

118TH CONGRESS  
1ST SESSION

# H. RES. 239

Expressing the sense of the House of Representatives that offshore wind projects along the Atlantic coast require more comprehensive investigations examining the impact to the environment, relevant maritime industries, and national defense before being leased or constructed.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2023

Mr. VAN DREW (for himself, Mr. HARRIS, Mr. SMITH of New Jersey, Mr. PERRY, and Mr. D'ESPOSITO) submitted the following resolution; which was referred to the Committee on Natural Resources

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## RESOLUTION

Expressing the sense of the House of Representatives that offshore wind projects along the Atlantic coast require more comprehensive investigations examining the impact to the environment, relevant maritime industries, and national defense before being leased or constructed.

Whereas the Bureau of Ocean Energy Management (BOEM), under the direction of the Department of the Interior, has as of March 2023 leased 1,753,818 acres of offshore land for wind development and is planning on leasing another 1,700,000 acres off the Central Atlantic coast and additional leases off the Northern Atlantic coast and the Gulf of Maine;

Whereas offshore wind turbines are over 900 feet tall, 600 feet higher than standard onshore wind turbines;

Whereas the interarray and offshore export connection cables between wind farms and onshore energy grids will require the dredging of hundreds of miles of ocean floor;

Whereas lease areas sit along known migration routes and foraging areas of North Atlantic right whales, humpback whales, and economically important commercial and recreational fish species;

Whereas disturbances to right whale foraging areas could have population-level effects on the already endangered and stressed species;

Whereas, between December 2022 and March 2023, 23 dead whales have washed ashore on the East Coast, including on the shores of Lido Beach on Long Island, New York, the North Brigantine Natural Area in Brigantine, New Jersey, and the shores of Virginia Beach, Virginia;

Whereas the BOEM and the National Oceanic and Atmospheric Administration (NOAA) have an unclear process for determining all contributing causes of death of whales through necropsies;

Whereas NOAA lacks a mechanism to oversee and enforce the parameters of its incidental harassment authorizations of marine mammals issued to offshore wind companies;

Whereas areas leased as of March 2023 for offshore wind turbines sit along established fishing grounds that generate 40 percent of the United States fisheries \$4,800,000,000 annual economic output, and provides food for millions of Americans;

Whereas commercial vessel traffic in the Atlantic region, particularly in Coast Guard Districts 1, 5, and 7, is vital to the United States economy in that it serves major East Coast ports by the safe, reliable, and energy-efficient transportation of dry and liquid cargoes;

Whereas the rerouting of such traffic to accommodate wind lease sites is inefficient and poses a potential risk to the safety of vessel traffic and marine species;

Whereas BOEM, in a draft environmental impact statement (EIS) for the Ocean Wind 1 lease sale stated that the presence of offshore wind turbine structures and related radar interference could result in delays within or approaching ports, increase navigational complexity, and create detours to offshore travel or port approaches;

Whereas requests from maritime stakeholders to increase the width of transit lanes to a minimum of 2 nautical miles to ensure safer transit through wind farms have been disregarded;

Whereas a proposed alternative turbine layout with wider transit lanes was rejected in a record of decision (ROD) by the BOEM for the Vineyard Wind 1 offshore wind project in part due to potential delays to the project that would be inconsistent with timelines set in President Biden's Executive Order 14008;

Whereas such ROD stated that "the combination of the technical complexities and project delay would preclude [Vineyard Wind 1's] ability to meet the current contractual obligations with Massachusetts distribution companies";

Whereas the contractual obligation refers to a power purchase agreement between Vineyard Wind 1 and the State

of Massachusetts, which was signed 2 years prior to the ROD, and required 800 megawatts of energy output;

Whereas the required energy output prevents serious consideration of alternative requests for wind farm layout and number of turbines installed;

Whereas BOEM, in a draft EIS for the Ocean Wind 1 lease sale off the coast of New Jersey, determined that the proposed wind turbine structures would increase the risk of vessel collisions, allisions, and spills which could result in personal injury or loss of life;

Whereas the National Academies of Sciences, Engineering, and Medicine determined that wind turbine generator interference on marine vessel radar will lead to unforeseen complications and degraded performance, causing loss of radar contact that is particularly consequential when conducting search and rescue operations in and adjacent to offshore wind farms;

Whereas offshore wind farms will interfere with coastal high frequency radar systems used for United States Coast Guard (USCG) search and rescue operations;

Whereas existing port access route studies (PARS) related to offshore wind do not properly examine potential radar interference and the impact on navigation within and around wind farms;

Whereas the USCG in its Areas Offshore of Massachusetts and Rhode Island PARS determined that the potential for offshore wind turbine interference with marine radar is site specific and depends on factors including turbine size, array layouts, number of turbines, construction materials, and vessel types;

Whereas the National Academies of Sciences, Engineering, and Medicine determined that wind turbine generator interference decreases the effectiveness of marine vessel radar mounted on all vessel classes and that the sizes of anticipated offshore wind farms across the United States Outer Continental Shelf at the scale of anticipated deployment will exacerbate this situation;

Whereas the potential safety and maritime supply chain impacts of navigational and radar interference related to proposed offshore wind leases has not been duly evaluated or mitigated;

Whereas the Department of Defense’s Offshore Wind Mission Compatibility Assessment ruled much of the offshore east coast a “wind exclusion zone”, for defense and defense training reasons;

Whereas, according to the Department of Defense, ARSR–4 primary long-range air surveillance radars would be “very susceptible” to interference from wind turbines, and that “target tracking abilities decrease as turbine number, size, and density increases”;

Whereas the Department of Defense acknowledged in May 2019 that noise generated by offshore wind turbines disturbs acoustically sensitive environments and may interfere with offensive- and defensive-based military sensors, and that currently there are no Department of Defense-supported unclassified studies that have been conducted regarding this topic; and

Whereas the National Aeronautics and Space Administration’s Wallops Flight Facility stated in 2022 that offshore wind farms built within wind exclusion zones could potentially be flight obstructions, be impacted by falling

debris from launches, and would impact the facility's ability to accept and expand new technologies: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2 representatives that—

3           (1) the Atlantic coast offshore wind leases rep-  
4 resent a transformative industrialization of vital en-  
5 vironmental and maritime resources of the United  
6 States;

7           (2) the potential impacts of this industrializa-  
8 tion have not been duly evaluated or mitigated by  
9 the responsible Federal agencies;

10          (3) Congress should—

11           (A) conduct investigations to determine the  
12 true impacts of offshore wind development; and

13           (B) use the findings of such investigations  
14 to develop legislation to mitigate potential nega-  
15 tive environmental or economic impacts of off-  
16 shore wind development; and

17          (4) leasing and construction of offshore wind  
18 farms along the Atlantic coast should be put under  
19 immediate moratorium until these investigations and  
20 findings are presented to Congress and the public.

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