



Andrew Gottlieb *Executive Director*

January 17, 2019

**BOARD OF DIRECTORS**

Margo Fenn  
*President*

Dr. Walter Cruickshank, Acting Director  
Bureau of Ocean Energy Management  
Attention: Program Manager, Office of Renewable Energy  
45600 Woodland Road  
Sterling, VA 20166

Charles Sumner  
*Vice President*

RE: Vineyard Wind COP Draft EIS (Docket No. BOEM-2018-0069)

Bob Ciolek  
*Treasurer*

Dear Dr. Cruickshank:

Maureen O'Shea  
*Clerk*

Founded in 1968, the Association to Preserve Cape Cod (APCC) is the leading nonprofit environmental advocacy and education organization for the Cape Cod, Massachusetts region. APCC works for the adoption of laws, policies and programs that preserve, protect and enhance Cape Cod's natural resources and quality of life.

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On December 19, 2018, APCC issued a public statement endorsing the Vineyard Wind project. The decision to support the project followed comprehensive review by APCC of the project's multiple state regulatory filings through the Massachusetts Environmental Policy Act (MEPA) process, including the project's Final Environmental Impact Report (FEIR), as well as the release of the Bureau of Ocean Energy Management's Draft Environmental Impact Statement (DEIS).

APCC believes Vineyard Wind has largely addressed the major issue areas associated with the project through proposed actions that would avoid, minimize or mitigate most of the potential environmental impacts in the offshore and onshore aspects of the project. In the analysis provided in the DEIS and the FEIR, it was determined that where environmental impacts may be unavoidable, those impacts are likely to be minimal.

APCC recognizes that any project of such a large scale will inevitably have some impacts, and Vineyard Wind is no exception. However, APCC is also keenly aware that impacts to the environment and to humans will be catastrophically more significant if nothing is done to address climate change, and if projects such as Vineyard Wind do not move forward. As the first major offshore wind project in the United States, Vineyard Wind will be a significant step forward in the effort to shift our reliance from greenhouse gas-causing fossil fuels to clean renewable energy sources.

While APCC has expressed support for the project, we recognize that some aspects of project planning are yet to be finalized. Therefore, further project scrutiny in those areas is called for. We also believe there are opportunities to improve proposed mitigation to further protect environmental resources. We encourage Vineyard Wind to continue to work with BOEM, state regulatory agencies and others in addressing the key environmental issues associated with the project. Three areas on which APCC urges particular focus are:

- Protection of marine mammals, especially the critically endangered North Atlantic right whale (*Eubalaena glacialis*).
- Protection of offshore avian species, including federal and state listed species.
- Protection of groundwater at the proposed substation site in Barnstable.

**Marine Mammals:** APCC supports the package of mitigation proposed by Vineyard Wind to protect marine mammals, including the proposed \$3 million contribution for creation of a Wind and Whales Fund to develop innovative methods and technologies that will maximize protections for marine mammals as the U.S. offshore wind industry becomes established. But, in addition to Vineyard Wind's mitigation proposals, APCC recommends that BOEM require the implementation of other mitigation measures described in Appendix D of the DEIS, including long-term passive acoustic monitoring, daily pre-construction passive acoustic monitoring and visual surveys, and the prohibition of pile driving from sunset to sunrise during construction. Protection of marine mammals must be a fundamental component of this project, and APCC calls on BOEM, the National Marine Fisheries Service and Vineyard Wind to continue to seek additional mitigation strategies to further reduce the potential for adverse impacts, especially potential impacts to North Atlantic right whales.

**Avian Species:** The analysis of potential avian impacts conducted for the DEIS concluded that any offshore impacts would likely be negligible to minor. APCC recommends that BOEM require additional mitigation measures it has considered in its analysis that would further reduce potential for impacts to avian species during construction as well as during ongoing operation phases of the project, particularly mitigation that could help reduce the potential for fatalities of federally listed bird species. According to the FEIR, Vineyard Wind is also continuing its consultations with the Massachusetts Division of Fisheries and Wildlife's Natural Heritage and Endangered Species Program (NHESP) regarding potential impacts to federal and state listed avian species, including roseate tern (*Sterna dougallii*), least tern (*Sternula Antillarum*) and piping plover (*Charadrius melodus*). In its written comments on the project's Supplemental Draft Environmental Impact Report (SDEIR), NHESP noted Vineyard Wind's comprehensive mitigation strategy to protect marine mammals and recommended that a similar approach be implemented for listed avian species. APCC supports NHESP's recommendation and looks to further coordination between Vineyard Wind and NHESP, along with BOEM's input, to develop a strategy to maximize protection of listed avian species.

**Substation:** APCC applauds the efforts of Vineyard Wind and the town of Barnstable to develop a Host Community Agreement that facilitates the use of Covell's Beach as the cable landing site, enables onshore underground cable routing to be located entirely within existing roadway layouts, and



establishes coordination between Vineyard Wind and the town on protecting groundwater at the substation site through a spill containment system, stormwater management plan and other mitigation. APCC strongly encourages the project applicant to continue to pursue the possibility of using biodegradable dielectric fluids for the substation's main transformers, as described in the FEIR. Vineyard Wind stated in the FEIR that a Spill Prevention Control and Countermeasures Plan will be developed but will likely not be ready for the upcoming Cape Cod Commission Development of Regional Impact (DRI) review process. Ensuring that water supplies are protected from hazardous material spills is of paramount importance, and APCC therefore recommends that DRI approval be conditioned on the Commission's and the town of Barnstable's review and approval of a completed plan.

APCC is confident that appropriate, comprehensive strategies and mitigation can be devised through continued consultation between Vineyard Wind, BOEM, state agencies and other sources that will help protect rare species and vital natural resources, both offshore and onshore.

Sincerely,



Andrew Gottlieb  
Executive Director



Don Keeran  
Assistant Director