

March 22, 2007

Secretary Ian A. Bowles  
EOEA, Attn: MEPA Office  
Anne Canaday, EOEA No. 12643  
100 Cambridge Street, Suite 900  
Boston, MA 02114

**Re: Cape Wind Energy Project/Final Environmental Impact Report  
EOEA No. 12643**

Dear Secretary Bowles:

Please accept the following as The Coalition for Buzzards Bay's ("Coalition's") comments on the Cape Wind Energy Project ("Cape Wind") Final Environmental Impact Report ("FEIR") for the construction and operation of 130 wind turbine generators ("WTGs") in Nantucket Sound. The Coalition is a nonprofit membership organization dedicated to the restoration, protection and sustainable use and enjoyment of Buzzards Bay and its watershed. We represent more than 4,700 individuals, families, organizations, and businesses in Southeastern Massachusetts.

The Coalition's policy is to support wind power projects that are appropriately sited and minimize potential negative environment impacts. The Cape Wind Energy Project will benefit Buzzards Bay by reducing the future increase of traffic of oil laden barges through our Congressionally-designated "Estuary of National Significance".

The Coalition is satisfied that the Cape Wind FEIR adequately and properly complies with the Massachusetts Environmental Policy Act ("MEPA") and with few additional comments, urges you to allow this extensively reviewed project to move forward pursuant to relevant state permitting processes.

### **The Project**

The proposed project involves the development of 130 wind turbine generators ("WTGs") arranged in a grid in Nantucket Sound/Horseshoe Shoal, with electric power transmitted from the WTGs to an Electric Service Platform ("Platform") and then on to the Cape Cod mainland via two buried transmission cables. The project would have a maximum potential electric output of 454 Megawatts ("MW"), with the capacity to meet the equivalent of approximately 75% of the Cape and Islands power demand. As proposed, the WTG array and Platform would be located in federal waters. Two 115 kV transmission cables would

pass through state waters and lands, thereby comprising the sole portion of the project that falls within MEPA jurisdiction.

As recognized in the Certificate of the Secretary of Environmental Affairs on the Draft Environmental Impact Report for the Cape Wind Project, dated November 23, 2004, MEPA jurisdiction is limited to those portions of the project that are within three miles of the Massachusetts shoreline. Therefore, The Coalition's comments will be limited to those portions of the electric transmission cables that cross state waters and lands and those indirect impacts within state jurisdiction. The Coalition will reserve further comment on the balance of the project under federal review for the pending Draft Environmental Impact Statement ("DEIS") issued pursuant to the review by Minerals Management Service ("MMS").

With that said, The Coalition would like to take this opportunity to highlight the proponent's substantial submission in this FEIR pertaining to all aspects of the project beyond what was required for this state MEPA review. The Coalition continues to support the exhaustive review process this project has and continues to undergo.

### **Environmental Monitoring**

We recommend that the project proponent continues to work closely with the Massachusetts Division of Marine Fisheries ("DMF") and National Oceanographic and Atmospheric Administration ("NOAA") to conduct monitoring immediately before and during the installation of the electric cables to ensure that impacts to any spawning fish, eggs, and larvae are avoided and minimized.

Environmental monitoring of the benthic and pelagic environments before, during and after construction and operation is appropriate and very important for a precedent-setting project such as Cape Wind. The Secretary's Certificate should require that data from this monitoring be made accessible to the public.

### **Lease compensation**

The FEIR indicates that appropriate compensation will be made through Chapter 91 fees, royalties paid pursuant to any lease granted for installation and operation of the project on the Outer Continental Shelf ("OCS"), and compensation to the Town of Yarmouth for any impacts to the town shellfish beds and shellfishing activities. At a minimum, details of such compensation must be made clear in connection with the Chapter 91 permit application and other relevant permitting processes; fair compensation must be provided for the use of public trust resources.

### **Decommissioning**

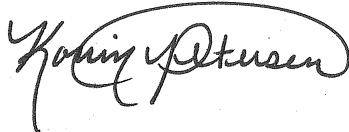
We appreciate that the FEIR includes a plan for decommissioning the project, including removal of the transmission cables within state waters and lands. It is important that the same monitoring and mitigation measures employed during construction (i.e., laying of the

cable) be employed during decommissioning, given that the impacts are expected to be quite similar. In addition, while the project proponent has indicated that it intends to provide any requisite financial assurance to MMS to ensure sufficient resources to effectuate decommissioning at the end of the Project's useful life, it is important that financial assurance also be supplied to the Commonwealth to ensure the financial capacity to decommission the cables within state jurisdiction.

## **Conclusion**

In consideration of the foregoing, The Coalition respectfully requests that you issue a Certificate finding that the Cape Wind EIR adequately and properly complies with the Massachusetts Environmental Policy Act.

Sincerely,

A handwritten signature in black ink, reading "Korrin N. Petersen". The signature is written in a cursive style with a large, looping initial "K".

Korrin N. Petersen, Esq.  
Advocacy Director

Cc: Governor Deval Patrick  
Senate President Therese Murray  
Senator O'Leary  
Representative Turkington  
Representative Patrick

United States Army Corps of Engineers  
Cape Cod Commission