

Report big win for Cape Cod wind farm

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The proposed Nantucket Sound wind farm cleared the most significant hurdle in its contentious 7½ year history yesterday, an accomplishment federal officials said could be a "bellwether" for the future of offshore wind farms.

"There is nothing in the (final environmental impact statement) to basically cause extreme alarms about the project," said Randall Luthi, outgoing director of the U.S. Minerals Management Service, which issued its final environmental report on the project. Luthi also announced during a press conference that the final rules for offshore alternative energy projects would not be finalized during the Bush administration.

The final review by MMS — a division of the U.S. Department of Interior — of the proposal by Cape Wind Associates LLC to build 130 wind turbines in the Sound is based on a draft version of the report that came out almost exactly a year ago.

Much like the draft, the final 2,000-page report found mostly "negligible" and "minor" effects of the project on the environment, public safety and fisheries. It noted "moderate" impacts from the construction and operation of the turbines on some bird species, marine mammals, visual resources and marine traffic. The turbines would also have a "moderate" impact on marine radar, according to the report.

A recommendation from the U.S. Coast Guard that was included as an appendix to the report reaffirmed its finding announced last month that the effect of the turbines on marine radar could be mitigated.

Luthi stressed, however, that the MMS report is not the Interior Department's final action on the project.

A final "record of decision" that signals Interior's approval cannot be issued until at least 30 days after the final environmental report's release. If the record of decision comes down in favor of Cape Wind, a lease could be issued for the project.

That puts the final approval of the project by the federal government in the hands of the incoming administration of President-elect Barack Obama.

"This report provides a firm basis for the next administration to decide on the future of the proposed project," Luthi said. "And should the next administration decide to proceed with this project, I think it may very well be the bellwether for offshore wind farms in the future."

On the same day Luthi announced the release of the Cape Wind report, Obama toured a wind-turbine parts factory in Ohio as part of his sales pitch for his economic stimulus program.

"This is exactly the sort of project that they are talking about as a way to build jobs, protect our

economy and protect our environment," Nathanael Greene, senior energy policy analyst with Natural Resources Defense Council, said during an afternoon press conference. The NRDC is a New York-based environmental action group. "I'm very optimistic that the Obama administration will move quickly and permit this project."

Other environmental groups also applauded the MMS report.

"It's a great day," said Susan Reid, an attorney with the Conservation Law Foundation. "Today marks a major milestone for pioneering offshore energy projects."

Obama's nominee for Interior secretary, U.S. Sen. Ken Salazar, D-Colo., who would have to sign off on the Cape Wind lease, appeared headed for an easy confirmation after a hearing Thursday before the Senate Committee on Energy and National Resources.

Salazar was not available for comment yesterday, a spokesman said.

While Luthi and other high ranking MMS officials would be replaced by the Obama administration, most staff members who worked on the Cape Wind review will remain in place, MMS spokesman Nicholas Pardi said.

Gov. Deval Patrick, who this week set a goal for 2,000 megawatts of the state's energy to come from wind power by 2020, was pleased that the federal review of the project was complete, said his press secretary, Rebecca Deusser.

"We all agree on the importance of investing meaningfully in Massachusetts and elsewhere in the country on alternative, renewable energy," Deusser said.

Opponents of Cape Wind, including U.S. Sen. Edward Kennedy, D-Mass., contended yesterday that the MMS report was rushed.

The MMS review of Cape Wind is under investigation by Interior's inspector general, the U.S. Federal Aviation Administration continues to review the project, and the rules that would govern the project's construction and operation are incomplete, Kennedy said in a prepared statement. "By taking this action, the Interior Department has virtually assured years of continued public conflict and contentious litigation," he said.

In a statement posted on his Web site, U.S. Rep. William Delahunt, D-Mass., said the Bush administration's decision to issue the MMS report "literally hours before leaving office — prior to issuing any standards to guide the review of these projects — comes as no surprise."

"The administration has put the cart before the horse and adopted an unprecedented approach that provokes more controversy and litigation; all for a \$2 billion project that depends on significant taxpayer subsidies while potentially doubling power costs for the region," Delahunt's statement read.

And Audra Parker, executive director of the anti-Cape Wind group the Alliance to Protect Nantucket Sound, said "the only reason this came out today was to get it done in the current Bush administration."

The MMS report did not include effects on historic and tribal properties and misrepresents the

project's impact on aviation safety, Parker said.

The project's effect on airports and air traffic would be negligible to minor, according to the MMS report, but the FAA announced this week that it would begin a new study on the potential effects of the proposed turbines on radar.

At a press conference in Boston, Cape Wind president Jim Gordon said the MMS report's release marked a historic day for Massachusetts and the region.

He also said Cape Wind is working closely with the FAA and expects the federal agency will find that the proposed turbines do not represent a hazard to aviation. Gordon said he had heard nothing about the investigation by the Interior Department's inspector general, which the Times reported this week, and was not concerned "one iota."

Staff writer David Kibbe contributed to this report.

Cape Wind timeline:

- June 2001: Cape Wind Associates introduces plan to put 50 power-generating turbines in Nantucket Sound.
- January 2002: The Army Corps of Engineers announces it will review the project. In August, the Corps gives Cape Wind approval to build a data-collection tower in the Sound to gather information on wind, currents, waves and salinity.
- November 2004: The Corps releases a 4,000-page draft environmental impact statement that finds significant benefits and little long-term environmental disruption.
- October 2005: The Minerals Management Service, a branch of the U.S. Department of the Interior, is granted final authority over offshore renewable energy projects, with the Army Corps of Engineers taking a smaller role in the review.
- March 30, 2007: The final state environmental impact report filed by Cape Wind is found in compliance with state environmental guidelines. The town of Barnstable and a group of citizens file a lawsuit challenging the state decision to issue a final environmental report on Cape Wind's proposed wind farm. In December 2008, a judge refuses to dismiss the case against Cape Wind.
- October 2007: The Cape Cod Commission denies the wind farm project on procedural grounds. Cape Wind later seeks to overturn that decision with the state Energy Facilities Siting Board, a request the board is still reviewing.
- January 2008: A 2,000-page draft report released by the Minerals Management Service finds only one "major" impact from the plan to erect 130 wind turbines in Nantucket Sound. The agency's report determines the effects of building the wind farm at the proposed site on Horseshoe Shoal would generally be negligible to minor. The view of the proposed wind farm from the water in close proximity to the turbines is called the only major impact.
- August 2009: The state Department of Environmental Protection issues a water quality certificate for Cape Wind's plan to install nearly eight miles of transmission cable through Lewis Bay in West Yarmouth.
- September: The Interior Department's inspector general opens an investigation into the handling of the Cape Wind review by MMS.
- November: U.S. Fish and Wildlife Service officials release an opinion that finds the wind farm would not pose a risk to protected birds.
- December: The Coast Guard announces the wind farm project's impacts on marine radar could be mitigated. U.S. Rep. James Oberstar, D-Minn., calls for more time before a formal Coast

Guard recommendation and the release of the final environmental report on the project from MMS.

- Jan. 16: MMS releases its final environmental report on Cape Wind that finds most impacts from the project would be negligible or minor. A "record of decision" could come after 30 days.

Source: Cape Cod Times archives