consistent with this policy to the extent applicable; it will not interfere with ongoing maintenance of maritime infrastructure for water-dependent uses in Priority Marine Activity Zones.
4	Protect and restore the quality and function of ecological systems within the New York City coastal area.	The submarine export cables will be consistent with this policy to the extent applicable as they will not negatively impact the quality and function of ecological systems within the New York City coastal area.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will not negatively impact the quality and function of ecological systems within the New York City coastal area.
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	The submarine export cables will be consistent with this policy to the extent applicable. The cables will pass through 0.4nm (0.74 km) of the East River/Long Island Sound Special Natural Waterfront Area Fort Totten/Alley Pond; however, installation activities will be of limited scope/duration.	This policy is not applicable because the Onshore Project Area will not be located in a Special Natural Waterfront Area.
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	This policy does not apply because the submarine export cables will not be located in an Ecologically Sensitive Maritime and Industrial Area.	This policy is not applicable because the Onshore Project Area will not be located in an Ecologically Sensitive Maritime and Industrial Area.
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	This policy does not apply because the submarine export cables will not be located in a Significant Coastal Fish and Wildlife Habitat.	This policy is not applicable because the Onshore Project Area will not be located in a Significant Coastal Fish and Wildlife Habitat.
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	This policy does not apply because the submarine export cables will not be located in a Recognized Ecological Complex.	This policy is not applicable because the Onshore Project Area will not be located in a Recognized Ecological Complex.
4.5	Protect and restore tidal and freshwater wetlands.	This policy does not apply because the submarine export cables will not be located in tidal or freshwater wetlands.	This policy is not applicable because the Onshore Project Area will not be located in tidal or freshwater wetlands.
4.6	In addition to wetlands, seek opportunities to create a	The submarine export cables will be consistent with this policy to the extent applicable. The Project has selected	This policy is not applicable because the Onshore Project Area will be located in an industrially zoned

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
	mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	export cable installation methods that minimize disturbance of the seafloor and, in particular, conversion of seafloor habitat types. Due to the minimal disturbance of the installation methods, active restoration is not a planned component of the export cable. However, detailed mitigation strategies will be developed as needed as part of the final design in compliance with applicable state and federal requirements regarding wetlands and waterbody resources.	location that does not have high ecological value. Development will be consistent with the intended use, surrounding land uses, and other policies supporting working waterfronts; it will not require the restoration of ecologically beneficial habitats.
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	The submarine export cables will be consistent with this policy to the extent applicable because they have been sited to avoid vulnerable plant, fish, and wildlife species, and rare ecological communities. However, the Atlantic Sturgeon, a New York State-designated critically imperiled species, is found in Long Island Sound and has the potential to occur along the cable route. To actively avoid or reduce interaction with vulnerable plant, fish, and wildlife species, the timing of installation activities will be considered. The Applicant will work with the fishing industry and fisheries agencies on sensitive spawning and fishing periods to actively avoid or reduce interaction with receptors, where feasible. The NY Project will not result in substantial adverse impacts on vulnerable plant, fish, and wildlife species. Potential impacts on fish and wildlife species will be short-term and will not affect stocks or populations.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include industrial uses within a dense industrial area at the Astoria power complex in Queens, New York. The facilities have been sited in an area that are significantly disturbed and does not contain any vulnerable plant, fish, and wildlife species.
4.8	Maintain and protect living aquatic resources.	The submarine export cables will be consistent with this policy to the extent applicable. Installation means and methods have been developed with a goal of minimizing adverse impacts to aquatic resources and avoiding impacts when possible. The Applicant has completed surveys to micro-site the cable to avoid sensitive areas. A variety of Best Management Practices will be implemented, and agency consultations will continue throughout the permitting process. It is anticipated that permits will be issued with a number of conditions intended to maintain and protect living aquatic resources.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include industrial uses within a dense industrial area at the Astoria power complex in Queens, New York. The facilities have been sited in areas that are significantly disturbed and will avoid sensitive coastal, estuarine, and marine habitats.
5	Protect and improve water quality in the New York City coastal area.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and is not	The Onshore Project Area will be consistent with this policy to the extent applicable. Design of the facilities will incorporate the New York State Department of

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
		<p>anticipated to have significant adverse impacts on water quality. Vessels will abide by the Bureau of Safety and Environmental Enforcement’s Marine Trash and Debris regulations and the crew will be briefed on marine trash and debris prevention. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and management of accidental spills or release of oils or other hazardous wastes through the OSRP. Wastes generated from the installation activities will be handled in accordance with federal and state laws.</p>	<p>Environmental Conservation (NYSDEC) Management Practices Catalogue for Nonpoint Source Pollution Prevention and Water Quality Protection in New York State. As part of the Article VII process, a Construction Contingency Plan and Stormwater Pollution Prevention Plan will be created, and the EM&amp;CP will describe measures to avoid and manage direct and indirect discharges to waterbodies.</p>
5.1	<p>Manage direct or indirect discharges to waterbodies.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not result in environmental degradation from waste. Vessels will abide by the Bureau of Safety and Environmental Enforcement’s Marine Trash and Debris regulations and the crew will be briefed on marine trash and debris prevention. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and management of accidental spills or release of oils or other hazardous wastes through the OSRP. Wastes generated from the installation activities will be handled in accordance with federal and state laws.</p>	<p>The Onshore Project Area will be consistent with this policy to the extent applicable. Design of the facilities will incorporate the NYSDEC Management Practices Catalogue for Nonpoint Source Pollution Prevention and Water Quality Protection in New York State. As part of the Article VII process, a Construction Contingency Plan and Stormwater Pollution Prevention Plan will be created and the EM&amp;CP will describe measures to avoid and manage direct and indirect discharges to waterbodies.</p>
5.2	<p>Protect the quality of New York City’s waters by managing activities that generate nonpoint source pollution.</p>	<p>This policy does not apply because the submarine export cables will not result in nonpoint source pollution.</p>	<p>The Onshore Project Area will be consistent with this policy to the extent applicable. Construction activities will comply with this policy to the extent applicable as part of the avoidance, minimization, and mitigation measures proposed to mitigate water quality impacts and nonpoint source pollution. The NY Project will operate in accordance with NYSDEC Management Practices Catalogue for Nonpoint Source Pollution Prevention and Water Quality Protection in New York State. It is anticipated that associated activities will require authorization under the State Pollutant Discharge Elimination System (SPDES) program for both construction and industrial stormwater discharges, and those activities will be undertaken in compliance with these authorizations.</p>

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	The submarine export cables will be consistent with this policy to the extent applicable. Installation will be of limited scope/duration and no marshes or vegetated wetlands occur along the export and interconnection cable route. The cable burial methods being considered are plowing, jetting, trenching, and dredging. The equipment selected will depend on seabed conditions, the required burial depths, as well as the results of various cable burial studies; more than one installation and burial method may be selected per route and has the potential to be used pre-installation, during installation, and/or post-installation. Placing fill, if necessary, will occur at locations where cable protection is required, and may consist of rock, rock bags or concrete mattresses; these methods are protective of water quality. Additionally, water quality will be protected through the implementation of avoidance, minimization, and mitigation measures and permit conditions and requirements.	This policy is not applicable because the Onshore Project Area will not require placing fill in navigable waters or near marshes, estuaries, tidal marshes, and wetlands.
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	The submarine export cables will be consistent with this policy to the extent applicable as they do not include crossings of, or proximity to, streams and wetlands. Construction activities will operate in accordance with NYSDEC Management Practices Catalogue for Nonpoint Source Pollution Prevention and Water Quality Protection in New York State.	The Onshore Project Area will be consistent with this policy to the extent applicable because the Queens, New York, location is not in proximity to streams or wetlands.
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	This policy is not applicable because the submarine export cables will not involve the production of grey water and will avoid the need for grey-infrastructure. Further, in-water activities are temporary and water quality will be protected through the implementation of avoidance, minimization, and mitigation measures and permit conditions and requirements, thereby negating the need for in-water ecological strategies.	This policy is not applicable because the Onshore Project Area will not involve the production of grey water and will avoid the need for grey-infrastructure.
6	Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will not involve structures or development that could result in flooding or erosion.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will include industrial uses at a previously developed site with substantial existing impervious surfaces and are not expected to adversely affect adjacent shorelines or properties. Design and construction of the facility will incorporate

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and will not involve structures or development that could result in flooding or erosion.	considerations for potential flooding, erosion and climate change resilience as necessary.  The Onshore Project Area will be consistent with this policy to the extent applicable as it will include industrial uses at a previously developed site with substantial existing impervious surfaces and are not expected to adversely affect adjacent shorelines or properties. Design and construction of the facilities will incorporate considerations for potential flooding and erosion as necessary. Specific mitigation strategies regarding special flood hazard areas will be designed on a case-by-case basis during the regulatory process.
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into the planning and design of projects in the city's Coastal Zone.	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and the East River and do not involve structures or development that would be impacted by climate change or sea level rise.	The Onshore Project Area will be consistent with this policy to the extent applicable. Design and construction of the facility will incorporate considerations for New York's projections of climate change and sea level rise. Specific design elements relative to sea level rise will continue to be developed towards final design and receipt of required permits and authorizations and will be described in the EM&CP.
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	This policy does not apply because the submarine export cables will not require public funds for flood prevention or erosion control measures.	This policy does not apply because the Onshore Project Area will not require public funds for flood prevention or erosion control measures.
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	This policy does not apply because the submarine export cables, once installed, will occupy a very narrow area of the seafloor and will not create a measurable change in the available sources of sand for beach nourishment.	This policy does not apply because the Onshore Project Area will not impact the available sources of sand for beach nourishment.
7	Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not result in environmental degradation from waste. Vessels will abide by the Bureau of Safety and Environmental Enforcement's Marine Trash and Debris regulations and the crew will be briefed on marine trash and debris prevention.	The Onshore Project Area will be consistent with this policy to the extent applicable. Activities will be performed in compliance with regulations regarding the handling, storage, and disposal of solid wastes, toxic pollutants, hazardous materials, and industrial materials.

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
	pose risks to the environment and public health and safety.	Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and management of accidental spills or release of oils or other hazardous wastes through the Oil Spill Response Plan (OSRP).	
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration. Vessels will abide by the Bureau of Safety and Environmental Enforcement’s Marine Trash and Debris regulations and the crew will be briefed on marine trash and debris prevention. Wastes generated from the installation activities will be handled in accordance with federal and state laws.	The Onshore Project Area will be consistent with this policy to the extent applicable. Measures will be incorporated into construction and operations procedures to protect public health, control pollution, and prevent degradation of coastal ecosystems. As part of the Article VII process, an EM&CP will be developed that will include contingency plans to address accidental spills and releases of potential pollutants. The onshore facility will also operate under the requirements of a SWPPP approved by the NYSDEC.
7.2	Prevent and remediate discharge of petroleum products.	The submarine export cables will be consistent with this policy to the extent applicable. Vessels will operate in accordance with federal, state, and local laws regulating the at-sea discharges of vessel-generated waste, and accidental spills or release of oils or other hazardous wastes will be managed through the OSRP.	The Onshore Project Area will be consistent with this policy to the extent applicable. Measures will be incorporated into construction and operations procedures to protect public health, control pollution, and prevent degradation of coastal ecosystems. As part of the Article VII process, an EM&CP will be developed that will include contingency plans to address accidental spills and releases of potential pollutants. The onshore facilities will also operate under the requirements of a SWPPP approved by the NYSDEC.
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	The submarine export cables will be consistent with this policy to the extent applicable. Vessels will operate in accordance with federal, state, and local laws regulating the at-sea discharges of vessel-generated waste and accidental spills or release of oils or other hazardous wastes will be managed through the OSRP. Proposed activities will not involve siting solid and hazardous waste facilities and so this component of the policy does not apply.	The Onshore Project Area will be consistent with this policy to the extent applicable. Measures will be incorporated into construction and operations procedures to protect public health, control pollution, and prevent degradation of coastal ecosystems. As part of the Article VII process, an EM&CP will be developed that will include contingency plans to address accidental spills and releases of potential pollutants. The onshore facilities will also operate under the requirements of a SWPPP approved by the NYSDEC. If needed, the transport of solid waste or hazardous materials will be done in accordance with applicable regulations. Proposed activities will not involve siting solid and

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
			hazardous waste facilities and so this component of the policy does not apply.
8	Provide public access to, from, and along New York City's coastal waters.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not materially impact use of New York City's coastal waters. Once the cable is installed in the seabed, it will not impact public access to, from, or along New York City's coastal waters.	The Onshore Project Area will be consistent with this policy to the extent applicable. The facility will be located in an existing industrial area where public access is not allowed, and this will not change due to proposed activities.
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront and encourage stewardship.	This policy is not applicable because the submarine export cables only include cables buried within Long Island Sound and the East River and will not impact access to the waterfront. Once the cable is installed in the seabed, it will not impact access to the waterfront.	The Onshore Project Area will be consistent with this policy to the extent applicable. The facilities will be located in an existing industrial area where public access is not allowed, and this will not change due to proposed activities. The building types and roof elevations will be commensurate with the existing local built environment. Therefore, the facility will not affect the visual access in this area.
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	This policy is not applicable because the submarine export cables only include cables buried within Long Island Sound and the East River.	The Onshore Project Area will be consistent with this policy to the extent applicable. The facilities will be located in an existing industrial area where public access is not allowed, and this will not change due to proposed activities.
8.3	Provide visual access to the waterfront where physically practical.	This policy is not applicable because the submarine export cables will not have a visual aspect; they will only include cables buried within Long Island Sound and the East River.	The Onshore Project Area will be consistent with this policy to the extent applicable. The building types and roof elevations will be commensurate with the existing local built environment. Therefore, the location along the waterfront will not affect the visual quality of New York City's urban context and the historic and working waterfront.
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	This policy is not applicable because the submarine export cables only include cables buried within Long Island Sound and the East River.	This policy is not applicable because the Onshore Project Area will not include waterfront open space and recreation development on publicly owned land, and the location of the facilities is not a suitable location for open space and recreation.
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	The submarine export cables will be consistent with this policy to the extent applicable. They will be buried within Long Island Sound and the East River and will require an easement from the New York State Office of General Services, which will be for a narrow area of the seafloor that	This policy is not applicable because the Onshore Project Area will not include the use of lands or waters held in public trust by the state and city.

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
		largely does not interfere with use of the water. The buried nature of the cables allows other water uses, such as fishing or boating, to continue.	
8.6	Design waterfront public spaces to encourage the waterfront's identity.	This policy is not applicable because the submarine export cables will not include design of public spaces on the waterfront.	This policy is not applicable because the Onshore Project Area will not include design of public spaces on the waterfront.
9	Protect scenic resources that contribute to the visual quality of the New York City coastal area.	This policy is not applicable because the submarine export cables will not have a visual aspect; they will only include cables buried within Long Island Sound and the East River.	The Onshore Project Area will be consistent with this policy to the extent applicable as it will be located in an industrial area and will not impact scenic resources.
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	This policy is not applicable because the submarine export cables will not have a visual aspect once installed; they will only include cables buried within Long Island Sound and the East River.	The Onshore Project Area will be consistent with this policy to the extent applicable. The building types and roof elevations will be commensurate with the existing local built environment. Therefore, the facilities will not affect the visual quality of New York City's urban context and the historic and working waterfront.
9.2	Protect and enhance scenic values associated with natural resources.	The submarine export cables will be consistent with this policy to the extent applicable – they will require a cable installation vessel with short-term visual impact consistent with past cable/pipeline installations. Once installed, the cables will not have a visual aspect.	The Onshore Project Area will be consistent with this policy to the extent applicable. The building types and roof elevations will be commensurate with the existing local built environment. Therefore, the facilities will not affect scenic values associated with natural resources.
10	Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables within Long Island Sound and the East River and will only be installed in locations that have been cleared by a Qualified Marine Archaeologist.	The Onshore Project Area will be consistent with this policy to the extent applicable. Activities will not require physical alteration or destruction of any New York State and National Register of Historic Places (NRHP)-eligible or listed buildings. Additionally, the onshore substation facility's design, building type, and roof elevation will be commensurate with the existing local built environment.
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables within Long Island Sound and the East River and will only be installed in locations that have been cleared by a Qualified Marine Archaeologist.	The Onshore Project Area will be consistent with this policy to the extent applicable. Construction design will be informed through ongoing consultations with state agencies and surveys conducted to identify historic resources and analyze and avoid potential impacts to these resources. Additionally, the onshore substation facility design, building type, and roof elevation will be commensurate with the existing local built environment.

NYC LWRP Policy #	Policy / Requirement	Consistency Statement for NY Project Submarine Export Cables	Consistency Statement for NY Project Onshore Project Area
10.2	Protect and preserve archaeological resources and artifacts.	The submarine export cables will be consistent with this policy to the extent applicable as they are buried cables within Long Island Sound and the East River and will only be installed in locations that have been cleared by a Qualified Marine Archaeologist.	The Onshore Project Area will be consistent with this policy to the extent applicable. Construction design will be informed through ongoing consultations with state agencies and surveys conducted to identify archaeological resources and analyze and avoid potential impacts to these resources.

**I.2.4 Town of East Hampton LWRP**

The NY Project's submarine export cables will cross into the geographic boundary of the Town of East Hampton's coastal area as defined in its LWRP, so is subject to the enforceable policies of the Town of East Hampton LWRP. As set forth below, the associated activities will comply with and will be conducted in a manner consistent with the relevant policies of the LWRP.

TABLE I.2-4. TOWN OF EAST HAMPTON LWRP

Town of East Hampton Policy #	Policy/Requirement	NY Project Submarine Export Cables Consistency Statement
1 & 1A	<p>Restore, revitalize and redevelop deteriorated and underutilized waterfront areas for commercial and industrial, cultural, recreational and other compatible uses.</p> <p>LWRP 1A: Restore, revitalize, and redevelop the following underutilized sites for cultural, recreational, and other compatible uses:                      Marina Lane Dredge Spoil Site, Three Mile Harbor                      Old Fish Factory Site, Napeague                      Former Montauk Landfill Site                      Montauk Harbor Area (Linked Walkway)                      Former Camp Hero, Montauk                      Montauk Business Area</p>	<p>This policy is not applicable because the submarine export cables will be buried within Block Island Sound and will not impact deteriorated or underutilized waterfront areas.</p>
2 & 2A	<p>Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.</p> <p>LWRP 2A: The siting of water-dependent uses and facilities on or adjacent to coastal waters shall be accomplished provided the proposed use is consistent with the preservation and enhancement of other coastal resources, including cultural and natural resources.</p>	<p>This policy is not applicable because the submarine export cables will be buried within Block Island Sound and will not impact water-dependent uses and facilities.</p>
3	<p>Further develop the state's major ports of Albany, Buffalo, New York, Ogdensburg and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of state public authorities, of land use and development which is essential to or in support of the waterborne transportation of cargo and people.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be associated with an offshore wind project, which will use ports for new types of activities.</p>
4	<p>Strengthen the economic base of small harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.</p>	<p>This policy is not applicable because the submarine export cables will be buried within Block Island Sound and will not impact small harbor areas.</p>
5	<p>Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitates its location in other coastal areas.</p>	<p>This policy is not applicable because the submarine export cables will be buried within Block Island Sound and will not rely on or impact public services in the Town of East Hampton.</p>

Town of East Hampton Policy #	Policy/Requirement	NY Project Submarine Export Cables Consistency Statement
6	Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	This policy is not applicable because the submarine export cables will be buried within Block Island Sound and will not require the issuance of Town of East Hampton permits.
7 & 7A	<p>Significant coastal fish and wildlife habitats, as identified on the coastal area map, shall be protected, preserved, and, where practicable, restored so as to maintain their viability as habitats.</p> <p>LWRP 7A: Locally significant coastal fish and wildlife habitats, as identified on the coastal area map shall be protected, preserved, and where practicable restored so as to maintain their viability as habitats.</p> <p>LWRP 7B: Protect to the maximum extent practicable the vulnerable plant and animal species and natural communities that have been identified on the state and federal levels by the New York Heritage Program, the NYSDEC Protected Native Plant List (New York Codes, Rules, and Regulations [NYCRR] 193.3), the NYSDEC List Of Endangered, Threatened And Special Concern Species And The Federal List Of Endangered And Threatened Wildlife And Plants (50 Code of Federal Regulations [CFR] 17).</p>	This policy is not applicable because the submarine export cables have been sited to avoid identified Significant Coastal Fish and Wildlife Habitats located near Montauk Point. However, the Atlantic Sturgeon, a New York State-designated critically imperiled species, is found in Long Island Sound and has the potential to occur along the cable route. To actively avoid or reduce interaction with vulnerable plant, fish, and wildlife species, the timing of installation activities will be considered. The Applicant is working with the fishing industry and fisheries agencies on sensitive spawning and fishing periods to actively avoid or reduce interaction with receptors, where feasible. The long-term presence and operations of the export cables will have no impacts on these resources. The analysis of impacts supports the overall determination that the NY Project will not result in substantial adverse impacts on vulnerable plant, fish, and wildlife species. Impacts on fish and wildlife species will be short-term and will not affect stocks or populations.
8	Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables; installation will be of limited scope/duration and will not result in environmental degradation from waste. Vessels will abide by the Bureau of Safety and Environmental Enforcement's Marine Trash and Debris regulations and all crew will be briefed on marine trash and debris prevention. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and accidental spills or release of oils or other hazardous wastes will be managed through the OSRP.
9 & 9A	<p>Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources.</p> <p>LWRP 9A: Recreational use of fish and wildlife resources will be expanded by increasing public access and other measures at sites recommended under "opportunities for improvement" and "recreational uses compatible with new development" in the</p>	This policy is not applicable because the submarine export cables will not provide opportunities to increase access, supplement stock, or develop new resources, and will not materially impact recreational use of fish and wildlife resources.

Town of East Hampton Policy #	Policy/Requirement	NY Project Submarine Export Cables Consistency Statement
	analysis narrative of this report and in “public access and recreation improvements” in projects, Section XIV.	
<b>10 &amp; 10A</b>	<p>Further develop commercial finfish, shellfish, and crustacean resources in the coastal area by:</p> <ul style="list-style-type: none"> <li>(i) encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities;</li> <li>(ii) increasing marketing of the state's seafood products; and</li> <li>(iii) maintaining adequate stocks and expanding aquaculture facilities. Such efforts shall be in a manner which ensures the protection of such renewable fish resources and considers other activities dependent on them.</li> </ul> <p>LWRP 10A: Encourage aquaculture and mariculture, which benefits overall public stocks of living marine resources, but discourage aquaculture or mariculture inconsistent with maintaining healthy stocks and habitats.</p>	This policy is not applicable because the submarine export cables will not provide opportunities to further develop commercial finfish, shellfish, and crustacean resources.
<b>11</b>	Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.	This policy is not applicable because the submarine export cables will be buried in Block Island Sound and, therefore, will not include the siting of buildings or other structures in the New York coastal area.
<b>12</b>	Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.	This policy is not applicable because the submarine export cables will be buried in Block Island Sound and will not encroach upon or impact beaches, dunes, barrier islands, or bluffs.
<b>13 &amp; 13A</b>	<p>The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.</p> <p>LWRP 13A: Erosion protection structures must be maintained both with regard to the structure and to adjoining natural protective features. Required maintenance may include beach nourishment and mitigation of erosion to nearby property and resources caused by construction or reconstruction of erosion protection structures.</p>	This policy is not applicable because the submarine export cables will be buried in Block Island Sound and will not include construction or reconstruction of erosion protection structures in the Town of East Hampton.

Town of East Hampton Policy #	Policy/Requirement	NY Project Submarine Export Cables Consistency Statement
14 & 14A	<p>Activities and development including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.</p> <p>LWRP 14A: Minimize the construction of erosion protection structures and new development in hazardous areas in reaches 1, 4, 5, 7, 8, 9, 10, 11, 12, parts of reaches 2, 3 and 6.</p>	<p>This policy is not applicable because the submarine export cables will be buried in Block Island Sound and will not include construction or reconstruction of erosion protection structures.</p>
15	<p>Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable. The cable burial methods being considered are plowing, jetting, trenching, and dredging. The equipment selected will depend on seabed conditions, the required burial depths, as well as the results of various cable burial studies; more than one installation and burial method may be selected per route and has the potential to be used pre-installation, during installation, and/or post-installation. Placing fill, if necessary, will occur at locations where cable protection is required, and may consist of rock, rock bags or concrete mattresses and these methods are protective of water quality. These activities will be carried out in compliance with permit requirements and in a manner that will not interfere with natural coastal processes.</p>
16	<p>Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.</p>	<p>This policy is not applicable because the submarine export cables will not require public funds for erosion protective structures, nor are erosion protective structures proposed.</p>
17 & 17A	<p>Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (i) the setback of buildings and structures; (ii) the planting of vegetation and the installation of sand fencing and draining; (iii) the reshaping of bluffs; and (iv) the flood-proofing of buildings of their elevation above the base flood level.</p> <p>LWRP 17A: Along the south shore ocean facing reaches of the town, only non-structural measures to minimize flooding and erosion are permitted.</p>	<p>This policy is not applicable because the submarine export cables will be buried cables in Block Island Sound and will not impact flooding and erosion in the Town of East Hampton.</p>

Town of East Hampton Policy #	Policy/Requirement	NY Project Submarine Export Cables Consistency Statement
18	To safeguard the vital economic, social and environmental interests of the state and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the state has established to protect valuable coastal resource areas.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables in Block Island Sound and will deliver renewable energy to New York State in support of the State's renewable energy mandates. Installation will be of limited scope/duration and will not negatively impact the vital economic, social and environmental interests of the state.
19	Protect, maintain and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas and waterfront parks.	This policy is not applicable because the submarine export cables will be buried in Block Island Sound and will not impact access to public water related recreation resources and facilities in the Town of East Hampton.
20	Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.	This policy is not applicable because the submarine export cables will be buried within Block Island Sound and, therefore, will not be located adjacent to the publicly-owned foreshore.
21 & 21A	<p>Water-dependent and water enhanced recreation will be encouraged and facilitated and will be given priority over non-water related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and, takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.</p> <p>LWRP 21A: Water-dependent and water-enhanced recreation will be encouraged and facilitated at sites recommended under "opportunities for improvement" and "recreational uses compatible with new development" in the analysis narrative of this report and in "public access and recreation improvements" in projects Section XIV.</p>	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables; installation will be of limited scope/duration and will not impact water dependent uses in Block Island Sound. Once the cables are installed in the seabed, they will have negligible effects on water-dependent and water-enhanced recreation.
22 & 22A	Development, when located adjacent to the shore, will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated	This policy is not applicable because the submarine export cables will be buried within Block Island Sound and will not involve development adjacent to the shore in the Town of East Hampton.

Town of East Hampton Policy #	Policy/Requirement	NY Project Submarine Export Cables Consistency Statement
	demand for such activities and the primary purpose of the development.	
	LWRP 22A: For specific locations which may appropriately provide water-related recreation as a multiple use with development see recommendations under "opportunities for improvement" and "recreational uses compatible with new development" in the analysis narrative of this report and in "public access and recreation improvements" in projects, Section XIV. See also Public Access Policies #19-20.	
23	Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of the state, its communities, or the nation.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried within Block Island Sound and will only be installed in locations that have been cleared by a Qualified Marine Archaeologist.
24	Prevent impairment of scenic resources of statewide significance, as identified on the coastal area map. Impairment shall include: (i) the irreversible modification of geological forms, the destruction or removal of vegetation or structures are significant to the scenic quality of an identified resource; (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.	The submarine export cables will be consistent with this policy to the extent applicable. They will require a cable installation vessel with short-term visual impact consistent with past cable/pipeline installations. Once installed, the cables will not have a visual aspect.
25	Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.	The submarine export cables will be consistent with this policy to the extent applicable – they will require a cable installation vessel with short-term visual impact consistent with past cable/pipeline installations. Once installed, the cables will not have a visual aspect.
26 & 26A	To conserve and protect agricultural lands in the state's coastal area, an action shall not result in a loss, nor impair the productivity, of important agricultural lands if that loss or impairment would adversely affect the viability of agriculture in an agricultural district or if there is no agricultural district, in the area surrounding such lands.  LWRP 26A: To conserve and protect agricultural lands in East Hampton's coastal area, an action shall not result in a loss, nor impair the productivity, of locally important agricultural lands if that loss or impairment would adversely affect the viability of	This policy is not applicable because the submarine export cables will be buried in Block Island Sound. Installation will not be carried out in/near agricultural lands in the Town of East Hampton.

Town of East Hampton Policy #	Policy/Requirement	NY Project Submarine Export Cables Consistency Statement
	agriculture in an agricultural district or if there is no agricultural district, in the area surrounding such lands.	
27	Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	The submarine export cables will be consistent with this policy to the extent applicable as they will be associated with a source of renewable energy that supports the renewable energy goals of New York State.
28	Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	This policy does not apply because ice management practices are not a required feature of the submarine export cables and they will not increase shoreline erosion and flooding, or interfere with the production of hydroelectric power.
29	Encourage the development of energy resources on the outer continental shelf, in Lake Erie and in other water bodies, and ensure the environmental safety of such activities.	The submarine export cables will be consistent with this policy to the extent applicable as they will be associated with a source of renewable energy on the outer continental shelf.
30	Municipal, industrial, and commercial discharge of pollutants including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not result in environmental degradation from waste. Vessels will abide by the Bureau of Safety and Environmental Enforcement's Marine Trash and Debris regulations and all crew will be briefed on marine trash and debris prevention. Wastes generated from the installation activities will be handled in accordance with federal and state laws. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and accidental spills or release of oils or other hazardous wastes will be managed through the OSRP.
31	State coastal area policies and the purposes of approved local waterfront revitalization programs will be considered while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.	This policy is not applicable as the submarine export cables will be buried within Block Island Sound and will not involve modifications of water quality standards.
32	Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	This policy is not applicable as the submarine export cables will not require the use of alternative or innovative sanitary waste systems.
33	Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.	This policy is not applicable as the submarine export cables will not require the control of stormwater runoff and combined sewer overflows.

Town of East Hampton Policy #	Policy/Requirement	NY Project Submarine Export Cables Consistency Statement
34 & 34A	<p>Discharge of waste materials into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreation areas and water supply areas.</p> <p>LWRP 34A: The following harbors and creeks of the town shall be designated as state and federal EPA no-discharge zones per the town's application of July, 1997:                      Reach 1 Northwest Creek                      Reach 2 Three Mile Harbor, Hog Creek                      Reach 3 Accabonac Harbor                      Reach 4 Napeague Harbor                      Reach 6 Lake Montauk</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable. Vessels will abide by the Bureau of Safety and Environmental Enforcement's Marine Trash and Debris regulations and the crew will be briefed on marine trash and debris prevention. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and accidental spills or release of oils or other hazardous wastes will be managed through the OSRP. Associated vessel activities will not occur in the harbors and creeks listed in LWRP 34A.</p>
35	<p>Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing state dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable. The cable burial methods being considered are plowing, jetting, trenching, and dredging. The equipment selected will depend on seabed conditions, the required burial depths, as well as the results of various cable burial studies; more than one installation and burial method may be selected per route and has the potential to be used pre-installation, during installation, and/or post-installation. Placing fill, if necessary, will occur at locations where cable protection is required, and may consist of rock, rock bags or concrete mattresses and these methods are protective of water quality. These activities will be carried out in compliance with permit requirements and in a manner that will protect significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.</p>
36	<p>Activities related to shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practical efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable. Vessels will operate in accordance with federal, state, and local laws regulating the at-sea discharges of vessel-generated waste and accidental spills or release of oils, petroleum, or other hazardous wastes will be managed through the OSRP.</p>
37	<p>Best management practices will be utilized to minimize the nonpoint discharge of excess nutrients, organics and eroded soils into coastal waters.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable. Installation will be of limited scope/duration and installation methods under consideration will minimize sedimentation.</p>
38 & 38A	<p>The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.</p>	<p>This policy is not applicable because the submarine export cables will be buried within Block Island Sound and will not impact surface water and groundwater supplies.</p>

Town of East Hampton Policy #	Policy/Requirement	NY Project Submarine Export Cables Consistency Statement
39	<p>LWRP 38A: Maintain water resources as near to their natural condition of purity as reasonably possible to safeguard public health.</p> <p>The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not result in environmental degradation from waste. Vessels will abide by the Bureau of Safety and Environmental Enforcement’s Marine Trash and Debris regulations and the crew will be briefed on marine trash and debris prevention. Wastes generated from the installation activities will be handled in accordance with federal and state laws.</p>
40	<p>Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.</p>	<p>This policy is not applicable because the submarine export cables will not be associated with a major steam electric generating or industrial facility.</p>
41 & 41A	<p>Land use or development in the coastal area will not cause national or state air quality standards to be violated.</p> <p>LWRP 41A: The town shall be included in radiological emergency response planning and notification for the Millstone nuclear energy plants operated by northeast utilities in Waterford, CT and the nuclear reactors operated by the U.S. Department of Energy at Brookhaven National Laboratory.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not negatively impact air quality in the Town of East Hampton.</p>
42	<p>Coastal Management Policies will be considered if the state reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.</p>	<p>This policy is not applicable because activities associated with the submarine export cables will not change land classifications related to the prevention of significant deterioration of the Federal Clean Air Act in coastal regions or adjacent areas.</p>
43	<p>Land use or development in the coastal area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.</p>	<p>This policy is not applicable because the submarine export cables will not involve changes in land use or development in the Town of East Hampton.</p>
44	<p>Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.</p>	<p>This policy is not applicable because the submarine export cables will be located in Block Island Sound and will not impact tidal and freshwater wetlands in the Town of East Hampton.</p>

**I.2.5 Town of Southold LWRP**

The NY Project's submarine export cables will cross into the geographic boundary of the Town of Southold's coastal area as defined in its LWRP, so is subject to the Town of Southold LWRP. As set forth below, the associated activities will comply with and will be conducted in a manner consistent with the relevant policies of the LWRP.

TABLE I.2-5. TOWN OF SOUTHOLD LWRP

Town of Southold Policy #	Policy / Requirement	NY Project Submarine Export Cables Consistency Statement
1	Foster a pattern of development in the Town of Southold that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location, and minimizes adverse effects of development.	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables within Long Island Sound and will not impact development in the Town of Southold.
2 & 2.1 – 2.3	<p>Preserve historic resources of the Town of Southold.</p> <p>2.1 - Maximize preservation and retention of historic resources.</p> <p>2.2 - Protect and preserve archaeological resources.</p> <p>2.3 - Protect and enhance resources that are significant to the coastal culture of the Long Island Sound.</p>	The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables within Long Island Sound and will only be installed in locations that have been cleared by a Qualified Marine Archaeologist.
3	Enhance visual quality and protect scenic resources throughout the Town of Southold.	The submarine export cables will be consistent with this policy to the extent applicable – they will require a cable installation vessel with short-term visual impact consistent with past cable/pipeline installations. Once installed, the cables will not have a visual aspect.
4 & 4.1 – 4.6	<p>Minimize loss of life, structures, and natural resources from flooding and erosion.</p> <p>4.1 - Minimize losses of human life and structures from flooding and erosion hazards.</p> <p>4.2 - Protect and restore natural protective features.</p> <p>4.3 - Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.</p> <p>4.4 - Manage navigation infrastructure to limit adverse impacts on coastal processes.</p> <p>4.5 - Ensure that expenditure of public funds for flooding and erosion control projects results in a public benefit.</p> <p>4.6 - The siting and design of projects involving substantial public expenditure should factor in the trend of rising sea levels.</p>	This policy is not applicable because the submarine export cables will be buried within Long Island Sound and will not involve structures or development that could result in flooding or erosion.
5 & 5.1 – 5.5	<p>Protect and improve water quality and supply in the Town of Southold.</p> <p>5.1 - Prohibit direct or indirect discharges that would cause or contribute to contravention of water quality standards.</p> <p>5.2 - Minimize non-point pollution of coastal waters and manage activities causing nonpoint pollution.</p> <p>5.3 - Protect and enhance quality of coastal waters.</p> <p>5.4 - Limit the potential for adverse impacts of watershed development on water quality and quantity.</p> <p>5.5 - Protect and conserve the quality and quantity of potable water.</p>	The submarine export cables will be consistent with this policy to the extent applicable as part of the avoidance, minimization, and mitigation measures proposed to mitigate water quality impacts and nonpoint source pollution.

Town of Southold Policy #	Policy / Requirement	NY Project Submarine Export Cables Consistency Statement
<b>6 &amp; 6.1 – 6.4</b>	<p>Protect and restore the quality and function of the Town of Southold’s ecosystem.</p> <p>6.1 - Protect and restore ecological quality throughout the Town of Southold.</p> <p>6.2 - Protect and restore Significant Coastal Fish and Wildlife Habitats.</p> <p>6.3 - Protect and restore tidal and freshwater wetlands.</p> <p>6.4 - Protect vulnerable fish, wildlife, and plant species, and rare ecological communities.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables and installation will be of limited scope/duration. They will not impact the ecological quality throughout the Town of Southold and they have been sited to avoid Significant Coastal Fish and Wildlife Habitats. Additionally, they are not located within tidal or freshwater wetlands and it will not impact vulnerable fish, wildlife, and plant species, and rare ecological communities. However, the Atlantic Sturgeon, a New York State-designated critically imperiled species, is found in Long Island Sound and has the potential to occur along the cable route. To actively avoid or reduce interaction with vulnerable plant, fish, and wildlife species, the timing of installation activities will be considered. The Applicant is working with the fishing industry and fisheries agencies on sensitive spawning and fishing periods to actively avoid or reduce interaction with receptors, where feasible. The long-term presence and operations of the export cables will have no impacts on these resources. The analysis of impacts supports the overall determination that the NY Project will not result in substantial adverse impacts on vulnerable plant, fish, and wildlife species. Impacts on fish and wildlife species will be short-term and not affect stocks or populations.</p>
<b>7 &amp; 7.1 – 7.3</b>	<p>Protect and improve air quality in the Town of Southold.</p> <p>7.1 - Control or abate existing and prevent new air pollution.</p> <p>7.2 - Limit discharges of atmospheric radioactive material to a level that is as low as practicable.</p> <p>7.3 - Limit sources of atmospheric deposition of pollutants to the Town of Southold, particularly from nitrogen sources.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not negatively impact air quality in the Town of Southold.</p>
<b>8 &amp; 8.1 – 8.6</b>	<p>Minimize environmental degradation in the Town of Southold from solid waste and hazardous substances and wastes.</p> <p>8.1 - Manage solid waste to protect public health and control pollution.</p> <p>8.2 - Manage hazardous wastes to protect public health and control pollution.</p> <p>8.3 - Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health.</p> <p>8.4 - Prevent and remediate discharge of petroleum products.</p> <p>8.5 - Transport solid waste and hazardous substances and waste in a manner which protects the safety, well-being, and general welfare of the public; the environmental resources of the state; and the continued use of transportation facilities.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables; installation will be of limited scope/duration and will not result in environmental degradation from waste. Vessels will abide by the Bureau of Safety and Environmental Enforcement’s Marine Trash and Debris regulations and the crew will be briefed on marine trash and debris prevention. Wastes generated from the installation activities will be handled in accordance with federal and state laws. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and accidental spills or release of oils or other hazardous wastes will be managed through the OSRP.</p>

Town of Southold Policy #	Policy / Requirement	NY Project Submarine Export Cables Consistency Statement
	8.6 - Site solid and hazardous waste facilities to avoid potential degradation of coastal resources.	
<b>9 &amp; 9.1 – 9.5</b>	<p>Provide for public access to, and recreational use of, coastal waters, public lands, and public resources of the Town of Southold.</p> <p>9.1 - Promote appropriate and adequate physical public access and recreation to coastal resources.</p> <p>9.2 - Protect and provide public visual access to coastal lands and waters from public sites and transportation routes where physically practical.</p> <p>9.3 - Preserve the public interest in and use of lands and waters held in public trust by the state and the Town of Southold.</p> <p>9.4 - Assure public access to public trust lands and navigable waters.</p> <p>9.5 - Provide access and recreation that is compatible with natural resource values.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not impact use of waters or public lands in the Town of Southold. Once the cables are installed in the seabed, they will have negligible effects on recreational use of coastal waters.</p>
<b>10 &amp; 10.1 – 10.6</b>	<p>Protect the Town of Southold’s water-dependent uses and promote siting of new water-dependent uses in suitable locations.</p> <p>10.1 (a) - Protect existing water-dependent uses.</p> <p>10.1 (b) Improve the economic viability of water-dependent uses by allowing for non-water dependent accessory and multiple uses, particularly water enhanced and maritime support services where sufficient upland exists.</p> <p>10.2 - Promote Mattituck Inlet and Creek, Mill Creek and the Village of Greenport as the most suitable locations for water-dependent uses within the Town of Southold.</p> <p>10.3 - Allow for continuation and development of water-dependent uses within the existing concentration of maritime activity in harbors, inlets and creeks.</p> <p>10.4 - Minimize adverse impacts of new and expanding water-dependent uses and provide for their safe operation.</p> <p>10.5 - Provide sufficient infrastructure for water-dependent uses.</p> <p>10.6 - Promote efficient harbor operation.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not impact water dependent uses in the Town of Southold. Once the cables are installed in the seabed, they will have negligible effects on water-dependent uses.</p>
<b>11 &amp; 11.1 – 11.6</b>	<p>Promote sustainable use of living marine resources in Long Island Sound, the Peconic Estuary and Town waters.</p> <p>11.1 - Ensure the long-term maintenance and health of living marine resources.</p> <p>11.2 - Provide for commercial and recreational use of the Town of Southold's finfish, shellfish, crustaceans, and marine plants.</p> <p>11.3 - Maintain and strengthen a stable commercial fishing fleet in the Town of Southold</p> <p>11.4 - Promote recreational use of marine resources.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables. Installation will be of limited scope/duration and will not negatively impact living marine resources in Long Island Sound, the Peconic Estuary, or the Town of Southold waters. Once the cables are installed in the seabed, they will have negligible effects on the use of living marine resources.</p>

Town of Southold Policy #	Policy / Requirement	NY Project Submarine Export Cables Consistency Statement
	<p>11.5 - Promote managed harvest of shellfish originating from uncertified waters.</p> <p>11.6 - Promote aquaculture.</p>	
<b>12</b>	<p>Protect agricultural lands in the Town of Southold.</p> <p>12.1 - Protect agricultural lands from conversion to other land uses.</p> <p>12.2 - Establish and maintain favorable conditions which support existing or promote new coastal agricultural production.</p> <p>12.3 - Minimize adverse impacts on agriculture from unavoidable conversion of agricultural land.</p> <p>12.4 - Preserve scenic and open space values associated with the Town's agricultural lands.</p>	<p>This policy is not applicable because the submarine export cables will be buried within Long Island Sound. Installation will not be carried out in/near agricultural lands in the Town of Southold.</p>
<b>13</b>	<p>Promote appropriate use and development of energy and mineral resources.</p> <p>13.1 - Conserve energy resources.</p> <p>13.2 - Promote alternative energy sources that are self-sustaining, including solar and wind powered energy generation.</p> <p>13.3 - Ensure maximum efficiency and minimum adverse environmental impact when siting major energy generating facilities.</p> <p>13.4 - Minimize adverse impacts from fuel storage facilities.</p> <p>13.5 - Minimize adverse impacts associated with mineral extraction.</p>	<p>The submarine export cables will be consistent with this policy to the extent applicable as they will be buried cables associated with a responsibly sited renewable and sustainable offshore wind energy source.</p>

### I.3 New York LWRP Effects Test

#### A. No Reasonably Foreseeable Effects

Although the NY Project will not enter the geographic coastal boundaries of the following five approved municipal LWRPs, the Applicant has assessed whether construction or operation of the NY Project is likely to cause a reasonably foreseeable effect on each municipality's coastal area or enforceable policies, such that a consistency certification may be required:

- Town of Smithtown LWRP
  - The NY Project's submarine export cables, at their closest point, will be sited approximately 8.3 km (4.5 nm) from the stated boundaries of the Town of Smithtown LWRP. The Applicant has determined that the NY Project is not likely to cause a reasonably foreseeable effect on Town of Smithtown's coastal area or its enforceable policies due to the distance from the defined coastal area, the benign nature of buried cables, and the limited scope/duration of the cable installation. However, as discussed in Section I.3.B below, even if the Town of Smithtown LWRP was applicable, the NY Project is consistent with all of that LWRP's relevant policies.
- Village of Lloyd Harbor LWRP
  - The NY Project's submarine export cables, at their closest point, will be sited approximately 2.7 km (1.5 nm) from the stated boundaries of the Village of Lloyd Harbor LWRP. The Applicant has determined that the NY Project is not likely to cause a reasonably foreseeable effect on the Village of Lloyd Harbor's coastal area or its enforceable policies due to the distance from the defined coastal area, the benign nature of buried cables, and the limited scope/duration of the cable installation. However, as discussed in Section I.3.B below, even if the Village of Lloyd Harbor LWRP was applicable, the NY Project is consistent with all of that LWRP's relevant policies.
- Village of Bayville LWRP
  - The NY Project's submarine export cables, at their closest point, will be sited approximately 1.6 km (0.9 nm) from the stated boundaries of the Village of Bayville LWRP. The Applicant has determined that the NY Project is not likely to cause a reasonably foreseeable effect on the Village of Bayville's coastal area or its enforceable policies due to the distance from the defined coastal area, the benign nature of buried cables, and the limited scope/duration of the cable installation. However, as discussed in Section I.3.B below, even if the Village of Bayville LWRP was applicable, the NY Project is consistent with all of that LWRP's relevant policies.
- Village of Mamaroneck LWRP
  - The NY Project's submarine export cables, at their closest point, will be sited approximately 2.2 km (1.2 nm) from the stated boundaries of the Village of Mamaroneck LWRP, which do not extend offshore. The Applicant has determined that the NY Project is not likely to cause a reasonably foreseeable effect on the Village of Mamaroneck's coastal area or its enforceable policies due to the distance from the defined coastal area, the benign nature of buried cables, and the limited scope/duration of the cable installation. However, as discussed in Section I.3.B below, even if the Village of Mamaroneck LWRP was applicable, the NY Project is consistent with all of that LWRP's relevant policies.

- Town of Mamaroneck/Village of Larchmont LWRP
  - The NY Project's submarine export cables, at their closest point, will be sited approximately 2.3 km (1.2 nm) from the stated boundaries of the Town of Mamaroneck/Village of Larchmont LWRP, which do not extend offshore. The Applicant has determined that the NY Project is not likely to cause a reasonably foreseeable effect on the Town of Mamaroneck/Village of Larchmont's coastal area or their enforceable policies due to the distance from the defined coastal area, the benign nature of buried cables, and the limited scope/duration of the cable installation. However, as discussed in Section I.3.B below, even if the Town of Mamaroneck/Village of Larchmont LWRP was applicable, the NY Project is consistent with all of that LWRP's relevant policies.

**B. Although Further Assessment Is Not Required, The NY Project Is Consistent With The Relevant Policies Of The Five LWRPs**

Because the NY Project will neither enter the geographic coastal boundaries of the above five LWRPs nor is likely to cause a reasonably foreseeable effect on any of the respective municipal coastal areas or the enforceable policies contained in the LWRPs, no further assessment of the five LWRPs is necessary. However, even if a reasonably foreseeable effect could be identified, the NY Project will be consistent with the applicable policies of each of the five LWRPs. As described in Section I.2, the NY Project is consistent with the applicable policies of LWRPs in which elements of the project will actually enter the stated boundary. (None of the other policies set forth in the LWRPs of the Village of Bayville, the Town of Smithtown, the Village of Lloyd Harbor, the Village of Mamaroneck, or the Town of Mamaroneck/Village of Larchmont are relevant to the NY Project.) For the same reasons stated in Section I.2, the NY Project would be consistent with similar policies of LWRPs in which elements of the NY Project are more physically remote from – and in fact do not enter – the stated LWRP boundary. More specifically, as set forth below, the NY Project is consistent with the LWRP policies that would apply if the effects test were satisfied:

Visual quality and scenic resources (Policy 3 (Bayville) and Policies 25 and 39 (Smithtown, Lloyd Harbor, Village of Mamaroneck, Town of Mamaroneck/Village of Larchmont))

Each of the five LWRPs include policies addressing visual quality and scenic resources. More specifically, Policy 3 (*Enhance visual quality and protect scenic resources throughout Long Island Sound*) of the Village of Bayville LWRP and Policies 25 (*Protect, restore and enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the scenic quality of the coastal area*) and 39 (*The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources*) of the LWRPs of the Town of Smithtown, Village of Lloyd Harbor, Village of Mamaroneck, and Town of Mamaroneck/Village of Larchmont address those topics. The NY Project's submarine export cables are consistent with these policies to the extent applicable as the buried cables will require a cable installation vessel with only short-term visual impact consistent with past cable/pipeline installations. Once installed, the cables will not have any visual aspect. See also Sections I.2.4 and I.2.5.

Water quality and supply (Policy 5 (Bayville) and Policy 34 (Smithtown, Lloyd Harbor, Village of Mamaroneck, Town of Mamaroneck/Village of Larchmont))

Each of the five LWRPs include policies addressing water quality and supply. More specifically, Policy 5 (*Protect and improve water quality and supply in the Long Island Sound coastal area*) of the Village of Bayville LWRP and Policy 34 (*Discharge of waste materials from vessels into coastal waters will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas*) of the LWRPs of the Town of Smithtown, Village of Lloyd Harbor, Village of Mamaroneck, and Town of Mamaroneck/Village of Larchmont address those topics. The NY Project's submarine export cables will be consistent with these policies to the extent applicable due to the avoidance, minimization, and mitigation measures that will be implemented to mitigate water quality impacts and nonpoint source pollution. The NY Project will operate in accordance with NYSDEC Management Practices Catalogue for Nonpoint Source Pollution Prevention and Water Quality Protection in New York State. Specific measures will be detailed in an approved EM&CP. See also Sections I.2.4 and 1.2.5.

Ecosystems, habitats and living marine resources (Policies 6 and 11 (Bayville) and Policies 7, 34, 35 and 39 (Smithtown, Lloyd Harbor, Village of Mamaroneck, Town of Mamaroneck/Village of Larchmont))

Each of the five LWRPs include policies addressing ecosystems, habitats and living marine resources. More specifically, Policies 6 (*Protect and restore the quality and function of the Long Island Sound ecosystem*) and 11 (*Promote sustainable use of living marine resources in Long Island Sound*) of the Village of Bayville LWRP and Policies 7 (*Significant coastal fish and wildlife habitats, as identified on the coastal area map, shall be protected, preserved, and, where practical, restored so as to maintain their viability as habitats*), 34 (*Discharge of waste materials from vessels into coastal waters will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas*), 35 (*Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing state dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands*) and 39 (*The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources*) of the LWRPs of the Town of Smithtown, Village of Lloyd Harbor, Village of Mamaroneck, and Town of Mamaroneck/Village of Larchmont address those topics. The NY Project's submarine export cables will be consistent with these policies to the extent applicable. Installation will be of limited scope/duration and will not negatively impact living marine resources or the ecological quality in Long Island Sound. The cables have been sited to avoid Significant Coastal Fish and Wildlife Habitats. The cables will not be located within tidal or freshwater wetlands and will not impact vulnerable fish, wildlife, and plant species, and rare ecological communities. Once the cables are installed in the seabed, they will have negligible effects on marine resources. See also Sections I.2.4 and 1.2.5.

Air quality (Policy 7 (Bayville) and Policies 41 and 43 (Smithtown, Lloyd Harbor, Village of Mamaroneck, Town of Mamaroneck/Village of Larchmont))

Each of the five LWRPs include policies addressing air quality. More specifically, Policy 7 (*Protect and improve air quality in the Long Island Sound coastal area*) of the Village of Bayville LWRP and Policies 41 (*Land use or development in the coastal area will not cause the national or state air quality standards to be violated*) and 43 (*Land use or development in the coastal area must not cause the*

*generation of significant amounts of the acid rain precursors: nitrates and sulfates*) of the LWRPs of the Town of Smithtown, Village of Lloyd Harbor, Village of Mamaroneck, and Town of Mamaroneck/Village of Larchmont address the topic. The NY Project's submarine export cables will be consistent with these policies to the extent applicable. Installation will be of limited scope/duration and will not negatively impact air quality in the Long Island Sound coastal area. See also Sections 1.2.4 and 1.2.5.

Solid and hazardous waste (Policy 8 (Bayville) and Policies 8, 34, 36 and 39 (Smithtown, Lloyd Harbor, Village of Mamaroneck, Town of Mamaroneck/Village of Larchmont))

Each of the five LWRPs include policies addressing solid and hazardous waste. More specifically, Policy 8 (*Minimize environmental degradation in the Long Island Sound coastal area from solid waste and hazardous substances and wastes*) of the Village of Bayville LWRP and Policies 8 (*Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bioaccumulate in the food chain or which cause significant sublethal or lethal effect on those resources*), 34 (*Discharge of waste materials from vessels into coastal waters will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas*), 36 (*Activities related to shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practical efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur*) and 39 (*The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources*) of the LWRPs of the Town of Smithtown, Village of Lloyd Harbor, Village of Mamaroneck, and Town of Mamaroneck/Village of Larchmont address those topics. The NY Project's submarine export cables will be consistent with these policies to the extent applicable. Installation will be of limited scope/duration and will not result in environmental degradation from waste. Vessels will abide by the Bureau of Safety and Environmental Enforcement's Marine Trash and Debris regulations and crew will be briefed on marine trash and debris prevention. Wastes generated from the brief installation activities will be handled in accordance with applicable federal and state laws. Additionally, vessels will operate in accordance with laws regulating the at-sea discharges of vessel-generated waste and management of accidental spills or release of oils or other hazardous wastes through the OSRP. See also Sections 1.2.4 and 1.2.5.

Mining, excavation and dredging (Policy 15 (Smithtown, Lloyd Harbor))

Two of the five LWRPs include policies addressing mining, excavation and dredging. More specifically, Policy 15 (*Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land*) of the LWRPs of the Town of Smithtown and Village of Lloyd Harbor address those topics (the LWRPs of the Village of Bayville, the Village of Mamaroneck, and the Town of Mamaroneck/Village of Larchmont do not address the topics). The NY Project's submarine export cables will be consistent with these policies to the extent applicable. The cable burial methods being considered are plowing, jetting, trenching, and dredging. The equipment selected will depend on seabed conditions, the required burial depths and the results of various cable burial studies; more than one installation and burial method may be

selected per route and those methods may be used pre-installation, during installation, and/or post-installation. Placing fill, if necessary, will occur at locations where cable protection is required, and may consist of rock, rock bags or concrete mattresses and these methods are protective of water quality. These activities will be carried out in compliance with permit requirements in a manner that will not interfere with natural coastal processes and in a manner that will protect significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands. See also Sections 1.2.4 and 1.2.5.