From:	Region2 CWA401
To:	Vietri, Robert T CIV USARMY CENAN (USA)
Cc:	Region2 CWA401
Subject:	RE: New York State Department of Public Service CWA Section 10/404 - SP - South Fork Wind Offshore Wind Energy Project
Date:	Friday, December 3, 2021 4:50:33 PM

Good afternoon Robert,
EPA has decided that it will not send the notification to neighboring jurisdictions referenced in CWA 401(a)(2), based on the location of the project, the 401 certification conditions, and the information available to EPA regarding the discharge. Consequently, processing of the license or permit may proceed without awaiting further action from EPA pursuant to CWA 401(a)(2).
Best,
Sofía

Sofía Olivero Lora, PhD *(she/her/hers)*
Wetlands Protection Section
Watershed Management Branch
U.S. Environmental Protection Agency, Region 2
290 Broadway, 24th Floor
New York, NY 10007
OliveroLora.Sofia@epa.gov
212-637-3838

From: Vietri, Robert T CIV USARMY CENAN (USA) <Robert.T.Vietri@usace.army.mil>
Sent: Tuesday, November 23, 2021 12:01 PM
To: Region2 CWA401 <Region2_CWA401@epa.gov>
Cc: Ryba, Stephan A CIV USARMY CENAN (USA) <Stephan.A.Ryba@usace.army.mil>; Pinzon, Ronald R CIV USARMY CENAN (USA) <Ronald.R.Pinzon@usace.army.mil>; Logan, Mia J CIV USARMY CENAN (USA) <Mia.J.Logan@usace.army.mil>
Subject: New York State Department of Public Service CWA Section 10/404 - SP - South Fork Wind Offshore Wind Energy Project
Good Morning,
Please see attached Water Quality Certification (WQC) issued by New York State Department of Public Service (NYSDPS) for the South Fork Wind Export Cable (SFEC) located within federal and state waters making landfall in Town of East Hampton, Suffolk County, New York. I have also attached USACE public notice number NAN-2020-1079-EME which includes the original work description of the SFEC cable along with other proposed work relating to the offshore wind energy project. I must note that the proposed work description has slightly changed since the published public notice and an updated description of the proposed work for the SFEC can be found below.
For this particular project, two state certifying agencies, NYSDPS and New York State Environmental Conservation (NYSDEC) are responsible for issuing a Section 401 WQC. As described above NYSDPS is responsible for the issuance of a 401 WQC for the South Fork Wind Export Cable (SFEC) and NYSDEC is responsible for issuing a 401 WQC at the O&M Facility.
Bureau of Ocean Energy Management (BOEM) is the lead federal agency for this project and USACE is acting as a cooperating agency under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344). It is important to note that this is a **Fixing America's Surface Transportation Act (FAST-41) project** and is tracked on the Federal

Infrastructure Projects Permitting Dashboard.
Federal Permitting Agency: USACE
Federal Agency Point of Contact:
Robert Vietri
Project Manager
U.S. Army Corps of Engineers
New York District
Regulatory Branch-Eastern Section
26 Federal Plaza, Room 16-406
New York, New York 10278
P: 917-790-8379
Cell: 917-831-0278
Permit Type: Standard Permit
State: New York
Project Location: BOEM Renewable Energy Lease Area OCS-A 0517 (Deepwater Wind South Fork, LLC lease area), export cable landfall in Town of East Hampton, Suffolk County, New York, operations and maintenance facility in Lake Montauk, Town
of East Hampton, Suffolk County, New York.
Lat/Long: 41° 1'9.62"N -71°37'20.65"W
Major Watershed (HUC8): Atlantic Ocean
Project Type: Installation of an approximately 62 mile long, 12-inch diameter submarine export cable via mechanical cutter, mechanical plow (which may include a jetting system), jet plow and/or displacement plow.
Brief summary description of the project: From the OSS, install approximately 62 miles of 12-inch diameter submarine export cable via mechanical cutter, mechanical plow (which may include a jetting system), jet plow and/or displacement plow, buried to a coverage depth ranging from 4-6 feet measured from the top of the submarine export cable to the seafloor. Install approximately 3.7 miles of the total 62 miles of submarine export cable located within New York state waters to a buried minimum coverage depth of 6 feet measured from the top of the submarine export cable to the seafloor.
Construct approximately 1,750 feet of the sea to shore transition submarine export cable using Horizontal Directional Drilling (HDD) measured from the plane of mean high water. The submarine export cable would be installed a minimum of 30-feet below the existing beach surface.
Construct a temporary 530-foot-long by 185-foot-wide square foot cofferdam to dewater and dredge approximately 26,500 cubic yards of material to depths ranging from 10-17 feet below the existing grade at the HDD exit location. Discharge the approximately 26,500 cubic yards of dredged material within the cofferdam footprint after the submarine export cable is installed.
Does the federal agency have reason to believe the project may affect the water quality of a neighboring jurisdiction? No
List tribes and states, if any, that were consulted regarding this project: Mashantucket Pequot Tribal Nation, Mohegan Tribe of Indians of Connecticut, Narragansett Indian Tribe, Mashpee Wampanoag
Tribe, Shinnecock Indian Nation, Delaware Tribe of Indians, Delaware Nation, and Wampanoag Tribe of Gay Head (Aquinnah)
As per CFR 121.12 the Corps is requesting you notify this office if your office determines that the

proposed discharge from the project may affect the water quality in a neighboring jurisdiction.
Thank you,
Robert Vietri
Robert Vietri
Project Manager
U.S. Army Corps of Engineers
New York District
Regulatory Branch-Eastern Section
26 Federal Plaza, Room 16-406
New York, New York 10278
P: 917-790-8379
Cell: 917-831-0278
Due to the Coronavirus pandemic, Regulatory Program staff are working from home. Please do not mail hard copy documents to our office. For further details on corresponding with us, please view our COVID-19 special public notice at:
https://www.nan.usace.army.mil/Portals/37/docs/regulatory/publicnotices/Non%20Project%20Specific/2020/CENAN-OP-R%20PN%20Electronic%20Submission%20of%20Permit%20Applications%2027MAR2020.pdf?ver=2020-03-31-163215-913.