

For Immediate Release

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South Fork Wind Farm and South Fork Export Cable Project Draft Environmental Impact Statement (Docket ID BOEM-2020-057)

February 22, 2020

Program Manager

Office of Renewable Energy

Bureau of Ocean Energy Management

45600 Woodland Road, VAM-OREP

Sterling, VA 20166

Via the Federal eRulemaking Portal

Re: South Fork Wind Farm and South Fork Export Cable Project Draft

Environmental Impact Statement (Docket ID BOEM-2020-057)

To Whom It May Concern:

The New York Offshore Wind Alliance (“NYOWA”) respectfully submits the following [comments](#) concerning the Draft Environmental Impact Statement (“DEIS”) for the proposed South Fork Wind Farm and Export Cable project. NYOWA is a unique coalition of offshore wind developers, environmental not-for-profits, labor organizations and a variety of businesses all dedicated to promoting the responsible development of offshore wind in federal waters off of New York’s coastline. Orsted, the project applicant along with Eversource, is a NYOWA member.

As I noted in my oral testimony, moving forward on this project is important not only for Long Island but for New York, states up and down the eastern seaboard and the nation. It is critical on

many levels: in the fight against climate change, in the national effort to reduce criteria pollutants, to improve public health, to create family-wage jobs, address longstanding environmental justice issues and to help restart the economy in the wake of the COVID-19 pandemic.

The history of how this project got started is important. Electricity needs on the South Fork are growing faster than anywhere else on Long Island and in 2015, the Long Island Power Authority issued a technology-neutral, competitive Request for Proposals to address this need. More than 20 proposals were received, and the South Fork Wind Farm was selected as the most cost effective solution. It was, and is, the most environmentally effective solution as well.

Importantly, the DEIS recognizes that offshore wind serves the nation's goal of producing electricity that is affordable, reliable, safe, secure, and clean[1] and the project would contribute to "slowing/arresting global warming and climate change-related impacts[.]'[2] Indeed, climate change linked to greenhouse gas emissions is contributing to "widespread loss of shoreline habitat [,]" altering species distributions, and causing ecological reductions and "other permanent changes of unknown intensity." [3] Significantly, the DEIS classifies the majority of the anticipated impacts from the project as either minor or moderate and notes that where higher rated impacts occur, they can be mitigated. In short, there is more than enough information and data in the DEIS for the Bureau of Offshore Energy Management (BOEM) to approve the proposed project.

As many of the commenters in your public meetings noted, Long Island, and particularly the South Fork, are uniquely threatened by climate change wrought by greenhouse gas emissions. The Intergovernmental Panel On Climate Change Fifth Assessment Report noted that coasts will increasingly experience adverse impacts such as submergence, flooding, and coastal erosion due to sea level rise caused by climate change.[4] I witnessed all these phenomena firsthand as New York's Commissioner of Environmental Conservation from 2011-2015. It is precisely these concerns that led the Town of East Hampton in 2014 to adopt a goal of 100% renewable energy[5] and the South Fork project is essential to meet that goal.

At the state level, the South Fork project is an important and essential step toward achieving New York's nation-leading Climate Leadership and Community Protection Act ("CLCPA") which requires that a minimum of 70% of statewide electric generation be supplied by renewable energy by 2030, and that 100% be derived from zero emission sources by 2040.[6] The CLCPA requires the development of 9,000 MW of offshore wind electricity generation by 2035.[7] Further, recognizing that New York could not possibly achieve these ambitious requirements without overhauling the state's renewable energy siting laws, the NYS Legislature passed and the Governor signed the Accelerated Renewable Energy Growth and Community Benefit Act to streamline the siting of large-scale renewable energy facilities.[8] Currently, New York gets about 28 percent of its total electricity from renewable sources[9], and the vast majority of this (about 80 percent) comes from large legacy hydropower facilities owned and operated by the New York Power Authority. It is clear from the large gap between the current level of renewable electricity generation and the standards set in the CLCPA that New York cannot meet the law's mandates without a massive and rapid development of offshore wind. According to a 2020 study

prepared for the New York Independent System Operator, New York will need approximately 21 gigawatts (GW) of offshore wind capacity by 2040 in order to meet the requirements of the CLCPA.[10] Although New York has contracted for two large-scale offshore wind projects (Sunrise Wind and Empire Wind 1) totaling nearly 1,800 MW of generating capacity and has announced the award of two additional large-scale offshore wind projects (Beacon Wind and Empire Wind 2) totaling nearly 2,500 MW, New York does not have any offshore wind projects under construction. The South Fork project, at 130 MW, is the furthest advanced and will set the stage for all future projects.

The South Fork project would also further President Biden's ambitious climate goals, as recently outlined in executive order 14008.[11] Notably, if approved, the South Fork project would triple the current offshore wind power generation in the United States and send a clear and decisive message to the offshore wind industry and to the states up and down the east coast that offshore wind is a key and important part of the national climate agenda.

The DEIS estimates that up to 11,748 MW of Atlantic offshore wind development is reasonably foreseeable in light of existing permitting approvals and leases.[12] Further, the DEIS assumes that if the Project is not approved, these other offshore wind facilities will still be constructed and come online. While this may be a practical approach for analyzing cumulative impacts, it is simply not a realistic assumption. If the BOEM declines to approve the Project's Construction and Operations Plan (COP) or approves it with onerous conditions such as adoption of the Vessel Transit Lane Alternative, discussed below, other wind developers will take note and could be discouraged from proposing new facilities, or from continuing with the existing permitting process. One need only look to the protracted and unsuccessful Cape Wind project, for example, which cast a cloud over the development of offshore wind for a decade or more. Failure to permit the South Fork project could have similar consequences.

The Vessel Transit Lane Alternative should be rejected. This alternative would effectively eliminate the South Fork project's southern row of foundation locations and would adversely impact the project's economic viability. Orsted and Eversource, along with other developers of the New England wind energy areas, have agreed to advance all projects in these lease areas, including the South Fork project, with a 1x1 nautical mile layout. This layout provides ample room for safe navigation and was adopted to minimize the impact on commercial fishing. Importantly, the United States Coast Guard concluded that 4 nautical mile wide navigation corridors would make navigation more challenging and increase the risk for vessel interaction. [13]

To the extent that the South Fork project, or Vineyard Wind 1 which is also under review, set a precedent, the Vessel Transit Lane Alternative would adversely impact all other projects in these lease areas and would reduce their overall generating capacity by 3,300 MW, which in turn would dramatically reduce emission reductions, public health benefits, economic investments and employment opportunities.

Finally, BOEM should take note of the strong and consistent local support for this project. As noted earlier, the South Fork project is a critical component of the Town of East Hampton's quest for 100% renewable power. The East Hampton Town Board and Trustees have approved a Joint Proposal ("JP"), which includes extensive mitigation associated with the transmission interconnection. In addition, five NYS agencies have participated in the NYS Public Service Commission proceeding that reviews the project's transmission element in state waters and on land in the Town. All five agencies have approved the JP. Further, the Town of East Hampton Board and Trustees voted overwhelmingly to support the Host Community Agreement and the easement/lease agreements for the local transmission route.

On behalf of NYOWA, I urge BOEM to finalize the DEIS and issue a timely Record of Decision approving the project later this year.

Sincerely,

Joe Martens

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A Project of the Alliance for Clean Energy

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[1] DEIS at 1-1.

[2] *Id* at 3-111.

[3] *Id* at E3-4.

[4] Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part A Global and Sectoral Aspects. Contribution of Working Group II to the Fifth Assessment Report.

[5] V.B.1 *Energy Goals for the Town of East Hampton*, Res-2014-662 (May 20, 2014) <https://bit.ly/2PumzhF>

[6] NY Pub.Serv. Law 66-p(2), (b).

[7] *Id.* Sec. 66-p(5).

[8] NY Executive Law, Sec. 94 (c).

[9] New York Energy Research and Development Authority, <https://www.nyserda.ny.gov/About/Tracking-Progress/Clean-Energy-Powers-New-York>

[10] Paul J. Hibbard et al., Climate Change Impact Phase II: An Assessment of Climate Change Impacts on Power System Reliability in New York State (Analysis Group, September 2020, p. 9. <https://www.nyiso.com/documents/20142/15125528/02%20Climate%20Change%20Impact%20and%20Resilience%20Study%20Phase%202.pdf/89647ae3-6005-70f5-03c0-d4ed33623ce4>

[11] Executive Order on Tackling the Climate Crisis at Home and Abroad, January 27, 2021. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>

[12] DEIS at E-8 - E9

[13] Port Access Route Study, The Areas Offshore of Massachusetts and Rhode Island, <https://www.federalregister.gov/documents/2020/05/27/2020-11262/port-access-route-study-the-areas-offshore-of-massachusetts-and-rhode-island>

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About the New York Offshore Wind Alliance: The New York Offshore Wind Alliance (NYOWA) is a diverse coalition of organizations with a shared interest in promoting the responsible development of offshore wind power for New York. NYOWA is a new project of the Alliance for Clean Energy New York (ACE NY). www.aceny.org/NYOWA