

DOI Approves First Off-Shore Wind Farm Which May Be the Catalyst for Future Off-Shore Wind Projects

On April 28, 2010, the Department of Interior (“DOI”) approved the first U.S. off-shore wind farm located 5.2 miles off the coast of Cape Cod, Massachusetts on federal submerged lands within the U. S. Outer Continental Shelf. The approval of the controversial Cape Wind Associates, LLC project will likely be challenged by numerous opponents. However, given the years of careful study of this project the DOI expects to have their decision withstand legal challenges.

The \$1 billion project consists of 130 turbines which are more than 400 feet high that cover approximately 24 square miles. The turbines will produce a maximum of 468 megawatts of power by the end of 2012 which is enough energy to power approximately 200,000 homes. This project also includes an electrical service platform and two 115-kilovolt submarine cable transmission facilities with associated fiber optic cables approximately 7.6 miles in length connecting the project to the mainland power grid. This project will create hundreds of construction jobs and will be one of the largest greenhouse gas reduction initiatives in the U.S., reducing carbon dioxide emissions from conventional power plants by 700,000 tons annually.

The approval of this project is expected to pave the way for additional off-shore wind developments at other locations. The recent oil spill in the Gulf of Mexico will likely add support to future off-shore wind projects. There are at least 11 other off-shore wind projects in various stages of development in Delaware, Massachusetts, New Jersey, North Carolina, Ohio, Rhode Island and Texas. To encourage off-shore wind development, on April 14, 2010 the DOI announced funding of four research studies to identify technological and operational safety issues related to the future development of off-shore renewable energy on the Outer Continental Shelf. The studies focus on inspection methodologies and design characteristics of off-shore wind turbines, installation and removal costs of ocean energy devices, and potential seafloor effects associated with the installation of renewable energy devices. Last November, the U.S. Department of Energy awarded \$98 million to the Clemson University Restoration Institute to construct and operate a wind turbine drive-train testing facility in North Charleston which is expected to attract cutting edge manufacturers and is expected to create 8-10,000 new jobs.

If you have any questions regarding this Client Alert, please contact [Jimmy Kirkland](mailto:jkirkland@wcsr.com) via email (jkirkland@wcsr.com) or via telephone at (404) 879-2460 or the Womble Carlyle attorney with whom you work.

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