

Christine Greeley, Limited Participant
48 Glenwood Street
West Yarmouth, MA 02673
greeleyc@comcast.net
781-467-9936

John C. Henderson, Limited Participant
12 Congressional Drive
Yarmouth Port, MA 02675
jchone@comcast.net
508-362-1978

David Bernstein, Limited Participant
2 Wisteria Road
West Yarmouth, Ma. 02673
drbern@comcast.net
413-478-3394

Ronna Johnson, Limited Participant
25 Cove Road
West Yarmouth, MA 02673
ronna.johnson@tufts.edu
(617) 923-2481

November 28, 2018

M. Kathryn Sedor, Esq., Presiding Officer
Senior Officer/Hearing Officer
MA Energy Facilities Siting Board
One South Station, 5th Floor
Boston, MA 02110

via email: kathryn.sedor@state.ma.us

Re: Written Comments Regarding Testimony: Vineyard Wind Connector Project
EFSB 17-05; D.P.U. 18-18; D.P.U. 18-19

Dear Attorney Sedor:

Please accept this letter to the Energy Facilities Siting Board as our Written Comments by the undersigned Limited Participants who reside in Yarmouth, MA in response to the testimony and evidence regarding the proposed Vineyard Wind Connector Project. Representatives of the undersigned Limited Participants attended each of the October EFSB hearings regarding the Project. We offer these comments and observations as additions to our prior filings in opposition to the burial of high voltage electrical transmission cables through Lewis Bay and the landing of the cables at New Hampshire Avenue, West Yarmouth, MA. We have seen and fully support the comments filed separately by Michael Dunbar and Edmund Janiunas.

Landing Through Lewis Bay versus Covell's Beach

1. Bringing the high voltage electrical transmission cables to Lewis Bay requires that the proposed Vineyard Wind cables pass directly over the existing National Grid cables which connect Cape Cod to Nantucket. The proposed Vineyard Wind cables would be

- placed only 4 feet over the existing cables and would require armoring. Landing the cables at Covell's Beach would leave the current and proposed cables safely separated.
2. The off-shore cable route to Covell's Beach is significantly shorter (36.8 versus 41.2 miles). The cables would remain in open waters versus installation through a significant commercial and recreational harbor entrance and shallow bay.
 3. The Hyannis Channel and Hyannis Harbor entrance is subject to significant shoaling and accretion as evidenced by historical maps of Smith's Point and Egg Island. The maps presented in evidence need updating. The testimony suggested the installation vessels needed in Lewis Bay and the construction work would require a 1640 ft. safety zone. This is not possible as current estimates of the width are 900 feet. An Army Corp of Engineers application would also be required as it is a Federally designated channel.
 4. In addition, construction would require the temporary closure of the channel to the ferry boats servicing Nantucket and Martha's Vineyard. Hyannis Harbor and the channel are extremely busy all year. In the month of November when Vineyard Wind proposes to do the actual cable installation, the channel continues to be very busy with round trip passenger ferries which service both Nantucket and Martha's Vineyard, supply ferries, commercial fishing boats and personal craft.

Lewis Bay Issues

1. Lewis Bay is a shallow estuary. As testified, dynamic positioning vessels have problems in shallow water. Surveys done earlier this year of Lewis Bay literally lacked data from significant portions of the Bay because the water was too shallow to allow the vessel to operate throughout the Bay. Cable installation in the Bay will require anchoring which will increase the disturbance of the substrate and may lead to the mortality of undersea plant life, fish life and shellfish life.
2. Lewis Bay has significant recreational boating and mooring areas; there are long waiting lists for the small numbers of Yarmouth boat slips. As testified, there will be long-term exclusion zones and mooring field prohibitions on helical moorings or grabbing anchors in the event cables are buried in Lewis Bay along the proposed route. There was no discussion regarding whether the Town of Yarmouth or Vineyard Wind bears the duty to warn boaters of the No Mooring and No Anchoring Zones due to high voltage electrical transmission cables buried under the seabed. The Vineyard Wind witnesses simply stated they would place such warning signs if the Town of Yarmouth requested it. This approach totally lacked any regard for the recreational uses of Lewis Bay by boaters, swimmers and shell fishermen. There was no consideration given to the obvious question whether such signage would reduce recreational use by tourists and residents alike. There was no discussion of the legal liability for failure to warn.

3. There is a discrepancy regarding the testimony that the Yarmouth Director of Natural Resources approved a 100-foot exclusion zone on each side of the 200-foot-wide trench path. We believe no approval has been given.
4. Both aquafarmer Michael Dunbar and aquafarmer Edmund Janiunas have submitted Written Comments regarding their significant concerns about the impact of the installation of cables on commercial aquafarms in Lewis Bay. During testimony, and in a subsequent public meeting in Chatham on November 19, 2018 with Vineyard Wind consultants, it was acknowledged that research on long-term electro-magnetism is incomplete, especially in shallow waters.
5. The recent daily appearance of seals in Lewis Bay was not contemplated in the testimony about Marine Mammal restrictions and needs to be investigated.

New Hampshire Avenue Landing Site

1. As noted, the proposed landing crosses a commercial bay scallop area, a recreational shellfish area and mooring field before landing. There was no testimony regarding the presence of a Town of Yarmouth Youth Sailing Program within 100 yards of the proposed landing site. The landing site sits between two homes that border the narrow roadway. As stated in testimony, there are abutters to the cable installation starting at 16 to 20 feet while at Covell's Beach there is "the luxury of a lot of distance." The total distance between the two pieces of private property, as shown in the photograph below, is less than 30'.



2. The entire New Hampshire Avenue landing area is a small road that provides limited space, will require closures and presents significant challenges for noise mitigation/barriers as noted by Vineyard Wind experts. As testified, there will need to be an alternative emergency vehicle access for the nearby homes; Shore Road was proposed as an alternative route. We note that Shore Road is subject to flooding with salt water two times each day during high tides. The following two photographs were taken in November 2018 showing daily flooding from Lewis Bay onto Shore Road at high tide.





This flooding issue does not exist at the Covell's Beach landing.

3. Flooding occurs in the area on a regular basis making sections of Shore Road, New Hampshire Avenue and Berry Avenue impassible. Consequently, even the proposed detours suggested by Vineyard Wind in consultation with the Yarmouth Police Department should be seriously questioned. There were citations during testimony about Lewis Bay and Land Subject to Coastal Storm Flowage (LSCSF) issues that are well-known to abutters. This should be an additional issue of concern given the current national issues on sea rise and the approval of this project for an estimated 25-year life span.

These two photographs show Berry Avenue following a rain storm in November 2018.



4. The proposed staging area of the Englewood Beach Parking Lot including several hundred feet along New Hampshire Avenue is seriously misrepresented in its capacity to handle the construction equipment needed on site, truck turn-around space and equipment positioning. The need to close the boat ramp used year-round by commercial fishermen and shell-fishermen will seriously disrupt their businesses. In addition, the only parking lot in the area will be unusable. The schematic representations in the DEIR and lack of detail in the SDEIR are notable for their off-scale presentation. The lot's inadequacies and inappropriate use are in stark contrast to the huge open parking lot at Covell's Beach that will require only a partial use of the area.
5. The photographs included above are evidence of the narrow roadways from the landing site through residential areas with homes that are in serious proximity to the edge of

the roads and proposed cable installation. There are numerous poles supporting power and telephone lines across from Englewood Parking Lot and along Berry Avenue that sit directly at the edge of the pavement on the street. The Covell's Beach landing site is in stark contrast with wide, four-lane roads, some with center islands, existing sidewalks and homes set further back from the roadside than homes along Berry Avenue and Higgins Crowell Road, Yarmouth.

On-shore Town of Yarmouth Route Issues

1. The on-shore route is of great concern. The proposed cables will be laid through several wet land resource areas on Higgins Crowell Road, notably Thornton Brook, Horse Pond and Sandy Pond. According to testimony, the Covell's Beach landing will have fewer environmental impacts and less disruption with an all in-road/street installation.
2. As presented during testimony, there will be no N Star easement granted to Vineyard Wind and therefore the cables must use an alternative route to the Barnstable sub-station that may involve a yet to be developed rail trail area with several years of planning needed. This is less desirable than the already established access through Attucks Way and Independence Park with the Covell's Beach landing.
3. The Town of Barnstable has signed a Host Community Agreement and filed for Chapter 97 exemptions on Covell's Beach. The Town of Yarmouth has not entered into, nor plans to enter, any such agreement with Vineyard Wind. Overturning Yarmouth Home Rule rights and forcing an acceptance of the project when another viable option exists could lead to lengthy legal objections and court proceedings that would delay an otherwise viable project in the Town of Barnstable.
4. The expediency of a one community project versus a multi-town project seems much more reasonable. Issues of concern can be more easily resolved, and the current HCA that Barnstable and Vineyard Wind have signed allows for a Phase 2 project with necessary approvals already agreed to. The existing Barnstable sub-station will receive significant upgrades and protections and the Town of Barnstable will be in sole control of the connections to it.

Conclusion

These represent just some of the many concerns that the abutters of Lewis Bay and residents of Yarmouth have regarding the Vineyard Wind Connector Project. Some have been expressed in previous filings; we wish to emphasize these matters which were presented during the hearings.

As Limited Participants, we respectfully request the EFSB to determine that Lewis Bay is not an appropriate site for the burial of high voltage transmission cables carrying 800 megawatts of electrical energy and that New Hampshire Avenue, West Yarmouth is not an appropriate landing site. We further request that a determination be made that Lewis Bay is not now nor should ever be appropriate as a first-choice cable route or as an alternative route.

We wish to express our appreciation for the diligence and hours of work that the members of the Energy Facilities Siting Board most surely expended in preparation for the hearings. We believe that you have listened to the many opinions and the research presented by citizens and proponents alike. Thank you for helping us to feel like true Participants.

Sincerely,

Christine Greeley, Limited Participant

John C. Henderson, Limited Participant

David Bernstein, Limited Participant

Ronna Johnson, Limited Participant

cc: Adam P. Kahn, Esq., FOLEY HOAG LLP
 email: akahn@foleyhoag.com
 Thaddeus Heuer, Esq., FOLEY HOAG LLP
 Email: theuer@foleyhoag.com
 Zachary Gerson, Esq. FOLEY HOAG LLP
 Email: zgeron@foleyhoag.com
 David E. Pierce, Ph.D., Director, Massachusetts Division of Marine Fisheries
 email: david.pierce@state.ma.us
 Dr. Kathryn Ford, Program Manager, Habitat Program, MA DMF
 email: kathryn.ford@state.ma.us
 Secretary Matthew A. Beaton, Executive Office of Energy and Environmental Affairs
 email: purvi.patel@state.ma.us
 Town of Yarmouth Board of Selectmen
 email: selectmen@yarmouth.ma.us
 Daniel Knapik, Town of Yarmouth Administrator
 email: dknapi@yarmouth.ma.us
 Karl von Hone, Director, Town of Yarmouth Division of Natural Resources
 email: kvonhone@yarmouth.ma.us
 Conrad Caia, Yarmouth Shellfish Constable
 email: ccaia@yarmouth.ma.us