



TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

September 9, 2024

The Bureau of Ocean Energy Management
Office of Leasing and Plans
1201 Elmwood Park Boulevard
New Orleans, Louisiana 70123
Attn: Renee Bigner

Dear Ms. Bigner:

As Commissioner of the Texas General Land Office ("GLO"), I appreciate yet another opportunity to comment on a proposal by the Bureau of Ocean Energy Management ("BOEM") to lease acreage in the Gulf of Mexico for commercial wind energy generation. I'm pleased – but not surprised – that the latest proposal comes contemporaneously with the cancellation of the larger Gulf of Mexico Wind Auction 2 for lack of commercial interest. I submitted comments to that proposal on April 29, 2024. Interestingly, BOEM's latest proposal is to lease approximately 142,528 acres directly to Hecate Energy Gulf Wind LLC ("Hecate"). According to Hecate's website, Hecate has apparently *no* experience in offshore wind projects and only two proposed upland wind projects currently in development.¹ As the steward of Texas' state-owned submerged lands extending from the shoreline out 10.3 miles to the boundary of federal waters, I have serious reservations about leasing vast swaths of the Gulf to a company that has yet to operate a single functional wind turbine to date.

To avoid belaboring the points made in my April 29, 2024, comment letter, I would like to incorporate it here by reference so that BOEM has an opportunity to address those concerns in detail.² Namely, (1) the demonstrated financial unworkability of offshore wind projects; (2) risks to the endangered Rice's whale, sealife as a whole, and migrating bird species; (3) impacts to and displacement of local fishing communities; and (4) catastrophic damage to turbines posed by hurricanes in the Gulf.

Little has changed since April to alleviate even a single one of these serious concerns. In fact, in the four months since, we have seen new and growing evidence of the folly of offshore wind projects. Last month, among seemingly calm weather, part of a blade broke off a turbine at the Vineyard Wind farm off the coast of Massachusetts. A small portion of a single blade resulted in

¹ Projects, Hecate Energy (last visited Aug. 20, 2024), <https://www.hecateenergy.com/projects/>.

² See <https://www.regulations.gov/comment/BOEM-2024-0017-0002>.

more than six truckloads of debris discharged into coastal waters beach closures along Nantucket Island.³ This is not a fluke event. It follows several blades breaking off onshore and offshore turbines in Germany, Sweden, Lithuania, and the United Kingdom in recent years.⁴ Amplifying these risks, BOEM now seeks to permit a wind farm in one of the most active hurricane corridors in the country. Ominously foreshadowing, at the same time as the Vineyard Wind debacle, Hurricane Beryl struck the Texas Coast causing an estimated \$28-\$32 billion in economic losses.⁵ Hurricane Beryl passed directly through the path of the proposed Hecate leases and would have wrought havoc on a wind farm.

Meanwhile, BOEM has been working behind the scenes on its offshore wind leasing and permitting regulations which were finalized in late April.⁶ These regulations, designed to "streamline and modernize" the process, effectively softened financial assurances for offshore wind in every conceivable way in order to tilt the scales in favor of new wind energy at the expense of prudent stewardship. It's clear the responsibility will inevitably fall upon the GLO and the Texas taxpayers to shoulder the burden with respect to pollution, debris, and impacts to Texas waters and beaches resulting from these wind farms.

Again, I must remind you that access to state-owned submerged land for transmission lines to shore requires an easement approved by the Commissioner of the GLO.⁷ As Commissioner, I am charged under the Texas Natural Resources Code with determining whether the granting of an easement is in the best interest of the state. As of now, I continue to see a number of significant concerns — economic, practical, and environmental — that must be addressed before a prospective wind lessee would be permitted to cross state-owned submerged land. Further, in light of BOEM's substandard financial assurance requirements, GLO may very well condition such approval on heightened bond and/or financial assurance measures above and beyond what may be required by BOEM.

Thank you for your careful consideration of these comments.

For Texas,



DAWN BUCKINGHAM, M.D.
Commissioner, Texas General Land Office

³ Nichola Groom, *U.S. Orders Stop to Vineyard Wind Construction Due to Turbine Break*, Reuters (July 17, 2024), <https://www.reuters.com/business/energy/us-orders-stop-vineyard-wind-construction-due-turbine-break-2024-07-17/>.

⁴ Rachel Ramirez, *Nantucket Wind Turbine Halted as GE Vernova Investigates Safety Concerns*, CNN (July 20, 2024), <https://www.cnn.com/2024/07/20/climate/nantucket-wind-turbine-ge-vernova/index.html>.

⁵ Julian Gill, *Hurricane Beryl Caused about \$30 Billion in Damage New Report Says*, Houston Chronicle (Aug. 18, 2023), <https://www.chron.com/news/houston-texas/article/hurricane-beryl-economic-damage-19567239.php>.

⁶ *Interior Department Finalizes Rule to Streamline and Modernize Offshore Renewable Energy*, U.S. Department of the Interior (Aug. 21, 2023), <https://www.doi.gov/pressreleases/interior-department-finalizes-rule-streamline-and-modernize-offshore-renewable-energy>.

⁷ Tex. Nat. Res. Code § 51.291 (West).