

Congress reaches pact on wind farm

Accord would give Coast Guard head a say, not Romney

By Rick Klein, Globe Staff | June 22, 2006

WASHINGTON -- Congressional leaders reached an agreement on the proposed Nantucket Sound wind farm that would give the head of the Coast Guard -- but not the governor of Massachusetts -- the power to order changes to the project or scuttle it entirely if he finds that it would interfere with navigation.

Though the bill would pose another potential obstacle to the Cape Wind Associates project, the agreement is being viewed as a victory for supporters of the wind-energy proposal because it does not award the governor veto power.

Senator Edward M. Kennedy, a Massachusetts Democrat, had sought to give Governor Mitt Romney -- a Republican, and a fellow opponent of the project -- the right to veto the project, which would have effectively killed it. But Kennedy was forced to retreat on that point after leading Republicans and Democrats in Congress joined the Bush administration in objecting.

Kennedy said yesterday that he would have preferred to give Romney veto power over the Cape Wind project to set a precedent in which offshore energy projects can't move forward without a state's consent. But Kennedy said that granting more authority to the Coast Guard should allay concerns about whether the wind farm will jeopardize public safety.

"We've always been concerned about issues of safety," said Kennedy. "The Cape Wind project has been moving forward irresponsibly, before any safety rules for such large off-shore developments have been established."

The bill would give the Coast Guard the authority to mandate "reasonable" changes to the Cape Wind project if it finds that the 417-foot-tall wind turbines to be built about 5 miles off the Massachusetts coast would pose a hazard to navigation, emergency communications, or rescue operations.

The Coast Guard has been one of the 17 state and federal agencies involved in an environmental review of the proposal, but it alone did not have the authority to compel changes or block the project. So far, the Coast Guard has not raised any major objections to the project, but its review will be more comprehensive under the new measure.

Pete V. Domenici, chairman of the Senate Energy Committee, said the compromise will allow an important wind project to move ahead without political interference, something he contended should be the model for future proposals.

"The Coast Guard is only allowed to address navigational safety concerns," said Domenici, a New Mexico Republican. "It prevents local special interests from torpedoing a reasonable and much-needed energy project in federal waters."

The agreement will allow the annual bill authorizing Coast Guard operations to move forward in Congress; it had been stalled since April because of the standoff over Kennedy's proposal to give Romney veto power. Legislative leaders said they expect the House and Senate to pass the bill in the coming weeks, though no schedule has been set.

Sue Reid, a staff lawyer with the Conservation Law Foundation, which supports Cape Wind, said her group worries that the project will be subjected to more scrutiny than other proposals. But she applauded the decision to let the Coast Guard order changes instead of allowing Romney to stop it.

Cape Wind has been trying for five years to construct 130 giant turbines in Nantucket Sound over some 24 square miles of ocean. The project, however, has drawn intense opposition from those who question its potential effect on public safety, fishing, tourism, and other industries.

A Cape Wind spokesman, Mark Rodgers, said the company will meet whatever obligations are imposed under the bill. "We will follow the instructions from Congress and move forward in our permitting process," Rodgers said.

The agreement closes one chapter in the political debate over the project, but the controversy surrounding it is unlikely to dissipate.

Representative William D. Delahunt, a Cape Wind opponent whose district includes Cape Cod, Martha's Vineyard, and Nantucket, said that other concerns must be addressed but that he is pleased with the latest agreement.

"The real priority here was navigational safety," said Delahunt, a Quincy Democrat. ■