

**Amendment to
South Fork Wind, LLC – NGO Agreement for the Protection of North Atlantic Right Whales
June 27, 2024**

This Amendment to Agreement for the Protection of North Atlantic Right Whales (the “Amendment”) is dated as of June 27, 2024, and is made by and between SOUTH FORK WIND, LLC (“SFW”), the NATIONAL WILDLIFE FEDERATION, the NATURAL RESOURCES DEFENSE COUNCIL, and the CONSERVATION LAW FOUNDATION, Inc. (collectively, the “NGOs”) (each of the foregoing may be referred to herein individually as a “Party,” and collectively as the “Parties”).

WHEREAS, on June 16, 2022, the Parties entered into the Agreement for the Protection of North Atlantic Right Whales (the “Agreement”) in connection with the construction and operation of the South Fork Wind Farm project;

WHEREAS, construction of the South Fork Wind Farm project is now complete;

WHEREAS, the Agreement requires SFW to adopt protective measures for North Atlantic Right Whales in order to provide for responsible offshore wind development in constructing and operating the South Fork Wind Farm, including a 10-knot speed limit on all vessels transiting to and from and operating within the project area; and

WHEREAS, SFW now seeks a temporary suspension of the Agreement, in order to conduct operations and maintenance activities during a period of limited workforce and vessel availability; and

WHEREAS, the NGOs support SFW’s commitment to resume the Parties’ Agreement, including the vessel speed component of the Parties’ Agreement, as soon as possible, yet cannot remain in the Agreement without the 10-knot speed restriction or an Adaptive Plan, as agreed to by all Parties to be sufficiently effective (the latter is not an available option at this time); and

WHEREAS, SFW has completed the construction of a Service Operation Vessel (SOV) that will be available for use in 2026 to comfortably transport technicians at 10 knots, and SFW is committed to operating all project vessels at 10 knots or less for the duration of the agreement; and

WHEREAS, SFW’s operations and maintenance activities will continue to be subject to all applicable permit and regulatory requirements, including with respect to vessel speed;

NOW THEREFORE, in consideration of the foregoing, the Parties agree to amend the Agreement as follows.

I. Suspension of Effectiveness of Agreement

A. The term of the Agreement (as set forth in Section VII of the Agreement), and the effectiveness of the Agreement’s requirements, shall be temporarily suspended from July 1, 2024 to October 31, 2025, or sooner if otherwise agreed to by the Parties.

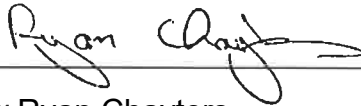
B. The term of the Agreement shall be extended by a period equivalent to the length of the suspension.

C. There shall be no other changes to the Agreement pursuant to this Amendment.

[Signature page follows]

Dated as of the date first written above.

South Fork Wind, LLC

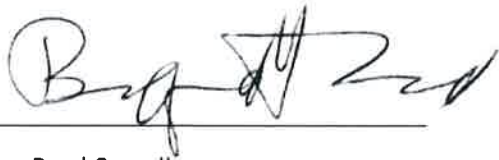
By: 
Name: Ryan Chaytors
Title: Authorized Signatory

By: 
Name: Jeffrey Normant
Title: Authorized Signatory


National Wildlife Federation

By: 
Name: Jim Murphy
Title: Senior Director, Legal Advocacy

Natural Resources Defense Council

By: 
Name: Brad Sewell
Title: Managing Director, Oceans

Conservation Law Foundation

By: 
Name: Priscilla M. Brooks
Title: Vice President, Ocean Conservation

South Fork Wind, LLC

By: _____

Name: Alexander Kulesh

Title: Authorized Signatory