From:	Region2 CWA401
To:	Vietri, Robert T CIV USARMY CENAN (USA)
Cc:	Region2 CWA401
Subject:	RE: New York State Department of Environmental Conservation CWA Section 10/404 - SP - South Fork Wind Offshore Wind Energy Project
Date:	Friday, December 3, 2021 4:50:00 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
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New York, NY 10007
OliveroLora.Sofia@epa.gov
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From: Vietri, Robert T CIV USARMY CENAN (USA) <Robert.T.Vietri@usace.army.mil>
Sent: Wednesday, November 17, 2021 1:11 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>; Minck, Christopher W CIV USARMY CENAN (USA) <Christopher.W.Minck@usace.army.mil>
Subject: New York State Department of Environmental Conservation CWA Section 10/404 - SP - South Fork Wind Offshore Wind Energy Project

Good Afternoon,

Please see attached Water Quality Certification (WQC) issued by New York State Department of Environmental Conservation (NYSDEC) for the Operations and Maintenance Facility (O&M Facility) located within Lake Montauk, 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 O&M Facility 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 at the O&M Facility can be found below.

For this particular project, two state certifying agencies, NYSDEC and New York State Department of Public Service (NYSDPS) are responsible for issuing a Section 401 WQC. As described above NYSDEC is responsible for the issuance of a 401 WQC at the O&M Facility and NYSDPS is responsible for issuing a 401 WQC for the South Fork Wind Export Cable (SFEC). It anticipated that NYSDPS will be issuing their Section 401 WQC no later then November 22, 2021.

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 of O&M Facility: 41° 4'31.46"N -71°56'7.20"W
Major Watershed (HUC8): Lake Montauk Harbor
Project Type at O&M Facility: Dredging with 10-Year Maintenance with all resultant dredged material placed as beach nourishment to the west of Lake Montauk Harbor. In addition the installation of structures such as a ramp, piles and floating pier.
Brief summary description of the project: Dredge, with 10-year maintenance, by mechanical clamshell bucket dredge up to approximately 2,500 cubic yards (CY) of sediment from an approximately 18,045 square foot area to a depth of 12 feet below the plane of mean low water, including a 1-foot overdepth. The resultant 2,500 CY of dredged material would be placed onto the shoreline west of the Montauk Harbor Inlet. The dredged material would be dewatered in an approximately 1,200-foot-long by 25-foot wide-area, landward of the plane of spring high water. Approximately 1,070 CY of the total 2,500 CY of the dewatered dredged material will be placed as beach nourishment within a 21,900 square foot area below the plane of spring high water. The permittee will conduct annual dredging and placement in the same locations up to approximately 1,500 cubic yards per event. From the existing bulkhead at the maintenance facility, install perpendicular to the shoreline a four-foot-wide by 28-foot-long ramp leading to a 16-foot-wide by

100-foot-long float in a L shaped configuration supported by five (5), two-foot diameter steel piles; install one (1) two-foot diameter steel monopile with donut fendering and mooring ring on the western terminus of the float.

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.

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.