

PUBLIC NOTICE

REQUEST FOR PERMISSION TO ALTER A U.S. ARMY CORPS OF ENGINEERS PROJECT UNDER SECTION 408

TITLE: Ocean Wind, LLC – Ocean Wind 1 Offshore Wind Turbine Farm Project – Atlantic Ocean in Ocean County, Atlantic County, and Cape May County, New Jersey with Proposed Occupation/Alteration of the New Jersey Shore Protection, Great Egg Harbor Inlet to Townsends Inlet, New Jersey Federal Flood and Coastal Storm Damage Reduction Project; New Jersey Intracoastal Waterway Federal Navigational Project; and Oyster Creek Channel Portion of the Barnegat Inlet Federal Navigation Project

PUBLIC NOTICE IDENTIFICATION NUMBER: NAP-2017-00135-84

PUBLIC NOTICE COMMENT PERIOD:

Begins: **27 June 2022**

Expires: **27 July 2022**

Interested parties are hereby notified that an application has been received for a Department of the Army Section 408 permission for certain work at or near a federal project of the United States, as described below and shown on attached figures. Written comments are being solicited from anyone having an interest in the requested alteration. Comments will become part of the U.S. Army Corps of Engineers' (USACE's) administrative record and will be considered in determining whether to approve the request. Comments supporting, opposing, or identifying concerns that should be considered by the USACE in its decision process are all welcome.

This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply USACE endorsement of the project as described.

1. REQUESTER: In compliance with 33 USC 408 (Section 14 of the Rivers and Harbors Act of 1899; hereinafter Section 408), Ocean Wind, LLC, a joint venture between Orsted Wind Power North America, LLC and Public Management Enterprise Group Renewable Generation, LLC, proposes to construct, operate, and maintain the Ocean Wind 1 Offshore Wind Farm pursuant to Bureau of Ocean Energy Management (BOEM) requirements for the "Ocean Wind BOEM Lease Area OCS-A 0498 Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf".

2. LOCATION: The proposed wind turbine farm is located in the Atlantic Ocean approximately 13.0-nautical miles offshore to the southeast of Atlantic City, Atlantic County, New Jersey. Electric utility cable routes from the offshore wind farm, as well as substations and grid connections, would be sited within Berkeley Township, Ocean Township, and

Lacey Township in Ocean County, New Jersey; and in Ocean City and Upper Township, Cape May County, New Jersey.

The subject project would occupy/alter the following Federal Civil Works Projects sited along New Jersey's Atlantic Ocean coastline and back bays:

- A) New Jersey Shore Protection, Great Egg Harbor Inlet to Townsends Inlet, New Jersey Federal Flood and Coastal Storm Damage Reduction Project – Ocean City Cable Route – electric utility cable landfall and conduit crossing at 35th Street in Ocean City, Cape May County, New Jersey; identified as Lots 137 and 145 of Block 611.11, and Lot 1 of Block 3500 (39.248213, -74.609247).
- B) New Jersey Intracoastal Waterway Federal Navigational Project – Ocean City Cable Route – electric utility cable crossing beneath the Federal Navigation Channel at the Roosevelt Boulevard Bridge in Ocean City, Cape May County, New Jersey (39.253036, -74.627681).
- C) New Jersey Intracoastal Waterway Federal Navigational Project – Oyster Creek Cable Route – electric utility cable crossing beneath the Federal Navigation Channel prior to making landfall at the Holtec Property in Lacey Township, Ocean County, New Jersey (39.853412, -74.116823).
- D) Oyster Creek Channel portion of the Barnegat Inlet Federal Navigation Project – one-time hydraulic maintenance dredging of the Federal Navigation Channel (39.785055, -74.161914) to authorized project dimensions. All resultant dredged material would be transported via pipeline for placement at a site to be determined. The chosen disposal site will require an Acceptable Use Determination by the NJDEP's Office of Dredging & Sediment Technology.

3. LOCATION MAP(S)/DRAWING(S): Please see attached Project Plans (Sheets 1 through 9).

4. REQUESTER'S PROPOSED ACTION: Construct, operate, and maintain the Ocean Wind 1 Offshore Wind Farm. The subject project would occupy/alter the following Federal Civil Works Projects as follows:

- A) New Jersey Shore Protection, Great Egg Harbor Inlet to Townsends Inlet, New Jersey Federal Flood and Coastal Storm Damage Reduction Project – Ocean City Cable Route:

Electric utility cable route landfall at 35th Street in Ocean City, Cape May County, New Jersey. The cable would be installed via the Horizontal Directional Drilling (HDD) method approximately 48.0-feet beneath the height of the existing dunes and extend for approximately 2,500.0-linear feet from the cable entry point within 35th Street. The cable would range from 10.0-to-35.0-feet below USACE's depth of closure before surfacing in the Atlantic Ocean. The beach would remain open during construction activities, with restricted access at 35th Street. Public access would remain open at 34th and 36th Streets. Construction activities are proposed to be undertaken outside of the summer tourism season.

B) New Jersey Intracoastal Waterway Federal Navigational Project – Ocean City Cable Route

Electric utility cable route beneath the New Jersey Intracoastal Waterway Federal Navigation Channel. The cable would be installed via the HDD method approximately 29.0-feet beneath the existing bed of the New Jersey Intracoastal Waterway Federal Navigation Channel at the Roosevelt Boulevard Bridge in Ocean City, Cape May County, New Jersey.

C) New Jersey Intracoastal Waterway Federal Navigational Project – Oyster Creek Cable Route

Electric utility cable route beneath the New Jersey Intracoastal Waterway Federal Navigation Channel. The cable would be installed via jetting approximately 4.0-feet beneath the existing bed of the New Jersey Intracoastal Waterway Federal Navigation Channel prior to making landfall at the Holtec Property in Lacey Township, Ocean County, New Jersey.

D) Oyster Creek Channel Portion of the Barnegat Inlet Federal Navigation Project

Conduct one-time hydraulic maintenance dredging of the Oyster Creek Channel portion of the Barnegat Inlet Federal Navigation Project to authorized project dimensions to allow for project vessels to access Barnegat Bay. Hydraulic dredge removal of approximately 18,000-cubic yards of shoaled sediments from the approximately 5,230.0-foot long by 200.0-foot-wide Federal Navigation Channel to -8.0-feet below the plane of Mean Low Water (MLW) is proposed. The total dredge footprint is approximately 3.7-acres. All resultant dredged material would be transported via pipeline for placement at a site to be determined. The chosen disposal site will require an Acceptable Use Determination by the NJDEP's Office of Dredging & Sediment Technology.

5. REGULATORY AUTHORITY: This request will be reviewed according to the provisions of Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408). A requestor has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), Section 404 of the Clean Water Act (33 USC Section 1344) and/or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 USC 1413). Any Section 10/404/103 permit decision associated with the proposed alteration is separate from and will not be included in the Section 408 permission decision. An approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

6. ENVIRONMENTAL COMPLIANCE: A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While ensuring compliance is the responsibility of USACE, the requester is providing all information that the Philadelphia District identifies as necessary to satisfy all applicable federal laws, executive orders, regulations, policies, and

ordinances. Based on information provided by the applicant to date, current Corps regulations governing NEPA implementation, and/or the contents of existing NEPA documentation if available, it is likely that the proposed action will be determined to be categorically excluded from the need to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS). This determination will be finalized following completion of agency coordination and prior to issuance of the Section 408 Permission Decision.

7. EVALUATION: As part of its evaluation, USACE will first make a determination that the submittal from the requestor is complete. The Philadelphia District is working closely with the requestor to ensure that all required technical plans, maps, drawings, and specifications are provided and are complete. Once the package is complete, a District-led review will be conducted to determine, in accordance with Engineering Circular (EC) 1165-2-216, whether the proposed alteration will impair the usefulness of the USACE Project or be injurious to the public interest, as follows:

- A. *Impair the Usefulness of the Project Determination.* The Philadelphia District's Section 408 review team will determine if the proposed alteration will limit the ability of the federally authorized project to function as authorized, or will compromise or change any authorized project conditions, purposes or outputs.
- B. *Injurious to the Public Interest Determination.* Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest. Evaluation of the probable impacts that the proposed alteration to the USACE project may have on the public interest requires a careful weighing of all those factors that are relevant in each particular case. Factors that may be relevant to the public interest depend upon the type of USACE project being altered and may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation. The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then it may be determined that the proposed alteration is injurious to the public interest.

8. SOLICITATION OF COMMENTS: The 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 the proposed activity. Any comments received will be considered by USACE to determine whether to issue, modify, condition, or deny a permission for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are considered in making a final determination whether the proposed action will be categorically excluded from the need to prepare further NEPA documentation. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

- A. It should be noted that materials submitted as part of the Section 408 request become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Individuals may submit a written request to the Philadelphia District Corps of Engineers, Office of Counsel to obtain copies of said materials under the FOIA.
- B. It is presumed that all parties viewing this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

9. **COMMENT SUBMISSION AND ADDITIONAL INFORMATION:** Written comments on the described work should reference the USACE Public Notice Identification Number found on the first page of this notice. Comments must reach this office no later than the stated expiration date of the Public Notice to become part of the record and be considered in the decision. Comments or requests for additional information should be mailed or emailed to the following address:

Email: JuanCarlos.Corona@usace.army.mil

Mailing Address:

U.S. Army Corps of Engineers

Philadelphia District

ATTN: Juan Carlos Corona

7th Floor

100 Penn Square East

Philadelphia, PA 19107-3390

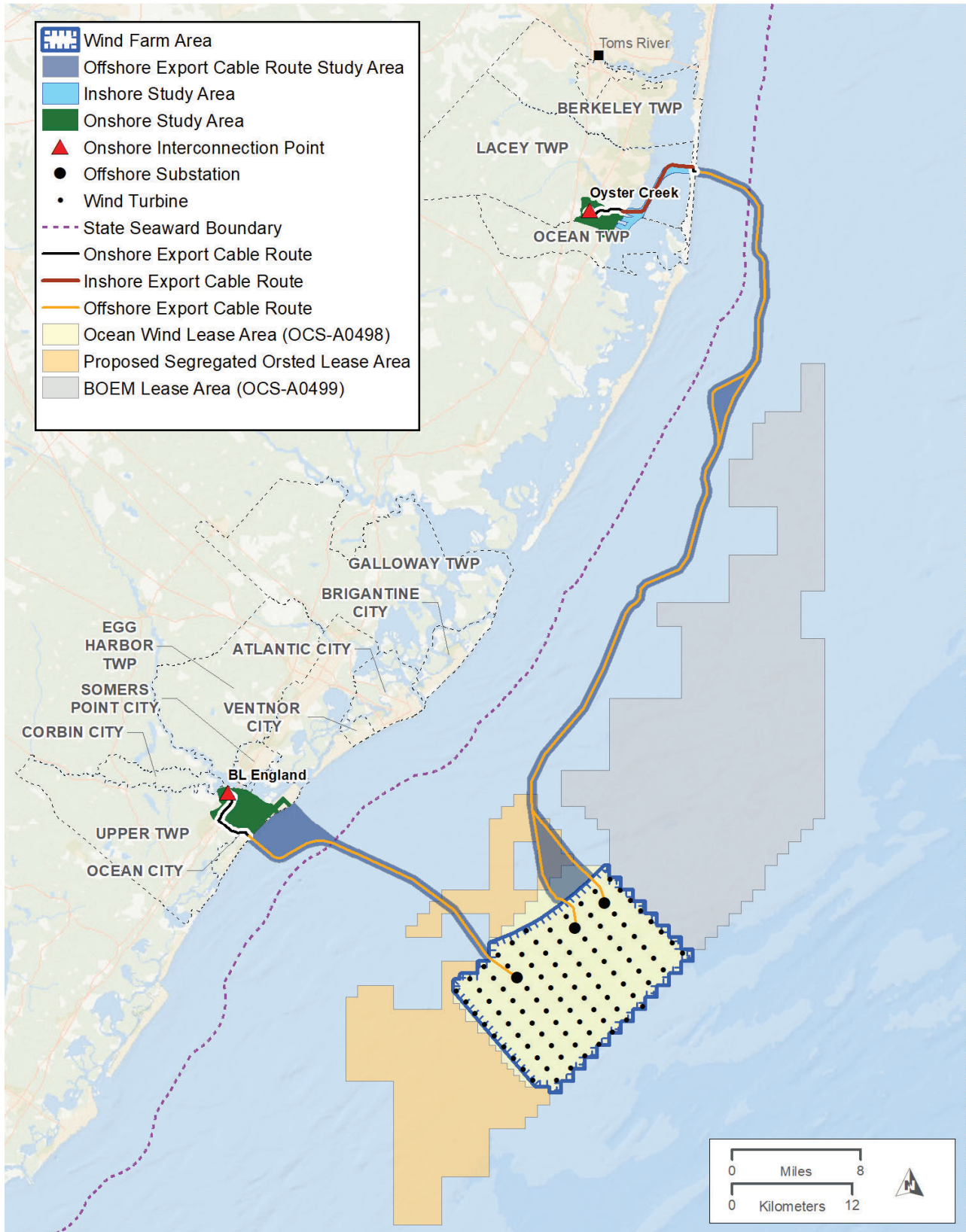


Figure 2.1-1. Lease Area and project boundaries.

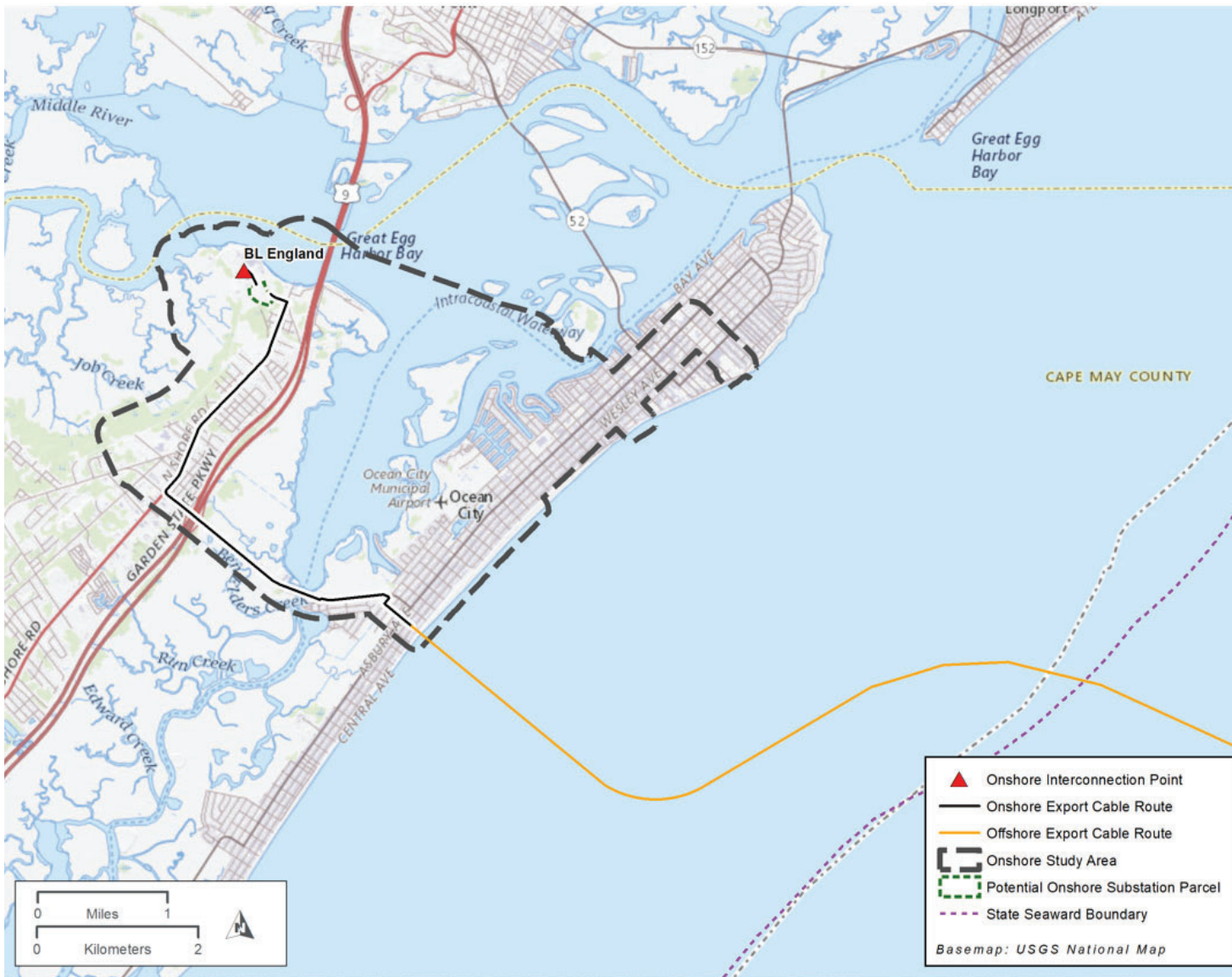


Figure 2.1-3. Project location - BL England.

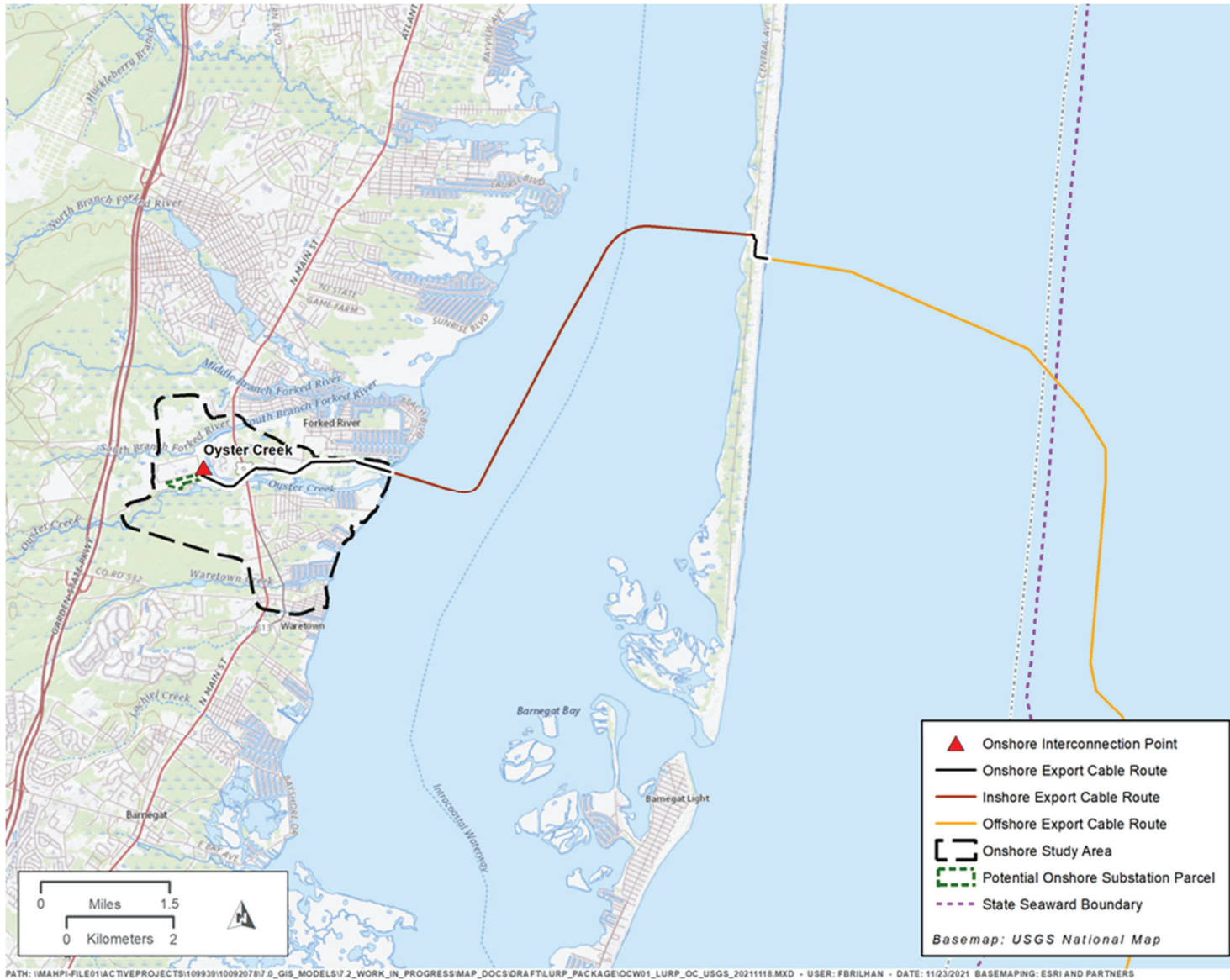


Figure 2.1-5. Project location – Oyster Creek.

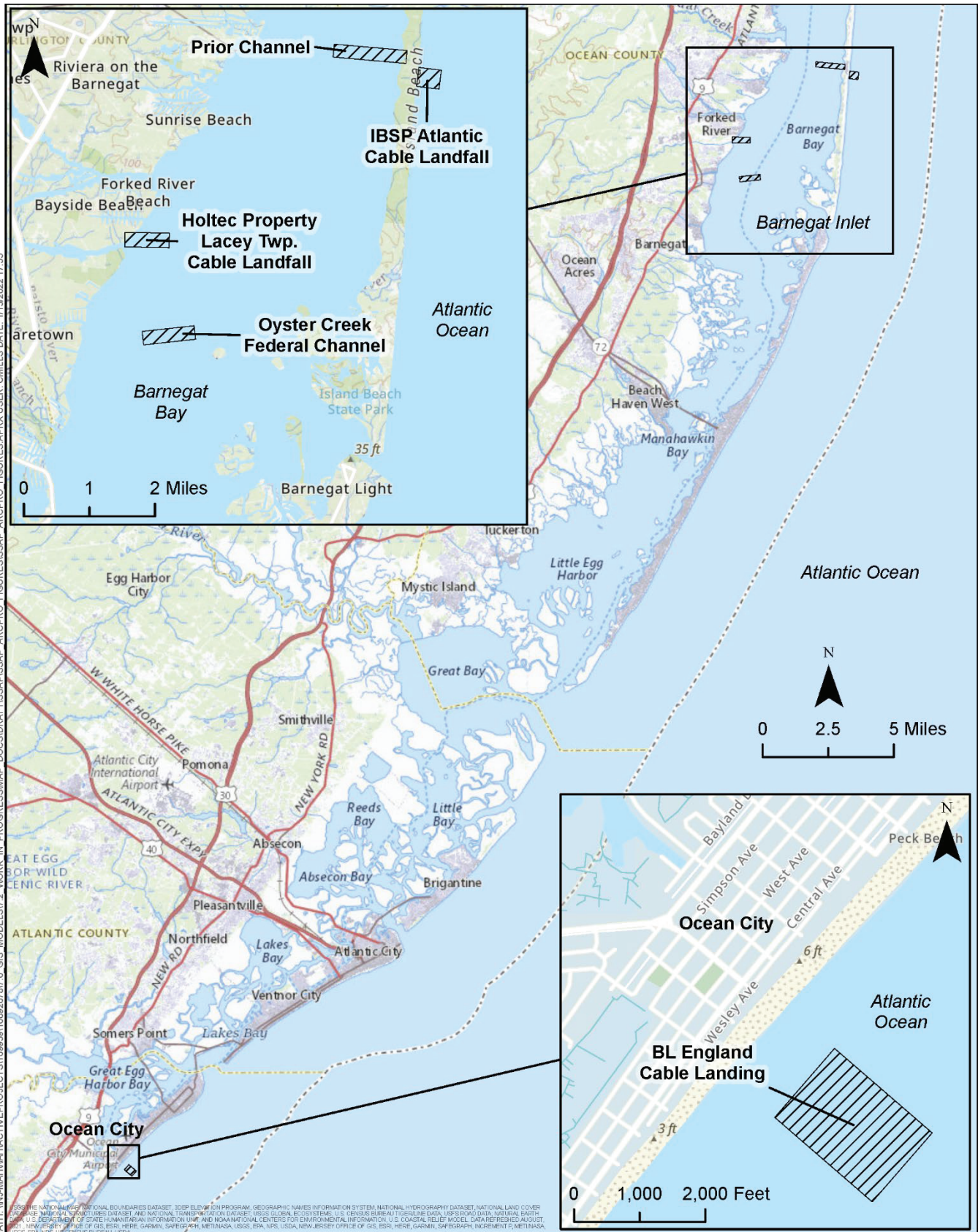


Figure 1. Site Location and Project Areas

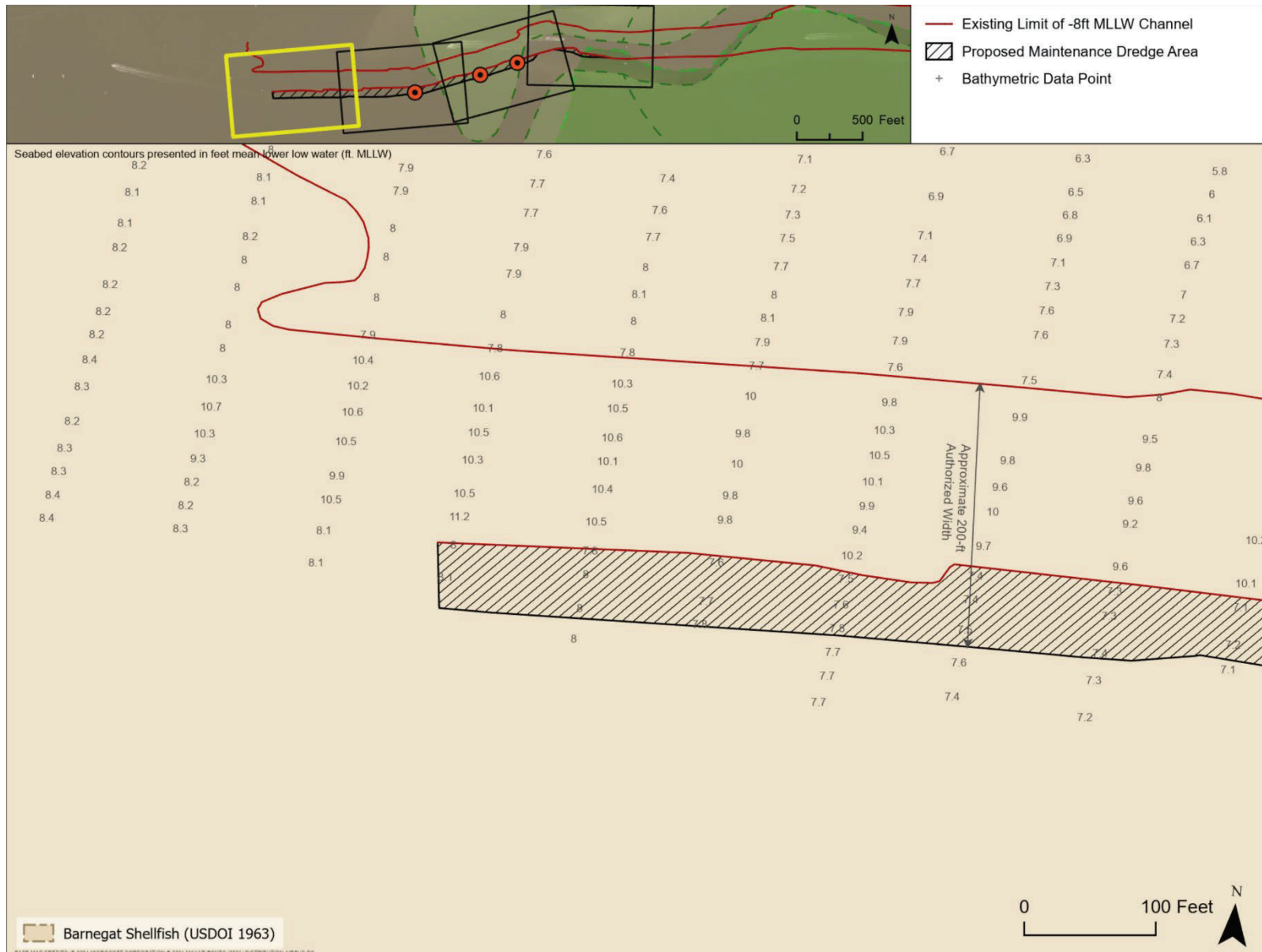


Figure 15. Oyster Creek Federal Channel Proposed Maintenance Dredging and Sampling Locations

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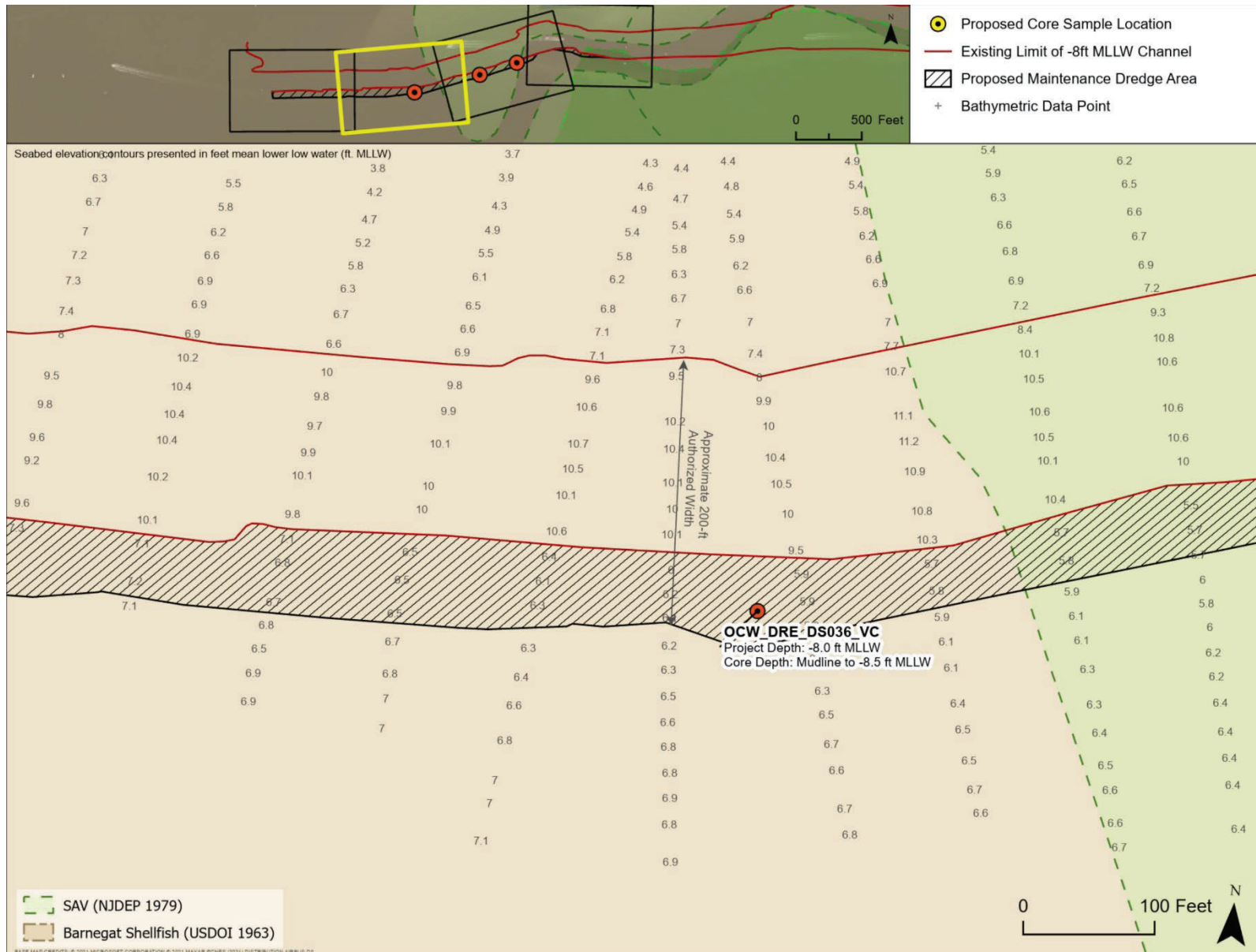


Figure 16. Oyster Creek Federal Channel Proposed Maintenance Dredging and Sampling Locations

Bathymetry: Single beam echosounder
Collection Date: January 10th 2021. Source: USACE

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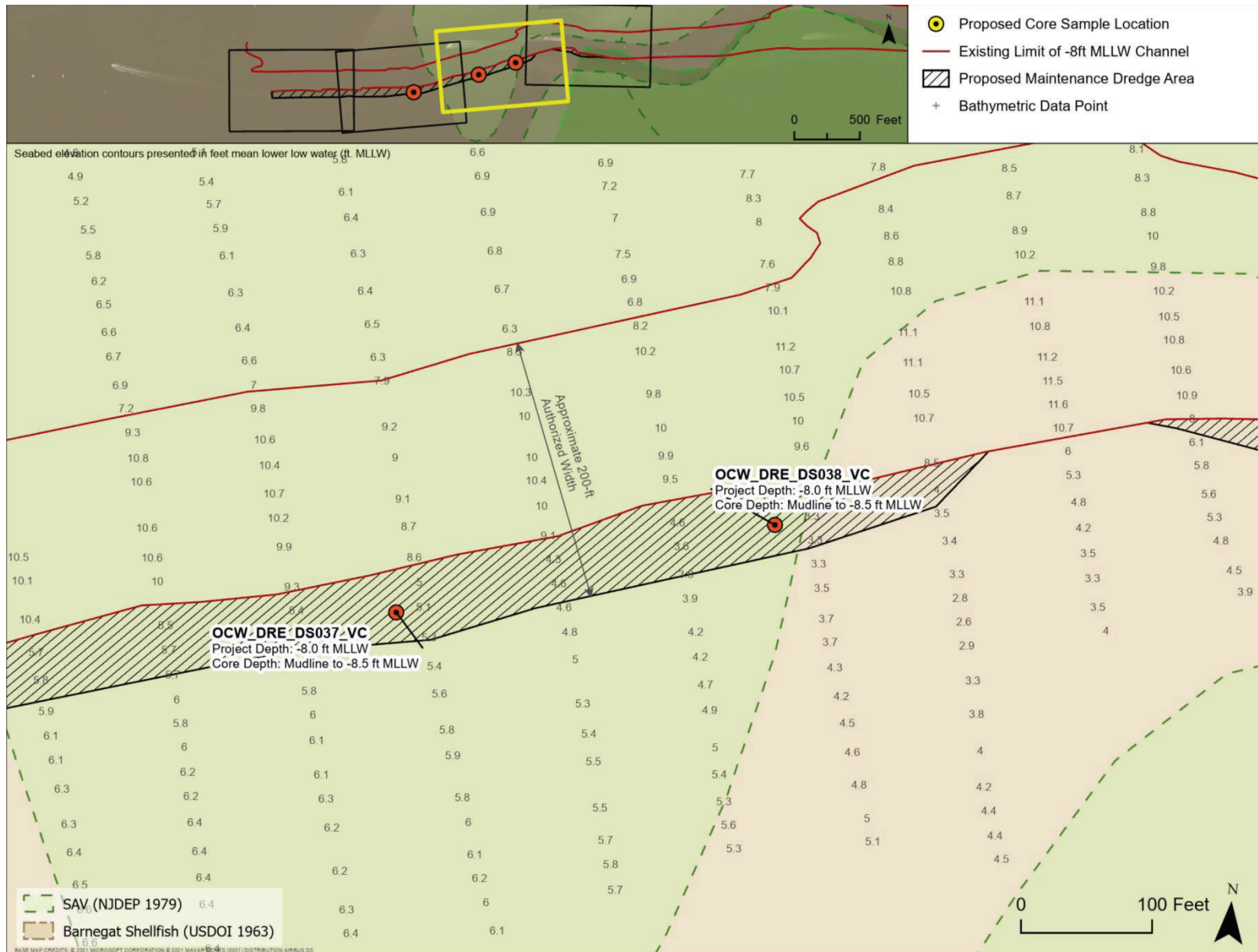


Figure 17. Oyster Creek Federal Channel Proposed Maintenance Dredging and Sampling Locations

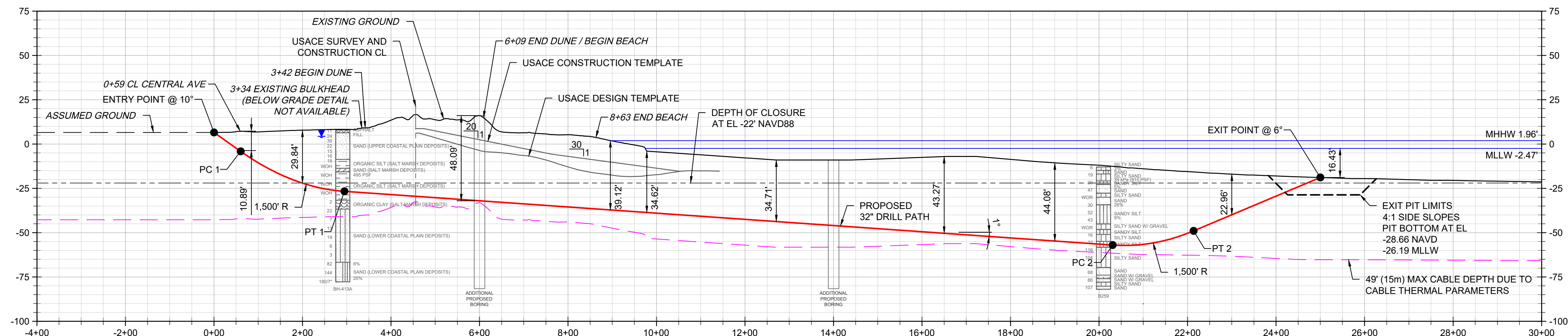
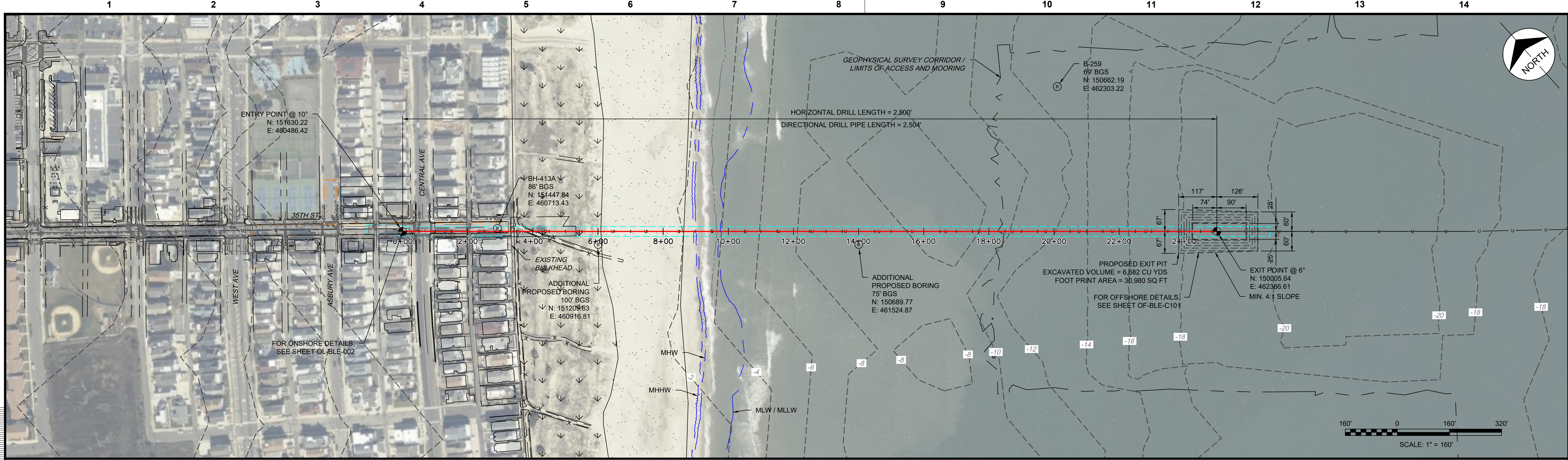
Bathymetry: Single beam echosounder
Collection Date: January 10th 2021. Source: USACE

PATH: \\MAHPI-FILE01\ACTIVE\PROJECTS\109939\10992078\7_0_GIS_MODELS\7_2_WORK_IN_PROGRESS\MAP_DOCS\1\RAFT\SSAP\SSAP_ARC\PRO_FIGURES\SSAP_ARC\PRO_FIGURES.APRX USER: CMILLS DATE: 1/14/2022 5:24 PM



Figure 18. Oyster Creek Federal Channel Proposed Maintenance Dredging and Sampling Locations

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| no. | date | by | ckd | description |
|-----|----------|-----|-----|-------------------|
| A | 01/14/22 | TSV | RJS | ISSUED FOR REVIEW |

FOR PERMITTING APPROVAL

Ocean Wind
An Ørsted & PSEG project

HDR
HDR ENGINEERING, INC.
1 INTERNATIONAL BOULEVARD, SUITE 1000
MAHWAH, NJ 07495

| | | | |
|----------|----------|----------|-------------|
| date | 07/27/21 | detailed | T. VONBERGE |
| designed | R. SCHOO | checked | D. BEARDEN |

| DIRECTIONAL DRILL DATA | | |
|-----------------------------------------------|--------------|----------------|
| DESCRIPTION | STATION (ft) | ELEVATION (ft) |
| ENTRY POINT @ 10° | 0+00.00 | 6.52 |
| PC 1 (1,500' R) | 0+60.31 | -4.11 |
| PT 1 @ 1° | 2+94.60 | -26.67 |
| PC 2 (1,500' R) | 20+30.63 | -56.97 |
| PT 2 | 22+13.61 | -48.98 |
| EXIT POINT @ 6° | 25+00.00 | -18.88 |
| HORIZONTAL DISTANCE (ft) = 2,500.00 | | |
| DIRECTIONAL DRILL PIPE LENGTH (ft) = 2,504.39 | | |

- GENERAL NOTES**
- NORTHINGS AND EASTINGS ARE IN US SURVEY FEET REFERENCED TO NAD83, NEW JERSEY STATE PLANE, US FOOT.
 - ALL ELEVATIONS ARE REFERENCE TO THE MEAN LOWER LOW (MLLW) LEVEL.
 - AERIAL IMAGERY PROVIDED BY GOOGLE EARTH.
 - TOPOGRAPHIC SURVEY WAS PROVIDED BY ØRSTED.
 - BASE FILE(S) PROVIDED BY ØRSTED.
 - BATHYMETRIC SURVEY DATA PROVIDED BY ØRSTED 2021 AND BASED ON SITE INVESTIGATION HIGH RESOLUTION GEOPHYSICAL FIELD STUDIES CONDUCTED FROM 2019 THROUGH 2021. SUPPLEMENTAL BATHYMETRY FOR BARNEGAT BAY PROVIDED BY NOAA 2014 POST SANDY TOPOBATHY LIDAR.
 - DRILL PATH STATIONING IS IN FEET BY HORIZONTAL MEASUREMENT AND IS REFERENCED TO THE CONTROL POSITION FOR THE CROSSING.
 - DEPICTED WATER LEVEL INFORMATION SOURCED FROM NOAA VDATUM.
 - LOCATION OF HDD RIG, OFFSHORE MARINE EQUIPMENT AND SUPPORT STRUCTURES ARE NOT FIXED BY DESIGNATION OF HDD ENTRY OR EXIT POINT AND ARE LIKELY TO CHANGE DURING CONSTRUCTION.
 - VESSELS, EQUIPMENT, AND SUPPORT STRUCTURES ARE FOR ILLUSTRATION PURPOSES ONLY AND SHALL BE THE CONTRACTORS RESPONSIBILITY FOR SELECTING APPROPRIATELY SIZED AND CAPABLE EQUIPMENT FOR COMPLETING THE WORK.

- CONTRACTOR MUST REVIEW AND APPROVE ALL IN-WATER STRUCTURES AND COMPONENTS REQUIRED FOR CONSTRUCTION IN ORDER TO CONFIRM WITH SAFETY REQUIREMENTS, WATER DEPTH UNCERTAINTY, POSSIBILITY OF EXTREME WAVES AND ANY OTHER CONCERNS FOR THE SAFE AND SUCCESSFUL INSTALLATION OF CROSSING IN THE OFFSHORE ENVIRONMENT.
- OFFSHORE CONTRACTOR TO ENSURE CARRIER PIPE STRING IS FREE OF DEBRIS AND SILT-IN PRIOR TO PULLBACK.
- VERTICAL DIMENSIONS OF EQUIPMENT NOT TO SCALE.
- GEOTECHNICAL DATA AND INFORMATION IS PRESENTED FOR REFERENCE ONLY. REVIEW THE ASSOCIATED GEOTECHNICAL REPORT FOR ALL INTERPRETATIONS AND DETERMINATIONS REGARDING SUBSURFACE CONDITIONS.
- VERTICAL DATUM CONVERSION:
NGVD29 = NAVD88 + 1.388FT ± 0.049FT
- USACE BEACH NOURISHMENT CONSTRUCTION/DESIGN TEMPLATE SHOWN PER US ARMY CORPS OF ENGINEERS PHILADELPHIA DISTRICT DRAWING "C-305 TYPICAL SECTION - 35TH STREET OCEAN CITY".

| TIDAL DATUMS (NAVD88 FT ELEVATIONS) | BL ENGLAND ATLANTIC SHORELINE |
|-------------------------------------|-------------------------------|
| MHHW | 1.96 |
| MHW | 1.56 |
| MTL | -0.37 |
| MLW | -2.32 |
| MLLW | -2.47 |

LEGEND

- PROPOSED DRILL PATH
- PROPOSED WORKSPACE
- TEMPORARY EASEMENT
- PERMANENT EASEMENT
- PROPOSED EXCAVATION
- CABLE ROUTE
- USACE BEACH NOURISHMENT CONSTRUCTION / DESIGN TEMPLATE
- WATER LEVEL
- CABLE DEPTH DUE TO CABLE THERMAL PARAMETERS
- GEOPHYSICAL SURVEY CORRIDOR / LIMITS OF ACCESS AND MOORING
- VEGETATED DUNE
- BEACH

COHESIVE SOILS, UCS, TONS/FT³ BLOWS/FT

- MATERIAL GRAPHIC
- GRAVEL CONTENT
- UNCONFINED COMPRESSIVE STRENGTH (PSF)
- WATER LEVEL AFTER SAMPLING
- WATER LEVEL DURING SAMPLING

HDD ENTRY / EXIT POINT

GEOTECHNICAL BORE LOCATION

NJ CERTIFICATE OF AUTHORIZATION 24GA28010700

CAPE MAY COUNTY, NEW JERSEY

32" OC3_A CROSSING
BL ENGLAND / 35TH STREET CROSSING
HORIZONTAL DIRECTIONAL DRILL
PLAN AND PROFILE

project: RDS-PP CODE

drawing: **HDD-OF-BLE-01T-5-001** rev. **A**

sheet 1 of 13 sheets
file HDD-OF-BLE-01T-5-001