

From: [Carl Dierker](#)
To: [Curt Spalding](#); [Ira Leighton](#); [Stephen Perkins](#); [James Owens](#); [Carl Deloi](#); [Jackie Leclair](#); [Ann Williams](#); [Elaine T. Stanley](#); [Nancy Grantham](#); [Mike Marsh](#); [Sneeringer, Paul J. NAE](#); [Leann Jensen](#); [Kimberly Tisa](#)
Cc: [Joanna Jerison](#)
Subject: Fw: Globe Article 8/24 about Cape Wind
Date: Friday, August 24, 2012 11:42:46 AM

fyi, in case you didn't see it...

----- Forwarded by Carl Dierker/R1/USEPA/US on 08/24/2012 11:38 AM -----

From: Joanna Jerison/R1/USEPA/US
To: Audrey Zucker/R1/USEPA/US@EPA, Cynthia Catri/R1/USEPA/US@EPA, Carl Dierker/R1/USEPA/US@EPA
Date: 08/24/2012 11:00 AM
Subject: Globe Article 8/24 about Cape Wind

FALMOUTH — Cape Wind said Thursday that it will purchase a Falmouth marina to serve as the base of operations for its offshore wind farm, a powerful signal that the controversial project could soon start construction after a decade of verbal wrangling and regulatory review.

The announcement was made as the Alliance to Protect Nantucket Sound, the main opposition group, filed suit in federal court this week challenging a recent Federal Aviation Administration decision <<http://bostonglobe.com/metro/2012/08/15/faa-rules-cape-wind-project-poses-hazard-planes/OE2wjqPigBiff4jTi31gOP/story.html>> that Cape Wind would not interfere with air traffic. The alliance said the FAA is ignoring public safety.

The separate developments underscore both the increasing optimism of developers and the persistent determination of opponents to stop 130 wind turbines from being built in Nantucket Sound.

East Marine on Falmouth Harbor will serve as the maintenance hub for the turbines once they are built, according to Cape Wind, which said it signed a purchase and sales agreement with the marina this week. The company plans on hiring 50 people, most from the local area. The final sale of the marina will only occur if the project receives financing to build the more than \$2.5 billion project.

"This requires a vision and a willingness to take a risk to make this happen," said Jim Gordon, president of Cape Wind. "We want to show the financial commitment for the operations and maintenance side. . . . We have a lot of confidence we will finance this project."

Cape Wind has made a series of investments lately, including geological testing in the 25-square-mile Nantucket Sound site in preparation for construction. Gordon, who would not reveal the price of the marina, said he expects to close on financing for the turbine project by the second quarter of next year, start construction in 2014, and begin spinning the 440-foot tall turbines in 2015.

The company has guaranteed sales for power only from 101 turbines, but Gordon said that "in the end" he intends to build all 130 proposed turbines. He confirmed Thursday that so far, he has spent more than \$50 million attempting to get the wind farm built.

While the company will use New Bedford as a staging area for the wind farm's construction, the Falmouth location will be used as a permanent headquarters once the wind farm is operational.

"For us, it's all about jobs," said Jay Zavala, president of the Falmouth Chamber of Commerce. "It further diversifies Falmouth's economic base by getting into the offshore clean energy sector. . . . This is just the beginning."

Meanwhile, the Alliance to Protect Nantucket Sound lashed out at the project, saying the FAA's recent decision was politically motivated and overlooked "obvious safety hazards."

The potential danger presented to aircraft by the 440-foot turbines was long a concern of wind farm opponents, but it became a central focus of their campaign as the project received a series of other government approvals.

An earlier determination by the FAA that the turbines did not present a hazard was overturned last year by the US Court of Appeals, which said the agency failed to adequately review how difficult it could be for pilots to navigate over 25 square miles of wind turbines.

That court decision triggered another federal review, which again concluded that Cape Wind would not interfere with planes.

"The FAA ruling shows a complete and utter disregard for public safety," said Audra Parker, president of the alliance. "Cape Wind would place 130 massive turbines, each over 40 stories tall, in the heart of Nantucket Sound. It's abundantly clear to virtually everyone outside of the FAA that it poses serious safety risks to the flying public."

Mark Rodgers, a spokesman for Cape Wind, called the lawsuit "not surprising," saying the FAA "was very clear in laying out what their guidelines are and how it led them to the determination."



FAA rules Cape Wind project poses no hazard to planes

By **Beth Daley** | GLOBE STAFF | AUGUST 15, 2012

COMMENTS SUBSCRIBE

PRINT REPRINTS E-MAIL SHARE

One hundred and thirty towering wind turbines off Cape Cod will not pose any hazard to planes, the Federal Aviation Administration ruled yesterday, clearing what is likely the final federal regulatory hurdle for the controversial project.

The determination is the latest in a series of rulings the FAA has made on the controversial project in Nantucket Sound - and appears to be on the concluding end of an 11-year saga to build the nation's first offshore wind farm. Although Cape Wind officials have not yet announced financing for the more than \$2 billion project, the company has commissioned engineering studies off Cape Cod and says construction will begin next year.

While the danger of the 440-foot turbines to aircraft was always a concern to opponents of the wind farm, it rose in prominence in the last two years as other federal approvals were awarded for the project. The FAA's last no hazard determination - one of several for the project - was overturned last year by the US Court of Appeals who said the agency failed to adequately review how difficult it could be for pilots to navigate over 25 square miles of wind turbines.

Since then, FAA had re-examined the project amid a backdrop of a congressional investigation into FAA's approval of Cape Wind, and leaked emails from FAA officials obtained by the main opposition group that alluded to the extreme political sensitivity of the project.

In this section

Metro

Transit systems falter in the cold

Boston schools search for more space

An invigorated Menino back at City Hall

North Andover prep school discloses behavior of ex-headmaster

Focus on high-crime areas cited in homicide fall in Mass.

Lawrence Mayor William Lantigua hit with a \$5,475 tax lien

Gloucester school will close early

Parents appeal for release of journalist kidnapped in Syria

Chances slim for birds swept in by storm

Malden teen killed crossing highway

Snowmobile investigation to resume

Saugus man faces marijuana charges

Related

- 7/9: Wind farms on land grow with few critics
- 6/4: Developers lining up for Mass. wind farm project

Boston Deals
boston.com/deals

TODAY'S DEAL

- Discount:

Entwistle lawyer asks high court to review murder conviction

BC marching band has date at inaugural

2 casino firms meet Mass. deadlines

“It’s unfortunate the FAA once again ignored very real safety concerns and ignored the previous court decision to revoke Cape Wind’s aviation safety permit,” said Audra Parker, president of the Alliance to Protect Nantucket Sound, the project’s main opposition group. She pledged to appeal this decision and said there are still four other outstanding lawsuits against the project.

- Value:
- You Save:

The FAA released a short statement to the Globe that said the agency “completed an aeronautical study and has determined that the proposed construction of the 130 wind turbines, individually and as a group, has no effect on aeronautical operations.”

The FAA determination is good for 18 months, and Cape Wind has had to go before the agency several times because of the protracted fight to build the project.

“Cape Wind is once again pleased to have received FAA approval,” said Mark Rodgers, a spokesman for Cape Wind. “This is the fourth determination of no hazard during the FAA’s 10-year review of Cape Wind, which began in the Bush administration.”

Cape Wind has overcome years of environmental review and political maneuvering, including opposition from the late Senator Edward M. Kennedy, whose home overlooked Nantucket Sound. More recently, two Wampanoag Native American tribes that the turbines would disturb spiritual sun greetings and ancient burial grounds now covered by the sea. A movie was even made about the project called “Cape Spin - An American Power Struggle.”

US Interior Secretary Kenneth Salazar approved the wind farm in 2010, and the project gained new traction earlier this year when a merger between NStar and Northeast Utilities included a promise for NStar to purchase almost 30 percent of Cape Wind’s output, supposedly giving Cape Wind enough promised sales to likely secure financing. The company had previously negotiated with National Grid to buy 50 percent of the power. But the company has not yet announced any financing.

The FAA examines structures to see if they are so high it would obstruct pilots or whether the array could interfere with radar in finding aircraft. The determination says it will not obstruct pilots because the turbines are below 500 feet which would trigger an “obstruction standard” by the FAA. And an upgrade to the radar in the area - as part of a national upgrade - should ensure there is no interference but if there is, Cape Wind must set aside \$15 million in an escrow account in case problems occur and a new radar system has to be installed.

WAITING FOR SOME QUOTES>