



The Village of Bald Head Island

January 7, 2022

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 2021-0090, Draft Supplemental Environmental Assessment to consider additional wind leasing options offshore North Carolina

Dear Ms. Morin:

On behalf of the Village of Bald Head Island (“the Village,” or “BHI”), I am submitting the following comments on the Bureau of Ocean Energy Management’s (“BOEM”) draft Supplemental Environmental Assessment (the “SEA”). The SEA, which supplements BOEM’s 2015 Environmental Assessment (“EA”) for the three North Carolina wind energy areas (“WEAs”), was posted on BOEM’s website on December 8, 2021. As you know, Bald Head Island is situated at the mouth of the Cape Fear River, directly north of the Wilmington East WEA. The WEA begins approximately 15 nautical miles south of Bald Head Island.¹ As such, our community will be among those most directly impacted by the proposed lease sale. We appreciate the opportunity to comment on the draft SEA.

I am the new Mayor of the Village of Bald Head Island, elected November 2, 2021 to succeed my friend and colleague Andy Sayre. As you are aware, during Mayor Sayre’s tenure, the Village has actively participated in BOEM’s various efforts to identify and lease wind energy areas offshore North Carolina. We continue to be concerned that BOEM’s process has not been transparent or responsive to the views of local communities. Nevertheless, BHI will continue to submit comments and seek meaningful engagement with BOEM regarding potential wind energy turbines visible from our shoreline. Most recently, BHI commented on BOEM’s proposed lease sale notice, published in the *Federal Register* on November 1, 2021. See Letter from Peter Quinn to BOEM (January 3, 2022), submitted to Docket No. BOEM 2021-0078. I also refer you to Mayor Sayre’s September 12, 2021 letter commenting on BOEM’s notice of intent to prepare this SEA. See Letter from J. Andrew Sayre to Michelle Morin, BOEM (September 12, 2021), submitted to Docket No.

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

BOEM 2021-0055. That letter summarizes all of BHI's interactions with BOEM regarding offshore wind energy since 2014. I incorporate and renew the comments in both letters here.

BHI residents would like to be supportive of offshore wind development, and stand ready to engage with BOEM. However, to date BOEM has been unwilling to address BHI's concerns. The draft SEA recounts that the Wilmington WEAs were deferred from the 2017 Kitty Hawk lease sale because of concerns about visual impacts, and that BOEM intended to resolve those concerns in a separate process together with South Carolina WEAs. *See* SEA at 4. However, that process never happened. Now BOEM is moving forward aggressively with a lease sale for Wilmington East without the promised effort to address visual impact concerns.

We are disappointed, but emphasize that BOEM still can resolve these concerns. BOEM should revise the lease area within the Wilmington East WEA to exclude blocks closer than 24 nautical miles from shore. This approach is consistent with BOEM's original definition of the Kitty Hawk WEA in 2014, in which BOEM situated the WEA boundary 24 nautical miles from shore in response to visual impact concerns raised by the National Park Service and the Village of Kitty Hawk *at the beginning of the process*.

The SEA acknowledges BHI's comments regarding visual concerns, but responds that those concerns are beyond the scope of the EA, and instead will be addressed in an eventual environmental impact statement ("EIS") to be prepared in connection with one or more construction and operation plans submitted by lessees. *See* SEA at 38. We recognize that BOEM would have to consider the visual impacts of wind turbines in a future EIS; that is a statement of the obvious. However, the promise of future analysis is not the kind of engagement that BHI seeks, or that is likely to fully address the concerns we have articulated repeatedly. We ask rather that BOEM engage with us now in a substantive conversation about visual impacts, and that the Agency take substantive action to address visual impacts in connection with the lease sale. Postponing that conversation until an EIS is prepared, which will happen years in the future and after millions of dollars have been invested by lessees and the government, ensures that it will be a different – and more limited – kind of conversation, unlikely to result in meaningful limits on lessees.

As Mayor Sayre described in his September 12, 2021 comment letter, BOEM initiated a process in 2017 intended to learn the views of stakeholders about offshore wind development in what BOEM is now calling "Carolina Long Bay." BOEM engaged a facilitator, Consensus Building Institute (CBI), held numerous meetings in 2018 – including with Bald Head Island – and provided a draft of its April 2018 report to participants.² This effort may have been the beginning of the process BOEM refers to in the SEA (and described above), intended to resolve visual impact concerns "in a more regional manner." *See* SEA at 4.

Indeed, the draft report was principally about visual impact concerns expressed by stakeholders. CBI recommended numerous options for BOEM to engage further with communities to resolve

² Consensus Building Institute, North Carolina / South Carolina Offshore Wind Stakeholder Assessment (April 2018).

or at least address their concerns about the visual impacts of wind turbines. Unfortunately, however, nothing ever came of this work. It appears that the draft report was never finalized and never released publicly. As far as we are aware, BOEM has not adopted or acted on any of CBI's recommendations. BHI has made numerous written requests to (1) confirm if the draft report was finalized, and if so, (2) obtain a copy of the final version, which BOEM has repeatedly ignored. It is unconscionable that BOEM began this process, declined to finish it, and refuses now to discuss it or even acknowledge that it happened.

This deflection is particularly unacceptable in light of BOEM's own characterization in the SEA of its actions to communicate with and involve the public:

... [T]here has been extensive public involvement and notification throughout the environmental review of lease issuance of the North Carolina areas. Consistent with 40 CFR 1501.5(e), BOEM solicited comment on the Notice of Intent (NOI) to prepare the 2015 EA (December 13, 2012, 77 FR 74218) and held two public information meetings in January 2013 in Nags Head and Wilmington, NC. On January 23, 2015, BOEM notified the public of the availability of the 2015 EA (80 FR 3621), which considered the reasonably foreseeable environmental consequences associated with leasing, site characterization, and site assessment. In particular, the 2015 EA analyzed the environmental and socioeconomic impacts of surveys (including shallow hazards, geological, geotechnical, archaeological, and biological), the installation, operation, and decommissioning of meteorological towers and/or buoys, vessel traffic, and onshore activities. During this 30-day comment period, BOEM provided an opportunity for public input (i.e., suggesting new issues or contributing information with regard to potential environmental effects) and held three in-person public meetings to provide an overview of the 2015 EA findings and solicit public comments. These meetings were held during the week of February 9, 2015, in Kitty Hawk, Wilmington, and Carolina Shores, NC. On September 17, 2015, BOEM notified the public of the availability of the Revised 2015 EA and FONSI (80 FR 56494). [footnote omitted].

On July 21, 2021, BOEM held the Regional Carolina Long Bay Intergovernmental Renewable Energy Task Force meeting that outlined the basic principles and major decision points BOEM is considering for offshore renewable energy leasing in the Carolina Long Bay area. BOEM also updated task force members on recent planning activities. The meeting also allowed for discussion with Federal, tribal, state, and local government officials, as well as an opportunity for the public to provide comments.

SEA at 37. There is no mention in this passage of the 2018 stakeholder process facilitated by CBI to address visual impacts, or of the 2018 draft CBI report. There is no explanation why BOEM never published (or allowed CBI to publish) a final report. A full accounting of BOEM's public-facing efforts would acknowledge the process and the draft report, and explain why BOEM abandoned this process. The summary also should make clear that between 2016 – when BOEM announced its intention to address the Wilmington WEAs together with South Carolina – and 2021, five years passed during which BOEM did not hold a single wind energy task force meeting or otherwise publicize its intentions with regard to the Wilmington East WEA. This is hardly the “extensive public involvement and notification” BOEM claims to have undertaken.

BHI respectfully requests that BOEM engage with communities and provide the transparency and public involvement it has promised. I appreciate your consideration of these comments. BHI

welcomes any opportunity to make our concerns known to BOEM, and to hear BOEM's perspective on and intentions about visual impacts.

Sincerely,

Peter Quinn

Peter Quinn
Mayor