

**Errata for the
Empire Offshore Wind, Empire Wind Projects (EW 1 and EW 2)
Final Environmental Impact Statement**

November 15, 2023

**Bureau of Ocean Energy Management
Office of Renewable Energy Programs**

Errata Overview

The following errata to the Empire Offshore Wind, Empire Wind Projects (EW 1 and EW 2) Final Environmental Impact Statement (FEIS) represent corrections related to technical errors and clarification.

1. FEIS, Chapter 2, Pages 2-54 and 2-55 of Table 2-4. Summary and Comparison of Impacts Among Alternatives with No Mitigation Measures:

To clarify the cumulative impact determination for the No Action Alternative, ‘for odontocetes and pinnipeds’ was added to the minor beneficial impact determination. To clarify the impact determination presented for Alternative A, ‘including the baseline’ was added. To address inconsistencies with Section 3.15, the impact determinations for Alternative A and the other action alternatives for odontocetes and pinnipeds were corrected to ‘negligible to moderate’. In addition, to be consistent with Section 3.15, ‘small’ has been deleted from the beneficial impact determinations for odontocetes. To correct an omission in this table and Section 3.15 (see Section 2 of the Errata below), the potential for minor beneficial impacts for odontocetes and pinnipeds was added to the cumulative impact determination for Alternative A. The corrected table row text now reads:

Table 2-4 Summary and Comparison of Impacts Among Alternatives with No Mitigation Measures

| Resource | No Action Alternative | Alternative A Proposed Action | Differences Among Action Alternatives |
|---------------------|--|--|---|
| 3.15 Marine Mammals | <p>Not approving the COP would have no additional incremental effect on marine mammals (i.e., no effect).</p> <p>Continuation of existing environmental trends and activities under the No Action Alternative would result in negligible to moderate impacts on mysticetes other than NARW, odontocetes, and pinnipeds and negligible to major impacts on NARW.</p> <p>The No Action Alternative combined with all planned activities (including other offshore wind activities) would result in negligible to moderate impacts on mysticetes (other than NARW₇), odontocetes, and pinnipeds and negligible to major impacts on NARWand. It could include minor beneficial impacts for odontocetes and pinnipeds. Impacts are primarily due to underwater noise, vessel activity (vessel collisions), and the presence of structures.</p> | <p>BOEM anticipates that the impacts resulting from the Proposed Action, including the baseline, would range from negligible to minor adverse impacts on odontocetes and pinnipeds, negligible to moderate adverse impacts on mysticetes (other than NARW₇), odontocetes, and pinnipeds and negligible to major adverse impacts on NARWand. It could include minor beneficial impacts for small odontocetes and pinnipeds. Adverse impacts are expected to result mainly from underwater noise and the presence of structures. Beneficial impacts are expected to result from the presence of structures.</p> <p>The incremental impact of the Proposed Action when compared to the No Action Alternative would be minor for NARW, odontocetes, and pinnipeds and minor to moderate for mysticetes other than NARW.</p> <p>In context of other reasonably foreseeable environmental trends in the area, combined impacts from all IPFs associated with all ongoing and planned activities, including the Proposed Action, would result in negligible to moderate impacts on mysticetes (other than NARW₇), negligible to minor impacts on odontocetes, and pinnipeds, and negligible to major impacts on NARW. It could include minor beneficial impacts for odontocetes and pinnipeds.</p> | <p>Construction, O&M, and decommissioning of Alternatives B, C, D, E, F, and G would have the same overall negligible to minor adverse impacts on odontocetes and pinnipeds, negligible to moderate adverse impacts on mysticetes (other than NARW), odontocetes, and pinnipeds, negligible to major adverse impacts on NARW, minor beneficial impacts on small odontocetes and pinnipeds, and the same minor incremental impacts for NARW, odontocetes, and pinnipeds and minor to moderate incremental impacts for mysticetes other than NARW as described under the Proposed Action.</p> <p>Alternative B would result in fewer impacts on Cholera Bank, an important fishing area, due to the removal of up to six WTG positions from the northwestern end of EW 1. Alternative E, which creates a 1-nm setback between EW 1 and EW 2 by the removal of up to seven WTG positions, would improve access for fishing; however, the resultant increase in vessel traffic through the Project area could increase the occurrence of vessel noise, vessel strikes, accidental releases of fuels/fluids/hazardous materials and trash and debris, permitted discharges, and the risk of fishing gear entanglement and loss within the Project area. Alternative F would result in fewer impacts in the Lease Area due to the removal of nine WTGs for the southeastern portion of EW 1. Alternatives C and D were included as part of the PDE and maximum-case scenarios evaluated for the Proposed Action and therefore do not represent any change from the Proposed Action.</p> <p>Alternative G would involve changes to only the onshore portion of the EW 2 export cable route, and therefore the impact of Alternative G on marine mammals would be the same as that of the Proposed Action. Overall, impacts of the Preferred Alternative would be similar to impacts of the Proposed Action and would result in negligible to minor adverse impacts on odontocetes and pinnipeds, negligible to moderate adverse impacts on mysticetes (other than NARW), odontocetes, and pinnipeds, negligible to major adverse impacts on NARW, and minor beneficial impacts on small odontocetes and pinnipeds. The incremental impact of the Preferred</p> |

| Resource | No Action Alternative | Alternative A Proposed Action | Differences Among Action Alternatives |
|----------|-----------------------|----------------------------------|--|
| | | | Alternative when compared to the No Action Alternative would be minor for NARW, odontocetes, and pinnipeds and minor to moderate for mysticetes other than NARW. Mitigation recommended for inclusion in the Preferred Alternative is analyzed in Section 3.15.11. |

2. FEIS, Section 3.15.5.3, Impacts of the Proposed Action on Marine Mammals, Conclusions, Cumulative Impacts of the Proposed Action, Pages 3.15-70 to 3.15-71:

Minor beneficial cumulative impacts for odontocetes and pinnipeds under the Proposed Action were noted in Sections 3.15.6.1, 3.15.7.1, and 3.15.8.1 of the FEIS but unintentionally left out of Section 3.15.5.3. To correct this omission, ‘and may include minor beneficial impacts for odontocetes and pinnipeds’ was added. The corrected section with redline edits now reads:

Cumulative Impacts of the Proposed Action. Existing environmental trends and ongoing activities would continue, and mysticetes, odontocetes, and pinnipeds would continue to be affected by natural and human-caused IPFs. Planned activities would also contribute to impacts on marine mammals. Although injury of individuals may occur, long-term population-level effects are not anticipated for marine mammals (with the exception of NARW) ~~due to the ongoing impacts of vessel strikes and entanglements in fishing gear~~. Underwater noise impacts, ~~vessel traffic (i.e., vessel strikes), entanglement~~, and seabed disturbance, primarily from non-offshore wind activities, would result in moderate impacts. Accidental releases and discharges, EMF, the presence of structures, cable emplacement and maintenance, port utilization, and lighting associated with offshore wind activities would be implemented with measures to minimize impacts on marine mammals. Incremental impacts contributed by the Proposed Action to the cumulative impact on marine mammals would range from undetectable to noticeable. BOEM anticipates that the cumulative impacts in the geographic analysis area from the Proposed Action would be **major** for NARW ~~(due to ongoing impacts)~~ and **moderate** for other mysticetes, odontocetes, and pinnipeds ~~and may include minor beneficial impacts for odontocetes and pinnipeds~~. Impacts from the Proposed Action are not anticipated to substantially contribute to the ~~moderate to~~ major long-term cumulative impacts for NARW.