

STATEMENT OF SECRETARY IAN BOWLES

Good morning. I am Ian Bowles, Secretary of Environmental Affairs for the Commonwealth of Massachusetts.

Yesterday, in fulfillment of my duties under the Massachusetts Environmental Policy Act, I signed a Certificate on the Final Environmental Impact Report for the Cape Wind Project.

In that Certificate, which I release to the public today, I determined that Cape Wind's Final EIR adequately and properly complies with the Massachusetts Environmental Policy Act, known as MEPA. With this finding that the Final EIR is adequate, I am allowing the Cape Wind Project to proceed to the various state agencies from which it will need permits to begin construction.

This Certificate marks the completion of a state environmental review process that began with Cape Wind's first filing in November 2001.

What you see laid out on this table are the documents generated by this process. They've been commented on by state agencies and interested parties in support of and in opposition to the project, and studied by analysts in my MEPA Office.

It is these filings, and the intense scrutiny of them, that let me say, with confidence, that we now have information on alternatives, impacts, and mitigation sufficient to allow state agencies to understand the environmental consequences of their permit decisions.

That is the purpose of MEPA.

MEPA requires that state agencies study the environmental consequences of their actions, including the permits they issue, and that they "use all practicable means and measures to minimize damage to the environment," by studying alternatives to the proposed projects, and by developing enforceable mitigation commitments that will become permit conditions if and when the project is permitted.

In the case of Cape Wind, all that has been done and the state has concluded its environmental review.

Project Benefits

This project also provides significant environmental benefits. The Final EIR projected that, compared with electricity generated by fossil-fuel burning power plants, the project's operation would annually offset 802 tons of sulfur dioxide, 497 tons of nitrous oxide, and 733,876 tons of carbon dioxide within the New England area. In terms of carbon dioxide, the major greenhouse gas, this is equivalent to taking 175,000 cars off the road.

Based on the air quality benefits, as well as the compensatory mitigation measures detailed in this Certificate, I find that the environmental benefits and voluntary mitigation provided by the project are adequate to mitigate the impacts of the project occurring in Massachusetts.

Jurisdiction

Let me say a few words about the Commonwealth's jurisdiction over the Cape Wind Project.

Cape Wind involves the development of 130 Wind Turbine Generators on a grid over 25 square miles in Nantucket Sound in an area known as Horseshoe Shoals. The wind turbine array is located in federal waters.

The project also includes cables that transmit the electric power to the mainland, making landfall in the Town of Yarmouth. Underground cables and portions of the submarine cables are located within Massachusetts or in the territorial waters of the Commonwealth, generally within three nautical miles of shore.

As a product of state law, MEPA review applies only to those portions of the project located within Massachusetts and its territorial waters. The state office of Coastal Zone Management will, in the course of its required federal consistency review, assess the impact of the wind farm itself, but only as to its impact on Massachusetts coastal waters.

Despite the jurisdictional limitations of MEPA, the proponent agreed to voluntarily provide information under MEPA as it relates to the entire project, including the wind turbine array in federal waters. The purpose of this was to ensure that state issues regarding potential impacts and benefits to Massachusetts would be fully addressed through the MEPA review. Thus the Final EIR contains a wealth of information and analysis on the entire Cape Wind Project.

Nonetheless, my obligation under MEPA is to ensure that the impacts of construction and operation of the portions of the project within Massachusetts's jurisdiction have been adequately avoided, minimized, and mitigated. I find that they have.

To the extent there are questions about the portion of the project located in federal waters that require further study and analysis, they can be addressed in the federal environmental review being conducted by the Minerals Management Service under the National Environmental Policy Act.

State and Federal Review

Let me say a few words about the state and federal environmental review process as it applies to Cape Wind.

Initially, the proponent voluntarily agreed to a coordinated review process between state and federal agencies, and a joint Draft EIR/EIS was filed in November 2004.

However, the federal Energy Policy Act of 2005 shifted federal responsibilities for leading the environmental review from the Army Corps of Engineers to the Department of the Interior's Minerals Management Service. MMS determined that a new Draft EIS was required, and set the state and federal reviews on different schedules.

I have received numerous comments expressing dissatisfaction with the bifurcated review process. Many commenters have asked that I require the proponent to withdraw the Final EIR or extend the comment period to correlate with the federal process.

Under MEPA regulations, I can neither extend the review period nor require the proponent to withdraw the Final EIR to allow additional time to comment. While my strong preference would be to have a coordinated review process, I recognize that the proponent is entirely within its rights to file with MEPA before filing with MMS.

Mitigation

Wind energy represents an indigenous source of virtually emissions-free power. However, as with all other power sources, wind power has potential drawbacks.

The proponent of Cape Wind has proposed several measures to avoid, minimize, and mitigate impacts. I note that for the most part, the proponent proposes mitigation for unavoidable impacts from activities in federal waters, and this mitigation is not required for purposes of MEPA. However, the proponent has voluntarily offered this mitigation in the MEPA context.

In all, the project will provide over \$10 million in mitigation. These mitigation measures consist of the following:

- \$780,000 towards the restoration of Bird Island, off the town of Marion in Buzzards Bay. At 1.5 acres in size, Bird Island provides prime nesting habitat for Roseate and Common Terns, but the island is subject to significant and accelerating erosion. The enhancement of nesting habitat on Bird Island will benefit the same tern population that is subject to potential impacts from the wind turbine array.
- \$4.22 million towards natural resource preservation, marine habitat restoration, and coastal recreation enhancement projects in the area of Cape Cod, Nantucket, and Martha's Vineyard.
- An estimated \$5.6 million in Federal Lease Payments over 20 years, representing 27 percent of the revenues received by the federal government.

Statement of Policy

Finally, let me say that it is the policy of this office that an ambitious program of renewable energy development is in the interests of the citizens of Massachusetts.

The Commonwealth has an obligation to its citizens to promote development of renewable energy.

Global climate change, sea level rise, dependence on foreign oil, and the health impacts of local and regional air pollution create an urgent need for sustainable alternatives to energy produced from fossil fuels. While new technologies are not without impacts themselves, these pale in comparison to the scale of impacts that continued fossil fuel emissions will have on the environment of Massachusetts.

The development of the large scale wind farm as proposed is expressly consistent with and will significantly advance the Commonwealth's energy policy goals, and will provide immediate and significant benefits to air quality and energy reliability in Massachusetts and the Northeast.

Overall, the Cape Wind Project will contribute to the long-term preservation and enhancement of our environment.

Having found the Final EIR of Cape Wind to be adequate, the project may now go forward to state agencies for its requisite permits.