

**Finding of No Historic Properties Affected  
for the  
Approval of the Bay State Wind Site Assessment Plan  
on the Outer Continental Shelf Offshore Massachusetts**

**MAY 02 2017**

**Finding**

The Bureau of Ocean Energy Management (BOEM) has made a Finding of No Historic Properties Affected for this undertaking, pursuant to 36 CFR 800.4(d)(1), as no historic properties have been identified within the area of potential effects.

**Documentation in Support of the Finding**

**I. Description of the Undertaking**

Summary

This document describes BOEM's compliance with Section 106 of the National Historic Preservation Act and documents the agency's Finding under 36 CFR 800.4 (d)(1) for the undertaking of approving the Bay State Wind Site Assessment Plan (SAP) on the Outer Continental Shelf (OCS) offshore Massachusetts. BOEM has prepared this documentation in support of the Finding following the standards outlined at 36 CFR 800.11(d) and as fulfillment of Stipulation I of the *Programmatic Agreement among BOEM, the State Historic Preservation Officers (SHPO) of Massachusetts and Rhode Island, the Mashpee Wampanoag Tribe, the Narragansett Indian Tribe, the Wampanoag Tribe of Gay Head (Aquinnah), and the Advisory Council on Historic Preservation (ACHP) Regarding the "Smart from the Start" Atlantic Wind Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island*. This Finding and supporting documentation are being provided to all signatories to this agreement. Additionally, this Finding and supporting documentation will be made available for public inspection by placement on BOEM's website prior to the bureau approving the undertaking.

Federal Involvement

The Energy Policy Act of 2005, Pub. L. No. 109-58, added Section 8(p)(1)(C) to the Outer Continental Shelf Lands Act, which grants the Secretary of the Interior the authority to issue leases, easements, or rights-of-way on the OCS for the purpose of renewable energy development, including wind energy development. See 43 U.S.C. § 1337(p)(1)(C). The Secretary delegated this authority to the former Minerals Management Service, now BOEM. On April 22, 2009, BOEM promulgated final regulations implementing this authority at 30 CFR 585.

Under the renewable energy regulations the issuance of leases and subsequent approval of wind energy development on the OCS is a staged decision-making process. BOEM's wind energy program occurs in four distinct phases, as described below.

- *Planning and Analysis.* The first phase is to identify suitable areas to be considered for wind energy leasing through collaborative, consultative, and analytical processes; including input from state Renewable Energy Task Forces, public information meetings, and other stakeholders.
- *Lease Issuance.* The second phase, issuance of a commercial wind energy lease, gives the lessee the exclusive right to subsequently seek BOEM approval for the development of the leasehold. The lease does not grant the lessee the right to construct any facilities; rather, the lease grants the lessee the right to use the leased area to develop its plans, which must be approved by BOEM before the lessee can move on to the next stage of the process (see 30 CFR 585.600 – 601).
- *Approval of a Site Assessment Plan (SAP).* The third stage of the process is the submission of a SAP, which contains the lessee's detailed proposal for the construction of a meteorological tower, installation of meteorological buoys, or a combination of the two on the leasehold. The SAP allows the lessee to install and operate site assessment facilities for a specified term. The lessee's SAP must be approved by BOEM before it conducts these "site assessment" activities on the leasehold. BOEM may approve, approve with modification, or disapprove a lessee's SAP (see 30 CFR 585.605–618).
- *Approval of a Construction and Operation Plan (COP).* The fourth stage of the process is the submission of a COP, a detailed plan for the construction and operation of a wind energy project on the lease. A COP allows the lessee to construct and operate wind turbine generators and associated facilities for a specified term. BOEM approval of a COP is a precondition to the construction of any wind energy facility on the OCS. As with a SAP, BOEM may approve, approve with modification, or disapprove a lessee's COP (see 30 CFR 585.620 – 638).

On February 6, 2012, BOEM published in the *Federal Register* a *Notice of Intent to Prepare an Environmental Assessment for Commercial Wind Lease Issuance and Site Characterization Activities on the Atlantic OCS Offshore Massachusetts* (77 FR 5830-5832). On November 2, 2012, BOEM announced the availability of an environmental assessment (EA) for public review and comment (77 FR 66185). BOEM considered comments received from this notice and on June 4, 2014, made available a revised EA for the Wind Energy Area (WEA) offshore Massachusetts (79 FR 34781). As a result of the analysis in the revised EA, BOEM issued a Finding of No Significant Impact, which concluded that reasonably foreseeable environmental effects associated with commercial wind lease issuance and related site assessment activities would not significantly impact the environment.

A competitive lease sale for the WEA offshore Massachusetts was held January 29, 2015 and RES America Developments, Inc. was identified as the winner of Lease Area OCS-A 0500. See: <https://www.boem.gov/Lease-OCS-A-0500/>. RES America Development Inc. subsequently assigned the lease to DONG Energy on June 12, 2015. DONG Energy has

since renamed its American subsidiary as Bay State Wind LLC. Additional information regarding commercial wind leasing offshore Massachusetts is available at: <https://www.boem.gov/Commercial-Wind-Leasing-Offshore-Massachusetts/>.

Bay State Wind has submitted a SAP to BOEM describing the proposed installation, operation, and decommissioning of two floating light and detection ranging buoys (FLIDARs) and one metocean/current buoy. BOEM approval, approval with modification, or disapproval of this SAP is the subject of this Finding.

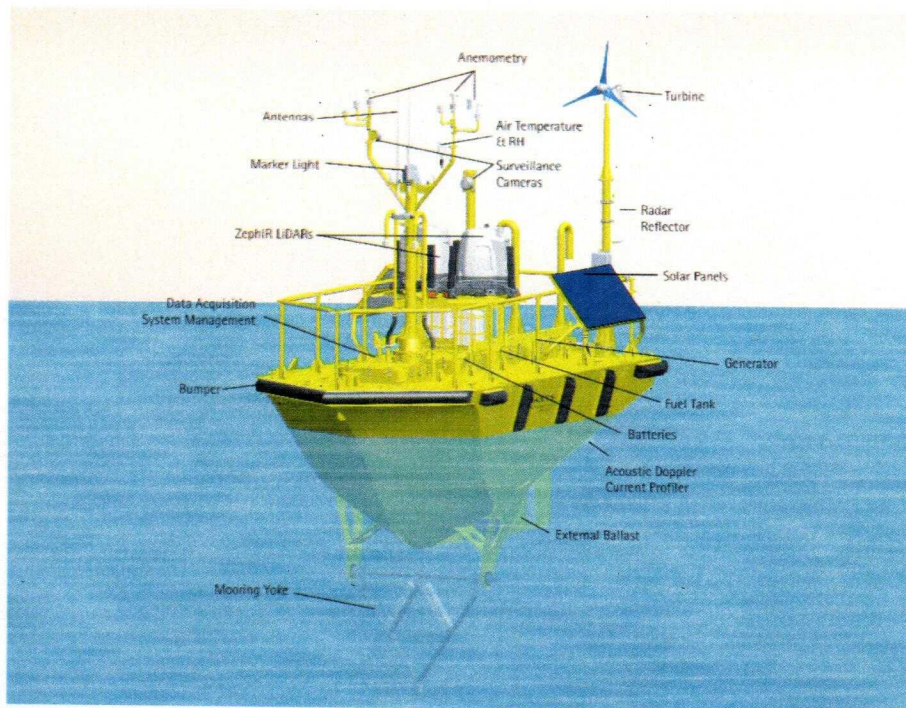
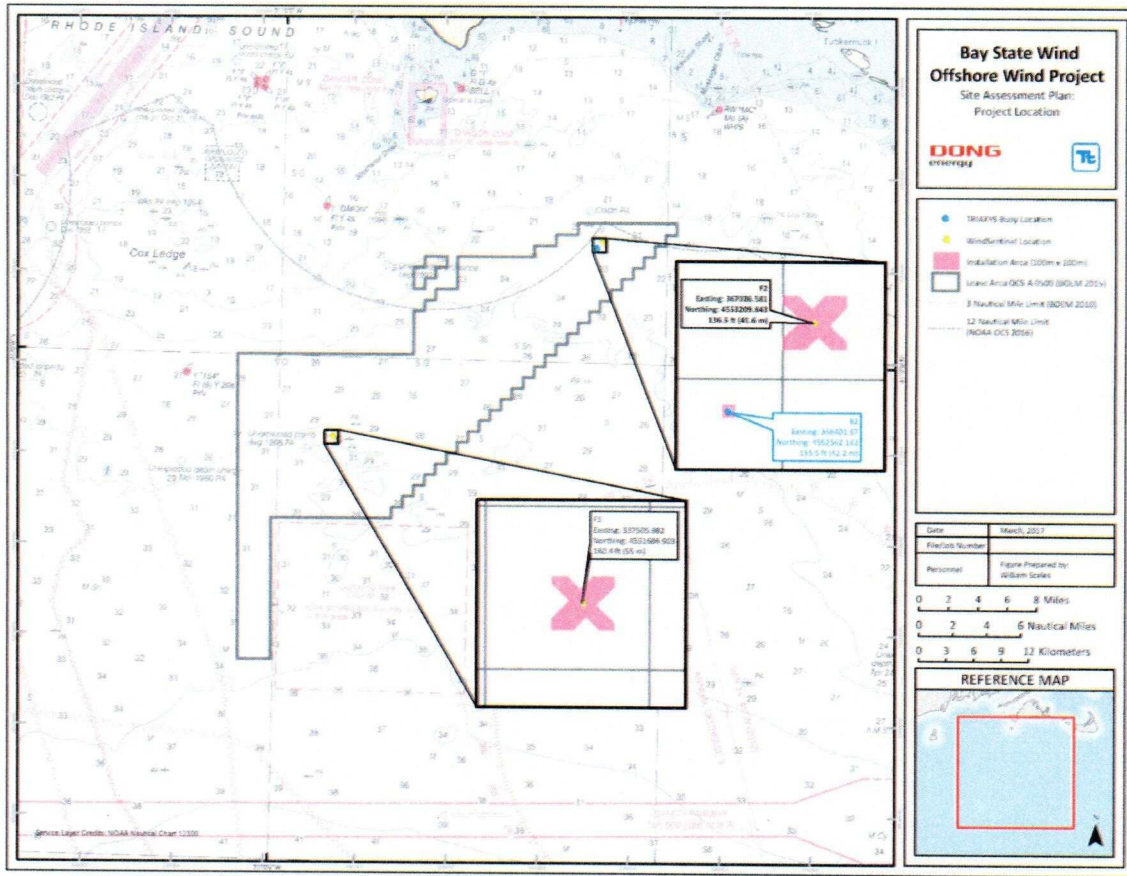
BOEM has determined that the approval of a SAP constitutes an undertaking subject to section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and its implementing regulations (36 CFR 800). BOEM implemented a Programmatic Agreement pursuant to 36 CFR 800.14(b) to fulfill its obligations under Section 106 for the undertakings of lease issuance and approval of site assessment activities on the OCS offshore Rhode Island and Massachusetts. BOEM's Massachusetts and Rhode Island Programmatic Agreement was executed May 23, 2012, among the SHPOs of Massachusetts and Rhode Island, the ACHP, the Mashpee Wampanoag Tribe, the Narragansett Indian Tribe, and the Wampanoag Tribe of Gay Head (Aquinnah). See: <http://www.boem.gov/MA-RI-PA-Executed/>.

This agreement provides for Section 106 consultation to continue through both the commercial leasing process and BOEM's decision-making process regarding the approval, approval with modification, or disapproval of lessees' SAPs, and will also allow for a phased identification and evaluation of historic properties (36 CFR 800.4(b)(2)). Furthermore, the agreement establishes the process to determine and document the area of potential effects (APE) for each undertaking; to identify historic properties located within each undertaking's APE that are listed in or eligible for listing in the National Register of Historic Places (National Register); to assess potential adverse effects; and to avoid, reduce, or resolve any such effects through the process set forth in the agreement.

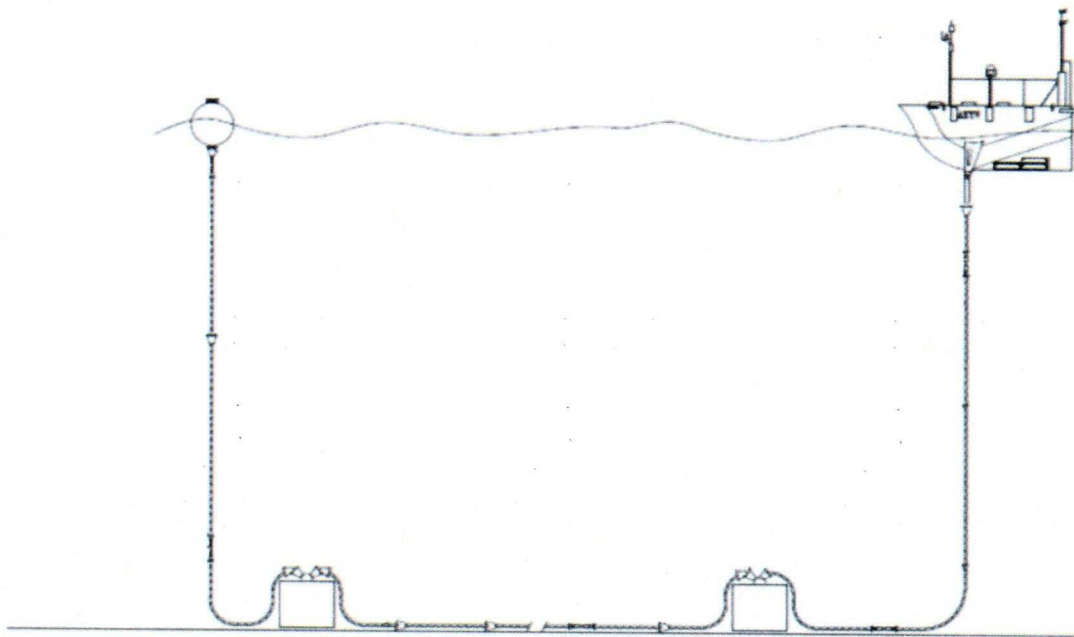
### The Undertaking

As described in the SAP, Bay State Wind proposes to install, operate, and decommission two AXYS Technologies Inc. WindSentinel™ FLIDAR buoys (designated as F1 and F2) and one TRIAXYS Wave and Current Buoy (designated as B2) within their lease area offshore Massachusetts (Figure 1). The purpose of the proposed project is to collect and analyze meteorological and metocean data to inform future wind energy development within the lease area.

The WindSentinels™ consists of instrumentation and supporting systems atop a floating moored buoy platform (Figure 2). The floating platform consists of an AXYS Navy Oceanographic Meteorological Automated Device hull which measures 20.7 feet (ft) (6.3 meters [m]) long by 10.5 ft (3.2 m) wide. The vertical profile of the WindSentinel™, including instrumentation, will be approximately 13.5 ft (4.1 m) from the sea surface to the top of the hull mast.

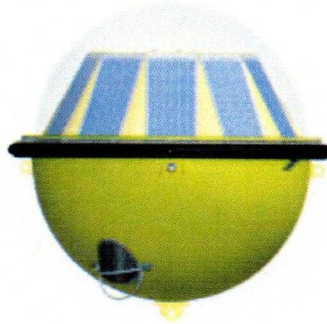


The two WindSentinels™ will each be attached to the seafloor by means of a u-mooring design which is comprised of a chain that connects the instrument buoy to both a primary and secondary clump anchor as well as a pendant buoy (Figure 3). The primary and secondary clump weights weigh approximately 5.5 tons (5,000 kg) and 2.5 tons (2,268 kg), respectively and sit on the seabed for a total area of up to 42 ft<sup>2</sup> (3.9 m<sup>2</sup>). The area of the anchor chain sweep associated with operation of the F1 buoy is anticipated to be approximately 6.9 acres (2.8 hectares [ha]) (based on anchor chain radii of approximately 262.5 ft [80 m], 164 ft [50 m], and 442.9 ft [135 m] connector chain on the sea floor). The area of the anchor chain sweep associated with operation of the F2 buoy is anticipated to be approximately 7.9 acres (3.2 ha) (based on anchor chain radii of approximately 305.1 ft [93 m], 128 ft [39 m], and 442.9 ft [135 m] of connector chain on the seafloor). Vertical penetration of the primary and secondary clump weights into the seabed is anticipated to be approximately 6.6 ft to 9.9 ft (2 m to 3 m) and 3.3 to 6.6 ft (1 m to 2 m), respectively.

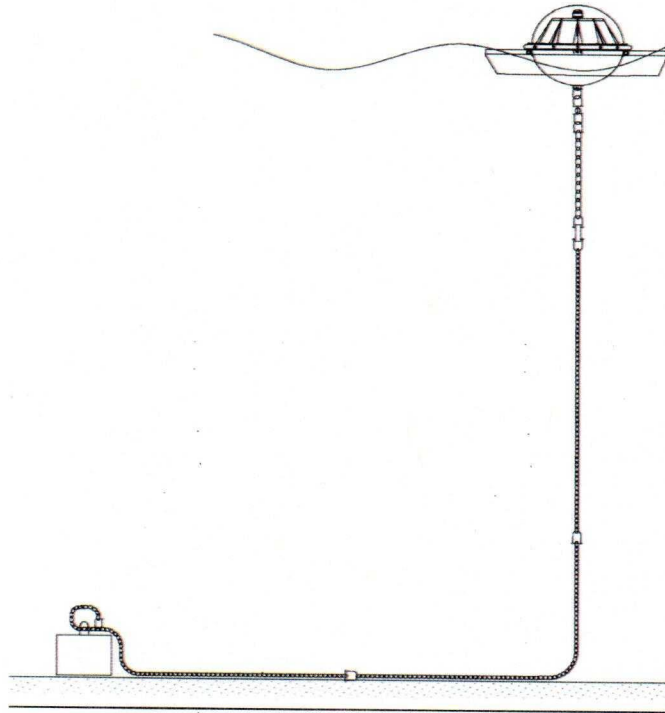


**Figure 3. FLIDAR WindSentinel™ U-Mooring Design (Tetra Tech 2016).**

The TRIAXYS Buoy is a 3.6 ft (1.1 m) round buoy that measures directional waves and currents as well as water temperature (Figure 4). The vertical profile of the TRIAXYS Buoy will be approximately 1.8 ft (0.55 m) from the sea surface to the top of the buoy. The TRIAXYS Buoy mooring design will consist of a chain connecting to a 1.1 ton (1,000 kg) clump weight that will rest on the seafloor for an area of approximately 10.2 ft<sup>2</sup> (1 m<sup>2</sup>) (Figure 5). The area of anchor chain sweep is anticipated to be approximately 1.3 acres (0.5 ha) based on an anchor chain radius of approximately 132.9 ft (40.5 m). Vertical penetration of the anchor chain into the seabed is anticipated to be approximately 0.5 ft to 1 ft (0.2 m to 0.3 m).



**Figure 4: TRIAXYX Buoy (Tetra Tech, Inc. 2016).**



**Figure 5: TRIAXYS Buoy Floating Mooring Design (Tetra Tech, Inc. 2016).**

There are no cables or connections to shore associated with the proposed installation or operation of the meteorological buoys.

#### Area of Potential Effects

As defined in the Section 106 regulations at 36 CFR 800.16(d), the APE is the “geographic area or areas within which an undertaking may directly or indirectly cause

alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.”

As agreed to by the signatories in the Programmatic Agreement, the APE for the approval of a SAP is considered as:

1. The depth and breadth of the seabed potentially impacted by proposed seafloor/bottom-disturbing activities associated with the activities; and
2. The onshore viewshed from which lighted meteorological structures would be visible.

### *Seabed APE*

The offshore APE includes the horizontal and vertical extent of the seafloor that could be impacted by the installation and operation of the three individual meteorological buoys as illustrated in Figure 1. Please note that the APE defined by BOEM, in consultation with the signatories and presented in this Finding, differs in geographic extent from that discussed in the Marine Archaeological Resources Assessment (R. Christopher Goodwin and Associates 2017), as the assessment report evaluated geographic locations that were ultimately not selected for buoy deployment.

For the F1 WindSentinel™ buoy the APE includes a horizontal extent of approximately 6.9 acres (2.8 ha). This includes an anchor chain radius of approximately 262.5 ft (80 m) centered around the primary clump weight; an anchor chain radius of 164 ft (50 m) centered around the secondary clump weight; and 442.9 ft (135 m) of chain connecting the two clump weights (see Figure 3). The vertical penetration of the clump weights into the seafloor is estimated to be approximately 6.6 ft to 9.9 ft (2 m to 3 m) for the primary clump weight and 3.3 to 6.6 ft (1m to 2 m) for the secondary clump weight. Beyond the areas of vertical disturbance from the anchoring clump weights sinking into the seafloor, the APE is associated with the anchor chain sweep and limited to surficial impacts only.

For the F2 WindSentinel™ buoy the APE includes a horizontal extent of approximately 7.9 acres (3.2 ha). This includes an anchor chain radius of approximately 305.1 ft (93 m) centered around the primary clump weight; an anchor chain radius of 128 ft (39 m) centered around the secondary clump weight; and 442.9 ft (135 m) of chain connecting the two clump weights (see Figure 3). The vertical penetration of the clump weight into the seafloor is estimated to be approximately 6.6 ft to 9.9 ft (2 m to 3 m) for the primary clump weight and 3.3 to 6.6 ft (1m to 2 m) for the secondary clump weight. Beyond the areas of vertical disturbance from the anchoring clump weights sinking into the seafloor, the APE is associated with the anchor chain sweep and limited to surficial impacts only.

For the B2 TRIAXYS buoy the APE includes a horizontal extent of approximately 1.2 acres (0.51 ha). This includes an anchor chain radius of approximately 132.8 ft (40.5 m) centered on the single clump weight anchor. The vertical penetration of the clump weight into the seafloor is estimated to be approximately 0.5 to 1 ft (0.15 to 0.33 m).

Beyond the area of vertical disturbance from the anchoring clump weight sinking into the seafloor, the APE is associated with anchor chain sweep and limited to surficial impacts only.

#### *Onshore Viewshed APE*

The vertical profile of the TRIAXYS Buoy will be approximately 1.8 ft (0.55 m) from the sea surface to the top of the buoy and, because of this limited height, will not be visible from shore. The vertical profile of the WindSentinel™ buoys, including instrumentation, will be approximately 13.5 ft (4.1 m) from the sea surface to the top of the hull mast. WindSentinel™ F2 is the closest buoy to shore at a distance of approximately 15.9 miles (mi) (25.6 kilometers [km]) from the western portion of Martha's Vineyard (see Figure 1). WindSentinel™ F1 is approximately 27.5 mi (44.2 km) from Martha's Vineyard. Based on their distance from shore the WindSentinel™ buoys are not likely to be visible from onshore locations. Because of this there is no onshore viewshed APE.

#### Consultation with Appropriate Parties and the Public

BOEM initiated consultation for the development of the Programmatic Agreement in 2011 and 2012 through letters of invitation, telephone calls, emails, meetings, webinars, and the circulation and discussion of the agreement that guides the Section 106 consultation for the undertaking considered in this Finding. This outreach and notification included contacting over 66 individuals and entities, including federally-recognized tribes, local governments, SHPOs, state-recognized tribes, and the public (Table 1). Additionally, in June-July 2011, September 2011, and April-May 2012, BOEM conducted formal government-to-government consultation with the Mashpee Wampanoag Tribe, the Narragansett Indian Tribe, and the Wampanoag Tribe of Gay Head (Aquinnah), all of whom chose to consult with BOEM and participate in the development of the Programmatic Agreement.

BOEM completed Section 106 consultation prior to the issuance of commercial leases within the Rhode Island and Massachusetts Wind Energy Area as part of the development of the Programmatic Agreement. On December 14, 2011, and February 21, 2012, BOEM held Section 106 consultation webinars to discuss the proposed undertakings and BOEM's intention to prepare a Programmatic Agreement. BOEM provided a draft of the Programmatic Agreement to the consulting parties on March 26 and May 8, 2012, BOEM held another webinar to review comments on the draft Agreement, discuss changes, and prepare a revised draft in preparation for signing. Information and comments provided by the parties as part of this consultation were also considered for the undertaking of SAP approval as reviewed in this Finding. This correspondence is provided as Appendices A through G.



**Table 1. Entities Solicited for Information and Comments Regarding Historic Properties within the Rhode Island and Massachusetts Wind Energy Areas During Development of the Programmatic Agreement.**

<b>Local Governments</b>	<b>State and Federal Agencies</b>
Barnstable County	Advisory Council on Historic Preservation
Cape Cod Commission	Connecticut SHPO
City of Cranston	Massachusetts SHPO
City of East Providence	New York SHPO
City of New Bedford	Rhode Island SHPO
City of Pawtucket	
City of Providence	
City of Warwick	<b>Federally-recognized Tribes</b>
Dukes County Commission	Mashantucket Pequot Indian Tribe
Martha's Vineyard Commission	Mashpee Wampanoag Tribe
Nantucket Planning and Economic Development Commission	Mohegan Tribe of Indians of Connecticut
Nantucket Planning Board	Oneida Nation of New York
Town of Aquinnah	Narragansett Indian Tribe
Town of Barrington	Shinnecock Indian Nation
Town of Bristol	Wampanoag Tribe of Gay Head Aquinnah
Town of Charlestown	
Town of Chilmark	
Town of Dartmouth	
Town of East Greenwich	
Town of Edgartown	
Town of Gosnold	
Town of Jamestown	
Town of Little Compton	
Town of Middleton	
Town of Nantucket	
Town of Narragansett	
Town of New Shoreham	
Town of Oak Bluffs	
Town of Portsmouth	
Town of South Kingston	
Town of Tisbury	
Town of Tiverton	
Town of Warren	
Town of West Tisbury	
Town of Westerly	
Town of Westport	

On February 6, 2012, BOEM published in the *Federal Register* a *Notice of Intent to Prepare an Environmental Assessment for Commercial Wind Lease Issuance and Site Characterization Activities on the Atlantic OCS Offshore Massachusetts* (77 FR 5830-5832). On November 2, 2012, BOEM announced the availability of an EA for public review and comment. BOEM considered comments received from this notice and on June 4, 2014, made available a revised EA for the WEA offshore Massachusetts. Both of these notices solicited comments and information regarding the identification of, and effects to, historic properties from leasing and site assessment activities for the purpose of obtaining public input for the Section 106 review (36 CFR 800.2(d)(3)).

Specific to Section 106 review, responses were received from the National Park Service (NPS) and Massachusetts SHPO (Appendices H and I). The NPS requested that BOEM consider NPS resources and interests in regards to offshore renewable energy development and requested to stay informed regarding future activities within the Massachusetts WEA. The Massachusetts SHPO requested that BOEM strongly encourage applicants to consult with their office early in the planning, particularly related to survey plans for historic property identification surveys and that BOEM continue to consult with the SHPO regarding future activities in the Massachusetts WEA.

On October 27, 2011, BOEM requested public input on the potential impacts on historic properties in Rhode Island and Massachusetts from commercial wind lease issuance and site characterization and site assessment activities on the Atlantic OCS within the Rhode Island and Massachusetts WEA. The comment period on the proposed undertaking as it pertained to historic properties closed on November 10, 2011. BOEM received three comments in response to this solicitation which are also of relevance to the Massachusetts WEA. The Offshore Wind Development Coalition commented that the effects on historic properties are negligible until BOEM approves a Construction and Operations Plan, and that BOEM should issue a Finding of "No Adverse Effect" and proceed with issuing leases and approving SAPs in the Rhode Island and Massachusetts Call Area. Mainstream Renewable Power commented that "potential impacts on individual properties can only be properly assessed on a case-by case basis, taking into account the specifics of development. This suggests that it will not be possible to fully assess these issues prior to the COP stage of the permitting process." Finally, the Alliance to Protect Nantucket Sound commented that BOEM should reconsider its decision to approve the Construction and Operations Plan for the Cape Wind Energy Project, sited in Horseshoe Shoal, and exchange the Cape Wind lease for the ones that were being offered within the Rhode Island and Massachusetts Wind Energy Area. These comments from the Alliance to Protect Nantucket Sound, Mainstream Renewable Power, and Offshore Wind Development Coalition can be viewed at [regulations.gov](http://regulations.gov) by searching for Docket ID BOEM-2011-0115.

## **II. Description of the Steps Taken to Identify Historic Properties**

BOEM's renewable energy regulations require a lessee to provide the results of surveys with its SAP for the areas affected by the activities proposed in the plan (see 30 CFR 585.610(b)), including the results of an archaeological resource identification survey.

BOEM provides guidelines for acquiring this information and documenting the results of these activities. See *Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585* at: [http://www.boem.gov/Guidelines\\_for\\_Providing\\_Archaeological\\_and\\_Historic\\_Property\\_Information\\_Pursuant\\_to\\_30CFR585/](http://www.boem.gov/Guidelines_for_Providing_Archaeological_and_Historic_Property_Information_Pursuant_to_30CFR585/), which advise lessees to survey the entirety of the area they propose to impact. Additionally, BOEM requires lessees to provide the results of onshore historic property identification activities conducted in accordance with the standards and guidelines of the relevant SHPOs or Tribal Historic Preservation Officers, if on tribal lands, when the APE extends into this area. For the purposes of the undertaking considered in this Finding, the APE did not extend beyond Federal waters.

BOEM has reviewed the SAP, prepared by Tetra Tech, Inc. (2017) on behalf of Bay State Wind, and a Marine Archaeological Resources Assessment Report presented as an appendix to the SAP and prepared by R. Christopher Goodwin and Associates (2017). The results of the archaeological assessment are summarized below.

#### Marine Archaeological Resources Assessment

An archaeological identification survey was conducted within the APE utilizing a multibeam echo sounder, side scan sonar, magnetometer, and shallow penetration sub-bottom profiler, in accordance with BOEM's *Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585*. A Qualified Marine Archaeologist conducted a line-by-line analysis of the remote sensing data to identify anomalies with potential to represent areas that might contain significant submerged cultural resources. This analysis provided consideration of both submerged landforms that have a high probability of containing drowned pre-contact archaeological sites and shipwrecks.

In addition, background research was conducted to support the archaeological investigation and focused on identifying previously recorded pre-contact and historic sites within and in the vicinity of the project area; establishing pre-contact and historic contexts, including maritime contexts for southeastern New England; and obtaining information related to vessel losses offshore within the SAP area.

The areas surveyed consisted of three approximately 100 square meter (m<sup>2</sup>) (328 square feet [ft<sup>2</sup>]) survey blocks centered at the location of each meteorological instrument's planned deployment location with additional survey lines run along the proposed location of the chain connecting the primary and secondary clump weigh anchors of two the WindSentinel™ buoys. Review of remote sensing data identified no magnetic anomalies and no side scan sonar contacts within the buoy location survey areas. Subbottom profiler data was collected and analyzed to identify potential paleolandscape features. The subbottom data indicated that no paleo-landforms are present that may preserve inundated archaeological sites within the APE for the proposed buoys. The report concludes that no potential cultural resources were identified within the APE for each of the three proposed meteorological buoys (Goodwin 2017: 47).

### **III. The Basis for the Determination of No Historic Properties Affected and Fulfillment of Section 106 Responsibilities**

Pursuant to the Programmatic Agreement, “[b]efore making a decision on a SAP from a lessee, BOEM will treat all potential historic properties identified as a result of site characterization studies and consultations as historic properties potentially eligible for inclusion on the National Register and avoid them by requiring the lessee to relocate the proposed project, resulting in a finding of No historic properties affected (36 CFR 800.4(d)(1)).”

BOEM has considered information gathered during consulting with the appropriate parties and the public and through review of the marine archaeological resource assessment report provided in support of the Bay State Wind SAP. A good faith effort has been made to identify historic properties within the APE. The results of these identification surveys are documented in the Marine Archeological Resources Assessment Report. No historic properties have been identified within the APE.

Although effects to historic properties may occur from an unanticipated, post-review discovery during placement of the meteorological buoy, the required implementation of the unanticipated discoveries clause at 30 CFR 585.802 and the inclusion of a post-review discoveries clause as a condition of SAP approval, ensures that any discoveries are reported and reviewed under the National Historic Preservation Act.

Pursuant to the Programmatic Agreement, execution and implementation of the agreement evidences that BOEM has satisfied its Section 106 responsibilities for all aspects of the proposed undertaking by taking into account the effects of the undertaking on historic properties and affording the ACHP a reasonable opportunity to comment with regard to the undertaking.

## REFERENCES

- Tetra Tech, Inc. 2017. *Bay State Wind Offshore Wind Farm Project Site Assessment Plan*. Submitted December 19, 2016 and revised March 17 and April 12, 2017.
- R. Christopher Goodwin and Associates. 2017. *Marine Archaeological Resources Assessment for the Massachusetts Commercial Offshore Wind Lease Area MET Facilities Installation Area Official Protraction Areas Providence NK19-07 and Block Island Shelf NK19-10 OCS Blocks 6021 (F1/B1) and 6976 (F2/B2) Offshore Massachusetts*. Prepared for Tetra Tech, Inc. December 16, 2016 and revised April 12, 2017.

## APPENDICES

**Appendix A:** Letter initiating Government-to-Government consultation with Federally Recognized Tribes, example. Similar letters were sent to all Federally Recognized Tribes listed in Table 1 in June 2011.

**Appendix B:** Letter initiating Section 106 consultation for lease issuance, site characterization, and site assessment activities, example. Similar letters were sent to all entities listed in Table 1 in August and September 2011.

**Appendix C:** Initial responses from SHPOs, September 2011 (three exhibits).

**Appendix D:** Initial responses from Local Governments, October and November 2011 (three exhibits).

**Appendix E:** Letter inviting consultation on the development of a Programmatic Agreement for Lease Issuance and Site Assessment Activities, January 2012, example. Similar letters were sent to all signatories.

**Appendix F:** Letter from ACHP accepting invitation to participate in the development of the Programmatic Agreement, January 2012.

**Appendix G:** Letters from Massachusetts Historical Commission (MHC) commenting during the development of the Programmatic Agreement, March, April, and May 2012.

**Appendix H:** Letter from NPS in response to the Notice of Availability of the Massachusetts EA, November 30, 2012.

**Appendix I:** Letter from Massachusetts Historical Commission (MHC) in response to the Notice of Availability of the Massachusetts EA, December 14, 2012.

**Appendix J:** Bay State Wind Site Assessment Plan (enclosed on CD).

**Appendix K:** Bay State Wind Marine Archaeological Resources Assessment Report (enclosed on CD).



# United States Department of the Interior

## BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT

Washington, DC 20240

Mr. Cedric Cromwell  
Tribal Chairman  
Mashpee Wampanoag Tribe  
483 Great Neck Road South  
Mashpee, Massachusetts 02649

JUN 10 2011

Dear Tribal Chairman Cromwell:

The Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) recognizes the Mashpee Wampanoag Tribe's interest in all things regarding your traditional, spiritual and cultural beliefs and practices, as well as concerns for your natural resources throughout your ancient aboriginal territory whether on land or beneath the ocean. I am reaching out to you in my capacity as BOEMRE's Federal Preservation Officer to begin the process of establishing formal government-to-government consultations in recognition of the unique relationship that exists between the Mashpee Wampanoag Tribe and the United States. These early consultations will form the foundation for a stronger relationship between BOEMRE and the Mashpee Wampanoag Tribe, and will result in a more informed decision-making process for future wind energy development on the Atlantic Outer Continental Shelf. These consultations will be conducted in a manner sensitive to the needs and concerns of the Mashpee Wampanoag Tribe.

At your earliest convenience, please identify a tribal representative with whom I can start communicating to establish a mutually-agreed upon date, time, and location for our first formal government-to-government meeting regarding future decisions.

Please feel free to contact me at (703) 787-1748 or [Brian.Jordan@BOEMRE.gov](mailto:Brian.Jordan@BOEMRE.gov), if you have any questions or concerns. Written correspondence can also be sent to:

Bureau of Ocean Energy Management, Regulation and Enforcement  
Branch of Environmental Assessment  
Attn: Brian Jordan  
381 Elden Street, MS-4042  
Herndon, Virginia 20170-4817

With Warm Regards,

Brian Jordan  
Federal Preservation Officer  
Headquarters Archaeologist

cc: Mr. Chuckie Green, Natural Resources Assistant Director



# United States Department of the Interior

## BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT

Washington, DC 20240

**AUG 24 2011**

Tribal Chairman Cedric Cromwell  
Mashpee Wampanoag Tribe  
483 Great Neck Road South  
Mashpee, Massachusetts 02649

Dear Chairman:

On November 23, 2010, Secretary of the Interior Ken Salazar announced the “Smart from the Start” wind energy initiative to accelerate responsible renewable wind energy development on the Atlantic Outer Continental Shelf (OCS). Under the “Smart from the Start” initiative, the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) is planning to prepare an environmental assessment (EA) that will consider the environmental consequences of (1) issuing leases; (2) site characterization activities that lessees may undertake on those leases (e.g., geophysical, geotechnical, archaeological and biological surveys); and (3) the subsequent approval of site assessment activities on the leaseholds (e.g., installation and operation of meteorological towers and buoys) in a specific area identified offshore Rhode Island and Massachusetts. See the enclosed Notice of Intent (NOI) which describes the area. BOEMRE has determined that issuing leases and subsequently approving site assessment activities in this area constitutes an undertaking subject to Section 106 of the National Historic Preservation Act (16 U.S.C. 470f), and its implementing regulations (36 CFR 800).

Although bottom-disturbing activities (e.g., core sampling and associated anchoring and placement of meteorological structures) on the OCS have the potential to affect historic properties, BOEMRE feels that the archaeological and geophysical surveys that lessees will undertake (in part, to identify these resources on the seafloor in the first instance) will likely avoid or minimize effects of the proposed undertaking (i.e., issuing leases and subsequently approving site assessment activities) on historic properties. Similarly, while it is possible that some meteorological structures, such as meteorological towers, may be visible from shore, BOEMRE believes that the impact these structures may have on historic properties will likely be negligible, if there is any impact at all. Nevertheless, BOEMRE is initiating this formal government-to-government consultation pursuant to 36 CFR 800.2(c)(2)(ii) to ensure that a wide range of views and information is taken into consideration as early in the decision-making process as possible.

Based on our government-to-government consultation meeting with Ms. Ramona Peters on July 28, 2011, and participation of tribal representatives at the Rhode Island and Massachusetts State Task Force meetings, the Mashpee Wampanoag Tribe has indicated that it may have concerns with activities in the area offshore Massachusetts and Rhode Island, and may wish to be a consulting party in the Section 106 process. See



36 CFR 800.3(c) and (f). BOEMRE respectfully requests that the Mashpee Wampanoag Tribe review the proposed action in the NOI and offer any information related to known historic sites or cultural properties within the area that may be affected by leasing, site characterization activities, and the construction of meteorological towers and buoys. More specifically, BOEMRE is interested in determining whether the Mashpee Wampanoag Tribe has specific knowledge of any sites that have traditional religious and cultural significance, or if you have concerns that any site, or object eligible for inclusion on the National Register of Historic Places within the area would be affected by the proposed undertaking. See 36 CFR 800.4(b). This information will allow the agency to consider and document potential effects to historic properties early in the Section 106 process in accordance with 36 CFR 800.4 and 800.5. BOEMRE acknowledges, however, that the Mashpee Wampanoag Tribe may request certain information be withheld from public disclosure (36 CFR 800.11(c)).

Please find the necessary documentation regarding the proposed project area for the Federal undertaking, per 36 CFR 800.4(1) and 800.11, enclosed. BOEMRE is acting as the lead Federal agency fulfilling the collective Federal responsibilities under 36 CFR 800.2(a)(2).

BOEMRE invites comments regarding any other tribal concerns that the proposed undertaking may raise. BOEMRE intends to use the standard Section 106 process as described in 36 CFR 800.3 through 800.6, and requests that the Mashpee Wampanoag Tribe respond to this letter so that we may discuss this undertaking and any other identified areas of interest.

BOEMRE also invites the Mashpee Wampanoag Tribe to be a cooperating agency in the preparation of the EA due to its special expertise with respect to potential environmental impacts that can assist BOEMRE in preparation of this EA (40 CFR 1508.5). Because of your special expertise, BOEMRE requests your assistance in identifying and documenting:

- Areas that have cultural or historical significance to your tribe;
- Potential effects of the proposed action on tribal resources; and
- Proposed mitigation measures.

Should you, or your tribal representative, have any questions about this undertaking you may contact me at (703) 787-1748 or [Brian.Jordan@BOEMRE.gov](mailto:Brian.Jordan@BOEMRE.gov). Any correspondence may also be sent to Dr. Jordan at the following address:

Department of the Interior  
Bureau of Ocean Energy Management, Regulation and Enforcement  
Branch of Environmental Assessment  
381 Elden Street, MS 4042  
Herndon, Virginia 20170-4817

Thank you in advance for your timely response and cooperation. I look forward to receiving your response within 30 days of receipt of this submittal in accordance with 36 CFR 800.3(c)(4).

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Jordan', with a long horizontal flourish extending to the right.

Brian Jordan, Ph.D.  
Federal Preservation Officer  
Headquarters Archaeologist

Enclosures:

NOI  
MAP of Proposed Project Area

cc: Ramona Peters  
Mark Harding



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HISTORICAL PRESERVATION & HERITAGE COMMISSION

Old State House • 150 Benefit Street • Providence, R.I. 02903-1209

TEL (401) 222-2678

FAX (401) 222-2968

TTY (401) 222-3700

Website [www.preservation.ri.gov](http://www.preservation.ri.gov)

19 September 2011

Brian Jordan, Ph.D., Federal Preservation Officer  
United States Department of the Interior  
Bureau of Ocean Energy Management, Regulation and Enforcement  
Branch of Environmental Assessment  
381 Elden Street, MS 4042  
Herndon, Virginia 20170-4817

Re: Commercial Leasing for Wind Power on the Outer Continental Shelf  
Offshore Rhode Island  
Notice of Intent

Dear Dr. Jordan:

The Rhode Island Historical Preservation and Heritage Commission (RIHPHC) staff has reviewed the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) *Notice of Intent to Prepare an Environmental Assessment for Commercial Wind Lease Issuance and Site Characterization Activities on the Atlantic Outer Continental Shelf (OCS) Offshore Rhode Island and Massachusetts* (Notice) which was posted in the Federal Register Thursday August 18, 2011.

The Notice is for two "Call Areas" which are described as:

- The Northwest Section begins approximately 9 nautical miles southeast of Point Judith, Rhode Island, and extends approximately 2 nautical miles seaward, containing approximately 2.5 square nautical miles, and
- The Southeast Section begins approximately 10 nautical miles south of the coast of Newport, Rhode Island, and extends approximately 20 nautical miles seaward, containing approximately 251 square nautical miles.

Three BOEMRE actions will be considered in the EA: issuing leases, site characterization activities, and approval of assessment activities on the leaseholds. Any of these activities may result in the construction of structures in the Call Areas, which may, in turn, have effects on historic resources.

BOEMRE has requested the views of the State Historic Preservation Officer on further actions to identify the area of potential effect (APE) of these actions, and any historic properties that may be affected by the proposed project.

To: Dr. Brian Jordan  
Re: Notice of Intent  
Commercial Leasing for Wind Power on the Outer Continental Shelf  
Offshore Rhode Island

We are aware that the areas south of Rhode Island were once dry land that became inundated, and that Native peoples utilized these lands. We are also aware that shipwrecks lie in the waters of the Call Areas. We are not able to give specific and detailed comments about the archaeology of the Call Areas because they have not been thoroughly studied to determine if and where cultural resources may be present. The south coast of mainland Rhode Island, the islands of Narragansett Bay, and Block Island all contain historic above-ground resources.

It is impossible for our office to give constructive guidance on the development of an APE without knowing the size, number, and exact locations of structures that are installed during the BOEMRE-permitted actions. Likewise, based on the locations of the draft Call Areas, it appears that both preliminary assessment actions and the commercial wind-powered energy development that follows may have an effect on below- and above-ground historic resources, however, it is impossible to determine the character or extent of the effect without more specific information about the scale, size, and construction techniques of wind-powered energy development structures and related infrastructure.

These comments are provided in accordance with Section 106 of the National Historic Preservation Act. If you have any questions, please contact Jeffrey Emidy, Project Review Coordinator of this office.

Very truly yours,



Edward F. Sanderson  
Executive Director  
State Historic Preservation Officer

C: John Brown, NITHPO  
Brona Simon, Massachusetts Historical Commission



**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

September 22, 2011

Brian Jordan  
Federal Preservation Officer  
Office of Offshore Alternative Energy Programs  
Bureau of Ocean Energy Management, Regulation, and Enforcement  
Department of the Interior  
381 Elden Street  
Mail Stop 4090  
Herndon, VA 20170

RE: Notice of Intent to Prepare an Environmental Assessment, Wind Power on the Outer Continental Shelf Offshore Rhode Island and Massachusetts. MHC # RC.47325.

Dear Mr. Jordan:

The Massachusetts Historical Commission (MHC), office of the Massachusetts State Historic Preservation Officer, has reviewed the Notice of Intent to Prepare an Environmental Assessment for Wind Power on the Outer Continental Shelf Offshore Rhode Island and Massachusetts (NOI) and BOEMRE's letter initiating consultation under Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800), received August 31, 2011, and has the following comments.

MHC understands that BOEMRE is initiating Section 106 consultation for the undertaking consisting of the issuance of leases and site assessment activities, including geophysical, archaeological and historic properties surveys to be conducted by lessees, within the Rhode Island and Massachusetts Call Area.

In MHC's opinion, the project area of potential effect (36 CFR 800.4(a)(1)) for this undertaking as defined by BOEMRE, consisting of the blocks included in the Rhode Island and Massachusetts Call Area, is preliminary, as project impacts associated with the issuance of leases and site assessment activities have not been specifically defined. As a critical element of the "Smart from the Start" initiative, the MHC recommends that comprehensive geophysical and archaeological reconnaissance survey(s) of the complete Call Area could be conducted by BOEMRE through the Coordinated OCS Mapping Initiative (Section 388b of the Energy Policy Act of 2005) to identify historic and archaeologically sensitive areas. The results of the survey(s) should be incorporated into ongoing project planning by all potential lessees to develop project alternatives early in the planning stages that would avoid and/or minimize effects to potentially significant historic and archaeological resources.

The effects to archaeological sites from bottom-disturbing activities, including anchoring of sampling platforms, core sampling, and placement of meteorological testing structures can be evaluated by archaeological surveys within the Call Area. However, the NOI does not specifically discuss proposed land-side and near-shore survey activities or proposed project elements outside of the Call Area and their potential effects to historic and cultural resources. As you know, ancillary portions of offshore wind turbines, including submerged cable trenches and vessel anchorages, would be located in both state and federal waters, coastal banks and on land. Identification efforts should match the scope of each project within the Call Area, as well as all ancillary project impact areas.

Proposed research designs and sampling methodologies for historic property site assessment activities should be submitted to the MHC for review and comment as they are developed (36 CFR 800.4(b)). In MHC's opinion, the

solicitation of information on identified historic properties within the general areas of continental shelf identified in the Call Area should follow the Rhode Island Ocean Special Area Management Plan (SAMP) scope and research methodologies for identification and evaluation of cultural resources within the proposed Call Area. SAMP geophysical data should be incorporated into further evaluations of the Call Area and near-shore and land-side project impact areas.

Review of preliminary information included in SAMP Chapter 4, Cultural & Historic Resources indicates that multiple recorded shipwrecks may be located within proposed Call blocks. Information included in existing shipwreck data bases may not be accurate and finer resolution marine archaeological reconnaissance surveys are required. Multiple figures included in other chapters of the SAMP have generally described the bottom and sub-bottom geography and geology within the proposed Call blocks.

Geophysical reconstructions of underwater paleolandscapes of the continental shelf in the Rhode Island portion and some of Massachusetts included in the SAMP indicate that portions of the Call area were coastal plains and/or shoreline from approximately 11,500 to 11,000 years before present. Paleolandscape reconstruction, including survey methodologies that utilize the results of systematic sub-bottom core sampling, is especially important to assist in proactive project planning for cultural resource identification by identifying archaeologically sensitive locations within the continental shelf which may be within project areas of potential impact.

As project information is developed MHC requires more specific information on the proposed project areas of potential effect (36 CFR 800.16(d)) to offer further comments, consistent with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

These comments are offered to assist in compliance with Sections 106 of the National Historic Preservation Act of 1966 as amended. If you need further information or have any questions concerning these comments, please contact Jonathan K. Patton of my staff.

Sincerely,

Brona Simon  
State Historic Preservation Officer  
Executive Director  
State Archaeologist  
Massachusetts Historical Commission

xc: Maureen Bourholdt, BOERME  
Jessica Bradley, BOERME  
Karen Kirk Adams, USACOE-NED, Regulatory  
Kate Atwood, USACOE-NED  
Marc Paiva, USACOE-NED  
Bettina Washington, THPO, Wampanoag Tribe of Gay Head (Aquinnah)  
Ramona Peters, Mashpee Wampanoag Tribe  
Doug Harris, NITHPO  
Reid Nelson, Advisory Council on Historic Preservation  
Secretary Richard K. Sullivan, Massachusetts Executive Office of  
Energy & Environmental Affairs  
Bruce K. Carlisle, Acting Director, Massachusetts Coastal Zone Management  
Victor T. Mastone, Massachusetts Board of Underwater Archaeological Resources  
John A. Peters, Massachusetts Commission on Indian Affairs  
Charlotte Taylor, Rhode Island Historic Preservation & Heritage Commission



**State Historic  
Preservation Office**



September 28, 2011

Brian Jordan, Ph.D.  
Federal Preservation Officer  
Headquarters Archaeologist  
Department of the Interior  
Bureau of Ocean Energy Management, Regulation and Enforcement  
Office of Offshore Alternative Energy Programs  
381 Elden Street, MS 4090  
Herndon, Virginia 20170-4817

Subject: Smart from the Start Initiative

Dear Dr. Jordan:

The State Historic Preservation Office has reviewed the information submitted for the above-named property, in accordance with the provisions of Section 106 of the National Historic Preservation Act.

Based on the material provided, due to the location of the proposed wind energy development outside of Connecticut state waters on the Atlantic Outer Continental Shelf and the distance between the project area and Connecticut's cultural resources, it is the opinion of this office that the proposed wind energy development will have no effect upon the state's cultural resources.

We also request the Department of the Interior contact the Mohegan Tribe and the Mashantucket Pequot Tribal Nation regarding the project.

This office appreciates the opportunity to have reviewed and commented on this undertaking.

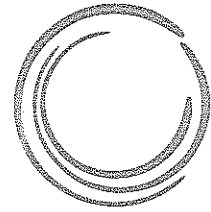
For further information please contact Laura L. Mancuso, Environmental Review Coordinator, at (860) 256-2757 or [laura.mancuso@ct.gov](mailto:laura.mancuso@ct.gov).

Sincerely,

A handwritten signature in black ink that reads "David Bahlman".

David Bahlman  
State Historic Preservation Officer

RECEIVED  
10 20 11



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

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

CAPE COD  
COMMISSION

October 18, 2011

Brian Jordan, Ph.D.  
Federal Preservation Officer  
US Department of the Interior  
Bureau of Ocean Energy Management, Regulation and Enforcement  
Washington, DC 20240

Dear Mr. Jordan:

Thank you for the opportunity to comment on the Smart from the Start wind energy initiative for the Atlantic Outer Continental Shelf.

The Cape Cod Commission has been engaged in a year-long planning effort to examine offshore wind turbine development. On October 13, 2011, the Commission adopted the Cape Cod Ocean Management Plan, which employs marine spatial planning to identify areas in our ocean waters where wind turbine development is precluded. The county utilized data layers generated by the Commonwealth of Massachusetts in its planning effort, customizing them to address Cape Cod's interests. While we do not have specific comments regarding critical resources found in the Call area, we encourage BOEMRE to ensure that critical resources and marine ecosystems are adequately protected. Resources that received particular attention during our planning process included habitat for the North Atlantic Right Whale, Fin and Humpback Whales, sea grass and productive benthic habitats, sea turtles, migrating birds, colonial waterbirds, and fish.

In addition to natural resource considerations, the Cape Cod Ocean Management Plan examined human use activity areas, as well as the visual effects of ocean-based development on Cape Cod seascapes. Considerations for protection of the Cape's historic resources are a component of our determination of appropriate scale for renewable energy projects. We offer the following comments on historic and archaeological resources within the Call area.

The proposed Call area is located more than 20 nautical miles west of the closest point in Barnstable County. This point, which is the southwestern portion of the town of Falmouth,





includes numerous historically significant properties along its coastline, including the Woods Hole Historic District, the Nobska Light Station, and the Cleveland Ledge Light Station in Buzzards Bay.

Portions of the Elizabeth Islands and the Island of Martha's Vineyard, all within Dukes County, are located between Falmouth and the Call area, limiting the portion of the Call area that could be visible from Barnstable County.

A review of existing literature on the visual impact of wind turbine projects shows there is some consensus that turbines located greater than 15 miles from the viewer will have lesser impacts. The UK's Guidance on the Assessment of the Impact of Offshore Wind Farms (DTI study, 2005) suggests that turbines greater than 24 km/14.4 miles from a viewing point would have limited visual effects. This report also cites a 2004 Scottish seascape study in finding that 30-35 km/18-21 miles is the outer limit from which a project would have potential significant effects on a visual amenity. The State of Maine's Visual Impact Assessment Process for Evaluating Wind-Energy Projects notes that wind turbines may be seen from 15 miles away, and even farther under optimal atmospheric conditions, but they appear very small at such distances, and appear as small portions of a larger panorama.

Due to its high elevation, Nobska Light Station (listed on the National Register of Historic Places) is the most likely cultural resource to have a view of the Call area. Because that view would be distant and partially obstructed by islands, we do not believe it would be affected by leasing, site characterization activities, and the construction of meteorological structures in the Call area.

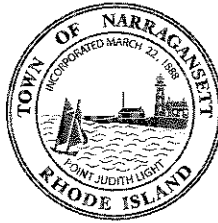
Again, thank you for the opportunity to comment on the Smart from the Start Initiative.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Niedzwiecki', written over a circular scribble.

Paul Niedzwiecki  
Executive Director

Cc: Cape Cod Commission



RECEIVED  
11/25/11

OFFICE OF THE TOWN MANAGER

November 23, 2011

Brandi Carrier Jones  
Department of the Interior  
Bureau of Ocean Energy Management, Regulation and Enforcement  
Office of Offshore Alternative Energy Programs  
381 Elden Street, MS 4090  
Herndon, Virginia 20170-4817

Dear Mrs. Jones:

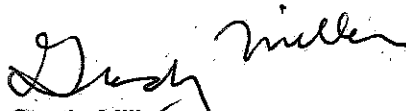
The Town of Narragansett has reviewed the Notice of Intent (NOI) and associated maps relating to the "Smart from the Start" wind energy initiative for potential development on the Atlantic Outer Continental Shelf (OCS). The inland edge of the proposed 'Call Area' is located approximately 15 miles offshore from the tip of Point Judith in Narragansett, Rhode Island. With the 'Call Area' located a considerable distance from the Narragansett shoreline, any associated impact on historic sites and/or cultural resources within the Town of Narragansett appears to be negligible.

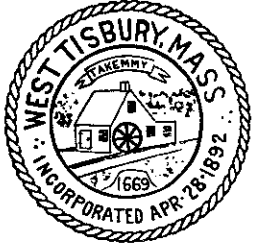
The Town of Narragansett Comprehensive Plan identifies thirteen (13) resources which have been recognized and listed in the National Register of Historic Places, and another thirteen (13) properties identified as deserving consideration for nomination. The Town also regulates four (4) separate Historic Districts within the central portion of the Town that are of historical significance and cultural value. Due to their physical locations and distance from the 'Call Area', it is presumed that any impact that may occur as a result of construction on the OCS would be negligible, if any.

We hope that this correspondence satisfactorily addresses the request of the Bureau of Ocean Energy Management, Regulations and Enforcement (BOEMRE) for input from local communities on any potential impact this project may have on local historic sites and/or cultural resources.

Thank you for the opportunity to comment on this project. Should you have any further questions regarding this matter, please feel free to contact me at (401) 782-0652.

Sincerely,

  
Grady Miller  
Town Manager



Town of West Tisbury  
Board of Selectmen  
West Tisbury, MA 02575

November 9, 2011

RECEIVED  
11/14/11  
at OREP

Ms. Brandi Carrier Jones  
Department of the Interior  
Bureau of Ocean Energy Management, Regulation and Enforcement  
Office of Offshore Alternative Energy Programs  
381 Elden Street, MS 4090  
Herndon, Virginia 20170-4817

Dear Ms. Carrier Jones:

Thank you for your request for comments regarding proposed ocean bottom work in the specific area shown on your included map off the Rhode Island and Massachusetts coast.

In response the Town of West Tisbury has no information with respect to known historic sites or cultural resources within the areas under consideration that may be affected by the intended work, or the installation of meteorological structures.

Sincerely,

Richard Knabel  
Selectman, Town of West Tisbury



# United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT  
WASHINGTON, DC 20240-0001

JAN 09 2012

Dr. Thomas McCulloch, Ph.D., R.P.A.  
Senior Archaeologist  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
Washington, D.C. 20004

Dear Dr. McCulloch:

The “Smart from the Start” Initiative, announced on November 23, 2010, by Secretary of the Interior Ken Salazar, was designed in part to identify areas that appear to be most suitable for wind energy development. These areas are identified through Bureau of Ocean Energy Management (BOEM) Intergovernmental Task Forces comprised of state, local, and tribal officials, comments received on public notices, and consultations.

Under the Initiative, BOEM is considering (1) issuing leases and (2) subsequently approving site assessment plans (SAPs) for those leaseholds within areas offshore Massachusetts and Rhode Island (see enclosed map). The leases issued by BOEM would give the lessees the exclusive right to submit a SAP for BOEM’s approval. The SAP includes details such as where site assessment structures (e.g., meteorological towers and buoys) would be placed, and the results of site characterization survey data, which includes data on cultural resources and an archaeological inventory.<sup>1</sup>

BOEM has determined that issuing leases and approving site assessment activities constitute an undertaking subject to Section 106 of the National Historic Preservation Act (16 U.S.C. 470f), and its implementing regulations (36 CFR 800). Furthermore, BOEM has determined that bottom-disturbing activities (e.g., core sampling and associated anchoring and placement of meteorological structures) on the Outer Continental Shelf (OCS) have the potential to affect historic properties. Conversely, while it is possible that some meteorological towers may be visible from shore, BOEM believes that these structures would be indistinguishable from lighted vessel traffic and because of their temporary nature would have negligible impacts on historic properties. However, additional consultations are necessary to determine consulting parties’ opinions on these and other matters.

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<sup>1</sup> The issuance of a lease does not give the lessee the right to develop commercial-scale facilities. A separate, site- and project-specific Section 106 consultation would take place in the future, should a lessee ultimately propose the construction of a commercial wind energy facility in a Construction Operations Plan (30 CFR 585.620-.626).

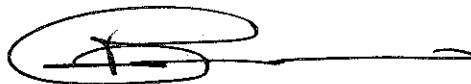
BOEM currently has limited information regarding the presence or absence of historic properties within the areas offshore Massachusetts and Rhode Island. BOEM requires lessees to submit the results of site characterization surveys in a SAP so that potential cultural resources on the leasehold can be identified.

Because the complete identification of historic properties would not take place until after leases are issued, and because the undertakings being considered are multiple (one or more SAPs), BOEM intends to (1) conduct Section 106 consultations for the lease undertakings concurrently with NEPA review and (2) prepare a Programmatic Agreement (PA) for Section 106 consultation for SAP decisions. This will inform BOEM's future decisions regarding the approval, approval with modification, or disapproval of lessees' SAPs (30 CFR 585.605-.613). Using a phased approach set out in a PA will allow the consulting parties to consult on how potential adverse affects to newly identified historic properties will be addressed when BOEM considers lessees' SAPs – either by avoidance or mitigation.

On December 15, 2011, BOEM held an initial consultation meeting to discuss these issues with potential consulting parties. BOEM currently is drafting a proposed PA to discuss with the consulting parties, and invites the Advisory Council on Historic Preservation's participation in this Section 106 consultation. Should you have additional questions you may contact me at (703) 787-1549 or [Brandi.CarrierJones@boem.gov](mailto:Brandi.CarrierJones@boem.gov) or BOEM's Federal Preservation Officer, Dr. Brian Jordan, at (703) 787-1748 or [Brian.Jordan@boem.gov](mailto:Brian.Jordan@boem.gov). Correspondence may also be sent to my attention at the following address:

Bureau of Ocean Energy Management  
Office of Renewable Energy Programs  
381 Elden Street, HM 1328  
Herndon, Virginia 20170-4817

With Warm Regards,

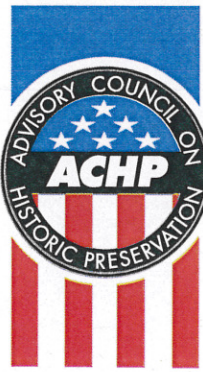
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Brandi Carrier Jones  
Archaeologist

Milford Wayne Donaldson, FAIA  
Chairman

Clement A. Price Ph.D.  
Vice Chairman

John M. Fowler  
Executive Director



*Preserving America's Heritage*

January 13, 2012

Mr. Tommy Beaudreau  
Director  
Bureau of Ocean Energy Management  
1849 C Street, NW  
Washington, D.C. 20240

Ref: Smart from the Start identification of Wind Energy Areas offshore Massachusetts  
and Rhode Island

Dear Mr. Beaudreau:

The Advisory Council on Historic Preservation (ACHP) has been invited by the Bureau of Ocean Energy Management (BOEM) to participate in the referenced undertaking to help ensure that historic properties are fully considered in wind energy development off of Massachusetts and Rhode Island. Pursuant to the Criteria for Council Involvement in Reviewing Individual Section 106 Cases (Appendix A to our regulations, 36 CFR Part 800) we believe the criteria are met for our participation in this undertaking. Issuing leases and approving site assessment plans for leaseholds will be a very complex activity that may present substantial impacts to important historic properties or involve questions of policy or interpretation. Accordingly, the ACHP will participate in consultation with BOEM and other stakeholders to seek ways to avoid, reduce, or mitigate adverse effects to historic properties. By copy of this letter we are also notifying Dr. Brian Jordan, BOEM's Federal Preservation Officer, of our decision to participate in consultation.

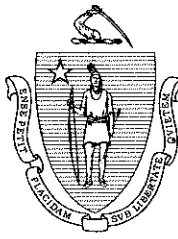
Our participation will be handled by Dr. Tom McCulloch, who can be reached at 202-606-8554 or at [tmcculloch@achp.gov](mailto:tmcculloch@achp.gov). We look forward to working with the Bureau of Ocean Energy Management on this important project.

Sincerely,

  
John M. Fowler  
Executive Director

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004  
Phone: 202-606-8503 • Fax: 202-606-8647 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)



## The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

March 1, 2012

Brian Jordan  
Federal Preservation Officer  
Office of Offshore Alternative Energy Programs  
Bureau of Ocean Energy Management, Regulation, and Enforcement  
Department of the Interior  
381 Elden Street  
Mail Stop 4090  
Herndon, VA 20170

RE: Wind Power on the Outer Continental Shelf Offshore Rhode Island and Massachusetts Area of Mutual Interest and Massachusetts Call Areas. MHC # RC.47325.

Dear Mr. Jordan:

The Massachusetts Historical Commission (MHC), office of the Massachusetts State Historic Preservation Officer, has reviewed the Notice of Intent to Prepare an Environmental Assessment for Wind Power on the Outer Continental Shelf Offshore Massachusetts (NOI) and BOEM's consultation letter under Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800), received February 6, 2012, and has the following comments.

MHC understands that BOEM proposes to conduct Section 106 consultation simultaneously for undertakings within the Rhode Island and Massachusetts Area of Mutual Interest/Call Area and the Massachusetts Call Area. In MHC's opinion, the project areas of potential effect (36 CFR 800.4(a)(1)) for these undertakings as defined by BOEM, consisting of the blocks included in the Rhode Island and Massachusetts Call Area and Massachusetts Call Area, are preliminary, as project impacts associated with the undertakings have not been specifically defined. As project information is developed MHC requires more specific information to offer opinions of the proposed project areas of potential effect (36 CFR 800.16(d)).

BOEM proposes to develop a Programmatic Agreement (PA) for the phased conduct of the Section 106 process, in combination with National Environmental Policy Act (NEPA) review, as BOEM proposes to issue leases in advance of conducting historic properties identification efforts for these undertakings. Site assessment activities, including geophysical, archaeological and historic properties surveys, will be conducted by lessees as part of their site assessment plan, and/or construction operations plans, submissions to BOEM after leases are issued.

As you know, the effects to archaeological sites from bottom-disturbing activities, including anchoring of sampling platforms, core sampling, and placement of meteorological testing structures can be evaluated by archaeological surveys within the Call Areas, including proposed land-side and near-shore survey activities or proposed project elements outside of the Call Areas and their potential effects to historic and cultural resources. Ancillary portions of offshore wind turbines, including submerged cable trenches and vessel anchorages, would be located in both state and federal waters, coastal banks and on land.

Identification efforts should match the scope of each project within the Call Areas, as well as all ancillary project impact areas. The results of the survey(s) should be incorporated into ongoing project planning by all potential lessees to develop project alternatives early in the planning stages that would avoid and/or minimize effects to potentially significant historic and archaeological resources.

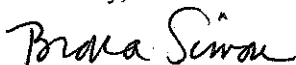
In MHC's opinion, the solicitation of information on identified historic properties within the general areas of continental shelf should follow the Rhode Island Ocean Special Area Management Plan (SAMP) scope and research methodologies for identification and evaluation of cultural resources within the proposed Call Areas. SAMP geophysical data should be incorporated into further evaluations of relevant portions of the Call Areas and near-shore and land-side project impact areas. Paleolandscape reconstruction, including survey methodologies that utilize the results of systematic sub-bottom core sampling, is especially important to assist in proactive project planning for cultural resource identification by identifying archaeologically sensitive locations within the continental shelf which may be within project areas of potential impact.

Project information for individual lease areas, including all proposed land-side and near-shore survey activities and/or project elements, the draft Programmatic Agreement, and proposed research designs and sampling methodologies for historic property site assessment activities should be submitted to the MHC for review and comment as they are developed (36 CFR 800.4(b)).

The MHC looks forward to continued consultation with BOEM regarding the development of a Programmatic Agreement for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

These comments are offered to assist in compliance with Sections 106 of the National Historic Preservation Act of 1966 (36 CFR 800) as amended. If you need further information or have any questions concerning these comments, please contact Jonathan K. Patton of my staff.

Sincerely,



Brona Simon  
State Historic Preservation Officer  
Executive Director  
State Archaeologist  
Massachusetts Historical Commission

xc: Brandi Carrier Jones, BOEM  
Maureen Bourholdt, BOEM  
Jessica Bradley, BOEM  
Karen Kirk Adams, USACOE-NED, Regulatory  
Kate Atwood, USACOE-NED  
Marc Paiva, USACOE-NED  
Bettina Washington, THPO, Wampanoag Tribe of Gay Head (Aquinnah)  
Ramona Peters, Mashpee Wampanoag Tribe  
Doug Harris, NITHPO  
Reid Nelson, Advisory Council on Historic Preservation  
Secretary Richard K. Sullivan, Massachusetts Executive Office of  
Energy & Environmental Affairs  
Bruce K. Carlisle, Director, Massachusetts Coastal Zone Management  
Victor T. Mastone, Massachusetts Board of Underwater Archaeological Resources  
John A. Peters, Massachusetts Commission on Indian Affairs  
Charlotte Taylor, Rhode Island Historic Preservation & Heritage Commission





## The Commonwealth of Massachusetts

April 9, 2012

William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

Brian Jordan  
Federal Preservation Officer  
Office of Offshore Alternative Energy Programs  
Bureau of Ocean Energy Management, Regulation, and Enforcement  
Department of the Interior  
381 Elden Street  
Mail Stop 4090  
Herndon, VA 20170

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APR 12 2012

Office of Renewable  
Energy Programs

RE: Wind Power on the Outer Continental Shelf Offshore Rhode Island and Massachusetts Area of Mutual Interest and Massachusetts Call Areas. MHC # RC.47325.

Dear Mr. Jordan:

The Massachusetts Historical Commission (MHC), office of the Massachusetts State Historic Preservation Officer, has reviewed the draft Programmatic Agreement (PA) for the phased conduct of the Section 106 process, in combination with National Environmental Policy Act (NEPA) review, received March 26, 2012, and has the following comments.

The MHC notes that the public participation plan referenced in the 7th Whereas clause (pg.4) has not yet been received by this office, although the MHC has participated in multiple BOEM Massachusetts and Rhode Island Task Force meetings during 2010 and 2011. The MHC therefore recommends that this Whereas clause incorporate a reference to BOEM's plans, as proposed in Stipulation III.A and B for Public Participation (pp.5-6), to incorporate public comment for the undertakings. Please also revise Stipulation III.B on page 6 to correctly reference Confidentiality as Stipulation IV, not VII.

Please add the following language as a new Whereas clause: Proposed research designs and sampling methodologies for archaeological surveys and/or historic property site assessment activities proposed under Stipulation I (pg.5) should be submitted to the Massachusetts SHPO (MASHPO) for review and comment as they are developed (36 CFR 800.4(b)).

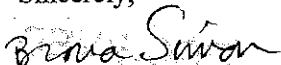
Please add the following language as Stipulation V.A.4. a. on page 5:

**MASHPO REVIEW SPECIFICATIONS.** All submittals to the MASHPO shall be in paper format and shall be delivered to the MASHPO's office by US Mail, or by a delivery service, or by hand. Plans and specifications submitted to the MASHPO shall measure no larger than 11" x 17" paper format (unless another format is specified in consultation). The MASHPO shall review and comment on all adequately documented project submittals within 30 calendar days of receipt unless a response as has been requested within the expedited review period specified in Stipulation V.A.2.

The MHC looks forward to continued consultation with BOEM regarding the revised draft Programmatic Agreement for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

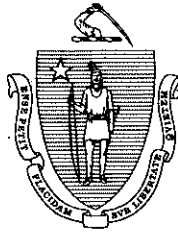
These comments are offered to assist in compliance with Sections 106 of the National Historic Preservation Act of 1966 (36 CFR 800) as amended. If you need further information or have any questions concerning these comments, please contact Jonathan K. Patton of my staff.

Sincerely,



Brona Simon  
State Historic Preservation Officer  
Executive Director  
State Archaeologist  
Massachusetts Historical Commission

xc: Brandi Carrier Jones, BOEM  
Maureen Bourholdt, BOEM  
Jessica Bradley, BOEM  
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Charlotte Taylor, Rhode Island Historic Preservation & Heritage Commission



**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

**RECEIVED**

MAY 9 2012

Office of Renewable  
Energy Programs

May 24, 2012

Brian Jordan  
Federal Preservation Officer  
Office of Offshore Alternative Energy Programs  
Bureau of Ocean Energy Management, Regulation, and Enforcement  
Department of the Interior  
381 Elden Street  
Mail Stop 4090  
Herndon, VA 20170

RE: Wind Power on the Outer Continental Shelf Offshore Rhode Island and Massachusetts Area of Mutual Interest and Massachusetts Call Areas. MHC # RC.47325.

Dear Mr. Jordan:

The Massachusetts Historical Commission (MHC), office of the Massachusetts State Historic Preservation Officer, has reviewed the revised draft Programmatic Agreement (PA) for the phased conduct of the Section 106 process, in combination with National Environmental Policy Act (NEPA) review, and additional information received April 25 and May 8, 2012. The MHC has also reviewed the Guidelines for Providing Geological and Geophysical, Hazards, and Archaeological Information Pursuant to 30 CFR Part 285 and has the following comments.

The MHC notes that the revised draft PA has substantively incorporated the MHC's April 9, 2012 comments. However, the MHC understands that BOEM does not regulate surveys and does not have authority to require submission of research designs and sampling methodologies, although BOEM encourages lessees to conduct survey activities pursuant to the Guidelines referenced above. The PA includes a Whereas clause (pg. 5) specifying completion of surveys according to these standards. Therefore, the MHC has the following comments on the Guidelines referenced above.

The MHC notes that the Guidelines document includes survey methodologies for only the marine portion of proposed projects. In Massachusetts, marine archaeological surveys in state waters are conducted under a permit from the Massachusetts Board of Underwater Archaeological Resources (MBUAR) (301 CMR 2). The MHC encourages BOEM to consult with the MBUAR regarding refinement of the Guidelines for offshore Massachusetts, as they retain a historic shipwreck inventory and important local knowledge and information on historic maritime resources in the vicinity of Cape Cod, Martha's Vineyard and Nantucket.

Land-side aspects of proposed undertakings, that may include survey and construction, such as directional drilling entrance/exit pits, etc., are not discussed in the document. Massachusetts has a State Archaeologist's permit system for destructive archaeological investigations (950 CMR 70). Potential investigations for portions of undertakings that may occur above mean low water in archaeologically sensitive areas that require archaeological survey must be conducted under a State Archaeologist's permit by a qualified archaeological consultant with experience in the glaciated Northeast.

The MHC encourages BOEM to consult with this office during the Pre-Survey Meetings (Guidelines, II, pg. 2) with potential lessees, so that the MHC may offer comments on proposed scopes for project archaeological surveys in anticipation of receiving technically adequate research designs and methodologies as part of the State Archaeologist's permit application for land-side surveys, to facilitate integration of any required land-side survey into early project planning and scheduling.

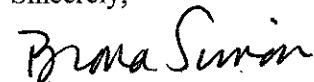
Multiple submerged terrestrial ancient Native American archaeological sites have been identified within Massachusetts during marine archaeological surveys through systematic close-interval vibracore sampling methodologies. The MHC encourages BOEM to refine Table 2, Core Sampling/Testing (Geotechnical): Strategies, techniques and elements, to take into account the potential for close-interval vibracoring to assist in assessment, identification and evaluation, as described in Appendix B, Contents of Archaeological Resource Assessment, of submerged paleosols during standard geophysical survey. Archaeological sensitivity assessments should be incorporated into any proposed geotechnical sampling methodology and include contingencies for additional close-interval systematic coring where feasible. The results of close interval sampling allow the horizontal and vertical definition of archaeological site boundaries, so that archaeological site avoidance and protection plans may be developed, including a 50 meter buffer zone as required under the PA.

Appendix A of the Guidelines (pg. 9) specifies the format for the technical reporting of marine survey data. The MHC requires two bound paper final copies of each technical archaeological survey report, and a CD-ROM with the technical report abstract and bibliographic information. The Massachusetts State Archaeologist's permit regulations (950 CMR 70) also specify minimum technical archaeological reporting standards (950 CMR 70.14). MHC Form D archaeological site inventory forms may also be completed for identified ancient or historical period archaeological sites.

The MHC looks forward to continued consultation with BOEM regarding the revised draft Programmatic Agreement for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

These comments are offered to assist in compliance with Sections 106 of the National Historic Preservation Act of 1966 (36 CFR 800) as amended. If you need further information or have any questions concerning these comments, please contact Jonathan K. Patton of my staff.

Sincerely,



Brona Simon  
State Historic Preservation Officer  
Executive Director  
State Archaeologist  
Massachusetts Historical Commission

xc: see attached

xc: Brandi Carrier Jones, BOEM  
Maureen Bourholdt, BOEM  
Jessica Bradley, BOEM  
Karen Kirk Adams, USACOE-NED, Regulatory  
Kate Atwood, USACOE-NED  
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Bruce K. Carlisle, Director, Massachusetts Coastal Zone Management  
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John A. Peters, Massachusetts Commission on Indian Affairs  
Charlotte Taylor, Rhode Island Historic Preservation & Heritage Commission



United States Department of the Interior

**NATIONAL PARK SERVICE**

Northeast Region  
200 Chestnut Street  
Philadelphia, PA 19106

IN REPLY REFER TO:  
DEC 12//0145

November 30, 2012,

Michelle Morin  
Program Manager, Office of Renewable Energy  
Bureau of Ocean Energy Management  
381 Elden Street, HM 1328  
Herndon, Virginia 20170-4817

Subject: Commercial Wind Lease Issuance and Site Assessment Activities on the Atlantic  
OCS Offshore MA, BOEM-2012-0086

Dear Ms. Morin:

This is in response to a request for the National Park Service (NPS) review and comment on the Bureau of Ocean and Energy Management (BOEM) Environmental Assessment (EA) for the Commercial Wind Lease Issuance and Site Assessment Activities and the evaluation of environmental impacts of commercial wind leasing on the outer continental shelf (OCS) offshore Massachusetts. According to BOEM the EA considers the reasonably foreseeable environmental impacts and socioeconomic effects of issuing renewable energy leases and the subsequent site characterization activities (geophysical, geotechnical, archaeological, and biological surveys needed to develop specific project proposals) in an identified Wind Energy Area (WEA) on the OCS offshore Massachusetts. The EA also considers the reasonably foreseeable environmental impacts associated with the approval of site assessment activities (including the installation and operation of meteorological towers and buoys) on the leases that may be issued. At this time, specific project details with regard to the siting of related infrastructure development locations, both on-shore and off-shore, are not known. The NPS would like to offer the following general comments for your consideration.

**General Comments**

The National Park Service Organic Act of 1916 requires the NPS “to conserve the scenery and the natural and historic objects and wild life therein and to provide for the enjoyment of future generations.” 16 U.S.C. §1. As such, the NPS is under congressional mandate to protect park resources from activities that would impair or be a derogation of the values and purposes for

which the park units are authorized or that are incompatible with the public interest. As stewards of public lands, the NPS protects resources through a variety of internal programs, but also strives to be an active conservation partner with other federal and non-federal agencies and organizations. The NPS supports the Department of the Interior's efforts to be "smart from the start" in permitting renewable energy projects and related infrastructure and making every effort to ensure that they are constructed and operated in an environmentally responsible manner that serves the public interests, protects cultural and natural resources, and protects our treasured landscapes. While the NPS supports the development of alternative energies, we maintain that it can and should be done utilizing the environmentally least impactful methods.

Moreover, federal and non-federal agencies should consider the existence and location of NPS resources and interests with regard to both off-shore and on-shore infrastructure siting and development. In some instances, the NPS may be able to provide assistance by providing GIS mapping data. The NPS wishes to stay informed regarding further developments related to this project, particularly in the event that future changes in project location and design would result in currently unanticipated impacts to units of the National Park System. The NPS also understands that detailed development plans for specific project proposals related to the current study will be subject to review under the National Environmental Policy Act. At this time, however, details of related onshore infrastructure development are not known. Therefore, the NPS would like to provide the following general information.

The NPS administers National Parks, National Historic Landmarks, National Register listed and eligible properties and several other programs. We look forward to working with you in the future on energy activities on the Outer Continental Shelf.

### **National Parks**

The National Park System is comprised of over 380 areas throughout the U.S. and its territories. Management responsibility for each National Park unit lies with the Superintendent of that unit. For information about resources of concern specific to a National Park, it would benefit the agency to contact the Superintendent during the early scoping process, once more specific information is known about potential impacts. The External Review Coordinator in the regional office can also facilitate contact with specific park units; for parks within the Northeast Region, contact, [mary\\_morrison@nps.gov](mailto:mary_morrison@nps.gov).

### **National Historic Landmarks**

National Historic Landmarks (NHLs) are nationally significant historic resources that possess exceptional value or quality in illustrating or interpreting the heritage of the United States. Information on NHLs can be found at <http://www.nps.gov/nhl/>. The primary contact regarding potential effects of your proposed project on NHLs is usually the State Historic Preservation Officer (SHPO). Contact information for SHPOs by state can be found at <http://www.ncshpo.org/>. If your project could have an effect on a NHL you should include the NPS Preservation Assistance Office/NHL Program Manager as an interested party and provide information regarding the issues that may affect NHLs. In the event that the SHPO determines your project will have an adverse effect on a NHL under the Historic Preservation Act's Section 106 review process, you must then contact the NPS NHL Program Manager, Bonnie Halda, [bonnie\\_halda@nps.gov](mailto:bonnie_halda@nps.gov), and offer the NPS an opportunity to formally consult with your agency

### **National Natural Landmarks**

The National Natural Landmarks Program recognizes and encourages the conservation of outstanding examples of our country's natural history in both public and private ownership. The National Park Service administers the National Natural Landmark Program and, if requested, assists National Natural Landmark owners and managers with the conservation of these important sites. A guide to National Natural Landmarks by state and contact information for National Natural Landmarks can be found at <http://www.nature.nps.gov/nnl/>.

### **National Heritage Areas**

National Heritage Areas are places where natural, cultural, historic and recreational resources combine to form a cohesive, nationally distinctive landscape arising from patterns of human activity shaped by geography. National Heritage Areas may be managed by a State or local agency, a commission, or a private nonprofit corporation. The National Park Service provides technical and financial assistance for a limited time (usually 10-15 years) following designation. A list of National Heritage Areas and contact information can be found at <http://www.cr.nps.gov/heritageareas/CNTC/INDEX.HTM>.

### **National Trails System**

The National Trails System is the network of scenic, historic, and recreation trails created by the National Trails System Act of 1968. These trails provide for outdoor recreation needs, promote the enjoyment, appreciation, and preservation of open-air, outdoor areas and historic resources, and encourage public access and citizen involvement. The National Trails System Act made it Federal policy to recognize and promote trails by providing financial assistance, support of volunteers, coordination with States, and other authorities. As a result, 8 National Scenic Trails and 15 National Historic Trails have been established by act of Congress, and are administered by the National Park Service, the USDA Forest Service, and the Bureau of Land Management, depending on the trail, and over 800 national recreation trails have been designated through recognition by the Secretaries of Agriculture and Interior; and 2 side-and-connecting trails have also been certified. More detail and contact information for these trails can be found at [http://www.nps.gov/nts/nts\\_trails.html](http://www.nps.gov/nts/nts_trails.html). A state-by-state list of National Recreational Trails with contact information can be found at <http://www.americantrails.org/nationalrecreationtrails>.

### **Land and Water Conservation Fund**

The Land and Water Conservation Fund program provides matching grants to States and local governments for the acquisition and development of public outdoor recreation areas and facilities. The Land and Water Conservation Fund is administered for the NPS through the state. Contact the State Liaison Officer directly for information regarding potential effects of your project. Contact information for State Liaison Officers can be found at [http://www.nps.gov/ncrc/programs/lwcf/contact\\_list.html](http://www.nps.gov/ncrc/programs/lwcf/contact_list.html).



### **Wild and Scenic Rivers**

The National Wild and Scenic Rivers System preserves certain rivers with outstanding scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values in a free-flowing condition for the enjoyment of present and future generations. There are four primary federal agencies charged with protecting and managing wild and scenic rivers: the Bureau of Land Management, the US Forest Service, the US Fish and Wildlife Service, and the National Park Service. A list of designated rivers and contact information can be found at <http://www.rivers.gov/rivers/>. This website also contains information about the Nationwide Rivers Inventory (NRI), which is an additional list of river segments with significant natural and/or cultural values that should be considered in the planning process.

We appreciate the opportunity to comment at this time.

Missy Morrison  
Resource Planning and Compliance Program, External Review Coordinator  
National Park Service, Northeast Regional Office  
200 Chestnut Street  
Philadelphia, PA 19106  
(215) 597-7067

cc:

Sarah Quinn ([Sarah\\_Quinn@nps.gov](mailto:Sarah_Quinn@nps.gov))  
Mary Krueger ([Mary\\_C\\_Kreuger@nps.gov](mailto:Mary_C_Kreuger@nps.gov))



**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Massachusetts Historical Commission

**RECEIVED**

December 14, 2012

**JAN - 8 2013**

Brian Jordan  
Federal Preservation Officer  
Office of Offshore Alternative Energy Programs  
Bureau of Ocean Energy Management, Regulation, and Enforcement  
Department of the Interior  
381 Elden Street  
Mail Stop 4090  
Herndon, VA 20170

Office of Renewable  
Energy Programs

RE: Wind Power on the Outer Continental Shelf Offshore Massachusetts. MHC # RC.47325.

Dear Mr. Jordan:

The Massachusetts Historical Commission (MHC), office of the Massachusetts State Historic Preservation Officer, has reviewed the Environmental Assessment (EA) for the project referenced above and has the following comments.

The EA for the Massachusetts Wind Energy Area is substantively similar to the previous EA prepared for the Massachusetts and Rhode Island Area of Mutual Interest; a summary of consultation conducted pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800) to date and preliminary specifications for meteorological towers and buoys that may be installed as part of site assessment activities are included in the document.

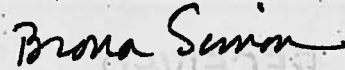
The MHC continues to request that BOEM strongly encourage their applicants to consult with this office as early as possible in project planning, especially for survey activities proposed in support of site assessment plan, and later construction and operations plan development.

Current project information and proposed research designs and methodologies for identification surveys for historic properties, including marine archaeological reconnaissance and geotechnical sampling, should be submitted to the MHC for review and comment.

The MHC looks forward to continued consultation with BOEM pursuant to the Programmatic Agreement for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

These comments are offered to assist in compliance with Sections 106 of the National Historic Preservation Act of 1966 (36 CFR 800) as amended. If you need information or have any questions concerning these comments, please contact Jonathan K. Patton of my staff.

Sincerely,



Brona Simon  
State Historic Preservation Officer  
Executive Director  
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