



YOUR VIEW: Don't limit wind to small-scale projects

By **JAY CASHMAN AND JOHN DEVILLARS**

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Patriot Renewables, LLC, the proponent of the South Coast Offshore Wind Project, supports the clean energy bill recently passed by the Massachusetts House of Representatives. Among other benefits, the bill promotes significant investment in energy efficiency and provides important incentives for renewable energy in the commonwealth.

Importantly, the bill also reaffirms in clear, unambiguous language that the Ocean Sanctuaries Act (OSA) was never intended to prohibit off-shore renewable energy projects. The House bill does not change the tough environmental standards and the thorough regulatory and public process for these projects, but it does make clear that the OSA allows these projects to be considered in four of the five ocean sanctuaries.

The OSA was enacted nearly 40 years ago when there was legitimate concern that oil and gas drilling would be allowed off the Massachusetts coast. As a consequence, the Legislature passed a law providing protection for our critical ocean resources, including a prohibition on oil and gas drilling in ocean sanctuaries. At the same time, the act also specifically allowed for the development of electric power generating, transmission and distribution facilities in four of the five ocean sanctuaries if they are found to meet the commonwealth's tough environmental standards and regulations.

This is how the OSA was interpreted in 2003 when the commonwealth's secretary of environmental affairs determined that the Winergy wind farm proposed for Buzzards Bay was allowable under the OSA if, after environmental review, the project demonstrated that it met the public purpose and environmental standards established by the act.

Three years later, however, a new secretary of environmental affairs determined that the Patriot Renewables wind project proposed for Buzzards Bay was not allowed under the OSA.

The House amendment resolves these conflicting interpretations of the statute and ends the confusion they have caused.

More than 85 percent of the commonwealth's coastal waters are designated as ocean sanctuaries. These waters represent virtually all of the viable wind, tidal, wave and ocean current opportunities our state has. The remaining 15 percent include the waters in and around Massachusetts Bay, which are generally unsuitable for wind power development because of their proximity to Logan Airport, their lower wind speeds and deeper waters.

If the commonwealth is serious about wind and ocean energy, we have no choice but to consider well-sited, carefully planned projects in ocean sanctuaries.

Some are choosing to misinterpret the OSA and have opposed the House's reaffirmation of its intent. At the same time they are supporting a Senate bill, the Ocean Management Act, which, while laudable in many respects, would limit off-shore renewable energy to only "small-scale" projects.

By doing so, intentionally or not, they are slamming the door on any meaningful off-shore wind project in Massachusetts, with the exception of Cape Wind, which is located in federal waters.

In effect, they are saying, "Even if a renewable energy project meets environmental standards and provides an important source of clean energy to the commonwealth, we are not willing to consider it."

Declaring more than 85 percent of our coastal waters off-limits is not sound environmental or energy policy, and it ignores the overwhelming public support that exists for well-sited, environmentally sensitive clean energy projects.

There is a demanding environmental permitting process to determine if offshore clean energy projects can be sited without harm to the environment. It is a process that values full public participation and rigorous regulatory review. We support and respect that process. In fact, for the past 18 months we have been collecting extensive data on bird, marine resource and other environmental issues so that we can responsibly participate in the process.

If after public and regulatory review our project and others like it meet the commonwealth's high environmental standards, they can and should proceed. If they don't meet those standards, they will not and should not be constructed.

We believe the House's language clarifying and reaffirming the OSA should stand and the Senate version of the Ocean Management Act should be amended. We anticipate a vigorous debate on these matters when the Legislature addresses them in the New Year. That is as it should be, and it is a debate we welcome.

The question for that debate is clear: Do we want off-shore clean, renewable energy projects, if properly sited and permitted, to be a part of the commonwealth's energy future?

We believe the answer to that question is a resounding "yes."