



# TOWN OF YARMOUTH

1146 ROUTE 28. SOUTH YARMOUTH. MASSACHUSETTS 02664-4492  
Telephone (508) 398-2231 Ext. 1271. Fax (508) 398-2365

BOARD OF  
SELECTMEN

TOWN  
ADMINISTRATOR  
Daniel M. Knapik

June 8, 2018

Secretary Matthew A. Beaton  
Attn: MEPA Office (Ms. Purvi Patel)  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Re: Vineyard Wind Connector Project (EEA# 15787)

Dear Secretary Beaton:

The Town of Yarmouth has reviewed the Draft Environmental Impact Report (DEIR), as it has been identified by the Vineyard Wind Connector Project as a potential location for the landing of the project's high voltage electric cable. The proposed site is Lewis Bay with a landing location at New Hampshire Avenue, which is a residential neighborhood. As proposed, the cable then would generally be buried within the Town right-of-way underneath a number of streets, eventually making its way to a substation in Barnstable. The Board of Selectmen, on behalf of the Yarmouth Division of Natural Resources, and a number of Town residents respectfully submit to your office the following questions, comments and requests for additional information for consideration. Items listed in this letter may not be all inclusive:

1. The Town requests that the comment period be extended one month to allow additional time for town boards and residents to comment. The Town feels that this extension request is not burdensome to the applicant, and an appropriate request considering the magnitude of the project and its potential impact to our region.
2. The comments provided in the DEIR do not adequately provide the detailed information requested in order to fully evaluate the potential impacts of this project to Lewis Bay. The Town of Yarmouth has not received any current supplemental surveys or monitoring data. The Town requests the applicant fund a study of the Lewis Bay area in order to develop a baseline of its current state of health and to assist in a proper post project remediation plan and development of a monitoring plan. The Town would like to have an independent study performed which would expand and update previous studies done in 2007 and 2009. The past studies concluded that Lewis Bay was a nitrogen-impaired ecosystem in regard to: water quality, bottom vegetation, benthic animal communities, eelgrass, flushing, and sediment accretion.
  - a. Lewis Bay is a nitrogen sensitive watershed and the Town of Yarmouth is required to meet a Total Maximum Daily Load (TMDL issued March 3, 2015) for nitrogen for the watershed. As shown in the TMDL 28 percent of the nitrogen load comes from the sediment in Lewis Bay. The Proponent states in Section 4.3.1 that the cable installation will disturb a six feet wide trench with minor machine disturbance up to 20-feet wide and result in a minor impact. In Section 4.3.5 it is predicted that up to a 10 mg/l increase in total suspended solids (TSS) will likely occur above ambient levels. The release of

additional nitrogen and increased TSS resulting in decreased light levels will only serve to further impact an existing degraded water body. How will the Proponent mitigate these two important issues and what is the predicted timeframe for these construction impacts to return to pre-construction conditions?

- b. The loss of eelgrass over the past 50 plus years has mainly occurred in the area of the proposed cable installations (2007 Mass Estuaries Project (MEP) Report and DEIR). The Town of Yarmouth is working on implementing a nitrogen reduction program to meet the TMDL and help re-establish over 200 acres of eelgrass in that area. How will the Proponent mitigate impacts to re-establishing the valuable eelgrass habitat in the inner Lewis Bay area?
  - c. There is a valuable shellfish area in the Lewis Bay inner harbor area as detailed in the DEIR (Figure 4-7). The proposed cable installation route goes directly through that area. Shellfish help remove a significant amount of nitrogen from the existing water body. Impacts to the shellfish will decrease the amount of nitrogen being removed and again impact the existing degraded water quality. How will the Proponent mitigate this issue both short-term and long-term as a result of the cable installations?
  - d. To meet the Lewis Bay TMDL the Town of Yarmouth is proposing to remove up to 80 percent of the nitrogen in the watershed coming from on-site septic systems. That will require a significant amount of sewerage to be constructed. Sewers are currently proposed for all the streets where the landside cables are proposed to be installed in Yarmouth. The Town needs to adequately plan for their sewer locations and other utilities (water, gas, electric, etc.). We understand the cable splicing structures and cable trenches are of significant size. How will the Proponent mitigate these potential conflicts within the rights-of-ways for the impacted streets?
3. The comments provided in the DEIR do not adequately provide the detailed information requested in order to fully evaluate the potential impacts of this project to Lewis Bay. The Town of Yarmouth has not received any current supplemental surveys or monitoring data. The Town requests that the applicant fund an independent study that updates a 2010/2011 Army Corps of Engineer's study pertaining to the existing conditions, the tributaries, flushing and retention of tidal waters throughout the watershed including the Hyannis Outer Harbor and how the planned project may impact future municipal efforts that may be used to improve flushing, water quality, shellfish habitat and navigational channel maintenance and improvement dredging.
4. The comments provided in the DEIR do not adequately provide the detailed information requested in order to fully evaluate the potential impacts of this project to Lewis Bay. The Town of Yarmouth has not received any current supplemental surveys or monitoring data. The Town requests that the applicant fund an independent study related to characterizing the present and post construction condition of the bay scallop population and its fishery. There appears to be no data on impact studies on bay scallops associated with the jet plowing installation process, maintenance, repairs and decommissioning of the transmission lines, electromagnetic impacts, substrate temperature increase and habitat loss. The scallop fishery is an intricate part of the commercial and recreational fishery activity that the Town has worked diligently to improve its productivity. The proponents have identified in the DEIR that the Barnstable Shellfish Constable has indicated that no shell fishing occurs at the alternate landfall of Covells Beach, however, Lewis Bay has a moderate to high amount of shell fishing activity including but not limited to recreational, commercial and aquaculture interests.

5. The comments provided in the DEIR do not adequately provide the detailed information requested in order to fully evaluate the potential impacts of this project to Lewis Bay. The Town of Yarmouth has not received any current supplemental surveys or monitoring data. The Town requests that the applicant fund an independent study or provide case study associated with sediment conditions similar to Lewis Bay related to the impacts on the recreational and commercial boating and fishing industry. The shallowness of the water and varying substrate depth may leave the cable at a depth of 8-10' from this activity. The effects and potential impacts of magnetic field interference on navigation equipment are not known.
6. The comments provided in the DEIR do not adequately provide the detailed information requested in order to fully evaluate the potential impacts of this project to Lewis Bay. The Town of Yarmouth has not received any current supplemental surveys or monitoring data. The Town requests that the applicant fund a habitat restoration and enhancement plan to offset any effects associated with the installation, maintenance, operation or any unforeseen or unanticipated future impacts to shellfish beds or habitat. The plan should provide information on the present condition of the habitat and document the steps needed to improve and then maintain the bay scallop, quahog, soft-shelled clam and oyster habitat and or population. Additionally, any loss of habitat resulting from the projects installation, maintenance, operation or any unforeseen/unanticipated future impacts, the Town would insist on compensation for that loss to the town, commercial fishermen and/or aquaculturists. The plan should account for the baseline conditions, installation, maintenance activities and decommissioning.
7. The comments provided in the DEIR do not adequately provide the detailed information requested in order to fully evaluate the potential impacts of this project to Lewis Bay. The Town of Yarmouth has not received any current supplemental information or detailed data supporting the Lewis Bay land fall over the two additional land fall options. The Town requests that the applicant provide more detailed justification or an independent study evaluating the three potential landing locations and routes, identifying hazards both to the environment and to the population, impacts on property values and a plan to mitigate these impacts if found. The study should address the various costs associated with each route, the environmental impacts and the impacts to the recreational and commercial boating/fishing industry shellfish habitat and shell fishing and aquaculture impacts. The three routes are: a route and landing through Lewis Bay, a route and landing at Great Island, and a route and landing at Covells Beach in Barnstable. As noted in the 2015 Massachusetts Ocean Management Plan: cables and pipelines... in order to minimize cumulative impacts, linear infrastructure should be located within common or adjacent corridors. Under this plan, Lewis Bay has been identified as an area to avoid. The alternatives analysis for landfall sites (sect 3.4.4.2) lists a number of criteria used to choose the preferred site. These include environmental criteria, cost, construction feasibility and municipal and regulatory input. Specific environmental criteria include:
  - a. "Wetland Resource Areas, including Land Containing Shellfish"
  - b. State-listed Rare Species Habitat
  - c. Public Water Supplies
  - d. Article 97-Jurisdictional Land
  - e. Eelgrass impacts
8. The DEIR contains no quantitative analysis or comparisons on any wetland resource impacts, and the DEIR only states a conclusion of their analysis – that New Hampshire Avenue was selected as the preferred route. It also states that the preferred route predominantly follows the same route that was approved for the Cape Wind project
9. The 2015 Massachusetts Ocean Management Plan lists the entire south coast of Yarmouth as an "area to avoid" and an "area of concern" for the siting of offshore wind transmission cables. The Town requests that the state require the applicant to provide specific information related to why

Yarmouth has been identified as the preferred route and why none of the other potential cable routes and corridors suggested in the Ocean Management Plan, as well as the applicants plan, are being considered.

10. The Town requests that the applicant undertake all reasonable measures to avoid cable impacts, minimizing of cable breaks, and provide for the analysis related to the safety measures and options. This may include requiring the applicant to bury the cable deeper than proposed (less than six feet) or provide an insulated/armored protective cover on the cable in anchorage and mooring fields. The proposed corridor crosses through a portion of a 60 vessel Town of Yarmouth mooring field and anchorage area. The proposed cables buried at 6 feet would not interfere with traditional moorings in this area, however future use of helical type moorings in this area could damage the cables and storm anchoring may impact the cable if not buried deep enough or comes exposed.
11. The Town requests that the state require the applicant to utilize environmentally safe materials and liquids for the project. The Town would like for the state to require that the applicant report the materials list to the Town prior to the start of construction as construction techniques and materials may change.
12. The Town requests that the state require the applicant to disclose the potential unintended consequences of installation of ocean/land based transmission lines. Further, the Town requests that the state require the applicant develop a plan for mitigation and bear the costs associated with any mitigation for the expected life of the cable and infrastructure, and also establish a decommissioning fund to be used to insure the cable and infrastructure if removal is required.
13. The Town requests that the state require the applicant to participate in the evaluation and costs associated with any required dredging or restoration work as part of any Lewis Bay improvement or restoration related project.
14. The Town requests that the state require the applicant to report all impacts to the Town including how the project would affect present utilities and the locating of future utilities (sewer/water/electrical/gas/telecomm) in the area of the cable path, roadways, and sidewalks along the intended route. The town requests the state to require the applicant to pay for costs associated with mitigating or relocating the present or future utilities, including engineering services, design services and any needed construction.
15. The Town requests that the state require more detailed information on the planned cable corridors width once the cable reaches Lewis Bay as the area of disturbance and potential impacts may be greater than presented as figures 9-2 and 9-4 illustrates a potential corridor width of 1,640 feet. This corridor width may be adequate in open water areas, this corridor should be much narrower within the Bay and in any nearshore area.
16. The DEIR describes the option of using either open trenching or HDD at either of the proposed landfall sites. The HDD clearly has less direct and indirect impact to coastal resources, including Land Under Ocean and Coastal Beach. The use of HDD avoids the necessity of constructing a 30' x 215' long coffer dam, extending across the beach face and going out through the intertidal area and out into the bay. In addition to direct impacts within the foot print of this structure, there will be construction impacts (sedimentation, barge anchoring, etc.) both during construction and then during the removal of this coffer dam. The sediment dispersion modeling study does not include this portion of the project (Att. H).
17. The Town requests that the state or the appropriate agency limit the landfall capacity as not to allow for further cable capacity to prevent any future known or unknown utility to utilize any

unused bank capacity, including any capacity that may be being proposed for reserve in case of a cable break or other issue that may arise.

18. The Town requests that the proponent establish an account for the identified municipality's where a landfall and cable route of the Vineyard Wind Connector are proposed in order to hire experts to include, but not limited to, engineering; environmental; coastal geologist; maritime or any other appropriate consultant to provide expertise in reviewing the proponent's project so as not to burden the taxpaying public of the Town of Yarmouth or other communities for a private entitled financial benefit. The amount should be set and agreed upon by both parties.
19. New Hampshire Avenue Landing Site appears to have several construction related impacts due to HDD excavation pits, staging areas, etc. that will impact traffic and seasonal use of the town sailing club. How will the Proponent mitigate these construction impacts?
20. After reviewing the DEIR, including the comment letters from other reviewing agencies and interested parties and Vineyard Winds responses to their comments, we would be interested in seeing more detailed responses to the following:

MEP: 11, 16, 17, 20, 25, 26, 38, 40, 43, 44, 52

DEP: 01, 03, 04

CZM: 05, 07, 08, 09, 10, 19, 20

CCC: 01

BAR: 01, 05, 06, 09

APCC: 02, 03, 04, 05, 06, 11, 12

AUD: 02, 03

APNS: 02

NEIGH: 01, 02, 03, 04, 05, 06, 07, 08

Sincerely,



Daniel M. Knapik

Town Administrator