

SELECT BOARD

Minutes of the Meeting of November 19, 2024. The hybrid meeting took place in person at the Public Safety Facility Community Room at 4 Fairgrounds Road; and, via remote participation using Zoom Webinar. Members of the Board present were Brooke Mohr, Thomas Dixon, Matt Fee, Dawn Holdgate and Dr. Malcolm MacNab.

I. CALL TO ORDER

The meeting was called to order at 5:00 PM.

II. PUBLIC FORUM FOR INPUT ON MITIGATION MEASURES FOR SOUTHCOST WIND OFFSHORE WIND PROJECT

1. Introduction

a) Purpose of Forum

Chair Mohr explained the purpose of the Forum is for the Board to obtain public input on potential mitigation requests it could make to the federal Bureau of Energy Management (BOEM) in response to an offshore wind farm known as SouthCoast Wind (SCW). She said this project is next in line to be permitted through BOEM. She reiterated this is the only wind-related discussion scheduled for the agenda. She said that if any other topics are raised, she will request the speaker to reserve their comments to the topic on the agenda. Chair Mohr introduced Attorney Will Cook of Cultural Heritage Partners (CHP), present in the room; and Attorney Greg Werkheiser and Claire O'Brien both of CHP, present remotely. Mr. Cook explained his background as it relates to offshore wind permitting and noted that he also works for the National Alliance for Preservation Trusts (NAPT). Mr. Cook utilized a presentation, as contained in the Board's packet, to explain the project before the Board, an overview of the permitting process and the structure of an appropriate mitigation proposal. He emphasized that requests for mitigation are not always approved and there is no obligation for the federal government to approve them. He noted that to date, the Town of Nantucket has been the most vocal party of all "consulting parties" since the project opened for comment in July, 2022. He spoke on the mitigation measures currently offered by BOEM for SCW. He stated that CHP believes these proposed measures are completely inadequate. Mr. Cook reviewed several diagrams he used to describe the "decision tree" the represents options as to various decision-making points in the "Section 106" process, which is the process BOEM must follow for offshore wind projects. Mr. Cook summarized the mitigation measures put forward by CHP on behalf of the Town. Mr. Fee asked about precedent with different points in the decision tree. Mr. Cook answered. Mr. Fee asked about precedent with prior decisions the Town has made with another offshore wind project. Mr. Cook stated that those were positive and explained further. Mr. Fee asked about cumulative impact of offshore wind projects on the Island. Mr. Cook responded and spoke to the potential legal implications, noting that some of this is untested in the courts. Chair Mohr summarized the point in the process where the Board currently finds itself. She re-reviewed the options and said the Board would like to hear from the community as to potential response(s) to BOEM as to the impact of SCW to Nantucket as a historic landmark. Chair Mohr reviewed the process for public comment, reminded people not to have side conversations and opened the Forum.

Ted Giletti: asked how the project was procured; and, why "walking away" waives the Town's rights for legal action. He spoke against the proposed mitigation from BOEM. Chair Mohr stated that the Town does not have answers about the procurement of the project. Mr. Cook explained that the Town's appeal rights are not waived; however, other legal issues with BOEM's process if the Town were to "walk away" could be compromised.

Veronica Bonnet: asked if Mr. Cook could explain the section 106 process vs “101F” as some other legal issues with respect to adverse effects. Mr. Cook responded.

Val Oliver: expressed frustration with the BOEM process. She spoke on the Vineyard Wind project and precedent that may have been set there. Chair Mohr reminded the audience to focus on potential mitigation proposals. Ms. Oliver continued speaking against the BOEM process. She referenced a need for a decommissioning fund and/or plan.

Bruce Mandel: spoke on the need for a decommissioning fund and/or plan. He asked who pays for the removal of the turbine structures in their entirety at the end of their lives. Chair Mohr asked if decommissioning is part of the 106 process. Mr. Cook said decommissioning is part of the regulatory process and added that it could be enhanced through a mitigation proposal.

Mary Chalke: spoke in favor of “walking away”. She spoke on debris from the Vineyard Wind turbine blade failure in July, 2024. She said environmental monitoring should be included in any mitigation proposal as well as baseline studies of human health. She spoke on noise and lighting impacts.

Andrew Jacobson: spoke in favor of independent environmental monitoring, as well as scaling back and/or relocation of the proposed installations.

Ellen Ray: asked if BOEM is the only federal agency overseeing this project. She spoke against the mitigation measures currently proposed by BOEM. She suggested getting other federal agencies such as the Environmental Protection Agency (EPA) involved. She spoke strongly in favor of measures to address noise, lighting and environmental impact, including debris response. Mr. Cook clarified the involvement of other federal agencies with respect to other aspects of permitting of an offshore wind project.

Heather Inson: asked what area(s) of Nantucket are “historic” and spoke in support of pursuing mitigation measures. Chair Mohr said that the entire island, plus Tuckernuck and Muskeget are a federally designated historic landmark.

Maureen Phillips: spoke on the permitting process and clarified her understanding, as someone who has been involved in offshore wind permitting process, as to the associated issues. She spoke in favor of moving forward with a mitigation proposal. She noted that grants are being provided to local groups as a result of the agreement with Vineyard Wind.

Janet Sherlund: spoke against offshore wind projects. She suggested mitigation to make sure that offshore wind turbines cannot be seen from the Island and that any associated lights be turned off. She spoke in favor of environmental studies and a fund for decommissioning. Mr. Werkheiser spoke on the distance turbines need to be to be “invisible”, stating the research shows “40 miles”. He said the federal government approved the current offshore leased areas years ago and the appeal period has long run out. He spoke further on federal regulatory requirements regarding the placement of turbines.

Dorothy Stover: asked about the possibility of delaying the project while simultaneously seeking mitigation. Mr. Cook spoke on mitigation in connection with turbine failures.

John Tiffany: asked if there is “no way at this stage to prevent this from happening”. Mr. Cook reiterated that the federal process is not set up to stop development and that the process does allow for seeking

mitigation. Mr. Tiffany commented that the federal agencies “report to someone” and that is who can stop this. Mr. Tiffany continued on to discuss the effectiveness of wind turbines. Chair Mohr reiterated that tonight’s focus is on mitigation suggestions. Ms. Holdgate said that probably everyone would like the wind projects “reconsidered” but that is not the Board’s purview.

Burton Balkind: suggested that the Town should stay in the process and spoke in favor of wind energy as an alternative that should be considered with climate change. He spoke in favor of a fund for decommissioning, and environmental monitoring. He said wind energy is a tool in the “toolkit” for climate change.

Evie O’Connor: spoke in favor of walking away and spoke against the Good Neighbor Agreement with Vineyard Wind. Chair Mohr said that Vineyard Wind is not the topic tonight and that the Board is seeking suggestions from the public for mitigation. Ms. O’Connor reiterated her support for walking away and spoke on impacts of lighting.

Amy DiSibio: spoke on the potential adverse effects of SCW. She suggested that the Town not get into a situation where it is negotiating with the developer. She spoke on visual impacts, environmental and economic issues. She spoke in favor of a path where the Town could join with other partners and sue the federal government. Mr. Werkheiser stated that the Town is seeking and can continued to seek appropriate mitigation measures.

LouEllen Bartholomay: spoke on using “common sense” in response to the wind projects and associated “industrialization” in the waters off Nantucket. She spoke on other places that are “taking down windmills that are not working”.

Cliff Carroll: spoke on lighting issues with SCW as being “devastating” and spoke in support of mitigation regarding lighting. He asked about oil damage to historic properties, from offshore wind projects. He spoke in favor of bonds naming Nantucket as the sole payee and debris response planning. Mr. Cook spoke in support of stronger measures with respect to oil damage.

Tobias Glidden: spoke on mitigating the number of and height of the SCW turbines. He commented that the Town did a good job with the Vineyard Wind Good Neighbor Agreement.

Madeline Hay: spoke in opposition to “proceeding with SCW” and in opposition to offshore wind, generally. She said the Town should use its “highest level of leverage to fight offshore wind”. She said that Vineyard Wind impacts SCW and must be discussed as well. She said individuals need more than three minutes to talk.

Joanna Roche: asked about a memorandum of agreement for consulting parties; and, suggested that a decision be made as to how to best “influence BOEM” to look at the “aggregate impact of wind turbines”. She spoke in favor of a decommissioning fund and minimizing the impact of lighting. She suggested installing light meters on the turbines currently closes to the Island, to obtain necessary data.

Charlotte DuHamel: commented that with the new presidential administration “the tide has turned” and Nantucket is in a stronger position as a result. She said negotiations with the developer should be delayed.

Jon Walker: spoke in favor of “walking away”. He spoke in favor of local opposition being used to prevent wind farms and in favor of a fund for decommissioning. Chair Mohr stated that “walking away” does not stop the wind farm; rather, it stops the Town’s ability to participate in any mitigating measures and will not stop the project from happening. Mr. Cook spoke on other offshore wind projects in different locations and the results of various legal actions.

Hayley Cooke: asked about how connected mitigation measures must be to the actual impacts of the turbines. Mr. Cook said that there needs to be a “nexus” with historic preservation. She suggested a focus on erosion control measures, noting there are a lot of options in the Town’s Coastal Resiliency Plan.

Katrina Hamilton Gewirz: spoke on economic impacts and suggested that the Town ask for “everything”; and, that the project not move forward until it is past the “pilot project” stage.

Susan Lemoie-Zarba: suggested the Town not accept the measures put forward by BOEM. She suggested Nantucket partner with the towns on the Vineyard and sue the federal government and SCW.

Edmund Cienava: spoke in favor of legal action against offshore wind and/or the federal government.

Kathy Grieder: suggested mitigation of Nantucket receiving power from SCW.

Meg Glidden: said there are always lights out in the ocean. She said offshore wind is a great idea in response to increased energy use worldwide.

Karen Gleason: asked that the Select Board consider hiring an expert to assess the impact of the turbines on Nantucket before determining any mitigation. She also suggested that SCW be required to set up a “medical claims” system.

Sharon Stones: spoke on requiring a “cost benefit analysis”.

Jesse Sandole: spoke on the energy impact of a buildout of offshore wind projects off the east coast of the United States as being negligible. He said that the “tide has turned” with the presidential election and the Board should “vote no”.

Emily Molden: thanked the Town for holding this forum and acknowledged the complications of the decision making. She spoke in support of the Town remaining engaged and suggested measures in connection with environmental impacts and ways to address those, specifically to Nantucket’s waters and beaches, and a fund for decommissioning.

Elizabeth Prince: suggested that something be done to “stall” the project until the new presidential administration is in place.

Andy Timmerman: said he is a “hard no” on moving forward. He spoke in favor of dismantling Vineyard Wind.

Margaret Young: spoke in favor of strategies to delay and stop the project; and, in favor of the “strongest possible financial ask”. She added that the Town could submit a letter refusing to provide a mitigation plan and that would help stop the project. Mr. Fee suggested that anyone opposed to the project should write to

their federal representatives; and, that people who believe they were economically harmed from the Vineyard Wind turbine blade failure are encouraged to submit the damages information form available on the Town's website.

Jason Graziadei: asked about the impact of the new presidential administration on this project. Chair Mohr noted that the issue before the Board is current, and must be responded to, now, because a permit is expected to be issued on December 20th. Mr. Graziadei asked if there is a strategy to delay that.

Spencer Goldsmith: commented on mitigation designed to reduce the impact of the project and delay any decision making through a legal appeal. Chair Mohr re-explained the purpose of the federal mitigation considerations. Mr. Cook also re-explained the purpose of mitigation and minimization proposals to address adverse impacts that cannot be avoided.

Matt Haffenreffer: spoke in favor of putting forward mitigation proposals.

Carl van Warmerdam: spoke against seeking mitigation.

Constance Gee: asked about legal actions with other offshore wind project. Mr. Cook explained and noted that legal actions differ depending on where projects are in the federal permitting process. Ms. Gee questioned how CHP is paid and inferred that if it is on a contingency basis that is why a "settlement" could be sought. Chair Mohr responded.

Peter Kaizer: spoke against offshore wind projects in the locations as proposed and against seeking any mitigation measures. Chair Mohr, again, explained what the Board is currently considering and noted that not responding to the BOEM offer in any way, is equivalent to accepting what is proposed. Mr. Kaizer said the Town's response should be an "astronomical" amount. He added that there "is no price" that will "buy out" SCW.

Richard McCready: said that the Town should put forward a "very aggressive" mitigation request; and, find every way it can to delay the project, including requiring years of evidence that there is no environmental impact.

Val Oliver: asked about the level of impact on the mitigation required. She asked for a community meeting on offshore wind. Chair Mohr said the community meeting will be taken under advisement. Mr. Cook stated that mitigation is not required, and said that pursuant to the section 106 regulations, mitigation is supposed to offset the adverse impacts. He reviewed the history of mitigation allowances in the federal process. He said it does not distinguish between "levels of harm".

Bruce Mandel: stated that the offer is inadequate. He suggested that the Town be provided with beach cleaning equipment and funds to staff it.

Cliff Carroll: suggested penalties for blade failures; engage a lobbyist to advocate for the Town; and, request an extension because the SCW application is incomplete and inadequate.

Amy DiSibio: asked about the timing of the federal permitting process. Mr. Cook responded and explained the process further. Ms. DiSibio expressed support for the forum allowing public input.

Veronica Bonnet: spoke on the adverse effects of offshore wind and connection to mitigation and stopping any projects until full impacts are known and addressed.

Chair Mohr concluded public comment, reiterated what the Board is seeking from the public, spoke to the consequences of not responding to BOEM and encouraged the public to submit suggestions to communications@nantucket-ma.gov with the next few days. Chair Mohr thanked all attendees for their input.

b) Town's Approach to Offshore Wind

2. Introduction of SouthCoast Wind Project

a) Project Details

b) Permitting Process Overview

c) Mitigation Proposal from Bureau of Ocean Energy Management's (BOEM) and SouthCoast Wind

3. Comment from SouthCoast Wind and/or BOEM

4. Public Comment/Input on Mitigation Proposal and Suggested Alternatives

III. ADJOURNMENT

Dr. MacNab moved to adjourn at 7:51 PM; seconded by Mr. Dixon; all in favor, so voted.

Approved the 4th day of December, 2024.

**SELECT BOARD
NOVEMBER 19, 2024 – 5:00 PM
REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- II. Draft Final (Draft 4) Memorandum of Agreement for SouthCoast Wind; SouthCoast Wind Historic Properties Treatment Plan for Nantucket Historic District; Cultural Heritage Partners SouthCoast Wind Mitigation presentation