



Working with you to protect the environment in the Berkshires and beyond

August 10, 2009

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Please accept these comments from the Berkshire Environmental Action Team (BEAT) on the Berkshire Wind Power Project in Hancock and Lanesborough, MA (EEA# 12532).

BEAT requests that the Secretary deny Berkshire Wind Power's request for a finding that the project changes are insignificant. In fact, we request that the Secretary take a fresh look at this project and find that it requires an Environmental Impact Report (EIR).

The current Notice of Project Change is the third such Notice since this project was filed with MEPA. We believe this piecemeal approach has avoided necessary review and the entire project needs to be re-examined. In addition this project has been cited by the Department of Environmental Protection for violations of the Wetlands Protection Act and has been shown to have improperly removed trees from a property not owned by the proponent.

This current Notice of Project Change states there will now be 45 acres of impact. A 60% increase over the previous 28.1 acres. This is a major change and one that approaches the limit for a mandatory EIR filing. Given past construction mistakes, we are concerned that not all impacted areas have been accounted for and that the area of impact may in fact exceed the 50 acre threshold. There is not sufficient detail of all these changes and their impacts in the NPC. We believe the Secretary should require an EIR. In addition, in that this project is receiving state funding, all environmental impacts should be assessed, not just those requiring state permits. One would have hoped that a state funded project would have been held to, and live up to, a higher standard of planning and construction.

The proponent wants to increase, yet again, the size of the wind turbines themselves. Originally the turbines were to be 245 feet tall. Now they want to increase this by 61% to 394 feet. New analyses of bird and bat impacts should be required to show that there will not be greater impacts on these fauna.

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Bats in this area have suffered devastating impacts to their populations. It is critical that these turbines do not further stress our remaining bat populations.

We believe an EIR is appropriate. The proponent should be required to provide detailed analysis of exactly how construction activities – past and future - including tree removal, will be accomplished and what the impacts have been and will be. The proponent's many changes to this project and past construction mistakes – including being cited by the Department of Environmental Protection for failure to properly control runoff, and trespass and clearing of trees on property not owned by the proponent - indicate the need for very detailed plans that can be carefully evaluated and executed. Detailed plans provide a structure to carefully analyze whether or not the proponent is doing what they said they would do. In addition, an independent consultant should be required to submit progress reports weekly during construction activity. This sort of planning should be required in an EIR for this project.

Thank you for considering our comments.

Sincerely,

Jane Winn