

Kennedy eases his stance on wind plan

Urges arbiter role for Coast Guard

By Rick Klein, Globe Staff | May 26, 2006

WASHINGTON -- Senator Edward M. Kennedy has dropped his insistence that Governor Mitt Romney be given the power to veto a giant wind farm proposed off the coast of Cape Cod, in a shift that's expected to boost efforts to construct the Cape Wind project.

Instead, Kennedy is proposing that the Coast Guard commandant be given final say over whether the wind farm can be constructed, after taking into consideration potential threats to navigation and public safety.

A Kennedy spokeswoman said the annual Coast Guard authorization bill was in danger of being voted down because it included the provision giving Romney the ability to kill the wind farm, prompting the senator to reconsider his position.

The Massachusetts Democrat would still prefer that the governor -- an avowed opponent of the wind farm -- have the final say, but realizes that's not politically feasible in this legislation, said Kennedy's press secretary, Melissa Wagoner.

The compromise giving the Coast Guard final say over the project "is not everything Senator Kennedy would like to see, but it's important progress," Wagoner said. "At a bare minimum, it would put public safety first."

Like the earlier proposal to give the governor veto power, the new provision would apply only to Cape Wind, not other wind-farm projects such as the new proposal for Buzzards Bay.

It's not clear whether giving the Coast Guard veto power will be acceptable to Kennedy's fellow lawmakers, some of whom had objected to adding a wind-farm provision to the Coast Guard bill.

Environmental groups supporting the wind farm immediately said they fear that involving the Coast Guard could subject the project to political meddling and unnecessary delays -- the very things they feared under the Romney-veto provision.

Still, Kennedy's decision to drop the veto power for the governor is a significant development that is likely to help Cape Wind's chances, according to people on both sides of the debate over the project, which would cover 24 square miles of ocean with 130 giant turbines in Nantucket Sound.

The Coast Guard has been involved in preliminary reviews of the proposal and has not raised major objections to date.

Representative Charles Bass, a New Hampshire Republican who had sought to block Kennedy's effort to give Romney veto power over the project, said Kennedy's proposal to shift approval to the Coast Guard is "real progress."

Bass said he will review Kennedy's proposal carefully to be sure that the Coast Guard's review is limited to safety and navigation.

"If there is an issue of navigability here, the Coast Guard is an appropriate arbiter," Bass said. "But I want to make sure this isn't a back door way of delaying the project for a while."

Wagoner, Kennedy's spokeswoman, said the Coast Guard review would be limited to making sure that the project does not interfere with marine operations, shipping lanes, navigation, and Coast Guard search-and-

rescue operations.

Kennedy, a longtime opponent of the Cape Wind project and a Hyannis Port resident, worked with Senator Ted Stevens, an Alaska Republican, to insert the provision that would have given Romney veto power. Kennedy and Stevens defended the move by saying that all states should be given the final say on energy projects proposed for sites near their coastlines.

But as awareness of the move by Kennedy and Stevens spread, a growing number of lawmakers objected, saying that renewable energy projects shouldn't be subject to political interference. They also argued that any such provision should be debated publicly, not slipped into an unrelated bill during backroom negotiations.

In the Senate, the chairman and ranking Democrat on the Senate Energy and Natural Resources Committee threatened to block the Coast Guard bill unless the provision was stricken. Bass was part of a bipartisan group of House members who made a similar threat, forcing congressional leaders to delay bringing up the otherwise non-controversial bill for more than a month.

The Coast Guard already has some oversight of the project as one of the 17 state and federal agencies conducting various parts of an environmental review that is now being overseen by the Department of Interior's Minerals Management Service, which will make a final decision on whether Nantucket Sound can accommodate the project.

Kennedy's proposal would give the Coast Guard its own veto.

The preliminary review of the project -- a risk assessment handled by a consultant hired by Cape Wind Associates -- found that any navigation risks posed by the wind farm would be "manageable." But the Coast Guard has not yet completed its review.

Representative William Delahunt, who represents the Cape and islands and opposes the project, said the Coast Guard should be given an enhanced role in reviewing the project to make sure the windmills don't interfere with radar signals that are important to the nation's security.

"Their role has to be underscored," Delahunt, a Quincy Democrat, said of the Coast Guard. "This implicates homeland security immensely."

Opponents of the wind farm, including commercial fishermen and the Steamship Authority, have pushed for tougher Coast Guard scrutiny and raised concerns about navigational safety. They note that more than 3 million ferry passengers travel through Nantucket Sound each year.

But Cape Wind backers say that the wind farm's proposed location on a shoal would make it inaccessible to larger vessels even without the windmills. The Coast Guard consultant's report found that larger ships would run aground before striking turbines.

Sue Reid, a staff attorney for the Conservation Law Foundation, which supports the project, said there's no reason to further involve the Coast Guard, since it is already one of the agencies involved with the review.

"It seems like something that would be susceptible to the political process," Reid said of giving the commandant of the Coast Guard veto power.

But most lawmakers are likely to be receptive to the new Kennedy provision, according to several congressional aides.

Spokesmen for both Cape Wind and the Alliance to Protect Nantucket Sound -- the group organized to fight the wind farm -- said they would not comment until the specific provisions are known. "Our sense of it is that this is still very much a fluid issue within the bill and within Congress, so we'll see how it shakes out," said Ernie Corrigan, a spokesman for the alliance.

Stephanie Ebbert of the Globe staff contributed to this report from Boston. ■