

STATE OF NEW YORK
COUNTY OF SUFFOLK

I, Simon V. Kinsella, Petitioner *pro se*, being duly sworn, say under penalty of perjury:

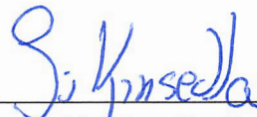
I am a resident of Wainscott, Town of East Hampton, State of New York. The contents of my affidavit, Kinsella Affidavit A, in support of my Reply to Respondents' Opposition to the Petition for a Writ of Mandamus, dated April 10, 2023, are true to the best of my knowledge, information, and belief.

Sworn to before me this
10th day of April 2023



David Fink, Notary Public

DAVID FINK
Notary Public, State of New York
No. 4526132
Qualified in New York County
Commission Expires February 28, ~~2023~~ 2024



Simon V. Kinsella, Petitioner *pro se*
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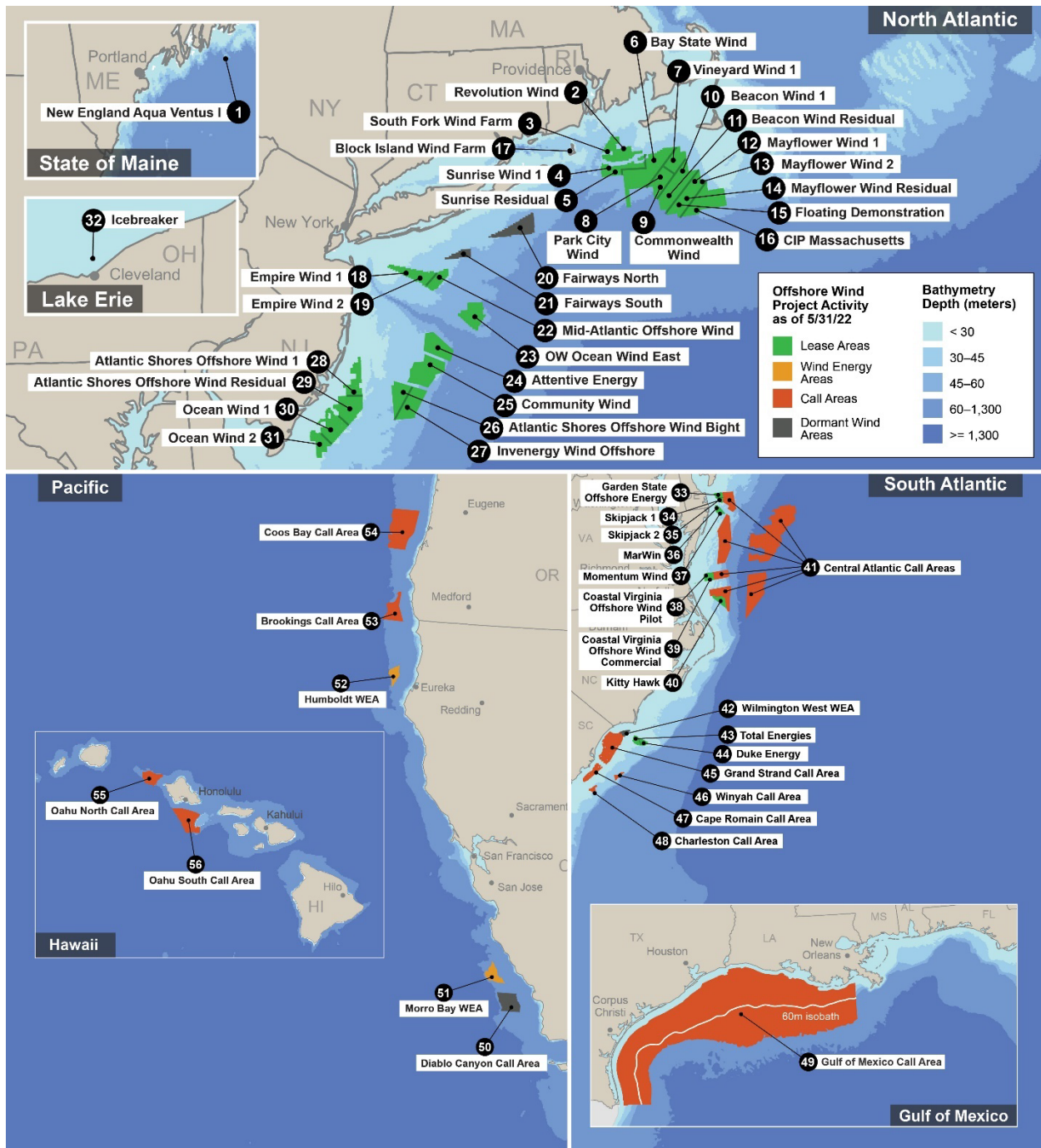


Figure ES-1. Locations of U.S. offshore wind pipeline activity and Call Areas as of May 31, 2022. Map created by NREL

Source: 2022 Offshore Wind Technologies Market Report (NREL), U.S. Department of Energy. Available at - <https://www.energy.gov/eere/wind/articles/offshore-wind-market-report-2022-edition>.

U.S. Federal Offshore Summary

Sources: NREL Offshore Wind Technologies Market Report 2022, cross-referenced with the Outer Continental Shelf Renewable Energy Lease Book 2023, BOEM OCS Lease Contracts, sale notices, and Federal Registry Notices. Compiled by Si Kinsella, April 2023.

Geographic Location/WEA	2022		Offshore Wind Farm Name	Developer/Owner	Lease Size (acres)	No. WTG: Mayflower DEIS	Year Leased by BOEM	Annual Rental (contract)	Acquisition Fee	Amount Paid (per acre)	Amount Paid for Lease
	NREL No.	BOEM Lease Reference									
Maine	1	Casco Bay	New England Aqua Ventus		9,700						n/a
		OCS-A 0497	Coastal Virginia Offshore Wind Project-Pilot	VA Dept. Mines, Minerals & Energy	2,135	2	2015				Research
MA/RI	2	OCS-A 0486	Revolution Wind (DWW Rev I, LLC) (see note 2)	Ørsted & Eversource	83,798	100	2013	\$251,394	\$3,089,461	\$18.35	\$1,903,181
MA/RI	3	OCS-A 0517	South Fork Wind, LLC (see note 3)	Ørsted & Eversource	13,700	12		\$41,100			
MA/RI	4	OCS-A 0487	Sunrise Wind LLC (see note 4)	Ørsted & Eversource	109,952	94	2013	\$329,856			\$1,903,181
MA/RI	5	OCS-A 0487	Sunrise Wind Residual (consolidated from OCS-A 0530)								
MA	6	OCS-A 0500	Bay State Wind LLC (see note 5)	Ørsted & Eversource	144,823	110	2015	\$434,469	\$281,285	\$2.36	\$341,474
MA	7	OCS-A 0501	Vineyard Wind 1 LLC (see note 6)	Avangrid & CIP	65,296	62	2015	\$500,658	\$150,197	\$1.09	\$182,336
MA	8	OCS-A 0534	New England Wind (Park City Wind LLC)	Avangrid	101,590	62					
MA	9	OCS-A 0534	Vineyard Wind LLC (Commonwealth Wind)					79	2021	\$304,770	
MA	10	OCS-A 0520	Beacon Wind LLC (Equinor Wind US LLC) (see note 7)	Equinor & BP	128,811	78	2019	\$386,433	\$135,000,000	\$1,200	\$154,525,000
MA	11	OCS-A 0520	Beacon Wind Residual			77					
MA	12	OCS-A 0521	SouthCoast Wind Energy LLC (Mayflower Wind Energy LLC)	Ocean Winds & Shell	127,388	147	2019	\$382,164	\$135,000,000	\$1,213	\$154,525,000
MA	13	OCS-A 0521	Mayflower Wind 2								
MA	14	OCS-A 0521	Mayflower Wind Residual								
MA	15	OCS-A 0521	Floating Demonstration (Mayflower)								
MA	16	OCS-A 0522	Vineyard Wind LLC (incl. remainder OSC-A 0500 & 0487)	CIP	132,370	227	2019	\$397,110	\$135,000,000	\$1,168	\$154,639,500
RI		OCS-A 0506	Deepwater Wind Block Island Transmission LLC		9	n/a	2014	\$630	\$0	n/a	
NY	18	OCS-A 0512	Empire Wind 1 (Statoil Wind US LLC)	Equinor & BP	79,350	57	2017	\$238,050	\$42,469,725	\$613	\$48,611,290
NY	19	OCS-A 0512	Empire Wind 2			90					
NY	20	WEA	Fairways North		39,142	n/a	(suspended)				
NY	21	WEA	Fairways South		24,114	n/a					
NY/ NJ	23	OCS-A 0537	OW Ocean Winds East LLC	Bluepoint Wind, LLC	71,413	100	2022	\$214,240	\$765,000,000	\$10,712	\$765,000,000
NY/ NJ	24	OCS-A 0538	Attentive Energy LLC	Total Energies	84,332	102	2022	\$252,996	\$795,000,000	\$9,427	\$795,000,000
NY/ NJ	25	OCS-A 0539	Bight Wind Holdings LLC (Community Wind LLC)	RWE & National Grid	125,964	145	2022	\$377,892	\$1,100,000,000	\$8,733	\$1,100,000,000
NY/ NJ	26	OCS-A 0541	Atlantic Shores Offshore Wind Bight LLC	Shell & EDF	79,351	93	2022	\$238,053	\$780,000,000	\$9,830	\$780,000,000
NY/ NJ	27	OCS-A 0542	Invenergy Wind Offshore LLC	Invenergy & Lighthouse Energy	83,976	97	2022	\$251,928	\$645,000,000	\$7,681	\$645,000,000
NY/ NJ	22	OCS-A 0544	Vineyard Mid-Atlantic LLC (see note 9)	CIP	43,056	102	2022	\$129,168	\$285,000,000	\$6,619	\$285,000,000
NJ	28	OCS-A 0549	Atlantic Shores Offshore Wind, LLC (see note 11)	Shell & EDF	81,129	157	2016	\$243,387	\$1,006,240	\$6.58	\$1,205,011
NJ	29	OCS-A 0499	Atlantic Shores Offshore Wind, LLC (see note 10)	Shell & EDF	102,123	200	2016	\$550,509			
NJ	30	OCS-A 0498	Ocean Wind LLC (RES America Developments Inc)	Ørsted & PSEG	75,526	98	2016	\$226,578	\$880,715	\$6.57	\$1,054,690
NJ	31	OCS-A 0532	Ocean Wind 2 (Ørsted North America Inc)	Ørsted & PSEG	84,955	111	2021	\$254,865			
DE	33	OCS-A 0482	Garden State Offshore Energy	GSOE I LLC	70,098	90	2012	\$210,294	\$24,108	\$0.25	\$24,108
DE	34	OCS-A 0519	Skipjack Offshore Energy LLC	Skipjack Offshore	26,332	16		\$78,996			
DE	35	OCS-A 0519	Skipjack 2	Energy LLC							

Geographic Location/WEA	2022 NREL No.	BOEM Lease Reference	Offshore Wind Farm Name	Developer/Owner	Lease Size (acres)	No. WTG: Mayflower DEIS	Year Leased by BOEM	Annual Rental (contract)	Acquisition Fee	Amount Paid (per acre)	Amount Paid for Lease
Maryland	36	OCS-A 0490	MarWin	US Wind Inc	79,707	121	2018	\$239,121	\$8,701,098	\$132	\$10,553,535
Maryland	37	OCS-A 0490	Momentum Wind								
Virginia	38	OCS-A 0483	Coastal Virginia OSW Pilot	Virginia Electric & Power Company	112,799	205	2013	\$338,397	\$1,600,000	\$17.48	\$1,971,276
Virginia	39	OCS-A 0483	Coastal Virginia OSW Commercial								
NC	40	OCS-A 0508	Kitty Hawk North and South	Avangrid Renewables LLC	122,405	190	2017	\$367,215	\$9,066,650	\$86.54	\$10,592,835
NC	43	OCS-A 0545	Total Energies (part of Wilmington East WEA)	TotalEnergies Renewables USA, LLC	54,937	The no. of OSW turbines for these leases has not been published.	2022	\$164,811	\$160,000,000	\$2,912	\$160,000,000
NC	44	OCS-A 0546	Duke Energy (part of Wilmington East WEA)	Duke Energy Renewables Wind, LLC	55,154		2022	\$165,462	\$155,000,000	\$2,810	\$155,000,000
CA (Morro Bay)	51	OCS-P0563	Provisional - Equinor wind US LLC	(see Note 12 below)	80,062		2022	\$240,186	\$130,000,000	\$1,624	\$130,000,000
CA (Morro Bay)	51	OCS-P0564	Provisional - Central California Offshore Wind LLC		80,418		2022	\$241,254	\$150,300,000	\$1,869	\$150,300,000
CA (Morro Bay)	51	OCS-P0565	Provisional - Invenergy California Offshore LLC		80,418		2022	\$241,254	\$145,300,000	\$1,807	\$145,300,000
CA (Humboldt)	52	OCS-P0561	Provisional - RWE Offshore Wind Holdings, LLC		63,338		2022	\$190,014	\$157,700,000	\$2,490	\$157,700,000
CA (Humboldt)	52	OCS-P0562	Provisional - California North Floating LLC		69,031		2022	\$207,093	\$173,800,000	\$2,518	\$173,800,000
Subtotal: Actual Lease Auction Sale Amount (as of March 2023):					Actual lease acreage: 2,788,702	3,024		\$8,690,347	\$5,914,369,479	\$2,146	\$5,984,132,417
DE/VA/NC	41	WEA	Central Atlantic Call Area A	BOEM has overseen the auction of 2.8 million acres of lease area, and is at various stages of overseeing the approval of the proposed offshore wind farms planned for those lease areas.	235,222	BOEM is responsible for approving and overseeing the construction of over 3,024 offshore turbines up to 1,171 feet tall each.				\$6,969	\$1,639,325,235
DE/VA/NC	41	WEA	Central Atlantic Call Area B		652,218		\$6,969	\$4,545,482,252			
DE/VA/NC	41	WEA	Central Atlantic Call Area C		183,907		\$6,969	\$1,281,697,231			
DE/VA/NC	41	WEA	Central Atlantic Call Area D		442,553		\$6,969	\$3,084,270,608			
DE/VA/NC	41	WEA	Central Atlantic Call Area E, Deep Call Area (depth to 2,500 m, floating OSW)		1,619,998		\$6,969	\$11,290,200,757			
DE/VA/NC	41	WEA	Central Atlantic Call Area F, Deep Call Area (depth to 2,600 m, floating OSW)		763,491		\$6,969	\$5,320,973,647			
NC	42		Wilmington West WEA (despite Nth Atlantic Right Whale migration)		51,595		\$6,969	\$359,579,400			
SC	45	WEA	Grand Strand Call Area	628,003	\$6,969	\$4,376,721,419					
SC	46	WEA	Winyah Call Area	34,871	\$6,969	\$243,025,356					
SC	47	WEA	Cape Romain Call Area	155,498	\$6,969	\$1,083,707,287					
SC	48	WEA	Charleston Call Area	35,583	\$6,969	\$247,987,475					
Gulf of Mexico	49	OCS-G 37334	If BOEM proceeds, the leases will go to auction in early May 2023.	102,480	\$6,969	\$714,210,619					
Gulf of Mexico	49	OCS-G 37335		102,480	\$6,969	\$714,210,619					
Gulf of Mexico	49	OCS-G 37336		96,786	\$6,969	\$674,527,605					
CA (Diablo)	50		Diablo Canyon Call Area	(see Note 12 below)	356,188	BOEM is currently overseeing the auction, construction and approval of 9.9 million acres of offshore wind lease area.	\$6,969	\$2,482,369,748			
Oregon	53		Brookings Call Area	286,444	\$6,969		\$1,996,305,098				
Oregon	54		Coos Bay Call Area	872,854	\$6,969	\$6,083,153,740					
Hawaii	55		Oahu North Call Area	328,981	\$6,969	\$2,292,756,865					
Hawaii	56		Oahu South Call Area	154,670	\$6,969	\$1,077,936,733					
Subtotal: Estimated Lease Auction Sale Amount					Actual lease acreage: 7,103,822	0		Estimated Lease Auction Sale Amount:	\$6,969	\$49,508,441,692	
Total: Extrapolated Lease Auction Sale Amount					Actual lease acreage: 9,892,524	3,024		Extrapolated Lease Auction Sale Amount:	\$5,610	\$55,492,574,108	

Geographic Location/WEA	2022 NREL No.	BOEM Lease Reference	Offshore Wind Farm Name	Developer/Owner	Lease Size (acres)	No. WTG: Mayflower DEIS	Year Leased by BOEM	Annual Rental (contract)	Acquisition Fee	Amount Paid (per acre)	Amount Paid for Lease
OCS OSW Oregon			BOEM Call for Info & Nominations for OCS OSW offshore Oregon Federal Registry Notice: Docket BOEM-2022-0009 - "The area offshore Oregon within these fundamental parameters represents about 6,982,015 acres ..." (Section 3. Development of the Call Area, paragraph 2 at - https://www.regulations.gov/document/BOEM-2022-0009-0001).		6,982,015					\$6,969	\$48,659,536,024
			Less OCS OSW Oregon BOEM Coos Bay and Brookings Call Areas (see above):		-1,159,298	0				\$6,969	-\$8,079,458,837
Subtotal:		Oregon	Remaining Commercial Leasing off Oregon coastline		5,822,717	0				\$6,969	\$40,580,077,187
Gulf of Mexico OCS Area Louisiana/Texas			Per BOEM Call for Info & Nominations for OCS Gulf of Mexico Federal Registry Notice (Docket BOEM-2021-0077): "The area for potential wind energy leasing consists of approximately 29,901,285 acres." (Section 3. Description of Call Area, at - https://www.regulations.gov/document/BOEM-2021-0077-0001).		29,901,285					\$6,969	\$208,390,078,598
			Less Gulf of Mexico BOEM leases OCS-G 37334 to 37336 (see above):		-301,746	0				\$6,969	-\$2,102,948,842
Subtotal:		Louisiana/Texas	Remaining Commercial Leasing in the Gulf of Mexico		29,599,539	0				\$6,969	\$206,287,129,756
GRAND TOTAL:			BOEM oversees a potential lease area for offshore wind development estimated to be 45.3 million acres.		45,314,780	3,024				\$6,672	\$302,359,781,051

The estimated potential auction sale value is \$302 billion.

Note 1: The text in *italics* (red) denotes estimates based on the average lease sale price per acre in 2022 adjusted for inflation at a rate of 6.5% (see table below).

Note 2: On January 16, 2020, Deepwater Wind New England, LLC. submitted an application to BOEM to assign the remaining 83,798 acres of OCS-A 0486 to DWW Rev I, LLC. BOEM approved the assignment on March 24, 2020. The lease area assigned to DWW Rev I, LLC carries the lease number OCS-A 0486. DWW Rev I, LLC.'s lease is subject to all terms and conditions of the original lease, including the lease terms and October 1, 2013 effective date.

Note 3: On January 16, 2020, Deepwater Wind New England, LLC. submitted an application to BOEM to assign 13,700 acres of OCS-A 0486 to Deepwater Wind South Fork, LLC. BOEM approved the assignment on March 23, 2020. The lease area assigned to Deepwater Wind South Fork, LLC now carries the new lease number OCS-A 0517.

Note 4: On July 31, 2013, BOEM conducted a competitive auction and awarded Lease OCS-A 0487, consisting of about 67,250 acres, to Deepwater Wind New England, LLC. On August 3, 2020, Deepwater Wind New England, LLC assigned Lease OCS-A 0487 to Sunrise Wind, LLC. On September 3, 2020, Bay State Wind, LLC assigned 100 percent of its record title interest in a portion of lease OCS-A 0500, which BOEM designated OCS-A 0530, to Sunrise Wind, LLC. On March 15, 2021, BOEM completed the consolidation of lease OCS-A 0530 into Lease OCS-A 0487 through an amendment to Lease OCS-A 0487. The resulting lease area is 109,952 acres and shown in the above figure. The effective date of lease OCS-A 0487 remains October 1, 2013.

Note 5: On May 27, 2015, BOEM received an application to assign 100% of commercial lease OCS-A 0500 from RES America Developments Inc to DONG Energy Massachusetts (U.S.) LLC. BOEM approved the assignment on June 12, 2015. DONG Energy has since renamed its American subsidiary as **Bay State Wind LLC**.

Note 6: On June 28, 2021, BOEM approved a partial assignment of the northernmost 65,296 acres of Lease OCS-A 0501 from Vineyard Wind, LLC (formerly Offshore MW LLC) to Vineyard Wind 1, LLC. The assigned lease under Vineyard Wind 1, LLC continues to be designated Lease OCS-A 0501. Vineyard Wind, LLC retained the remaining 101,590 acres, which are designated Lease OCS-A 0534 for this New England Wind Project. Except for the description of the leased area, which now reflects the two different lease areas, the terms, conditions, and stipulations of the two leases, including the lease effective date of April 1, 2015, remain the same. On December 14, 2021, BOEM approved the assignment of Lease OCS-A 0534 from Vineyard Wind, LLC to Park City Wind LLC. Park City Wind LLC has the exclusive right to submit a COP for activities within Lease OCS-A 0534. The majority of the New England Wind project is proposed within Lease OCS-A 0534, with a small portion of the area within Lease OCS-A 0501 also identified for potential development; however, any development of the area within Lease OCS-A 0501 would require an additional (future) lease assignment.

Note 7: On December 13-14, 2018, BOEM held a competitive lease sale for Wind Energy Areas offshore Massachusetts. The auction lasted 32 rounds. Equinor Wind US, LLC was identified as the winner of Lease Area OCS-A 0520 (128,811 acres), Mayflower Wind Energy, LLC was identified as the winner of Lease Area OCS-A 0521 (127,388 acres), and Vineyard Wind, LLC was identified as the winner of Lease Area OCS-A 0522 (132,370 acres). The commercial wind energy lease OCS-A 0520 was executed by BOEM on March 5, 2019, with an effective date of April 1, 2019. Equinor subsequently assigned the lease to a subsidiary, Beacon Wind, LLC.

Note 8: On April 12, 2018, GSOE I, LLC submitted an application to BOEM to assign the southern portion of lease #OCS-A 0482 to Skipjack Offshore Energy, LLC. On June 12, 2018, BOEM approved the assignment. The lease area assigned to Skipjack Offshore Energy, LLC now carries the new lease number #OCS-A 0519. Skipjack Offshore Energy, LLC's lease is subject to all terms and conditions of the original lease, including the lease terms and December 1, 2012 effective date.

Geographic Location/WEA	2022 NREL No.	BOEM Lease Reference	Offshore Wind Farm Name	Developer/Owner	Lease Size (acres)	No. WTG: Mayflower DEIS	Year Leased by BOEM	Annual Rental (contract)	Acquisition Fee	Amount Paid (per acre)	Amount Paid for Lease
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Note 9: On April 6, 2022, Mid-Atlantic Offshore Wind LLC changed its name to Vineyard Mid-Atlantic LLC.

Note 10: On November 16, 2018 BOEM received an application from U.S. Wind Inc. to assign 100% of commercial lease OCS-A 0499 to EDF Renewables Development, Inc. BOEM approved the assignment on December 4, 2018. On April 29, 2019 BOEM received an application from EDF Renewables Development, Inc. to assign 100% of commercial lease OCS-A 0499 to Atlantic Shores Offshore Wind, LLC. BOEM approved the assignment on August 13, 2019. On September 28, 2021: BOEM received an application from Atlantic Shores Offshore Wind, LLC to assign 100 percent interest in the southern portion of OCS-A 0499 (which contains the Atlantic Shores South Project 1 and 2 areas) to Atlantic Shores Offshore Wind Project 1, LLC and Atlantic Shores Offshore Wind Project 2, LLC, respectively, with each entity having a 50 percent interest. On April 19, 2022 the northern portion of OCS-A 0499 was retained by Atlantic Shores Offshore Wind, LLC and given a new lease number (OCS-A 0549) by BOEM, while the southern portion retains the original lease number assigned by BOEM: OCS-A 0499 (see note 11 below).

Note 11: On April 19, 2022 a partial assignment (i.e., segregation) of lease OCS-A 0499 was approved by BOEM. The northern portion of OCS-A 0499 is retained by Atlantic Shores Offshore Wind, LLC and given a new lease number (OCS-A 0549). The southern portion retains the original lease number assigned by BOEM: OCS-A 0499. Lease No. OCS-A 0499 is commonly referred to as ASOW South and Lease OCS-A 0549 is commonly referred to as ASOW North for easier reference.

Note 12: Per Fed. Reg. Val. 83, No. 203, published October 19, 2018 (at 53100), "The Humboldt, Morro Bay, and Diablo Canyon. These Call Areas ... in total ... comprise approximately 1,073 square statute miles (mi) (687,823 acres)." BOEM's provisional lease areas combined are 729,455 acres, 41,631 (or 6%) more than BOEM originally estimated. See Federal Registry Notice here - <https://www.boem.gov/sites/default/files/regulations/Federal-Register-Notices/2018/83-FR-53096.pdf>.

2022 NREL No.	BOEM Lease Reference	Offshore Wind Farm Name	Size (acres)	Size (acres)	Year Leased	Amount Paid for Lease	Amount Paid for Lease	
22	OCS-A 0544	Mid-Atlantic Offshore Wind	42,996	42,996	2022	\$285,000,000	\$6,628	
23	OCS-A 0537	OW Ocean Wind East	71,413	71,413	2022	\$765,000,000	\$10,712	
24	OCS-A 0538	Attentive Energy	79,321	79,321	2022	\$795,000,000	\$10,023	
25	OCS-A 0539	Community Wind	114,163	114,163	2022	\$1,100,000,000	\$9,635	
26	OCS-A 0541	Atlantic Shores Offshore Wind Bight	79,351	79,351	2022	\$780,000,000	\$9,830	
27	OCS-A 0542	Invenergy Wind Offshore	76,850	76,850	2022	\$645,000,000	\$8,393	
43	OCS-A 0545	Total Energies (part of Wilmington East WEA)	54,857	54,857	2022	\$160,000,000	\$2,917	
44	OCS-A 0546	Duke Energy (part of Wilmington East WEA)	55,105	55,105	2022	\$155,000,000	\$2,813	
51	OCS-P0563	Provisional - Equinor wind US LLC	80,062	80,062	2022	\$130,000,000	\$1,624	
51	OCS-P0564	Provisional - Central California Offshore Wind LLC	80,418	80,418	2022	\$150,300,000	\$1,869	
51	OCS-P0565	Provisional - Invenergy California Offshore LLC	80,418	80,418	2022	\$145,300,000	\$1,807	
52	OCS-P0561	Provisional - RWE Offshore Wind Holdings, LLC	63,338	63,338	2022	\$157,700,000	\$2,490	
52	OCS-P0562	Provisional - California North Floating LLC	69,031	69,031	2022	\$173,800,000	\$2,518	
Subtotal:			947,323	947,323	2022	\$6,199,200,000	\$6,544	
						Inflation Rate:	6.5%	6.5%
						TOTAL:	\$6,602,148,000	\$6,969