



TOWER SHORES BEACH ASSOCIATION

September 2, 2024

Submitted electronically

Public Comments - (Docket #2024-P-MULTI-0007) DNREC Joint Permitting Hearing: US Wind Project

These comments represent the views of [The Tower Shores Beach Association \(TSBA\)](#), a homeowners association representing 226 homeowners in the Tower Shores community of North Bethany Beach in Sussex County, Delaware. Our community's private beach abuts the Delaware State Seashore Park at the park's southern border. The association's president, Elizabeth Frazee, provided oral comments at the July 9, 2024, virtual hearing. These comments supplement her comments.

TSBA urges the Delaware Department of Natural Resources and Environmental Control (DNREC) to oppose all permits requested by US Wind for its Maryland Wind Project necessary to bring its Offshore Export Cables onshore in the state park. This includes the Subaqueous Lands Permit/Lease, the Wetlands Permit, the Water Quality Certification to conduct dredging within the Indian River, and the Beach Preservation Coastal Construction Permit.

US Wind has [proposed](#) that up to four Offshore Export Cables run northwest away from the US Wind Lease area and make landfall at 3R's Beach or Tower Road in Delaware. These cables would be buried at a depth of approximately 3 to 7 feet below the seafloor, running diagonally offshore of our community's private beach using jet plow embedment.

After making landfall on the Delaware Shoreline, the Export Cables will be horizontally directional drilled (HDD) from the ocean side to the bayside of Indian River Bay. Additional submarine cables will be laid from approximately one mile south of the Indian River Bay Inlet to Burton Island where they will again make landfall. Placement of the Export Cables in Indian River Bay will be completed by jet plowing.

This project directly impacts Tower Shores' private property and our homeowners. Our 226 homes are located within a 4-block radius on the ocean side of Route 1. The majority are wooden structures. The idea of high voltage power cables carrying approximately 1,100 megawatts of electricity under the ocean and onto 3Rs beach so close to our dense community is alarming. The fact that US Wind has no prior experience building offshore wind projects makes this experiment even more alarming.

We are perplexed that our government officials would entertain this request when there are miles of undeveloped seashore where the cables could be onshored in Maryland. Yet, at the urging of environmental groups, Maryland lawmakers in 2013 passed [House Bill 226](#) which was signed by the Governor and became law. This bill prohibits the Maryland Public Service Commission from approving an application for a submerged energy line from an offshore wind farm to land within Assateague National Seashore Park. To reiterate, Maryland has prohibited bringing onshore in Assateague buried transmission cables from wind projects. If it is not good for protected land in Maryland, why would Delaware consider allowing the cables to come onshore in our state park? This is a Maryland project, and the environmental damage should remain in Maryland. Yet, Maryland won't allow the lines. It's also worth noting that both the local governments of Ocean City and Fenwick Island, Maryland, have rejected the cables coming onshore in their jurisdictions and both city councils have announced plans to litigate to halt the US Wind project.

Now that Maryland has blocked the lines, we understand that 3 Rs road is the only remaining cost-effective location for the wind project developer to bring the cables onshore because of its proximity to the Indian River Power Plant substation. But why is that the number one

consideration for DNREC? What about consideration for the safety of hundreds of homeowners and their families in our community and the costs that we may be forced to incur because of the actions of US Wind?

In addition to these most obvious facts already stated, summarized below are some deficiencies our community has identified with the US Wind plan and why we believe their requests for permits should be denied:

- The plan does not address public safety concerns.
 - The permitting process is designed to protect Delaware citizens from harm. US Wind's plans do not include funds or other resources to address public safety emergencies that could result from the wind turbines and the cables. Our North Bethany Beach (unincorporated) community falls outside of the jurisdiction of Bethany Beach emergency services. Sussex County and the state of Delaware have not identified the wind turbines or the high-voltage transmission cables in their Threat Hazard Identification Risk Assessment process. What happens to our community if the worst should happen? This is not a theoretical concern.
 - This is not merely a theoretical concern. Emergencies associated with wind power are not unprecedented. On July 15, Vineyard Wind issued a [statement](#) about the breakage of a blade off the coast of Massachusetts. The blade splintered and Nantucket Beaches were forced to close while cleanup occurred.
 - In May of 2021, [National Grid, encountering unforeseen problems, suspended work on Block Island](#) to replace part of an underwater cable that delivered electricity from the nation's first offshore wind farm to the mainland power grid. These transmission cables were exposed despite their burial of six feet or more, including on a recreational beach. In its application for permits, US Wind states that their high voltage electric cables with 1,100 megawatts of capacity will be buried only 3 to 7 feet deep. How can DNREC be confident that voltage from these cables poses no direct harm to humans and marine life swimming

off the beaches of Tower Shores and the state park?

- In addition, the [Final Environmental Impact Statement](#) issued by the U.S. Bureau of Ocean Energy Management (BOEM) on the US Wind Maryland Project states that the cables may need additional protection such as mattresses, rock placement, or cable protection systems. What harm could the use of these objects cause to human or marine life or the environment?
 - Each offshore wind turbine and substation carries many gallons of lubricating oil and diesel oil. The total stored offshore is over 508,000 gallons. A massive hurricane could threaten a major spill which would have direct impact on our private beach. The oil response plan is inadequate to handle a major release and needs to be improved.
 - Finally, to increase our concerns about public safety, the permit states that US Wind will be responsible for the periodic inspection of the cables. Given the magnitude of the impact of this project, we believe that a state or federal agency must regularly inspect the cables.
- The plan does not adequately address environmental concerns.
 - US Wind has not studied the environmental impact on adjacent beaches including possible associated tidal erosion that could make the Tower Shores private beach more susceptible to storm damage. This could result in future expenses for our homeowners in beach replenishment and repairs to homes. These are costs that we alone will incur under the plan.
 - The possible impact of the installation of the cables using towed or self-driving jet plow has not been studied to ensure that the process will not render the waters off our beach unsuitable for swimming. Even though the US Wind plan states that work will occur only September 15 through May 15, our beaches are enjoyed in the fall and spring shoulder seasons by many and owners who rent their homes may suffer from a reduction of rental income if our beach is not usable during these months due to the industrialization of our waters directly offshore.

- US Wind's own proposal acknowledges that it has not yet conducted vital studies on the impact of the project on certain marine species, including the endangered right whale, protected horseshoe crabs in a national sanctuary, and endangered migratory birds. Earlier this year members of the Tower Shores community observed ocean floor survey vessels dragging a sonar array through pods of dolphins feeding very close to our private beach. How much more disturbance of marine life will be caused by installation of the cables and the turbines?
- We are familiar with Virginia Beach's experience with offshore Wind installation and [reports](#) of noise pollution and constant vibrations from construction. Has US Wind committed to limit work to 9 to 5, or will our community be subjected as Virginia Beach residents have been to 24/7 noise and earth vibrations from the project? Will US Wind reimburse Tower Shores homeowners if the foundations of our homes are damaged by the construction?

For the reasons stated above, Tower Shores urges DNREC to oppose the permits requested by US Wind in their current configuration on grounds that they will adversely affect our community, including our natural beach environment; pose unacceptable threats to human life and endangered species; and cause possible environmental and structural damage to our private beach and our homes. Thank you for your consideration.

Respectfully submitted,

Elizabeth Frazee
President