South Shore Audubon Society
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http://ssaudubon.org

Re: Case 22-T-0346

The South Shore Audubon Society is a local chapter of the National Audubon Society representing approximately 1500 households in Nassau County. The mission of the South Shore Audubon Society is to promote environmental education; conduct research pertaining to local bird populations, wildlife, and habitat; and to preserve and restore our environment through responsible activism, for the benefit of both people and wildlife. Thank you for the opportunity to comment on the Empire Wind 2 Project.

We support responsibly developed offshore wind energy as a critically important tool for diminishing greenhouse gas pollutants in New York State's atmosphere. Responsible development of offshore wind energy avoids, minimizes, mitigates, and monitors for adverse impacts on wildlife and habitats. Sensible development must equally protect the public and guard residents against being in harm's way.

Offshore wind energy holds the promise of significant environmental and economic benefits for New York residents. U.S. coastlines offer a vast offshore wind energy resource. Our shores possess the potential for more than 4,000 gigawatts, which is over four times the generating capacity of the current U.S. electrical system. It is an abundant, low-carbon, domestic energy resource that is located close to major coastal load centers, providing an important alternative to long-distance transmission or development of electricity generation in land-constrained regions. (1)

Offshore wind will reduce our reliance on foreign oil and the political influence of oil-rich foreign powers. Wind energy will significantly diminish our need for all fossil fuels, including domestically produced fracked methane gas, a dirty fuel that is decimating communities throughout Pennsylvania and causing climate chaos worldwide.

Empire Wind is one of 17 offshore wind projects currently being permitted off the East Coast, and new regional leasing processes are underway in the Gulf of Maine, New York Bight, Central Atlantic, and Southeast regions. Consequently, NYS coastlines are an integral part of this larger picture. What we do here is a crucial component of a cumulative impact that has the potential to significantly reduce our national carbon footprint.

However, how we build out offshore wind infrastructure and how we communicate with the public about it is just as important as its potential to mitigate the climate crisis. Public support is crucial, and residents must be assured that wildlife protection and public safety will advance according to best science practices.

During public hearings and meetings, in news media and on social media, Long Islanders have repeatedly expressed concern for their safety and wellbeing. Residents also repeatedly invoked the memory of Sandy as reason to be leery about offshore wind. Quite the contrary, the promise of offshore wind is about minimizing the risk for more Sandys in the decades ahead. Required road closures, traffic impacts and disruption of access to residential buildings for a period of 6 to 24 months must be viewed as an investment in our collective future. Such inconvenience is a small sacrifice compared to the benefits of cleaner air and a more stable climate system. Residents should be proud that they can be such an integral part of the solution for our families, for our future.

The protection of marine species has been another common concern. However, despite several articles in *Newsday, The New York Times* and elsewhere, misinformation continues to persist, even among elected officials, regarding offshore wind's impact on marine species. Our federal agencies have assured us that there is no evidence linking wind-power development activities to the death of whales, but misrepresentation of the science endures. There is a mix of genuine concern and confusion as well as culture-war based conspiracy theories. While it will not be possible to convince everyone, it is incumbent upon our State agencies to reiterate and clarify the disassociation between cetacean mortality and offshore wind development.

The Marine Mammal Commission (MMC) provides independent, science-based oversight of domestic and international policies and actions of federal agencies addressing human impacts on marine mammals and their ecosystems. Plenty of evidence verifies that the MMC will not hesitate to correct misinformation and hold our agencies accountable for aspiring to best practices. For example, at the end of a lengthy, strongly worded letter dated March 13, 2013, the MMC emphasized, "However, the quality of the authorizations, proposed and final, as well as the transparency of the process, should not be compromised for the sake of adhering to timelines and milestones." (2) The MMC provides oversight of all marine mammal conservation policies and programs carried out by federal regulatory agencies, and the MMC has concluded and concurs with our federal agencies that recent whale mortalities are not associated with offshore wind development.

According to the MMC, whale strandings are not new, and Unusual Mortality Events (UME) began in 2016. 2017 was a particularly unfortunate year that resulted in 34 humpback whale mortalities and impacted 97 North Atlantic right whales (36 dead, 22 seriously injured, and 39 sub-lethally injured or ill). (3) The UMEs that began in 2016 and resulted in record losses in 2017 predate offshore wind development in New York waters.

While there is no evidence to link recent strandings to offshore wind energy development in New York waters, vessel strikes and entanglement in fishing gear are well established as the two predominant sources of whale mortality due to human impacts. According to the MMC, entanglements and vessel strikes are the greatest threats to recovery of North Atlantic Right Whales. (3) More troubling, the Port of NY and NJ increased its trade volume substantially in the last several years, increasing shipping traffic and the potential for increased vessel strikes. Common sense dictates the need for precautionary speed restrictions and a reduction in the use of vertical lines in fixed-gear fisheries. Nevertheless, the loudest anti-wind voices who "bemoan" whale deaths are the same voices who are resisting measures for mitigating vessel strikes and entanglement. This inconsistency smacks of insincerity and of ulterior motives. They banter in sedition claptrap even as they demonstrate not even a modicum of willingness to be part of the solution.

Residents have also expressed concern about how landing a cable near their neighborhoods could impact their safety and long-term health. Unequivocally, neither Equinor nor the PSC have provided sufficient information to the public to address these concerns, and this must be rectified.

According to a report prepared for BOEM, considerations must be made for landing a cable. When a cable comes on land, ambient temperature in summer might impact heat, and, consequently, the size of cable may need to be increased, which lowers the resistance and thus heat. Otherwise, some other way must be found to lower the temperature around the cable. (4) Specific information should be provided to the public that explains exactly how heat from the cable will be mitigated and how this plan assures the safety of the public.

When electricity is transmitted in a cable, an electromagnetic field (EMF) forms around the cable. European monitoring studies of potential wind project-related EMF have shown minimal, if any, effects on marine organism behavior or movement. This is in part because magnetic fields produced by electrical cables tend to be restricted to an area of several meters from the cable. (4)

According to NOAA's Domestic Regulation of Marine Cables, submarine communications cables produce no emissions, while the heat and EMFs emitted by submarine power cables have not been shown to have a demonstrably adverse impact on surrounding marine environments and organisms. (5)

Can we extrapolate that similar impacts exist when cables are buried on land? According to the Public Service Commission of Wisconsin, underground transmission lines produce lower magnetic fields than aboveground lines because the underground conductors are placed closer together, which causes the magnetic fields created by each of the three conductors to cancel out some of the other's fields. This results in reduced magnetic fields. Magnetic fields are also strongest close to their source and drop off rapidly with distance. (6)

The developer stated, “Target depths of the cable landfall HDDs vary by length, down to approximately 100 ft (33 m).” What is the shallowest depth that these cables will be buried across the entire route until it reaches the substation? Why are you confident that this depth will adequately protect public health?

Since the influence of an electromagnetic field is only over a very short distance of a few meters and impacts on land could be quite different from a marine environment, it is incumbent upon the PSC to fully explain what, if any, electromagnetic exposure residents living near a cable landing might be exposed to and if there are any health risks associated with such electromagnetic fields.

According to the World Health Organization (WHO), despite extensive research, to date there is no evidence to conclude that exposure to low level electromagnetic fields is harmful to human health. However, the WHO does recommend protective measures such as barriers around strong electromagnetic field sources to help preclude unauthorized access to areas where exposure limits may be exceeded. (7) Does the PSC plan to restrict access directly above buried cables? If not, why not?

We support establishing a cable route and siting a substation location that avoids impact on tidal wetlands, preserves habitat and wildlife, and has minimum negative social and economic impacts on the community.

Nassau and Suffolk Counties have lost approximately 39,000 acres or about 48 percent of their wetlands since the early 1900s. (8) We cannot afford to lose more of this precious resource.

Wetlands are vital to both healthy coasts and resourceful oceans. Wetlands are habitats for a diverse array of wildlife. Their grasses serve as breeding grounds and as habitats for sensitive bird species and economically important species of juvenile fish. Acting like sponges, they provide natural flood control. They control erosion, then filter and recharge our groundwater. Wetlands intercept runoff, then remove and retain its nutrients. They process organic waste and reduce sediments before the runoff reaches our open waters. Wetlands are second in overall productivity only to tropical rain forests.

Alternative A will have the least negative impact on coastal marshes. We therefore support Alternative A, which is the choice of the developer. It makes landfall at Riverside Blvd. in Long Beach and then goes across Reynolds channel to Island Park. We support the "full LIRR alternative" for the route of the transmission cable through Island Park, which follows the LIRR right-of-way, which also has been chosen by the developer.

Along that route in Island Park is where a substation will be located; the exact location of the substation along the route is controversial. Equinor must do a better job of making its case to support its chosen alternative for the substation.

We understand that some of the issues that we raised in this correspondence are beyond the direct jurisdiction of the PSC. Nevertheless, each of these issues have been raised at your public hearings, at various municipal meetings and in various media outlets. Moreover, nothing prevents your agency and other state agencies from utilizing your bully pulpit to advocate for best practices in all matters directly within and peripherally outside of your authority. Most germane, how NYS navigates public opinion regarding offshore wind will reverberate throughout each subsequent project.

It is the responsibility of the PSC to not only hold Equinor responsible for best practices, but to also to demand enhanced communication from the company with the public. There is an entrenched lack of confidence that residents feel about Equinor, and the PSC must do all in its power to build the necessary trust required to responsibly move this project forward.

Your advocacy or the lack thereof to protect the public and natural resources even as you help usher in a renewable energy future will either come back to haunt all of us or serve to ignite enhanced public support for a future beyond a reliance on fossil fuels.

Thank you for your thoughtful consideration of our comments and concerns.

On behalf of the South Shore Audubon Society Board of Directors,

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Resources:

1. https://www.haleyaldrich.com/resources/articles/five-considerations-to-make-your-offshore-wind-energy-project-a-success/
2. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.mmc.gov/wp-content/uploads/23-03-13-Harrison-Sunrise-Wind-COP-proposed-ITR.pdf
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8. https://www.researchgate.net/publication/269111100_Historic_Wetland_Trends_for_Long_Island_NY_1900-2000