

MAYER | BROWN

# US Offshore Wind Development

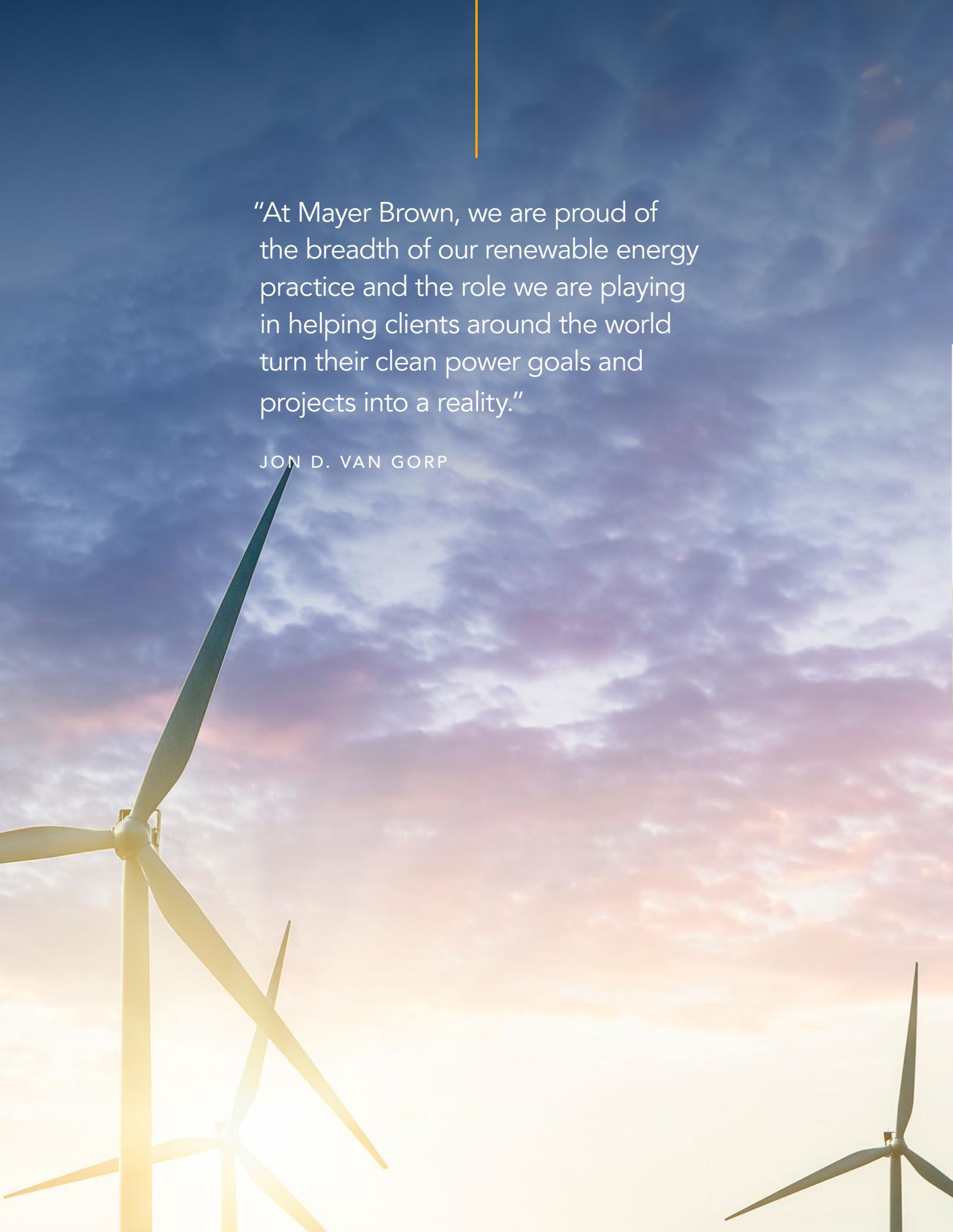
2021 YEAR IN REVIEW AND LOOKING AHEAD





“At Mayer Brown, we are proud of the breadth of our renewable energy practice and the role we are playing in helping clients around the world turn their clean power goals and projects into a reality.”

JON D. VAN GORP



# A letter from the chair

JON D. VAN GORP



**The new year has only just begun, and it is already shaping up to be another exciting one for the energy transition.** In the US and elsewhere, governments, traditional and non-traditional energy corporations, and investors are pushing to decarbonize the world's generation mix on an unprecedented scale.

At Mayer Brown, we are proud of the breadth of our renewable energy practice and the role we are playing in helping clients around the world turn their clean power goals and projects into a reality. Lawyers across our global platform are helping developers, investors, lenders, sponsors and others develop and finance clean power, with projects ranging from carbon capture, energy storage, fuel cells and solar and wind projects and portfolios to first-of-a-kind hydrogen projects.

Offshore wind, the subject of this *Year in Review*, is a generation source that has seen explosive global growth over the past decade. The offshore wind industry in the US has been developing at a more measured pace but had a landmark year in 2021. Vineyard Wind, the first large-scale offshore project in the US, received its construction and operating approval in May 2021, and the Biden administration and various levels of government have created further momentum by throwing their support behind initiatives that incentivize a fleet of follow-on projects. One example: by mid-2022, the Bureau of Ocean Energy Management (BOEM) is slated to hold two competitive auctions—one for six lease areas (roughly 488,000 acres) in the New York Bight and another for up to three lease areas (roughly 128,000 acres) in the North Carolina Wilmington East Wind Energy Area. In addition, New York Governor Kathy Hochul has announced that the state will invest \$500 million in ports, manufacturing and supply chain infrastructure to advance its offshore wind industry.

I know you will find valuable insights in our 2021 *Year in Review*. Our focus now is on helping you meet your business objectives for 2022 and beyond. If there is anything that my colleagues and I can do to advance those objectives, please do not hesitate to call on us.

Sincerely,

A handwritten signature in black ink, appearing to read "J.D. Van Gorp". The signature is fluid and cursive, written in a professional style.

# 2021 Major Offshore Wind Milestones

## JAN

### ● JANUARY

As part of a climate executive order, President Biden set a goal of doubling offshore wind by 2030.

### ● FEBRUARY

BOEM Task Force started planning and analysis of the Central Atlantic area, which is roughly 20,000 square miles and spans from Dewey Beach, Delaware, to Cape Hatteras, North Carolina.

## FEB

### ● MARCH

BOEM released its final Environmental Impact Statement (EIS) for the Vineyard Wind project, which is the first commercial wind project in US waters.

President Biden announced actions to catalyze offshore wind energy, strengthen the domestic supply chain and create good-paying, union jobs.

BOEM designated 800,000 acres as Wind Energy Areas (WEAs) for potential development in the New York Bight, along the Long Island and New Jersey coast.

## MAR

## APR

### ● MAY

BOEM approved construction and operation of the Vineyard Wind project, making it the first fully approved commercial offshore wind project in the US.

The Department of the Interior (Interior) advanced offshore wind development in the Pacific, identifying areas off California for potential development.

## MAY

### ● JUNE

Interior started assessing the Gulf of Mexico for potential offshore wind development opportunities.

BOEM released a Proposed Sale Notice for the New York Bight that included 8 lease areas for auction.

BOEM and the US Army Corps of Engineers entered an agreement to collaboratively support, plan and review offshore wind projects.

## JUN



## JUL

### ● JULY

BOEM requested public interest in a Central California WEA and designated a WEA in Northern California.

### ● AUGUST

BOEM completed its EIS for construction and operation of the South Fork Wind project offshore New York and Rhode Island.

## AUG

### ● OCTOBER

Interior announced plans for 7 potential offshore lease sales by 2025 and 30 GWs of offshore wind energy by 2030.

BOEM released a Proposed Sale Notice for the Wilmington East WEA off North Carolina.

BOEM requested information related to commercial interest in wind energy leasing in the Gulf of Mexico.

## SEP

## OCT

### ● NOVEMBER

BOEM designated a WEA offshore Central California.

Vineyard Wind broke ground.

BOEM approved construction and operations of the South Fork Wind project offshore Rhode Island.

## NOV

### ● DECEMBER

BOEM released a final Environmental Assessment for NY Bight, and a supplemental Environmental Assessment for Wilmington East WEA off North Carolina.

Massachusetts and Maryland announced the winning bids of their latest round of offshore wind procurements, totaling 3.2 GW of offshore wind capacity.

## DEC

A large offshore wind turbine is visible on the left side of the page, and two more are visible in the distance on the right. The turbines are white and stand on a dark blue sea under a clear sky. The entire scene is reflected in the calm water in the foreground.

## — 2022 Looking Ahead

2022 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 2022.

---

BOEM will auction off up to 6 lease areas in the NY Bight and up to 3 lease areas in the Wilmington East WEA off North Carolina.

---

BOEM will issue and accept public comments on multiple draft EISs for projects' construction and operations plans, including the Atlantic Shore Offshore Wind project off New Jersey and the Dominion Energy Virginia's Coastal Virginia Offshore Wind Commercial Project.

---

New York will hold its next round of offshore wind procurements, which is expected to result in at least 2 GW of new projects.

---

New Jersey is scheduled to hold its next solicitation in 2022, with a capacity target of 1,200 MW.

---

BOEM will continue to review the at least 9 construction and operation plans that have been submitted.

---

BOEM will continue to work with states, tribes and key stakeholders to explore potential offshore development in the Central Atlantic area, Gulf of Maine and offshore Oregon and Hawaii.

---

The South Fork Wind project will be fully permitted.

# Offshore Projects on the OCS

The following is a compilation of competitive leases issued and projects underway as of January 2022.

## Rhode Island, Massachusetts, New York

### REVOLUTION WIND

OCS-A 0486

LEASE NUMBER

Revolution Wind LLC (Orsted and Eversource)

COMPANY

BOEM reviewing the Construction and Operation Plan (COP)

STATUS

### SOUTH FORK

OCS-A 0517 (segregated portion from 0486)

LEASE NUMBER

South Fork Wind LLC (Orsted and Eversource)

COMPANY

BOEM approved COP; approved to start construction

STATUS

### SUNRISE WIND

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

LEASE NUMBER

Sunrise Wind LLC (Orsted and Eversource)

COMPANY

BOEM reviewing COP

STATUS

## Virginia

### COASTAL VIRGINIA OFFSHORE WIND

OCS-A 0483

LEASE NUMBER

VA Electric and Power Company (Dominion Energy)

COMPANY

BOEM reviewing COP

STATUS

## Maryland

### MOMENTUM WIND

OCS-A 0490

LEASE NUMBER

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

COMPANY

Conducting site assessment activities

STATUS

## Massachusetts

### BAY STATE

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

LEASE NUMBER

Bay State Wind LLC (Orsted)

COMPANY

Conducting site assessment activities

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 COP; construction has begun

STATUS

## BEACON 1

OCS-A 0520

LEASE NUMBER

Beacon Wind LLC (joint venture between Equinor and BP)

COMPANY

Conducting site assessment activities

STATUS

## MAYFLOWER WIND

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 reviewing COP

STATUS

## LIBERTY WIND

OCS-A 0522

LEASE NUMBER

Vineyard Wind 1 LLC (Copenhagen Infrastructure Partners to take full ownership)

COMPANY

## PARK CITY WIND & COMMONWEALTH WIND

OCS-A 0534 (segregated from 0501)

LEASE NUMBER

Vineyard Wind 1 LLC (Avangrid to take full ownership)

COMPANY

BOEM reviewing updated COP

STATUS

## New Jersey

### OCEAN WIND I

OCS -A 0498

LEASE NUMBER

Ocean Wind LLC (owned by Orsted and PSEG)

COMPANY

BOEM reviewing COP

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

OCS-A 0499

---

LEASE NUMBER

Atlantic Shores Offshore Wind LLC  
(joint venture between EDF Renewables and Shell)

---

COMPANY

Conducting site assessment activities

---

STATUS

## New York

### EMPIRE WIND

OCS-A 0512

---

LEASE NUMBER

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

---

COMPANY

BOEM reviewing COP

---

STATUS

## North Carolina

### KITTY HAWK

OCS-A 0508

---

LEASE NUMBER

Avangrid Renewables LLLC

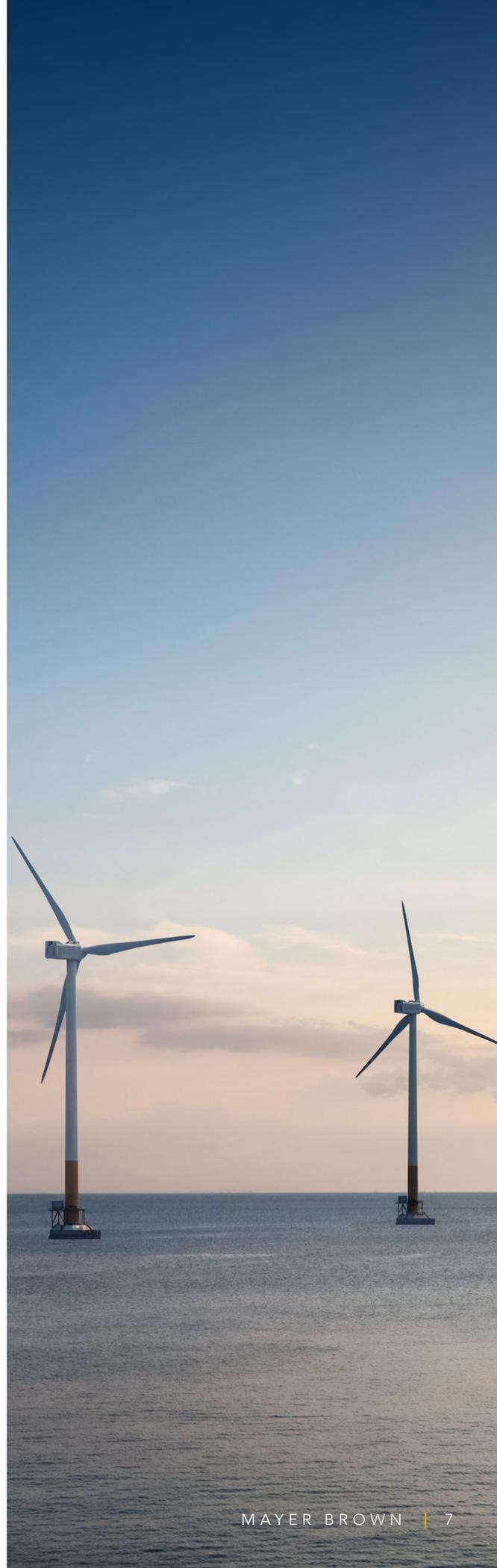
---

COMPANY

BOEM reviewing COP

---

STATUS



“We are at an inflection point for domestic offshore wind energy development. We must seize this moment – and we must do it together.”

DEB HAALAND  
SECRETARY OF THE INTERIOR



# State Incentive Programs

The following is a summary of programs as of January 2022.

## KEY (MEGAWATTS)

■ Contracted and announced capacity ■ Goal

New York

4,316

9,000 by 2035

New Jersey

3,758

7,500 by 2035

Massachusetts

3,236

5,600 by 2035

Virginia

2,634

5,200 by 2034

North Carolina

2,800 by 2030

8,000 by 2040

Connecticut

1,104

2,000 by 2030

Maryland

2,022

1,568 by 2030

Rhode Island

430

# 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

NEW YORK BIGHT

DEEPWATER WIND

WILMINGTON EAST

## BENELUX

BELWIND

C-POWER

LUCHTERDUINEN Q10

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





# Contact Us



**PAUL  
ASTOLFI**

Partner, Chicago  
pastolfi@mayerbrown.com  
+1 312 701 8028



**NADAV  
KLUGMAN**

Partner, Chicago  
nklugman@mayerbrown.com  
+1 312 701 8433



**LAUREN  
BACHTEL**

Counsel, New York  
lbachtel@mayerbrown.com  
+1 212 506 2635



**SHRI  
MASKI**

Partner, Tokyo  
shri.maski@mayerbrown.com  
+81 3 4563 1405



**MEREDITH  
CAMPANALE**

Partner, London  
mcampanale@mayerbrown.com  
+44 20 3130 3554



**KIRSTI  
MASSIE**

Partner, London  
kmassie@mayerbrown.com  
+44 20 3130 3555



**JEFFREY  
DAVIS**

Partner, Washington DC  
jeffrey.davis@mayerbrown.com  
+1 202 263 3390



**ERIC  
POGUE**

Partner, New York  
epogue@mayerbrown.com  
+1 212 506 2418



**PAUL  
FORRESTER**

Partner, Chicago  
jforrester@mayerbrown.com  
+1 312 701 7366



**AMANDA  
ROSENBERG**

Partner, Los Angeles  
arosenberg@mayerbrown.com  
+1 213 229 5193



**ROBERT  
GOLDBERG**

Partner, Houston  
rgoldberg@mayerbrown.com  
+1 713 238 2650



**GABRIELA  
SAKAMOTO**

Partner, Washington DC  
gsakamoto@mayerbrown.com  
+1 202 263 3029



**ULRICH  
HELM**

Partner, Frankfurt  
uhelm@mayerbrown.com  
+49 69 7941 1030



**JOHN  
TORMEY**

Partner, Washington DC  
jtormey@mayerbrown.com  
+1 202 263 3223

---

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.

Please visit [mayerbrown.com](https://mayerbrown.com) for comprehensive contact information for all Mayer Brown offices.

Mayer Brown is a global services provider comprising associated legal practices that are separate entities, including Mayer Brown LLP (Illinois, USA), Mayer Brown International LLP (England), Mayer Brown (a Hong Kong partnership) and Tauil & Chequer Advogados (a Brazilian law partnership) (collectively the "Mayer Brown Practices") and non-legal service providers, which provide consultancy services (the "Mayer Brown Consultancies"). The Mayer Brown Practices and Mayer Brown Consultancies are established in various jurisdictions and may be a legal person or a partnership. Details of the individual Mayer Brown Practices and Mayer Brown Consultancies can be found in the Legal Notices section of our website.

"Mayer Brown" and the Mayer Brown logo are the trademarks of Mayer Brown.

© 2022 Mayer Brown. All rights reserved.

Attorney Advertising. Prior results do not guarantee a similar outcome.