



April 4, 2023

Ruth Ann Brien
U.S. Army Corps of Engineers, New England District
Regulatory Division
696 Virginia Road
Concord, MA 01742
Ruthann.A.Brien@usace.army.mil

Re: SouthCoast Offshore Wind | NAE-2020-00958

Dear Ms. Brien:

I write on behalf of the Town of Nantucket, Massachusetts (“the Town”) regarding the U.S. Army Corps of Engineers’ (“Corps”) Federal Public Notice regarding NAE-2020-00958, SouthCoast Wind (the “Project”).

The Town has significant concerns regarding consultation and other inadequacies in the Draft Environmental Impact Statement (“DEIS”), the accompanying technical reports, and the proposed Memorandum of Agreement (“MOA”). BOEM, however, extended the deadline for commenting on these documents to April 18, 2023.

The Town is therefore unable at this time to provide substantive comments on the appropriateness or completeness of the review process under the National Environmental Policy Act (NEPA) or Section 106 of the National Historic Preservation Act (NHPA), and the Corps should not make any decision on a permit until that review is complete. Should the Corps rely on the DEIS as drafted to issue its permit, it risks making a decision that is arbitrary, capricious, and contrary to law.

The Corps’ decision to issue a permit will be based on an evaluation of the Project’s impacts on the public interest. Because the public’s review of the DEIS and accompanying documents are still ongoing following BOEM’s change in its deadlines for submitting comments, the Corps cannot reasonably determine whether the Project is in the public interest.

We will supplement this response after submitting to BOEM the Town’s comments on the DEIS and related documents and look forward to continued consultation with the Corps.

Respectfully submitted,

William J. Cook
Partner