

FY 25 – 26 Multimodal Project Discretionary Grant Application Dirigo Atlantic Floating Offshore Wind Port Sears Island, Maine



Project Readiness

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This project is at 30 percent design and ready to have design and engineering complete and construction close out by 2029.

Technical Capacity

Applicant's Ability to Deliver Projects

MaineDOT's Federal grant and formula fund experience includes the successful management of numerous multimodal infrastructure projects and the associated Federal requirements and regulations on discretionary grant programs from TIGER through RAISE, INFRA, and Rural Surface Transportation Grants. MaineDOT will ensure the Project will comply with all applicable Federal requirements including but not limited to NEPA, Buy America provisions, ADA regulations, and Civil Rights requirements. In accordance with Title VI of the Civil Rights Act of 1964 and other authorities, MaineDOT is committed to ensuring that the fundamental principles of equal opportunity are upheld in all decisions involving our employees and contractors/consultants, and to ensuring that the public-at-large is afforded access to our programs and services. To that end, no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any MaineDOT program or activity on the grounds of race, color, or national origin. MaineDOT will work with staff, contractors, and service beneficiaries to promote awareness for the provisions of Title VI and the responsibilities associated with that Act.

Project Schedule

There is no property right-of-way acquisition necessary to complete this project. While there will be NEPA reviews that need to be completed and permits to be obtained as detailed below, the project can begin immediately upon these reviews being completed.

Key Milestones	Completion Date
Maine Offshore Wind Port, Sears Island	
Maine DOT File Permits	Q3 2024
Draft Environmental Impact Statement (EIS) Published	Q2 2025
Complete Design	Q4 2025
Final EIS Submitted	Q2 2026
Maine DOT Obtain Permits	Q3 2026
Advertise for Construction	Q4 2026
Begin Construction	Q1 2027
Construction Complete	Q3 2029
Closeout	Q4 2029

Key Milestones and Detailed Schedule Leading up to Construction

Meeting/Technical Study/Report	Responsible Party	Completion Date
OSWP Advisory Group Summary Report	Gannett Fleming (GF)	Complete (Q3 2023)

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MaineDOT OSWP Website*	MaineDOT	Complete (Q4 2023)
Host Public Informational Meeting	All	Complete (Q4 2023)
Initiate Tribal Coordination*	MaineDOT	Complete (Q4 2023)
Host Dredge and Disposal Meeting w/USACE	MaineDOT, MPA	Complete (Q1 2024)
NMFS Consultation Approach (BA/BO)	MaineDOT	Complete (Q1 2024)
Host Pre-application Meetings w/USACE and Maine DEP, Submerged Lands*	MaineDOT	Complete (Q2 2024)
Alternatives Analysis Report	MaineDOT, Moffat & Nichol (MN)	Q2 2024
Waters of the U.S. Report	VHB	Q2 2024
Marine Habitat Assessment	Stantec	Q2 2024
Biological Assessment (BA) and Essential Fish Habitat Assessment	Stantec	Q2 2024
Community Impact Assessment	GF	Q2 2024
Traffic Analysis	MaineDOT	Q2 2024
Climate Change and GHG Assessment	GF	Q2 2024
Public Meeting #2	All	Q2 2024
Notice of Intent (NOI) to file NRPA Application	MaineDOT	Q2 2024
Cultural Resources Survey Report	MaineDOT, MHPC	Q3 2024
Hazardous Materials Assessment	MaineDOT	Q3 2024
Dredged Materials Handling and Disposal Plan	MaineDOT, MPA	Q3 2024
Ocean Wave Impact and Navigation Study	MaineDOT, MPA	Q3 2024
Regional Economic Impact Assessment	GF	Q3 2024
Visual Impact Assessment	MN, GF	Q3 2024
Air Quality Analysis	Developer (future)	Q3 2024
Design Noise Report	AKRF	Q3 2024
NRPA/SLODA/Section 404 Permit Applications	GF	Q3 2024
NOI to prepare an EIS	MaineDOT	Q4 2024
Publish Draft EIS	MaineDOT, Lead Federal Agency (LFA)	Q2 2025
Public Hearing	All	Q3 2025
Biological Opinion (BO) Issued	NMFS	Q2 2026
Publish Combined Final EIS & Record of Decision (ROD)	MaineDOT, LFA	Q2 2026
NRPA/SLODA/Section 404 Permits Issued	MaineDEP, USACE	Q2 2026

Risks and Mitigation Strategies

MaineDOT recognizes that assuring sustainability of habitats, ecosystems and transportation infrastructure can occur in concert rather than in conflict. MaineDOT will exercise reasonable stewardship over both natural resources and transportation infrastructure through its commitment to addressing aquatic organisms, wildlife habitat and fish passage in cooperation with natural resource agencies, while weighing all aspects of a proposed project. During the development of this application, numerous risks were contemplated but each has a comprehensive mitigation strategy. Coordination between the design team and the environmental team will continue to ensure that the project goals and community needs can be met while avoiding, minimizing, and

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mitigation potential environmental impacts.

Risk: Impacts to freshwater and coastal wetlands and terrestrial and marine habitats

Mitigation: Sears Island is 934 acres. In 2009, MaineDOT divided the island into two land use areas that reserved adequate acreage for a potential port. Approximately 330 acres was established as the "Transportation Parcel," intended for future port development. Preservation of two thirds of the island established a large tract of contiguous protected land and prevents future fragmentation from development. And will minimize impacts to the extent practical during design. Coordination with state and federal agencies, the public, and non-profit organizations to develop a robust compensatory mitigation plan to create, restore, or enhance the impacted resources and their functions and values near the project. The project cost estimate includes a line item for mitigation that reflects the importance of this task.

Risk: Adverse Effects to Endangered Species

Mitigation: Work with federal consulting agencies to establish avoidance and minimization measures that will minimize effects to and incidental take of Endangered Species (e.g., time of year restrictions on certain construction activities, noise mitigation).

Risk: Community Impacts

Mitigation: Ensure town officials, groups, and the public are well informed as the project proceeds so that they can participate in identifying benefits and mitigating impacts.

Risk: Sea Level Rise & Climate Change

Mitigation: Project design will consider projected Sea Level Rise and the effects of climate change to ensure resilient infrastructure.

National Environmental Policy Act (NEPA)

MaineDOT anticipates that an Environmental Impact Statement (EIS) will be required. The team has initiated early coordination with potential Lead and Cooperating Agencies as well as the public and state agencies to guide collection of baseline data and studies, consideration and analysis of alternatives, and preliminary studies and assessments of impacts. As a result, MaineDOT is prepared to work with USDOT to proceed through scoping, draft EIS, and Final EIS preparation efficiently and thoroughly. MaineDOT has experienced NEPA professionals and subject matter experts that regularly prepare NEPA documentation.

Required Federal and State Approvals & Consultations

Major state and federal regulation approvals and consultations required for the project are summarized in the tables below.¹

Agency	Federal Permit/Authorization	Activity
U.S. Army Corps	Section 404 Clean Water Act &	Impacts to waters of the U.S., wetlands
of Engineers	Section 10 Rivers & Harbors Act	
	Permit	
	Section 408 Permission	Work in/adjacent to Searsport Navigation Project

¹ A complete list of relevant definitions and applicable state and federal regulatory framework is available at Maine Off-Shore Wind Marshalling Port Alternatives Matrix- Relevant Definitions & Regulatory Framework, <u>https://www.maine.gov/mdot/ofps/docs/port/OSWAG%20Relevant%20Regulations%20Companion%20to%20Alternati</u> <u>ves%20Matrix%209-28-22.pdf</u> (last visited May 4, 2024).

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National Marine	Marine Mammal Protection Act	Impacts to marine mammals from construction
Fisheries Service	Authorization	activities
	Endangered Species Act Section	Effects to marine species
	7 Consultation	-
	Magnusen-Stevens Act	Impacts to coastal Essential Fish Habitat
U.S. Fish &	Endangered Species Act Section	Effects to terrestrial species
Wildlife	7 Consultation	-
Maine Department	Coastal Zone Management Act	Project in coastal zone
of Marine	Concurrence	
Resources		
Maine Historic	Section 106 of the National	Effects to historic architectural/archaeological
Preservation	Historic Preservation Act	resources
Commission &		
Tribes		
Maine Department	Section 401 Water Quality	Impacts to waters of the U.S., wetlands
of Environmental	Certification	*
Protection	Natural Resources Protection Act	Impacts to protected natural resources
	Permit	
	Site Location of Development	Development that will occupy greater than 20 acres
	Act	
Maine Bureau of	Submerged Lands Lease	Structures and development below mean low water
Parks & Lands		-
Submerged Lands		
Program		

Environmental Studies Completed and Planned

Completed

Freshwater Wetland Delineation, Waterbodies and Vernal Pool Survey

Field delineation of wetlands boundary pursuant to the *Army Corps of Engineers 1987 Wetland Delineation Manual;* identification of state regulated waterbodies and vernal pools.

Coastal Functions & Values Assessment

Field surveys included intertidal transects, collection of underwater video footage, grab sampling for benthic and infaunal analysis. Flora and fauna inhabiting the shoreline zone was characterized through visual observations. The intertidal habitat was mapped by substrate type and zone including the high, mid-, and low intertidal and subtidal areas. Collection of sediment samples in subtidal areas for analysis of macroinvertebrate communities.

Eelgrass and Coastal habitat characterization

Completed based on the Joint Federal Agency Submerged Aquatic Vegetation Survey Guidance for the New England Region Tier 1 methodology during the recommended survey window. The field survey included general notes of the subtidal benthic habitats in the survey area, including sediment types and algal cover.

Diver-based Lobster and Urchin Density Survey

Collected subtidal video data in straight-line transects by SCUBA divers at each site parallel to the shore. The primary objective of the video sampling was to estimate the density of lobsters (*Homarus americanus*) and green sea urchins (*Strongylocentrotus droebachiensis*) present.

Sand dune characterization Coastal sand dune geology data available from the Maine Geological Survey (MGS) identified a portion of the Sears Island site adjacent to an existing jetty as coastal sand dune, containing both frontal and back dune areas. Field survey conducted.

Hydrographic and Marine Geophysical Site Characterization Survey Report

Acoustic multibeam surveys, side-scan sonar imagery, marine magnetics survey.

Terrestrial Archaeological Survey

Field investigation completed by Maine Historic Preservation Commission; no issues requiring further work in the port area. Additional work may be needed based on adjustments to road location.

In progress

Marine Mammal Observation, Vernal Pool Survey, Acoustic Bat Survey, Underwater Archaeological Survey, Cultural Resources Survey, Visual Impact Assessment, Tribal Coordination, Hazardous Materials Assessment, Noise Assessment, Climate Change and Greenhouse Gas Assessment, Community Impact Assessment, Traffic Analysis, Ocean Wave Impact and Navigation Study, Regional Economic Impact Assessment, Floodplain & Sea Level Rise Considerations

Public and Agency Involvement

The *Maine Offshore Wind Roadmap* is a stakeholder-driven comprehensive plan that offers detailed strategies for Maine to realize economic, energy, and climate benefits from offshore wind, in conjunction with communities, fisheries, and wildlife of the Gulf of Maine. The roadmap identified a port facility as a priority to establishing the offshore wind industry in Maine. In early 2022, Maine assembled an Offshore Wind Port Advisory Group (OSWPAG) to serve as an advisor to MaineDOT, the Governor's Energy Office, and other state officials regarding the development of a wind port that will allow Maine to realize the environmental and economic benefits of the rapidly developing offshore wind market in a way that reflects community values and minimizes adverse impacts. The meetings were designed to educate members about the rapidly evolving offshore wind industry; to present the most recent port design concepts at alternative locations in Searsport and Eastport; and to solicit advice on the potential impacts to the natural, social, and economic environments of the alternative locations from members.²

Agency Coordination

MaineDOT convened three interagency coordination meetings in 2023. The following agencies participated: Environmental Protection Agency (EPA), Maritime Administration (MARAD), US Army Corps of Engineers (USACE), US Coast Guard (USCG), Maine Historic Preservation Commission (MHPC), National Marine Fisheries (NMFS), US Fish and Wildlife Service (USFWS), Federal Highway Administration (FHWA), ME Department of Marine Resources (DMR), ME Department of Environmental Protection (DEP), ME Department of Inland Fisheries and Wildlife, ME Department of Agriculture, Conservation, and Forestry (DACF), Natural Areas Program & Submerged Lands Program. The group will reconvene in 2024 to review the results of baseline data collection and resource assessments. In the meantime, MaineDOT has established bi-weekly meetings with USACE and Maine DEP to continue conversations related to permit application requirements and development of a mitigation plan. MaineDOT invited all federally recognized Tribes in Maine to participate in the project. The Penobscot Nation responded with interest.

² An early engagement final report was completed in July 2023, *see* Offshore Wind Port Early Engagement Final Report <u>https://www.maine.gov/mdot/ofps/oswpag/docs/OSWPAG_Early%20Engagement_Final%20Report.pdf</u> (last visited May 4, 2024).