

**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;** on February 23, 2015, the Village submitted written comments to the United States Bureau of Ocean Energy Management ("BOEM") expressing our concerns about adverse visual impacts of wind energy leasing and the need for a full assessment of visual impacts before wind energy leases are issued within the Bald Head Island 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;** on September 18, BOEM announced its decision to issue wind energy leases for sites within our viewshed (and as close as 10 nautical miles). And, BOEM 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 EA at p. 5-22. In fact, issuance of leases determines distance from shore and therefore determines 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 currently plans to delay its analysis of visual impacts of wind turbines on Bald Head Island 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 Island 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 Patrick McCrory, Department of Environmental Quality Secretary Donald van der Vaart, 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 BOEM’s finding of no significant impact (“FONSI”) and 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 1 day of October, 2015.



J. Andrew Sayre  
Mayor

ATTEST:



Daralyn Spivey  
Village Clerk

