

**COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION
PERMIT**

The Commonwealth of Virginia, Marine Resources Commission, hereinafter referred to as the Commission, on this 27th day of June 2023 hereby grants unto:

**Dominion Energy Virginia
707 East Main Street
Richmond, VA 23219**

hereinafter referred to as the Permittee, permission to:

 X Encroach in, on, or over State-owned subaqueous bottoms pursuant to Chapter 12, Subtitle III, of Title 28.2 of the Code of Virginia.

 Use or develop tidal wetlands pursuant to Chapter 13, Subtitle III, of Title 28.2 of the Code of Virginia.

Permittee is hereby authorized to install nine (9) submarine high-voltage alternating-current offshore export cables placed a minimum of eight (8) feet below state-owned submerged bottomlands via plowing and tunneling within the Atlantic Ocean from the three nautical mile boundary of the Commonwealth's territorial sea to the State Military Reservation; install temporary cofferdams or permanent concrete mattresses, and temporary pilings to facilitate cable installation; and to aerially cross West Neck Creek, North Landing River, and Gum Swamp with up to four (4) 230 kV electrical circuits situated within the City of Virginia Beach to support the Coastal Virginia Offshore Wind Project. All activities authorized herein shall be accomplished in conformance with the revised plans and drawings dated received December 29, 2022, and June 22, 2023, which are attached and made a part of this permit.

This permit is granted subject to the following conditions:

- (1) The work authorized by this permit is to be completed by **June 30th, 2028**. The Permittee shall notify the Commission when the project is completed. The completion date may be extended by the Commission in its discretion. Any such application for extension of time shall be in writing prior to the above completion date and shall specify the reason for such extension and the expected date of completion of construction. All other conditions remain in effect until revoked by the Commission or the General Assembly.
- (2) This permit grants no authority to the Permittee to encroach upon the property rights, including riparian rights, of others.
- (3) The duly authorized agents of the Commission shall have the right to enter upon the premises at reasonable times, for the purpose of inspecting the work being done pursuant to this permit.
- (4) The Permittee shall comply with the water quality standards as established by the Department of Environmental Quality, Water Division, and all other applicable laws, ordinances, rules and regulations affecting the conduct of the project. The granting of this permit shall not relieve the Permittee of the responsibility of obtaining any and all other permits or authority for the projects.
- (5) This permit shall not be transferred without written consent of the Commissioner.
- (6) This permit shall not affect or interfere with the right vouchsafed to the people of Virginia concerning fishing, fowling and the catching of and taking of oysters and other shellfish in and from the bottom of acres and waters not included within the terms of this permit.
- (7) The Permittee shall, to the greatest extent practicable, minimize the adverse effects of the project upon adjacent properties and wetlands and upon the natural resources of the Commonwealth.
- (8) This permit may be revoked at any time by the Commission upon the failure of the Permittee to comply with any of the terms and conditions hereof or at the will of the General Assembly of Virginia.
- (9) There is expressly excluded from the permit any portion of the waters within the boundaries of the Baylor Survey.
- (10) This permit is subject to any lease of oyster planting ground in effect on the date of this permit. Nothing in this permit shall be construed as allowing the Permittee to encroach on any lease without the consent of the leaseholder. The Permittee shall be liable for any damages to such lease.
- (11) The issuance of this permit does not confer upon the Permittee any interest or title to the beds of the waters.
- (12) All structures authorized by this permit, which are not maintained in good repair, shall be completely removed from State-owned bottom within three (3) months after notification by the Commission.
- (13) The Permittee agrees to comply with all of the terms and conditions as set forth in this permit and that the project will be accomplished within the boundaries as outlined in the plans attached hereto. Any encroachment beyond the limits of this permit shall constitute a Class 1 misdemeanor.
- (14) This permit authorizes no claim to archaeological artifacts that may be encountered during the course of construction. If, however, archaeological remains are encountered, the Permittee agrees to notify the Commission, who will, in turn notify the Department of Historic Resources. The Permittee further agrees to cooperate with agencies of the Commonwealth in the recovery of archaeological remains if deemed necessary.
- (15) The Permittee agrees to indemnify and save harmless the Commonwealth of Virginia from any liability arising from the establishment, operation or maintenance of said project.

The following special conditions are imposed on this permit:

- (16) The placard accompanying this permit document must be conspicuously displayed at the work site.
- (17) Permittee agrees to notify the Commission upon the start of the activities authorized by this permit.
- (18) Permittee agrees to provide a post-installation survey with the coordinates of all permanent project components, including each of the nine (9) cables and concrete mattresses, if installed, within 30 days of installation.
- (19) Permittee agrees to submit the coordinates of all permanent project components, including each of the nine (9) cables, and concrete mattresses, if installed, to NOAA to be included on the navigation chart, within 30 days of installation.
- (20) Permittee agrees to submit a 5-year post-construction statement of inspection to the Commission confirming that all structures remain in the permitted locations and are in working order.
- (21) Permittee agrees to the use of ramp-up procedures in concert with the use of cushion blocks if temporary steel hollow piles are used for construction activities.
- (22) Permittee agrees to the utilization of infrared vision technology during construction activities in low-light conditions to ensure effective monitoring of marine protected species.
- (23) Permittee agrees to make all good faith efforts to pursue an easement agreement with VMRC, the Attorney General, and the Governor, in accordance with Section 28.2-1208 of the Code of Virginia.

Description of Fees	Amount	Unit of Measure	Rate	Total	Frequency	After-The-Fact
Encroachment Royalty	164052.00	Linear Feet	3.000	\$492156.00	One-Time	
Encroachment Royalty	60.00	Linear Feet	3.000	\$180.00	One-Time	
Encroachment Royalty	192.00	Linear Feet	3.000	\$576.00	One-Time	
Encroachment Royalty	105.00	Linear Feet	3.000	\$315.00	One-Time	
Permit Fee				\$600.00	One-Time	
Total Permit Fees				\$493,827.00		

This permit consists of 34 Pages

PERMITTEE(S)

BY CHECKING THIS BOX, I certify that I am the Permittee OR the certified agent acting on behalf of all Permittees, that I have read and understood the permit as drafted and accept all of the terms and conditions herein. I agree and understand that checking the box has the same legal authority as a written signature. The provisions of the permit authorization shall be binding on any assignee or successor in interest of the original Permittee(s). In cases where the Permittee is a corporation, agency or political jurisdiction, I certify I have proper authorization to bind the organization to the financial and performance obligations which result from activity authorized by this permit.

PERMITTEE OR CERTIFIED AGENT

DATE TERMS ACCEPTED

Rachel Studebaker, Environmental Specialist III
 Print Your Name Here

July 12, 2023

PERMITEE

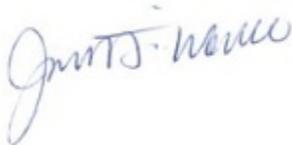
Dominion Energy Virginia
 707 East Main Street
 Richmond, VA 23219

AGENT

Dominion Energy Virginia
 Rachel Studebaker
 5000 Dominion Boulevard
 Glen Allen, VA 23060

COMMISSION

This permit is executed on behalf of the Commonwealth of Virginia, Marine Resources Commission by the undersigned:



Justin Worrell
 Deputy Chief, Habitat Management Division

DATE SIGNED
 13th day of July 2023