

MAYER | BROWN

US Offshore Wind Development

2022 YEAR IN REVIEW AND LOOKING AHEAD



2022 Major Offshore Wind Milestones

JAN

● JANUARY

New York announced \$500 million investment to support its offshore wind industry and an offshore wind procurement of 2 GW.

● FEBRUARY

BOEM held an auction for six lease areas off the coast of New York and New Jersey, the biggest offshore wind lease sale in the United States with over \$1.51 billion in bids and 13 bidders remaining after the first day and concluding after 64 rounds with over \$4.37 billion in bids.

Louisiana proposed a goal of 5 GW of offshore wind power generation by 2035.

Ørsted and Eversource broke ground on 132-MW South Fork Wind

FEB

Farm project in East Hampton, New York, which is expected to become fully operational at the end of 2023.

● MARCH

New Jersey announced its third offshore wind with a capacity target of 1,200 megawatts of capacity will be released in January 2023.

● APRIL

BOEM issued two calls for information and nominations for possible leasing areas for offshore wind energy development in the central Atlantic, comprising almost 3.9 million acres, and offshore Oregon, comprising approximately 1.2 million acres.

APR

● MAY

BOEM completed its environmental review and issued a FONSI for the Humboldt Wind Energy Area located 20 miles offshore northern California.

California proposed offshore wind planning goals of 3 GW by 2030 (later increased to 5 GW) and a further 10 to 15 GW by 2045 (later increased to 25 GW). California will develop, by June 2023, a strategic plan for offshore wind energy developments installed in federal water off the California coast.

BOEM held an auction for two lease areas in the Carolina Long Bay area off the coast of North Carolina, concluding with \$315 million in provisional awards.

MAY

● JUNE

Louisiana established a framework for offshore wind leasing in state coastal waters, including 25,000 acres for wind energy production leases.

BOEM announced a draft EIS for public review and comment for the Ocean Wind I project in New Jersey.

BOEM published a Notice of Intent to prepare a draft EIS for the US Wind project in Maryland.

● JULY

BOEM announced commencing a regional environmental review of the six New York Bight lease areas in New York and New Jersey.

JUN

JUL

● AUGUST

The Inflation Reduction Act was signed into law, modifying the investment tax credit requirements and renewing the production tax credit for offshore wind projects, opening new areas for potential offshore wind development, and appropriating additional funds for the planning and development of interregional electricity transmission and transmission of electricity generated by offshore wind.

BOEM announced a draft EIS for public review and comment for the Revolution Wind project in Rhode Island.

BOEM announced a Request for Interest and Request for Competitive

AUG

Interest for possible leasing areas for offshore wind energy development in the Gulf of Maine, comprising just over 13.7 million acres.

● OCTOBER

BOEM completed its environmental review and issued a FONSI for the Morro Bay Wind Energy Area located 20 miles offshore central California.

BOEM and NOAA jointly announced a draft joint strategy to protect and promote the recovery of North Atlantic right whales while responsibly developing offshore wind energy for public review and comment.

BOEM finalized two wind energy areas in the Gulf of Mexico Outer

SEP

OCT

Continental Shelf comprising 682,540 acres.

● NOVEMBER

BOEM announced eight draft wind energy areas covering approximately 1.7 million acres offshore North Carolina, Virginia, Maryland, and Delaware. BOEM will issue a proposed sale notice early next year identifying areas to offer for lease in the WEAs, auction format, and qualified bidders.

BOEM announced a draft EIS for public review and comment for the Empire Wind project in New York.

● DECEMBER

BOEM held the first ever Pacific auction for five lease areas covering

NOV

approximately 373,268 acres off central and northern California with the potential to produce over 4.6 GW of offshore wind energy.

BOEM announced three draft EISs for offshore wind projects for public review and comment off the Atlantic coast – one for the Coastal Virginia Offshore Wind project in Virginia, one for the Sunrise Wind I project spanning Rhode Island, Massachusetts, New York, and one for the New England Wind project in Massachusetts.

BOEM and NOAA jointly released a joint strategy to address potential impacts of offshore wind energy development on NOAA Fisheries' scientific surveys.

DEC

2023 Looking Ahead

2023 will undoubtedly be an exciting year for offshore wind energy development! It is anticipated that the following offshore actions, as well as others, will take place in 2023.

New York will select awardees in its third offshore wind procurement, which is expected to result in up to 4 GW of new projects.

New Jersey will hold its third round of offshore wind procurements, which is expected to result in up to 4 GW of new projects.

BOEM's planning and analysis will continue for the Gulf of Mexico and Central Atlantic, Wind Energy Areas (WEAs).

BOEM will establish WEAs in the Gulf of Maine.

BOEM will accept public comments on multiple draft EISs for projects' construction and operations plans, including the Coastal Virginia Offshore Wind project in Virginia, the Sunrise Wind I project spanning Rhode Island, Massachusetts, New York, and the New England Wind project in Massachusetts.

BOEM will finalize regulations to modernize the regulations that govern its offshore wind leasing and development program on the OCS.

Offshore Projects on the OCS

The following is a compilation of competitive leases issued and projects underway as of January 2023 based on publicly available information.

Rhode Island, Massachusetts, New York

REVOLUTION WIND

OCS-A 0486

LEASE NUMBER

Revolution Wind LLC (Orsted and Eversource)

COMPANY

BOEM preparing the FEIS

STATUS

SOUTH FORK

OCS-A 0517 (segregated portion from 0486)

LEASE NUMBER

South Fork Wind LLC (Orsted and Eversource)

COMPANY

BOEM approved ROD; construction has begun

STATUS

SUNRISE WIND I

OCS-A 0487 (consolidated with OCS-A 0530)

LEASE NUMBER

Sunrise Wind LLC (Orsted and Eversource)

COMPANY

COP submitted; BOEM published NOI to prepare an EIS

STATUS

Virginia

COASTAL VIRGINIA OFFSHORE WIND – COMMERCIAL

OCS-A 0483

LEASE NUMBER

VA Electric and Power Company (Dominion Energy)

COMPANY

BOEM to prepare an EIS

STATUS

Maryland

US WIND

OCS-A 0490

LEASE NUMBER

US Wind Inc. (majority-owned by Renexia SpA/Toto Holding SpA; Apollo Global Management is strategic investor)

COMPANY

BOEM published NOI to prepare an EIS

STATUS

Massachusetts

BAY STATE WIND

OCS-A 0500 (portion designated OCS-A 0530)

LEASE NUMBER

Bay State Wind LLC (Orsted and North America Inc.)

COMPANY

COP submitted

STATUS

VINEYARD WIND I

OCS-A 0501

LEASE NUMBER

Vineyard Wind 1 LLC (joint venture between Avangrid Renewables and Copenhagen Infrastructure Partners)

COMPANY

BOEM approved ROD; construction has begun

STATUS

BEACON WIND

OCS-A 0520

LEASE NUMBER

Beacon Wind LLC (joint venture between Equinor and BP)

COMPANY

SAP approved

STATUS

MAYFLOWER WIND I & II

OCS-A 0521

LEASE NUMBER

Mayflower Wind Energy LLC (joint venture between Shell and Ocean Winds, which is a joint venture between EDP Renewables & ENGIE)

COMPANY

BOEM published NOI to prepare an EIS

STATUS

NEW ENGLAND WIND (PHASE 1: PARK CITY WIND; PHASE 2: COMMONWEALTH WIND)

OCS-A 0534

LEASE NUMBER

(joint venture between Avangrid Renewables and Copenhagen Infrastructure Partners)

COMPANY

BOEM published NOI to prepare an EIS

STATUS

LIBERTY WIND

OCS-A 0522

LEASE NUMBER

Copenhagen Infrastructure Partners

COMPANY

SAP approved

STATUS

New Jersey

OCEAN WIND I

OCS-A 0498

LEASE NUMBER

Ocean Wind LLC (owned by Orsted and PSEG)

COMPANY

BOEM released DEIS

STATUS

OCEAN WIND II

OCS-A 0532 (segregated from 0498)

LEASE NUMBER

Orsted North America Inc.

COMPANY

Phased development with OCS-A 0498

STATUS

ATLANTIC SHORES OFFSHORE WIND I & II

OCS-A 0499

LEASE NUMBER

Atlantic Shores Offshore Wind Projects 1 & 2 LLCs (joint venture between EDF Renewables and Shell)

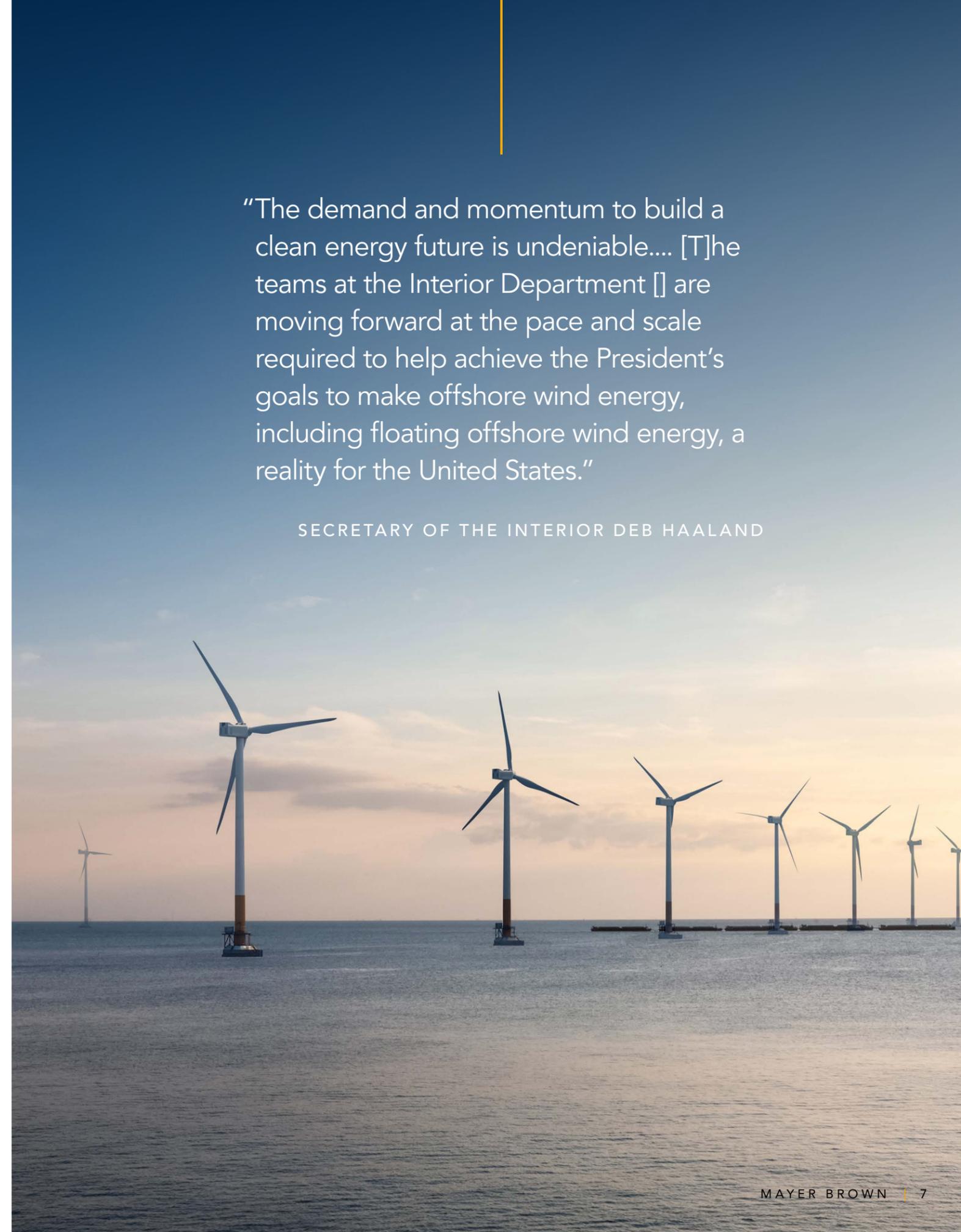
COMPANY

COP submitted; BOEM published NOI to prepare an EIS

STATUS

“The demand and momentum to build a clean energy future is undeniable.... [T]he teams at the Interior Department [] are moving forward at the pace and scale required to help achieve the President’s goals to make offshore wind energy, including floating offshore wind energy, a reality for the United States.”

SECRETARY OF THE INTERIOR DEB HAALAND





New York

EMPIRE WIND I & II

OCS-A 0512

LEASE NUMBER

Equinor Offshore Wind LLC (joint venture between Equinor and BP)

COMPANY

COP submitted; BOEM published NOI to prepare an EIS add this

STATUS

NY BIGHT LESSEES

OCS-A 0537

LEASE NUMBER

OW Ocean Winds East, LLC

COMPANY

Auction winner

STATUS

OCS-A 0538

LEASE NUMBER

Attentive Energy LLC

COMPANY

Auction winner

STATUS

OCS-A 0539

LEASE NUMBER

Community Offshore Wind, LLC (name changed after lease issuance from Bight Wind Holdings, LLC)

COMPANY

Auction winner

STATUS

OCS-A 0541

LEASE NUMBER

Atlantic Shores Offshore Wind Bight, LLC

COMPANY

Auction winner

STATUS

OCS-A 0542

LEASE NUMBER

Invenergy Wind Offshore LLC

COMPANY

Auction winner

STATUS

OCS-A 0544

LEASE NUMBER

Vineyard Mid-Atlantic LLC

COMPANY

Auction winner

STATUS

North Carolina

KITTY HAWK

OCS-A 0508

LEASE NUMBER

Avangrid Renewables LLC

COMPANY

COP submitted; BOEM published NOI to prepare an EIS

STATUS

CAROLINA LONG BAY

OCS-A 0545

LEASE NUMBER

TotalEnergies Renewables USA, LLC

COMPANY

Auction winner

STATUS

OCS-A 0546

LEASE NUMBER

Duke Energy Renewables Wind, LLC

COMPANY

Auction winner

STATUS

Delaware

SKIPJACK WIND I

OCS-A 0519

LEASE NUMBER

Skipjack Offshore Energy LLC and Orsted North America Inc.

COMPANY

COP submitted

STATUS

GARDEN STATE OFFSHORE ENERGY

OCS-A 0482

LEASE NUMBER

GSOE LLC, Orsted North America Inc. and PSEG

COMPANY

SAP approved

STATUS

California

CALIFORNIA OFFSHORE WIND

OCS-P 0561

LEASE NUMBER

RWE Offshore Wind Holdings, LLC

COMPANY

Auction winner

STATUS



OCS-P 0562
LEASE NUMBER

California North Floating LLC
COMPANY

Auction winner
STATUS

OCS-P 0563
LEASE NUMBER

Equinor Wind US LLC
COMPANY

Auction winner
STATUS

OCS-P 0564
LEASE NUMBER

Central California Offshore Wind LLC
COMPANY

Auction winner
STATUS

OCS-P 0565
LEASE NUMBER

Invenergy California Offshore LLC
COMPANY

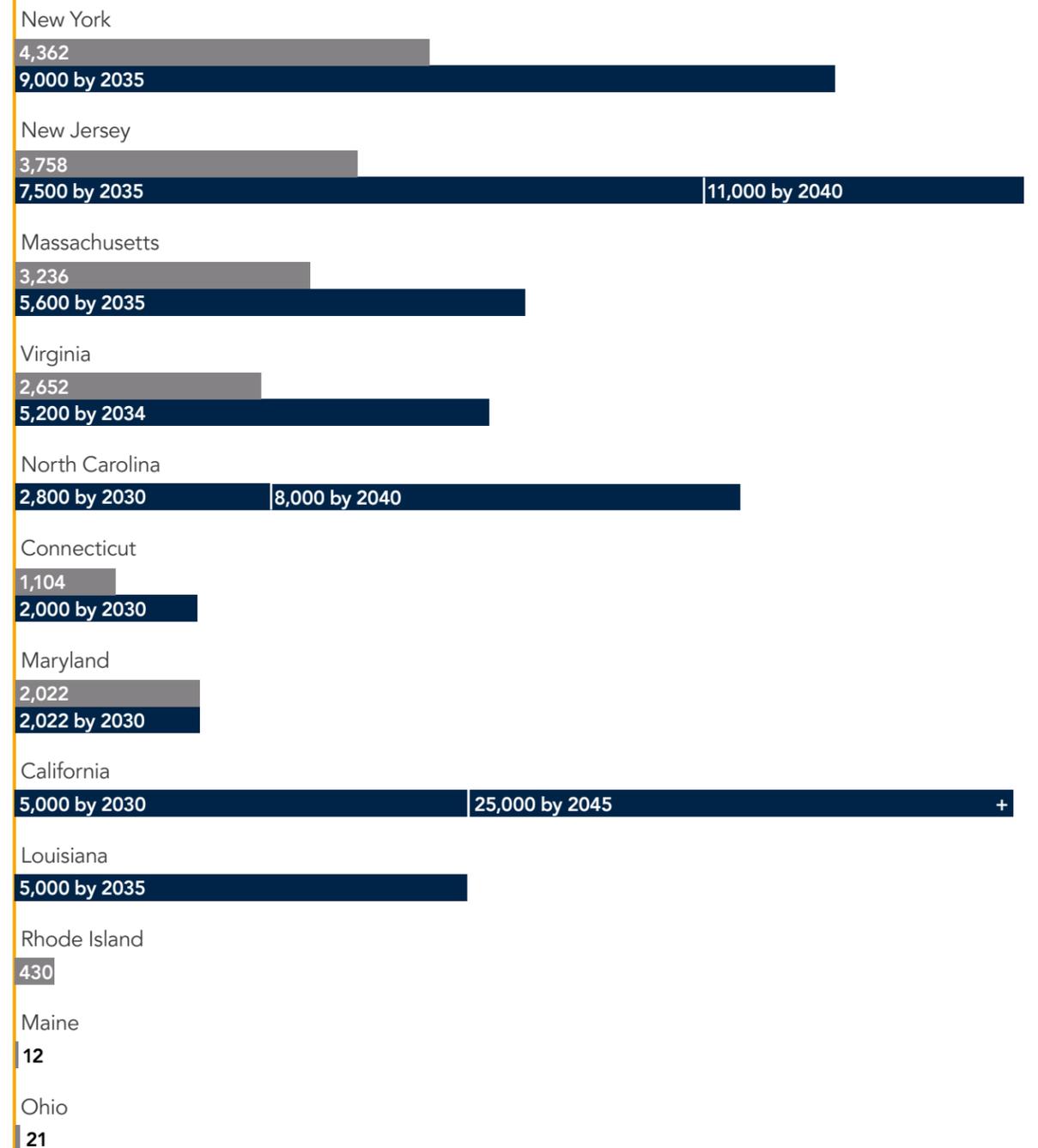
Auction winner
STATUS

State Incentive Programs

The following is a summary of programs as of January 2023.

KEY (MEGAWATTS)

■ Contracted and announced capacity ■ Goal



Offshore Wind Experience

Lawyers on the Mayer Brown team have represented developers, sponsors, financiers and other project participants on some of the most cutting-edge and largest offshore wind projects in the world. We remain at the forefront of developments in the offshore wind market, including the expansion into floating offshore wind.

Our lawyers can offer their extensive experience working on offshore wind transactions in European pathfinder markets to any project participants looking to enter new markets. We not only can advise on how to structure and finance such transactions successfully, but can bring end-to-end experience beyond financing, including on EPC contracts, tax structures and disputes.

UNITED KINGDOM

- BEATRICE OFFSHORE WIND FARM
- DOGGER BANK
- HORNSEA ONE*
- MORAY EAST OFFSHORE WINDFARM*
- TRITON KNOLL*
- WESTERMOST ROUGH*

UNITED STATES

- MULTIPLE DEVELOPMENT-STAGE ENGAGEMENTS
- VINEYARD WIND
- NEW YORK BIGHT
- DEEPWATER WIND*
- CAROLINA LONG BAY

BENELUX

- BELWIND*
- C-POWER*
- NOBELWIND*
- NORTHWIND*

FRANCE

- JERA FLOATING OFFSHORE WIND INVESTMENT

GERMANY

- ALPHA VENTUS*
- NORDSEE OST*
- NORDSEE ONE*
- BUTENDIEK*
- GLOBAL TECH I*
- MERKUR*
- BORWIN I & III*
- GODEWIND 2*
- NORDERGRÜNDE*
- KRIEGERS FLAK*
- BALTIC II*
- VEJA MATE*
- WIKINGER*

*Includes experience prior to joining Mayer Brown



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Mayer Brown is a distinctively global law firm, uniquely positioned to advise the world's leading companies and financial institutions on their most complex deals and disputes.

With extensive reach across four continents, we are the only integrated law firm in the world with approximately 200 lawyers in each of the world's three largest financial centers—New York, London and Hong Kong—the backbone of the global economy. Our "one-firm" culture—seamless and integrated across all practices and regions—ensures that our clients receive the best of our knowledge and experience.

Mayer Brown's practices operate on a global basis. To respond to the unique needs of each client and each project, we build teams comprised of the best lawyers. Our cross-practice, cross-border approach to delivering sophisticated legal services to clients means our lawyers possess a thorough knowledge of the legal systems in which they are based, a broad mix of professional and cultural backgrounds, and a familiarity with the laws and political, cultural and commercial influences likely to impact matters in other regions. In fact, many are recognized for their work in multiple jurisdictions. This international outlook and broad range of practical experience provides our clients with a depth of insight and versatility.



more than
1,800
lawyers
worldwide

250
Chambers-ranked
Lawyers

27
offices located in
the Americas, Asia,
Europe and the
Middle East

Clients'
global, cross border
legal needs all fully
supported

“The Biden-Harris administration has made tackling the climate crisis a centerpiece of our agenda, and offshore wind opportunities like the New York Bight present a once-in-a-generation opportunity to fight climate change and create good-paying, union jobs in the United States. We are at an inflection point for domestic offshore wind energy development. We must seize this moment—and we must do it together.”

SECRETARY OF THE INTERIOR DEB HAALAND

Mayer Brown is a distinctively global law firm, uniquely positioned to advise the world's leading companies and financial institutions on their most complex deals and disputes. With extensive reach across four continents, we are the only integrated law firm in the world with approximately 200 lawyers in each of the world's three largest financial centers—New York, London and Hong Kong—the backbone of the global economy. We have deep experience in high-stakes litigation and complex transactions across industry sectors, including our signature strength, the global financial services industry. Our diverse teams of lawyers are recognized by our clients as strategic partners with deep commercial instincts and a commitment to creatively anticipating their needs and delivering excellence in everything we do. Our “one-firm” culture—seamless and integrated across all practices and regions—ensures that our clients receive the best of our knowledge and experience.

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