

New bill would regulate offshore projects' visuals

■ Stiff opposition greets a plan said to be aimed at Cape Wind.

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BOSTON — Cape Wind, environmental groups and labor unions lined up yesterday to oppose legislation from state Sen. Robert O'Leary, D-Barnstable, that would require state Coastal Zone Management officials to consider the "broad aesthetic, visual and economic impacts" of offshore projects before issuing permits.

Opponents said the legislation, while general in nature, was aimed at stopping Cape Wind and other renewable energy proposals off the Massachusetts coast. Cape Wind's request to place 130 wind turbines in Nantucket Sound is under federal review.

Another O'Leary bill would declare a moratorium on offshore development until a comprehensive ocean zoning plan is approved.

"These bills put roadblocks to the development of offshore, renewable resources," Matthew Palmer, the executive director of Clean Power Now, told the Joint Committee on the Environment, Natural Resources and Agriculture. He called it "a tremendous disservice to the citizens of this commonwealth and the citizens of this nation."

The committee held a hearing on the bill yesterday — as required under legislative rules — but O'Leary did not attend, and no one showed up to speak in favor of the bill.

The Environment Committee will vote on the legislation later this session.

O'Leary said he had a conflict that kept him from attending the hearing. But he is focusing on broader legislation he filed for an ocean management plan. The committee approved the ocean management bill in December; it is expected to come up for a vote in the full Legislature this summer.

"Our focus is on the oceans bill, and the establishment of a planning process with respect to ocean development," O'Leary said in an interview, noting that besides wind turbines, it also affected issues like the siting of liquefied natural gas terminals.

"We don't have any comprehensive way of dealing with them, and we shouldn't be issuing permits before we have a plan in place," O'Leary said.

Dennis Duffy, a vice president for Cape Wind Associates, told the panel that state Coastal Zone

Management officials already have the power to consider visual and economic factors.

Duffy said such an amendment to the state's Coastal Zone Management plan would have to get federal approval, and the state Legislature cannot do it alone.

"My position is it would be invalid," he said later.

Duffy said the legislation was so broad that it would affect virtually all construction on the coastline, including docks, piers and residential and commercial development.

Yesterday's legislation was also opposed by Susan Tierney, a former Massachusetts environmental secretary who chaired a governor's task force that called for the creation of an ocean management plan for state waters two years ago. The task force rejected the idea of a moratorium while management plans are being developed.

Seth Kaplan, a senior attorney at the Conservation Law Foundation, also told the committee that the two bills ran counter to the recommendations of the Ocean Management Task Force.

He said the Legislature should work on O'Leary's overall ocean management bill and not approve bills in "piecemeal fashion."



Robert O'Leary

Absent from hearing, so bill had no backers

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