PUBLIC NOTICE



US Army Corps of Engineers ® New England District 696 Virginia Road Concord, MA 01742-2751 Comment Period Begins: December 23, 2022 Comment Period Ends: February 21, 2023 File Number: NAE-2022-01890 In Reply Refer To: Christine Jacek Phone: (978) 318-8026 E-mail: Christine.M.Jacek@usace.army.mil

ANNOUNCEMENT OF PUBLIC MEETINGS AND REQUEST FOR PUBLIC COMMENT

The District Engineer has received a permit application to conduct work in waters of the United States, navigable waters, and the Outer Continental Shelf from Park City Wind LLC at 125 High Street, 6th Floor, Boston, Massachusetts 02110. The majority of the proposed work would be located in the Atlantic Ocean in the Bureau of Ocean Energy Management's (BOEM) Renewable Energy Lease Area OCS-A 0534, which is approximately 20 miles from the southwest corner of Martha's Vineyard and 24 miles from Nantucket. Work would also occur within Nantucket Sound, with landfall for the offshore export cables at the Dowses Beach Landfall Site in the Town of Barnstable, Massachusetts.

The overall proposal involves the construction, maintenance, and eventual decommissioning of Phase 2 of the overall New England Wind project. This work would include the installation of up to eighty-eight (88) wind turbine generators (WTGs or turbines) connected by a network of inter-array cables (IACs), and up to three electrical service platforms (ESPs) connected by inter-link cables within the lease area. In addition, up to three high-voltage alternating current offshore export cables each having a length of up to sixty seven (67) nautical miles would be installed within an offshore export cable corridor which would carry the power from the lease area to the landfall site. The offshore export cables would make landfall via horizontal directional drilling (HDD). The onshore export cables would cross under East Bay using trenchless installation methods as part of the route from the cable landfall at Dowses Beach to the onshore substation.

The New England Phase 2 export cables would extend approximately 67 nautical miles from the shoreline to the lease area. The cables are approximately 12 inches in diameter and would primarily be laid using industry standard subsea cable installation and burial methods to a target depth of 5 to 8 feet below the substrate. The temporary disturbance area associated with cable installation will primarily occur in the same offshore export cable corridor that contains the Vineyard Wind 1 export cables. The width of the existing corridor has been expanded by 984 feet along the entire western side and by 984 feet along the part of the eastern side within Muskeget Channel- for a total width of 3,100 to 5,500 feet- to accommodate additional cables. The area of impact associated with each export cable installation is anticipated to be 13 feet in width. In areas where burial could not occur, where sufficient burial depth could not be achieved due to seabed conditions, or where protection would be installed. This armoring would consist of rock berms, concrete mattresses, fronded mattresses, and/or rock bags. Hard armoring would be up to 30 feet wide where needed. Areas within the cable route may require the relocation of sand waves prior to cable installation of approximately 33 acres.

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The work to be reviewed by the Corps under Section 404 of the Clean Water Act includes all activities that constitute the discharge of fill material within waters of the United States. As there are no non-tidal waters or wetlands to be impacted by the proposed work, the shoreward limit of waters of the United States in relation to this project is the high tide line of the Atlantic Ocean in the vicinity of Barnstable, Massachusetts. The seaward limit of Corps Section 404 jurisdiction is the limit of the territorial seas, which extends three nautical miles from the mean low water mark of the shoreline or any other further out base line permitted by law.

The proposed work within the limits of Section 404 jurisdiction is associated with the offshore export cable installation and includes backfilling of the trench during cable laying, backfilling of excavation pits associated with the HDD work, relocating of sand waves during cable laying, and placing hard armor as needed for cable protection.

The work to be reviewed under Section 10 of the Rivers and Harbors Act includes all proposed structures, dredging, and work in navigable waters from the mean high water line of the Atlantic Ocean out three nautical miles from the mean low water mark of the shoreline or any further out base line permitted by law. This would include the offshore export cables as well as the work associated with their installation, including the cable laying, the placement of hard armoring where needed, the relocation of sand waves, and the HDD work in the nearshore area. It would also include the installation of the onshore export cables under East Bay. This would include all of the proposed structures and cables within the part of BOEM Lease Area OCS-A 0534 associated with the New England Wind Phase 2 Project as well as the offshore export cables out past the three nautical mile navigable waters limit.

The three nautical mile limit that defines the extent of Section 404 and Section 10 jurisdiction is identified on the attached map entitled "Figure 2.3-1 New England Wind Offshore Export Cable Corridor (Phases 1 and 2)."

The jurisdictional impacts from the proposed project include the following:

Temporary/Installation	During Operations	Authority
74,873 acres (ac) subtidal	199 ac subtidal	Sec 10
381 ac subtidal	17 ac subtidal (armor)	Sec 10
242 ac subtidal	7.2 ac subtidal (armor)	Sec 10
110 ac subtidal	35.6 ac subtidal (armor)	Sec 10/404
33 ac subtidal	0 ac	Sec 10/404
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The proposed work is shown on the plans entitled "PHASE 2 OF NEW ENGLAND WIND," on twenty-nine (29) sheets, with sheet 1 dated "JULY 28, 2022", sheets 2-14 and sheet 29 dated "JULY 29, 2022", sheets 15-24 dated "2022-09-29", sheets 25-27 undated, and sheet 28 dated "JULY 27, 2022." These plans can be accessed on our website by following this link: <u>https://www.nae.usace.army.mil/Missions/PublicNotices/</u> and looking under "Regulatory/Permitting Public Notices".

<u>Project Purpose</u>: The applicant's stated purpose and need for the Project is to provide a commercially viable offshore wind energy project within Lease OCS-A 0534 to meet New England's need for clean energy.

The basic project purpose, as determined by the USACE for the Section 404(b)(1) guidelines evaluation, is offshore wind energy generation.

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The overall Project purpose for the Section 404(b)(1) guidelines evaluation, as determined by the USACE, is the construction of a commercial-scale offshore wind energy project, including associated transmission lines, for renewable energy generation and distribution to the Massachusetts Energy Grid as well as potentially to other northeastern states.

Avoidance, Minimization and Compensatory Mitigation: The applicant has designed the New England Wind Phase 2 Project to avoid and minimize impacts to Waters of the United States. No impacts to onshore wetlands are proposed as part of the New England Wind Phase 2 Project. In offshore areas where impacts to marine resources are unavoidable, the applicant has avoided all USACE defined special aquatic sites (SAS) including eelgrass beds, intertidal mud flats, coral reef complexes, etc. Impacts are anticipated to consist of structures, fills, and temporary construction impacts with no permanent losses of Waters of the United States. Compensatory mitigation requirements are under consideration.

The United States Army Corps of Engineers neither favors nor opposes the proposed construction work.

BOEM is the lead federal agency for federal review of this project in relation to the National Environmental Policy Act (NEPA), Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851) and Section 106 of the National Historical Preservation Act (NHPA). The project is identified as Docket No. BOEM-2022-0070. As the lead federal agency, BOEM has prepared a Draft Environmental Impact Assessment (DEIS) in accordance with NEPA. The DEIS includes an initial review of the project in relation to Section 7 of the Endangered Species Act and Section 106 of the NHPA, as well as other applicable Federal regulations. The DEIS will be issued and published in the federal register on December 23, 2022 and is available for review at https://www.boem.gov/renewable-energy/state-activities/new-england-wind-formerly-vineyard-wind-south.

Comments may be submitted directly to BOEM, as the lead federal agency, in one of three ways: 1) Orally or in written form at one of the public meetings referenced below. 2) In written form by mail or other delivery service, enclosed in an envelope labeled "New England Wind COP DEIS" and addressed to Program Manager, Office of Renewable Energy Programs, Bureau of Ocean Energy Management, 45600 Woodland Road, Sterling, VA 20166. 3) Through the regulations.gov web portal: Navigate to http://www.regulations.gov and search for Docket No. BOEM-2022-0070. Click on the "Comment" button below the document link. Enter your information and comment, then click "Submit Comment".

As the lead federal agency, BOEM will hold public comment meetings on the DEIS for the proposed New England Wind Phase 2 Project and USACE will participate in the meetings.

The dates and locations of the meetings are as follows:

Date	Location				
Friday, January 27, 2023 1:00 pm ET (virtual)	Zoom Registration Link: https://us06web.zoom.us/webinar/register/WN_XVMu6 G1US12Gx5CLtdw2uQ Dial in phone number: +1 253 205 0468 Meeting ID: 813 4910 7084 Password: 673644				
Wednesday, February 1, 2023 5:00 pm ET (virtual)	Zoom Registration Link: https://us06web.zoom.us/webinar/register/WN EAou8 3qRZak_Sm8Nmv4_g Dial in phone number: +1 253 215 8782 Meeting ID: 817 5695 6285 Password: 712304				
Monday, February 6, 2023 5:00 pm ET (virtual)	Zoom Registration Link: https://us06web.zoom.us/webinar/register/WN_gClMuq kTQROjXtpmTfUy9A Dial in phone number: +1 253 205 0468 Meeting ID: 836 9914 4118 Password: 764365				

*Note: Each virtual meeting has a unique registration link and registration will be required to receive the webinar information.

AUTHORITY

Permits are required pursuant to:

- X Section 10 of the Rivers and Harbors Act of 1899
- X Section 404 of the Clean Water Act
- Section 103 of the Marine Protection, Research and Sanctuaries Act.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties/cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers, New England District (USACE), is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. The USACE will consider all comments received to

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determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments will be used in the USACE's reviews of the project, including the USACE-specific assessment of impacts to conservation, economics, aesthetics, general environmental concerns, water quality, and the other public interest factors listed above. Comments will also be used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

As the activity involves the discharge of dredged or fill material into waters of the United States, the evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. Comments received in response to the public notice will also be used in determining compliance with these guidelines.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted by BOEM as the lead federal agency and will be concluded prior to the final decision.

NATIONAL HISTORIC PRESERVATION ACT

Based on their initial review as the lead federal agency, BOEM has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

ENDANGERED SPECIES CONSULTATION

As the lead federal agency, BOEM is reviewing the project for potential impacts on Federally-listed threatened or endangered species and their designated critical habitat pursuant to Section 7 of the Endangered Species Act as amended. BOEM is coordinating with the NMFS and/or U.S. Fish and Wildlife Service on listed species and the ESA consultation will be concluded prior to the final decision.

OTHER GOVERNMENT AUTHORIZATIONS

The applicant has stated that the proposed work will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management programs of Rhode Island and Massachusetts.

The following authorizations have been applied for, or have been, or will be obtained:

- (X) Permit, license or assent from State.
- (X) Permit from local wetland agency or conservation commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

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COMMENTS

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Christine Jacek at (978) 318-8026 or (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The USACE holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

Ruthann Brien

for Paul Maniccia Chief, Permits and Enforcement Branch Regulatory Division

If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil.

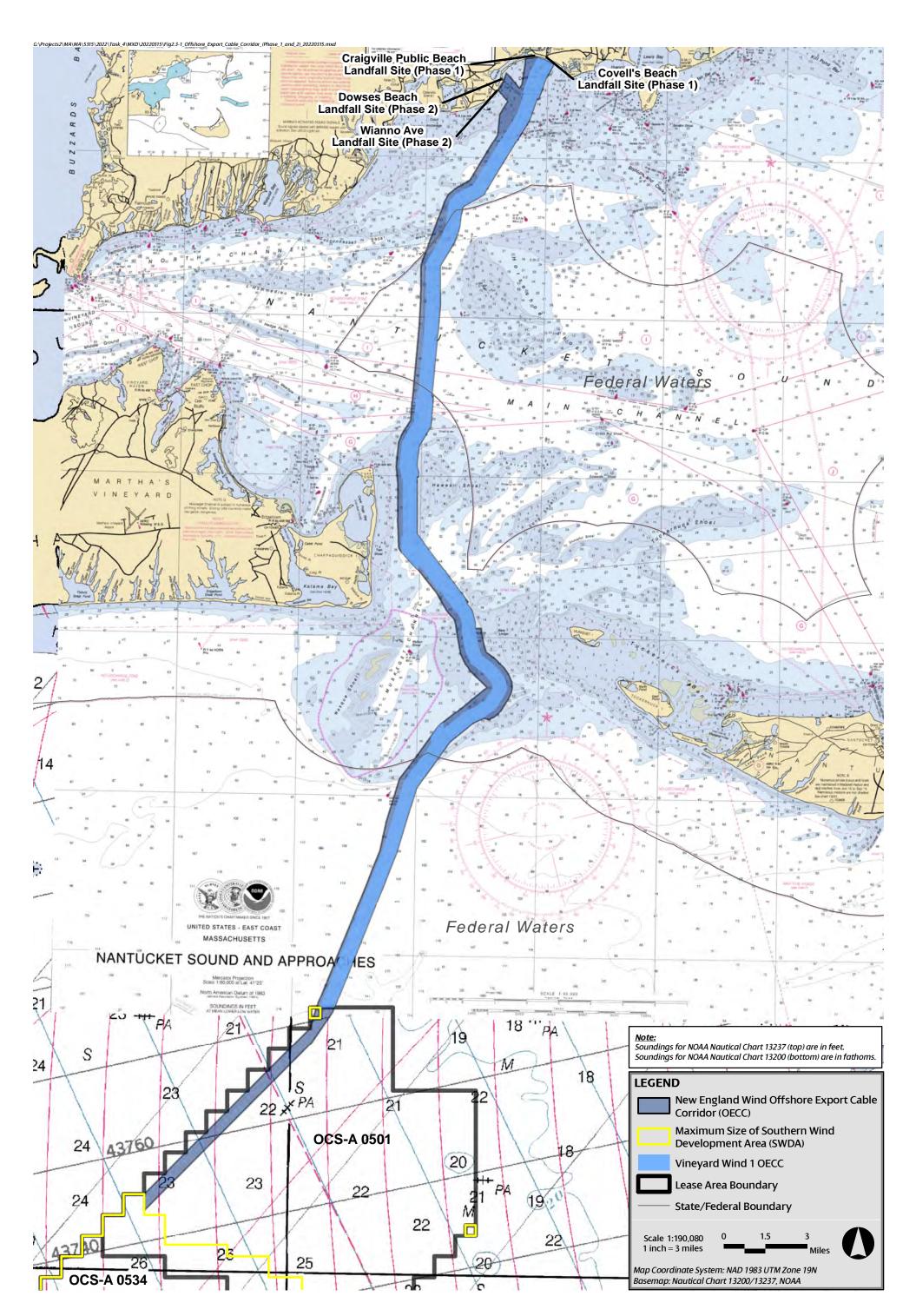
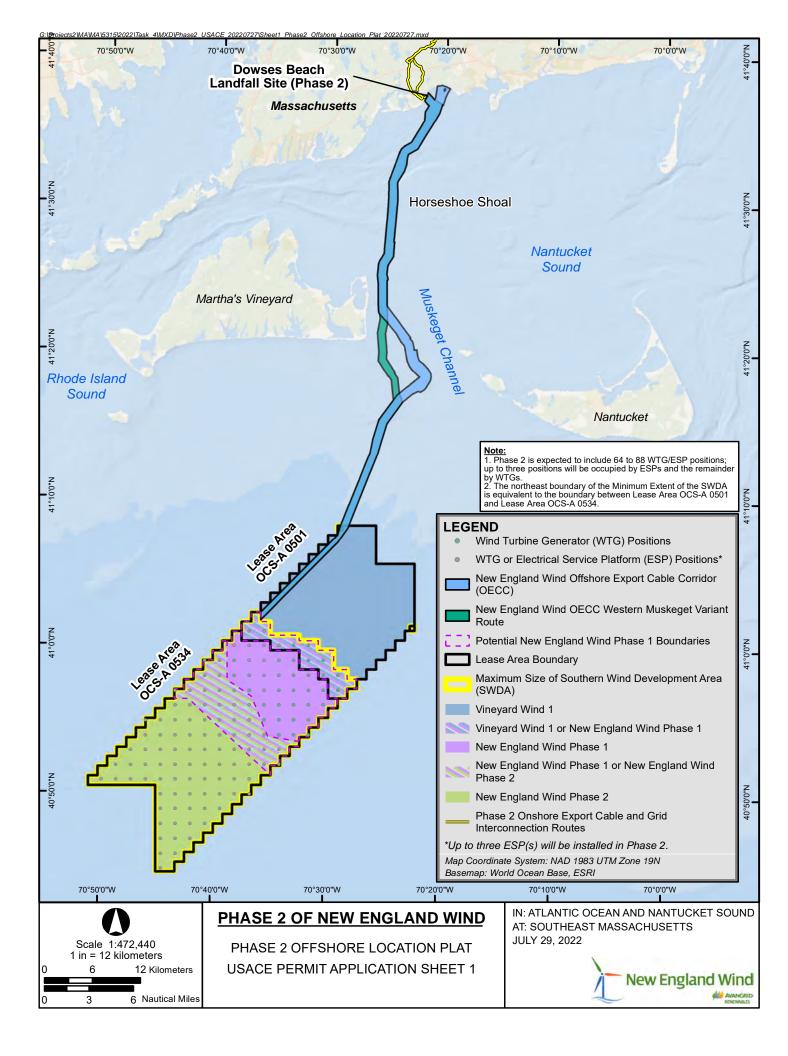
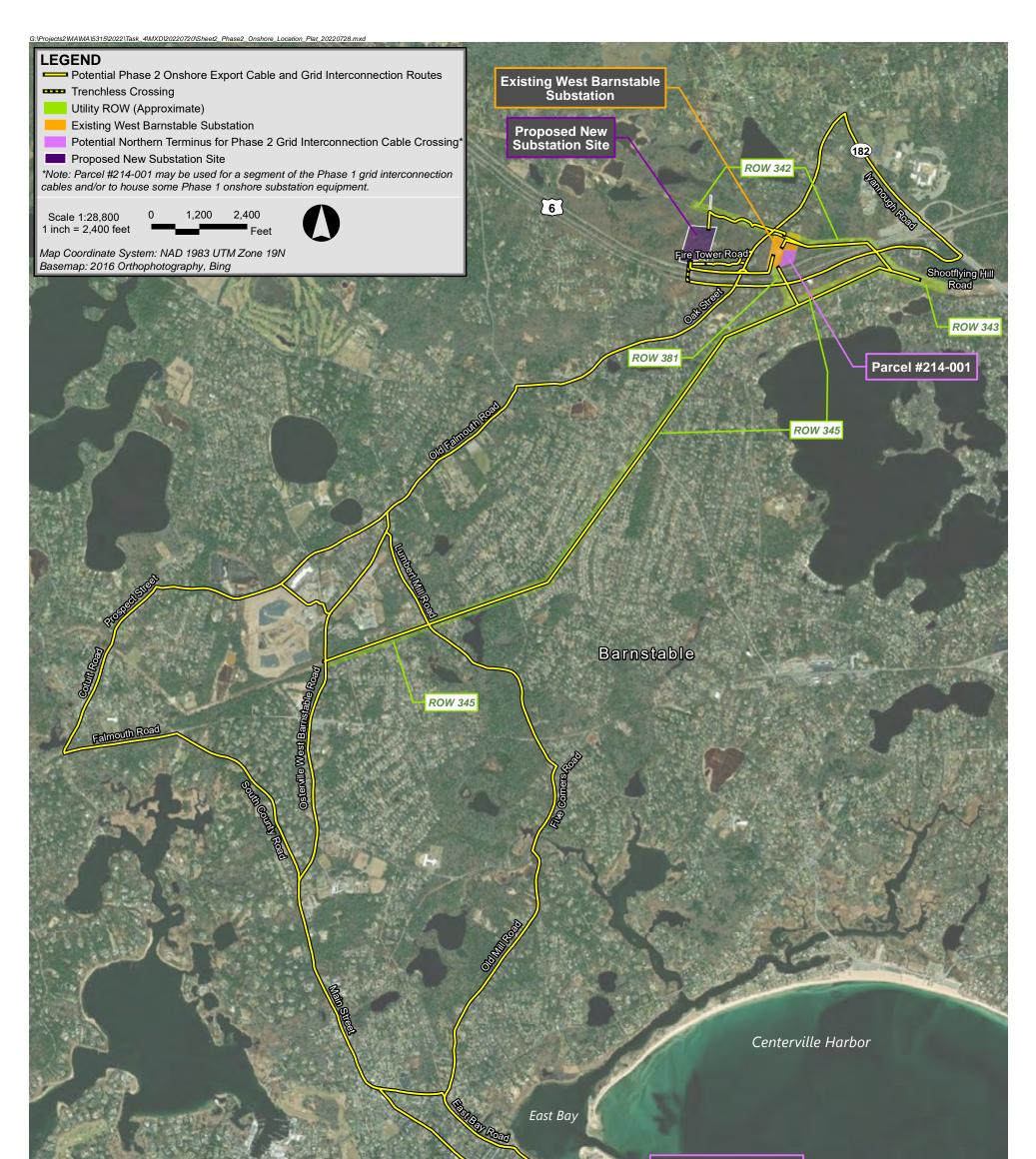




Figure 2.3-1 New England Wind Offshore Export Cable Corridor (Phases 1 and 2)



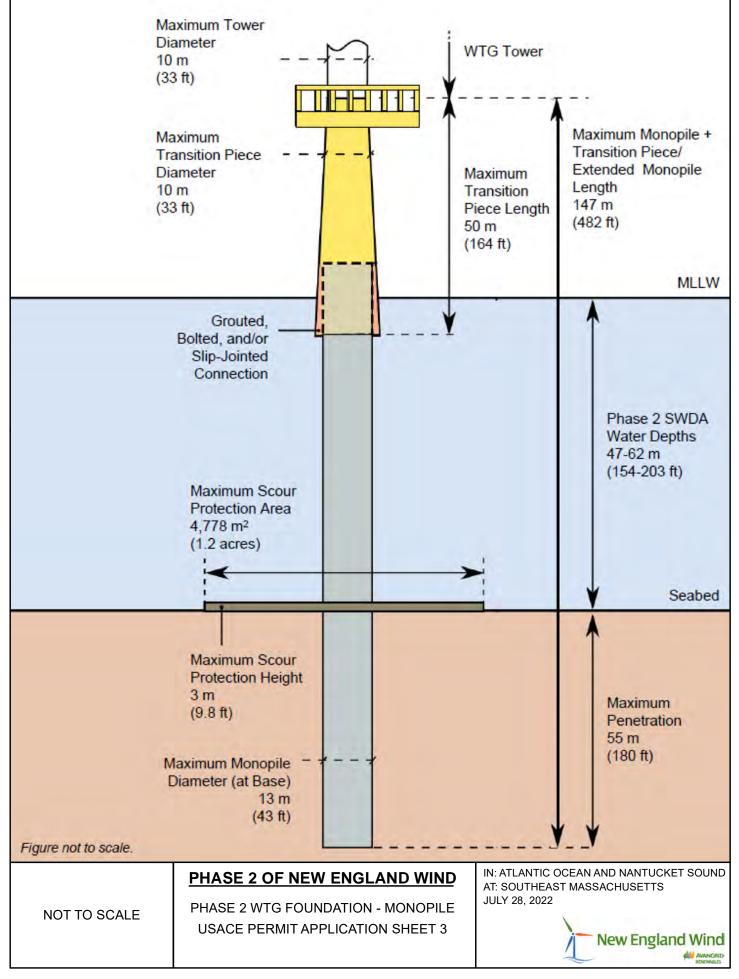




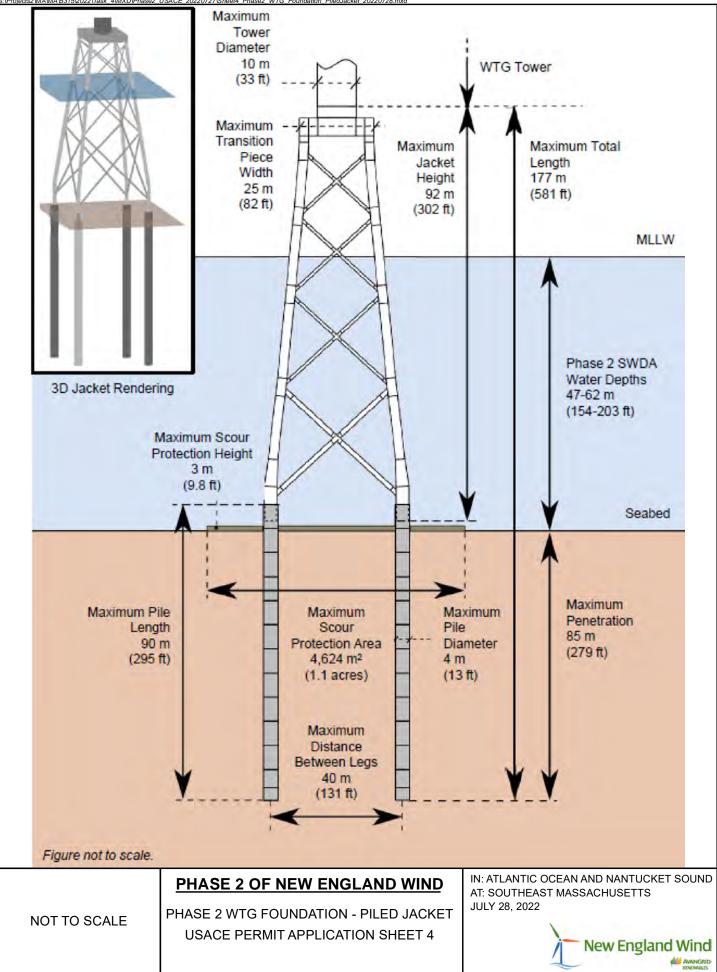
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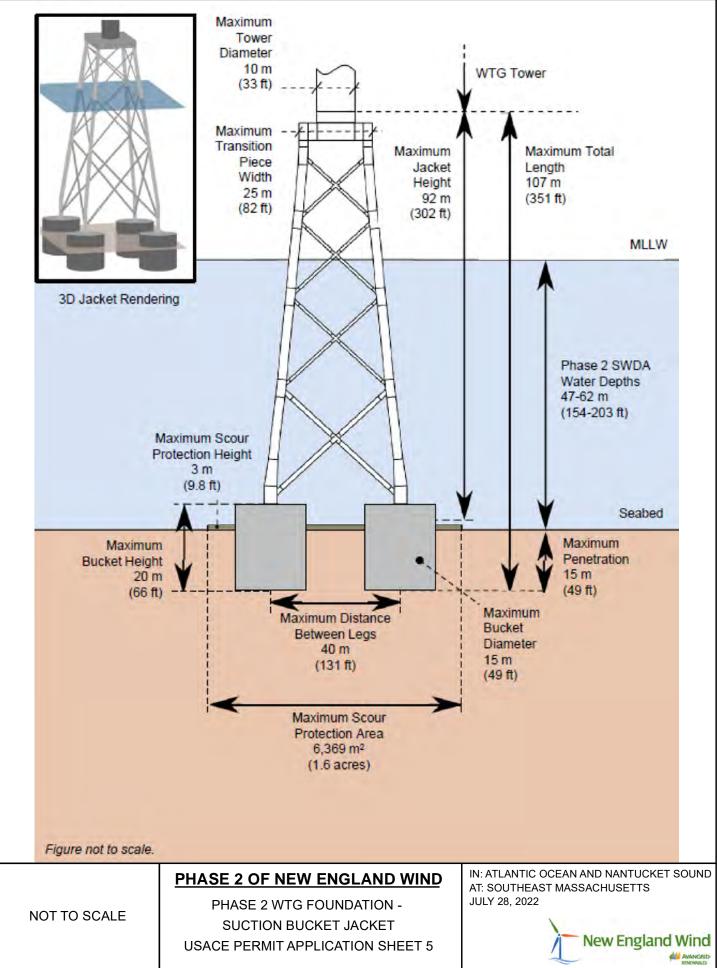
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New England Wind

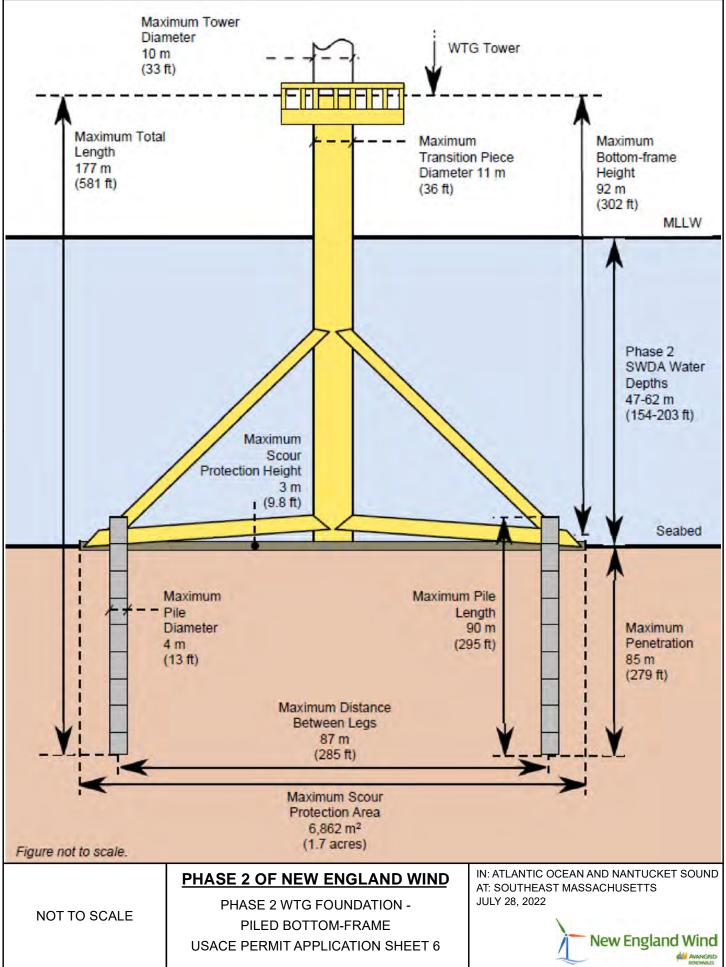




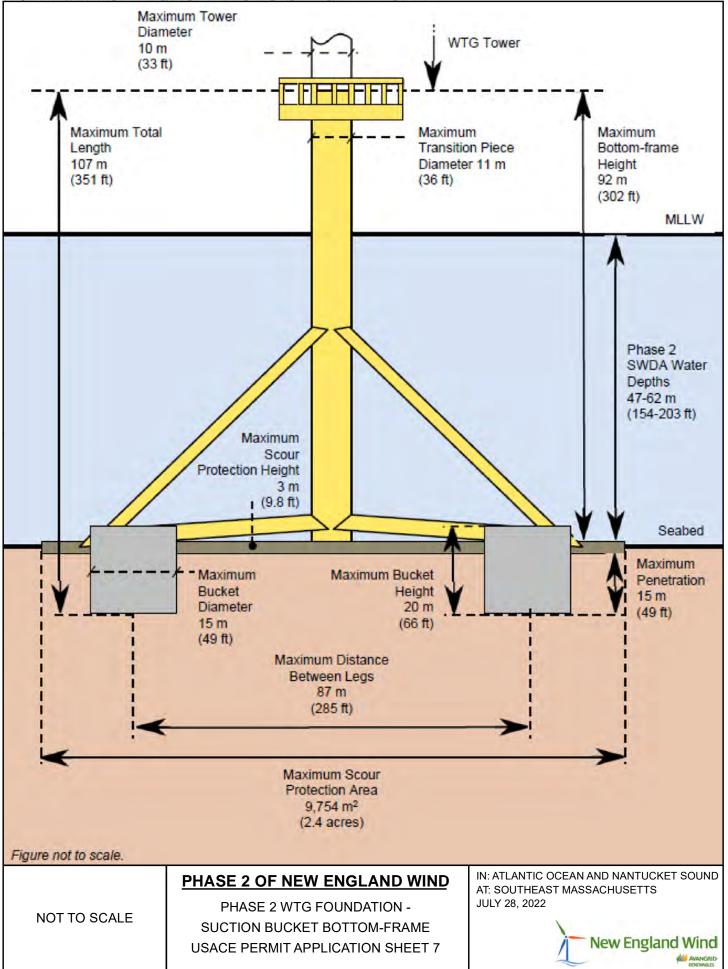


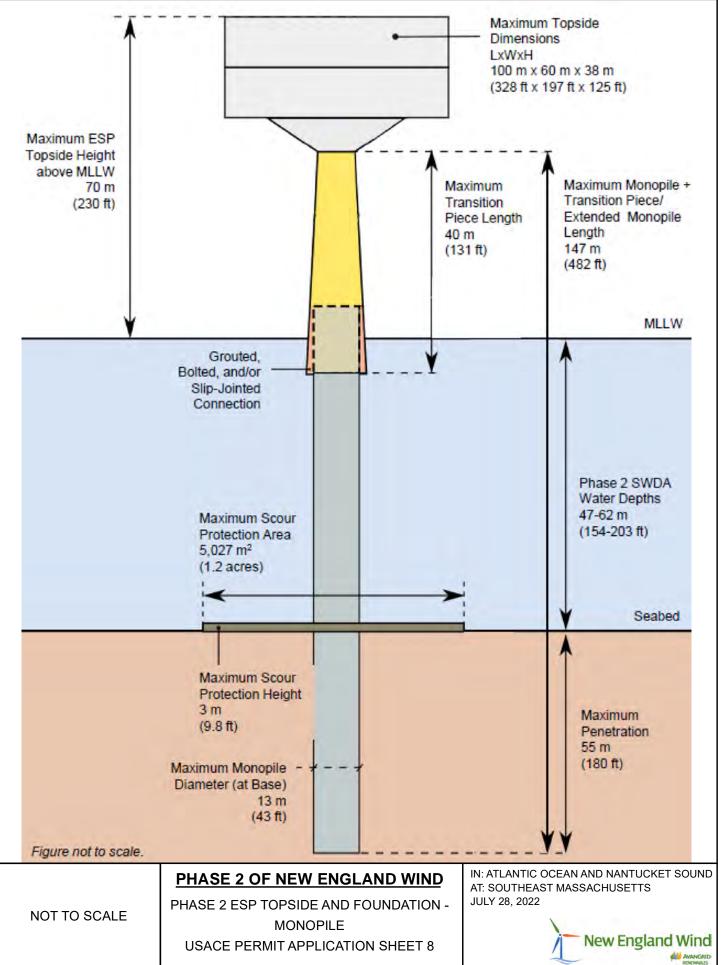




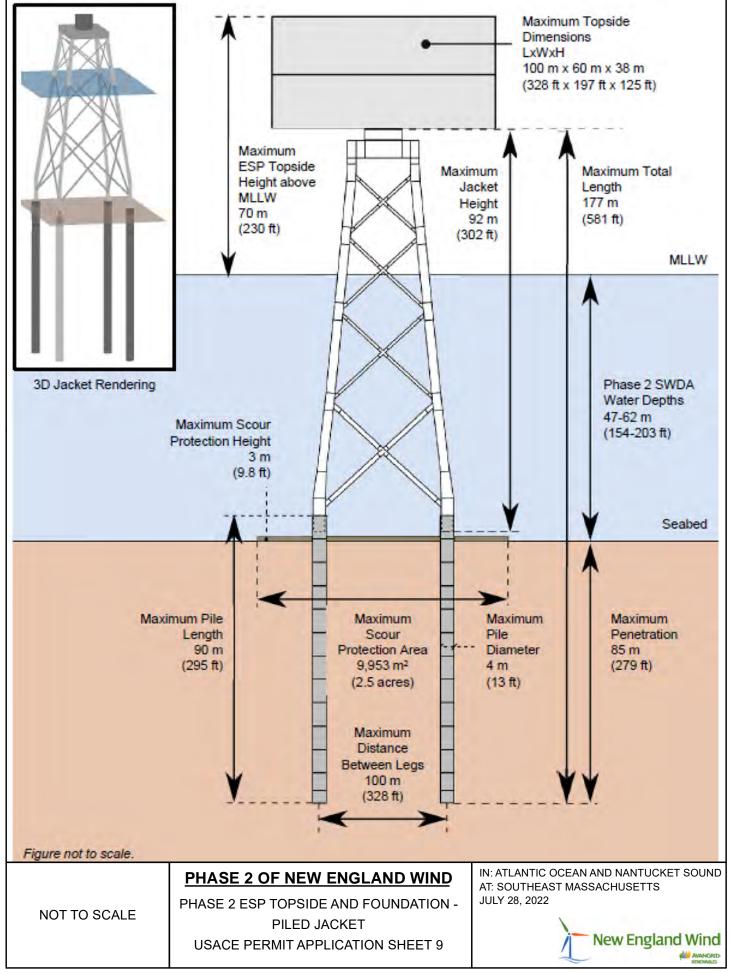


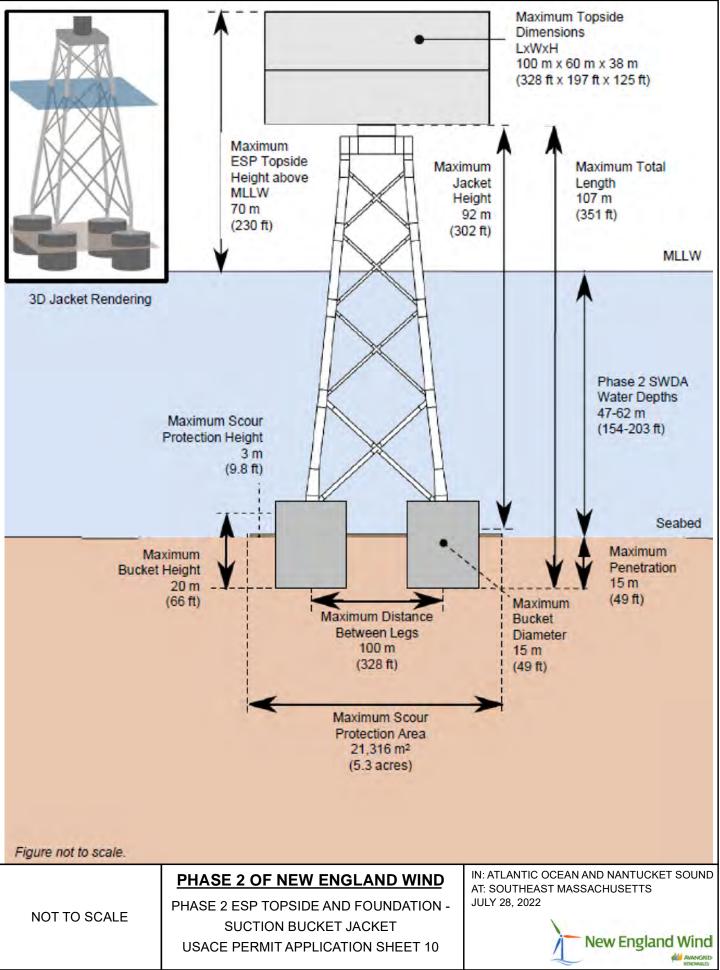


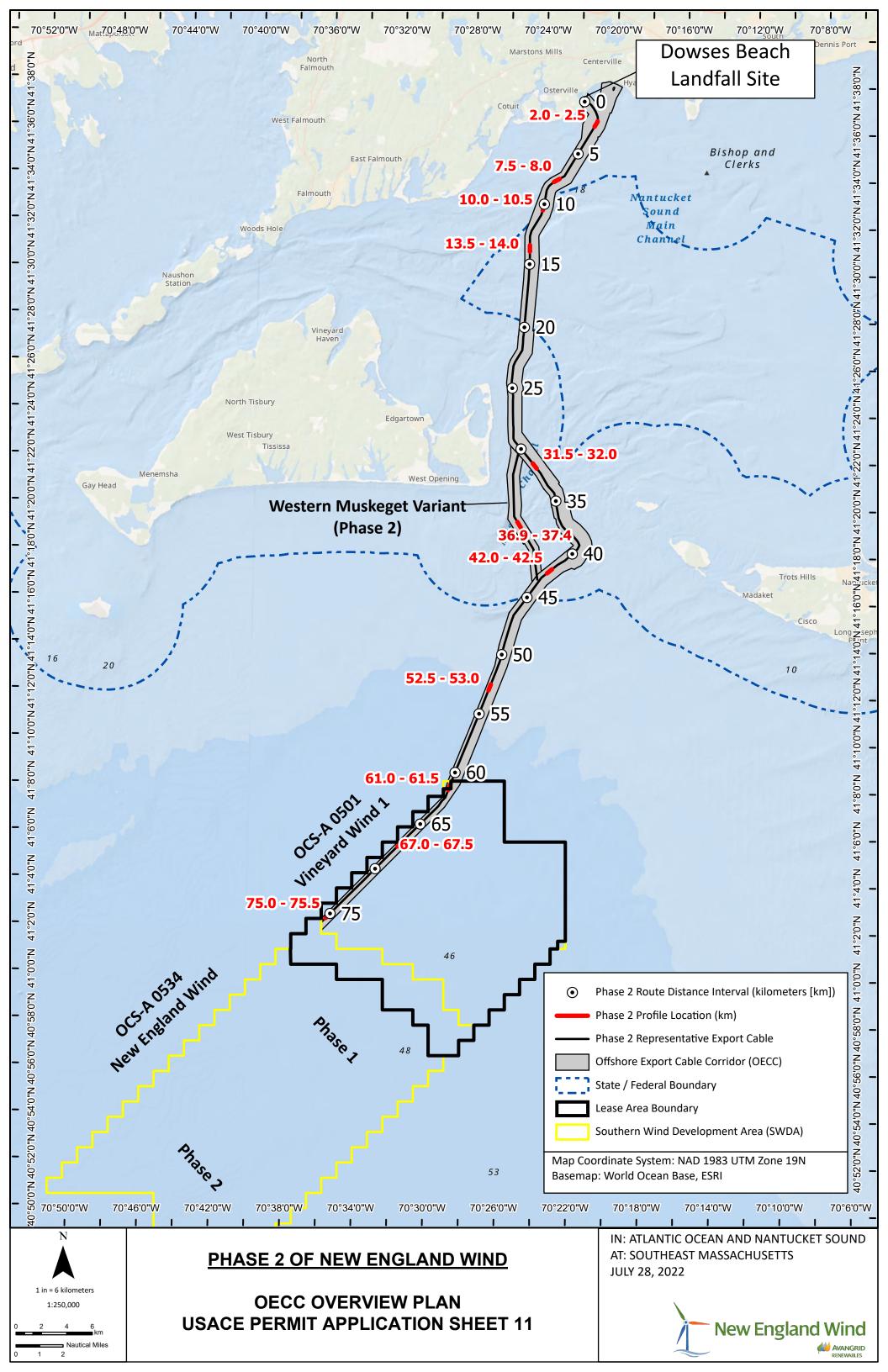


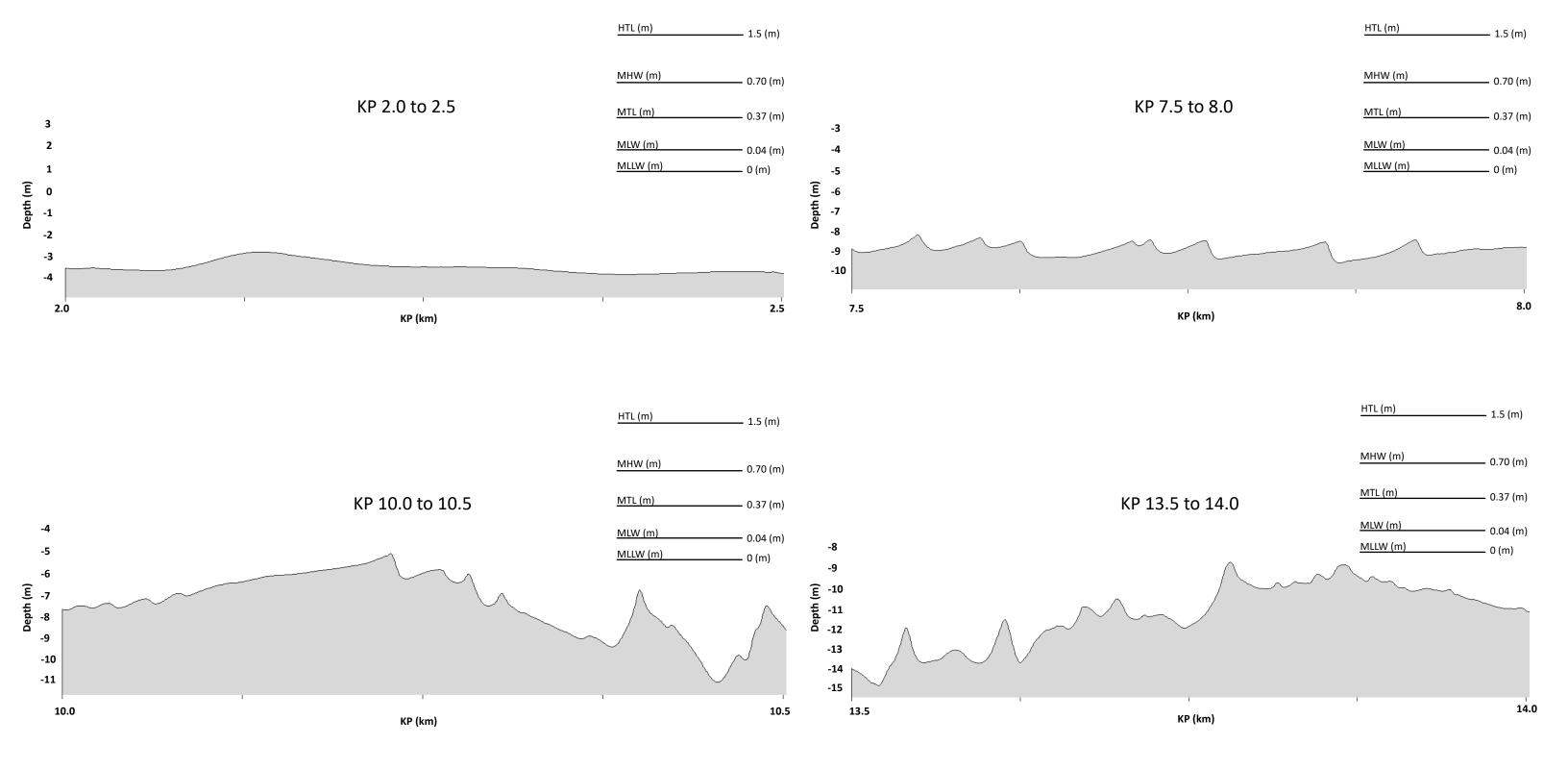


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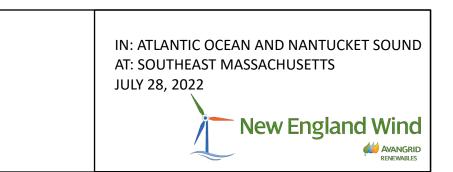


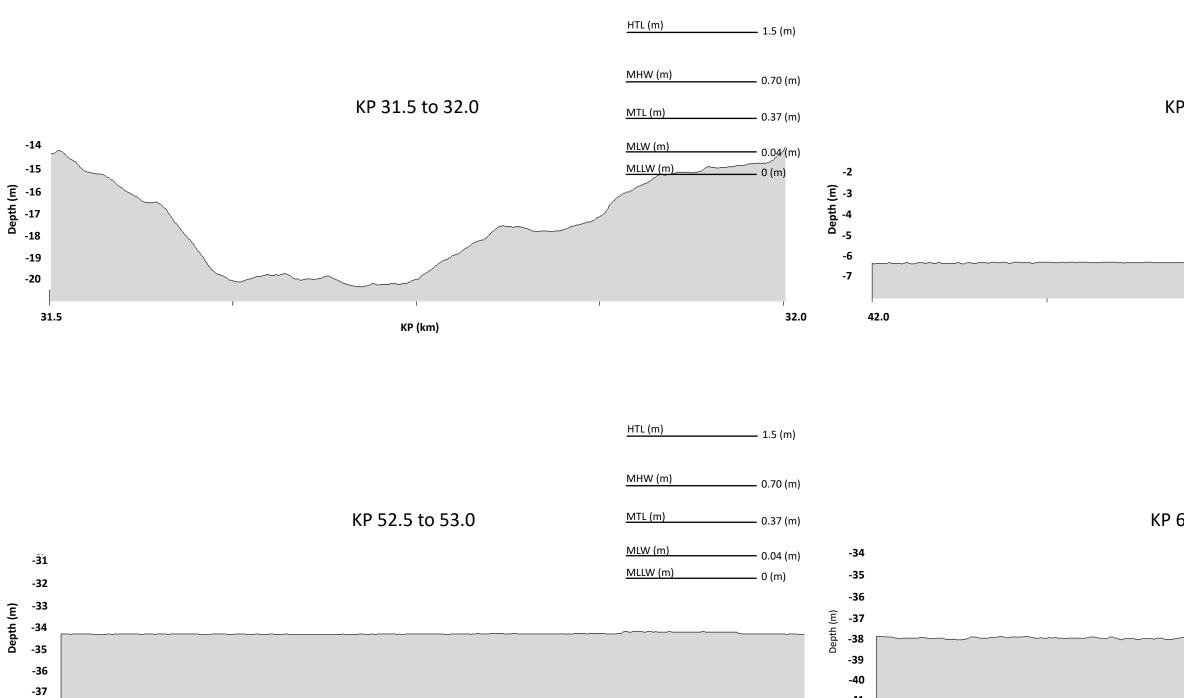






Above vertical information are averages along the entire OECC path & were calculated using NOAAs Vertical Datum Transformer.	PHASE 2 OF NEW ENGLAND WIND
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Sheet: 1 of 3	





KP (km)

52.5

Above vertical information are averages along the entire OECC path & were calculated using NOAAs Vertical Datum Transformer. HTL as per NOAA station: Hyannisport Datum: Mean Lower Low Water (MLLW) Bathymetry Source: NEWIND_BATHY_UNIFIED_2020 (MBES data collected between 2018 and 2020 in the OECC) Profiles: Not To Scale Sheet: 1 of 3

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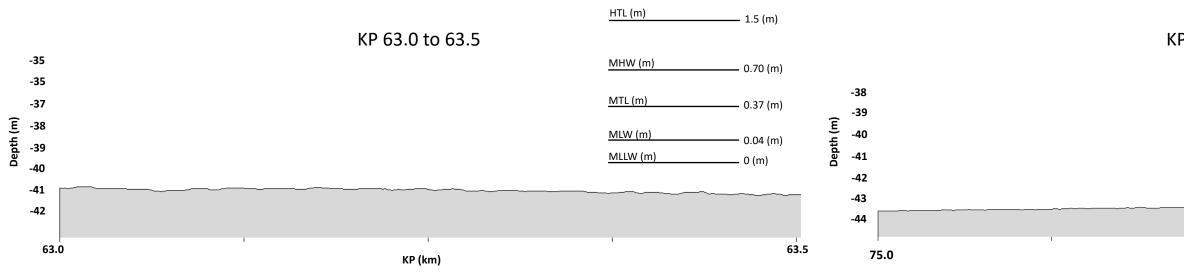
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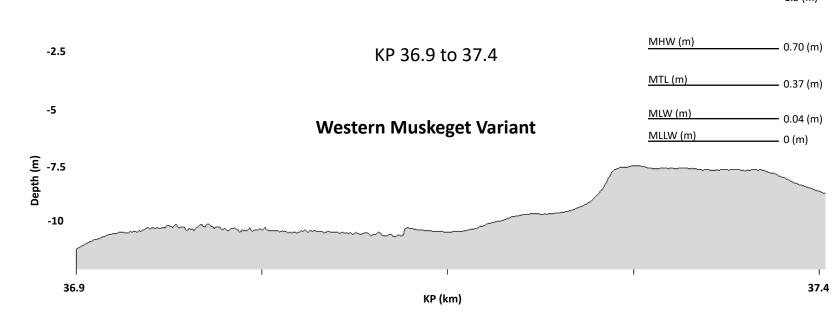
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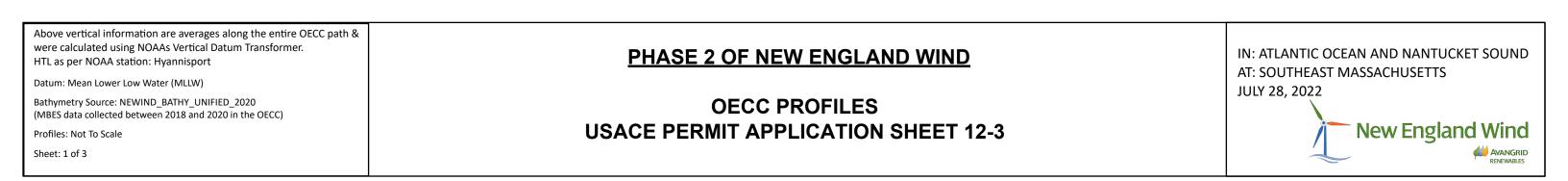
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HTL (m)

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NEW ENGLAND WIND PHASE 2 DOWSES BEACH LANDING HDD LANDFALL DRILL PATHS

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5	HDD 2 PLAN AND PROFILE
6	HDD 3 PLAN AND PROFILE
7	HDD 1 CONSTRUCTION STAGING
8	HDD 2 CONSTRUCTION STAGING
9	HDD 3 CONSTRUCTION STAGING

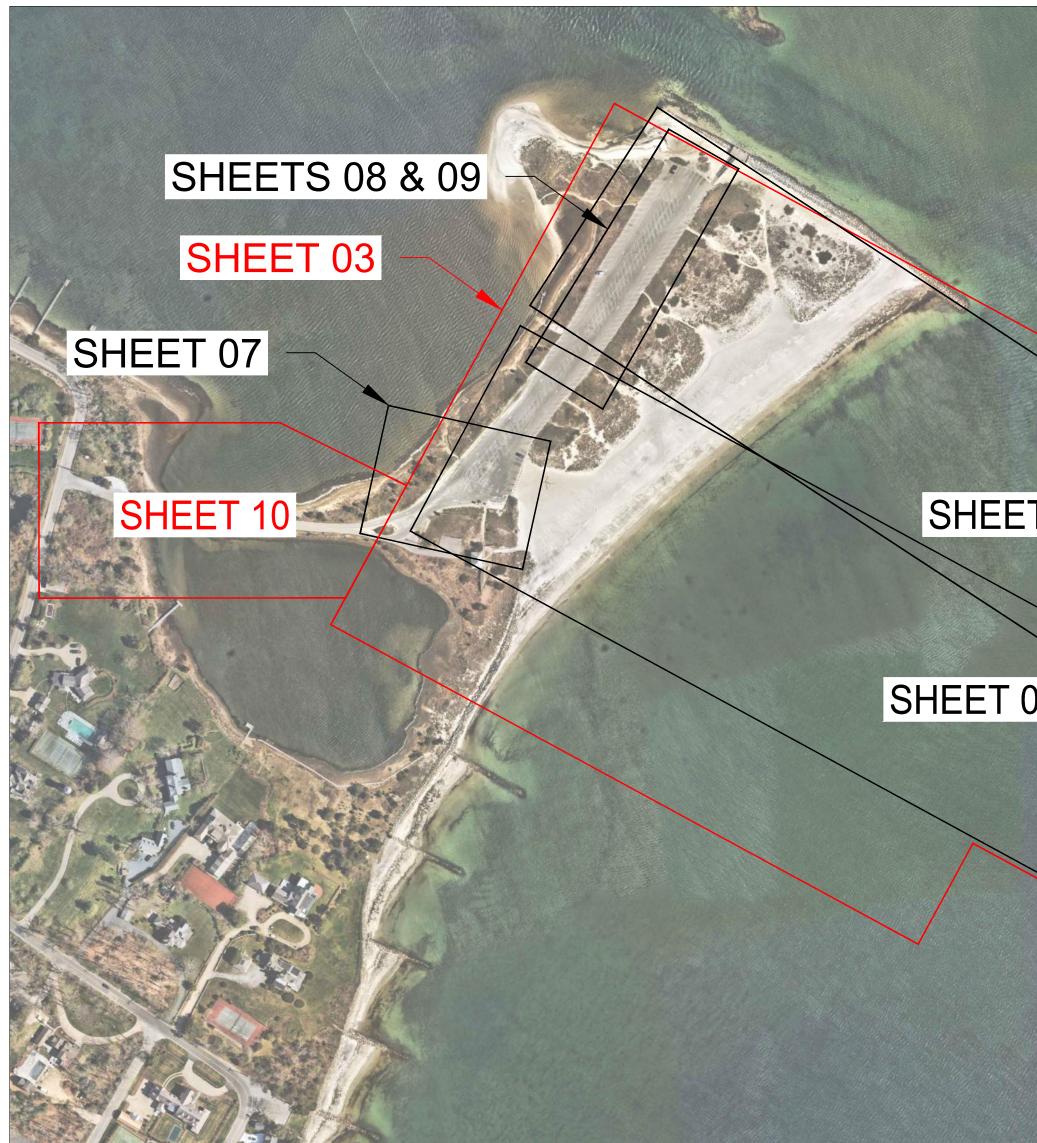
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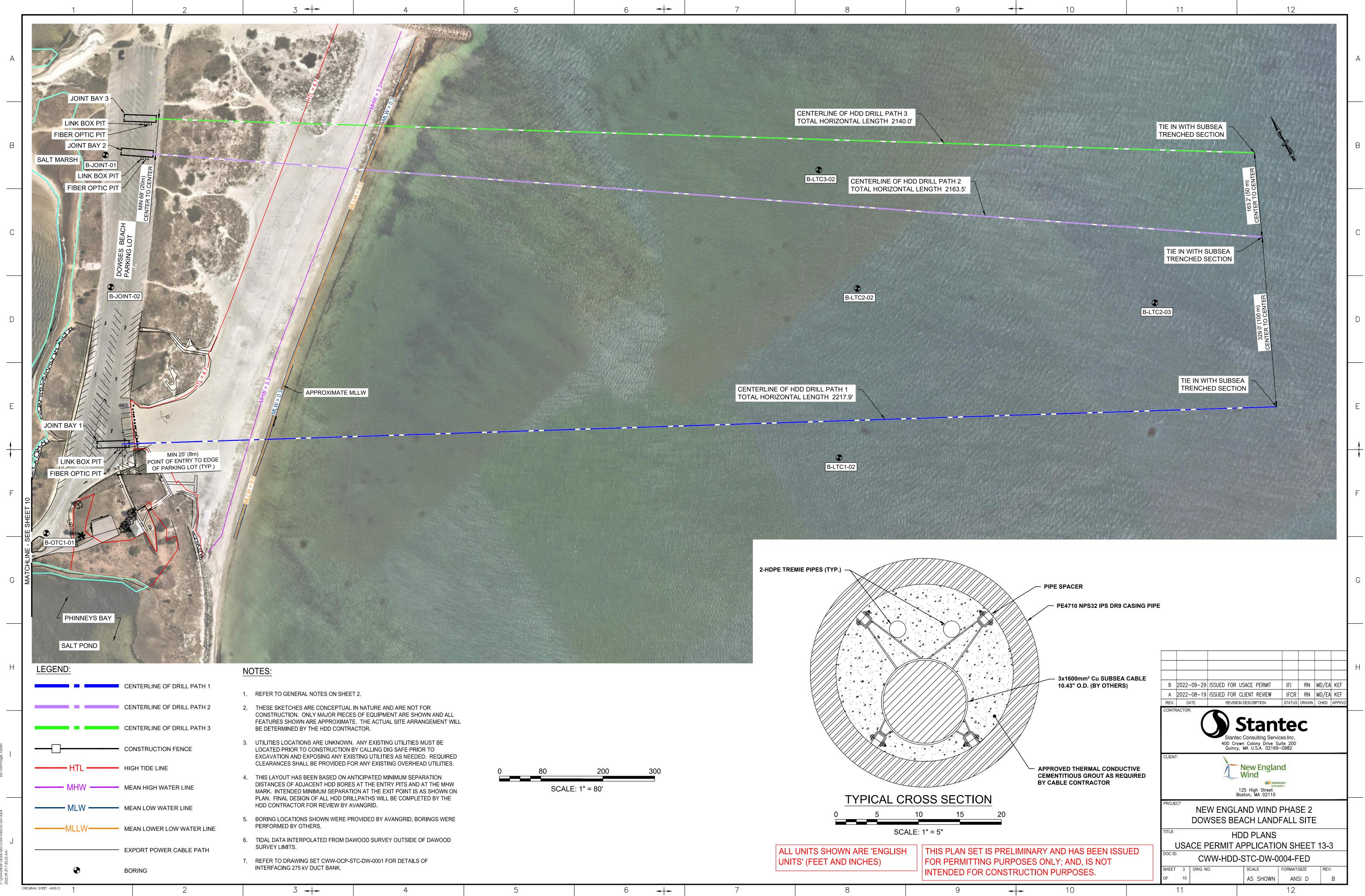
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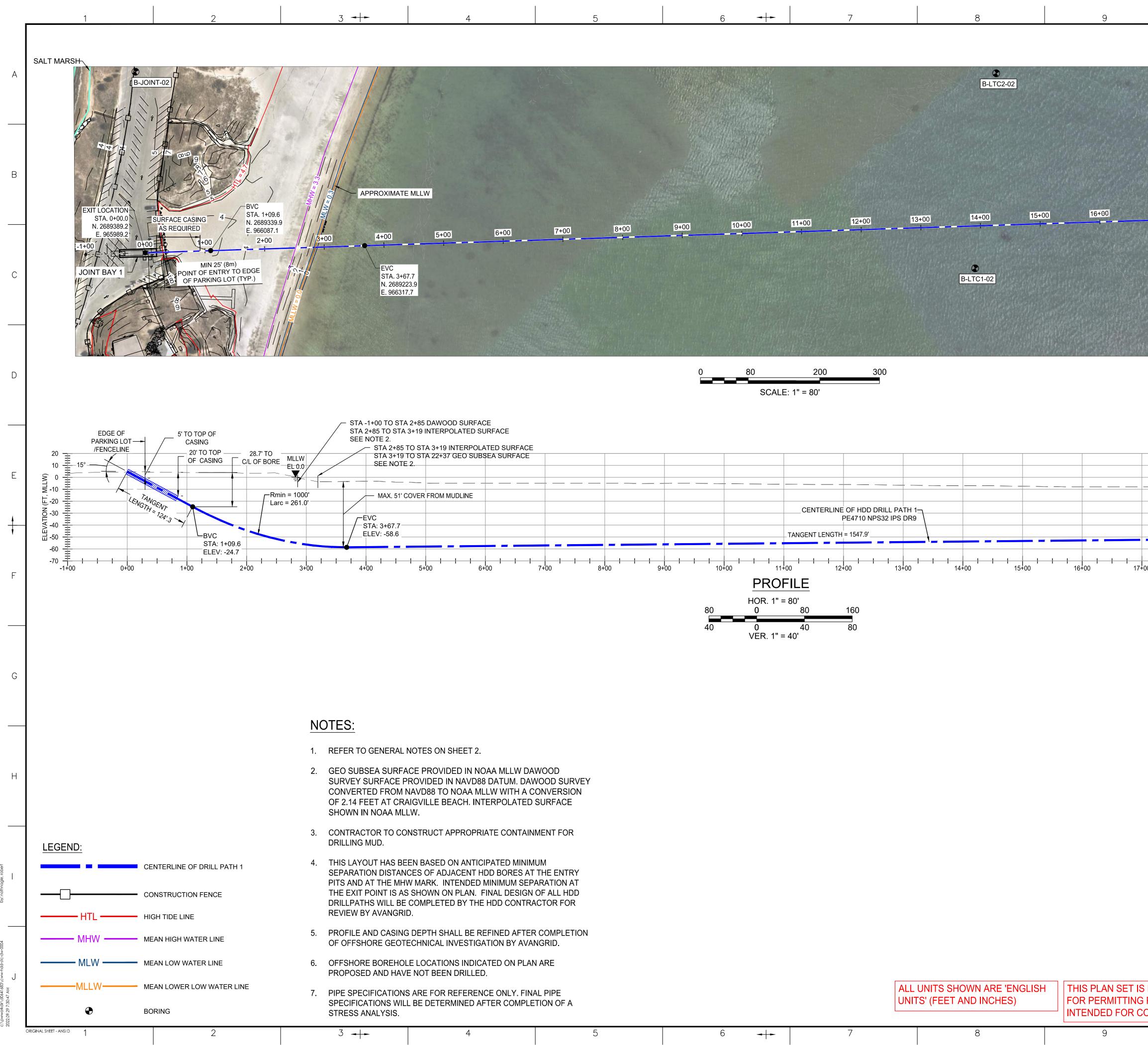


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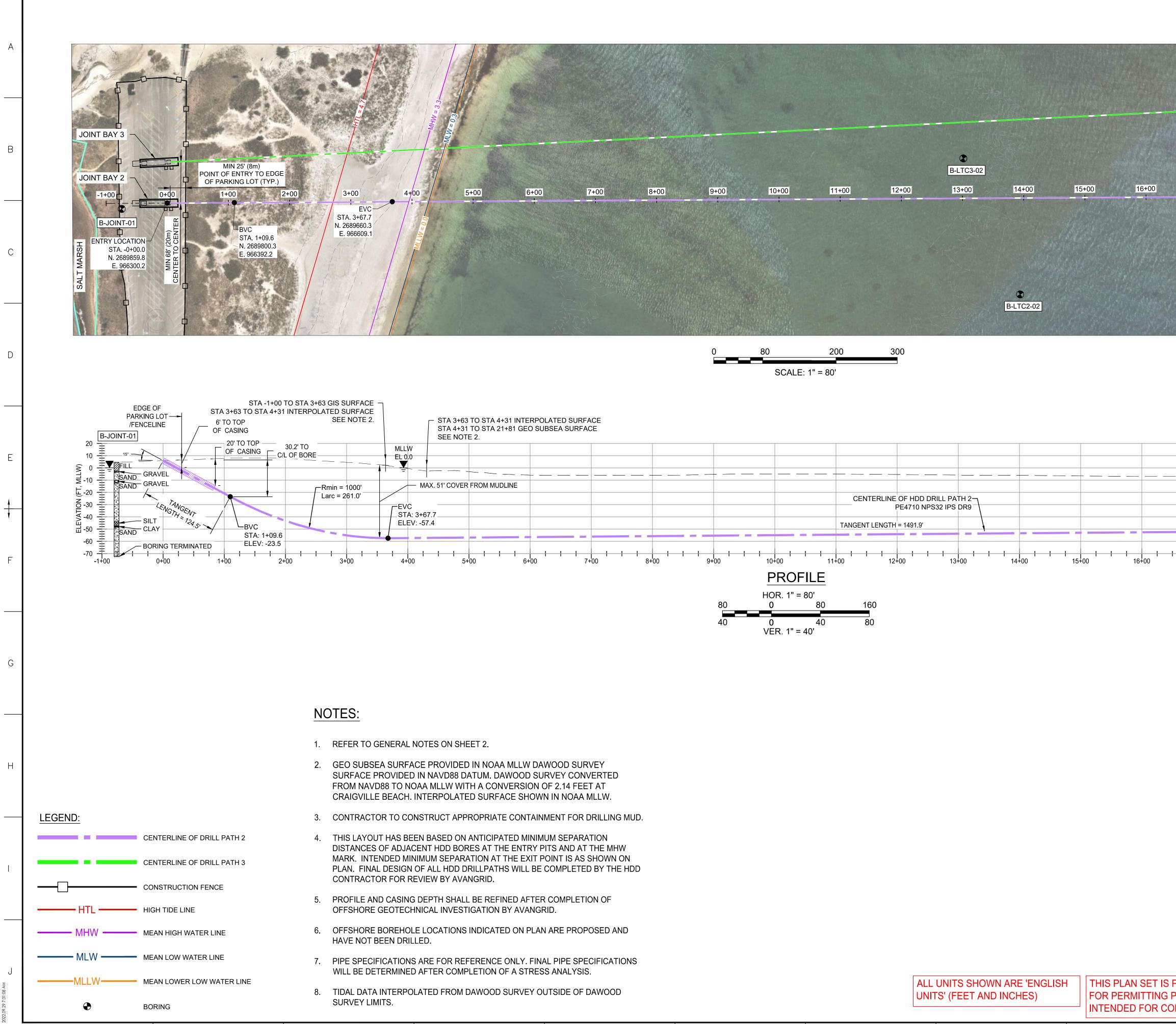


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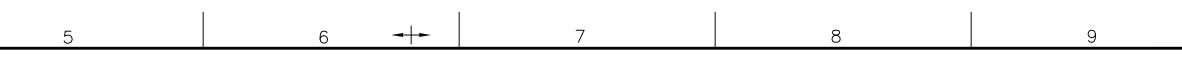
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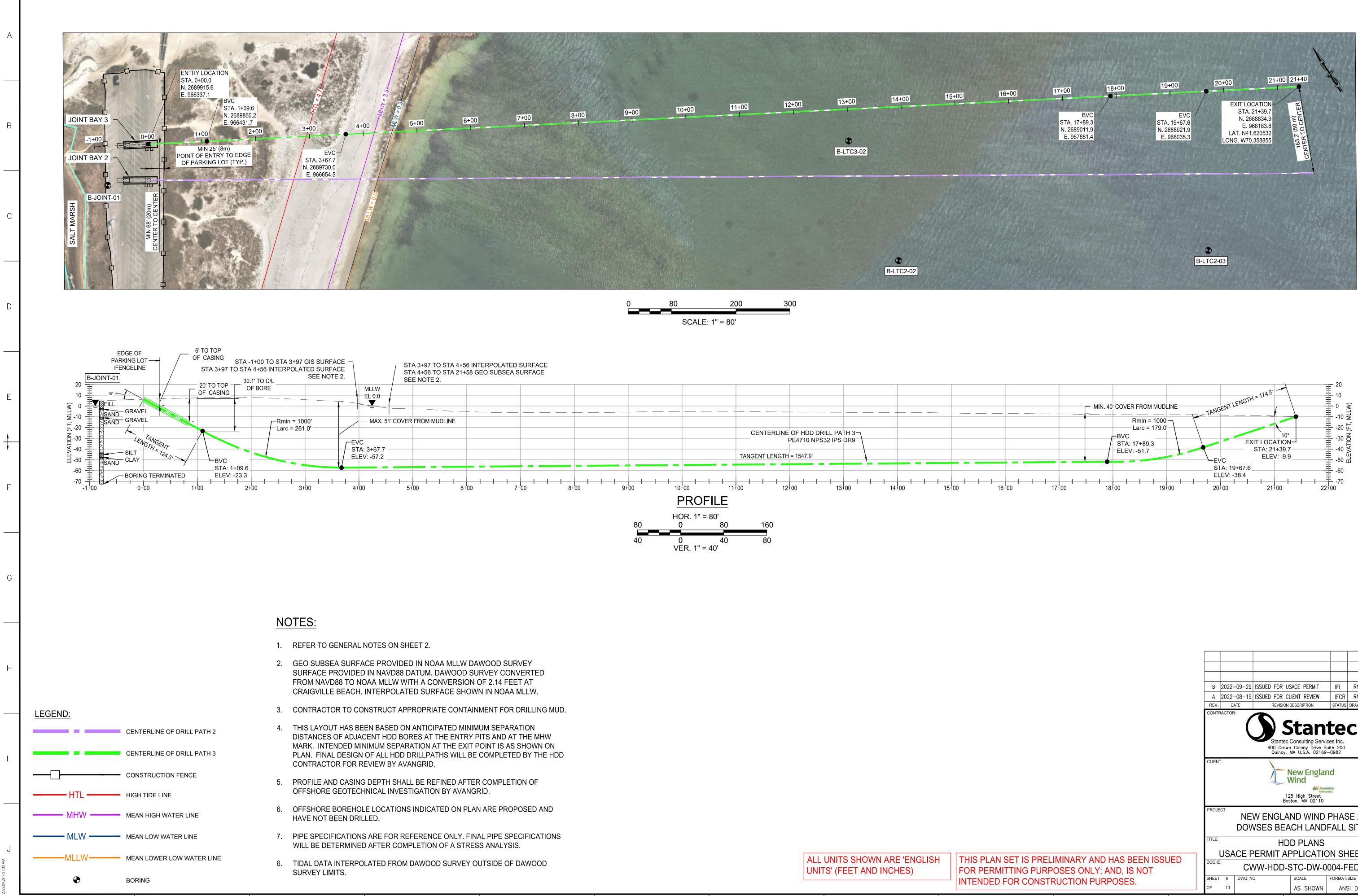
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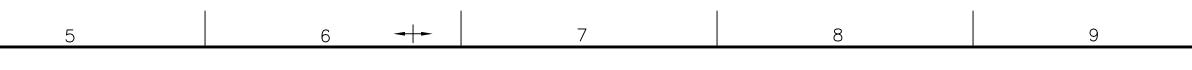
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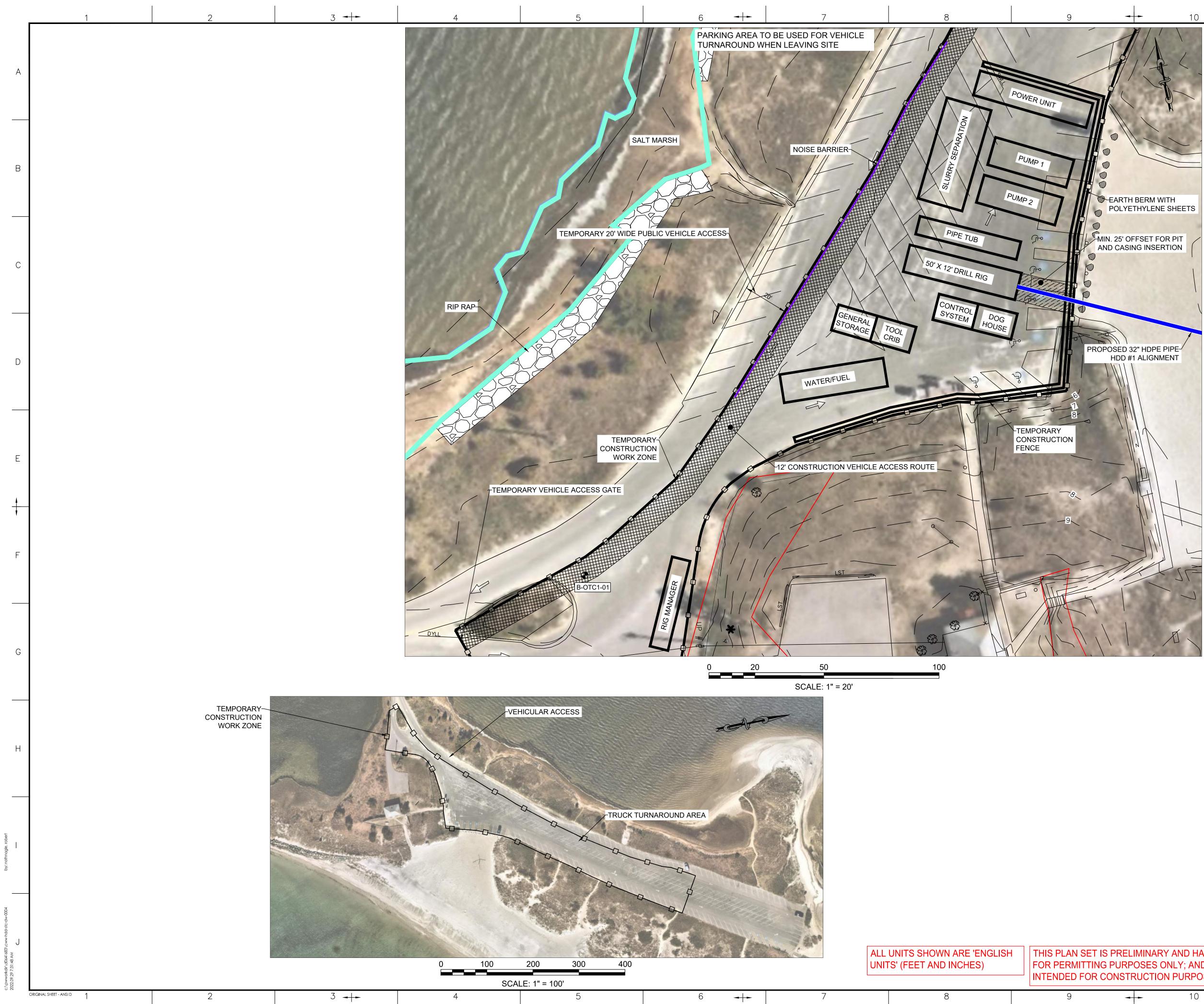
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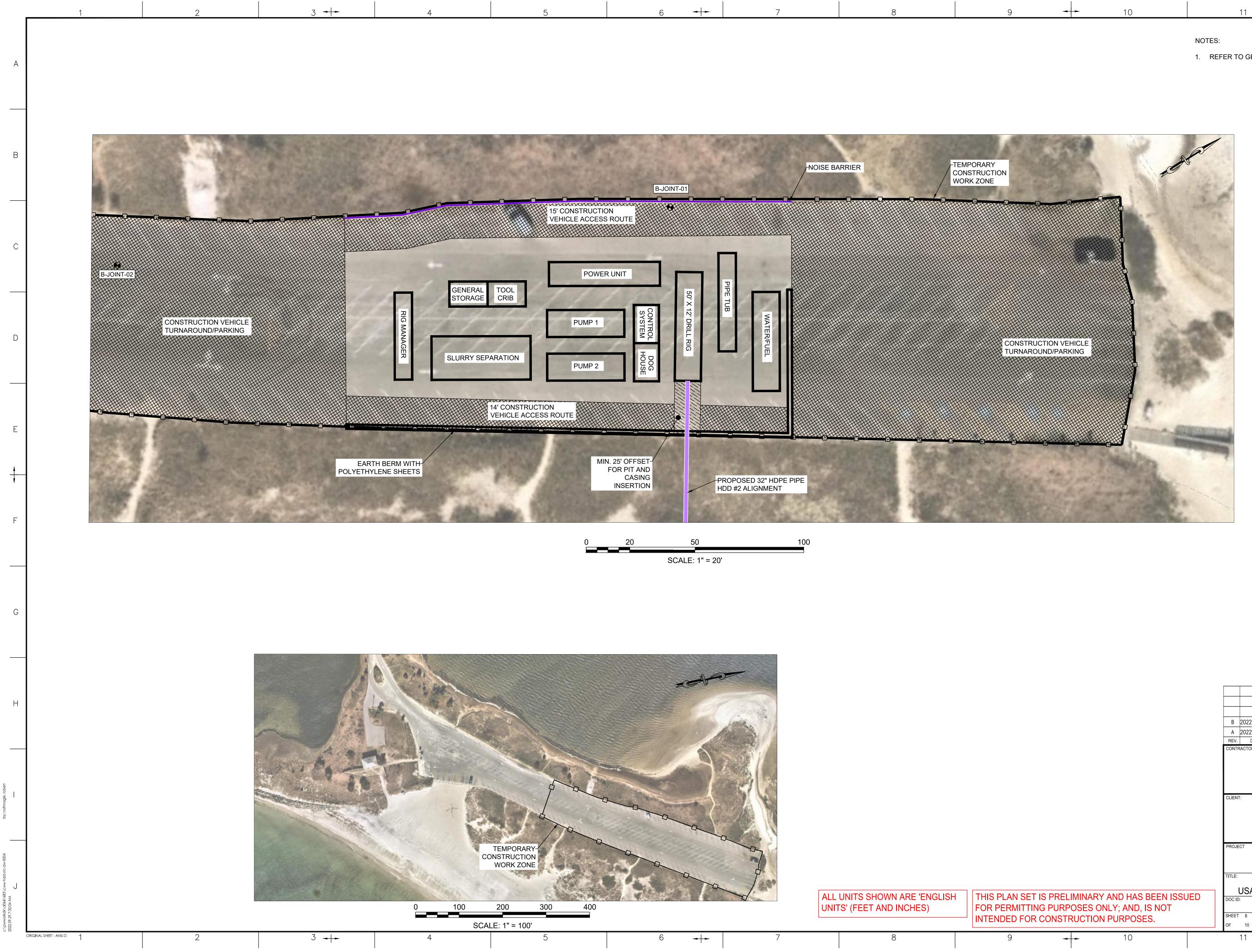
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1. REFER TO GENERAL NOTES ON SHEET 2

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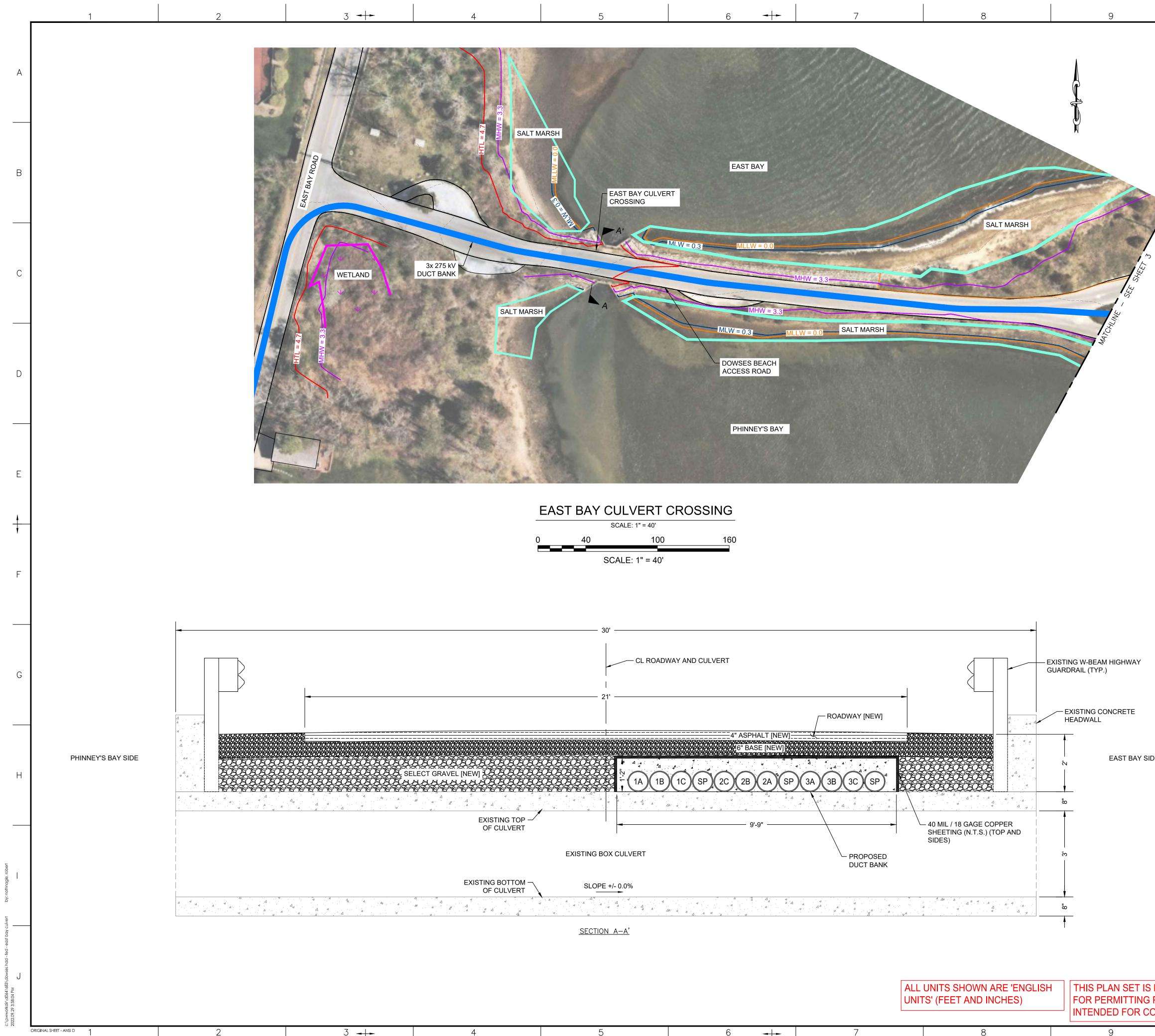


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Burial tool category	Description	Example (Tool name, Contractor)	Photography
Jetting tool	A Jetting tool works by fluidising the seabed using a combination of high flow low pressure and low flow high pressure water jets to 'cut' the soil. These tools can generally be used in tracked or free-swimming mode. This type of tool typically provide a nominal cable burial depth of up to 3 m.	T1200, HELIX	
Hybrid (jet trencher and mechanical trencher)	A hybrid trencher comprises both jetting and cutting systems (wheel cutter or chain cutter). This burial tool is tracked and can generally provide a nominal cable burial depth of up to 3.5 m. It has the advantage of being able to handle "rocky" and hard seabed conditions.	Hi-Track, Royal IHC	
Jet plough	A jet plough is the same tool as a standard cable plough but with an additional jetting function. The high flow/low pressure water jets fluidise the sand directly in front of the plough share which allows the plough to move through the sand with much less resistance. Subject to prevailing conditions, jet ploughs can generally provide a nominal cable burial depth of up to 3.5 m.	HD3 Plough, Prysmian	
Jetting tool - Vertical Injector	The Jetting tool (Vertical Injector) is a vessel or barge mounted sub-sea jetting tool capable of burial depths up to 10 m depending on conditions. Vis are generally considered to be a 'shallow water' tool and can operate in water depths up to 40 m using pressurized water to trench trough sand and clay while simultaneously laying the cable.	VI, Boskalis	

Source: COP Vol. III, Appendix III-P (Table 5-2)



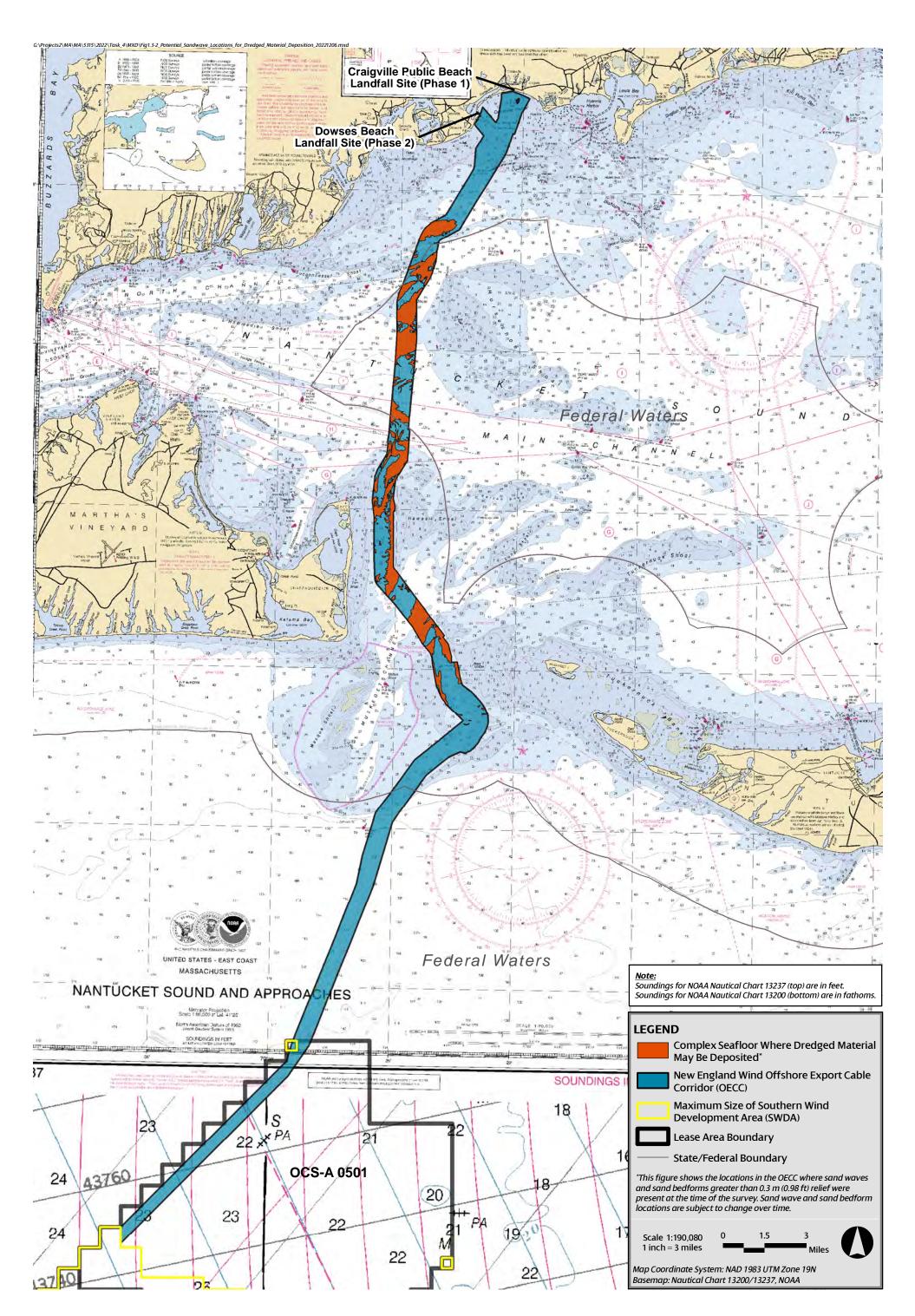




Figure 1.3-2 Location of Potential Sand Wave Dredging and Dredged Material Deposition







Source: http://www.rotech.co.uk/subsea-video-gallery.html





Source: https://www.flickr.com/photos/jaxstrong/albums/72157637944233765

Trailing Suction Hopper Dredge



