

3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

## OCEAN MANAGEMENT PLANNING DCPC

### POLICY COMMITTEE RECOMMENDATIONS

#### Wind Energy Facilities

Voted June 22, 2011

In order to ensure the protection of many resources significant to the Cape Cod Region, and in order to define, in part, the appropriate scale of offshore Wind Energy Facilities (WEFs) within the Cape Cod region, a map establishing areas where WEFs shall be prohibited, based on the presence of several sensitive resources, shall be adopted as an implementing regulation. An expanded area of North Atlantic Right Whale habitat shall be designated an exclusionary area, where WEFs are not strictly prohibited, but where the habitat is presumed significant for the protection of the federally endangered North Atlantic Right Whale.

#### *Cape Cod Ocean Management Plan Map of Wind Energy Facility Prohibited Areas*

*The areas included as prohibited for WEF development include:*

- North Atlantic Right Whale core habitat area*
- Fin Whale core habitat area*
- Humpback Whale core habitat area*
- Roseate Tern core habitat area*
- Special Concern Tern core habitat area (Arctic, Least, and Common Terns)*
- Long-tailed Duck core habitat area*
- Leach's Storm Petrel Important nesting habitats*
- Colonial Waterbird Important nesting habitats*
- High Effort and Value Commercial Fishing areas*
- Concentrated Commercial Fishing Traffic lanes*
- Concentrated Commercial Traffic lanes*
- Cape Cod Ocean Sanctuary*
- 2 nm from MHW*

*With the exception of 2nm from MHW, the mapped extents of all the resource areas are taken from the Massachusetts Ocean Management Plan (MOMP).*

*The area included as exclusionary for WEF development includes:*

- North Atlantic Right Whale expanded habitat area from the MOMP*



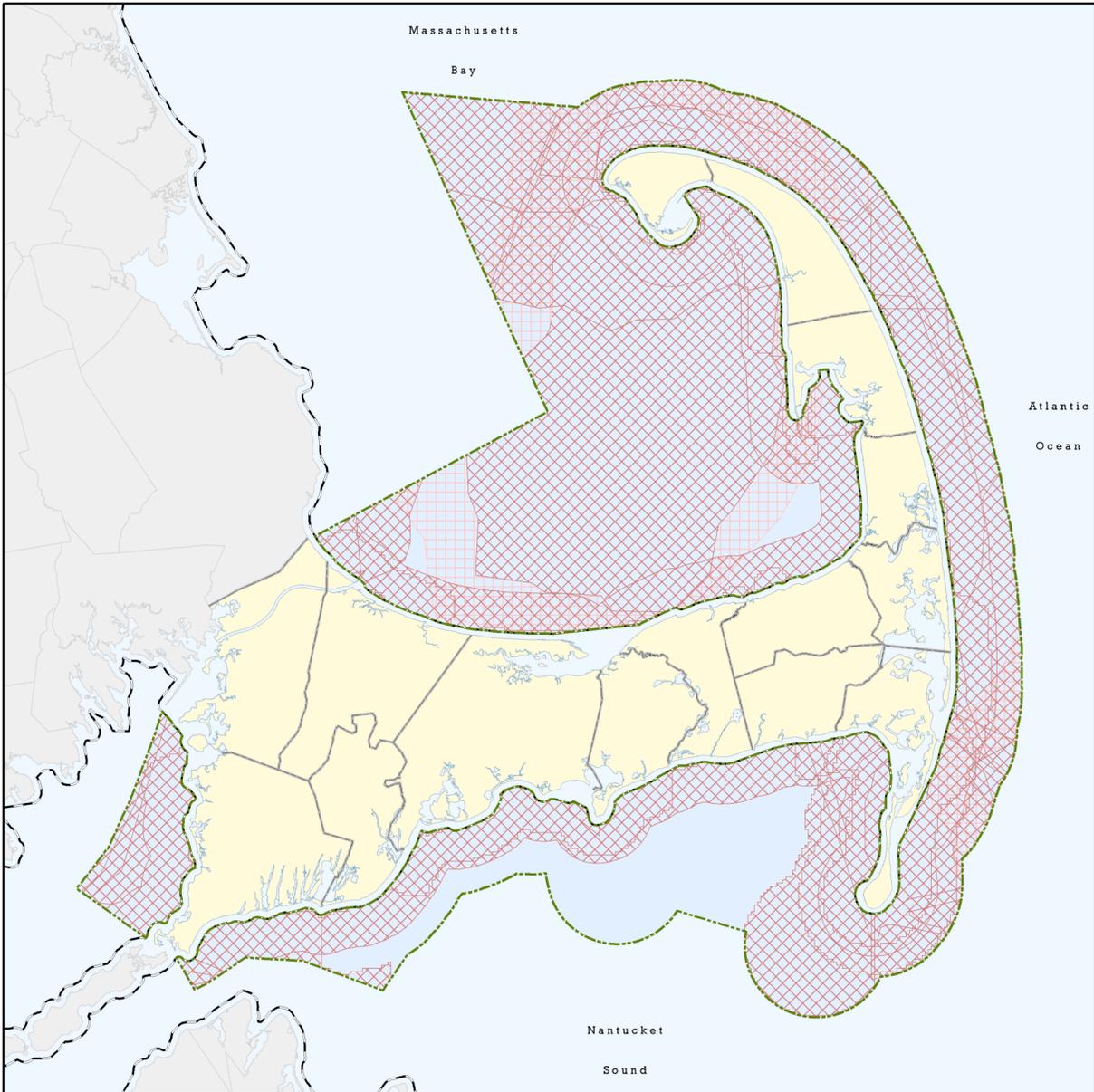
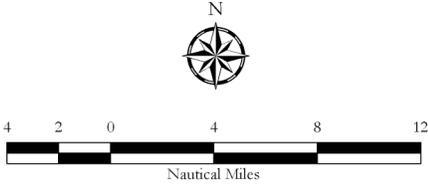


Exhibit B: Cape Cod Ocean Management Plan  
Map of Wind Energy Facility Prohibited Areas

Legend

-  Cape Cod OMP and Ocean DCPC Boundary
-  Nearshore Mass. Ocean Management Plan Boundary
-  Prohibited Areas
-  Exclusionary Areas
-  Provisional Areas



Additional implementing regulations to define appropriate scale of WEFs should be adopted. The Policy Committee recommends the following:

<b>Recommendation:</b>	<b>Recommendation addresses the following factors for determining appropriate scale of WEFs:</b>
Marine and air navigation to/from Cape Cod should be protected.	Public safety Compatibility with existing uses
Regulations should ensure that WEFs are sited with adequate buffers to existing uses, are safely operated and maintained, have emergency response procedures in place, and have bonding and procedures for decommissioning.	Public safety Compatibility with existing uses Environmental protection
Regulations should ensure that WEFs do not adversely affect recreational or commercial fishing.	Public safety Compatibility with existing uses
Regulations should require that projects demonstrate at least 3 community benefit criteria, including but not limited to direct job creation, local ownership, contribution toward energy conservation or education, and energy import substitution.	Community benefit
WEFs should not be sited closer than 2 nm from MHW to avoid conflict with existing uses, to protect public safety, and to protect the scenic and recreational qualities of the coastline.	Public safety Compatibility with existing uses Proximity to shore
WEFs should not be sited such that they adversely impact sensitive shoreside landscapes.	Compatibility with existing uses Proximity to shore
Regulations should ensure regulatory review of all wind energy facilities within the planning area.	Appropriateness of technology and scale Public safety Compatibility with existing uses Proximity to shore Community benefit Environmental protection (All Factors)



<b>Recommendation:</b>	<b>Recommendation addresses the following factors for determining appropriate scale of WEFs:</b>
WEFs should be located outside of the spatial extents of all the sensitive resource areas delineated on the Cape Cod Ocean Management Plan Prohibited Areas map (see above).	Appropriateness of technology and scale Public safety Compatibility with existing uses Proximity to shore Community benefit Environmental protection (All Factors)
Protect whales, terns, and other highly sensitive species habitats through designation of no-build zones in core habitat areas as identified by OMP.	Environmental protection
Protect whales and sea turtles during construction and decommissioning through TOY restrictions, vessel speed restrictions, and other mitigation actions	Environmental protection
Protect known fish spawning habitat, including diadromous fish runs, through TOY restrictions	Environmental protection
Protect eelgrass beds and hard/complex bottom from alteration	Environmental protection
Protect seaduck habitat, including areas less than 20 m depth.	Environmental protection
Protect birds and bats through restricted operations during migrations and storm events	Environmental protection
Minimize turbidity during construction through best construction practices	Environmental protection

<b>Recommendation:</b>	<b>Other Issues:</b>
Ensure that shipwrecks, archaeological sites, and paleosols are not adversely impacted	Cultural considerations
Future iterations of the Cape Cod Ocean Management Plan should consider the cumulative impacts of development activities that have occurred, and possible changes in the type or quantity of development activities allowed within the district.	Cumulative impacts

