

## Great Lakes Wind Collaborative

2805 S. Industrial Hwy., Suite 100  
Ann Arbor, MI 48104-6791  
p: 734-971-9135  
f: 734-971-9150

June 19, 2009

### STEERING COMMITTEE

#### CHAIR Terry Yonker

President  
Marine Services Diversified, LLC

Larry Flowers  
Wind Powering America Team Leader  
National Renewable Energy Laboratory

Jeff Gosse  
Hydro & Wind Power Coordinator  
U.S. Fish & Wildlife Service

Jeff Peterson  
Program Manager  
NYSERDA

Jennifer Keys  
Manager, Renewable Energy  
Ontario Ministry of  
Natural Resources

William (Gene) Emery  
Keweenaw Bay Indian Community

Peter Partington  
Regional Chairman  
Great Lakes and St. Lawrence  
Cities Initiative

Jeff Anthony  
Manager of Utility  
Programs & Policy  
American Wind Energy Association

Jennifer Nalbone  
Director, Navigation  
and Invasive Species  
Great Lakes United

Jennifer Alvarado  
Executive Director  
Great Lakes Renewable  
Energy Association

Danna Small  
Environmental Manager  
Horizon Wind Energy

Jim Lefeld  
Director, Renewable Energy  
Duke Energy

Joyce McLean  
Director, Strategic Issues  
Toronto Hydro Corporation

### STAFF

Victoria Pebbles  
Program Director  
Great Lakes Commission

John Hummer  
Project Manager  
Great Lakes Commission

Becky Pearson  
Senior Program Specialist  
Great Lakes Commission

BG John W Peabody  
Commander, Great Lakes and Ohio River Division  
U.S. Army Corps of Engineers  
550 Main Street  
Cincinnati, OH 45202-3222

Dear BG Peabody,

This letter is regarding the need for a federal comprehensive environmental review process for the siting and permitting of offshore wind energy facilities in the Great Lakes.

To date, there has been substantial attention, but limited formal policy development at the state or federal level in the Great Lakes basin dealing with siting of offshore wind facilities. The regulatory framework for offshore wind projects in place today is largely focused on ocean coastal areas where the Minerals Management Service now has primary jurisdiction at the federal level. However, the U.S. Army Corps of Engineers (USACE) retains primary federal jurisdiction for location of offshore wind facilities in the Great Lakes, pursuant to the Rivers and Harbors Act of 1899 (Section 10), which addresses shoreline structures in relation to the ordinary high water mark and the Clean Water Act of 1977 (Section 404), which addresses the permitting of dredging (e.g. shipping channels), structures (e.g. breakwalls) and deposits (e.g.: spoil repositories) on the beds of navigable waters, in addition to the permitting of various development-related activities in wetlands. The U.S. Coast Guard (USCG) will also play a role in the review and regulation of offshore windpower in the Great Lakes.

At the state level, there has been no formal legislative development or adoption of state policies specifically governing the regulation of offshore wind development in the Great Lakes. However, other state policies and laws, developed without consideration of offshore wind, will apply when siting wind energy facilities.

With the likelihood of proposals for offshore wind development in the very near future, the Great Lakes Wind Collaborative (GLWC) encourages federal and state agencies – led by the USACE with the USCG serving as a cooperating agency – to conduct a comprehensive environmental review process to guide the future siting and permitting of offshore wind energy facilities in waters of the Great Lakes. Such a Programmatic Environmental Impact Statement (PEIS) process would involve interested and affected government agencies working together to establish a Great Lakes Wind Energy Development Program. The program's purpose would be to address issues and establish a framework for efficient and informed review of future permit applications filed for siting wind energy facilities in Great Lakes waters that meet the requirements of all the reviewing authorities.

The GLWC, whose members represent federal, state, local and non-government organizations (see attached Advisory Committee roster), was established to build

consensus and identify and address issues affecting the planning, development, and operation of wind power facilities in the Great Lakes region.

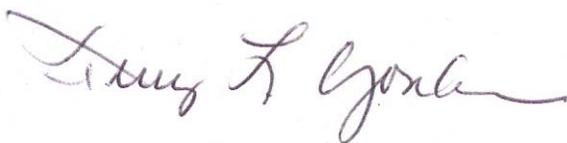
Specifically, the GLWC recommends that the USACE initiate a PEIS process as soon as possible to design and implement a comprehensive, proactive program to address issues associated with planning and regulation of wind energy development in the Great Lakes. The PEIS would establish policies and avoidance, minimization, and mitigation best management practices to address the review of wind energy development activities in the Lakes and identify minimum requirements for mitigation measures. The scope of the PEIS should, at a minimum, include an assessment of the positive and negative environmental, social, and economic impacts of offshore wind development in the Great Lakes; discuss relevant mitigation measures to address any impacts; identify appropriate programmatic policies, performance standards and best management practices to be included in the Corps regulatory program to guide review and permitting of offshore wind projects in the Great Lakes, including how decommissioning of offshore wind turbines would be funded.

The Great Lakes PEIS would serve as a medium for expressing and clarifying a core set of federal principles and policies that would guide offshore wind development in the Great Lakes basin, which stretches from Minnesota on the west to New York on the east, and includes the Canadian provinces of Ontario and Québec. The PEIS also would establish a comprehensive, efficient approach for ensuring the appropriate siting of wind energy development and reduce regulatory ambiguity, costs and conflict. We note that other federal agencies, including the Bureau of Land Management and the Minerals Management Service, have recently developed similar PEIS documents to proactively address the assessment of wind development in other areas, including the Outer Continental Shelf, under federal jurisdiction. Please advise the GLWC (see below for contact information) on what it will cost to develop the PEIS for the Great Lakes.

Further, the GLWC is currently working on development of a Great Lakes offshore wind principles and policies document, targeted for completion by the end of June, 2009, that may be useful in informing the PEIS. Members of the GLWC stand ready to assist the USACE, USCG and other interested parties in the development of a PEIS.

The GLWC encourages your support for leading this endeavor and hopes you will engage our members to create a responsible, efficient framework and climate for the forthcoming development of offshore wind power on the Great Lakes. We also would welcome the opportunity to meet with you to discuss our request and your reactions. GLWC's Offshore Wind Workgroup staff, John Hummer (734-971-9135; [jhummer@glc.org](mailto:jhummer@glc.org)), will be in touch to pursue such a meeting. You may also contact John with any questions regarding GLWC involvement in this process. Thank you.

Sincerely,



Terry Yonker  
Chair, GLWC Steering Committee

2805 S. Industrial Hwy, Suite 100  
Ann Arbor, MI 48104-6791  
p: 734-971-9135  
f: 734-971-9150

cc: Great Lakes Wind Collaborative Advisory Committee