



Atlantic Shores Offshore Wind
1 Dock 72 Way, Floor 7
Brooklyn, NY 11205

June 25, 2024

By Electronic Mail

Ms. Janet Coit
Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East-West Highway, 14th Floor
Silver Spring, MD 20910
janet.coit@noaa.gov.

Re: Request to Change Holder of Atlantic Shores Offshore Wind Application for Marine Mammal Protection Act Rulemaking and Letter of Authorization

Dear Assistant Administrator Coit:

I am writing on behalf of Atlantic Shores Offshore Wind, LLC ("Atlantic Shores"), which is a joint venture entity between EDF-RE Offshore Development, LLC and Shell New Energies US LLC, that originally held Lease OCS-A 0499, which was partially assigned to Atlantic Shores Offshore Wind Project 1, LLC and Atlantic Shores Offshore Wind Project 2, LLC (each holding 50% Record Title Interest in the southern portion of Lease OCS-A 0499, with the northern portion redesignated as Lease OCS-A 0459), to request a change in the holder of the pending Marine Mammal Protection ("MMPA") Rulemaking and Letter of Authorization ("LOA") to be converted to Atlantic Shores Offshore Wind Project 1, LLC.

Background History

In April, 2022, the Bureau of Ocean Energy Management ("BOEM") approved Atlantic Shores' request to assign 100 percent interest of the southern portion of OCS-A 0499 (which contains the Atlantic Shores South Project 1 and 2 areas, hereinafter the "Projects") to Atlantic Shores Offshore Wind Project 1, LLC and Atlantic Shores Offshore Wind Project 2, LLC ("Project Companies"), respectively, with each entity having a 50 percent interest in the southern portion of OCS-A 0499. The northern portion of OCS-A 0499 was redesignated as Lease OCS-A 0549. As such, the Project Companies are the lessees for OCS-A 0499.

In September 2022, Atlantic Shores submitted the Application for MMPA Rulemaking and LOA ("LOA Application") to the National Marine Fisheries Service ("NMFS") for the unintentional and non-lethal take of small numbers of marine mammals during the construction of the Projects.

As you are aware, the Projects are currently the subject of BOEM review, with the recent issuance of a Final Environmental Impact Statement under the National Environmental Policy Act in May 2024, and a targeted issuance of a Record of Decision and approval of the Construction and Operation Plan ("COP") this summer and fall, 2024.

As part of these BOEM approvals, Atlantic Shores and its Project Companies are requesting a lease segregation whereby Atlantic Shores Offshore Wind Project 1, LLC ("Project Company 1") will retain a portion of Lease OCS-A 0499 and Atlantic Shores Offshore Wind Project 2, LLC ("Project Company

2") will acquire a new lease consisting of the remaining portion of Lease OCS-A 0499. In light of this lease segregation and prior designation of the Project Companies as the leaseholders, Atlantic Shores wishes to relinquish its ownership of the proposed LOA and make Project Company 1 the new holder.

Request for Change in Ownership

Atlantic Shores hereby requests an administrative change in the name of the holder in the pending LOA Application to make Project Company 1 the holder of the LOA. Nothing in 50 C.F.R. §§ 216.104-106 prohibits this minor change and NMFS will not need to make any other changes to the pending LOA Application to execute this change in holder of the LOA. Project Company 1 is the appropriate new holder given that its Project is the first one to be developed in Lease Area OCS-A 0499, with Project 2 anticipated to occur thereafter in a staggered manner.

Atlantic Shores and the Project Companies have agreed to this proposed change. The relevant documentation reflecting that agreement is appended hereto as Appendix A. Further, Project Company 1 hereby agrees to adopt all prior commitments and representations made by Atlantic Shores in the LOA Application.

At a later date, when necessary, Project Company 1 and Project Company 2 will undertake any necessary transfers, amendments, and/or application request and rulemaking to ensure that Project Company 2 is subject to all required terms and conditions under the MMPA to conduct the activities approved in its respective COP for its new commercial lease area. Atlantic Shores and the Project Companies also will ensure that BOEM's current decision-making process is coordinated with this request in terms of timing and reference to this change is included in any applicable decision documents.

Thank you for your consideration of this request. We remain available to address any questions or provide any information that you may need to execute this change in ownership.

Sincerely,

DocuSigned by:

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Jennifer Daniels
Vice President and Development Director
Atlantic Shores Offshore Wind, LLC

cc: Julia Pettit
General Counsel and Secretary
Atlantic Shores Offshore Wind, LLC
1 Dock 72 Way, Floor 7
Brooklyn, NY 11205

Enclosure

APPENDIX A

(Assignment and Assumption Agreement)

(see attached.)