

1 **SEC. 414. OPINIONS REGARDING WHETHER CERTAIN FA-**
 2 **CILITIES CREATE OBSTRUCTIONS TO NAVI-**
 3 **GATION.**

4 Section 14 of the Ports and Waterways Safety Act
 5 is amended by adding at the end:

6 “(e) WIND ENERGY FACILITY.—

7 “(1) IN GENERAL.—An offshore wind energy
 8 facility may not be constructed in the area com-
 9 monly known as Nantucket Sound unless the con-
 10 struction of such facility is approved by the Com-
 11 mandant of the Coast Guard.

12 “(2) INFORMATION.—A person intending to
 13 build an offshore wind energy facility in the area
 14 commonly known as Nantucket Sound shall provide
 15 to the Commandant of the Coast Guard and the
 16 Governor of any adjacent State the plan for the
 17 siting and construction of the facility, including the
 18 location, size and design of each wind turbine, any
 19 cable connecting the facility to onshore sites, and
 20 any other offshore components and such other infor-
 21 mation as the Commandant may require. The Com-
 22 mandant may not approve construction of the facil-
 23 ity if, within 90 days of receiving this plan—

Handwritten: A bracket underlines the phrase "Nantucket Sound" in line 9.

Handwritten: (3) Limitation approved



1 “(A) the Governor of an adjacent State
 2 makes a written determination to the Com-
 3 mandant that the Governor opposes the site
 4 chosen for the facility; or

5 “(B) the Commandant determines that the
 6 facility creates a hazard to navigation.

7 4) “(3) DEFINITION.—~~An~~ ‘adjacent coastal State’
 8 is any coastal State which—

9 “(A) would be directly connected by a
 10 cable to a proposed wind energy facility, or

11 “(B) would be located within 15 miles of
 12 any such proposed wind energy facility.”.

In this section, the term

