



December 14, 2009

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Nicholas Zavalos, EOEEA # 14513
100 Cambridge Street, Suite 900
Boston MA 02114

Re: **EOEEA #14513, Minuteman Savoy Wind Project, Savoy**

Dear Secretary Bowles:

On behalf of Mass Audubon, I submit the following comments on the Environmental Notification Form (ENF) for this project. Mass Audubon is very concerned about the impacts of climate change on the environment in Massachusetts and throughout the world. To combat the threat of climate change, we believe that increases in energy conservation and efficiency are a first priority and that clean energy capacity needs to grow quickly in an environmentally protective manner. Of all the renewable energy technologies available today, wind energy is the fastest growing, most successful, and most readily available. Our review standard for proposed individual wind energy projects is that they should be sited in a manner that avoids areas of high sensitivity and pose no ecologically significant threat to living resources of the surrounding area. This does not mean zero impact on those resources as we recognize that the production of energy always entails some level of environmental impact. As such, we encourage responsibly sited wind as a clean and renewable energy resource, set in the context of protecting wildlife and the diverse values of public conservation lands.

Mass Audubon recommends that an Environmental Impact Report (EIR) be required for this project, and that scope of review include the following items:

- Full quantification and mapping of all areas of impact associated with the project, including modifications to public and private roads and adjoining areas to enable adequate access for construction and maintenance of the facility as well as any work needed to upgrade electric transmission lines or connect the project to the transmission grid.
- Clarification as to whether any of the road or transmission improvements will impact Article 97 land (and if so, proposed mitigation), including whether or not the project will impact the large forest reserve at Mohawk/Monroe/Savoy State Forests;
- Clarification of the wetland impacts of the project, including plans and narrative summary of all work within 100 feet of wetlands or 200 feet of rivers; and
- Protocols for post-construction avian and bat monitoring, including how and when the protocols will be developed, whether the information will be shared with state wildlife officials and the public, and what the available range of mitigation is in the event unacceptable impacts are documented.

Pre- and post-construction studies including documentation of expected and actual effects on avian and bat species is important for wind farms on forested ridges in New England, to build on the limited existing body of scientific knowledge and to ensure that cumulative impacts of inland wind development do not have unacceptable

impacts on these species. The ENF indicates the project proponent is committed to undertaking post-construction studies, but does not provide any details. Mass Audubon is interested in reviewing and commenting on the draft post-construction monitoring protocols.

Quantifying Project Footprint

The Minuteman Savoy Wind Project involves construction of five 2.5 MW commercial scale wind turbines and associated infrastructure. The project site is on private land. The ENF indicates that the project will involve alteration of approximately 25.7 acres of land. However, this does not include alterations associated with off-site roadway and electric transmission line improvements required in order to construct, operate, and maintain the project. The proponent should be required to submit additional information completely documenting all areas of impact associated with the project. In any event, Mass Audubon recommends that an EIR be required, in order to enable full public review of all environmental impacts of the project. We believe that early and full disclosure not only helps avoid and minimize environmental impacts but may also prevent lengthy project delays as was experienced by the Hoosac Wind Project due to wetlands appeals. Full review through an EIR is also advisable to better document the full extent of this project's impacts to wetlands and because more information is needed regarding management of stormwater on the access roadway that will be constructed across steep terrain. Finally, we note that significant portions of the site have been altered in recent years through forest cutting practices. Forest cutting is exempt from the Wetlands Protection Act and should not be used as a means of preparing land for development. To the extent recently cleared areas will be utilized for the project, these areas should be included in the calculation of project footprint.

Article 97 Lands

Improvements to public roads and intersections and to electric power lines running adjacent to roads will be required at numerous points. It appears that some of these areas may abut publicly owned lands in the Savoy State Forest. It is difficult to determine from the materials in the ENF whether or not the road or electrical improvements will impact the Mohawk/Monroe/Savoy Large Forest Reserve designated in 2006 by the Department of Conservation and Recreation (DCR). Forest cutting is prohibited in these large forest reserves in order to maintain large blocks of undisturbed interior forest habitat. We request that additional information be submitted for public review in an EIR to clarify impacts to Article 97 lands and proposed mitigation.

Wetlands

The ENF indicates that the project will impact 1,153 sf of bordering vegetated wetlands. The ENF does not provide maps or analysis of the proposed road or electric line improvements at a level of detail that enables analysis of potential wetland impacts associated with those elements of the project. This information should be provided in an EIR, along with analysis of how the work is designed to avoid and minimize wetland impacts as much as possible and to mitigate for unavoidable impacts.

A proposed gravel access road will be constructed across relatively steep terrain, with grades up to 10%. Detailed information on proposed stormwater management features should be presented demonstrating compliance with the Department of Environmental Protection's stormwater management standards.

Avian and Bat Monitoring

There are no standards or requirements for pre- and post-construction avian and bat monitoring at wind farms in Massachusetts, except to the extent such monitoring may be required by federal or state wildlife agencies in order to protect rare or endangered species. Mass Audubon supports the development of standards for avian and bat monitoring, and the compilation of results of such studies by state and federal wildlife agencies. The compiled

results should be made public and utilized in guiding future projects in a manner that avoids and minimizes impacts to bats and birds as much as possible.

The project proponent has conducted some pre-construction monitoring studies of raptors and breeding birds. While not comprehensive, these studies do provide some information that was gathered voluntarily and shared with the public. Based on the studies to date, it remains uncertain whether or not state or federally listed rare species of birds breed on the site. No on-site studies of bats have been conducted. The raptor study identified some individuals of state and or federally-listed raptors passing through the site, including northern harriers and sharp-shinned hawks.

Mass Audubon agrees that post-construction monitoring to estimate avian and bat mortality is needed for this project, and is pleased that the proponent is committed to undertaking such studies. We strongly encourage the project proponent to make the data publicly available to improve risk assessments for future wind projects. The U.S. Fish and Wildlife Service (USFWS) is close to completing federal wind turbine siting guidelines (drafts are publicly available). Post-construction methods for this project should be consistent with these proposed guidelines. The specific protocols for post-construction monitoring should provide for rigorous estimates of bias due to searcher efficiency and scavenger removal. Frequency of searching should match the species of concern, e.g., more frequent searches will be necessary if passerines and bats are the primary species of interest. Multiple years of monitoring will be necessary as there are few sites with comparable data from the region. Mass Audubon is interested in and willing to comment on the proposed post-construction monitoring protocols.

Thank you for your consideration.

Sincerely,



E. Heidi Ricci
Senior Policy Analyst

cc: Don McCauley, McCauley Lyman, LLC
Tom French, MassWildlife
Berkshire Regional Planning Commission