

January 14, 2013

*Comments on OCS Renewable Energy Program
Interim Policy Lease for Southern Company*
Michelle Morin
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Dear Ms. Morin,

The Southern Alliance for Clean Energy (SACE) is a regional organization that promotes responsible energy choices that create global warming solutions and ensure clean, safe and healthy communities throughout the Southeast. We welcome this opportunity to engage in a thoughtful offshore energy discussion and we would like to thank you for your willingness to discuss offshore energy. SACE would like to voice our support for offshore wind energy and the OCS Renewable Energy Program Interim Policy Lease for Southern Company.

The Southeastern U.S. coast is home to some of the best offshore wind resource in the world. This abundant resource represents a huge economic and environmental opportunity over the next several decades. The relatively shallow offshore waters in our region are ideal for developing wind farms. In addition to increasing our energy security, development of offshore wind energy will diversify our region's energy portfolio, promote local economic growth, reduce global warming pollution and conserve water resources for our region. Offshore wind energy from the Southeast can help our region achieve a vision of generating 20% of its electricity from wind power by the year 2030. Before our region can become home to offshore wind farms and a thriving center for wind innovation, important research needs to be completed and several barriers overcome.

IMPROVE STAKEHOLDER OUTREACH

SACE is disappointed in the 30-day comment period associated with this notice of intent to prepare an environmental assessment. This timeframe is shorter than the 45-day comment period suggested at BOEM Renewable Energy Task Force meetings in other states and provided for other states (example: North Carolina). Also, this 30-day comment period subsumes an extremely popular and busy holiday season; this indirectly reduces the 30-day comment period in effect. From the announcement to the comment deadline, there are only 20 workdays – excluding weekends and federal holidays, which are among the most commonly taken vacation days. Also, no public meeting has been scheduled; no Georgia Renewable Energy Task Force has been formed; and there have

been no assurances that stakeholder outreach will improve for follow-on activities associated with this interim lease. While BOEM's fervor for promoting offshore wind energy development is admirable, such a rushed process increases the risk of negligence, a lack of due diligence, and possible opposition to Southern Company's efforts including but not limited to potential lawsuit.

SACE encourages BOEM to extend this comment period until February 1, 2013. While this may be a longer comment period than given in other instances (North Carolina), it encompasses three federal public holidays (December 25, 2012; January 1, 2013; and January 21, 2013) and a common vacation time for many stakeholders. This proposal would increase the number of federal workdays within the comment period to 33 days. BOEM should consider briefing state agencies or groups that function within the state on this notice of intent, and the remainder of Southern Company's application process on opportunities for the public to become involved (for example the Georgia Environmental Finance Authority or the Georgia Wind Working Group). SACE is willing and able to assist in stakeholder outreach in coordination with BOEM. SACE encourages BOEM to begin the development of an official Renewable Energy Task Force in Georgia as has been done in many other states along the Atlantic coast.

CONDUCT A DATA GAP ANALYSIS

Georgia's offshore wind resource is much larger than its onshore resource. A study completed by Geo-Marine Incorporated in 2011 estimates that Georgia has approximately 1,126 square miles (2,916 km²) of area that may be of interest to offshore wind energy developers. This amount of area is enough for approximately 14,500 MW of wind energy capacity that could provide about a third of Georgia's electricity at today's consumption rates. The report, specifically, "identifies offshore areas off of North Carolina, South Carolina, and Georgia where ocean-based renewable energy may be most feasible, taking into consideration geological, environmental, economic, military, transportation, and other constraints. Factors that may preclude offshore wind development were analyzed including marine mammals, sea turtles, birds, fishes, essential fish habitat (EFH), corals, submerged aquatic vegetation (SAV), commercial and recreational fisheries, maritime traffic, military munitions training areas, mining or dumping grounds, subsea pipelines, shipwrecks, self-contained underwater breathing apparatus (SCUBA) sites, and buoys and weather stations." That report is available online for download, as well as the associated GIS data¹ and SACE encourages BOEM to use this report in its EA to the extent practical.

However, site-specific data on proposed lease blocks (OCS lease blocks 6074, 6174 and 6126) are still needed. Data associated with the North Atlantic right whale should be prioritized for a data gap analysis. SACE strongly encourages BOEM identify data gaps associated with OCS blocks numbered 6074, 6174, and 6126 and work with Southern Company to develop a lease that helps close those data gaps.

¹ [Phase 2A - Siting Analysis for Potential Offshore Wind Farm Development \(407 mb\)](#)

EVALUATE FUTURE ENVIRONMENTAL BENEFITS FROM WIND FARM DEVELOPMENT

All energy generation sources produce some kind of environmental footprint, even sources that are predominantly renewable. Dirty and dangerous sources of energy, such as coal and nuclear, require destructive mining practices in order to obtain the fuel required to generate electricity. A wind turbine's fuel is not since wind is the fuel source that produces electricity. Wind energy does not create harmful pollutants such as nitrogen oxides (NOx), sulfur oxides (SOx), carbon dioxide (CO2), and particulate matter or radioactive waste as a result of its electrical generation. Nor does wind energy require massive amounts of water in order to generate electricity in the way traditional generation sources, such as coal and nuclear, do. The National Renewable Energy Laboratory estimates, for example, that 1,000 MW of wind power development in Georgia would bring annual water savings of 1,628 million gallons and substantially reduce carbon dioxide emissions.¹ Some European studies suggest offshore wind farms act as habitat for fish and other wildlife, and may actually improve the ecosystem.² More research must be completed to determine the environmental benefits as well as potential ecosystem impacts from offshore wind turbines.

SET SHIP SPEED LIMITS

Should Southern Company require the usage of a ship or ships over 65 feet in length, those ships should be required not to exceed 10 knots during known whale seasonal activity between November 1 and April 30. The North Atlantic right whale's only known calving grounds exist off Georgia's southern coast³, and Georgia's entire coast is considered a migratory route. According to the National Oceanic and Atmospheric Administration, "With only 300-400 in existence, North Atlantic right whales are among the most endangered whales in the world. Their slow movements, time spent at the surface, and time spent near the coast make them highly vulnerable to human activities, especially being struck by ships." Due to the critically endangered status of the North Atlantic right whale, lack of specificity of data on this species, and new activities proposed under the Southern Company lease application, SACE strongly encourages BOEM to require additional mitigation efforts to protect the species.

REQUIRE SOUTHERN COMPANY TO CLARIFY ITS INTENT ON DATA COLLECTION CONFIGURATION (DCC)

When Southern Company submitted its Interim Lease Application in April 2011, the company indicated its planned activities were to install a meteorological tower in one single lease block – likely lease block 6126.⁴ In its May 2012 "Addendum A" document, Southern Company indicated it was evaluating potentially both a meteorological tower and/or a buoy configuration and that a buoy could be moved to any or all three lease blocks. However, Southern Company's "Addendum B", dated November 2012, may contradict Southern Company's intent and preferred configuration. For example, in "Addendum B", Southern Company responds to a BOEM request that, "An Automatic Identification System Transponder will be installed on the Met Tower," but does not mention the buoy system. The Interim Lease Application states it will take 12 days to construct the DCC; however, it is unclear from the "Addendum A" if that 12 day schedule remains the same with a meteorological tower and a buoy, or if a buoy's deployment

would reduce the schedule. Furthermore, it is unclear if the repositioning of the DCC (if Southern Company chooses to relocate a buoy for example) is included in the expected air emissions, shipping needs, expected noise and in-water acoustic levels.

CONDUCT ENVIRONMENTAL ASSESSMENT FOR MULTIPLE DCC TECHNOLOGIES

The "Addendum A" May 2012 document states: "At this time Southern Company has not decided which data collection technology to deploy (the met tower DCC, the BDCC buoy or possibly both)..."⁵; however, the "Addendum B" November 2012 document states, "Southern Company intends to select a single preferred block area from the three previously designated OCS block areas in order to install either a meteorological tower or an alternative DCC (Such as a buoy DCC)," seemingly reverting to the initial April 2011 Interim Lease Application. To maintain maximum flexibility for Southern Company, BOEM should conduct its environmental assessment based on deployment of both types of DCC, simultaneously, but BOEM should also identify workarounds, best management practices and/or preferences for less environmentally intrusive DCC's.

REQUIRE FULL ASSESSMENT FOR ALL THREE SITES

Under the lease application dated May 2011, Southern Company "...intends to select a single preferred block area from the three previously designated OCS block areas..."⁶ Southern Company ultimately identified "block 6126 as the preferred block to lease for potentially placing a single fixed met tower DCC."⁷ However, Southern Company noted in its "Addendum A" that a buoy "...unit could be deployed and moved around into any of the three previously identified lease blocks..."⁸ To maintain maximum flexibility for Southern Company, BOEM should analyze all three sites (OCS blocks numbered 6074, 6174, and 6126) for full deployment of both a meteorological tower and a buoy DCC in each block.

MULTIPLE DCC TECHNOLOGIES MAY REQUIRE MULTIPLE CONTRACTORS

Southern Company has changed its contractors under its interim lease application. Southern Company's initial contractor, Coastal Point Energy LLC⁹, advertises that it owns and operates "the only licensed wind energy platform in U.S. coastal waters"¹⁰ indicating a level of expertise with meteorological tower technology. However, it is unclear if Coastal Point Energy LLC has experience working with the buoy technology identified under the "Addendum A" submitted by Southern Company.¹¹ A new contractor (AXYS Technologies, Inc.) was named in that "Addendum A" to carry out activities related with the newly proposed buoy technology.¹² AXYS Technologies Inc. offers "WindSentinel" technology, which according to the company, "is the world's only wind resource assessment buoy that uses a simultaneously pulsing laser wind sensor to accurately measure wind speed, wind direction, and turbulence offshore at turbine hub-height and across the blade span."¹³ However, it is unclear if AXYS Technologies Inc. has experience working with the meteorological tower technology identified in Southern Company's Interim Lease Policy Application dated April 2011.¹⁴ While both contractors seem experienced for their respective technologies, neither appears exceptionally qualified to handle both a meteorological tower and a buoy system. SACE recommends that BOEM request Southern

Company either clarify its intent for the DCC and choose a single contractor, or name multiple contractors.

In the Interim Lease Application, dated April 2011, Southern Company indicated it would be transporting a derrick barge from Louisiana to Port Wentworth, Georgia using a support tug.¹⁵ However, it does not appear that Southern Company estimated the length of time, and thereby fuel usage or emissions, for such transportation. Additionally, it is unclear if the derrick barge was being sourced from Louisiana solely based on the location of Southern Company's initial contractor, Coastal Point Energy LLC.

DEFINE BEST MANAGEMENT PRACTICES (BMP) FOR DCC CONSTRUCTION

SACE encourages BOEM to set BMPs for DCC construction purposes. Such BMPs may include, but not be limited to:

- Incorporation, to the extent applicable to Georgia, of the seasonal restrictions using the green, yellow and red time period recommendations set out by the collaborative agreement to protect North Atlantic right whales between offshore wind developers and conservation non-governmental organizations in the Mid-Atlantic.¹⁶
- Promoting best management practices described in the BOEM Environmental Assessment for the Mid-Atlantic.¹⁷
- Providing seasonal protection for the North Atlantic right whale by prohibiting construction and geological and geophysical seismic surveys from November 1 to April 30, while allowing biological surveys.
- Requiring pile-driving technology designed to reduce noise including but not limited to vibratory pile driving, press-in pile driving, bubble curtains, cushion blocks, cofferdams, noise attenuation piles and ramp-up (or "soft start") piling.
- Requiring data collection methodology is consistent with BOEM best practices and other Wind Energy Areas.

INCORPORATE MITIGATION EFFORTS IN LEASE AGREEMENT

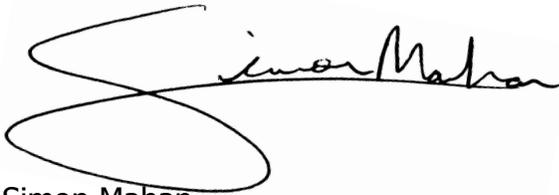
As part of the lease, ensure that Southern Company's recommended mitigation techniques and technology are incorporated in the lease document itself. Southern Company indicates, in regard to noise and visual quality that BMPs (including "pile caps and air curtains, ramp-up periods, safety zones, sensitive scheduling of activities") will be followed. Other mitigation efforts for fish and essential fish habitat, sea turtles and marine mammals should also be included. Further clarification of the parameters of the proposed "safety zones" and "sensitive scheduling" should be included. The additional mitigation efforts described in "Addendum A" should also be incorporated in the lease document, especially the NOAA *Whale Watching Guidelines*. Mitigation methods mentioned in the Interim Lease Application indicate an oil spill kit will be kept "on the tower", but if a tower is not used, it is unclear if an oil spill kit will be onboard a buoy.

ENCOURAGE OPERATIONS THAT ENHANCE DATA COLLECTION FOR FUTURE OFFSHORE WIND ENERGY FACILITY SITING

While this lease application only covers the construction and operation of a meteorological tower and/or buoy DCC, the intent of those devices is to delineate the appropriateness for offshore wind farm development. As such, any reasonable activities that may be undertaken with the DCC that may aid in the future planning and development of wind energy facilities ought to be encouraged. For example, pre-construction studies of birds, bats, ecological and biological impacts are important before wind turbines are built. The migration of the North Atlantic right whale needs to be factored into wind farm siting decisions, therefore additional monitoring devices that may aid in the detection of the North Atlantic right whale should be encouraged.

SACE appreciates the opportunity to comment on this interim lease application for Southern Company. We strongly support offshore wind energy development and are more than willing to provide any additional information BOEM may need in promoting and regulating offshore wind development.

Sincerely,

A handwritten signature in black ink that reads "Simon Mahan". The signature is written in a cursive style with a large, sweeping initial "S" that loops around the first part of the name.

Simon Mahan
Renewable Energy Manager
Southern Alliance for Clean Energy

¹ National Renewable Energy Laboratory (June 2008). "Economic Benefits, Carbon Dioxide (CO₂) Emissions Reductions, and Water Conservation Benefits from 1,000 Megawatts (MW) of New Wind Power in Georgia."

[http://www.windpoweringamerica.gov/pdfs/economic_development/2008/ga_wind_benefits_factsheet.pdf].

² Vella, Gero (2001). "The Environmental Implications of Offshore Wind Generation".

³ Georgia Department of Natural Resources. "North Atlantic Right whale Conservation."

[<http://georgiawildlife.com/Conservation/RightWhaleRecovery>].

⁴ Southern Company (April 7, 2011). "Southern Company Interim Policy Lease Application."

[http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/Southern%20IP%20Lease%20Application%204-7-2011.pdf]

⁵ Southern Company (May 2012). "Southern Company Interim Policy Lease Application Addendum A."

[http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/SoCo%20Lease%20Application%20Addendum%20A%20May%202012.pdf]

⁶ Southern Company (April 7, 2011). "Southern Company Interim Policy Lease Application."

[http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/Southern%20IP%20Lease%20Application%204-7-2011.pdf]

⁷ Southern Company (May 2012). "Southern Company Interim Policy Lease Application Addendum A."

[http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/SoCo%20Lease%20Application%20Addendum%20A%20May%202012.pdf]

⁸ Southern Company (May 2012). "Southern Company Interim Policy Lease Application Addendum A."

[http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/SoCo%20Lease%20Application%20Addendum%20A%20May%202012.pdf]

⁹ Southern Company (April 7, 2011). "Southern Company Interim Policy Lease Application."

[http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/Southern%20IP%20Lease%20Application%204-7-2011.pdf]

¹⁰ Coastal Point Energy, LLC (2012). "About." [<http://coastalpointenergyllc.com/about.html>]

¹¹ Southern Company (May 2012). "Southern Company Interim Policy Lease Application Addendum A."

[http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/SoCo%20Lease%20Application%20Addendum%20A%20May%202012.pdf]

¹² Southern Company (May 2012). "Southern Company Interim Policy Lease Application Addendum A."

[http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/SoCo%20Lease%20Application%20Addendum%20A%20May%202012.pdf]

¹³ AXYS Technologies Inc. (2012). "About Us."

[<http://www.axystechnologies.com/AboutUs.aspx>]

¹⁴ Southern Company (April 7, 2011). "Southern Company Interim Policy Lease Application."

[http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/Southern%20IP%20Lease%20Application%204-7-2011.pdf]

¹⁵ Southern Company (April 7, 2011). "Southern Company Interim Policy Lease Application." [http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/State_Activities/Southern%20IP%20Lease%20Application%204-7-2011.pdf]

¹⁶ "Proposed Mitigation Measures to Protect North Atlantic Right Whales from Site Assessment and Characterization Activities of Offshore Wind Energy Development in the Mid-Atlantic Wind Energy Areas" (2012). [<http://www.nwf.org/~media/PDFs/Global-Warming/Right-Whale-Letter-to-BOEM-12-12-12.pdf?dmc=1&ts=20130107T1028293281>]

¹⁷ US Department of the Interior (July 2011). "Commercial Wind Lease Issuance and Site Characterization Activities on the Atlantic Outer Continental Shelf Offshore New Jersey, Delaware, Maryland, and Virginia, Draft Environmental Assessment." [http://boem.gov/uploadedFiles/BOEM/Renewable_Energy_Program/Smart_from_the_Start/MidAtlanticWEAs_DraftEA.pdf].