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K&L Gates' ReNEWS Southeast – Volume 4

K&L Gates reports on the latest renewable energy policies and activities in the southeastern United States.

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Dominion Energy Breaks Ground on Virginia's First Offshore Wind Installation

- On July 1, 2019, [Dominion Energy](#) (“Dominion”) [began construction](#) on the Coastal Virginia Offshore Wind demonstration project, which is Virginia’s first offshore wind installation, and the first U.S. wind project to be built in federal waters. [As previously reported](#), the \$300 million project will include a substation in Virginia Beach with cables running out to two wind turbines located 27 miles offshore. Danish offshore wind company [Ørsted](#) is working alongside Dominion to construct the turbines.
- Although the initial project will only include two turbines and generate about 12 megawatts (“MW”) of energy, Dominion has leased enough space to host turbines that could ultimately generate up to 2,000 MW. The Coastal Virginia Offshore Wind demonstration project is intended to test whether the larger-scale project will be feasible in the future.

Duke Energy Hits Milestone of 1GW of Owned Solar Energy

- When California’s North Rosamond Solar Facility [came online in June 2019](#), [Duke Energy](#) surpassed the 1-GW threshold of utility-scale owned and operated solar facilities in the United States. [According to Duke Energy](#), the company’s roughly 70 solar facilities across 10 states have the capacity to provide energy to approximately two million homes when operating at peak capacity. The majority of Duke Energy’s solar facilities are located in North Carolina, where it currently owns 40 solar sites.

Offshore Wind Areas Examined Off East Coast from Virginia to South Carolina

- On June 22, 2019, [trade press](#) reported that the [Bureau of Ocean Energy Management](#) (“BOEM”) has begun identifying “Wind Energy Areas” off the North and South Carolina coasts. According to BOEM, some areas of South Carolina’s Outer Continental Shelf offer a “world-class wind resource” with better wind energy possibilities than North Carolina, Georgia, or Florida. The next step will be establishing Wind Energy Areas for leasing off the South Carolina coast.
- Additionally, following the issuance of an [incidental harassment authorization](#) (“IHA”) from the National Marine Fisheries Service effective June 1, 2019, [Avangrid Renewables](#) began [surveying](#) the coasts of Virginia and North Carolina for offshore wind opportunities.

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Pursuant to the Marine Mammals Protection Act, an IHA permits Avangrid to take a small number of marine mammals in order to complete high-resolution geophysical surveying. The surveying allows Avangrid to begin establishing one or more cable route corridors in lease areas of the Outer Continental Shelf. These corridors allow for creation of future wind farms off of these coasts. The IHA is effective until May 31, 2020.

North Carolina Legislature Drops Ban on Wind Projects

- On June 25, 2019, North Carolina's [House of Representatives' Committee on Energy and Public Utilities](#) adopted a tempered version of [Senate Bill 377](#) (the "Bill"). The original Bill permanently prohibited new wind projects in more than 40 counties in the eastern half of the state labeled "high-risk" for disrupting military aviation training.
- A later version of the Bill limited the ban to three years before passing in the Senate. The latest version has dropped the moratorium altogether and alters existing law to give certain civilians—designated by military officials—a say in wind permitting decisions. This less restrictive version has further added an amendment directing state regulators who decide on permits to obtain more information from military commanders. If the House of Representative approves, the Bill will return to the Senate.

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