



**US Army Corps
of Engineers**®
New England District
696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Comment Period Begins: November 26, 2013

Comment Period Ends: December 27, 2013

File Number: NAE-2009-789

In Reply Refer To: Michael J. Elliott

Phone: (978) 318-8131

E-mail: michael.j.elliott@usace.army.mil

The District Engineer has received a permit application modification from the two applicants below to **conduct work in waters of the United States** as described below.

APPLICANT: Deepwater Wind Block Island, LLC (“DWBI”) and Deepwater Wind Block Island Transmission System, LLC (“DWBITS”) (collectively “the Applicants”).

ACTIVITY: The Corps issued a Public Notice on October 2, 2012 describing and seeking comment on the proposed Block Island Wind Farm (BIWF) and its associated cable called the Block Island Transmission System (BITS).

This Public Notice seeks comment on a project modification. The change consists of an alternative shore landing and buried terrestrial route for the BITS cable on the Rhode Island Mainland, referred to as the Scarborough Beach Alternative. The previously proposed Narragansett Town Beach landing alternative has been eliminated, along with the long-distance horizontal directional drill (HDD) landing construction option for the BIWF Export Cable and BITS Cable on Block Island.

Please provide comments limited to the scope of the activity associated with this modification as further described below in this notice (PROPOSED WORK AND PURPOSE). All previous comments received regarding the offshore wind farm with its associated submarine interconnecting and transmission cables are part of the Corps’ administrative record and will be evaluated along with any additional comments received in response to this notice.

The Applicants have submitted an Environmental Report Modification as part of their application to the Corps with further detail on the proposed activity. The document is available on the Applicants’ website at:

<http://dwwind.com/block-island/#block-island-wind-farm-permitting-docs>

Paper copies of the Environmental Report Modification are also available for public review at the Block Island Town Hall, the Island Free Library on Block Island, and at the Maury Loontjens Memorial Library in Narragansett.

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The submarine portion of the Scarborough Beach Alternative is located in state territorial waters of Rhode Island and makes landfall at Scarborough State Beach in Narragansett, Rhode Island (see **Figure 1**).

PROPOSED WORK AND PURPOSE:

The BITS cable route remains as described in the previous Public Notice on Block Island and through state and federal waters up to a point approximately 17.4 miles from the shore landing on Block Island. At this point, the proposed Scarborough Beach Alternative cable corridor diverges to the west from the route as originally proposed and traverses state submerged lands for a distance of approximately 2.4 miles to make landfall beneath Scarborough State Beach in Narragansett, Rhode Island. DWBIT is proposing to install the submarine portion of the Scarborough Beach Alternative via jet-plow to a target depth of 6 ft as previously described for the BITS. The actual burial depth will depend on the substrate encountered along the route and could vary from 4 feet to 8 feet and may require additional protective armoring in those areas where less than 4 feet of burial is achieved. Overall, the Scarborough Beach Alternative results in a reduction in the length of the submarine portion of the BITS cable route by approximately 2 miles.

The landfall of the cable on Scarborough State Beach will be constructed either by a direct installation or a long-distance HDD method. The Applicants have committed to installing the cable during fall, winter, or spring to avoid impacts to the summer tourist season.

The direct installation method is comparable to the short distance HDD method previously described except that it will involve the excavation of a trench between approximately mean low water (MLW) and the RIDEM parking lot behind the beach to install the cable conduit rather than utilization of an HDD. The trench would be approximately 5 feet to 8 feet wide across the berm of the beach. The trench will be appropriately shored to maintain wall stability up to the water line during conduit installation. At the water line, metal sheeting will be temporarily installed via a vibratory hammer. Excavated sand from the conduit trench on the beach will be stored on the beach within the designated work area and returned to the trench after the conduit is installed. Sand will be stored in piles by approximate grain size and returned to the trench to approximate pre-installation vertical grain size distribution and beach surficial topography. Temporarily transplanted beach grass will be replanted at approximately pre-construction locations, and supplemented with additional plantings, if necessary, to achieve approximate pre-installation beach grass conditions. Subsequent installation of the submarine cable through the conduit will be as previously described and will involve excavation of a second temporary transition area trench from approximately MLW to MHW to connect the cable with the conduit.

Cable installation via the long distance HDD method was described in the October 2012 Public Notice. The temporary cofferdam associated with the Scarborough Beach Alternative would be located between 300 feet and 1,800 feet offshore from Scarborough State Beach. The permit application modification received by the Corps withdraws the long distance HDD option for the BIWF Export Cable and BITS Cable off of Block Island.

The terrestrial portion of the Scarborough Beach Alternative would be entirely buried within state-owned rights-of-way and includes a new switchyard to be located on RIDOT property used for salt storage. The BITS would interconnect at the existing substation operated by The Narragansett Electric Company (“TNEC”) d/b/a National Grid Wakefield Substation in South Kingstown, Rhode Island. The terrestrial portion of the BITS Scarborough Beach Alternative does not affect any wetlands or waters of the U.S.

The work is described on the enclosed four Figures titled “BITS SCARBOROUGH BEACH ALTERNATIVE” dated “OCTOBER 2013.” Additional detail plan sheets can be viewed on the Applicants’ website at:

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<http://dwwind.com/block-island/block-island-project-overview>, at the Block Island Town Hall, at the Island Free Library on Block Island, or at the Maury Loontjens Memorial Library in Narragansett.

AUTHORITY:

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
- 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 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 that may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, 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 and, in general, the needs and welfare of the people.

The Corps of Engineers 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. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Under the OCS Lands Act, as amended, the Bureau of Ocean Energy Management (BOEM) has the authority to grant a right-of-way for the portion of the BITS located on the OCS in federal territorial waters. The Corps of Engineers will work collaboratively with BOEM to ensure effective implementation of the required NEPA process; the required Endangered Species Act (ESA) Section 7 consultations; the Magnuson-Stevens Fishery and Conservation Management Act Essential Fish Habitat consultation (Section 305); the National Historic Preservation Act Section 106 process; and the Coastal Zone Management Act (CZMA) review process. The Corps of Engineers will act as the Lead Federal Agency and BOEM will be a Cooperating Agency for review of the Project under NEPA and for conducting inter-agency consultations in accordance with the other applicable statutes.

ENDANGERED SPECIES ACT:

The federal Endangered Species Act (ESA) of 1973, as amended (16 USC 1531 et seq.), prohibits unauthorized taking, possession, sale, and transport of listed species. Under Section 7 of the ESA, federal agencies must consult with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) to ensure that any action authorized, funded, or carried out by that agency is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat. The NMFS has jurisdiction over most listed marine species and anadromous fish species, while the

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USFWS has jurisdiction over terrestrial and freshwater species and some marine species with land-based habitats that are unlikely to occur in the Rhode Island Sound, such as manatees, polar bears, sea otters, and walrus.

Regarding terrestrial species, the Corps determined that the installation and operation of the BIWF and BITS, as previously proposed, is not likely to adversely affect the threatened, endangered, and candidate species that may occur in and around the project site. The USFWS concurred with this determination in a letter dated July 31, 2013. The Corps has also determined that the proposed modification consisting of the Scarborough Beach Alternative is not likely to adversely affect terrestrial threatened, endangered, and candidate species. The Corps will include the Scarborough Beach Alternative in its consultation with USFWS which will be concluded prior to the final decision.

Regarding marine species, the Corps has determined that the installation of the BIWF and BITS may result in acoustic harassment to ESA-listed marine mammal and sea turtle species. The total acoustic impacts associated with the BIWF and BITS are anticipated to be less than previously described with the reduction in the length of the submarine cable route and removal of the long distance HDD option for cable installation on Block Island. The Corps has already engaged NMFS in formal consultation regarding the potential for the acoustic harassment to result in adverse effect to protected species. The Corps will include the Scarborough Beach Alternative in its consultation with NFMS which will be concluded prior to the final decision.

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 NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The Corps received EFH conservation recommendations for the proposed BIWF and BITS in a letter from NMFS dated July 12, 2013. The proposed Scarborough Beach Alternative route falls within the same EFH quadrant as evaluated for the originally proposed BITS cable landfall in Narragansett and will involve a shorter submarine cable route. The Corps has determined that the potential impacts on EFH from the construction, operation, and decommissioning of the Scarborough Beach Alternative are not anticipated to be materially different from those previously described for the BITS. The Corps will include the Scarborough Beach Alternative in its consultation with NFMS which will be concluded prior to the final decision.

SECTION 106 COORDINATION:

The Corps has consulted with the Rhode Island State Historic Preservation Office, the Tribal Historic Preservation Offices of the Narragansett Indian Tribe and the Wampanoag Tribe of Gay Head/Aquinnah, the National Park Service, and the Advisory Council on Historic Preservation regarding the BIWF and BITS under Section 106 of the National Historic Preservation Act. The Corps has determined that the BIWF will have an adverse effect under 36 CFR 800.5(a) on National Register-listed and National Register-eligible sites because it may result in visual alteration and physical disturbance to these sites. The Corps has determined that construction of the BIWF and BITS may result in physical damage to one archaeological site 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.

COASTAL ZONE MANAGEMENT ACT:

The state of Rhode Island has an approved **Coastal Zone Management Program**. Where applicable, the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Rhode Island Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

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

- Permit, License or Assent from State.
- Permit from Local Wetland Agency or Conservation Commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

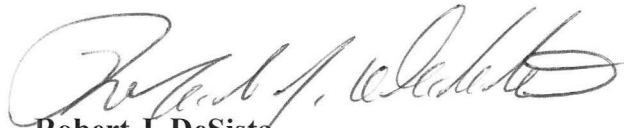
In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Michael J. Elliott at (978) 318-8131, (800) 343-4789 or (800) 362-4367, 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 Corps of Engineers 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.

In accordance with 33 CFR 325.2(a)(8), we publish monthly a list of permits issued or denied during the previous month at www.nae.usace.army.mil/reg, under the heading "Monthly General and Individual Permit Authorizations." Relevant environmental decision documents are available upon written request and, where applicable, upon the payment of administrative fees. Also visit www.nae.usace.army.mil for more information on the New England District Corps of Engineers programs.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

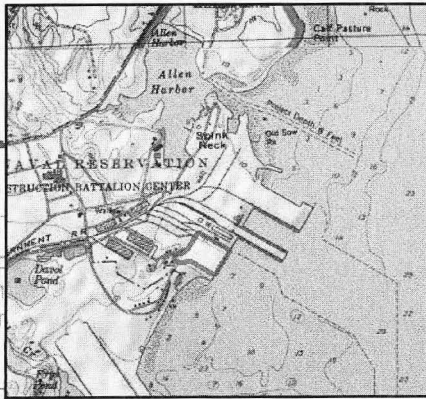


Robert J. DeSista
Chief, Permits and Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____

ADDRESS: _____



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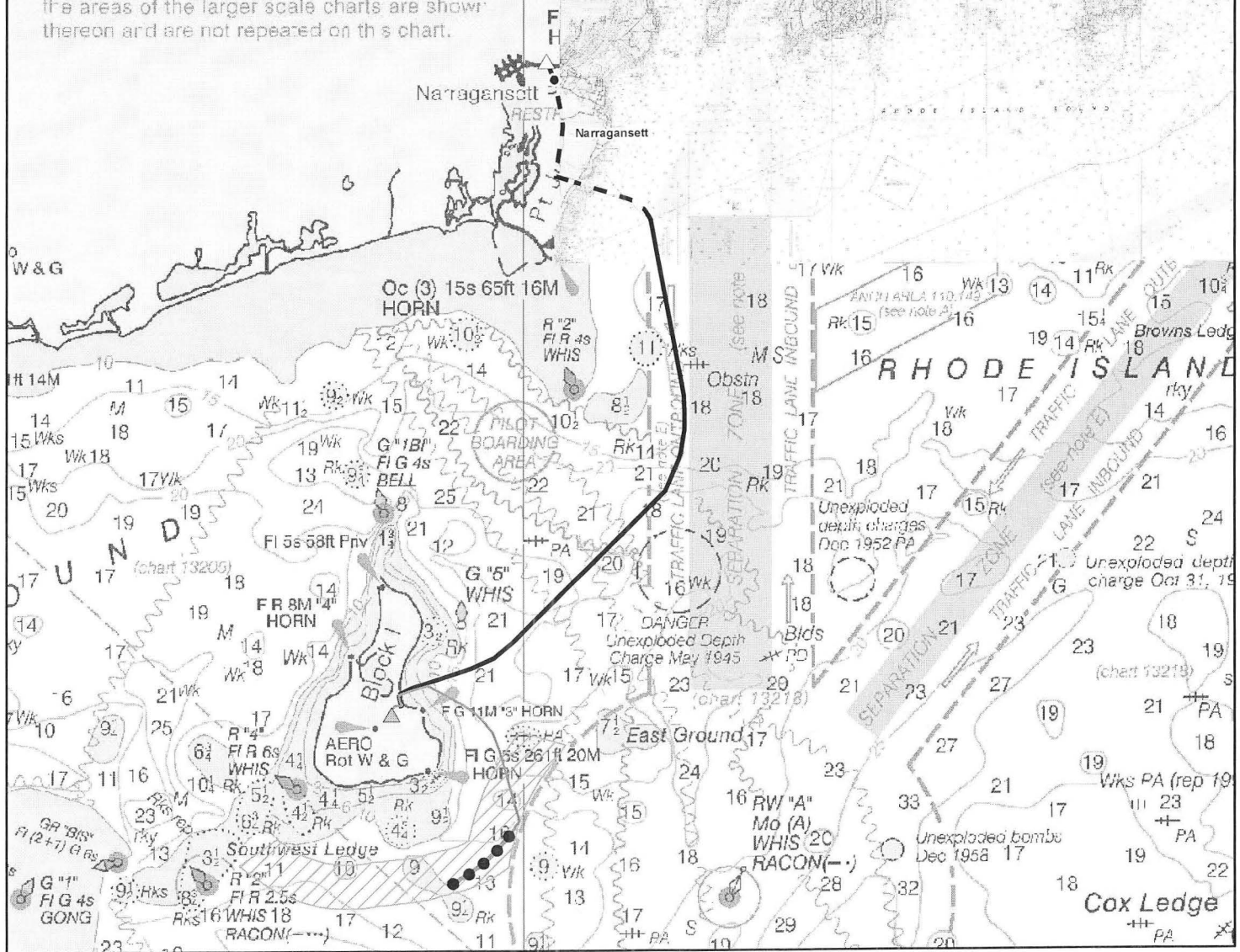
Quonset Point

Wick

Recon
establish
See chart

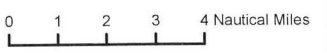
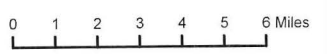
CABLE AND PIPELINE AREAS

The cable and pipeline areas falling within the areas of the larger scale charts are shown thereon and are not repeated on this chart.



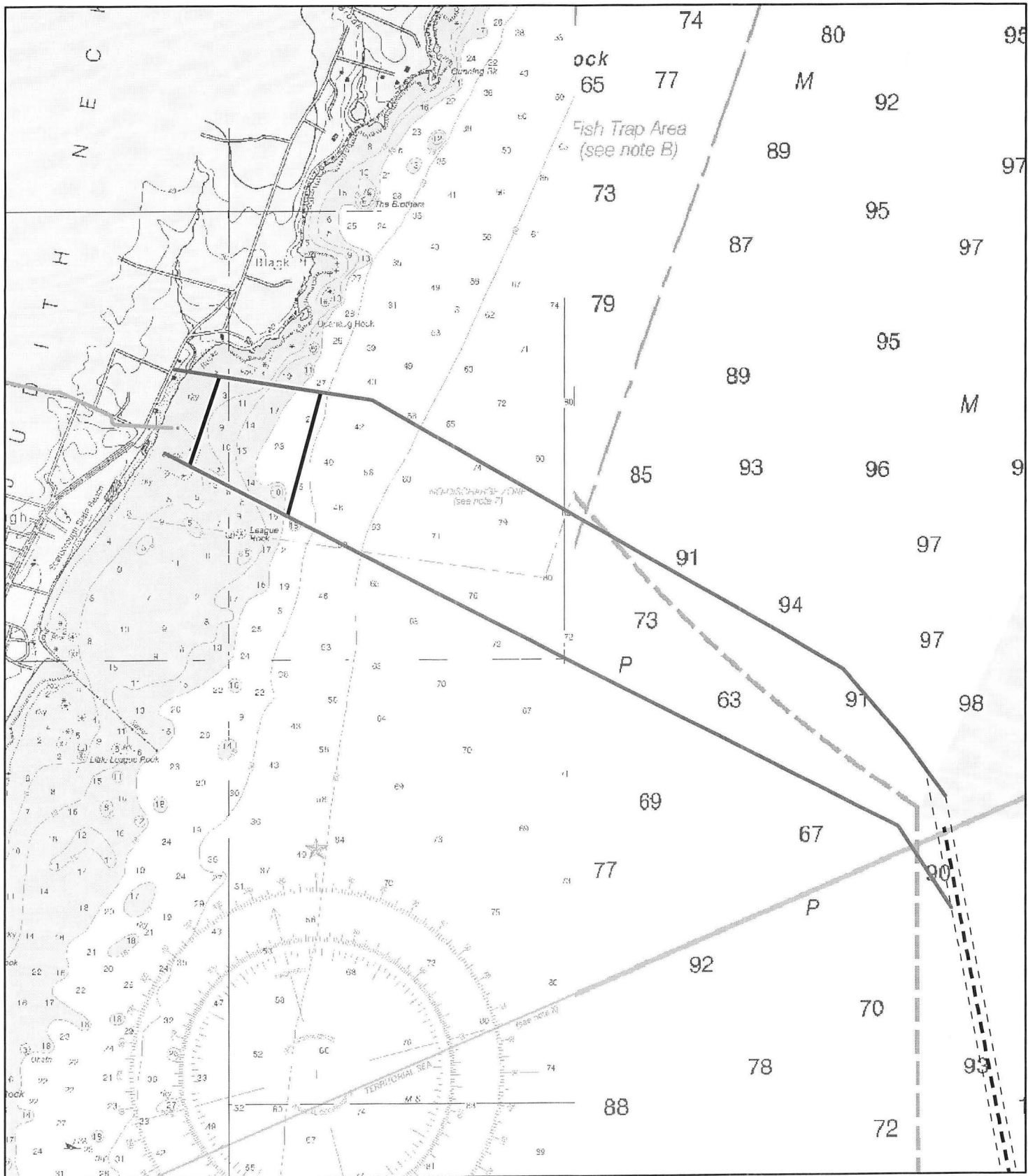
- WTG Array
- ▲ Block Island Substation
- △ Wakefield Substation
- Dillon's Corner Switchyard
- BITS Scarborough Beach Alternative
- BITS Cable
- Export Cable
- Inter Array Cable
- ▨ Renewable Energy Zone






**Deepwater Wind
Block Island
Wind Farm
and
Block Island
Transmission System
BITS Scarborough Beach Alternative**



Data Sources:
NOAA ENC (2011)

October 2013



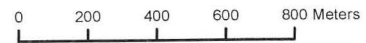
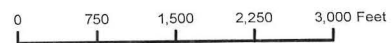
-  BITS Scarborough Beach Alternative
-  BITS Scarborough Beach Alternative Permit Corridor
-  BITS Route
-  BITS Permit Corridor
-  Cofferdam Area

Deepwater Wind
 Block Island
 Wind Farm
 and
 Block Island
 Transmission System

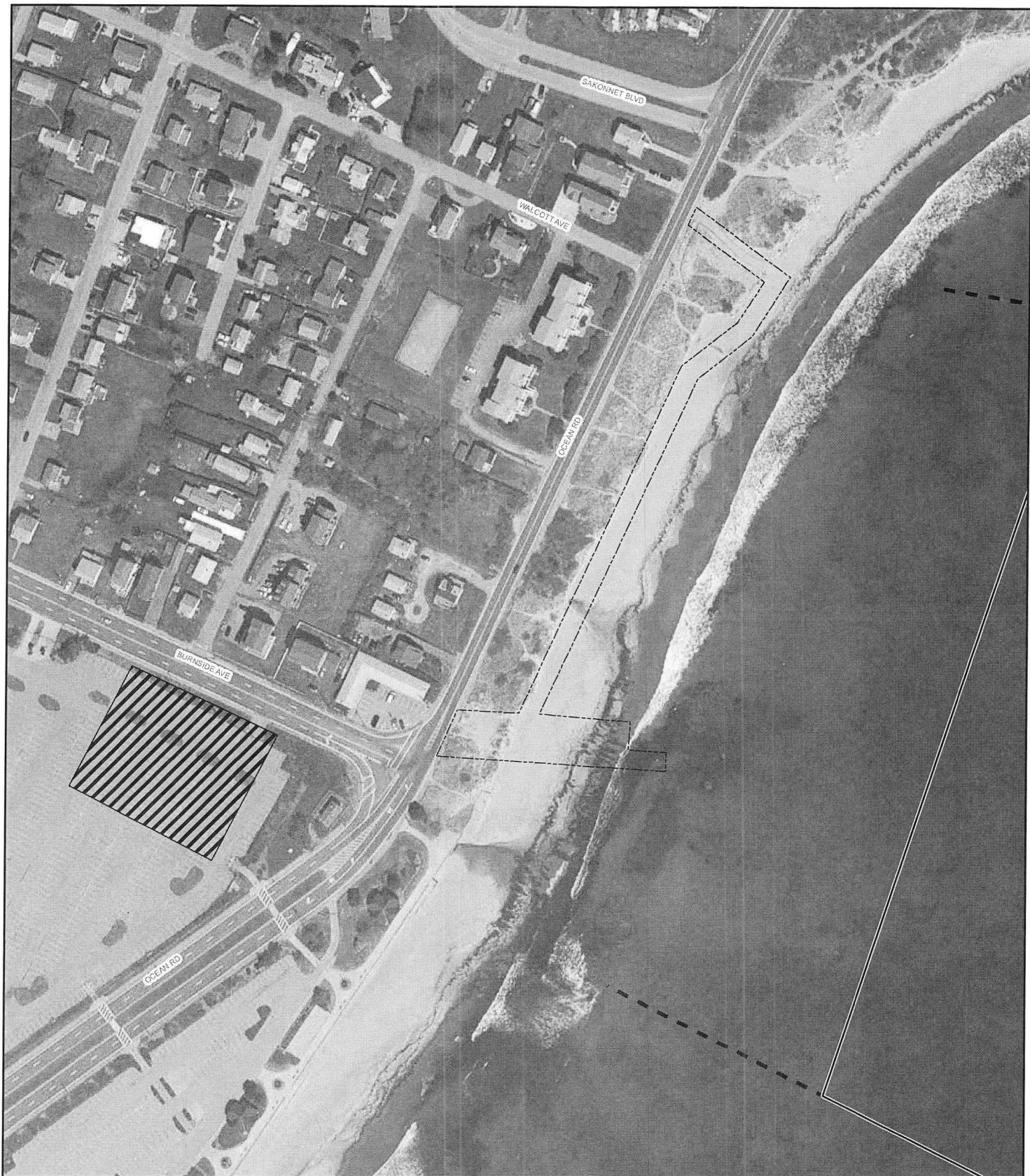
Figure 2.

Scarborough Beach Alternative Offshore Route

October 2013



Data Sources:
NOAA ENC (2011)



-  Work/Storage Area
-  Beach Work Area/Temporary Access Area
-  Cofferdam Area
-  Permit Corridor

Deepwater Wind
 Block Island
 Wind Farm
 and
 Block Island
 Transmission System
 Figure 3.

Scarborough Beach Alternative Work Areas

October 2013

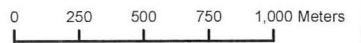


Data Sources:
 ESRI World Imagery
 RIGIS (Aug 2001)



- △ Wakefield Substation
- Dillon's Corner Switchyard
- BITS Scarborough Beach Alternative
- Permit Corridor

Deepwater Wind
 Block Island
 Wind Farm
 and
 Block Island
 Transmission System
 Figure 4.



Data Sources:
 ESRI World Imagery
 RIGIS (Aug 2001)

Scarborough Beach Alternative Mainland Cable Route
 October 2013