
Department of Interior Gives Green Light to Wind Energy Leasing Offshore North Carolina

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Today, the Bureau of Ocean Energy Management (BOEM) published its final [Environmental Assessment \(EA\)](#) for wind energy development offshore North Carolina. The EA finds that there would be no significant impacts from issuing wind energy leases or approving Site Assessment Plans (SAPs) within [three Wind Energy Areas \(WEAs\)](#) offshore North Carolina, totaling approximately 307,590 acres.

The final EA takes into account new information since the publication of a draft EA this January, including a proposed rule by the National Marine Fisheries Service to expand critical habitat for North Atlantic right whales in the North Atlantic, which overlaps with portions of two of the proposed WEAs. The final WEAs also reflect input from the North Carolina Intergovernmental Task Force (Task Force), including the National Park Service, the U.S. Coast Guard and coastal residents.

The release of the final EA is an important step toward opening the federal waters off the coast of North Carolina to wind energy development in a region that has among the highest wind potential along the Atlantic coast. A number of additional steps will take place over the coming weeks before the WEAs are opened to leasing. BOEM has announced a public meeting of the North Carolina Task Force, which will take place on October 7 in Wilmington and will address BOEM's proposed approach for an offshore wind auction. Next, the agency will publish a Proposed Sale Notice in the Federal Register, which will include a 60-day public comment period. The successful bidder would have an exclusive right to begin site characterization and site assessment through meteorological towers and/or buoys. The subsequent construction and operation of a commercial-scale wind facility would require a site-specific NEPA analysis and further approval by BOEM of project construction and operations plans.

This announcement marks another important step in the Interior Department's efforts to promote wind energy development on the Outer Continental Shelf. North Carolina will be joining Rhode Island, Massachusetts, Maryland and Virginia, where BOEM has already awarded nine commercial wind leases. BOEM has also announced it will hold a competitive lease sale offshore New Jersey later this year.

The lawyers in WilmerHale's Energy, Environment and Natural Resources Practice Group have

significant experience securing approvals for offshore and onshore wind energy facilities and assisting clients with all aspects of project development for complex projects.