



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

CENAE-RD

14 January 2022

RECORD OF DECISION SUPPLEMENT

SUBJECT: NAE-2017-01206 – Vineyard Wind 1 Offshore Wind Energy Project –
Correction of Clerical Error and Clarification

1. Introduction

This document constitutes the U.S. Army Corps of Engineers (USACE) Record of Decision Supplement (“ROD Supplement”) to the 10 May 2021 joint Record of Decision (JROD) signed by the Bureau of Ocean Energy Management (BOEM), USACE, and the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS).

This ROD Supplement was prepared pursuant to the USACE implementation procedures for the National Environmental Policy Act (NEPA), 33 C.F.R. Part 325 Appendix B, and 33 C.F.R. § 230.14. The purpose of this ROD Supplement is to correct a clerical error in the JROD and clarify a statement contained in the USACE section of the JROD. This ROD Supplement addresses only the USACE section of the JROD. It has no bearing on the BOEM or NMFS decisions documented in the JROD. The USACE previously corrected clerical errors in its portion of the JROD in a 6 August 2021 ROD Supplement.

2. Clerical Error

A clerical error occurred when the JROD was compiled, which resulted in the USACE’s public interest determination being cut off mid-sentence. On page 48 of the JROD, the last paragraph is the USACE Approval. The final sentence states, “The issuance of this permit is consistent with National Policy, statutes, regulations, and administrative directives; and on balance, issuance of a USACE permit to construct the Vineyard Wind Project[.]” The remainder of the sentence was inadvertently deleted during the compilation of the JROD. The cut-off portion continued with “is not contrary to the public interest. As explained above, all practicable means to avoid and/or minimize environmental harm from the selected, permitted alternative have been adopted and required by the terms and conditions of this permit.”

This ROD Supplement corrects the USACE’s Approval paragraph on page 48 of the JROD. On JROD, page 48, line 41, replace “the Vineyard Wind Project” with “the Vineyard Wind Project is not contrary to the public interest. As explained above, all

CENAE-RD

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practicable means to avoid and/or minimize environmental harm from the selected, permitted alternative have been adopted and required by the terms and conditions of this permit.”

3. Clarification

On page 39, lines 31-33, within the Economics section of the General Public Interest Review, the JROD reads, “While Vineyard Wind is not authorized to prevent free access to the entire wind development area, due to the placement of the turbines it is likely that the entire 75,614-acre area will be abandoned by commercial fisheries due to difficulties with navigation.” This statement regarding the likelihood of abandonment of the area by commercial fisheries is based solely upon comments of interested parties submitted to BOEM during the public comment period for the draft environmental impact statement as summarized in Appendix K to the Final Environmental Impact Statement (FEIS). The statement is not based upon any separate or independent USACE or other agency evaluation or study, and accordingly does not represent the position of the USACE regarding the status of commercial fisheries due to difficulties of navigation that may or may not result from the placement of the turbines.

Accordingly, for the sake of clarity, page 39, lines 31-33, of the JROD are changed to read, “While Vineyard Wind is not authorized to prevent free access to the entire wind development area, according to comments submitted by interested parties to BOEM as summarized in Appendix K to the FEIS, due to the placement of the turbines, it is likely that the entire 75,614-acre area will be abandoned by commercial fisheries due to difficulties with navigation.”

4. Conclusion: This ROD Supplement supplements, revises, and clarifies the JROD as set forth above.

5. The Point of Contact for this action is Ms. Tammy Turley, New England District Regulatory Division Chief. She may be reached at tammy.r.turley@usace.army.mil or (978) 318-8174.

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