

December 16, 2021

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**Subject: North Carolina Division of Coastal Management Federal Consistency Certification Concurrence  
Request for the Coastal Virginia Offshore Wind Commercial Project**

Dear Mr. Govoni:

The Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion Energy), requests concurrence from the North Carolina Division of Coastal Management (DCM) with the consistency determination provided herein (See Attachment A). Dominion Energy proposes to construct, own, and operate the Coastal Virginia Offshore Wind (CVOW) Commercial Project (Project). The Project will be located in the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) Offshore Virginia (Lease No. OCS-A-0483) (Lease Area), which was awarded through the Bureau of Ocean Energy Management (BOEM) competitive renewable energy lease auction of the Wind Energy Area offshore of Virginia in 2013. The Lease Area covers approximately 112,799 acres (45,658 hectares) and is approximately 27 statute miles (mi; 23.75 nautical miles, 43.99 kilometers [km]) off the Virginia Beach coastline.

Dominion Energy has prepared this federal consistency certification pursuant to the requirements of 15 Code of Federal Regulations (CFR) § 930.57 (the Coastal Zone Management Act [CZMA] federal consistency provision). Construction, operations, and decommissioning activities of the proposed Project comply with the enforceable policies of North Carolina's approved management program<sup>1</sup> and will be conducted in a manner consistent with such program. The enforceable policies are defined under the CZMA as "state policies which are legally binding through constitutional provisions, laws, regulations, land-use plans, ordinances, or judicial or administrative decisions, by which a State exerts control over private and public land and water uses and natural resources in the coastal zone" under (15 CFR § 930.11(h)).

This federal consistency certification demonstrates that the Project development within the Lease Area and along the Onshore and Offshore Export Cable route is fully consistent with the enforceable policies of the CZMA. Enforceable policies are defined under the CZMA as "state policies which are legally binding through constitutional provisions, laws, regulations, land-use plans, ordinances, or judicial or administrative decisions, by which a state exerts control over private and public land and water uses and natural resources in the coastal zone" under (Title 15 CFR § 930.11[h]). This consistency certification is provided pursuant to the requirements of 15 CFR § 930.57 (the CZMA federal consistency provision).

The Project will require permits and approvals from federal agencies and, as such, these federal actions are subject to consistency review pursuant to the CZMA. As Project components are proposed in the Commonwealth of Virginia, approvals from the applicable state and local agencies will also be required. No Project components are

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<sup>1</sup> North Carolina Division of Coastal Management. 2007. North Carolina Federal Consistency Determination Submission Guidance (Subpart "C" 15 CFR 930). Available online at: <https://www.nrc.gov/docs/ML0822/ML082200650.pdf>. Accessed December 15, 2020.

proposed in the State of North Carolina or in North Carolina state waters. The Project will be consistent with the enforceable policies of North Carolina's federally approved Coastal Zone Management Program, and consultation with the North Carolina State Historic Preservation Office will occur concurrently with BOEM's review of the Construction and Operations Plan (COP) for the Project.

Attachment A presents the information required by 15 CFR 930.39 to support the Project's consistency with the enforceable policies of the state's coastal management program. Additionally, this consistency certification is included as Appendix P, Coastal Zone Management Act Consistency Certifications, to the COP pursuant to 30 CFR § 585.627(9), in order to assist BOEM with compliance under the National Environmental Policy Act, 42 U.S.C. Sections 4321 *et seq.*, and other relevant laws. The COP provides additional details that support this federal consistency review including how the proposed Project has been sited and designed to avoid and/or minimize adverse impacts to coastal resources, and proposed mitigation measures to avoid and/or minimize any potential impacts.

Please contact Mitchell Jabs at [Mitchell.Jabs@dominionenergy.com](mailto:Mitchell.Jabs@dominionenergy.com) or (804) 297-8154 if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J Ericson', with a stylized flourish at the end.

Jason Ericson  
Director, Environmental Services

Cc: GT Hollett, Dominion Energy  
Will Kinnan, Dominion Energy  
Jason Ericson, Dominion Energy  
Darrell Shier, Dominion Energy  
Scott Lawton, Dominion Energy  
Mitchell Jabs, Dominion Energy  
Janelle Lavalley, Tetra Tech

# **CONSTRUCTION AND OPERATIONS PLAN**

## **Coastal Virginia Offshore Wind Commercial Project**

### **Appendix P**

## **Request for Federal Consistency Certification Concurrence with North Carolina Coastal Management Program**

Prepared for:



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Prepared by:



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**Submitted December 2021**

**ACRONYMS AND ABBREVIATIONS**

AEC	Area of Environmental Concern
ANSI	American National Standards Institute
BOEM	Bureau of Ocean Energy Management
CAMA	North Carolina Coastal Area Management Act
CFR	Code of Federal Regulations
COP	Construction and Operations Plan
CVOW	Coastal Virginia Offshore Wind
CZMA	Coastal Zone Management Act
CZMP	Coastal Zone Management Plan
dB	decibel
dBA	A-weighted decibel
DCM	North Carolina Division of Coastal Management
Dominion Energy	Dominion Energy Virginia
FLO	Fisheries Liaison Officer
ft	foot
km	kilometer
Lease Area	Lease No. OCS-A-0483
m	meter
mi	statute mile
MW	megawatt
NCAC	North Carolina Administrative Code
O&M	operations and maintenance
OCS	Outer Continental Shelf
Project	Coastal Virginia Offshore Wind Commercial Project
USCG	U.S. Coast Guard
WTG	Wind Turbine Generator

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Daniel Govoni  
Policy Analyst & Federal Consistency Coordinator  
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Date: December 17, 2021

Dear Mr. Govoni:

The Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion Energy), kindly requests concurrence from the North Carolina Division of Coastal Management (DCM) with the consistency determination provided herein. Dominion Energy proposes to construct, own, and operate the Coastal Virginia Offshore Wind (CVOW) Commercial Project (Project). The Project will be located in the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) Offshore Virginia (Lease No. OCS-A-0483) (Lease Area), which was awarded through the Bureau of Ocean Energy Management (BOEM) competitive renewable energy lease auction of the Wind Energy Area offshore of Virginia in 2013. The Lease Area covers approximately 112,799 acres (45,658 hectares) and is approximately 27 statute miles (mi; 23.75 nautical miles, 43.99 kilometers [km]) off the Virginia Beach coastline.

Dominion Energy has prepared this federal consistency certification pursuant to the requirements of 15 Code of Federal Regulations (CFR) § 930.57 (the Coastal Zone Management Act [CZMA] federal consistency provision). Construction, operations, and decommissioning activities of the proposed Project comply with the enforceable policies of North Carolina's approved management program<sup>1</sup> and will be conducted in a manner consistent with such program. The enforceable policies are defined under the CZMA as "state policies which are legally binding through constitutional provisions, laws, regulations, land-use plans, ordinances, or judicial or administrative decisions, by which a State exerts control over private and public land and water uses and natural resources in the coastal zone" under (15 CFR § 930.11(h)).

This federal consistency certification demonstrates that the Project development within the Lease Area and along the Onshore and Offshore Export Cable route is fully consistent with the enforceable policies of the CZMA. Enforceable policies are defined under the CZMA as "state policies which are legally binding through constitutional provisions, laws, regulations, land-use plans, ordinances, or judicial or administrative decisions, by which a state exerts control over private and public land and water uses and natural resources

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<sup>1</sup> North Carolina Division of Coastal Management. 2007. North Carolina Federal Consistency Determination Submission Guidance (Subpart "C" 15 CFR 930). Available online at: <https://www.nrc.gov/docs/ML0822/ML082200650.pdf>. Accessed December 15, 2020.

in the coastal zone” under (Title 15 CFR § 930.11[h]). This consistency certification is provided pursuant to the requirements of 15 CFR § 930.57 (the CZMA federal consistency provision).

The Project will require federal permits and approvals by federal agencies and, as such, these federal actions are subject to consistency review pursuant to the CZMA. As Project components are proposed in the Commonwealth of Virginia, approvals from the applicable state and local agencies will also be required. No Project components are proposed in the State of North Carolina or in North Carolina state waters. The Project will be consistent with the enforceable policies of North Carolina’s federally approved Coastal Zone Management Program, and consultation with the North Carolina State Historic Preservation Office will occur concurrently with BOEM’s review of the Construction and Operations Plan (COP).

Attachment A to this cover letter presents the information required by 15 CFR 930.39 to support the Project’s consistency with the enforceable policies of the state’s coastal management program. Additionally, this consistency certification is included as Appendix P, Coastal Zone Management Act Consistency Certifications, to the COP pursuant to 30 CFR § 585.627(9), in order to assist BOEM with compliance under the National Environmental Policy Act, 42 U.S.C. Sections 4321 *et seq.*, and other relevant laws. The COP provides additional details that support this federal consistency review including how the proposed Project has been sited and designed to avoid and/or minimize adverse impacts to coastal resources, and proposed mitigation measures to avoid and/or minimize any potential impacts.

### *Project Description*

The purpose of this Project is to provide between 2,500 and 3,000 megawatts (MW) of clean, reliable offshore wind energy; to increase the amount and availability of renewable energy to Virginia consumers; to create the opportunity to displace electricity generated by fossil fuel-powered plants; and to offer substantial economic and environmental benefits to the Commonwealth of Virginia. This Project represents a viable and needed opportunity for Virginia to obtain clean renewable energy and realize its economic and environmental goals.

The proposed facility locations for development of the Project have been selected based on the environmental and engineering site characterization studies that have been completed to date (Figure 1 and Figure 2). Onshore Project Components would be located in Virginia Beach and Chesapeake, Virginia. The location of Project facilities will be further refined based on final engineering design as well as ongoing and continuing discussions, agency reviews, public input, and the National Environmental Policy Act review process.

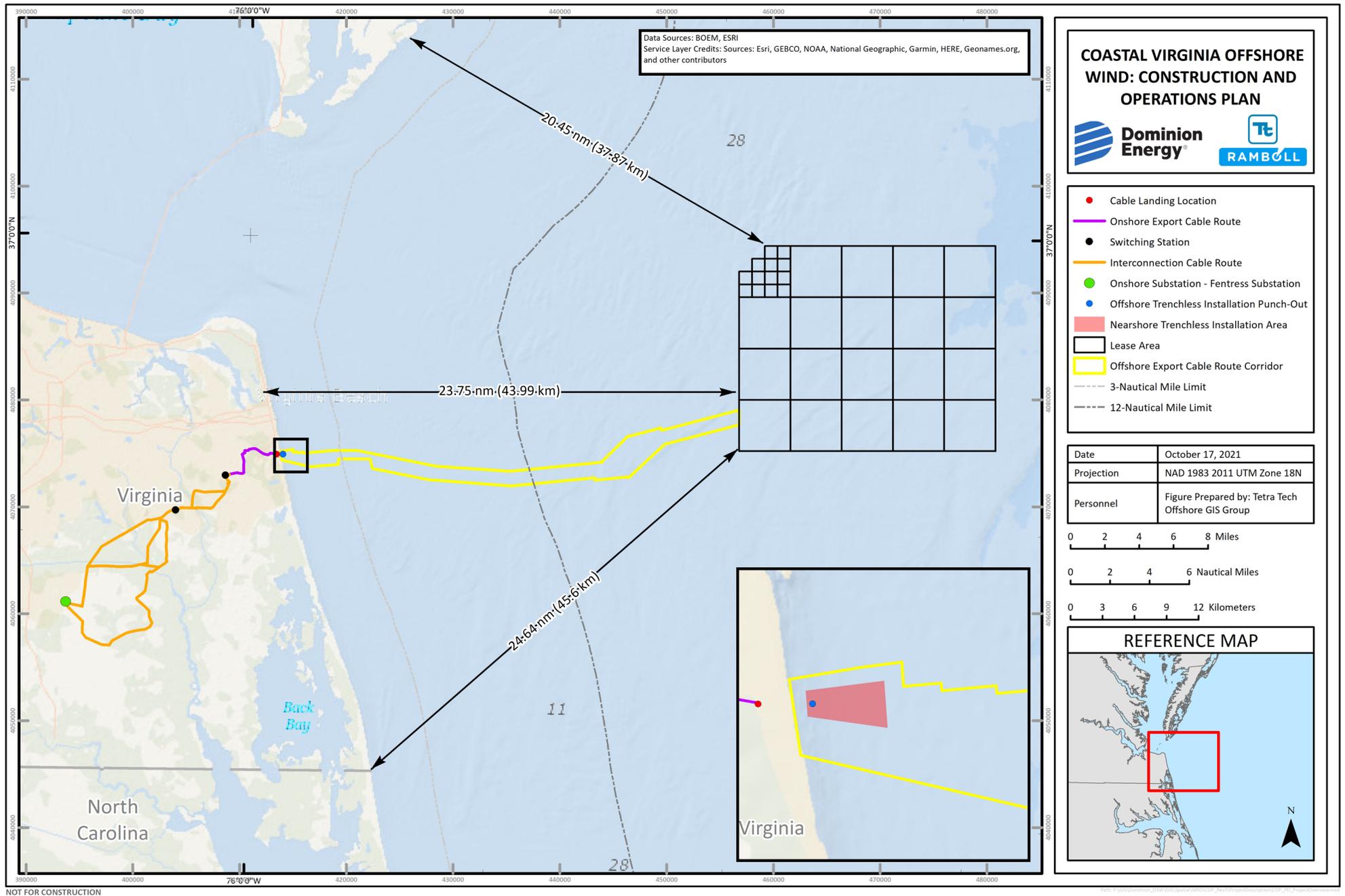


Figure 1. Offshore Project Area Overview

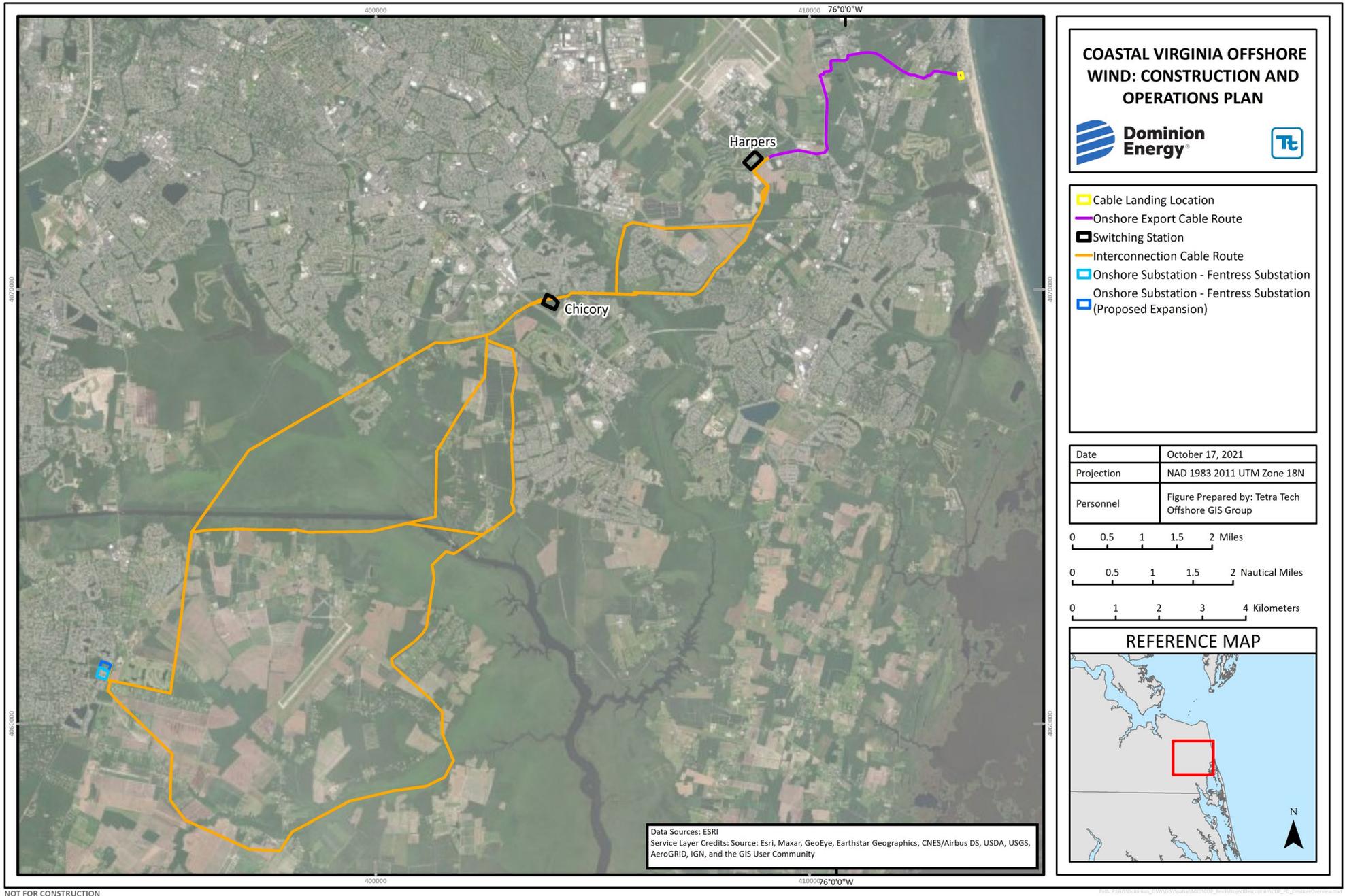


Figure 2. Onshore Project Area Overview

Onshore Project Components would be located in the cities of Virginia Beach and Chesapeake, Virginia, and consist of the following, as further detailed in Section 3, Description of Proposed Activity, of the COP:

- One Cable Landing Location;
- Up to 27 Onshore Export Cables along one route from the Cable Landing Location to a Common Location north of Harpers Road;
- A Switching Station to be located either north of Harpers Road or north of Princess Anne Road;
- Triple-circuit Interconnection Cables from the Switching Station to be located either north of Harpers Road or north of Princess Anne Road to the Onshore Substation; and
- An existing Onshore Substation that will require facility upgrades/expansions to accommodate the power generated by the Project.

The Onshore Substation, known as the Fentress Substation, is an existing substation currently owned by Dominion Energy. Onshore Export Cables are anticipated to be constructed as underground transmission lines from the Cable Landing Location to a Common Location north of Harpers Road, while the Interconnection Cables are expected to be constructed as overhead and/or a combination of overhead and underground (hybrid) transmission lines from a Common Location north of Harpers Road to the Onshore Substation.

Offshore Project Components will consist of the following, as further described in Section 3, Description of Proposed Activity, of the COP:

- Up to 205 Wind Turbine Generators (WTGs) and associated WTG Foundations (monopiles) within the Lease Area;
- Between two and three Offshore Substations and associated Offshore Substation Foundations (jacket) within the Lease Area, each with a maximum rated capacity of 1,500 MW to 1,000 MW;
- Up to 300 mi (484 km) total length of Inter-Array Cable (average Inter-Array length of 5,868 feet [ft; 1,789 meters (m)] between WTGs); and
- Up to three, three-core copper and/or aluminum-conductor 230-kilovolt Offshore Export Cables per Offshore Substation, totaling up to nine high-voltage alternating-current buried Offshore Export Cables that will transfer electricity from each of the two to three Offshore Substations to the Cable Landing Location in Virginia Beach, Virginia.

The Offshore Substations, Inter-array Array Cables, and WTGs would be located in federal waters in the Lease Area, while the Offshore Export Cable Route Corridor would traverse both federal and state territorial waters of Virginia. The construction stage of the Project will include temporary construction laydown area(s) and construction port(s). The operations and maintenance (O&M) stage of the Project will include an onshore O&M facility with an associated base port.

While much of the infrastructure of an offshore wind project is located in the offshore marine environment, the need to interconnect with the existing electrical grid requires that several of the infrastructure elements are located on land. Within the Lease Area, the WTGs will generate electricity that will be transferred to the Offshore Substations via a series of Inter-Array Cables. The Offshore Substations will then transform the power to a higher voltage for transmission and transport to shore by the Offshore Export Cables.

Upon exiting the Lease Area, the up to three Offshore Export Cable Routes originating at the Offshore Substations will merge to become one overall Offshore Export Cable Route containing all nine Offshore Export Cables. The Offshore Export Cable Route Corridor between the western edge of the Lease Area and the Cable Landing Location will range from 1,970 to 9,400 ft (600 to 2,865 m) wide. Within the Offshore Export Cable Route Corridor, the nine Offshore Export Cables would generally be spaced approximately 164 to 2,716 ft (50 to 828 m) apart. At certain locations, the Offshore Export Cables may be spaced 164 to 328 ft (50 to 100 m) apart based on natural and environmental constraints.

In addition to the proposed infrastructure, Portsmouth Marine Terminal is an existing port facility located on the west bank of the Elizabeth River. Dominion Energy and the Port of Virginia have executed a lease agreement for PMT to support the staging of components and construction vessels for the Project. Dominion Energy is considering locations in Newport News, Portsmouth and Norfolk, Virginia, with Lambert's Point, which is located on a brownfield site, as the preferred location, to serve as the O&M facilities for the Project. For both PMT and the O&M facilities, in the event that upgrades or a new build-to-suit facility is needed for any purpose, construction would be undertaken by the lessor and would be separately authorized, as needed.

The commercial lifespan of the Project is expected to be 33 years, based on the operations term of the Project specified in the Lease. The Project will be designed to operate with minimal day-to-day supervisory input, with key systems monitored from a central location 24 hours a day. During the O&M stage, the Project will require both planned and unplanned inspections and maintenance that will be carried out by a team of qualified engineers, technical specialists, and associated support staff. The team will ensure that all components are maintained and operated in a safe and reliable manner, compliant with regulatory conditions and in accordance with commercial objectives.

Unless otherwise authorized by BOEM, Dominion Energy will complete decommissioning within 2 years of termination of the Lease and either reuse, recycle, or responsibly dispose of all materials removed. Decommissioning activities will be detailed in a Decommissioning Plan, which is subject to an approval process that includes public comment and government agency consultation. The Decommissioning Plan will be developed based on a factor-based approach, utilizing environmental and socioeconomic factors to determine a strategy and methodology that is appropriate at the time.

Section 3.3, Construction and Installation Activities, of the COP provides a description of the onshore and offshore Project construction methods. Section 3.4, Operations and Maintenance, of the COP provides a summary of the O&M activities, proposed vessels and helicopters, and lighting and marking of the Offshore Project Components. Section 3.5, Decommissioning, of the COP includes a description of decommissioning activities and measures for ensuring all components are removed at the end of the Project's useful life.

## **P.5 NORTH CAROLINA COASTAL ZONE MANAGEMENT PROGRAM FEDERAL CONSISTENCY CERTIFICATION REVIEW**

The CZMA requires that federal actions likely to affect any land or water use, or natural resource of a state's coastal zone, be conducted in a manner consistent with the state's federally approved Coastal Zone Management Plan (CZMP). The North Carolina CZMP was established in 1978 and is administered by the North Carolina DCM, which serves as the lead agency for the network of North Carolina state agencies and

local governments that administer the CZMP. The enforceable policies that make up the CZMP are included in Table P-2 below. Table P-2 has been prepared pursuant to 15 CFR § 930.39 and provides the data and information necessary to certify that the construction, O&M, and decommissioning of the Project will be consistent with the CZMP, in accordance with CZMA § 307(c)(3)(A) and 15 CFR § 930, subpart D. Table P-2 also presents both a summary of each enforceable policy under the CZMP and how Dominion Energy will be consistent with each policy, including references to supporting documentation (e.g., COP sections and appendices).

## **P.5.1 Coastal Area Management Act**

### **P.5.1.1 Summary**

The North Carolina Coastal Area Management Act (CAMA), passed by the North Carolina General Assembly 2 years after the passage of the CZMA, established the Coastal Resources Commission, required local land use planning in 20 coastal counties and provided for a program for regulating development. CAMA is the overarching statutory authority for: (1) the state guidelines adopted by regulations in Chapter 7 of Title 15A of the North Carolina Administrative Code (NCAC), (2) local land use plans, and (3) the state permitting process for major development actions. The intention of the program is to provide a management system through policies and standards to protect, preserve, and conserve coastal natural resources while providing a balanced opportunity to use coastal resources for the purposes of economic development, recreation and tourist facilities, transportation, and historic, cultural, and scientific resources.

### **P.5.1.2 Response**

Dominion Energy's proposed Project will meet the requirements of CAMA through compliance with North Carolina's enforceable policies. Dominion Energy has evaluated the Project for consistency with the enforceable policies regarding dredging, filling, local and use plans, and Chapter 7 of Title 15A of NCAC. As part of this consistency certification, Dominion Energy has evaluated and documented in Table P.4-1 how the development and operation activities of the proposed Project will comply with each of the enforceable policies.

No reasonably foreseeable effects to North Carolina's offshore and coastal resources or uses are expected from Dominion Energy's proposed activities. Project construction and operations proposed by Dominion Energy are not located within North Carolina state waters. The Lease Area is located approximately 28 mi (45 km) from the North Carolina shore, and the Offshore Export Cable Route Corridor will not cross into North Carolina state waters. Therefore, Dominion Energy anticipates minimal effects on North Carolina's coastal and marine resource uses and minimal contact with marine activities such as commercial and recreational fishing, recreational boating, diving, or shipping. Dominion Energy will continue to coordinate closely with BOEM, the U.S. Coast Guard (USCG), U.S. Department of Defense, North Carolina Department of Environmental Quality, other appropriate regulatory agencies, and other ocean users to avoid interactions during construction, O&M, and decommissioning activities.

Dominion Energy will implement the following coordination measures:

- Continue active engagement with key national security stakeholders, including the USCG, U.S. Department of Defense, and others to coordinate construction and installation activities;

- Provide frequent and regular updates for construction activities and implement safety zones to the local marine community through the Project website and social media;
- Provide frequent and regular updates through USCG local notices to mariners to inform mariners of Project activities in the area; and
- Continue to engage with the recreational and commercial fishing communities, as described in the Fisheries Communication Plan, prior to and during all construction activities to ensure all required area closures will be communicated to the fishing industry and all other necessary parties.

### **P.5.1.3 COP Section**

The following COP Sections can be referenced for further information: Section 3, Description of Proposed Activity; Section 4.3.3, Aboveground Historic Resources; Section 4.4.1, Population, Economy, Employment, Housing, and Public Services; Section 4.4.5, Recreation and Tourism; Section 4.4.7, Marine Transportation and Navigation; Section 4.4.8, Department of Defense and Outer Continental Shelf National Security Maritime Uses; Section 4.4.11, Other Coastal and Marine Uses; Appendix H, Historic Properties Assessment; Appendix I, Visual Impact Assessment; Appendix L, Summary of Agency and Stakeholder Engagement; and Appendix S, Navigation Safety Risk Assessment.

## **P.5.2 North Carolina Dredge and Fill Law**

### **P.5.2.1 Summary**

North Carolina's Dredge and Fill Law regulates the excavation or filling of estuarine waters, tidelands, marshlands, and state-owned lakes.

### **P.5.2.2 Response**

This policy is not applicable. No impacts on North Carolina's estuarine waters, tidelands, marshlands, and state-owned lakes are expected from the proposed Project activities. Since proposed construction, O&M, and decommissioning activities are limited to wind power generation and related infrastructure located solely in federal waters and territorial waters and land of Virginia, the proposed Project will not have any direct impacts to North Carolina's estuarine waters, tidelands, marshlands, and state-owned lakes.

### **P.5.2.3 COP Section**

The following COP section can be referenced for further information: Section 3, Description of Proposed Activity.

## **P.5.3 Local Land Use Plans**

### **P.5.3.1 Summary**

CAMA requires each of the 20 coastal counties in North Carolina to have a local land use plan in accordance with guidelines established by the North Carolina Coastal Resources Commission. These land use plans include policies and maps that guide the communities' growth and development and are a fundamental element of coastal management in the state of North Carolina. At the local level, land use plans provide guidance for individual projects and a broad range of policy issues, such as the development of regulatory

ordinances and public investment programs. The DCM provides technical assistance to local governments through its planners, who are located in the division's district offices.

### **P.5.3.2 Response**

This policy is not applicable. No impacts on North Carolina's local land use are expected from the proposed Project activities. Since proposed operations are limited to wind power generation and related infrastructure located solely in federal waters and territorial waters and land of Virginia, the proposed Project will not have any direct impacts to North Carolina's local land use.

### **P.5.3.3 COP Section**

The following COP section can be referenced for further information: Section 3, Description of Proposed Activity.

## **P.5.4 North Carolina Administrative Code: Title 15A, Chapter 7, Coastal Management**

Two subchapters of Chapter 7 of the NCAC, 7H and 7M, constitute enforceable policies applicable to the proposed Project. The remaining subchapters of Chapter 7 of the NCAC are not applicable to the Project. Project consistency with Subchapters 7H and 7M is addressed below.

### **P.5.4.1 State Guidelines for Areas of Environmental Concern: 15A NCAC 07H**

#### *P.5.4.1.1 Summary*

The Coastal Resources Commission designates Areas of Environmental Concern (AECs) (i.e., areas of natural importance), to protect the areas from uncontrolled development that may cause irreversible damage to property, public health, or the environment. An AEC is prone to erosion and flooding and it may have environmental, social, economic, or aesthetic values that make it valuable to the State of North Carolina. AECs cover a majority of the state's coastal zone and are composed of four categories: Estuarine and Ocean System, Ocean Hazard System, Public Water Supplies, and Natural and Cultural Resources Areas.

- The Estuarine and Ocean System AEC is the coast's largest network of brackish sounds, marshes, and surrounding shores, typically found where rivers and streams meet the ocean. Four components comprise this AEC: (1) coastal shorelines; (2) coastal wetlands; (3) public trust areas, including all waters of the Atlantic Ocean extending to the state's official boundary 3 mi (4.8 km) offshore; and (4) estuarine waters consisting of the state's oceans, sounds, tidal rivers, and their tributaries.
- The Ocean Hazard System AEC consists of oceanfront property and inlets that connect the ocean to the sounds, including beaches subject to erosion and lands subject to flooding.
- The Public Water Supply AEC protects specific coastal public water supplies from the negative impacts of development.
- The Natural and Cultural Resources AECs contain environmental or cultural resources of state importance. Four categories comprise this AEC: (1) significant coastal archaeological resources; (2) unique coastal geologic formations; (3) complex coastal natural areas that provide habitat unaltered by human activity and support native plant and animal communities; and (4) coastal areas

that sustain remnant native plants or animals species that are designated as rare, threatened, or endangered through the protection of habitat by the state or federal government.

#### *P.5.4.1.2 Response*

Construction, O&M, and decommissioning activities comply, to the extent applicable, with this policy. The Project will not occur in any state-designated AECs and will therefore not cause irreversible damage to property, public health, or the environment related to estuarine and ocean systems, ocean hazard systems, public water supplies, and natural and cultural resources. Section P.5.4.2, General Policy Guidelines for the Coastal Area: 15A NCAC 07M provides further details on how the Project complies with the state's enforceable policies.

#### *P.5.4.1.3 COP Section*

The following COP section can be referenced for further information: Section 3, Description of Proposed Activity.

### **P.5.4.2 General Policy Guidelines for the Coastal Area: 15A NCAC 07M**

Subchapter 7M contains a series of policies to address different activities that may occur in coastal areas. Table P-2 below provides policy summaries, means of compliance, and applicable COP sections.

**TableP-2. General Policy Guidelines for the Coastal Areas Consistency Certification**

Policy	Policy Summary	Compliance Summary	Location in the Construction and Operations Plan
.0200 Shoreline Erosion Policies	This policy provides protection of ocean and estuarine shoreline properties against loss of life, property, and amenities, namely due to erosion. Recreational use of the shorelines of the state must be maintained and reasonable rules and public expenditures should be accomplished in a coordinated manner to minimize the likelihood of damage to private and public resources resulting from recognized coastal hazards.	This policy is not applicable because the Project construction, operations and maintenance (O&M), and decommissioning activities will not occur within the North Carolina state coastal zone boundary. Therefore, the Project will not impact the North Carolina ocean and estuarine shoreline properties.	Not applicable
.0300 Shorefront Access Policies	This policy provides standards for public access to North Carolina's ocean beaches, estuarine, public trust waters, and waters of the 20-county coastal region. Access shall be consistent with rights of private property owners and the concurrent need to protect important coastal natural resources such as sand dunes and coastal marsh vegetation.	This policy is not applicable because Project construction, O&M, and decommissioning activities will not occur within the North Carolina state coastal zone boundary. Therefore, the Project does not require shorefront access off the coast of North Carolina.	Not applicable
.0400 Coastal Energy Policies	This policy ensures that the development of energy facilities and resources, both onshore and offshore, avoid significant adverse impacts to coastal resources or uses, public trusts areas, and public access rights. Offshore leasing actions, including construction, operations, and decommissioning of an energy facility, associated with such leases must be consistent with the policies of the North Carolina Coastal Zone Management Plan.	<p>Project construction, O&amp;M, and decommissioning activities comply, to the extent applicable, with this policy. Although the Project is not located within the North Carolina state coastal zone boundary, potential impacts may occur to marine resources and uses outside of the North Carolina coastal zone. These potential impacts are detailed below.</p> <p>Dominion Energy will construct, operate, and decommission the Project according to the activities described in the Construction and Operations Plan (COP), which considers physical, biological, cultural, visual, and socioeconomic resource protection, both onshore and offshore. Project facilities were sited to avoid resources adjacent to North Carolina state waters including, but not limited to, archaeological and cultural resources, shipping lanes, military use areas, and areas of biological significance such as offshore reefs, hard bottom areas, primary or secondary nursery and spawning areas, and submerged aquatic vegetation. Protected Species Observers will be on board vessels, monitoring for the presence of marine mammals and sea turtles, and will follow the Bureau of Ocean Energy Management and National Oceanic and Atmospheric Administration-approved protocols if any listed species is observed during construction, O&amp;M, or decommissioning activities.</p> <p>During construction, Project-related air emissions could have short-term impacts to air quality. Primary Offshore Project Area emissions sources include marine vessels, which would potentially transit waters of Virginia and Texas, with the majority of Project-related construction emissions expected to occur offshore, within the Lease Area and along the Offshore Export Cable Route. Offshore construction emissions from marine vessels will be subject to New Source Review as part of the Outer Continental Shelf (OCS) air permit application required under Title 40 Code of Federal Regulations § 55. Dominion Energy would apply for and obtain the required OCS air permit prior to commencement of offshore construction. During Project O&amp;M, potential offshore Project-related emissions would result from the Project-related vessels used to service the Offshore Project Components. Most of the vessels and the onboard construction equipment would utilize diesel engines, burning low-sulfur fuel, while some larger construction vessels may use bunker fuel.</p> <p>Vessel traffic is common along the Atlantic coast, and it is anticipated that the vessels required to transport Project components to and from the Lease Area will not substantially increase the volume of traffic along the North Carolina coast. The majority of the vessels that will be used for Project construction and O&amp;M will be similar in size and shape to existing commercial and military vessels in the area.</p> <p>A Visual Impact Assessment (Appendix I) was provided with the COP. Key observation points representing coastal views (at beach level) were rated and considered in the assessment. Additionally, construction activities occurring at night must follow FAA lighting requirements. Lighting within some locations of the Lease Area would cause short-term visual effects to coastal vantage points.</p> <p>During construction, the potential impact-producing factors to recreational and commercial fishing may include construction of the Offshore Project Components. The following impacts may occur as a consequence of the factors identified above: short-term implementation of safety zones; short-term disturbance to local commercial fish species; short-term risk of gear entanglements on partially installed structures; and short-term increase in Project-related vessel traffic.</p>	Section 3, Description of Proposed Activity; Section 4, Site Characterization and Assessment of Impact-Producing Factors; Appendix H, Historic Properties Assessment; Appendix I, Visual Impact Assessment; Appendix N, Air Emissions Calculations and Methodology; Appendix Q, Oil Spill Response Plan;; Appendix S, Navigation Safety Risk Assessment Appendix T, Obstruction Evaluation and Airspace Analysis

Policy	Policy Summary	Compliance Summary	Location in the Construction and Operations Plan
		<p>Dominion Energy has participated in engagement and coordination with stakeholders specific to commercial and recreational fisheries since 2012 (see Table 4.4-5 of Section 4.4.6, Commercial and Recreational Fishing, in the COP for a stakeholder engagement summary) and has contracted Fisheries Liaison Officers (FLO) with more than 50 years of combined fisheries working experience, which includes global and local (mid-Atlantic Region) fisheries. The FLOs coordinated with fisheries stakeholders to facilitate access to regional and local fishing data that helped inform the description of the Affected Environment (Section 4.4.6.2 of the COP). Direct, honest, and open communications are the foundation of Dominion Energy's FLO philosophy, and Dominion Energy continues to engage fisheries stakeholders and will throughout the lifetime of the Project. Throughout the Project life cycle, inclusive of permitting, survey, construction, O&amp;M, and decommissioning, the requirements and potential fisheries impacts may vary. The function of the FLOs is to keep the fishing community informed and coordinate activities appropriate for the specific stage in the life cycle of the Project. The FLOs also draw on consultation with fisheries bodies, regulators, ports and harbors, and legislation, as well as the previous experience from the liaison activities supporting the successful installation of the CVOW Pilot Project.</p> <p>Mitigation measures associated with potential impacts to commercial and recreational fishing include working with fishermen ahead of marine construction operations to review operational planning and schedules in order to identify any areas where fishing operations may be temporarily impacted. Dominion Energy would also work with the USCG and make notices of area closures publicly available through Local Notice to Mariners that will be posted to Dominion Energy's website and social media, and utilize the Fisheries Communications Plan developed for the Project to provide the fishing community with advance notice, prior to formal Local Notice to Mariners, of the construction operations and locations of all fixed structures within the Offshore Project Area, including the locations of safety zones around construction activities as applicable, established by Dominion Energy. Dominion Energy will utilize underwater noise mitigation (e.g., bubble curtain or equivalent) to mitigate temporary impacts of pile-driving on marine species. Dominion Energy has completed the Navigational Safety Risk Assessment required by the Bureau of Ocean Energy Management, which includes risks and subsequent mitigation for potential navigational safety risk. Additionally, any increase in vessel traffic in the Project area is small compared to the traffic that is already present. Additional mitigation measures are outlined in the respective sections, as applicable, when impacts to resources cannot be avoided. Through these steps, Dominion Energy will adhere to standards set forth in the North Carolina Administrative Code, if and where applicable by the policy.</p>	
.0500 Post-Disaster Policies	This policy states that all state agencies shall coordinate with each other to reduce damage from coastal disasters through post-disaster planning.	This policy is not applicable because the Project is not proposed to be constructed by a state agency. Disaster preparedness is discussed in Section 4.1.1, Physical and Oceanographic Conditions, and Section 4.4.12, Public Health and Safety, of the COP.	Not applicable
.0600 Floating Structure Policies	This policy states that floating structures shall not infringe upon the public trust rights nor discharge into the public trust waters of the coastal area. A structure will be considered a floating structure when it is inhabited or used for commercial purposes for more than 30 days in any one location. A boat may be deemed a floating structure when its means of propulsion has been removed or rendered inoperative and it contains at least 200 square feet of living-space area.	This policy is not applicable. No floating structures will be used during construction, O&M and decommissioning of the Project.	Not applicable
.0700 Mitigation Policy	This policy requires mitigation and minimization of adverse impacts to coastal lands and waters to protect coastal ecosystems. Impacts must be avoided or minimized and then mitigation can be used to enhance coastal resources and offset any losses resulting from Project development.	Project construction, O&M, and decommissioning activities comply, to the extent applicable, with this policy. Dominion Energy has avoided and minimized impacts to the extent practicable. The Project is not located within the North Carolina coastal zone boundary and therefore avoids coastal natural resource areas. Mitigation measures were developed to further ensure any potential adverse impacts to coastal ecosystems will be eliminated, such as employing construction techniques (e.g., the use of cable burial tools) that minimize and/or avoid any potential impacts. Additional information that details potential impacts and associated mitigation measures as they relate to coastal ecosystems are described in Sections 4.1, Physical Resources, and 4.2, Biological Resources, of the COP.	Section 2, Project Siting and Design Development; Section 3, Description of Proposed Activity; Section 4.1, Physical Resources; Section 4.2, Biological Resources

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.0800 Coastal Water Quality Policies	<p>This policy addresses the importance of coastal waters as a valuable natural and economic resource of statewide significance. Preserving water quality is of utmost importance for various traditional water activities. Sources of water pollution are to be managed to preserve the quality of coastal waters. Improper operation of boats and their sanitation devices is recognized as a potential threat to water quality.</p>	<p>Project construction, O&amp;M, and decommissioning activities comply, to the extent applicable, with this policy. Water quality impacts during construction will be temporary and minimal during O&amp;M. During installation of the Offshore Export Cables, Dominion Energy anticipates short-term disturbance to the seabed sediment. The Offshore Export Cables, which would not be located within the North Carolina coastal zone boundary, will be installed within the Offshore Export Cable Route Corridor that ranges in size from approximately 1,970 to 9,400 feet (ft; 600 to 2,865 meters [m]) wide. The Offshore Export Cables will be buried to a target depth of approximately 3.3 to 16.4 ft (1 to 5 m) below stable seabed elevation to minimize the risk of cable exposure or damage; however, depending on seabed conditions, actual burial depth may vary. The installation methodologies include jet plow, jet trenching, chain cutting, trench former, hydroplow (simultaneous lay and burial), mechanical plowing (simultaneous lay and burial), pre-trenching (both simultaneous and separate lay and burial), mechanical trenching (simultaneous lay and burial), and/or other available technologies.</p> <p>To evaluate how Offshore Export Cable installation would affect suspended sediment concentrations, transport, and deposition, Dominion Energy conducted a sediment transport analysis for the Project. An analytical sediment transport model was developed to predict the fate and transport of sediment suspended by cable installation along the Offshore Export Cable Route. The sediment transport model simulated installation impacts of a single trench. Each trench/cable will be installed separately in space and time during construction (vessel constraints would not allow simultaneous installations), with enough time between installations for disturbed sediment to re-settle on the seafloor. The model simulated jet plow installation along the cable route, which would result in greater disturbance of marine sediments than mechanical plow or mechanical cutter installation. Jet plowing therefore provides the maximum expected disturbance of seabed sediment in the Project Area.</p> <p>Results from the sediment transport model show that suspended sediments from Offshore Export Cable installation will be short term and localized. The sediment transport model indicates that the use of a jet trencher or jet plow to install the Offshore Export Cable causes suspension of very fine sediments particles (silt and clay) for about 4 hours after being mobilized in the water column. Coarser particles (fine sand) settle at a faster rate, about 1 minute after being mobilized. Additionally, suspended sediment concentration, deposition depth, and area of influence are dependent upon flood and ebb current velocities, burial depth, and the percentage of fine sediments in the sediment sample.</p> <p>Appendix J, Sediment Transport Analysis, also provides detailed information on the maximum concentration at the release point during peak flood and ebb tides. The seabed and near-bottom water column in the nearshore area are highly dynamic environments, with suspension and redeposition of sediment occurring continuously due to storms and tidal currents. Offshore, anthropogenic processes such as trawling regularly create water quality impacts that are similar to or larger than impacts associated with Offshore Export Cable installation, and these activities have not been shown to inhibit fish migration or transit.</p> <p>Project-related vessels will be subject to USCG wastewater and discharge regulations and will operate in compliance with oil spill prevention and response plans that meet USCG requirements. Prevention and response measures for accidental spills and releases are further described in Appendix Q, Oil Spill Response Plan. Additionally, the Project will use scour protection as necessary around the foundations and to further minimize effects of local sediment transport.</p>	<p>Section 3, Description of Proposed Activity; Section 4.1.2, Water Quality; Appendix J, Sediment Transport Analysis; Appendix Q, Oil Spill Response Plan</p>
.0900 Policies on Use of Coastal Airspace	<p>This policy provides protection for airspace for use by state, federal, and local government agencies for the purposes of managing and protecting coastal resources, detecting violations of environmental laws and rules, and performing other functions related to the public health, safety, and welfare. Future economic development and management in the coastal region will require air access.</p>	<p>Project construction, O&amp;M, and decommissioning activities will comply with this policy, to the extent applicable. Helicopters are currently being considered to support the Project; Dominion Energy is continuing to evaluate logistics, and the relevant impact assessments will be updated pending the final decision.</p>	<p>Section 3, Description of Proposed Activity</p>

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1000 Policies on Water and Wetland Based Target Areas for Military Training Activities	This policy establishes conditions for military water and wetland-based training/target areas. Adverse impacts to coastal resources and on the exercise of public trust rights may result from military usage. The public interest requires that, to the maximum extent practicable, use of such targets not infringe on public trust rights, cause damage to public trust resources, violate existing water quality standards, or result in public safety hazards.	This policy is not applicable because the Project does not involve military water or wetland-based training/target areas.	Not applicable
.1100 Policies on Beneficial Use and Availability of Materials Resulting from the Excavation or Maintenance of Navigational Channel	This policy requires clean, beach-quality dredged material from navigation channels to be used in a beneficial way wherever practicable. Proper disposal of dredged materials on the ocean beach or shallow active nearshore areas is encouraged as a more environmentally acceptable and compatible option. Restoration of estuarine waters and areas impacted by existing disposal sites or practices is encouraged.	This policy is not applicable because dredging will not occur within navigation channels.	Not applicable
.1200 Policies on Ocean Mining	This policy establishes guidelines for ocean mining activities including dredging, blasting, or other methods of excavation. No ocean mining shall be conducted unless plans for such mining include reasonable provisions for protection of the physical environment, its resources, and appropriate reclamation or mitigation of the affected area as set forth and implemented under authority of the Mining Act (G.S. 74-48) and Coastal Area Management Act (G.S. 113A-100).	This policy is not applicable because the Project does not include ocean mining activities.	Not applicable