



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

**In replying refer to:**  
Public Notice Number: **NAN-2022-00776-EVI**  
Issue Date: **December 16, 2022**  
Expiration Date: **February 14, 2023**

## **ANNOUNCEMENT OF PUBLIC HEARINGS AND REQUEST FOR PUBLIC COMMENT**

To Whom It May Concern:

The New York District, Corps of Engineers has received applications for Department of the Army permit(s) pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

**APPLICANT:** Sunrise Wind, LLC

**ACTIVITY:** Construction of an Offshore Wind Farm

**WATERWAY:** Atlantic Ocean, Intracoastal Waterway, Carmen River

**LOCATION:** BOEM Renewable Energy Lease Area OCS-A 0487, export cable landfall in the Town of Brookhaven, Suffolk County, New York and final Point of Interconnection (POI) in Holbrook, Town of Islip, Suffolk County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

Bureau of Ocean Energy Management (BOEM) is the lead federal agency for this project, responsible for coordinating review in accordance with the National Environmental Policy Act (NEPA). Pursuant to 40 CFR 1501.8, the Corps of Engineers, New York Division is serving as one of the cooperating agencies involved in the preparation of an Environmental Impact Statement (EIS) by BOEM. The EIS will be used to support the Corps of Engineers Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344) permit decision. A Notice of Availability for the Draft Environmental Impact Statement (DEIS) will be posted on the BOEM website at <https://www.boem.gov/renewable-energy/state-activities/sunrise-wind-draft-environmental-impact-statement-deis-commercial> on December 16, 2022. Comments on the DEIS may be submitted directly to BOEM at <https://www.boem.gov/renewable-energy/state-activities/sunrise-wind-activities>.

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 reasonably may be expected to 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, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water

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supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership 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 preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND EMAILED TO **CENAN.PublicNotice@usace.army.mil** TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Please include the application number, **NAN-2022-00776-EVI**, in the subject of the email. Please note, this office cannot accept portable drives including but not limited to flash drives, USB drives (thumb drives), external hard drives (sometimes called mini hard drives), and portable CD/DVD-ROM drives.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

BOEM will be conducting three (3) virtual public meetings for the Sunrise Wind Project to receive comments on the DEIS. Pursuant to public hearing requirements described in 33 CFR 327, the Corps of Engineers will jointly participate in all three (3) of the public meetings/hearings, as listed below, to gather information on this proposal to assist in the review of the Department of the Army permit application for the proposed activity and will consider public comments on the material matters at issue with respect to activities regulated by the Corps. Please note that for comments and information specific to the Corps of Engineers action, according to procedures described in 33 CFR 327, the hearing will not include discussion or responses to comments expressed by speakers. The date and time of the joint Corps of Engineers public hearings/BOEM DEIS public meetings are as follows, all hearings are virtual; links to the hearing/meeting information may be found at <https://www.boem.gov/renewable-energy/state-activities/sunrise-wind-activities>.

Joint Corps of Engineers Public Hearings/BOEM DEIS Public Meeting Dates and Start Times:

Wednesday January 18, 2023, at 5:00 PM ET  
Thursday January 19, 2023, at 5:00 PM ET  
Monday January 23, 2023, at 1:00 PM ET

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

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U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). 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.

Based on their initial review, the 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.

Reviews of activities pursuant to Section 404 of the Clean Water Act will 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 and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

The states of New York, Massachusetts and Rhode Island have approved Coastal Zone Management Programs. Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program(s). By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- Bureau of Ocean Energy Management
- New York State Department of Public Service

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact Robert Vietri, of this office at [Robert.T.Vietri@usace.army.mil](mailto:Robert.T.Vietri@usace.army.mil) or (917) 790-8379.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

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For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>.

  
Stephan A. Ryba  
Chief, Regulatory Branch

Enclosures

## **WORK DESCRIPTION**

### Sunrise Wind Offshore Lease Area:

Under Section 10 of the Rivers and Harbors Act of 1899 (33 CFR U.S.C. 403), construct up to 94 offshore wind turbine generators (WTGs) on steel monopile foundations at 102 locations with scour protection and cable protection system (CPS) stabilization around the base of the WTGs, one (1) offshore converter station (OCS–DC) on a piled jacket foundation with scour protection and CPS stabilization around the base of the foundation, approximately 180 miles (mi) of submarine inter-array cables (IAC) connecting the WTGs to the OCS–DC, and one (1) temporary wave buoy located in the Atlantic Ocean on the Outer Continental Shelf (OCS) within the approximately 67,252-acre (ac) BOEM Renewable Energy Lease Area OCS-A 0487, located approximately 18.9 mi south of Martha’s Vineyard, Massachusetts, approximately 30.5 mi east of Montauk, New York, and approximately 16.7 mi from Block Island, Rhode Island.

Each monopile foundation diameter will be up to approximately 39 ft in diameter and installed via pile driving with a hydraulic hammer. Each monopile foundation may be protected with approximately 1.03 ac of rock scour protection, if necessary. Additional CPS stabilization may be used where the IAC are pulled into the foundation, which would require additional rock cover on top of the scour protection. The maximum footprint for each monopile foundation, including scour protection and CPS stabilization, will be approximately 1.06 ac totaling 99.64 ac for the entire lease area.

The OCS–DC will be constructed on a piled jacket foundation which will consist of up to four legs with up to two pin piles per leg. Both leg and pin pile diameters are 8 ft. The OCS–DC foundation may be protected with approximately 0.89 ac rock scour protection, if necessary. Additional CPS stabilization may be used where the IAC and export cable are pulled into the foundation, which would require additional rock cover on top of the scour protection. The maximum footprint for the OCS–DC piled jacket foundation, including scour protection and CPS stabilization, will be approximately 2.64 ac.

The IAC between the WTGs and the OCS–DC will consist of up to 180 mi of 66 -161 kilovolt (kV), 200-mm-diameter high voltage alternating current (HVAC) cables. The cables will have a target burial depth of 3 to 7 ft below the seafloor measured from the top of the IAC. If additional protection is required post-installation, cable protection measures would be used. It is estimated that up to 15 percent of the IAC (approximately 27 mi) may require cable protection. Secondary cable protection may include rock placement, matting, rock filter bags or grout bags. The IAC will also cross existing telecommunications cables. A rock berm or concrete mattress separation layer and cover layer may be installed at seven (7) known crossing locations. The total maximum footprint of the IAC including secondary cable protection and cable crossing protection will be 154 ac.

In certain areas along the IAC, boulder removal and sand wave leveling may need to take place prior to installation. Boulder removal will either be via boulder grab or boulder plow method. Sand wave leveling will either include dredging via suction hopper dredger or controlled flow excavation within the cable corridor. It is estimated that up to 10% of the IAC route (approximately 18 mi) may require boulder removal, and up to 5% (approximately 9 mi) may require sand wave leveling.

A wave buoy will be installed within the lease area proximate to the WTGs in the eastern region of the windfarm and will remain in place during the installation and potentially after windfarm commissioning. The mooring configuration will be dependent on buoy type, water depth, and environmental considerations, but generally consists of an anchor weight (approximately 2,600 lbs), mooring line, and are equipped with navigational lighting.

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Sunrise Wind Export Cable (SRWEC–OCS):

Under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), from the OCS–DC, install approximately 99.4 mi of the total 104.6 mi within federal waters, two (2) approximately 200-mm-diameter, 320-kV submarine export cables and a fiber optic cable bundled together located within one approximately 98-ft-wide cable corridor. The SRWEC–OCS will be buried to a minimum coverage depth ranging from 3 to 7 ft measured from the top of the SRWEC–OCS to the seafloor. It is estimated that up to 5 percent of the SRWEC–OCS route (approximately 5 mi) may require secondary cable protection. The SRWEC–OCS will also cross existing telecommunications cables. A rock berm or concrete mattress separation layer and cover layer may be installed at seven (7) known and two (2) unknown crossing locations. The total maximum permanent footprint of the SRWEC–OCS, including secondary cable protection and cable crossing protection, between the OCS–DC and the New York State waters boundary will be approximately 52.7 acres.

In certain areas along the SRWEC–OCS route, boulder removal and sand wave leveling may need to take place prior to installation. Boulder removal will either be via boulder grab or boulder plow method. Sand wave leveling will either include dredging via suction hopper dredger or controlled flow excavation within the cable corridor. It is estimated that up to 5% of the SRWEC–OCS route (approximately 5 mi) may require boulder removal, and up to 10% (approximately 10 mi) may require sand wave leveling.

Sunrise Wind Export Cable – New York State (SRWEC–NYS):

Under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344), install 5.2 mi of the total 104.6 mi within New York State waters (SRWEC–NYS), two (2) approximately 200-mm-diameter, 320-kV submarine export cables and a fiber optic cable bundled together located within one approximately 98-ft-wide cable corridor. In addition, sections of duct will be maneuvered offshore.

The SRWEC–NYS will enter NYS territorial waters at a point 3 nautical miles (nm) offshore and will be routed in NYS territorial waters for up to 4.8 mi in a northwest direction toward Smith Point County Park in Town of Brookhaven, Suffolk County, New York. Exclusive of the portion of the cable installed via horizontal directional drill (HDD), the SRWEC–NYS cables will be buried to a minimum depth of 6 ft measured from the top of the cable below the seabed. It is estimated that up to 5 percent of the SRWEC–NYS route (approximately 0.24 mi) may require secondary cable protection. In cases where target burial depth cannot be achieved, secondary cable protection (e.g., 9.8-ft-wide by 19.6-ft-long by 0.9-ft-high marine mattresses with either rock or concrete) may be installed totaling approximately 2,346 cubic yards for all secondary cable protection. The total maximum permanent footprint of the SRWEC–NYS including secondary cable protection will be approximately 2.3 ac.

In certain areas along the SRWEC–NYS route, boulder removal may need to take place prior to installation. Boulder removal will either be via boulder grab or boulder plow method. It is estimated that up to 30% of the SRWEC–NYS route (approximately 1.4 mi) may require boulder removal. No sand-wave leveling will occur within New York State waters.

In addition, a wave buoy and up to three Acoustic Doppler Current Profiler's (ADCPs) will be installed nearshore along the SRWEC–NYS near the HDD exit location and will remain in place during the cable installation process. The wave buoy mooring configuration will be dependent on buoy type, water depth, and environmental considerations, but generally consists of an anchor weight (approximately 1,765 lbs), mooring line, and are equipped with navigational lighting. The ADCP may be either an upward facing ADCP mounted on a seabed frame (approximately 220 to 1,100 lbs) with a surface marker buoy or an acoustic system to release floats, or a bottom-mounted ADCP installed on the lower part of the submerged hull of a standard wave buoy.

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Horizontal Directional Drilling (HDD):

Under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) the two (2) segments of the SRWEC will be installed via HDD from the HDD entry pit located at Smith Point County Park to the HDD exit pit located offshore in the Atlantic Ocean. The borehole will be approximately 44 inches (in) in diameter and will consist of three (3), HDPE conduits measuring approximately 3,290 feet long (0.6 mi). The HDD exit pit is located approximately 2,225 ft seaward of the Mean High-Water Line [MHWL]. At the offshore HDD Exit Pit, approximately 4,900 CY of material will be excavated from within an approximate 164-ft x 49-ft x 16-ft area (8,036 sq ft) area. In order to ensure the excavated pit does not naturally backfill, a trench box, approximately 20ft by 50ft in size (1,000 sq ft) will be placed within the 8,036 square foot excavated area.

Onshore Sunrise Wind Export Cable (Onshore SRWEC):

The Onshore SRWEC is approximately 17.5 mi in length and will cross two waterways, the Long Island Intracoastal waterway and the Carman's River waterway.

Under Section 10 of the River and Harbors Act of 1899 (33 U.S.C. 403) install approximately 2,640 feet (0.4 mi) of the two (2) segments of the onshore SRWEC under the Long Island Intracoastal waterway from the upland entry point located at Smith Point County Park to the upland punchout point at Smith Point Marina. The borehole will be approximately 36 inches in diameter and will consist of six (6) HDPE conduits. The cables will be installed approximately 42 feet below the existing seabed of the waterway. The 2<sup>nd</sup> waterway crossing at Carman's River will consist of installing approximately 36 feet of the onshore SRWEC via HDD. The cable will be installed a minimum of 40 feet below an existing culvert located within the waterway.

Temporary Landing Structure: Under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344), a temporary fixed pier will be installed within the Long Island Intracoastal waterway to support the transport of heavy construction materials to Smith Point County Park. The fixed pier will be approximately 16-feet-wide by 242-feet-long and will be secured to the seabed by approximately 21 steel piles each measuring 16 inches in diameter. It is anticipated that approximately 4.35 CY of flowable concrete will be installed within the steel pipes below the plane of Spring High Water over an approximate 150 sq ft area. The piles will be placed using a crane barge with 4 spuds each with a diameter of 30 inches.

The applicant has designed the project to avoid and minimize impacts to Waters of the United States. No impacts to onshore wetlands are proposed as part of the project. Impacts are anticipated to consist of structures, fills, and temporary construction impacts with minimal permanent losses of Waters of the United States. Horizontal Directional Drilling (HDD) will be utilized to install export cables in near shore areas minimizing direct physical disturbances to aquatic resources. Best Management Practices including turbidity reduction measures will be utilized to minimize impacts. Timing restrictions for in-water work will be implemented as specified by permit conditions and/or in coordination with state and federal agencies.

The applicant's stated purpose of the project is to provide clean, reliable offshore wind energy that will increase the amount and availability of renewable energy to New York.