

Town Logo

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DRAFT—February 14, 2020

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## **RESOLUTION OF TOWN OF BETHANY BEACH, DELAWARE**

**WHEREAS**, the Bethany Beach Town Council (hereinafter Council) and residents have long advocated for environmental stewardship as a core community value in the ongoing efforts to maintain an unspoiled beach, ocean, and delicate ecosystem within the Town boundaries and surrounding areas, as evidenced by the Town's stewardship of its own precious environmental resources.

**WHEREAS**, the Council supports the development of responsible clean energy, including solar power and geothermal systems.

**WHEREAS**, the Council recognizes the potential for offshore wind power as a source of clean energy when constructed in a responsible manner that respects the natural environment and pristine ocean view that is a natural treasure for the citizens and visitors of Bethany Beach and a key element of Delaware's economy.

**WHEREAS**, the Federal Government issued a lease to Skipjack Offshore Energy, LLC (Skipjack), for the construction of a wind farm of turbines generating electrical energy in federally controlled waters approximately seventeen (17) off the coast of Bethany Beach.

**WHEREAS**, available information indicates that the Skipjack wind farm will be developed, operated and maintained as a project of Orsted U.S. Offshore Wind; and, further, that the purpose of the project is to provide electrical power to the Maryland Eastern Shore, pursuant to an agreement with and approval of the Maryland Public Service Commission.

**WHEREAS**, Orsted seeks to bring one or more high voltage electrical transmission cables underground from the wind farm on shore in Fenwick Island State Park; and to construct, operate and maintain Onshore Transmission Facilities in the Park connecting the wind farm with the Delmarva Power transmission system, such facilities requiring use of approximately one acre of Park land for each of two phases of the project.

**WHEREAS**, the Delaware Department of Natural Resources and Environmental Control (DNREC) and Skipjack Offshore Energy, the lease holder, agreed to a non-binding Memorandum of Understanding (MOU) dated July 18, 2019, regarding plans for the State Park, without informing the Towns of Fenwick Island, South Bethany, Bethany Beach and other possibly affected Delaware communities and affording them an opportunity for input.

**WHEREAS**, the MOU, subject to further discussions and final agreements, provides for permitting the construction, operation and maintenance of the Onshore Transmission Facilities sought by Orsted, in exchange for a list of "park improvements" to be paid for by Skipjack/ Orsted, including a multi-story parking garage; an outdoor amphitheater; a rentable pavilion; lifeguard housing; and camping sites.

**WHEREAS**, public concerns have been raised about the Orsted project and the MOU, including: the size and location of the wind turbines; the proposed construction of the electrical transmission facilities in otherwise normally protected wetlands and environmentally sensitive areas; the potential effect of the facilities on public health and safety; the alteration and disruption of the State Park in multi-year construction activities to facilitate the Maryland Public Service Commission project; increased traffic throughout the area; the absence of any provision in the MOU for ongoing revenue to address the potential adverse impact of the project on the environment and local communities; and other funding needs in Delaware's coastal communities, such as beach replenishment.

**WHEREAS**, realizing that Bethany Beach and other affected towns do not have jurisdiction or authority in the DNREC decision-making process, the Mayor of Bethany Beach, together with the Mayors of the six other members of the Association of Coastal Towns, met with the Governor of Delaware on November 20, 2019, to discuss concerns about the project.

**WHEREAS**, the Council strives to protect and preserve the natural resources and assets of Bethany Beach to the extent possible, and believes that this project will have a lasting impact on the environmental and fiscal health of our Town, the coastal region and the State.

**NOW, THEREFORE, BE IT RESOLVED** that it is important that all aspects of the project be reexamined and further studied to ensure they are in the best interest of Delaware's coastal environment, public health and safety, economic vitality, and the quality of life we all cherish. Accordingly, the Town Council desires and respectfully requests, in the interest of transparency, notification and opportunity for input into any future discussions and decisions regarding the project, including the size and location of the wind turbines, the construction of the electrical transmission facilities and infrastructure in Fenwick Island State Park as well as any financial arrangements, as only befits those most impacted by the construction.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be sent to the Governor of the State of Delaware and to our Federal and State Representatives as well as all the members of the Sussex County Council.

**THEREFORE, BE IT FURTHER RESOLVED** that this Resolution was passed (by a majority or unanimously) by the Town Council of Bethany Beach on this 21<sup>st</sup> day of February 2020.