COMMONWEALTH OF MASSACHUSETTS

CAPE COD COMMISSION

HEARING:

VINEYARD WIND CONNECTOR

(CCC FILE NO. 17026)

HELD ON TUESDAY, APRIL 9, 2019

This transcript is prepared by Linda L. Wesson, Certified Verbatim Reporter and Notary Public in and for the Commonwealth of Massachusetts, held at the East Wing Conference Room, Barnstable County Complex, 3195 Main Street, Barnstable, Massachusetts, 02630, commencing at 5:00 p.m.

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HEARING

MR. JONATHAN IDMAN: Thank you. I'm going to start with some introductory information in opening the hearing here. My name is Jonathan Idman; I'm the Chief Regulatory Officer with the Cape Cod Commission. The Cape Cod Commission is holding this Development of Regional Impact review hearing this evening on the Vineyard Wind Connector Project, that's Commission File No. 17026, proposed by Vineyard Wind LLC.

The project is located in the waters of Barnstable County and in the Town of Barnstable with offshore export cable landing at Covell's Beach in Centerville and the onshore export cable terminus at the existing -- near the existing substation in Independence Park in Hyannis.

The order of the hearing this evening will be a presentation by Vineyard Wind LLC, some comments by myself on behalf of Cape Cod Commission staff; we will, after that, open it for public comments including comments from public officials. From there, we'll follow-up as needed with any follow-up comments by Commission staff or from the Vineyard Wind team. And from

there, I'll be continuing the hearing to a follow-up meeting by the Cape Cod Commission.

I'll just note the purpose of the hearing this evening is to hear the presentation of the project by Vineyard Wind and to take public testimony. And, again, what I will do as hearing officer is I will take all the direct testimony and the testimony that's been provided this evening, take all that information and provide a report and recommendation to the full Cape Cod Commission at a hearing. That report and recommendation may take the form of a draft decision at a subsequent Commission meeting for the Commission to consider.

With that, I'd ask for the Vineyard Wind team to present. Thank you.

MR. ADAM KAHN: Good afternoon. My name is Adam Kahn; I'm a lawyer for the project. I just wanted to introduce the Vineyard Wind team and then take it over right away to the presentation.

So the witnesses for Vineyard Wind today are Erich Stevens and, maybe, if you can raise your hand or stand so people can see who

you are; Nate Mayo, Jack Arruda, and from Epsilon Associates Kate McEneaney, Ted Barten, and Holly Carlson-Johnston.

So Nate and Kate are going to give the presentation, and we'll kick it off with Nate.

MR. NATE MAYO: Thanks, Adam. We're all excited to be here and, as evidence, we've brought a bulk of our staff here with us.

All right. Our IT expert is Kate McEneaney, who will be doing the second half of our presentation. So we are excited to be here. This is one of countless meetings that we've had at the state, federal, regional, and local level and it feels appropriate to be here. We feel this project has a sense of identity on the Cape and Islands. And as much as the important state and federal reviews are, this is an important defining moment for the project.

We, also, some of us feel a sense of personal pride, there's a lot of Cape Codders on the team. This is a moment of ownership and pride that our region is moving forward with clean energy.

We've had a great dialogue with

Commission staff over the past few months. It's pretty clear that the Commission's charge and role fits with the project purpose more so than any of those other venues connecting the local interest with the regional. In this case, we added a global purpose. We're balancing the local and the global, and that really is our shared task today in this review.

It seems that the ideas of climate intervention have changed. After all the policy is made, the hard work begins and the projects need to be pursued, and they tend to only happen at the local and regional level at this point. So before us is kind of a transformational renewable energy project for the country but one that the Cape owns.

One point six million tons of CO2 per year, that's a third of a million cars removed from the roads, powering the electricity needs of the Cape and Islands twice over. It's important to the Cape; it's important to the islands, the state. It needs to be done right.

The environment is our backbone here. It's our identity; it's our economy, but we also

know the threats of sea level rise, warming oceans, all the other concerns we're too familiar with, the breathing down our neck and it is in our back yard. So it's our job to respond.

For Southern New England, for the Cape and Islands, offshore wind is our unique contribution; it's our unique energy source. For the Cape, we can contribute to the fight against climate change, but we're doing so as a collaborative approach. We feel we're working closely with communities and environmental interests. You may have seen it in the news; it's in our presentation.

The DRI that we submitted to the Cape Cod Commission also reflects a lot of project refinements over the past two years. We've refined the offshore route to where it's nearly perfectly narrowed down. We've committed to a larger-scale turbine that will reduce the footprint of the offshore facility substantially. And we've, most relevant to this room, committed to a Barnstable route in part through a Host Community Agreement with that community that takes Yarmouth off the table and refines our work

on Cape Cod.

So we're excited to discuss the project. We'll be doing more of that as we go forward. I wanted to give a quick overview. For some of you, this may be a rehashing, but I just wanted to walk through the project.

A bit of background is that we're here because of state and federal policy. The state has passed aggressive clean energy goals and mandated offshore wind as part of the energy mix in 2016. The federal government underwent a multiyear stakeholder process to find out where responsible siting for offshore wind would happen.

For Vineyard Wind, that led to being awarded a lease area in 2015, 15 miles south of the islands. In 2017, we filed our first permits. In 2018, the company was selected to build the first offshore wind farm in the country, first major offshore wind farm in the country. And just recently, a few months ago, we received final environmental state certification, which allows us to pursue local and regional permits.

So a brief bit about who we are. There's global expertise and a lot of experience with offshore wind in the team, but we're anchored locally, headquartered in New Bedford, and a lot of local talent through the Cape and Islands and the south coast, and we're built on a lot of meaningful partnerships in that region.

A quick overview of the project that's been proposed, the full-scale project and not just that for the DRI; it's an 800 megawatt project 35 miles south of the Cape with an export cable connecting the project to the grid, 6.9 miles of which are in Barnstable County waters, and a little over five miles of upland cable routing from Covell's Beach in Centerville to Independence Park that will be entirely in existing roadways. The substation is located in Independence Park adjacent to the existing Eversource substation.

Just a brief mention of some of the collaborative planning; we've worked very closely with the Town of Barnstable over the past year now. We've done extensive consultations in that community and other adjacent communities. I

can't even count the number of open houses and office hours and forums that we've had. They've been very meaningful and we've gotten great feedback and, I think, provided a lot of awareness. But we're also very proud of the Right Whale Protection Agreement that's going to set the standard for how we build these things in the context of especially the North Atlantic Right Whale, and it sets the standard for future developments and a host of local endorsements and partnerships.

So, briefly, on the Host Community Agreement with Barnstable, as I said, extensive discussions with staff. It produced valuable protections for the town and also a Cooperative Collaborative Agreement between the town and the company. Seasonal construction restrictions, design standards for containment at the substation, substantial benefits to the town, and then standards around repaving, traffic management, things like that.

I'm not going to go too deep into project benefits but there are a range of them. Obviously, the main environmental ones, support

to the communities, and a range of other workforce environmental efforts that we've committed to as part of our bid to the state and also our agreements in communities.

So there's kind of three portions to the Cape Cod Commission project that they're reviewing. It's an offshore component in nearshore waters, an onshore component under roads, and then the substation.

Essentially, we don't have to take too much time with this, but a hydroplow installs the cable as it approaches. It is offshore and approaches the shore burying that to a sufficient depth, transitioning to shore with a horizontal directional drill, that's the upper right, which is eliminating impacts to the beach going deep below the beach from a significantly setback achieving a depth of about 30 feet at the tide line, so no human interaction and no risk of exposure. It's both best for the project and for the environment.

Our offshore route, I should add, is a result of extensive multi-year surveys. And you can see in the lower right corner there, that's

sort of a model of one of the transmission cables that will bring power to the Cape.

When we get onshore, it resembles a typical construction project. Roads open, duct bank installed, concrete incased, roads closed. And then in the lower right, you can see the cable is pulled through those duct banks afterwards. We run from Craigville Beach Road after following -- making landfall at Covell's to Strawberry Hill, Wequaquet Lane becomes Phinneys Lane, crosses 132, Attucks Lane and then into Independence Park.

And this is, ultimately, the result. This is a cable that lands at Kalmus Beach in Hyannis, undersea cable that serves Nantucket, with a half dozen of these landfalls on the south side of the Cape that serve the islands. So it's not -- as much as offshore wind seems like a new thing at the very least, undersea cable and underground transmission is pretty established.

Finally, a substation in Independence Park. Again, I said next to the existing Eversource station. A lot of design there a product of extensive discussions with town.

We'll go into further detail later in the presentation.

And I just wanted to highlight for one moment where we are and it's a, you know, pretty vast permitting matrix. You can find us in the lower right there in green. We're at -- a myriad of agencies at the federal level and multi-faceted state review. By receiving our MEPA certificate, which is the certificate for environmental review from the state, that allows us to seek a regional and then local permits. So we are here seeking that reginal approval, and we look forward to dialogue.

I'm going to pass it over to Kate McEneaney, who's handled the DRI and is going to walk through some of the specifics of the DRI as it relates to the Regional Policy Plan.

MR. JONATHAN IDMAN: Can I interrupt for one second?

MR. NATE MAYO: Sure.

MR. JONATHAN IDMAN: Ma'am, just for those in the back that can't see you; you're from CAI and you're taping?

THE REPORTER: Yeah.

MR. JONATHAN IDMAN: Okay. Very good. Thank you.

THE REPORTER: I'm trying to record some sound. Thank you.

MR. JONATHAN IDMAN: Thank you. It's a good thing we have IT here.

MR. NATE MAYO: I want to say it wasn't me but I think it was.

MS. KATE MCENEANEY: Usually you hit like "F" -- there we go.

MR. NATE MAYO: Okay.

MS. KATE MCENEANEY: Thank you, Nate. Hello. I would like to talk a little bit about the project in the context of the Cape Cod Commission review. The project is being reviewed as a Development of Regional Impact or a DRI. And the Commission approves DRIs on the basis of a couple of different standards. The project must be consistent with the Regional Policy Plan. It must be consistent with zoning and local plans, and the benefits must outweigh the detriments. So the focus of my presentation is going to walk through those steps.

So the Regional Policy Plan, a new plan

was adopted in January, has a growth policy for Barnstable County, which is sort of a mission statement for the Regional Policy Plan. It sets the tone for all of the many different planning tools that are contained within the Regional Policy Plan. And the plan articulates sort of a mission statement for the policy -- for the growth policy, and that statement is that the policy should support the vision for the future of Cape Cod as a place of vibrant, sustainable, and healthy communities in a protected natural environment.

So, yes, to that, right? Yes, let's do that. Let's do that here on the Cape; let's do that in our region; let's do that. This project is all about that. It is the first major renewable offshore wind power project in New England. It will offset 1.6 million tons of carbon dioxide annually, as Nate mentioned, that's 325,000 cars. It will provide revenue for the Town of Barnstable. It will set up new sources of funding and new platforms for community partnerships, education, job training, scientific research, and it will do this while

not only protecting but enhancing the resources of the Cape. It's a pretty powerful project.

In terms of the goals and objectives of the Regional Policy Plan, the goals and objectives are formulated to protect the environment of the Cape, and that's conceptualized in three different categories in the RPP, and those categories are Natural Systems, Built Systems, and Community Systems. So, I'm going to touch on those briefly and discuss at a very high level how the project either protects or enhances those resources.

So the first category is Natural Systems, and that category addresses water resources, ocean, wetland, wildlife, open space, resources of the Cape.

So how does the project protect or enhances those resources. Well, first off, the project is providing $16 million in funding to the towns through its Host Community Agreement. The town has since dedicated that money to its Water Stabilization Fund.

The project site design includes secondary containment system that is above

industry standards to ensure that the project possess no impact to the water supply. There's no permanent impacts to wetlands or our species habitat, and the project is proposing a comprehensive suite of protective measurements or best management measures during construction to avoid impacts. And some examples of that are Benthic Habitat Monitoring Plan, Erosion Control Plan, we have Spill Control Prevention Plans; we've got it all covered.

Looking at the Built Systems, Built Systems address community design, coastal resiliency, capital facilities, infrastructure, transportation, energy, and waste management. The project is a very powerful example of a project that can fit well into this category; it provides 800 megawatts of clean renewable energy and at the same time it increases the reliability of our grid.

The siting of the project is context sensitive inconsistent with planning and community design. And, again, we have Best Management Practices to make sure that no impacts to the roads, the transportation systems result

from the construction of the project. An example of that is our Traffic Management Plans that will develop in close coordination with the town to make sure that traffic is kept flowing while we install the cable and the duct bank system in the roads.

Finally, Community Systems address cultural heritage, the economy, and housing. So, again, it's touching on some of these benefits of the project. The Vineyard Wind is proposing some new funds for education and training. It will be a source of new jobs and a really important new industry for the region. There will be no impact to cultural resources. There's a savings to ratepayers and that's according to a study by the Department of Energy Resources, and it will generate revenue through the Host Community Agreement and property taxes.

And I just was touching on different aspects of the substation in particular but now to focus on the substation for a moment. The substation is proposed to be sited on a 6.3 acre parcel of land. This is the undeveloped portion of a property that was the former Cape Cod Times

production facility in Independence Park. It is sited within an area that's designated by the Cape Cod Commission as an Industrial Activity Center, and an Industrial Activity Center is defined as land containing industrial uses that are suitable for future industrial activity as well as emerging industries.

Also, it is sited adjacent to an existing electrical substation and also an existing overhead utility right-of-way. The project is also sited within a Wellhead Protection District, and that's the reason that we have proposed a containment system that goes well above industry standards for containment, and that's specifically associated with the transformers and the dielectric fluid that's used within the transformers.

Just touching on briefly to another aspect of a Regional Policy Plan. These are Regional Performance Standards, and I won't go through the standards, but I just want to mention that there's nine standards, and the project had either no impact to them or a positive impact to them. And the reason that's important is that

for a lot of our development that we see, there's this offset that's a negative impact to these performance standards like protection of biocore habitat and nitrogen loading. It's rare, I think, that you would find a project that has no impact to any of these performance standards, and I think these are the kinds of projects that I would really want to encourage on the Cape and everywhere.

Finally, these are the other sort of major two prongs of the Cape Cod Commission DRI approval that's consistency with local planning and bylaws, and then the benefits versus detriments weighing that's done.

So with regard to the local zoning and plans, we are consistent with the Local Comprehensive Plan. With regard to zoning, which also relates to the District of Critical Planning Concern, the project, we'll be doing zoning partly through the Energy Facilities Siting Board and also through the town in its Host Community Agreement. So both of those relate to the zoning for the project.

And, finally, we come to benefits

versus detriments, and the Commission does sort of a weighing of benefits versus detriments and here it's sort of hard to -- I feel sorry for the scale -- it's like the benefits are so overwhelmingly significant and long-lasting, and there are environmental benefits, there's economic benefits, there's community benefits. And when you look at the detriments, those are mostly associated with construction as like temporary traffic delays or maybe some minor disturbance, dust, and those are temporary and minor. And then we have a whole host of practices and plans that were put in place to make sure that they were avoided as much as possible, and that's all done in very close coordination with the town.

So that's our presentation. I just thank you, all, for being here and look forward to the input. So, thank you.

MR. JONATHAN IDMAN: Thank you, Kate. I also just want to note for the record that I did receive, before the hearing, a document that the Vineyard Wind team -- the Vineyard Wind witnesses are all providing their testimony under

oath today. Those are the folks who are expected to provide testimony or have already done so.

I want to make a brief but important point about Cape Cod Commission DRI jurisdiction here. You've heard references to various elements of the Vineyard Wind project, really the principle project is an offshore wind project, and I want to make the point that the Cape Cod Commission does not have DRI jurisdiction over that particular project. The Cape Cod Commission does not have jurisdiction over the entire connector project either.

The Commission has jurisdiction over the connector project that is located in the land and waters of Barnstable County. And I think you saw a map earlier which, basically, went over those activities and the type of development in Barnstable County that is under DRI jurisdiction. It's basically you can see on the bottom there some of the ocean-based cable that basically makes its way up from Centerville, Covell's Beach in Centerville, ultimately, to Independence Park and the substation in Independence Park.

We also -- staff generated a memorandum

dated April 5. I just want to let the folks here know that there are copies of that on the back table. A copy of that is also located on the Commission's website, and later in my presentation I'll give you an address to the Commission's website where you can go and find that information as well. There's other information about the Vineyard Wind Project.

That staff memorandum basically consists of draft findings. Those are draft Findings of Fact that are derived from the DRI application submitted by Vineyard Wind as well as the supplemental DRI application that was submitted later in April. It also consists of draft conditions that doesn't represent an exhaustive list of all the conditions that Commission Staff thinks will be necessary. But those draft conditions really represent the minimum conditions that are necessary to ensure that the commitments Vineyard Wind is making is articulated in the DRI application, actually, to ensure that they actually carry through on those commitments.

The conditions also in principle part

ensure that the Commission receives final plans on the project if the Commission sees fit to approve this. Given the nature of this project, many of the plans or other information the Commission has received to date are more conceptual in nature so, obviously, sometimes the Commission would need the final layout of the project including the substation that's proposed up in Independence Park.

Within the Regional Policy Plan, the Cape Cod Commission has 14 different goals varying from things like water resources to transportation that are contained in the policy plan as well as corresponding objectives. You'll see in a copy of that staff memorandum as an attachment, I think its Attachment 1 or 2, that there's a checklist of all the goals and objectives that are applicable in this given project. By and large, all the goals except for two were applicable in this project. The two that weren't applicable are housing and waste management. So that attachment gives you a pretty good representation of the RPP areas that the Commission will be looking at in its review.

I want to make a point in the staff memorandum that staff really has not taken a position on this project yet. It has not taken a position on whether the project is consistent with the RPP goals and objectives, is consistent with other DRI standards for review, such as consistency with municipal development bylaws or even whether staff -- staff has not taken a position yet on whether there are benefits for the project that are greater than identified project detriments.

What staff's goal was in developing this memorandum is to really collect information that is contained in the thousands of pages of information that Vineyard Wind has developed throughout the MEPA process and now the DRI process and to try to reduce those to Findings of Fact.

My job after this hearing is to again, as I said, to develop a report and recommendation, and that would be the time that Commission staff takes a position on some of these issues with consistency and provides it to the Cape Cod Commission for its consideration.

This report and recommendation, as I stated, might take the form of a draft decision when these are passed on to -- when these issues are passed on to the full Cape Cod Commission for its consideration.

What I will go over now is not the entire memorandum but just some, what I would consider, points of emphasis and those are really points that require some resolution. These are areas that you may see certain goals in the policy plan either compete or in some cases need to be reconciled. And all these issues relate to the substation.

The first concern is water resources and, in particular, groundwater resources. The substation is proposed in Independence Park, which is zoned an industrial area by the Town of Barnstable. It's also mapped by the Cape Cod Commission as an Industrial Activity Center. Notwithstanding this area is also a groundwater protection area. So you already see this inherent conflict lies between groundwater protection and industrial development. And one argument is this development belongs up in the

industrial park, its industrial type of development, but it's necessary to develop the substation in such a way that it's protective of water resources. That's a primary concern in the Host Community Agreement you heard referenced that the town has entered into with Vineyard Wind. It's also a primary consideration of the Cape Cod Commission.

In terms of water resources, substations use dielectric fluid in order to cool the equipment associated with the substation. And it's typical to use a mineral oil type of solution as dielectric fluid or a cooling agent.

In this particular case in the volumes that are proposed, dielectric fluid constitutes a hazardous material within the parlance of the RPP. And within the parlance of the RPP, the Commission tries to limit the use or certainly the volumes of hazardous materials.

What Vineyard Wind is proposing is to a very risk-conservative approach that you see articulated in the Host Community Agreement which is to provide a very conservative level of containment to protect against any releases of

that dielectric fluid. And, of course, if there were a release, it could affect the water supply in that area.

The other thing Vineyard Wind is doing, you heard reference to that $16 million that's being provided through the Host Community Agreement, you see as an emphasis in the Host Community Agreement that the Town of Barnstable intends to use those payments to further water resource protection in the town.

To that end, what the Town of Barnstable has already done is pursuant to Chapter 40 of the General Laws, the Town of Barnstable through a resolution of its Town Council has already established a Water Stabilization Fund. It has actually taken another resolution to direct a hundred percent of the proceeds anticipated under this Host Community Agreement that would be paid by Vineyard Wind to fund that Water Stabilization Fund. And that Water Stabilization Fund would be used for planning, investigation and, ultimately, development and land restriction would go along with the siting of water infrastructure

development in any wells in that area as well.

So I thought that was an important kind of potential rub point to bring up, this inherent kind of conflict sometimes between industrial development where it belongs but where you also have groundwater protection overlay zones.

Another potential kind of rub point to be reconciled in terms of the substation is open space. So this is an Industrial District, again, Industrial Activity Center by the Cape Cod Commission, but there is a good deal of clearing, about six acres associated with the substation.

So certainly what the Commission has to balance here is this idea of directing development to areas where it's most appropriate, and a substation is arguably appropriate industrial area located near existing substation infrastructure.

At the same time, it requires six acres of clearing, and where you have clearing under the policy plan, the policy plan in the Commission's technical bulletins which are companions to the policy plan look for that clearing to be mitigated. Now, that mitigation

is different in an industrial area than it is in other types of mapped areas around Cape Cod but still looks for mitigation. What Vineyard Wind maintains and what the Commission will entertain is that the $16 million payment under the Host Community Agreement essentially mitigates for that clearing and open space purposes because, ultimately, what will happen with the development of water supply and the siting of water supply is it would have to be some land restriction that goes along with that. So the land restriction would not only serve the purposes of water resources but it would also serve the purposes of open space by conservation restricting certain areas within the Town of Barnstable and, specifically, probably Hyannis.

The last point that the Commission has to look at and potentially resolve is the idea of community design, again, involving the substation. The substation, again, is in an industrial area but somewhat proximate to the proposed substation to the direct east of a utility corridor that's abutting the proposed substation location is housing. So through a few

different mechanisms, housing is allowed within certain industrial areas within the Town of Barnstable, not within the Industrial Limited District but within the Industrial District itself. So there is this potential conflict that needs to be resolved between protecting community character and the compatibility of uses like the substation and approximate housing development.

What Vineyard Wind proposes to do, and you see this set out in the draft findings, is to maintain at least a 50 foot vegetated buffer along Independence Drive in front of the substation and have a 30-foot buffer as allowed given the utility layout directly abutting the substation site heading in a northerly direction. And then in the northeastern part of the site work with the town to provide landscaping to the maximum extent feasible. The other thing Vineyard Wind is doing in terms of mitigation here is around the substation there is a wall proposed. That wall is proposed for two purposes, both visual mitigation and noise mitigation. There may be other purposes for it as well, but those are a few manifest purposes

for this wall around the substation.

So the wall itself, though it may have more of an industrial look, does provide some physical mitigation to this housing development to the east, at least from the housing development from looking into the substation equipment itself.

So these were all intended to, you know, the draft findings speak to these issues, don't take a position, but we imagine that based on the testimony provided today in presenting this to the Cape Cod Commission they would kind of ultimately resolve these issues where there are potentially competing goals in the RPP as applies to this particular project.

I will go over this again after public testimony, but I want to make sure I go over this slide with you now. All the Vineyard Wind information as well as the staff memorandum I just referenced are located on the Commission's website. That's the address. You actually go to the Commission's regulatory page on the Cape Cod Commission website, and I'll put that up again later.

And written comments, I just want to let you know, this Public Hearing will continue to be open so, obviously, written comments can continue to be provided, that can be provided in hard copy with the address you see there. That address is also on the Commission's website. Or if you'd like to email them, which I think we actually prefer as an agency, you can send them directly to my address -- with the email address you see there, JIdman@CapeCodCommission.org.

So with that, I'm going to open the hearing now for public comment beginning with any public officials, and I see at least one here who may want to provide comment. And if you can state your name before you provide comment and speak right into the mic that would be terrific. Thank you.

MR. CHARLES MCLAUGHLIN: Good afternoon. My name is Charles McLaughlin. I'm the attorney representing the Town of Barnstable in this matter, and I've worked very closely with my brother and sister -- brother and counsel at Foley Hoag and its excellent project.

I'm very pleased -- I will limit my

comments significantly and provide some of this material in writing to you. But I do want to bring your attention -- I have brought with me today a letter from Elizabeth Jenkins, who is the Director of Planning and Development for the Town of Barnstable, offering our support for the project and offering her observations after extensive consultation with staff in the Town of Barnstable that this project is consistent with our Local Comprehensive Plan and many of the objectives that we all seek to protect.

I'll leave this. To keep this moving, I will not read the letter to you unless Mr. Idman would like it read into the record. But if I may, I'll give you a copy of this.

MR. JONATHAN IDMAN: Thank you.

MR. CHARLES MCGLAUGHLIN: Secondly, I want to make and, again, we will have some specific and minor comments, relatively minor comments regarding the draft findings which have been provided to us by Commission staff.

Probably the most significant regarding the system design, substation design relates to the primary concern that we all share and that is

an ability to collect any and all of the dielectric fluids that might under any catastrophic imaginary sets of circumstances be released, and that is, obviously, in the thousands of gallons given the size of these transformers. And the concern that we have had is that the system be designed -- the collection system be designed with adequate depth and volume such that in a worst-case scenario, namely being a rainstorm of significant events. The proposal from day one, to Vineyard Wind's credit, was to allow this containment to be designed to 110 percent of the total dielectric fluid volume contained at this substation in all of its component equipment plus an amount necessary to allow a collection of a 24-hour rain event and a hundred year storm. And since that standard was set in their initial presentations to us, we have had and we've seen right down the street in Independence Park two storms last year that in all probability exceeded that amount. And, anecdotally, we've had engineering advice that perhaps a 24-hour standard for a hundred year storm, believe it or not, was inadequate. And,

again, the Cape Wind took to, excuse me, Vineyard Winds -- who is that; I know I've heard the name -- to Vineyard Winds considerable credit, they've agreed to increase that amount and this directly will reflect in some of your resuscitations, Mr. Idman, to an amount equal to 30 inches of -- of at least 30 inches of rain in a 24-hour event where that adds a significant volume of rain collection necessary on top of the total collection of the dielectric fluids. So I just want to make that one observation.

I will tell you also that I came in just a few moments late; one of the benefits that's not noted and it's not a directly-related issue, but I think all should know that the standards that we are working with to finish up on a substation design with Vineyard Wind and with extensive input from everyone involved are very significant and very positive.

But one of the benefits of that discussion is that our friends at Eversource/NStar have been watching these discussions and have also had to come to the town for assistance with redesign and expansion of

their Mid-Cape transmission system. In the process of negotiations with those, they have committed as of this afternoon to a program where for the substation that is next-door, Eversource will retrofit that entire substation to the standard that we set in the Vineyard Wind negotiation.

So, this is a huge win for water protection on the Cape and, quite frankly, we look at, perhaps, with the assistance of the Commission to carry that standard forward throughout the Cape. This is a highly dangerous product in that in minute amounts would render our Mary Dunn water source virtually irretrievable loss if it ever got in there, and we are doing everything we can to protect that. So, I congratulate Vineyard Wind for working with us in partnership for this critical goal.

Any other comments that I have I'll offer in writing to you. Thank you.

MR. JONATHAN IDMAN: Are there any other public officials who would like to provide testimony? Seeing none. I'll start with our list here; Mon Cochran.

MR. MON COCHRAN: Thanks a lot for this opportunity to share some thoughts with you from the Cape Cod Climate Change Collaborative. I'm its Executive Director. The Collaborative is a network organizations and individuals on the Cape and Islands deeply concerned about climate change and dedicated to reducing the regions carbon footprint.

In January of this year, the governing board of the Climate Collaborative, known affectionately as 5Cs, formally endorsed the Vineyard Wind clean energy projects slated for completion in 2021 south of Martha's Vineyard. The Collaborative board has been following the development of the Vineyard Wind project very closely and is impressed by the efforts on the part of the company to develop community agreements with municipal partners on Martha's Vineyard and in the Town of Barnstable.

Vineyard Wind is committed many millions of dollars for a number of initiatives that will be of direct benefit to the Cape and Islands, and you've heard about those already. From our standpoint, we're excited that they

include a program to recruit, mentor, and train Massachusetts workers, particularly those in southeastern Massachusetts for careers in the new offshore wind industry, partnering with vocational schools, community colleges, and others.

The company plans to invest millions in a Marine Mammals and Wind Fund designed to develop innovative methods and technologies for protecting marine mammals. As the Massachusetts and U.S. offshore wind industry continues to grow, these initiatives demonstrate in our minds a sensitivity to local needs and concerns that Vineyard Wind brings to the table.

Beyond the 800 megawatts of electricity that Vineyard Wind will bring to the Cape, the company plans to invest significantly in a local microgrid storage and resiliency measures, which are very important to us. These funds will be aimed at helping low-income ratepayers cover their utility costs and provide battery storage for Cape and Islands communities.

The Cape Cod Climate Change Collaborative cannot stress strongly enough the

urgency with which our climate crisis must be addressed. Our children and grandchildren are counting on us to make the critical decisions needed now to protect them from the worst impacts of rising seas, ocean acidification, and violent weather. Vineyard Wind has demonstrated its willingness and even eagerness to work collaboratively in bringing clean electricity to the Cape and Islands.

The Cape Cod Climate Change Collaborative urges the Cape Cod Commission to fast-track the Vineyard Wind project to completion. Thank you.

MR. JONATHAN IDMAN: Did you want to leave the written comments? Thank you. Don Keeran.

MR. DON KEERAN: Good afternoon. My name is Don Keeran; I'm Assistant Director with the Association to Preserve Cape Cod. We're the Cape's leading region-wide nonprofit environmental advocacy and education organization. And to preface my comments today, I wanted to let the Commission know and the audience know that in December of last year,

2018, the APCC organization formally endorsed the Vineyard Wind project and, I believe, we were the first environmental organization to come forward with that endorsement. And we continue to endorse the project; we think it's very important, it's very necessary for Cape Cod, very necessary for Massachusetts, very necessary for our nation, very necessary for the global initiative to move forward and address climate change.

And in endorsing the project, what we said at the time was that in addition to it being a very important project, we felt very strongly that it needed to go forward in its permitting and regulatory review process and do the necessary due diligence in all aspects of the project to make sure that it's done right.

And APCC was not going to shirk its responsibility, and we were going to continue to look at the project critically when we needed to but, again, in a light that we continue to endorse the project and very much in favor of it.

And as Nate Mayo said in his presentation, it needs to be done right, and we

totally agree with that. So in reviewing the DRI application and the supplemental information that was brought forward, we want to make note of a couple of things, things that we believe, first of all, are in the category of dotting the I's and crossing the T's. And I think that the Cape Cod Commission will do its due diligence in making sure that these things are done correctly but we want to state them. Those include but are not limited to what we would think are conditional requirements, things that may not necessarily be finalized in their preparation right now but should be made conditional that they are finalized before the Commission gives final approval. Those include: file Site Plans and Containment Design details, final Substation Spill Prevention and Response Plan, the final Stormwater Management Plans for the substation site and things like that.

So, again, I believe that the Commission will do its part to make sure that those final plans, which are very important to protection of the water supply which we've been talking about all evening long, are continued to

be protected.

And the other thing that I wanted to bring up that was mentioned by Jon Idman in his presentation was the open space requirement and Vineyard Wind's proposal to the Commission to utilize the $16 million or to designate the $16 million that is being given to the Town of Barnstable in the Host Community Agreement as meeting the open space requirement.

And as Jon said and, again, in his presentation that for industrial areas, the Commission requires a one-to-one ratio open space for land clearing. So for every acre of land cleared, there should be one acre of open space required. And that's, I believe, that's the minimum requirement outside of maybe a Growth Activity Center that the Commission requires, so that in other areas they require more open space for projects.

And, again, the spirit of it needs to be done right, we believe that Vineyard Wind should play by those rules that were set through the regulatory process to set aside the proper amount of open space.

Now, having said that, if the Town of Barnstable affirms that they are going to in the funds that were provided in the Host Community Agreement will set aside open space as part of that process of protecting the water supply and not just swapping land with state agencies that's already -- land that's already protected. But if it's additional open space for this purpose, APCC would be perfectly satisfied with that. We would urge the Commission to except that as a proper mitigation. If that's not the case then we would suggest to the Commission that Vineyard Wind goes forward with supplying the necessary open space for that.

And I want to circle back to what I said before, APCC totally supports this project. We think it's an important project, very necessary. We congratulate Vineyard Wind on all the work that it's done so far bringing this to this point through federal process, the state process, working with the local communities, and then with the regional government. So we look forward to seeing the future progression of this project through the Cape Cod Commission DRI

process, and we hope that you'll take into consideration our comments here, and we anticipate submitting some written comments to follow-up on that too.

If you have any questions, we're happy to answer them at any time. Thank you.

MR. JONATHAN IDMAN: Thanks, Don. Lindsay Crouch.

MS. LINDSAY CROUCH: Hi. My name is Lindsay Crouch; I live in Hyannis, and I just wanted to make a brief comment in favor of the project. Because of Cape Cod's location, we're such a coastal community, we're at very high risk of climate change affects. So I believe that it's really important that we move forward with projects such as Vineyard Wind in order to reduce our reliance on fossil fuels and gas towards more renewable energy.

And I believe that Vineyard Wind has been very thorough in their addressing any negative impacts that could come up from this project and mitigating the negative impacts that they see.

And the drawbacks such as the

inconvenience of the road construction and things like the substation, all that, they've been really good with addressing all those problems, and I believe that those negatives are outweighed by all the benefits that we're going to get from this project both environmentally and for the town. And I hope that this project becomes an example for the rest of the country to follow. And it's really important for our community, for our state, and our whole country.

So, I hope that the Commission will go forward with approving this project.

Thank you.

MR. JONATHAN IDMAN: Thank you. I'm trying my best with this one; Michelle Sears?

MS. MICHELLE SCARLET: Scarlet.

MR. JONATHAN IDMAN: Scarlet, wow, I was off. I'm sorry.

MS. MICHELLE SCARLET: Hi. I am Michelle Scarlet; I'm a resident of Centerville. And I think Vineyard Wind is an exciting project that will greatly reduce our carbon emissions.

As I said, I live in Centerville and every day, practically, I drive along Craigville

Beach Road. I go to Covell's Beach; I go to Craigville Beach, and I've been to several town meetings, and I've been impressed how they're just kind of viewing it as another construction project and will do what they can so it's not such an inconvenience.

Like the other people said, I'm worried about climate change. I think Vineyard Wind can have a real impact, and I hope the Commission will approve it, and we can move forward and really provide an excellent example of what can happen.

Thank you.

MR. JONATHAN IDMAN: Thank you. Jim Wolf.

MR. JIM WOLF: I'm Jim Wolf. I'm here -- I'm Sustainability Director at Cape Air, and I'm also on the Cape Cod Climate Change Collaborative. And this morning I went to Rhode Island; I went to the Rhode Island Marine Trade Association meeting where -- it's a big conference, and there's a transition happening and it's a transition to electricity. We're going to need more.

My brother Dan was asked to speak there as a keynote speaker to talk about sustainability. And at Cape Air we define sustainability initially as an environmental quest which is -- what we're doing now is going to be doable a hundred years from now or something better. So we're not going to extract.

And I was listing to Dan talk about "Sussilience," which is his coined word that he wants everybody to use, which is a combination of sustainability and resilience. (Laughter.) They were scratching their heads for a while on that. Sometimes his things don't go over that big. (Laughter.)

But, anyway, I was thinking of being a kid and having one of those airplanes that you go like this and the rubber band and it flies. And that was a non-extractive sustainable airplane because the rubber tree that the rubber band was made from continued to live afterwards and you could get more rubber and more airplanes.

So, you know, I guess everything that I've heard today is great. This is a great hearing because I think that we're at the point

now -- by the way, I live in Yarmouth but I work in Hyannis, and I wish my town that I live in would've accepted the cable ashore there, but I think that Barnstable has a great thing going. And as a sustainable company that defines sustainability as, you know, sustaining our relationship with the community, I have never seen a company go through this. And, by the way, we are a highly-regulated industry. We are working on two new planes to replace our Cessna 402 fleet. One of them happens to be electric. We're thinking that we will have fully electric nine-seater commuters by 2025 maybe. And we need more electricity, and this project is absolutely giving to the community. This company is a sustainable company. I hope they build a lot more. They came to Cape Cod and they -- and this $15 million and all the things they are doing are terrific.

So, let's do it, man, and let's fly around in planes that are from the wind. That's what's coming at us. We can't do it unless the Cape Cod Commission keeps the ball rolling there. Okay. (Laughter.)

Thank you, very much.

MR. JONATHAN IDMAN: Thank you. Gordon Starr.

MR. GORDON STARR: Good afternoon. My name is Gordon Starr; I'm a resident of Barnstable. I think this project is wonderful. We needed this important project especially for mitigating climate change. We spent a lot of time talking about how are we going to adapt to the climate change, but I think this is a great project that works on the other side of the coin.

The Barnstable Host Agreement that Charlie was talking about, they negotiated for -- they've done a great job negotiating back and forth and coming up with a great agreement with the planning staff, the legal staff.

I think it meshes well with the RPP, the whole project, and supports the spirit of the Global Warming Solutions Act of Massachusetts. So, I'm all for it. I think we should move ahead with it.

Thank you.

MR. JONATHAN IDMAN: Thank you. Sheila Place.

MS. SHEILA PLACE: Hi, there. To repeat, my name is Sheila Place. Thank you, very much for the opportunity to speak to you this evening. I've lived on Cape Cod for almost 24 years, most of that in Barnstable, but I was foolish enough to move to Yarmouth Port, now I won't get the benefit of the funds. (Laughter.) But since I spent so much time in Barnstable, good for them.

I'm here to express my very strong support for Vineyard Wind. I'm grateful for the important role that you, the Cape Cod Commission, provide in guiding development in our fragile area. And I can't imagine a more important time to be supportive of climate mitigation opportunities, and Vineyard Wind is essential in that regard.

We're watching Cape Cod disappear a little bit each year, and we know better than people in lots of places how much of an issue is sea-level rise. We simply must rapidly decrease our dependence on fossil fuels, and 800 megawatts of clean energy is a major step in that direction.

Beyond that, it's the leading edge of additional wind energy development and maybe it's coming just in the nick of time.

I urge the Cape Cod Commission to support this project. If we fail to do this, it's a failure of all of us.

MR. JONATHAN IDMAN: Thank you. According to the sheets, nobody else has expressed an interest in providing testimony. But if anybody would like to do so, please feel free to do so. Yes, sir. Can you please state your name?

MR. RICHARD DELANEY: I thought I checked the box; I'm sorry. I'm Richard Delaney; I'm the President of the Center for Coastal Studies, and the center is an independent nonprofit research education and policy organization. Our mission is to increase our understanding of ocean and coastal ecosystems and share that information with decision-makers in the hopes that they will be able to make more sustainable decisions in the way we manage our ocean and coastal resources.

And the decision-makers are elected

officials, business people, and all of us everyday people who make decisions every day about that impact our oceans and coast.

But today I just want to speak to how that translated into working with Vineyard Wind. Our marine mammal experts use their expertise to enter into a series of really productive, honest discussions with Vineyard Wind representatives, and that led to, basically, Findings No. 50, 51, 52, and 53, all of which are in our estimation the gold standard for any activity that could be seen or foreseen in the ocean to protect marine mammals.

So I just want to publicly congratulate and thank Vineyard Wind for being such a progressive and open organization producing a standard that will be needed to be met by subsequent wind development projects up and down the East Coast.

And I'll just close by saying I think what we all know in this room, we are rapidly approaching serious tipping points for the existence and the health of ocean -- or all planet but particularly ocean ecosystems. And so

to have this project produce major renewable energy to offset that is something that absolutely must happen, and we need more of them in the future.

Thanks, very much.

MR. JONATHAN IDMAN: Thank you. Anybody else like to provide testimony? Counselor, any follow-up necessary?

MR. ADAM KAHN: I don't think so.

MR. JONATHAN IDMAN: Okay. I will, with that, I appreciate everybody coming out this evening. I'm going to continue this hearing to Thursday, May 2, at 3 p.m., this room, East Wing Conference Room, 3195 Main Street, Barnstable, Massachusetts 02630.

Thank you.

(Whereupon, the hearing was concluded at 6:08 p.m.)

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE, SS

I, Linda L. Wesson, a Certified Verbatim Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing volume is a true and accurate transcript, prepared to the best of my ability, of the Cape Cod Commission Hearing, which was held on Tuesday, April 9, 2019, at the East Wing Conference Room, Barnstable County Complex, 3195 Main Street, Barnstable, Massachusetts, 02630.

4/11/19
Date

Linda L. Wesson
Linda L. Wesson, CVR
Notary Public
My Commission Expires: June 3, 2022

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