



# The Village of Bald Head Island

September 12, 2021

**Via electronic submission at <http://www.regulations.gov>**

Michelle Morin, Chief  
Environmental Branch for Renewable Energy  
Office of Renewable Energy  
Bureau of Ocean Energy Management  
U.S. Department of the Interior  
45600 Woodland Road  
Sterling, Virginia 20166

Re: Docket No. BOEM 2021-0055, Notice of Intent to prepare a supplemental Environmental Assessment to consider additional wind leasing options offshore North Carolina

Dear Ms. Morin:

This letter responds to the Bureau of Ocean Energy Management's (BOEM) announcement on August 13, 2021 that it intends to supplement the 2015 environmental assessment (EA) evaluating wind energy lease sales offshore North Carolina. In the [Notice](#), BOEM discloses that it is considering a lease sale for the Wilmington East Energy Area (WEA). On behalf of the Village of Bald Head Island (BHI, Bald Head, or the Village), I appreciate this opportunity to comment on offshore renewable energy development affecting North Carolina.

## I. Introduction

Bald Head Island is situated at the mouth of the Cape Fear River, directly north of the WEA. The WEA begins approximately 15 nautical miles south of Bald Head Island.<sup>1</sup> As such, our community will be among those most directly impacted by the contemplated lease sale.

We have engaged with BOEM on North Carolina wind energy lease issues at every opportunity since BOEM announced the North Carolina wind energy areas in 2014. Bald Head has actively participated in the North Carolina Renewable Energy Task Force. As Mayor, representing residents of and visitors to this community, I have often offered comments expressing Bald Head's views and concerns about leasing in the Wilmington WEAs. On February 23, 2015, I submitted Bald Head's comments on BOEM's EA evaluating environmental impacts from leasing in the three North Carolina wind energy areas.<sup>2</sup> On November 9, 2015, I wrote to then Secretary of Interior Sally Jewell registering our concerns about potential

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<sup>1</sup> See BOEM, Announcement of Area Identification, Commercial Wind Energy Leasing on the Outer Continental Shelf Offshore North Carolina at 1, 6 (August 7, 2014).

<sup>2</sup> Letter from J. Andrew Sayre, Mayor, Village of Bald Head Island to James F. Bennett, BOEM (February 23, 2015); see also Letter from Kit Adcock and Trisha Barnard, Bald Head Association to Program Manager, BOEM (February 20, 2015).

visual impacts of wind turbines on Bald Head Island residents.<sup>3</sup> As you know, visual impacts were not evaluated in the 2015 EA, but these impacts are the single most important issue to Bald Head and other local residents and governments.<sup>4</sup>

On December 29, 2015, I commented in response to BOEM's request for input regarding administration of the renewable energy program. Those comments expressed appreciation for BOEM's presentation to Village leaders, and asked for more and better communication, and greater transparency in BOEM's decision-making processes.<sup>5</sup>

In a July 5, 2018 letter, when responding to BOEM's April 6, 2018 *Federal Register* notice, I reiterated Bald Head's concerns about visual impacts, and expressed BHI's opposition to wind turbines closer than 24 nautical miles to the North Carolina coast. On October 5, 2015, our Village Council adopted a resolution formalizing this opposition.<sup>6</sup> Other communities and organizations in the region adopted similar resolutions, including the Town of Kure Beach, the Town of Caswell Beach, Ocean Isle Beach, the Town of Sunset Beach, and the Old Baldy Foundation. The Village adopted a new resolution on May 21, 2021, emphasizing the importance of siting wind turbines at least 24 nautical miles from the shore. To date, similar resolutions have been adopted by the Town of Caswell Beach (June 10, 2021), the Town of Sunset Beach (July 12, 2021), Ocean Isle Beach (July 13, 2021), and Brunswick County (August 2, 2021). These resolutions are enclosed with this letter at Appendix A.

Most recently, I wrote on August 27, 2021, in response to BOEM's scoping notice for the environmental impact statement being prepared for the Kitty Hawk Offshore Wind project.<sup>7</sup> Those comments reiterate BHI's support for offshore wind energy development, its opposition to wind turbines within 24 nautical miles of the North Carolina shore, its concerns about visual impacts, and its requests for more transparency and stakeholder engagement.

Congress has been receptive to North Carolina stakeholders, especially with respect to viewshed concerns arising from potential offshore wind turbines. During the past five fiscal years, Congress has consistently instructed BOEM to work with local stakeholders to address viewshed concerns. The relevant language is quoted in the following table:

<b>Fiscal Year</b>	<b>Language</b>
<a href="#">2021</a> Explanatory Statement to accompany P.L.	<i>North Carolina Offshore Wind Leases.-According to information provided by the Bureau to the Senate Appropriations Committee, the Bureau does not anticipate lease sales will be held for offshore areas of North Carolina during fiscal year 2021. The Bureau is directed to work with local stakeholders,</i>

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<sup>3</sup> Letter from J. Andrew Sayre, Mayor Village of Bald Head Island, to Hon. Sally Jewel, Secretary of the Interior (November 9, 2015).

<sup>4</sup> See Consensus Building Institute, Draft Final North Carolina/South Carolina Offshore Wind Stakeholder Assessment at 8-9 (April 2018).

<sup>5</sup> Letter from J. Andrew Sayre, Mayor, Village of Bald Head Island, to Abigail R. Hopper, Director, BOEM (December 29, 2015).

<sup>6</sup> Letter from J. Andrew Sayre, Mayor, Village of Bald Head Island, to James Bennett, BOEM (July 5, 2018); An Ordinance of the Village of Bald Head Island, North Carolina Amending Section 10-82 of the Code of Ordinances to Clarify the Statement of Purpose for the Village of Bald Head Island's Regulation of Artificial Lighting, No. 2015-1205 (December 11, 2015); Village of Bald Head Island Resolution in Opposition to Issuance of Wind Energy Leases Within 24 Nautical Miles of North Carolina's Shores (October 5, 2015)

<sup>7</sup> Letter from J. Andrew Sayre, Mayor, Village of Bald Head Island, to Michelle Morin, BOEM (August 27, 2021).

<b>Fiscal Year</b>	<b>Language</b>
116-260, Book 2 (Divisions G-L).	<i>industry, and State task forces to address potential local concerns related to visual impacts of any proposed leasing activity in subsequent fiscal years.</i>
<a href="#">2020</a> Report 116-123 to accompany S.2580.	<i>North Carolina Wind Leases.—According to information provided by the Bureau to the Committee, no lease sales will be held for offshore areas of North Carolina for wind energy during fiscal year 2020. The Committee directs the Bureau to follow this commitment and to continue to work with local stakeholders, industry, and State task forces to address local concerns related to the visual impacts of any proposed leasing activity in subsequent fiscal years.</i> <i>**The explanatory statement accompanying P.L. 116-93 instructs the Bureau to follow the direction of Senate Report 116-123**</i>
<a href="#">2019</a> Report 116-9 to accompany H.J.Res. 31.	<i>Offshore Wind Energy Development.—The Conferees understand that the Bureau is continuing to work in North Carolina with local stakeholders, industry, and State task forces, and that there will be no lease sales for offshore areas in North Carolina during fiscal year 2019.</i>
<a href="#">2018</a> Explanatory Statement to accompany P.L. 115-141, Book II (Divisions G-L).	<i>Offshore Wind Energy Development.—The Committees understand that the Bureau is continuing to work in North Carolina with local stakeholders, industry, and State task forces and that there will be no lease sales for offshore areas in North Carolina during fiscal year 2018.</i>
<a href="#">2017</a> Explanatory Statement to accompany P.L. 115-31.	<i>Offshore Wind Energy Development.—The Committees understand that the Bureau is continuing to work in North Carolina with local stakeholders, industry, and State task forces and that there will be no lease sales in the Wilmington Wind Energy Area during fiscal year 2017.</i>

## II. Summary of Comments

Bald Head's views – and its input into the process – have remained consistent during BOEM's consideration of wind energy leasing offshore North Carolina. The Village supports offshore wind energy development, and specifically, would not oppose a lease sale in the Wilmington East WEA, unless the lease would allow wind turbines to be sited closer than 24 nautical miles to the North Carolina coast. This distance from shore is consistent with BOEM's approach to the definition of the Kitty Hawk WEA identification in 2014, and addresses the concerns of Bald Head Island and its neighboring coastal communities. BOEM should take the opportunity now – before environmental evaluations commence and before potential bidders invest resources – to clarify that any lease sale for the Wilmington WEAs will be for turbines located a minimum of 24 nautical miles (or more) from the shore.

We also urge BOEM to recommit to active stakeholder engagement and greater transparency in its decision-making process. We recognize that hearing and addressing stakeholders' concerns require a significant commitment on behalf of BOEM's representatives, but we believe this engagement will reduce the potential for conflicts and delay in the leasing process. More importantly, Congress has directed BOEM to consult with local communities, and BOEM has committed repeatedly to do so. Despite these commitments, some of BOEM's decision-making has been abrupt, without warning or explanation to local governments. This lack of transparency is detrimental to working relationships and will complicate resolution of local concerns.

### III. Redraw the Boundaries of the Wilmington East WEA

As you are aware, the Village of Bald Head Island commented on the 2015 EA, criticizing the draft document for not including a discussion of the visual impacts of offshore wind turbines. BOEM responded that the EA addressed only the impacts of conducting a lease sale, which by itself will not have visual impacts. BOEM explained that visual impacts will be considered in future environmental reviews, in particular, in the environmental impact statement (EIS) for the eventual lessee's construction and operation plan. However, by that time, after the lease sale winner has paid millions of dollars to obtain the lease, and has invested additional millions in site assessment and in developing a construction and operation plan, it may be too late to do anything about adverse visual impacts identified in the EIS.

BOEM's position – that it is premature to consider visual impacts now because the lease sale itself will not have visual impacts – misses the point. While this preliminary NEPA process may not be suited to address eventual visual impacts, BOEM is not precluded from addressing visual impacts right now, and has done so early in the planning process in other cases. As we pointed out in our July 5, 2018 comment letter, BOEM addressed visual impacts in the Kitty Hawk Call Area at the very beginning of the process, during area identification. In response to concerns raised by the National Park Service and the Town of Kitty Hawk, BOEM sited the Kitty Hawk WEA with a setback of 33.7 nautical miles specifically to protect the viewshed of the Bodie Island Lighthouse, and no closer than 24 nautical miles to the nearest point on the shoreline.<sup>8</sup> The National Park Service requested 33.7 nautical mile setback not only to protect the Lighthouse, but also because of the adverse visual impacts of wind turbines on visitors to the Cape Hatteras National Seashore.

Bald Head Island is not a national park, but our concerns about visual impacts are no less important, and are at least as compelling as those raised by the Town of Kitty Hawk. Our lighthouse – Old Baldy – has been on the National Register of Historic Places since 1975. At 204 years old, it is the oldest lighthouse in North Carolina, built in 1817 at the mouth of the Cape Fear River to guide ships past the Frying Pan Shoals. Old Baldy replaced an even older lighthouse on which the colony of North Carolina began construction before the Revolutionary War, but which was completed in 1794 by the United States. Today, thousands of visitors take the passenger ferry to Bald Head Island every year to climb Old Baldy and visit the adjoining museum in which they learn about these lighthouses, and about Bald Head Island's role in the Revolutionary and Civil wars, its Native American inhabitants, and other aspects of its unique history.

Although only 40 miles from Wilmington, BHI is remote, an attribute that is valuable to residents and visitors wishing to experience the abundant wildlife, the beaches, and the natural beauty of the island. Bald Head Island can only be reached by ferry, and motor vehicle traffic is limited to public safety and emergency vehicles. When the current Village was established in the 1970's, the original landowners deeded three-fourths of island acreage to the State of North Carolina to be conserved in perpetuity. This large natural area supports numerous wildlife species and attracts scientists, conservationists, bird watchers, and other visitors from across the country.

The Village and the other beach communities of Brunswick County are united in their message to BOEM: we can support BOEM's efforts to expedite wind energy development, but not at the expense of our most valuable resource: the oceanside experiences that bring 200,000 people to our beach communities every

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<sup>8</sup> Revised Environmental Assessment, Commercial Wind Lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf Offshore North Carolina, BOEM 2015-038 at 1-10, 1-11 (September 3, 2015); Announcement of Area Identification, Commercial Wind Energy Leasing on the Outer Continental Shelf Offshore North Carolina at 1 (August 7, 2014).

year. The potential visual impacts of offshore wind energy are the central concern of BHI and other Brunswick County stakeholders. We have raised this objection persistently since at least 2015, with no response or clarification from BOEM regarding how it may (or may not) address the concern. This is unacceptable. We question why BOEM redrew the boundaries of the Kitty Hawk WEA at the outset, based on a request from the National Park Service and a resolution by the Town of Kitty Hawk, but declines to address similar concerns for the Wilmington WEAs.

We request that BOEM act now to reconfigure the Wilmington East WEA with a setback from shore of 24 nautical miles, before conducting the EA. This action will address the concerns raised by Brunswick County, Bald Head Island, and other local governments, and turn potential opponents into supporters of wind energy development offshore North Carolina. Taking the action now has the important additional benefit of focusing and simplifying the EIS that will have to be prepared before construction can begin. It will reduce concerns about visual impacts and potential mitigation to *de minimis* features of the EIS, rather than overriding concerns that will continue to energize local opposition to the project.

Alternatively, BOEM could reduce concerns about this lease sale without reconsidering the configuration of the WEA by restricting the lease sale to portions of the Wilmington East WEA that are at least 24 nautical miles from the shore.

## IV. Recommit to Transparency and Meaningful Interaction With Local Communities

BOEM regularly states its intention to work with local stakeholders and to be transparent about its decision-making, but regrettably that often has not been the case. BOEM's on-again, off-again communication record is a stumbling block to gaining the cooperation and support of Bald Head and other local communities.

As you know, in 2016, BOEM made the decision to proceed with a lease sale for the Kitty Hawk WEA, and also announced that "the Wilmington East and Wilmington West WEAs, ... due to their proximity and shared attributes, have been coupled with the planning and leasing process for the South Carolina Call Areas."<sup>9</sup> However, a quick look at BOEM's website confirms that there has been no public-facing planning or leasing process since 2016 for the South Carolina Call Areas. In 2015, BOEM had published a Notice of Intent to prepare an EA evaluating leasing in the South Carolina Call Areas.<sup>10</sup> However, no draft EA was ever published, and there is no further mention of the EA at BOEM's website.<sup>11</sup>

On April 7, 2016, former BOEM Director Hopper wrote me, confirming the reorientation of the Wilmington WEAs into the South Carolina planning process, and concluding:

Please be assured that BOEM will engage and involve its North Carolina and South Carolina Task Forces, including the members representing Bald Head Island and other potentially affected communities, as we move forward. This will ensure that

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<sup>9</sup> Interior Announces Milestone for Wind Energy Development Offshore North Carolina, 08/12/2016, available at <https://www.doi.gov/pressreleases/interior-announces-milestone-wind-energy-development-offshore-north-carolina>

<sup>10</sup> 80 Fed. Reg. 2015 (November 25, 2015).

<sup>11</sup> <https://www.boem.gov/renewable-energy/state-activities/south-carolina-activities>.



the new leasing strategy is implemented in a transparent manner and incorporates stakeholder concerns such as yours into our decision-making.<sup>12</sup>

On May 17, 2016, BOEM held a meeting of the South Carolina Intergovernmental Task Force, at which it presented a plan to combine the Wilmington East and West WEAs with the Grand Strand Call Area.<sup>13</sup> BOEM also presented this plan at an April 19, 2016 meeting of the North Carolina Renewable Energy Task Force.<sup>14</sup> The presentation emphasized the proximity of the Wilmington WEAs to the Grand Strand area, and raised concerns about, among other things, negative impacts of “wake effects” on neighboring wind facilities. However, despite BOEM’s commitment to engage with the North Carolina and South Carolina task forces, the North Carolina Task Force was combined with a similar Virginia group, and the succeeding combined Task Force meetings focused on the Kitty Hawk lease and on Virginia leasing activities, and did not address the Wilmington WEAs at all.

As for the South Carolina Task Force, it ceased having meetings altogether. After May 17, 2016, there were no further South Carolina Task Force meetings for the next five years, until July 21, 2021, when BOEM held a meeting of something it is now calling the, “Carolina Long Bay Task Force,” to announce its plans to conduct a lease sale in the Wilmington East WEA. Notably, information about this new task force and a link to its July 21 meeting materials can only be found at the BOEM website’s wind leasing information page for South Carolina. There is no mention of this meeting on BOEM’s North Carolina page.

During this five-year period of BOEM inactivity, the Bureau did commission a “North Carolina / South Carolina Offshore Wind Stakeholder Assessment” to learn the views of local governments, residents, and other stakeholders near the border between North and South Carolina about offshore wind development. The communities near this border will be most affected by wind energy development in the Wilmington WEAs, WEAs yet to be identified in the Grand Strand Call Area, or in a Wind Energy Area combining Wilmington WEAs with portions of the Grand Strand Call Area. The facilitator, Consensus Building Institute (CBI), held numerous meetings in 2018 with stakeholders – including Bald Head Island – to obtain input, and provided a draft of its April 2018 report to participants.<sup>15</sup> The report’s purpose was “to help explore, detail, and capture local and state stakeholders’ perspectives,” and to “identify if there is any collaborative process that might aid in designating WEAs acceptable to most stakeholders.”<sup>16</sup> The study area was identified as “stretching south from Wilmington, NC to Georgetown, SC.”<sup>17</sup>

A large portion of the draft report documented the concerns of stakeholders about visual impacts of wind turbines; indeed, it is fair to say that these concerns dominated the report. CBI recommended a number of options BOEM could consider to address stakeholder concerns, including: (1) create a white paper on the background and status of the current WEAs, “including accompanying rationales for [] setback distances;” (2) refine existing tools and create new tools, including simulations, maps, and charts, to help shore

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<sup>12</sup> Letter from Abigail Ross Hopper, BOEM to J. Andrew Sayre, Mayor, Village of Bald Head Island at 2 (April 7, 2016).

<sup>13</sup> Combining the Grand Strand Call Area with Wilmington East and Wilmington West Wind Energy Areas, BOEM Powerpoint Presentation (May 17, 2016), available at <https://www.boem.gov/sites/default/files/renewable-energy-program/State-Activities/SC/SC-TF-Presentation-realignment.pdf>.

<sup>14</sup> <https://www.boem.gov/renewable-energy/state-activities/sixth-boem-nc-renewable-energy-task-force-meeting-april-2016>

<sup>15</sup> Consensus Building Institute, North Carolina / South Carolina Offshore Wind Stakeholder Assessment (April 2018).

<sup>16</sup> *Id.* at 4.

<sup>17</sup> *Id.*

communities better understand and assess visual impacts; (3) convene the North Carolina and South Carolina task forces jointly to consider CBI's report and discuss next steps; (4) convene a "region-wide" workshop or sub-regional workshops on potential refinement of the Wilmington WEAs and the South Carolina call areas; and (5) hold individual meetings with communities to further explore concerns.

BOEM's response to this report: silence. None of these things ever happened. BOEM has not refined or created new tools to address visual impact concerns. It never convened a joint meeting of North and South Carolina task forces, scheduled workshops, or took any other actions to implement (or reject) CBI's recommendations. Most tellingly, BOEM never released a final version of the CBI report. We have made at least five written requests to see the final report, including as recently as August 27, 2021. BOEM has never acknowledged or responded to those requests.

After these extended years of inaction both on South Carolina planning, or realignment of the Wilmington WEAs, BOEM finally scheduled the July 21 meeting described above – five years after its last South Carolina task force meeting – for something it called (for the first time) the "Regional Carolina Task Force."<sup>18</sup> (The meeting agenda calls the meeting the "Intergovernmental Renewable Energy Task Force for Carolina Long Bay.")<sup>19</sup> The meeting agenda promises a background presentation on development of the "Carolina Long Bay Wind Energy Areas," but BOEM has not identified any wind energy areas in South Carolina. The only identified WEAs in the "Long Bay" are the Wilmington WEAs, located in North Carolina. Accordingly, the July 21 meeting did not address BOEM's planning efforts (or lack of them) over the previous five years, or explain any current or upcoming efforts, or explain the status of identifying wind energy areas in South Carolina, but rather functioned solely as BOEM's announcement of its intention to conduct a lease sale in the Wilmington East WEA.<sup>20</sup>

We note with concern that BOEM chose not to publish its August 13 notice in the *Federal Register*. The notice instead was posted at BOEM's website. We understand that NEPA regulations arguably do not require this notice to be published in the *Federal Register*, see 40 C.F.R. § 1506.6, but it is notable that BOEM *did* use the *Federal Register* to give notice of the original EA (77 Fed. Reg. 74218 (Dec. 13, 2012)), and also the South Carolina EA (that was never completed)(80 Fed. Reg. 73817 (Nov. 25, 2015)). We are not aware that BOEM published the notice in any local newspaper, or gave notice through other local media. BHI officials and representatives have signed up at various BOEM-sponsored events to receive email notices of developments on North Carolina wind energy, especially regarding the Wilmington WEAs. The Council on Environmental Quality NEPA regulations do *require* that notice be provided directly to persons who have requested notice on an individual action. 40 C.F.R. § 1506.6(b)(1). Indeed, BOEM communicated directly with Task Force members by email on July 1 to give notice of the upcoming July 21 Task Force meeting, but we received no emails or other correspondence announcing BOEM's intention to prepare a supplemental EA. Especially because of the abruptness of BOEM's action, these efforts to provide notice to the public are lacking.

With due respect, this is not transparency. Rather, the above narrative documents five years of *opacity* in BOEM's plans and decision-making about the Wilmington WEAs. Now, with a new administration that has prioritized offshore wind energy development, BOEM is rewriting the history of its indecision and

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<sup>18</sup> <https://www.boem.gov/regional-carolina-long-bay-intergovernmental-renewable-energy>

<sup>19</sup> <https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/Carolina-Long-Bay-TF-Agenda.pdf>

<sup>20</sup> <https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/Carolina-Long-Bay-All-PCB-EBRE.pdf>

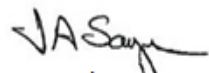
inaction over the last five years. BOEM is constructing a record that is intended to *look* like transparency, as if the Bureau has actively and consistently engaged with stakeholders. But the facts tell a different story. BHI and others have been kept in the dark about BOEM's planning and its intentions regarding the Wilmington WEAs for years. Bald Head learned about BOEM's recent and abrupt change in direction in a meeting we requested with BOEM officials on April 23, 2021. In that meeting, in response to a direct question, Bald Head learned for the first time that BOEM had abandoned its intention to combine Wilmington WEAs with the Grand Strand Call Area.

To be fair, BOEM officials made clear in this meeting that the Bureau intends to move forward quickly with leasing, and strongly suggested that the Wilmington East WEA may soon be opened to leasing. And of course, BOEM can decide to proceed differently than it has previously indicated. That is the prerogative of government. However, it bears repeating that we obtained this information only because we requested a meeting, and then asked for it directly. There was no transparent BOEM planning process that led to this change in direction. There were no joint Task Force meetings. BOEM has characterized the July 21 meeting as if the "Intergovernmental Renewable Energy Task Force for Carolina Long Bay" were an actual entity that existed and held meetings before that date. There was no follow-up to the stakeholder engagement that happened in 2018. There is no final CBI stakeholder report. BOEM may change its mind, but its discretion to do so is not unlimited. BOEM's new decision-making must have a rational basis. The rational basis for this decision is not currently evident.

Perhaps more distressing than BOEM's abrupt reversal of policy is its continued unwillingness to actively engage with us and address local concerns about the visual impacts of its decision-making. After all, this is Bald Head's single most important concern, and likely the only serious objection we may have to leasing in the Wilmington East WEA. BOEM has repeatedly committed to engage on this issue, and to be transparent in its decision-making. We are waiting for those promises to be kept. To be clear, BHI has repeatedly expressed concerns about visual impacts, and BOEM has acknowledged the concerns. We appreciate the recognition, but it is not enough. We want a conversation about *how* those concerns could be addressed, and how they may or may not be addressed by BOEM, and waiting until you prepare the EIS on a construction and operation plan – years from now – is not acceptable. We request that BOEM engage with us now to have that conversation. That's what transparency would look like to the Village of Bald Head Island.

We look forward to continuing this discussion with the Bureau. Additionally, we appreciate this opportunity to comment, and request that BHI remain on your distribution lists for all information related to energy development offshore North Carolina. We look forward to continued involvement in BOEM's deliberations.

Sincerely,



J. Andrew Sayre  
Mayor

Enclosures



**VILLAGE OF BALD HEAD ISLAND RESOLUTION  
IN OPPOSITION TO  
ISSUANCE OF WIND ENERGY LEASES  
WITHIN 24 NAUTICAL MILES OF NORTH CAROLINA'S SHORES**

**WHEREAS;** the Village of Bald Head Island is specially positioned as a remote and picturesque community where tourists and residents can enjoy beautiful, natural, scenic vistas and significant cultural and historical resources, including Old Baldy (North Carolina's oldest standing lighthouse), Fort Holmes, Frying Pan Shoals and numerous shipwrecks and artifacts comprising the Graveyard of the Atlantic.

**WHEREAS;** the natural coastal beauty of our viewshed is an essential driver of our economy.

**WHEREAS;** we are deeply committed to and will fight for protection of our viewshed.

**WHEREAS;** the onshore visual impact of wind energy turbines is overwhelmingly determined by a single causal factor, distance of wind turbines from shore.

**WHEREAS;** wind turbines located within the Bald Head Island viewshed would transform our community's natural and historic vista of open ocean to a view of massive industrial machinery.

**WHEREAS;** such a change would represent for us the most destructive commitment of ocean resources that we have ever heard proposed in North Carolina - one that could irreversibly damage the natural environment and resources that we cherish and that drive our economy.

**WHEREAS;** BOEM knows that wind turbines will have adverse visual impacts if located within 24 nautical miles from shore. BOEM, based on the 33.7 nautical mile buffer BOEM established for Bodie Island Lighthouse, demonstrates that BOEM knows how to calculate the distance to protect Old Baldy (listed in the National Park Service's National Register of Historic Places as Bald Head Island Lighthouse, National Register Information System ID 75001242) from adverse visual impacts.

**WHEREAS;** BOEM has established a 24 nautical mile no-leasing buffer for the State of Virginia to protect viewsheds. BOEM has established a 24 nautical mile no-leasing buffer for the Kitty Hawk WEA to protect viewsheds, and BOEM has established a 33.7 nautical mile no-leasing buffer to protect the Bodie Island Lighthouse.

**WHEREAS;** the wind energy leases issued for by BOEM for sites within our viewshed (and as close as 10 nautical miles) still exist and BOEM has stated the leases will have no significant impact on the human environment even though "visual impacts from the installation of a wind energy facility were not analyzed." BOEM Environmental Assessment at p. 5-22. In fact, issuance of leases determine distance from shore and therefore determine the adverse visual impacts of wind turbines. Visual impacts caused by distance from shore must either be eliminated before leases are issued or must be fully analyzed in an Environmental Impact Statement before leases are issued.

**WHEREAS;** BOEM has not analyzed the visual impacts of wind turbines on Bald Head Island and will likely not do so until it is too late to reasonably do anything about wind turbine distance from shore. BOEM plans to delay its analysis until the following commitments of resources, among others, have occurred:

- BOEM issues a lease for a BOEM-specified area whose distance from shore is determined by BOEM
- A wind energy company has submitted a site assessment plan for the BOEM-specified area
- BOEM has approved a site assessment plan for the BOEM-specified area
- A wind energy company has completed site assessment activities and has decided to propose a Construction and Operation Plan for the BOEM-specified area
- A wind energy company develops, completes, and submits to BOEM its Construction and Operation Plan for the BOEM-specified area
- BOEM receives a Construction and Operation Plan for the BOEM-specified area and BOEM will decide whether to approve, modify, or reject the plan.

At this late stage, as part of BOEM's decision to approve, modify, or reject a Construction and Operation Plan, BOEM plans to analyze visual impacts - impacts that are caused primarily by distance from shore. However, because distance from shore is determined when a lease is issued, the analysis of visual impacts must be either eliminated before leasing or fully analyzed before leasing in order to satisfy the requirements of the National Environmental Policy Act and to prevent substantial wasteful expenditure of private and public time, effort, and money on sites that are known to be in unacceptable locations.

**WHEREAS;** if an area leased by BOEM is too close to shore, producing unacceptable visual impacts, we are concerned that (1) BOEM cannot modify a Construction and Operation Plan by specifying a different location than one leased and (2) BOEM will fail to reject a Construction and Operation Plan because of the magnitude of private and government expenditures on a location whose distance from shore was decided prior to those expenditures, when the lease was issued. Conversely, if BOEM, based on proximity to shore and resulting visual impacts, were to reject a Construction and Operation Plan or specify a different location than the one leased, we are concerned that BOEM would fail to successfully defend such a decision.

**WHEREAS;** the reasonable and lawful point in the BOEM process to assess or eliminate visual impacts caused by distance of wind turbines from shore is prior to issuing any lease.

**WHEREAS;** if BOEM proceeds with leasing in the West Wilmington WEA and the East Wilmington WEA without an EIS, the reasonable, lawful course of action is to exclude from leasing any areas that are within 24 nautical miles of shore and any areas where wind turbines would be visible from Bald Head Island Lighthouse.

**NOW, THEREFORE, BE IT RESOLVED;** the Village of Bald Head Island respectfully requests that BOEM restrict leasing and approval of site assessment plans in the Wilmington East WEA and Wilmington West WEA to exclude locations within 24 nautical miles of Bald Head Island and

locations where wind turbines would be visible from Bald Head [stand Lighthouse ("Visual Impact Exclusion Area");


**BE IT FURTHER RESOLVED;** the Village of Bald Head Island respectfully requests BOEM provide at least 30 days written notice to the Village of Bald Head Island before issuing any lease or approving any site assessment plan that includes any location within the Visual Impact Exclusion Area;

**BE IT FURTHER RESOLVED;** the Village of Bald Head Island is committed to challenge any BOEM issuance of wind energy leases within the Visual Impact Exclusion Area; and


**BE IT FURTHER RESOLVED;** the Village of Bald Head Island stands in solidarity with the State of North Carolina, with North Carolina coastal communities, and with other communities that may be affected by BOEM wind energy leasing on the continental shelf within 24 nautical miles of the North Carolina or within viewing distance from any North Carolina lighthouse; and

**BE IT FURTHER RESOLVED;** the Village of Bald Head Island calls upon Governor Roy Cooper, Department of Environmental Quality Secretary Dionne Delli-Gatti, and the North Carolina General Assembly to protect North Carolina's beautiful ocean viewshed and North Carolina's proven tourism driven coastal economy by opposing wind energy leasing on the continental shelf within 24 nautical miles of the North Carolina coast and within areas where wind turbines would be visible from any North Carolina lighthouse.

This the 21<sup>st</sup> day of May, 2021.

  
J. Andrew Sayre  
Mayor

ATTEST:

  
Daralyn Spivey  
Village Clerk



*County of Brunswick*  
*Office of the County Commissioners*



**BRUNSWICK COUNTY RESOLUTION IN OPPOSITION TO ISSUANCE  
OF WIND ENERGY LEASES WITHIN 24 NAUTICAL MILES OF  
NORTH CAROLINA'S SHORES**

**WHEREAS**, Brunswick County has six beach towns across five barrier islands, and approximately 50 miles of beautiful shoreline along the Atlantic Ocean; and

**WHEREAS**, the natural coastal beauty of our viewshed is an essential driver of our economy; and

**WHEREAS**, the onshore visual impact of wind energy turbines is overwhelmingly determined by a single causal factor: distance of wind turbines from shore; and

**WHEREAS**, wind turbines located within the viewshed of Brunswick County beaches would damage tourism and the economy of the county by transforming open ocean views to views of massive industrial machinery; and

**WHEREAS**, such a change would represent a destructive commitment of ocean resources that could irreversibly damage the natural environment and resources that drive our economy; and

**WHEREAS**, BOEM knows that wind turbines will have adverse visual impacts if located within 24 nautical miles from shore. BOEM, based on the 33.7 nautical mile buffer BOEM established for Bodie Island Lighthouse; and

**WHEREAS**, BOEM has established a 24 nautical mile no-leasing buffer for the State of Virginia to protect viewsheds, BOEM has established a 24 nautical mile no-leasing buffer for the Kitty Hawk WEA to protect viewsheds, and BOEM has established a 33.7 nautical mile no-leasing buffer to protect the Bodie Island Lighthouse; and

**WHEREAS**, the wind energy leases issued for by BOEM for sites within County viewsheds (and as close as 10 nautical miles) still exist and BOEM has stated the leases will have no significant impact on the human environment even though "visual impacts from the installation of a wind energy facility were not analyzed." BOEM Environmental Assessment at p. 5-22. In fact, issuance of leases determine distance from shore and therefore determine the adverse visual impacts of wind turbines. Visual impacts caused by distance from shore must either be eliminated before leases are issued, or must be fully analyzed in an Environmental Impact Statement before leases are issued; and

**WHEREAS**, BOEM has not analyzed the visual impacts of wind turbines on Brunswick County and will likely not do so until it is too late to reasonably do anything about wind turbine distance from shore. BOEM plans to delay its analysis until the following commitments of resources, among others, have occurred:

- BOEM issues a lease for a BOEM-specified area whose distance from shore is determined by BOEM;
- A wind energy company has submitted a site assessment plan for the BOEM-specified area;
- BOEM has approved a site assessment plan for the BOEM-specified area;
- A wind energy company has completed site assessment activities and has decided to propose a Construction and Operation Plan for the BOEM-specified area;
- A wind energy company develops, completes, and submits to BOEM its Construction and Operation Plan for the BOEM-specified area;
- BOEM receives a Construction and Operation Plan for the BOEM-specified area and BOEM will decide whether to approve, modify, or reject the plan.

At this late stage, as part of BOEM's decision to approve, modify, or reject a Construction and Operation Plan, BOEM plans to analyze visual impacts - impacts that are caused primarily by distance from shore. However, because distance from shore is determined when a lease is issued, the analysis of visual impacts must be either eliminated *before* leasing, or fully analyzed *before* leasing in order to satisfy the requirements of the National Environmental Policy Act and to prevent substantial wasteful expenditure of private and public time, effort, and money on sites that are known to be in unacceptable locations; and

**WHEREAS**, if an area leased by BOEM is too close to shore, producing unacceptable visual impacts, the County is concerned that (1) BOEM cannot modify a Construction and Operation Plan by specifying a different location than one leased and (2) BOEM will fail to reject a Construction and Operation Plan because of the magnitude of private and government expenditures on a location whose distance from shore was decided prior to those expenditures, when the lease was issued. Conversely, if BOEM, based on proximity to shore and resulting visual impacts, were to reject a Construction and Operation Plan or specify a different location than the one leased, we are concerned that BOEM would fail to successfully defend such a decision; and

**WHEREAS**, the reasonable and lawful point in the BOEM process to assess or eliminate visual impacts caused by distance of wind turbines from shore is prior to issuing any lease; and

**WHEREAS**, if BOEM proceeds with leasing in the West Wilmington WEA and the East Wilmington WEA without an EIS, the reasonable, lawful course of action is to exclude from leasing any areas that are within 24 nautical miles of shore and any areas where wind turbines would be visible from Brunswick County shores; and

**NOW, THEREFORE, BE IT RESOLVED** that Brunswick County respectfully requests that BOEM restrict leasing and approval of site assessment plans in the Wilmington East WEA and Wilmington West WEA to exclude locations within 24 nautical miles of the Brunswick County



shoreline; and

**BE IT FURTHER RESOLVED** that Brunswick County respectfully requests BOEM to provide at least 30 days written notice to Brunswick County before issuing any lease or approving any site assessment plan that includes any location within the Visual Impact Exclusion Area; and

**BE IT FURTHER RESOLVED** that Brunswick County is committed to challenge any BOEM issuance of wind energy leases within the Visual Impact Exclusion Area; and

**BE IT FURTHER RESOLVED** that Brunswick County stands in solidarity with North Carolina coastal communities, and with other communities that may be affected by BOEM wind energy leasing on the continental shelf within 24 nautical miles of the North Carolina shore or within viewing distance from any North Carolina lighthouse; and

**BE IT FURTHER RESOLVED** that Brunswick County calls upon Governor Roy Cooper, Department of Environmental Quality Secretary Elizabeth S. Biser, and the North Carolina General Assembly to protect North Carolina's beautiful ocean viewshed and North Carolina's proven tourism-driven coastal economy by opposing wind energy leasing on the continental shelf within 24 nautical miles of the North Carolina coast, and within areas where wind turbines would be visible from any North Carolina lighthouse.

This the 2nd day of August, 2021.

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Randell Thompson, Chairman  
Brunswick County Board of Commissioners

ATTEST:

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Daralyn Spivey  
Clerk to the Board

# COUNTY OF BRUNSWICK

OFFICE OF THE COUNTY COMMISSIONERS  
BRUNSWICK COUNTY GOVERNMENT CENTER  
BOLIVIA, NORTH CAROLINA 28422

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BOLIVIA, NORTH CAROLINA 28422

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(800) 442-7033 (NC)  
TELECOPY  
(910) 253-2004

The Honorable Roy Cooper  
Governor of North Carolina  
North Carolina Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301

June 18, 2021

Dear Governor Cooper,

This past week, you announced the issuance of Executive Order No. 218, signaling your administration's commitment to offshore wind power and the development of the industry over the next 15 years. The Brunswick County Board of Commissioners have received several comments from our municipal partners and residents following this recent announcement.

Offshore wind power is still a relatively new form of energy generation for the United States. Regardless of personal stance, I believe we all agree that the construction and operation of any energy generating system should not cause detrimental impacts in other areas that exceed any benefits.

Therefore, we respectfully ask the North Carolina Taskforce for Offshore Wind Economic Resource Strategies to research and publicly address their findings for the following concerns:

- Short- and long-term impacts to tourism in areas where construction and operation of offshore wind energy is located
- Visibility of offshore wind energy turbines both from the shoreline and from multi-level structures along the coast
- Any disruptions to existing community utilities to make way for offshore wind energy transmission lines and/or to connect the system to its operating grid on land
- Potential impediments to ships navigating to ports and military installations
- Potential hazards to military operations and trainings that take place along our coasts
- Any threats to marine, avian, and other wildlife during the construction and operation processes



- Any vulnerabilities offshore wind turbines have withstanding hurricanes (including high-speed winds, storm surge, hail, tornadoes, and severe thunderstorms) and other natural or man-made disasters
- Overall return on investment for the construction and operation of offshore wind energy

Furthermore, we ask the State to help address the following questions several in our communities are asking:

1. **What is the minimum distance a wind turbine can be placed from the North Carolina shoreline?** The Bureau of Ocean Energy Management has previously identified that wind turbines would stand no closer than 11.5 miles from a North Carolina shoreline. Is this an accurate expectation? Does the minimum distance factor in those viewing the coastline from multiple levels above ground?
2. **What kind of representation will Brunswick County and other coastal communities and counties have on the Taskforce (NC TOWERS)?** We believe it is beneficial for local coastal governments to coordinate with the State on this issue. The Executive Order additionally addresses that Taskforce membership will include individuals who represent local government.

We thank the State for its invitations to participate in virtual Q&A sessions and the opportunity to speak directly with our municipalities and county officials on this matter in the near future. We also recognize the State's efforts to address economic and military impacts through the inclusion of the North Carolina Departments of Environmental Quality and Military and Veterans Affairs in the Taskforce.

We appreciate our continued dialogue with you and the Taskforce to ensure we mitigate the risk and impact of these concerns together for the well-being, prosperity, and safety of all Brunswick County residents, visitors, and workers.

Respectfully,



Randell (Randy) Thompson

Brunswick County Chairman of the Board  
910-398-1818  
commissioner.thompson@brunswickcountync.gov

CC: U.S. Representative David Rouzer  
North Carolina Senator Bill Rabon  
North Carolina Representative Frank Iler  
North Carolina Representative Charlie Miller

Brunswick County Vice Chairman Mike Forte

Brunswick County Commissioner Marty Cooke

Brunswick County Commissioner Pat Sykes

Brunswick County Commissioner Frank Williams

Brunswick County Mayors and Town/City Managers



## Town of Caswell Beach

1100 Caswell Beach Road • Caswell Beach, NC 28465  
(910) 278-5471 • Fax: 1-866-271-3641 • Website: [www.caswellbeach.org](http://www.caswellbeach.org)

### RESOLUTION #2021- 24

#### THE TOWN OF CASWELL BEACH

#### RESOLUTION IN OPPOSITION TO ISSUANCE OF WIND ENERGY LEASES WITHIN 24 NAUTICAL MILES OF NORTH CAROLINA'S SHORES

**WHEREAS;** the Town of Caswell Beach is specially positioned as a remote and picturesque community where tourists and residents can enjoy beautiful, natural, scenic vistas and significant cultural and historical resources, including the Oak Island Lighthouse and numerous shipwrecks and artifacts comprising the Graveyard of the Atlantic.

**WHEREAS;** the natural coastal beauty of our viewshed is an essential driver of our economy.

**WHEREAS;** we are deeply committed to protection of our viewshed.

**WHEREAS;** the onshore visual impact of wind energy turbines is overwhelmingly determined by a single causal factor, distance of wind turbines from shore.

**WHEREAS;** wind turbines located within the Town of Caswell Beach viewshed would transform our community's natural and historic vista of open ocean to a view of massive industrial machinery.

**WHEREAS;** such a change would represent a destructive commitment of ocean resources - one that could irreversibly damage the natural environment and resources that we cherish and that drive our economy.

**WHEREAS;** BOEM knows that wind turbines will have adverse visual impacts if located within 24 nautical miles from shore. BOEM, based on the 33.7 nautical mile buffer BOEM established for Bodie Island Lighthouse, demonstrates that BOEM knows how to calculate the distance to protect the Oak Island Lighthouse from adverse visual impacts.

**WHEREAS;** BOEM has established a 24 nautical mile no-leasing buffer for the State of Virginia to protect viewsheds, BOEM has established a 24 nautical mile no-leasing buffer for the Kitty Hawk WEA to protect viewsheds, and BOEM has established a 33.7 nautical mile no-leasing buffer to protect the Bodie Island Lighthouse.

**WHEREAS;** the wind energy leases issued by BOEM for sites within our viewshed (and as close as 10 nautical miles) still exist and BOEM has stated the leases will have no significant impact on the human environment even though "visual impacts from the installation of a wind energy facility were not analyzed." BOEM Environmental Assessment at p. 5-22. In fact, issuance of leases determine distance from shore and therefore determine the adverse visual impacts of wind turbines. Visual impacts caused by distance from shore must either be eliminated before leases are issued or must be fully analyzed in an Environmental Impact Statement before leases are issued.



**WHEREAS;** BOEM has not analyzed the visual impacts of wind turbines on Town of Caswell Beach and will likely not do so until it is too late to reasonably do anything about wind turbine distance from shore. BOEM plans to delay its analysis until the following commitments of resources, among others, have occurred:

- BOEM issues a lease for a BOEM-specified area whose distance from shore is determined by BOEM
- A wind energy company has submitted a site assessment plan for the BOEM-specified area
- BOEM has approved a site assessment plan for the BOEM-specified area
- A wind energy company has completed site assessment activities and has decided to propose a Construction and Operation Plan for the BOEM-specified area
- A wind energy company develops, completes, and submits to BOEM its Construction and Operation Plan for the BOEM-specified area
- BOEM receives a Construction and Operation Plan for the BOEM-specified area and BOEM will decide whether to approve, modify, or reject the plan.

At this late stage, as part of BOEM's decision to approve, modify, or reject a Construction and Operation Plan, BOEM plans to analyze visual impacts - impacts that are caused primarily by distance from shore. However, because distance from shore is determined when a lease is issued, the analysis of visual impacts must be either eliminated before leasing or fully analyzed before leasing in order to satisfy the requirements of the National Environmental Policy Act and to prevent substantial wasteful expenditure of private and public time, effort, and money on sites that are known to be in unacceptable locations.

**WHEREAS;** if an area leased by BOEM is too close to shore, producing unacceptable visual impacts, we are concerned that (1) BOEM cannot modify a Construction and Operation Plan by specifying a different location than one leased and (2) BOEM will fail to reject a Construction and Operation Plan because of the magnitude of private and government expenditures on a location whose distance from shore was decided prior to those expenditures, when the lease was issued. Conversely, if BOEM, based on proximity to shore and resulting visual impacts, were to reject a Construction and Operation Plan or specify a different location than the one leased, we are concerned that BOEM would fail to successfully defend such a decision.

**WHEREAS;** the reasonable and lawful point in the BOEM process to assess or eliminate visual impacts caused by distance of wind turbines from shore is prior to issuing any lease.

**WHEREAS;** if BOEM proceeds with leasing in the West Wilmington WEA and the East Wilmington WEA without an EIS, the reasonable, lawful course of action is to exclude from leasing any areas that are within 24 nautical miles of shore and any areas where wind turbines would be visible from the Oak Island Lighthouse.

**NOW, THEREFORE, BE IT RESOLVED;** the Town of Caswell Beach respectfully requests that BOEM restrict leasing and approval of site assessment plans in the Wilmington East WEA and Wilmington West WEA to exclude locations within 24 nautical miles of the Town of Caswell Beach and locations where wind turbines would be visible from the Town of Caswell Beach;

**BE IT FURTHER RESOLVED;** the Town of Caswell Beach respectfully requests BOEM provide at least 30 days written notice to the Town of Caswell Beach before issuing any lease or approving any site assessment plan that includes any location within the Visual Impact Exclusion Area;

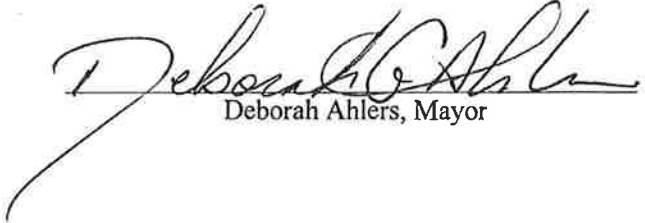
**BE IT FURTHER RESOLVED;** the Town of Caswell Beach stands in solidarity with the State of North Carolina, with North Carolina coastal communities, and with other communities that may be affected by BOEM wind energy leasing on the continental shelf within 24 nautical miles of the North Carolina or within viewing distance from any North Carolina lighthouse; and

**BE IT FURTHER RESOLVED;** the Town of Caswell Beach calls upon Governor Roy Cooper, Department of Environmental Quality Secretary Dionne Delli-Gatti, and the North Carolina General Assembly to protect North Carolina's beautiful ocean viewshed and North Carolina's proven tourism driven coastal economy by opposing wind energy leasing on the continental shelf within 24 nautical miles of the North Carolina coast and within areas where wind turbines would be visible from any North Carolina lighthouse.

Adopted by the Town of Caswell Beach Commissioners on this the 10 day of June, 2021.

ATTEST:

  
Jeffrey D. Griffin  
Town Clerk

  
Deborah Ahlers, Mayor



## Town of Ocean Isle Beach

Resolution No. 2021 - 19  
Date Adopted: July 13, 2021

### RESOLUTION IN RESPONSE TO POSSIBLE OFFSHORE WIND TURBINES

**WHEREAS**, on June 9, 2021, Governor Roy Cooper issued Executive Order 128 - *Advancing North Carolina's Economic and Clean Energy Future with Offshore Wind* outlining the Governor's commitment to developing North Carolina's clean energy resources; and

**WHEREAS**, while the Town of Ocean Isle Beach applauds the Governor's intentions to explore offshore wind development strategies and potential economic opportunities, the Town also has concerns that such wind turbines in close proximity to the shoreline could have a detrimental effect on tourism; and

**WHEREAS**, the Town of Ocean Isle Beach is a tourist community, and the economic value of tourism plays an important role in supporting the financial obligations of the Town as well as our business owners; and

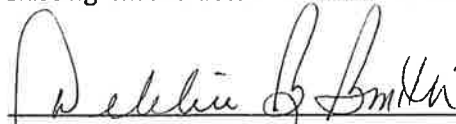
**WHEREAS**, the construction of these wind energy turbines within line-of-sight distance from our shoreline would certainly be detrimental to the tourism industry and other facets of the Town's government; and

**WHEREAS**, the Town encourages the North Carolina Taskforce for Offshore Wind Economic Resource Strategies (NC TOWERS) to provide coastal counties and municipalities with additional information regarding specific short and long-term impacts to their communities; and


**NOW THEREFORE, BE IT RESOLVED** that the Town of Ocean Isle Beach Board of Commissioners wishes to make known to the Taskforce that the Town Council opposes wind turbines being located seven to ten miles off the shoreline and within our view shed.

**BE IT FURTHER RESOLVED** that the Town of Ocean Isle Beach requests that these wind turbines be placed at least twenty-five miles off the coast and that the Town is notified of any plans to install transmission lines from the wind turbines to existing infrastructure in Ocean Isle Beach.

This the 13<sup>th</sup> day of July, 2021.

  
Debbie S. Smith, Mayor

ATTEST:

  
Casey R. Hayes, Town Clerk





**TOWN OF SUNSET BEACH  
RESOLUTION IN OPPOSITION TO  
ISSUANCE OF WIND ENERGY LEASES  
WITHIN 24 NAUTICAL MILES OF NORTH CAROLINA'S SHORES**

**WHEREAS**, the natural coastal beauty of our viewshed is an essential driver of our economy; and,

**WHEREAS**, we are deeply committed to and will fight for protection of our viewshed; and,

**WHEREAS**, the onshore visual impact of wind energy turbines is overwhelmingly determined by a single causal factor, distance of wind turbines from shore; and,

**WHEREAS**, wind turbines located within the Sunset Beach viewshed would transform our community's natural and historic vista of open ocean to a view of massive industrial machinery; and,

**WHEREAS**, such a change would represent for us the most destructive commitment of ocean resources that we have ever heard proposed in North Carolina – one that could irreversibly damage the natural environment and resources that we cherish and that drive our economy; and,

**WHEREAS**, the Bureau of Energy Management (BOEM) has established a 24 nautical mile no-leasing buffer for the State of Virginia to protect viewsheds, BOEM has established a 24 nautical mile no-leasing buffer for the Kitty Hawk WEA to protect viewsheds, and BOEM has established a 33.7 nautical mile no-leasing buffer to protect the Bodie Island Lighthouse; and,

**WHEREAS**, the wind energy leases issued for by BOEM for sites within our viewshed (and as close as 10 nautical miles) still exist and BOEM has stated the leases will have no significant impact on the human environment even though "visual impacts from the installation of a wind energy facility were not analyzed." BOEM Environmental Assessment at p. 5-22. In fact, issuance of leases determine distance from shore and therefore determine the adverse visual impacts of wind turbines. Visual impacts caused by distance from shore must either be eliminated before leases are issued or must be fully analyzed in an Environmental Impact Statement before leases are issued; and

**WHEREAS**, BOEM has not analyzed the visual impacts of wind turbines on Sunset Beach and will likely not do so until it is too late to reasonably do anything about wind turbine distance from shore. BOEM plans to delay its analysis until the following commitments of resources, among others, have occurred:

- BOEM issues a lease for a BOEM-specified area whose distance from shore is determined by BOEM
- A wind energy company has submitted a site assessment plan for the BOEM-specified area
- BOEM has approved a site assessment plan for the BOEM-specified area
- A wind energy company has completed site assessment activities and has decided to propose a Construction and Operation Plan for the BOEM-specified area
- A wind energy company develops, completes, and submits to BOEM its Construction and Operation Plan for the BOEM-specified area
- BOEM receives a Construction and Operation Plan for the BOEM-specified area and BOEM will decide whether to approve, modify, or reject the plan.

At this late stage, as part of BOEM's decision to approve, modify, or reject a Construction and Operation Plan, BOEM plans to analyze visual impacts – impacts that are caused primarily by distance from shore. However, because distance from shore is determined when a lease is issued, the analysis of visual impacts must be either eliminated before leasing or fully analyzed before leasing in order to satisfy the requirements of the National Environmental Policy Act and to prevent substantial wasteful expenditure of private and public time, effort, and money on sites that are known to be in unacceptable locations; and,

**WHEREAS**, if an area leased by BOEM is too close to shore, producing unacceptable visual impacts, we are concerned that (1) BOEM cannot modify a Construction and Operation Plan by specifying a different location than one leased and (2) BOEM will fail to reject a Construction and Operation Plan because of the magnitude of private and government expenditures on a location whose distance from shore was decided prior to those expenditures, when the lease was issued. Conversely, if BOEM, based on proximity to shore and resulting visual impacts, were to reject a Construction and Operation Plan or specify a different location than the one leased, we are concerned that BOEM would fail to successfully defend such a decision; and,

**WHEREAS**, the reasonable and lawful point in the BOEM process to assess or eliminate visual impacts caused by distance of wind turbines from shore is prior to issuing any lease; and,

**WHEREAS**, if BOEM proceeds with leasing in the West Wilmington WEA and the East Wilmington WEA without an EIS, the reasonable, lawful course of action is to exclude from leasing any areas that are within 24 nautical miles of shore and any areas where wind turbines would be visible from the Sunset Beach shoreline; and,



**WHEREAS**, previously on October 3, 2016, the Town Council for the Town of Sunset Beach issued a letter and resolution opposing wind energy leases within 24 nautical miles of the North Carolina shoreline.

**NOW, THEREFORE, BE IT RESOLVED THAT**, by a vote of 3-0, the Sunset Beach Town Council respectfully requests that BOEM restrict leasing and approval of site assessment plans in the Wilmington East WEA, Wilmington West WEA, and the Grand Strand WEA to exclude locations within 24 nautical miles of Sunset Beach; and,

**BE IT FURTHER RESOLVED THAT**, the Town of Sunset Beach respectfully requests BOEM provide at least 30 days written notice to the Town of Sunset Beach before issuing any lease or approving any site assessment plan that includes any location within the Visual Impact Exclusion Area; and,

**BE IT FURTHER RESOLVED THAT**, the Town of Sunset Beach is committed to challenge any BOEM issuance of wind energy leases within the Visual Impact Exclusion Area; and

**BE IT FURTHER RESOLVED THAT**; the Town of Sunset Beach stands in solidarity with the State of North Carolina, with North Carolina coastal communities, and with other communities that may be affected by BOEM wind energy leasing on the continental shelf within 24 nautical miles of the North Carolina or within viewing distance from any North Carolina lighthouse; and

**BE IT FURTHER RESOLVED THAT**, the Town of Sunset Beach calls upon Governor Roy Cooper, Department of Environmental Quality Secretary Dionne Delli-Gatti, and the North Carolina General Assembly to protect North Carolina's beautiful ocean viewshed and North Carolina's proven tourism driven coastal economy by opposing wind energy leasing on the continental shelf within 24 nautical miles of the North Carolina coast and within areas where wind turbines would be visible from any North Carolina shoreline.

This the 12<sup>th</sup> day of July, 2021



D. Shannon Phillips  
Mayor



ATTEST:



Lisa Anglin, Town Clerk