

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

WHEREAS, the Bureau of Ocean Energy Management (BOEM) is considering whether to authorize construction and operation of the Revolution Wind Farm and Revolution Wind Export Cable Project (Project) pursuant to Section 8(p)(1)(C) of the Outer Continental Shelf (OCS) Lands Act (43 USC 1337(p)(1)(C)), as amended by the Energy Policy Act of 2005 (Public Law No. 109-58) and in accordance with Renewable Energy Regulations at 30 Code of Federal Regulations (CFR) Part 585; and

WHEREAS, BOEM has determined that the Project constitutes an undertaking subject to Section 106 of the National Historic Preservation Act (NHPA), as amended (54 USC 306108), and its implementing regulations (36 CFR 800); and

WHEREAS, BOEM is considering whether to approve with conditions the Construction and Operations Plan (COP) submitted by Revolution Wind, LLC (Revolution Wind); and

WHEREAS, BOEM has determined that the construction, operation, maintenance, and eventual decommissioning of the Project, designed for up to 100 offshore Wind Turbine Generators (WTGs), up to two offshore substations, up to two export cables collocated in one easement connecting from the OCS to landfall on Rhode Island shores, one onshore transmission cable connecting from landfall to one onshore substations and adjacent interconnection facility (ICF) with a buried connection line, and an overhead connection from the ICF to the existing TNEC Davisville Substation have the potential to adversely affect historic properties, as defined under 36 CFR 800.16(l); and

WHEREAS, BOEM is preparing an Environmental Impact Statement (EIS) for the Project pursuant to the National Environmental Policy Act (42 USC 4321 et seq.) (NEPA) and has elected to use the NEPA substitution process with its Section 106 consultation pursuant to 36 CFR 800.8(c); and

WHEREAS, throughout this document the term ‘Tribal Nation’ has the same meaning as a federally recognized ‘Indian Tribe,’ as defined at 36 CFR 800.16(m); and

WHEREAS, BOEM recognizes its government-to-government obligation to consult with Tribal Nations that may attach religious and cultural significance to historic properties that may be affected by the proposed undertaking; in addition, BOEM will comply with the American Indian Religious Freedom Act (AIRFA), Native American Graves Protection and Repatriation Act (NAGPRA), Executive Orders 13007 and 13175, and the Memorandum of Understanding to Protect Sacred Sites (November 2021); and

WHEREAS, BOEM invited the following federally recognized Tribal Nations (Tribal Nations) to consult on this Project: Wampanoag Tribe of Gay Head (Aquinnah), Mashpee Wampanoag Tribe, Shinnecock Indian Nation, Mashantucket (Western) Pequot Tribal Nation, Mohegan Tribe of Indians of Connecticut, Narragansett Indian Tribe, Delaware Tribe of Indians, The Delaware Nation; and

WHEREAS, Wampanoag Tribe of Gay Head (Aquinnah), Mashpee Wampanoag Tribe, and Mashantucket (Western) Pequot Tribal Nation accepted BOEM’s invitation to consult and BOEM invited these Tribal Nations to sign this MOA as invited signatories; and

WHEREAS, the Shinnecock Indian Nation, the Narragansett Indian Tribe, the Delaware Tribe of Indians, the Delaware Nation accepted BOEM's invitation to consult and BOEM invited these Tribal Nations to sign this MOA as concurring parties; and

WHEREAS, BOEM acknowledge that Tribal Nations possess special expertise in assessing the NRHP eligibility of properties with tribal religious and cultural significance to the Tribe(s) pursuant to 36 CFR 800.4(c)(1); and

WHEREAS, BOEM consulted with Tribal Nations to identify properties of religious and cultural significance to Tribal Nations that may be eligible for listing in the National Register of Historic Places (NRHP), including sacred sites, cultural landscapes, and TCPs, and that may be affected by this undertaking; and,

WHEREAS, BOEM consulted with the Wampanoag Tribe of Gay Head (Aquinnah), Mashpee Wampanoag Tribe and, Mashantucket (Western) Pequot Tribal Nation in government-to-government and technical meetings with THPOs and BOEM staff regarding potential effects to sites of religious and cultural significance to these Tribal Nations including the development of this MOA and mitigation measures; and

WHEREAS, the Wampanoag Tribe of Gay Head (Aquinnah) and the Mashpee Wampanoag Tribe identified the Vineyard Sound and Moshup's Bridge TCP as a sacred site; and

WHEREAS, BOEM notified in advance the Tribal Nations and the Tribal Historic Preservation Officers (THPOs), State Historic Preservation Officers (SHPOs) of Connecticut, Massachusetts, New York, and Rhode Island and the Advisory Council on Historic Preservation (ACHP) on April 6, 2021 of their decision to use NEPA substitution and has followed the standards for developing environmental documents to comply with the Section 106 consultation for this Project pursuant to 36 CFR 800.8(c), and posted this decision in the Federal Register with BOEM's Notice of Intent to prepare an EIS for the Project on April 30, 2021; and

WHEREAS, BOEM notified and invited the Secretary of the Interior (SOI), as represented by the National Park Service (NPS), to consult regarding this Project pursuant to the Section 106 regulations, including consideration of the potential effects to National Historic Landmarks (NHLs), as required under NHPA Section 110(f) (54 USC 306107) and 36 CFR 800.10, the NPS accepted BOEM's invitation to consult, and BOEM invited the NPS to sign this MOA as a concurring party; and

WHEREAS, in accordance with 36 CFR 800.3, BOEM invited the Connecticut SHPO, the Massachusetts SHPO, the Rhode Island SHPO, and the New York SHPO to consult on the Project on April 2, 2021, and the Connecticut SHPO formally accepted on April 30, 2021, and the Massachusetts SHPO, the Rhode Island SHPO, and the New York SHPO accepted through participation in consultation following that date; and

WHEREAS, the Project is within a commercial lease area that was subject to previous NHPA Section 106 reviews by BOEM regarding both the issuance of the commercial lease and the approval of site assessment activities. Both Section 106 reviews for the lease issuance and the approval of the site assessment plan were conducted pursuant to the programmatic agreement (PA) and concluded with No Historic Properties Affected for lease issuance on June 4, 2013, and site assessment approval on October 12, 2017, consistent with the PA regarding the review of OCS renewable energy activities offshore Massachusetts and Rhode Island (*Programmatic Agreement Among The U.S. Department of the Interior, Bureau of Ocean Energy Management; the State Historic Preservation Officers 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; Regarding the "Smart from*

the Start" Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island) (Attachment 1) and this PA expired on May 12, 2022;.

WHEREAS, consistent with 36 CFR 800.16(d) and BOEM's *Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585* (May 27, 2020), BOEM defined the area of potential effects (APE) for the undertaking as the depth and breadth of the seabed potentially impacted by any bottom-disturbing activities, constituting the marine archaeological resources portion of the APE (marine APE); the depth and breadth of terrestrial areas potentially impacted by any ground disturbing activities, constituting the terrestrial archaeological resources portion of the APE (terrestrial APE); the viewshed from which offshore or onshore renewable energy structures would be visible, constituting the viewshed portion of the APE (visual APE); and any temporary or permanent construction or staging areas that may fall into any of the aforementioned offshore or onshore portions of the APE where direct, indirect, or cumulative effects could occur (see Attachment 2 APE Maps); and

WHEREAS, BOEM identified 451 aboveground historic properties in the offshore Project components' portion of the visual APE and two historic properties in the onshore Project components' portion of the visual APE; nineteen submerged historic properties and thirteen ancient submerged landforms and features (ASLFs) in the marine APE; and two historic properties in the terrestrial APE; and

WHEREAS, BOEM identified twelve NHLs within the visual APE for onshore and offshore developments and BOEM's planning and any action it decides to take would avoid adverse effects on seven of the twelve NHLs in the visual APE. The avoided NHLs in the APE are Montauk Point Lighthouse, Original U.S. Naval War College Historic District, Fort Adams Historic District, Battle of Rhode Island Historic District, Nantucket Historic District, New Bedford Historic District, and William Watts Sherman House. To the maximum extent possible, BOEM has undertaken such planning and action as may be necessary to minimize harm from adverse effects on the other five of the twelve identified NHLs in the APE, consisting of the Block Island Southeast Lighthouse, Bellevue Avenue Historic District, The Breakers, Marble House, and Ocean Drive Historic District. This includes the planning and action that would be implemented for the NHLs by BOEM under this MOA, pursuant to 36 CFR 800.10 and NHPA Section 110(f); and

WHEREAS, within the range of Project alternatives analyzed in the EIS (EIS Chapter 2, Table 2.1-1), BOEM determined that 101 aboveground historic properties would be subject to visual adverse effects from WTGs (see Attachment 3 and EIS Appendix J), no submerged historic properties related to shipwrecks or sunken crafts would be adversely affected by physical disturbance from export cable construction within the avoidance buffers of these resources, nine ASLFs may be potentially adversely affected by physical disturbance in the lease area and from export cable construction, and two historic properties in the terrestrial APE would be adversely affected with implementation of the undertaking; and

WHEREAS, BOEM determined that the implementation of project design and avoidance measures identified in this MOA would avoid adverse effects to 350 aboveground historic properties in the offshore visual APE (including seven NHLs), and to 19 submerged shipwrecks or sunken crafts and to four ASLFs in the marine APE; and

WHEREAS, BOEM has determined that all of the ASLFs identified in the marine APE are eligible for the NRHP under Criteria A and D; and

WHEREAS, under each of the Project alternatives analyzed in the EIS, BOEM has determined that the Project would visually adversely affect the 101 aboveground historic properties in Massachusetts and Rhode Island, including five NHLs in Rhode Island, and that the visual adverse effect would be cumulative with the potential adverse effects from other reasonably foreseeable offshore wind energy projects; and

WHEREAS, BOEM has identified historic sunken military craft (i.e., USS S-51) in the marine APE that are subject to the Sunken Military Craft Act (Public Law No. 108–375 Title XIV), administered by the Department of the Navy for the protection of these craft and associated remains, BOEM has invited the Department of the Navy to consult on this undertaking and they have accepted the invitation, and BOEM and the Department of the Navy will continue to coordinate consultation on the Sunken Military Craft Act through this Section 106 review to ensure compliance with that Act; and

WHEREAS, the Connecticut SHPO, the Massachusetts SHPO, the New York SHPO, and the Rhode Island SHPO have concurred with or not objected to BOEM’s finding of adverse effect; and

WHEREAS, in accordance with 36 CFR 800.3, BOEM has invited other federal agencies, state and local governments, and additional consulting parties with a demonstrated interest in the undertaking to participate in this consultation, the list of those accepting participation and declining to participate by either written response or no response to direct invitations are listed in Attachment 4; and

WHEREAS, BOEM has consulted with Revolution Wind in its capacity as applicant seeking federal approval of the COP, and, because Revolution Wind has responsibilities under the MOA, BOEM has invited the applicant to be an invited signatory to this MOA; and

WHEREAS, in accordance with 36 CFR 800.6(a)(1), BOEM has notified the ACHP of its adverse effect determination with specified documentation, including adverse effects to the NHLs, pursuant to 36 CFR 800.10(b), and ACHP is consulting on the resolution of adverse effects to the historic properties pursuant to 36 CFR 800.6(a)(1)(iii) and 36 CFR 800.10(b); and

WHEREAS, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act, Department of the Army permits will be required from the United States Army Corps of Engineers (USACE) for this Project and BOEM invited USACE to consult; and

WHEREAS, the USACE has designated BOEM as the Lead Federal Agency, pursuant to 36 CFR 800.2(a)(2), to act on its behalf for purposes of compliance with Section 106 for this Project (in a letter dated July 27, 2022), BOEM has invited the USACE to sign this MOA as a concurring party, and the USACE has accepted the invitation to sign this MOA as a concurring party; and

WHEREAS, BOEM has consulted with the signatories, invited signatories, and consulting parties participating in BOEM’s development of this MOA and regarding the delineation of the APEs, the identification and evaluation of historic properties, the assessment of potential effects to the historic properties, and on measures to avoid, minimize, and mitigate adverse effects to historic properties; and

WHEREAS, pursuant to 36 CFR 800.6, BOEM has invited the consulting parties as listed in Attachment 4 to sign as concurring parties; however, the refusal of any consulting party to sign this MOA or otherwise concur does not invalidate or affect the effective date of this MOA, and the consulting parties who choose not to sign this MOA will continue to receive information if requested and have an opportunity to participate in consultation as specified in this MOA; and

WHEREAS, the signatories agree, consistent with 36 CFR 800.6(b)(2), that adverse effects will be resolved in the manner set forth in this MOA; and

WHEREAS, this MOA requires all Project actions prescribed for the mitigation on-site at terrestrial archaeological sites and on-site at ASLFs to be concluded prior to Project construction or other ground or seafloor disturbing Project activities proceeding at those sites; and

WHEREAS, BOEM conducted five consulting party meetings, on December 21, 2021, April 8, 2022, September 27, 2023, April 7, 2023, and June 7, 2023; and

WHEREAS, BOEM sought and considered the views of the public regarding Section 106 for this Project through the NEPA process by holding virtual public scoping meetings when initiating the NEPA and NHPA Section 106 review on May 13, 18, and 20, 2021, and in-person and virtual public hearings related to the Draft EIS on September 29 and October 4–6 and 11, 2022; and

WHEREAS, BOEM made the first, redacted Draft MOA available to the public for review and comment from September 2, 2022, to October 17, 2022, and made an updated version of the redacted Draft MOA available to the public using BOEM’s Project website, and BOEM received comments from the public; and

NOW, THEREFORE, BOEM, the Wampanoag Tribe of Gay Head (Aquinnah), the Mashantucket (Western) Pequot Tribal Nation, the Mashpee Wampanoag Tribe, the Connecticut SHPO, the Massachusetts SHPO, the New York SHPO, and the Rhode Island SHPO, Revolution Wind, and the ACHP agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

BOEM, with the assistance of Revolution Wind, must ensure that the following measures are carried out as conditions of its approval of the undertaking:

I. MEASURES TO AVOID ADVERSE EFFECTS TO IDENTIFIED HISTORIC PROPERTIES

A. Marine APE

1. BOEM will include the following avoidance measures for adverse effects within the marine APE as conditions of approval of the Revolution Wind COP:
 - i. Revolution Wind will avoid the 19 known shipwreck or sunken craft sites and potentially significant debris fields previously identified during marine archaeological surveys (Target-01 to Target-11 and Target-13 to Target-20) by a distance of no less than 164 feet (50 meters) from the known extent of the resource for placement of Project structures and when conducting seafloor-disturbing activities.
 - ii. Revolution Wind will avoid ASLFs previously identified during marine archaeological resource assessments (MARA) for the Project and incorporated avoidance buffering into the mapped ASLF feature boundary, as mapped in the MARA (COP Appendix M). This avoidance will protect ASLFs, to the known extent of the ASLF, from the placement of Project structures and when conducting seafloor-disturbing activities. Target-27 and Target-31 to Target-33 (four ASLFs) are avoidable and adverse effects to other ASLFs could be minimized through micrositing. Where the nine other ASLFs (Targets 21 through 26 and Targets 28 through 30) cannot be avoided, the mitigation measures at Section III.A will be applied.

B. Visual APE

1. To maintain avoidance of adverse effect from the Project on historic properties in the visual APE where BOEM has determined the adverse effect from the Project would not occur, BOEM will require Revolution Wind to ensure Project structures are within the BOEM-approved Project design envelope (PDE), sizes, scale, locations, lighting prescription, and distances that BOEM used to inform the definition of APE for the Project and for determining effects in the Finding of Effect (see the Project COP).

2. This measure (i.e., Stipulation I.B.1) will avoid adverse effects on seven of the twelve NHLs in the visual APE (Montauk Point Lighthouse, Original U.S. Naval War College Historic District, Fort Adams Historic District, Battle of Rhode Island Historic District, Nantucket Historic District, New Bedford Historic District, and William Watts Sherman House), through the Project distance and lack of visibility resulting from BOEM conditions of approval for the COP and PDE specifications for sizes, scale, locations, lighting prescription for the Project.

II. MEASURES TO MINIMIZE ADVERSE EFFECTS TO IDENTIFIED HISTORIC PROPERTIES

A. Marine APE

1. Where full avoidance is not feasible for nine known ASLFs (Targets 21 through 26 and Targets 28 through 30), Revolution Wind, in consultation with BOEM, will minimize the extent of project disturbance introduced on these sites. Adversely affected ASLFs will be addressed under mitigation measures at MOA Stipulations III. Actions during minimization and mitigation (see Stipulation III.A.1), at ASLFs, would require consultation with Tribal Nations, which would occur upon the reporting of these actions in the annual report prepared by Revolution Wind, in accordance with Stipulation XII (Monitoring and Reporting).

B. Terrestrial APE

1. Although the Mill Creek Swamp #1 and Mill Creek Swamp #2 sites were determined by BOEM to not be avoidable by project disturbance, Revolution Wind will minimize the extent of Project disturbance within these site areas by protecting portions of the site where disturbance can be avoided from Project impacts during construction, operations, maintenance, decommissioning, and environmental restoration activities or mitigate those site portions prior to such activities. Protection measures may include fencing the resources or similar means to separate projects activities from the undisturbed site portions. Mitigation and limits of proposed construction minimizing effects at these sites is provided pursuant to Stipulation III.B, below.

C. Visual APE

1. BOEM has undertaken planning and actions to minimize visual adverse effects to historic properties, including minimizing harm to the five adversely affected NHLs (Block Island Southeast Lighthouse, Bellevue Avenue Historic District, The Breakers, Marble House, and Ocean Drive Historic District). The minimization measures below will minimize visual adverse effects to all adversely affected aboveground historic properties in the visual APE and will minimize the undertaking's cumulative visual adverse effects, that would add to the potential visual adverse effects of other reasonably foreseeable offshore wind energy developments. BOEM will include these minimization measures for adverse effects within the visual APE as conditions of approval of the Revolution Wind COP:
 - i. Revolution Wind will use uniform WTG design, speed, height, and rotor diameter to reduce visual contrast and decrease visual clutter.
 - ii. Revolution Wind will use uniform spacing of 1 nautical mile (1.15 mile) to decrease visual clutter, aligning WTGs to allow for safe transit corridors.

- iii. BOEM and Revolution Wind will include an option to reduce the number of constructed WTGs from a maximum proposed number of 100 to as few as, or fewer than, 65 WTGs among the action alternatives analyzed in the EIS for the Project.
- iv. Revolution Wind will apply a paint color to the WTGs no lighter than RAL 9010 pure white and no darker than RAL 7035 light gray to help reduce potential visibility of the turbines against the horizon during daylight hours.
- v. Revolution Wind will implement an aircraft detection lighting system (ADLS) to automatically activate lights when aircraft approach. The WTGs and OSS would be lit and marked in accordance with FAA and USCG lighting standards and consistent with BOEM's *Guidelines for Lighting and Marking of Structures Supporting Renewable Energy Development* (April 28, 2021) to reduce light intrusion.

III. MEASURES TO MITIGATE ADVERSE EFFECTS TO IDENTIFIED HISTORIC PROPERTIES

A. Marine APE

- 1. Revolution Wind cannot avoid nine ASLFs (Targets 21 through 26 and Targets 28 through 30). To resolve the adverse effects to the nine ASLFs, BOEM will include the following as conditions of approval of the Revolution Wind COP and require fulfillment of any on-site preconstruction work at these nine ASLFs for the following mitigation measures prior to construction at these ASLFs. Mitigation measures under Stipulation III.A must be completed within four years of MOA execution, except the collection of the vibracore samples must be completed prior to commencing seabed disturbing activities within ASLFs, unless different timing is agreed upon by the consulting Tribal Nations and SHPO within whose state the mitigation is being performed and accepted by BOEM. Revolution Wind will fund mitigation measures, as described in Attachment 5 (Mitigation Funding Amounts Proposed by Signatories and Consulting Parties) and Attachment 6 (Historic Property Treatment Plan [HPTP] for the Revolution Wind Farm Ancient Submerged Landform Feature, Outer Continental Shelf, Federal and Rhode Island Waters of Rhode Island Sound):
 - i. Preconstruction Geoarchaeology. Revolution Wind will fulfill the following commitments: collaborative review of existing geophysical and geotechnical data with Tribal Nations; selection of coring locations in consultation with Tribal Nations; collection of at least two to three vibracores (final quantity to be determined in Tribal Nations consultation) within each affected ASLF with a sampling focus on areas that will be disturbed by Project construction activities; written verification to BOEM that the samples collected are sufficient for the planned analyses and consistent with the agreed scope of work; for appropriate samples, collaborative laboratory analyses at a laboratory located in Rhode Island or Massachusetts; screening of recovered sediments for debitage or micro-debitage associated with indigenous land uses; third-party laboratory analyses, that may include but are not limited to a suite of micro- and macro-faunal analyses, micro- and macro-botanical analyses, radiocarbon dating of organic subsamples, and chemical analyses for potential indirect evidence of indigenous occupations, based on the recovered cores and materials; temporary curation of archival core sections; draft reports for review by consulting Tribal Nations and, in state waters, Tribal Nations and RHIHPC); final reporting; and public or professional presentations summarizing the results of the investigations, developed with the consent of the consulting Tribal Nations. The collection of vibracores must be completed prior to commencing seabed disturbing activities within the ASLFs. If any unanticipated discovery is found during the

implementation of this mitigation measure, then BOEM with the assistance of Revolution Wind will follow the Stipulation X Post-review Discoveries.

- a. The Preconstruction Geoarchaeology effort will be conducted in accordance with BOEM's Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585. The qualified professional archaeologists leading the research will meet the SOI's professional qualification standards for archeology (62 Fed. Reg. 33,708) and BOEM's standards for Qualified Marine Archaeologists.
 - b. Revolution Wind will submit the GIS data, Draft Technical Report, Final Technical Report, and Draft Public or Professional Presentations to the consulting Tribal Nations and, in state waters, Tribal Nations and RHIHPC for review.
- ii. Common GIS Framework in a useable form or database. Revolution Wind will fulfill the following commitments: consultation with the Tribal Nations to determine the appropriate GIS platform; review of candidate datasets and attributes for inclusion in the GIS; data integration; development of custom reports or queries to assist in future research or tribal maintenance of the GIS; work Sessions with Tribal Nations to develop content; training session with Tribal Nations to review GIS functionality; delivery of GIS to Tribal Nations and Tribal Nations may decide how the data will be interpreted and inform Revolution Wind which format to use (i.e. Story Maps or reports).
- a. The GIS developed under this measure will be free to use and free to modify by the Tribal Nations. To the extent feasible, all data will be provided in formats that allow for interoperability with other GIS platforms that the Tribal Nations may use. All datasets incorporated in the GIS will comply with Federal Geographic Data Committee data and metadata standards.
 - b. Revolution Wind will submit the Description of the GIS with appropriate schema, data organization, and custom reports/queries, formatting, and intended audiences, and Final Technical Description of the GIS with schema, data organization, and custom reports/queries to the consulting Tribal Nations and, in state waters, Tribal Nations and RHIHPC for review.
- iii. ASLF Post-Construction Seafloor Impact Inspection. Revolution Wind will fulfill the following commitments in accordance with Attachment 6: development of a three-dimensional (3D) model throughout selected ASLFs designated for review in export cable corridor; development of the remotely operated vehicle (ROV) investigation methodology, including consultation with BOEM; ROV inspection of the seafloor along impacted portions of the selected ASLFs not to exceed one mobilization and two consecutive 12-hour days; delivery of technical report draft; delivery of final technical report.
- a. Identification of potential cultural material during the ROV inspection would not constitute a "discovery" nor trigger the reporting and consultation requirements established in the offshore UDP (Attachment 15). In the unlikely event that human remains or potential human remains are identified during the ROV inspections. Revolution Wind will adhere to the offshore UDP (Attachment 15), inclusive of the statutory, regulatory, and policy requirements incorporated, therein. Revolution Wind will provide Tribal Nations and BOEM,

draft and final technical reports including 3D models and resulting seafloor impact assessments.

- b. This mitigation measure must be completed no later than 60 calendar days post-final cable burial. If unanticipated issues arise during the course of offshore construction that prevent this measure from being completed within calendar 60 calendar days post-final cable burial, Revolution Wind must notify BOEM and propose an alternate completion timeframe for BOEM approval.
- iv. Tribal Youth Development Program. Revolution Wind will provide funding to an academic or research institution in Massachusetts or Rhode Island to assist and facilitate the development and execution of a tribal youth development program focusing on exposure to STEM fields (science, technology, engineering, and mathematics) and meaningful integration of indigenous traditional ecological knowledge (ITEK) in coordination with the Tribal Nations. Funding would also be used to compensate the Tribal Nation representatives for their participation in the development and execution of the program
- a. The scope of work will consist of the following.
 - 1) BOEM, in consultation with the Tribal Nations, will select a regional academic or research institution acceptable to the majority of Tribal Nations.
 - 2) The selected institution and their associated staff will provide group meetings with the Tribal Nations to develop the program framework in accordance with the appropriate Tribal Nation standards.
 - 3) The selected institution in coordination with Tribal Nations will execute the youth development program.
 - 4) The selected institution will provide annual reports to the Tribal Nations, Revolution Wind and BOEM until the funds are fully expended. This reporting should include the number of Tribal youths participating in any program activities.
 - b. Revolution Wind will place the funding in an escrow account in the amount described in Attachment 5.
 - 1) Revolution Wind will deposit half of the stipulated funding in an escrow account within 120 calendar days of Revolution Wind receiving a no objection to the complete Facility Design Report/Fabrication and Installation Report. Within 1 year of the first payment, Revolution Wind will place the remaining half into that escrow account.
 - 2) The escrowed funds will be released for the purpose of implementation of the mitigation as set forth in this MOA, Attachment 5, and Attachment 6. Funding will also be used to compensate the Tribal Nation representatives for their participation in the development and execution of the program.

B. Terrestrial APE

- 1. The Project cannot avoid Mill Creek Swamp #1 and Mill Creek Swamp #2 sites. To resolve the adverse effects to the two archaeological sites, BOEM will include the following as conditions of approval of the Revolution Wind COP and require fulfillment of the following

as mitigation measures prior to construction. BOEM requires all on-site actions prescribed for the mitigation at archaeological sites (terrestrial and marine) to be concluded prior to Project construction or other ground or seafloor disturbing activities proceeding at those sites. BOEM may allow Project construction or ground construction to proceed off these sites and does not require that all mitigation be completed prior to the Project proceeding. Mitigation measures under Stipulation III.B must be completed within four years of MOA execution, unless a different timeline is agreed upon by the consulting Tribal Nations and SHPO within whose state the mitigation is being performed and accepted by BOEM. Revolution Wind will fund mitigation measures, as described in Attachment 5 (Mitigation Funding Amounts Proposed by Signatories and Consulting Parties) and Attachment 7 (HPTP for the Revolution Wind Farm, the Mill Creek Swamp #1 and #2 Sites, Town of North Kingstown, Washington County, Rhode Island):

- i. Data Recovery Investigations, Temporary Avoidance Measures, and Ongoing Protection Measures. Revolution Wind will fulfill the following commitments: Submission of the application for Phase III investigations to the Rhode Island SHPO for permit approval and Tribal Nations notification prior to execution of the Phase III Data Recovery Program (Attachment 7). Temporary avoidance measures will be implemented prior to construction and will include temporary placement of construction barrier fencing (e.g., snow fencing) to protect the non-impact areas of the two archaeological sites which have been committed to protection and avoidance. Cultural monitoring will occur during construction, as provided for by Revolution Wind, and will include maintaining fencing and monitoring of all ground disturbing work (Attachment 7) within and adjacent to the archaeological sites impact areas. Any monitoring activities by Tribal Nations will use monitors acceptable to those Tribal Nations, as identified in consultation with Tribal Nations. Following Phase III investigations, the preparation of a Historic Property Archaeological Protection Plan will be developed by Revolution Wind to carry over protection measures throughout ongoing Operations and Maintenance for the Project.
 - a. Revolution Wind will develop the project consistent with the Rhode Island Historical Preservation & Heritage Commission's (RIHPHC) Standards for Archaeological Survey (the *Standards*) and RIHPHC's Performance Standards and Guidelines for Archaeology in Rhode Island (the *Guidelines*).
 - b. Revolution Wind will submit the Draft Phase III Archaeological Data Recovery Report, Final Phase III Archaeological Data Recovery Report; Draft Archaeological Construction Monitoring Report draft and final; Mill Creek Swamp 1 and 2 Site Form Updates; and Historic Property Archaeological Protection Plan, draft and final, to the consulting Tribal Nations and RIHPHC for review. The reports will be prepared in accordance with the *Standards*.

C. Visual APE

1. BOEM will ensure that the following mitigation measures to resolve the adverse effects to historic properties and to minimize harm to NHLs are required as conditions of approval of the Revolution Wind COP and are implemented by Revolution Wind, unless otherwise specified. The forms of mitigation that BOEM has determined are effective for treating NHLs are also effective in treating other visually impacted historic properties. To mitigate visual and cumulative visual adverse effects to NHLs, TCPs, and other historic properties, BOEM will ensure the implementation of the mitigation measures described in this MOA and the HPTPs attached to this MOA. Where the integrity of historic properties would be diminished by the visual adverse effects and cumulative visual adverse effects of the project, the

proposed mitigation measures serve to support other means of conveying the significance of the historic property and to minimize the harm to NHLs, including documentation, interpretation, and dissemination of information and property preservation planning and activities (including repair and stabilization). See Attachment 5 for proposed budgets for each mitigation effort, reflecting good faith estimates, based on the experience of qualified consultants with similar activities and comparable historic properties. Tasks associated with the mitigation of visual adverse effects can occur during and/or after Project construction. Mitigation measures under III.C must be completed within five years of MOA execution, unless a different timeline is agreed upon by the SHPO within whose state the mitigation is being performed, and accepted by BOEM. Tasks may be completed simultaneously, as applicable. Revolution Wind will fund mitigation measures in accordance with Attachment 5 and pursuant to the following measures under III.C.

2. Traditional Cultural Properties (TCPs).

- i. Chappaquiddick Island Traditional Cultural Property. BOEM will include the mitigation measures described in Attachment 8 (Historic Properties Treatment Plan for the Revolution Wind Farm: the Chappaquiddick Island Traditional Cultural Property Dukes County, Massachusetts & Atlantic Outer Continental Shelf) as conditions of approval of the Revolution Wind COP. Revolution Wind will fund (see Attachment 5) and commence the following prior to initiation of construction of any offshore project elements on the OCS included as part of this undertaking:

- a. GIS Database of Contributing Resources to the TCP

- 1) Revolution Wind will fund the development of a GIS database incorporating the results of on-going documentation of the TCP and will include information on existing conditions at each contributing resource and/or significant element of the TCP district, as described in Attachment 8.
- 2) Revolution Wind will have the documentation developed by professionals meeting the qualifications specified in the SOI's Professional Qualifications Standards (36 CFR Part 61). The GIS will be developed by professionals with demonstrated experience in the creation and organization of spatial databases of cultural resources and the relevant and specific attributes necessary for recordation and management. The GIS development will be overseen by a qualified Geographic Information Systems Professional.
- 3) Revolution Wind will submit the Request for Proposal (RFP), proposals by qualified consultants in response to the RFP, preliminary draft of the exhibit, and final exhibit to the consulting Chappaquiddick Tribe of the Wampanoag Nation (Chappaquiddick Wampanoag Tribe), a historical Massachusetts Tribe, and MHC for review.

- b. Development of Interpretative Materials

- 1) Revolution Wind will fund the development of GIS story maps or comparable presentations that could include relevant archival data, oral histories, news stories, video footage, and public domain datasets to help the historical Chappaquiddick Wampanoag Tribe share the history of the TCP and its meaning to members of their community, as described in Attachment 8.

- 2) Revolution Wind will have the documentation developed by a qualified Geographic Information Systems Professional.
 - 3) Revolution Wind will submit the RFP, proposals by qualified consultants in response to the RFP, draft deliverables, and final deliverables to the Chappaquiddick Wampanoag Tribe and MHC for review.
- c. Climate Adaptation Planning Study
- 1) Revolution Wind will fund the development of a Climate Adaptation Plan that is focused on the specific resources and characteristics of the Chappaquiddick Island TCP and needs of the associated traditional community as described in Attachment 8.
 - 2) Revolution Wind will have the documentation developed by qualified professionals with Global Association of Risk Professionals' Sustainability and Climate Risk certification and/or demonstrated experience in the preparation of climate change risk assessments for municipal, state, or federal governments.
 - 3) Revolution Wind will submit the RFP, proposals by qualified consultants in response to the RFP, draft plan, and final plan to the Chappaquiddick Wampanoag Tribe and MHC for review.
- d. Maritime Cultural Landscapes & Interconnected Contexts
- 1) Revolution Wind will fund a publicly available and inclusive synthesis of information and knowledge about the maritime cultural landscapes along the shores, coastal islands, and waters of southern New England and Long Island as relates to the culture heritage of or surrounding the Chappaquiddick Island TCP.
 - 2) Revolution Wind will have the documentation prepared by professionals meeting the SOI's professional qualification standards in cultural anthropology, archaeology, and/or history (36 CFR 60) and in direct consultation with the Chappaquiddick Wampanoag Tribe.
 - 3) Revolution Wind will submit the RFP, consultant bids in response to the RFP, draft and final reports, and open-source GIS database to the Chappaquiddick Wampanoag Tribe and MHC for review.
- ii. Vineyard Sound and Moshup's Bridge Traditional Cultural Property. BOEM will include the mitigation measures as described in Attachment 9 (The Vineyard Sound & Moshup's Bridge Traditional Cultural Property, Dukes County, Massachusetts & Atlantic Outer Continental Shelf for federal Tribal Nations), as conditions of approval of the Revolution Wind COP. Revolution Wind will fund (see Attachment 5) and commence the following prior to initiation of construction of any offshore project elements on the OCS included as part of this undertaking.
- a. Support for Improved Tribal Connections to Nomans Land Island
- 1) Revolution Wind will support the identification of appropriate printed and/or digital media for interpretative exhibits; archival research on the history, development, and historical/cultural significance of Nomans Land Island;

design and production of draft and final interpretive materials; and consultation, meetings, and discussions including the Wampanoag Tribe of Gay Head (Aquinnah) and Mashpee Wampanoag on these matters.

- 2) Revolution Wind will submit the RFP, consultant bids in response to the RFP, draft deliverables, and final deliverables to the consulting Tribal Nations and MHC for review.

b. Scholarships and Training for Tribal Resource Stewardship

- 1) Revolution Wind will fund scholarships and fees for professional training or certification programs in the fields of Astronomy, Archaeology or Anthropology, Marine Sciences, Aquaculture, Marine Fisheries, Marine Construction, Native American Studies, Ethnohistory, History, Biology, Natural Resources, Environmental Studies, Renewable Energy, Science, Engineering, Mathematics, and Tribal Nations' self-determined related fields of interest, as described in Attachment 9. See Attachment 9 for the process for Wampanoag Tribe of Gay Head (Aquinnah) and Mashpee Wampanoag Tribe access to scholarship funds. Revolution Wind will establish one escrow account in equal amounts for each Tribal Nation (two total).
- 2) Revolution Wind will have the documentation prepared by professionals with preference provided to members from the Tribes with associated professional expertise and not limited to academics and with demonstrated experience in education and training program management and fiscal reporting.
- 3) Revolution Wind will deposit half of the stipulated funding into two escrow accounts (one for each Tribal Nation) within 120 calendar days of Revolution Wind receiving a no objection to the complete Facility Design Report/Fabrication and Installation Report. Within 1 year of the first payment, Revolution Wind will place the remaining half into those escrow accounts. The escrowed funds shall be released for the sole purpose of implementation of the mitigation as set forth in this MOA, Attachment 5, and Attachment 9.
- 4) Revolution Wind will submit the RFP, consultant bids in response to the RFP, executed contracts between the implementing party and selected consultants, draft Scholarship Program Proposal, and final Scholarship Program Proposal to the consulting Tribal Nations for review.

c. Coastal Resilience and Habitat Restoration

- 1) Revolution Wind will provide funding for planning and implementation of targeted efforts to mitigate future losses of character defining features and contributing resources for the TCP, support economically sustainable traditional shellfishing/finfishing and plant collection practices, and documentation and/or recovery of threatened elements of cultural sites associated with the TCP located in the TCP boundaries or located in Tribal Nations' culturally associated areas, as described in Attachment 9.
- 2) Revolution Wind will have the documentation prepared by professionals with preference provided to members from the Tribes with associated professional expertise and not limited to academics and with demonstrated experience in archaeology, habitat restoration, coastal resilience planning program management, tribal natural resources or environmental protection, and fiscal

reporting, as appropriate to the specific funded activities. All archaeological surveys or other subsurface terrestrial investigations on any land owned or controlled by the Commonwealth of Massachusetts, its agencies or political subdivisions or on any historical or archeological landmarks or on any lands restricted by Massachusetts General Law (MGL) c. 184, § 31 will be conducted in accordance with MHC regulations (950 CMR 70).

- 3) Revolution Wind will submit the RFP, consultant bids in response to the RFP, draft deliverables, and final deliverables to the consulting Tribal Nations and MHC for review. BOEM, with the assistance of Revolution Wind, will consult with the Tribal Nations on the selection of the consultant to complete this specific measure (Stipulation III.C.2.ii.c)

d. Cultural and Natural Resource Data Compilation

- 1) Revolution Wind will provide the Wampanoag Tribe of Gay Head (Aquinnah) and Mashpee Wampanoag Tribal Nations funding for each of these Tribal Nations to engage a Tribal representative, or a professional meeting the SOI's professional qualification standards (36 CFR 60), of their choice to perform systematic update of inventories for resource of interest and to draft Tribal cultural and natural context(s) for the interpretation of resources. The survey, context development, and interpretation of resources can include the incorporation of ITEK as applicable.
- 2) Funding levels will be in accordance with those outlined specific to this mitigation measure in Attachment 5 to the MOA. Revolution Wind will deposit half of the stipulated funding in an escrow account within 120 calendar days of Revolution Wind receiving a no objection to the complete Facility Design Report/Fabrication and Installation Report. Within 1 year of the first payment, Revolution Wind will place the remaining half into that escrow account.
- 3) This measure will be fully implemented, to update inventories and draft the context(s) at Stipulation III.C.2.ii.d(1), within five years after the MOA is executed, unless otherwise agreed upon among the Wampanoag Tribe of Gay Head (Aquinnah) and Mashpee Wampanoag Tribal Nations, BOEM, and Revolution Wind.

3. Rhode Island National Historic Landmarks and Historic Property Documentation Mitigation Measures.

- i. BOEM will include the following mitigation measures, as described in Attachment 10 (Historic Property Treatment Plan for the Revolution Wind Farm: Documentation of Twenty-Eight Historic Properties in Rhode Island), as conditions of approval of the Revolution Wind COP.
 - a. The HPTP at Attachment 10 provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions in the resolution of adverse effects from the Revolution Wind Project for the following NHLs and historic properties in addition to any mitigation fund actions that could further be applied to mitigating adverse effects for some

or all these NHLs and historic properties under III.C.6 (in alphabetical order of state, municipality, and then property):

- 1) Abbott Phillips House, Little Compton, RI
- 2) Stone House Inn, Little Compton, RI
- 3) Tunipus Goosewing Farm, Little Compton, RI
- 4) Warren Point Historic District, Little Compton, RI
- 5) Dunmere, Narragansett, RI
- 6) Fort Varnum/Camp Varnum, Narragansett, RI
- 7) Life Saving Station at Narragansett Pier, Narragansett, RI
- 8) Narragansett Pier MRA, Narragansett, RI
- 9) Ocean Road Historic District, Narragansett, RI
- 10) The Dunes Club, Narragansett, RI
- 11) The Towers Historic District, Narragansett, RI
- 12) The Towers/Tower Entrance of Narragansett Casino, Narragansett, RI
- 13) Bellevue Avenue Historic District NHL, Newport, RI
- 14) Ocean Drive Historic District NHL, Newport, RI
- 15) Ochre Point-Cliffs Historic District, Newport, RI
- 16) Beach Avenue Historic District, New Shoreham, RI
- 17) Beacon Hill Historic District, New Shoreham, RI
- 18) Champlain Farm Historic District, New Shoreham, RI
- 19) Corn Neck Road Historic District, New Shoreham, RI
- 20) Indian Head Neck Road Historic District, New Shoreham, RI
- 21) Lakeside Drive and Mitchell Lane Historic District, New Shoreham, RI
- 22) Lewis-Dickens Farm Historic District, New Shoreham, RI
- 23) Mitchell Farm Historic District, New Shoreham, RI
- 24) New Shoreham Historic District, New Shoreham, RI
- 25) Old Town and Center Roads Historic District, New Shoreham, RI
- 26) Pilot Hill Road and Seaweed Lane Historic District, New Shoreham, RI
- 27) Brownings Beach Historic District, South Kingstown, RI
- 28) Puncatest Neck Historic District, Tiverton, RI

b. National Historic Landmark and National Register of Historic Places nomination updates for historic districts in Newport

- 1) Update the existing nomination information for the Bellevue Avenue Historic District, Newport.
- 2) Update the existing nomination information for the Ocean Drive Historic District, Newport.
- 3) Update the existing nomination information for the Ochre Point-Cliffs Historic District, Newport.

c. Complete New National Register of Historic Places Nomination Documentation

- 1) In Little Compton at the following historic properties: Abbott Phillips House, Warren Point Historic District, Tunipus Goosewing Farm.
- 2) In New Shoreham at the following historic properties: West Side Road South, West Side Road North, Beacon Hill, African American Settlement, Lewis-Dickens Farm, Lakeside Drive and Mitchell Lane, Indian Head Neck Road,

Beach Avenue, Old Town and Center Roads, Corn Neck Road, Pilot Hill Road and Seaweed Land, and New Shoreham Historic District.

d. New and updated historic property surveys

- 1) Update the previous *Historic and Architectural Resources of Narragansett, Rhode Island*.
- 2) Complete intensive-level surveys of the Matunuck and Green Hill neighborhoods in South Kingston.

e. Preparation of the National Historic Landmark and Historic Property Documentation

- 1) NHLs: For the form and documentation, Revolution Wind will review any previous nomination forms for the NHL; research other available historic sources and documentation; conduct field and condition assessments; provide annotated photographs; draft the nomination forms; submit draft documents for review and comment to the NPS, RI SHPO, the participating municipal government, historical commission or organization, and, if requested, to the owners of the historic property or properties; and develop final documents to be provided to NPS, RI SHPO, the participating municipal government, historical commission or organization, and, if requested, to the owners of the historic property or properties. Final updates and new NHL documents will be submitted by Revolution Wind to NPS, RI SHPO and other interested consulting parties for their files and use. If the documentation is submitted to the NPS NHL program within 5 years after the MOA is executed, Revolution Wind will assist RIHPHC with responding to any NPS NHL program questions or NPS comments on that previously submitted documentation. The NPS's adoption of this update is not a requirement of this MOA.
- 2) Historic properties: For the NHRP nomination form and for historic property survey documentation, Revolution Wind will review any previous nomination forms for the historic property; research other available historic sources and documentation; conduct field and condition assessments and NRHP-eligibility analysis; provide annotated photographs; draft the nomination forms; submit draft documents for review and comment to the RI SHPO, the participating municipal government, historical commission or organization, and, if requested, to the owners of the historic property or properties; and develop final nomination documents to be provided to RI SHPO, the participating municipal government, historical commission or organization, and, if requested, to the owners of the historic property or properties. Final updates and new NRHP documents prepared in accordance with the NPS standards outlined in the National Register Bulletins will be submitted by Revolution Wind to RI SHPO and other interested consulting parties for their files and use. If the documentation is submitted to the RIHPHC's State Review Board within 5 years after the MOA is executed, Revolution Wind will assist with responding to any State Review Board questions or comments on previously submitted documentation. The NPS's adoption of this nomination or update is not a requirement of this MOA.

- 3) Revolution Wind will have the NHL and NRHP documentation prepared by professionals meeting the SOI's professional qualification standards in archeology and/or history (36 CFR 60) and in consultation with RI SHPO. Documentation of NHLs will comply with the National Register Bulletin on *How to Prepare National Historic Landmark Nominations*, as applicable. Documentation of historic properties will comply with the applicable standards of the SOI's *Guidance on the Identification of Historic Properties* (36 CFR 800.4); NPS's *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*; NPS's *National Register Bulletin 16a: How to Complete the National Register Registration Form*; and RIHPHC *Standards and Guidelines*.
 - 4) Revolution Wind will submit a RFP, proposals by qualified consultants in response to the RFP, draft updated historic property inventory if needed, final updated historic property inventory if needed, draft report to the RI SHPO and participating (if any) municipal government and historical commission or organization for review.
4. Town of Middletown historic property mitigation.
- i. BOEM will apply the following mitigation measures, as described in Attachment 11 (Historic Properties Treatment Plan for the Revolution Wind Farm: Nine Historic Properties, Town of Middletown, Newport County, Rhode Island), as conditions of approval of the Revolution Wind COP. The nine historic properties include the Bailey Farm, Clambake Club of Newport, Paradise Rocks Historic District, Sea View Villa, St. Georges School, Indian Avenue Historic District, Whetstone, Land Trust Cottages, and the Bluff/John Bancroft Estate. To resolve adverse effects, Revolution Wind will fund and implement the following mitigation measures.
 - a. Support on-going maintenance and aesthetic improvements to the Third Beach Road and Hanging Rocks Road through stone wall preservation and observation trails within the Paradise Rocks Historic District.
 - 1) Revolution Wind will provide funding for the proposed stone wall preservation and observation trails to provide the Town, its community, and SHPO with improved experience of local history and historical sites.
 - 2) This will include Revolution Wind reviewing current Town of Middletown Charter and Code of Ordinances; reviewing existing planning documents, guidance, and regulations; existing photographs and documents of present conditions of stone walls; developing draft and final plan (including drawings, if necessary), to be distributed to the RI SHPO, the Town of Middletown, Norman Bird Sanctuary and other property owners for review and comment; and soliciting public engagement to discuss preservation priorities;
 - 3) Revolution Wind will develop draft and final reports on these actions to be distributed to RI SHPO, the Town of Middletown, Norman Bird Sanctuary and other property owners.
 - 4) Complete the stone wall restoration and observation trail project and develop a draft and final report of work completed in collaboration with interested consulting parties. Draft report will be provided for review to draft report to

the RI SHPO, the Town of Middletown, Norman Bird Sanctuary, and other property owners prior to finalization.

- 5) Revolution Wind will work with the RI SHPO, the Town of Middleton, Norman Bird Sanctuary, and any other property owners to develop the project consistent with Town of Middletown Charter and Code of Ordinances and the SOI's Standards for the Treatment of Historic Properties (36 CFR 68).
- b. Update the previous *Historic and Architectural Resources of Middletown, Rhode Island: A Preliminary Report*.
 - 1) Revolution Wind will provide funding to update this report to provide the Town, its community, and SHPO with additional information on local history.
 - 2) Revolution Wind will review the existing Historic and Architectural Resources of Middletown, Rhode Island: A Preliminary Report and existing historic property documentation available at local repositories and the RIHPHC files; develop a methodology for completion of the survey to be distributed to RI SHPO, Rhode Island Historical Society, Town of Middletown, Norman Bird Sanctuary, Clambake Club of Newport, and any other participating property owners for review and comment; complete the survey per the RI SHPO-approved methodology; develop draft and final survey reports to be distributed to RI SHPO, Rhode Island Historical Society, Town of Middletown, Norman Bird Sanctuary, Clambake Club of Newport, and any other participating property owners for review and comment; and address any comments received for distribution with the final document(s) to these consulting parties.
 - 3) Revolution Wind will develop the project consistent with SHPO *Standards and Guidelines* and SOI reporting standards in the SOI's Guidance on the Identification of Historic Properties (36 CFR 800.4); and the SOI Professional Qualifications Standards (36 CFR 61), as applicable.
 - 4) Revolution Wind will submit a RFP, proposals by qualified consultants in response to the RFP, draft updated historic property inventory if required, final updated historic property inventory if required, draft report to the RI SHPO, Rhode Island Historical Society, Town of Middletown, Norman Bird Sanctuary, and Clambake Club of Newport for review.
5. Town of Aquinnah historic property mitigation.
 - i. BOEM will include the mitigation measures, as described in Attachment 12 (Historic Properties Treatment Plan for the Revolution Wind Farm, Nine Historic Properties, Town of Aquinnah, Dukes County, Massachusetts), as conditions of approval of the Revolution Wind COP. These nine properties consist of 71 Moshup Trail, Leonard Vanderhoop House, Edwin DeVries Vanderhoop Homestead, Tom Cooper House, Theodore Haskins House, 3 Windy Hill Drive, Gay Head – Aquinnah Town Center Historic District, Gay Head – Aquinnah Shops, Gay Head – Aquinnah Coast Guard Station Barracks. To resolve adverse effects, Revolution Wind will fund and implement the following mitigation measures.
 - a. Funding for Weatherization Improvements to the Edwin D. Vanderhoop Homestead, which houses the Aquinnah Cultural Center.

- 1) Revolution Wind will fund energy efficiency improvements to the Edwin D. Vanderhoop Homestead to help to increase the energy efficiency and to help ensure the long-term preservation of this historic property, as described in Attachment 12. Mitigation funds are being sought by the Town of Aquinnah for historically appropriate weatherization of this building to preserve and protect each element of this irreplaceable local venue and its contents.
 - 2) Revolution Wind will develop the project consistent with the Town of Aquinnah Building Code, as applicable; the Town of Aquinnah Energy and Climate Committee guidance, as applicable; the SOI's Standards for Rehabilitation (36 CFR 67.7); and National Park Service's Improving Energy Efficiency in Historic Buildings Preservation Brief 3.
 - 3) Revolution Wind will submit a RFP, proposals by qualified consultants in response to the RFP, preliminary draft plans and specifications, final plans and specifications, and as-built documentation including photographs to the MHC, Dukes County, Town of Aquinnah, and Wampanoag Tribe of Gay Head (Aquinnah) for review.
- b. Complete Identified Needs from the Americans with Disabilities Act (ADA) Compliance Plan.
- 1) Revolution Wind will fund and complete the next phase of work identified in the proposed ADA Compliance Plan for the Aquinnah Circle and the Gay Head – Aquinnah Shops Area to ensure all visitors are able to access and enjoy the Gay Head – Aquinnah Shops as described in Attachment 12. To improve and expand access, Revolution Wind will fund the construction. The intent is to support establishment of fully ADA Compliant access to the Cliffs, shops, and Overlook Park, including replacement of the existing stairs, ramp access and appropriate pathways to and from other parts of the Circle.
 - 2) Revolution Wind will develop the project consistent with Town of Aquinnah, MA Building Code, as applicable; Martha's Vineyard regulations; Commission's planning guidance, as applicable; ADA; the Massachusetts Office on Disability Guidelines as applicable; and the SOI's Standards and Guidelines for Rehabilitation (36 CFR 68).
 - 3) Revolution Wind will submit photographs and documentation of existing conditions, a RFP, proposals by qualified consultants in response to the RFP, preliminary draft of the construction plans including schedule, cost, and specifications, and final construction plan to the MHC, Dukes County, Town of Aquinnah, and Wampanoag Tribe of Gay Head (Aquinnah) for review.
- ii. Town of Aquinnah, Dukes County, Massachusetts: *The Gay Head Lighthouse*. BOEM will include the following mitigation measures, as described in Attachment 13 (Historic Properties Treatment Plan for the Revolution Wind Farm: The Gay Head Lighthouse, Town of Aquinnah, Dukes County, Massachusetts), as conditions of approval of the Revolution Wind COP. Revolution Wind will fund and commence the following based on funds from and the consultation described under Section III.C.3.
- a. Historic Rehabilitation of the Gay Head Lighthouse

- 1) Revolution Wind will contribute funds (see Attachment 5) and provide contracting support to the Town of Aquinnah for the next phase of rehabilitation at the Gay Head Lighthouse to ensure the long-term preservation of the lighthouse by completing physical repairs and/or rehabilitation of the historic building materials as described in Attachment 13, consulting with the Gay Head Light Advisory Committee throughout the process. This repair and/or restoration will prioritize restoration of the curtain wall, pursuant to the ICC Commonwealth Corporation Report of December 2021 Inspection Gay Head Lighthouse, Aquinnah, MA dated April 13, 2022.
- 2) Revolution Wind will develop the project consistent with the Town of Aquinnah, MA Building Code; Martha's Vineyard Commission planning guidance, as applicable; Preservation Restriction (MGL Chapter 184, Section 31-33); United States Coast Guard Aid to Navigation (ATON) Access Easement (U. S. Department of Homeland Security and U. S. Coast Guard, 2005); Preservation Brief 17: Architectural Character – Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving their Character; Preservation Brief 47: Maintaining the Exterior of Small and Medium Size Historic Buildings; National Register Bulletin 34: Guidelines for Evaluating and Documenting Historic Aids to Navigation; Historic Lighthouse Preservation Handbook; IALA-AISM Lighthouse Conservation Manual; Preservation Restriction (RIGL Title 42, Section 42-45-9); the SOI's Standards for Treatment of Historic Properties (36 CFR 68); the SOI Professional Qualifications Standards (36 CFR 61), as applicable; the SOI's Standards for Treatment of Historic Properties (36 CFR 68); and the SOI's Professional Qualifications Standards (36 CFR 61), as applicable. The Gay Head Lighthouse Advisory Committee will be given the opportunity to review the demonstrated experience and qualifications of all bidders in regard to their work on similar lighthouse restoration projects.
- 3) At such time as the Town of Aquinnah notifies Revolution Wind that sufficient funds are available for the defined scope of repair and/or restoration, Revolution Wind will submit proposed scopes of work including draft text, project plans, and design specifications; photographic and written documentation of existing conditions (prior to repair or restoration work); draft specifications and construction drawings; final Specifications and construction drawings; progress reports; and a Summary Report of the work completed to the MHC, Dukes County, and Town of Aquinnah, Gay Head Lighthouse Advisory Committee, and Wampanoag Tribe of Gay Head (Aquinnah) for review.

6. Mitigation Fund

- i. Fund Establishment. BOEM will require Revolution Wind to establish and contribute funds to a mitigation fund (see Attachment 5) to resolve visual adverse effects to the historic properties, above-ground NHLs and historic properties in Rhode Island and Massachusetts, including but not limited to those listed below (in alphabetical order of state, municipality, and then property).
 - 1) Captain Samuel Hancock – Captain Mitchell West House, Chilmark, MA
 - 2) Ernest Flanders House, Shop, Barn, Chilmark, MA
 - 3) Flaghole, Chilmark, MA
 - 4) Russell Hancock House, Chilmark, MA

- 5) Simon Mayhew House, Chilmark, MA
- 6) Salters Point, Dartmouth, MA
- 7) 744 Sconticut Neck Road, Fairhaven, MA
- 8) Nobska Point Lighthouse, Falmouth, MA
- 9) Tarpaulin Cove Light, Gosnold, MA
- 10) Butler Flats Light Station, New Bedford, MA
- 11) Clark's Point Light, New Bedford, MA
- 12) Fort Rodman Historic District, New Bedford, MA
- 13) Fort Taber New Bedford, MA
- 14) Clam Shack Restaurant, Westport, MA
- 15) Gooseberry Neck Observation Towers, Westport, MA
- 16) Gooseneck Causeway, Westport, MA
- 17) Horseneck Point Lifesaving Station, Westport, MA
- 18) Westport Harbor, Westport, MA
- 19) Westport Point Historic District (1 of 2), Westport, MA
- 20) Westport Point Historic District (2 of 2), Westport, MA
- 21) Westport Point Revolutionary War Properties, Westport, MA
- 22) Scrubby Neck Schoolhouse, West Tisbury, MA
- 23) Beavertail Light, Jamestown, RI
- 24) Horsehead/Marbella, Jamestown, RI
- 25) Sakonnet Light Station, Little Compton, RI
- 26) Point Judith Lighthouse, Narragansett, RI
- 27) Bellevue Avenue Historic District NHL, Newport, RI
- 28) Kay St.-Catherine St.-Old Beach Rd. Historic District/The Hill, Newport, RI
- 29) Marble House NHL, Newport, RI
- 30) Ocean Drive Historic District NHL, Newport, RI
- 31) Ochre Point - Cliffs Historic District, Newport, RI
- 32) Rosecliff/Oelrichs (Hermann) House/Mondroe (J. Edgar) House, Newport, RI
- 33) The Breakers NHL, Newport, RI
- 34) Beach Avenue, New Shoreham, RI
- 35) Beacon Hill, New Shoreham, RI Indian Head Neck Road, New Shoreham, RI
- 36) Block Island North Lighthouse, New Shoreham, RI
- 37) Block Island Southeast Lighthouse NHL, New Shoreham, RI
- 38) Caleb W. Dodge Jr. House, New Shoreham, RI
- 39) Captain Mark L. Potter House, New Shoreham, RI
- 40) Captain Welcome Dodge Sr., New Shoreham, RI
- 41) Champlin Farm, New Shoreham, RI
- 42) Corn Neck Road, New Shoreham, RI
- 43) Hippocampus/Boy's camp/Beane Family, New Shoreham, RI
- 44) Hon. Julius Deming Perkins/Bayberry Lodge, New Shoreham, RI
- 45) Hygeia House, New Shoreham, RI
- 46) Island Cemetery/Old Burial Ground, New Shoreham, RI
- 47) Lakeside Drive and Mitchell Lane, New Shoreham, RI
- 48) Lewis-Dickens Farm, New Shoreham, RI
- 49) Miss Abby E. Vaill/1 of 2 Vaill cottages, New Shoreham, RI
- 50) Mitchell Farm, New Shoreham, RI
- 51) Mohegan Cottage, New Shoreham, RI
- 52) Nathan Mott Park, New Shoreham, RI
- 53) New Shoreham Historic District, New Shoreham, RI
- 54) Old Harbor Historic District, New Shoreham, RI
- 55) Old Town and Center Roads, New Shoreham, RI

- 56) Pilot Hill Road and Seaweed Lane, New Shoreham, RI
- 57) Peleg Champlin House, New Shoreham, RI
- 58) Spring Cottage, New Shoreham, RI
- 59) Spring House Hotel, New Shoreham, RI
- 60) Spring Street Historic District, New Shoreham, RI
- 61) U.S. Coast Guard Brick House, New Shoreham, RI
- 62) U.S. Lifesaving Station, New Shoreham, RI
- 63) U.S. Weather Bureau Station, New Shoreham, RI
- 64) WWII Lookout Tower at Sands Pond, New Shoreham, RI
- 65) WWII Lookout Tower – Spring Street, New Shoreham, RI
- 66) Brownings Beach Historic District, South Kingstown, RI
- 67) Puncatest Neck Historic District, Tiverton, RI

- ii. Fund Establishment. BOEM will require Revolution Wind to establish a mitigation fund to resolve visual adverse effects to historic properties from the Project, including five NHLs. Attachment 5 provides a basis for the total amount Revolution Wind must pay into the fund, based on the input of qualified consultants with experience fulfilling activities similar to those that can be funded through the mitigation fund and for historic properties comparable to those adversely effected by the Project.
- iii. Fund Amount and Application to Mitigation of Adverse Effects. In order to mitigate the Project’s adverse visual impacts to historic properties, Revolution Wind must provide the total amount of \$3,873,000 of funding in support of historic preservation and public interpretive and commemorative activities. See Attachment 5, in which funds to be set aside for this mitigation fund will be separate from the funding of other mitigation measures at C.III.1 to 5 above. The measures listed in Attachment 5 were proposed or based on proposals by consulting parties and included in draft documents BOEM circulated to consulting parties and included in Appendix J to the Project EIS. BOEM considers these measures appropriate to fully address the nature, scope, size, and magnitude of adverse effects including cumulative effects caused by the Project, NRHP-qualifying characteristics of each historic property that would be affected, and the heightened significance and concerns of the NHLs. In the specific context of this undertaking, including the numerous privately owned properties involved, the signatories agree that it is appropriate to provide flexibility to implement these or other specific activities for preservation, interpretation, and commemoration to mitigate adverse effects to historic properties, and the signatories agree that the level of funding identified in Attachment 5 is appropriate.
- iv. Depositing the Fund and the Allocation of Funds through Grants. Within 120 calendar days of Revolution Wind receiving a non-objection notice from BOEM for the Project’s last Fabrication and Installation Report (FIR), or 60 days after submittal of the last FIR with Bureau of Safety and Environmental Enforcement not having raised objections (30 CFR 285.700(b), Revolution Wind must pay half the total funding amount, \$1,936,500, to an escrow account. Within 1 year of the first payment, Revolution will place another \$1,936,500 into that escrow account. Those payments will be deposited into a fund to be drawn from by a third-party administrator for the purpose of providing grants until the fund balance is expended. Notwithstanding the other obligations of Revolution Wind under this MOA, Revolution Wind’s deposit of such funds into this mitigation fund will satisfy Revolution Wind’s obligations as it relates to mitigation for adverse visual impacts to the historic properties listed in Stipulation III.C.1, unless additional consultation is required in the event of unapplied funds, as described below. These

grants are to support mitigation activities for the preservation, interpretation, or commemoration of historic sites, buildings, or events. Grants will be awarded for the long-term protection, preservation, and commemoration of adversely affected historical properties in the following order of preference. Grants must first be awarded to the historic properties listed in Stipulation III.C.3.i. If after 3 years from the date the administrator begins accepting grant applications there are funds still unapplied, then grants may be awarded for alternative mitigation options for adversely affected historic property identified in Attachment 5.

- v. Unapplied Funds. If after five years from the date the administrator begins accepting applications any funds are unapplied, then BOEM will consult with the consulting parties on appropriate use of the remaining funds to resolve adverse effects. BOEM will ensure the mitigation fund operating procedures clarify that the remaining funds are prioritized for historic properties listed under Stipulation III.C.6.i that have not received any funds from this mitigation fund and then funds may be applied to activities for any adversely affected historic property identified in EIS Appendix J, Finding of Effect. The signatories agree that the existence of unapplied funds does not constitute a breach of this agreement.
- vi. Fund Administrator Selection. BOEM, with the assistance of Revolution Wind, will work with MA and RI SHPOs to identify, within 1 year of execution of this MOA, an appropriate non-profit or governmental historic preservation organization, such as a nonprofit, local government entity, or another similarly situated entity, to administer the fund and the funded activities, to ensure the effectiveness of these activities as mitigation for the undertaking's adverse effect to the historic properties. BOEM, assisted by Revolution Wind should BOEM request, will consult on the selection of this fund administrator with the SHPO and other consulting parties, and the administrator must be acceptable to BOEM. BOEM will invite the selected third-party administrator to sign the MOA as an invited signatory, and the addition of this invited signatory will not require an amendment to this MOA unless changes are proposed to this mitigation fund at Stipulation III.C.6. The same consultation process would be followed in the case of replacement of a fund administrator, if needed.
- vii. Fund Administration and Monitoring. BOEM will consult with the third-party administrator and the SHPO in the respective state where funding would be applied, prior to allowing the third-party administrator to issue any grants to ensure the grants will be awarded for preservation-related activities. The third-party administrator's fees and administrative costs will be paid from the fund and must not exceed 10 percent of the fund amount. BOEM with the assistance of the third-party administrator must ensure, through the annual reporting process (see Stipulation XII), that all granted funds are used exclusively for the purposes described in Stipulation III.C.6 for direct costs of preservation, interpretation, or commemoration of the historic properties adversely affected by the Project. The mitigation fund administrator must prohibit the use of grant funds for indirect costs, such as accountant fees, employee salary or benefits, or legal fees.
- viii. Mitigation Fund Operating Procedures and Reporting. BOEM will consult with MA and RI SHPOs where historic properties are involved under the mitigation fund and the third-party administrator to develop operating procedures for the mitigation fund. BOEM will review and approve the final operating procedures developed in consultation with SHPOs and the third-party administrator, and provide copies of the final procedures to consulting parties. The mitigation fund operating procedures will clarify when and

how the third-party administrator will start accepting grants including the time period for application, how the applications will be screened, and the criteria for grant funding eligibility. BOEM will ensure that the third-party administrator has procedures under which it will provide information on all grants made and an annual report on expenditure of funds and activities to BOEM, SHPO, and Revolution Wind. BOEM is responsible for reviewing and accepting or requesting modifications to the administrator's annual report prior to accepting it. Revolution Wind will further summarize the third-party administrator's annual report to describe funded mitigation activities, progress, completion, and outcomes in the annual report per Stipulation XII, with sufficient detail for BOEM to ensure that the mitigation is being implemented according to this section (III.C.6). Therefore, the administrator will be required to submit their report by the end of the first full calendar week in January, annually and for life of the mitigation fund, to accommodate the reporting requirements specified in Stipulation XII.

- ix. Grant-supported Mitigation Standards. BOEM will ensure that the operating procedures include the following, where applicable.
 - a. In such cases where Historic Architectural Buildings Survey (HABS) documentation and HABS-like documentation mitigation would be implemented, the grantee must first consult with the historic property owner to confirm that sufficient locations are available and would be accessible on, in, or around the property to satisfy HABS photographic documentation specifications.
 - b. Where Historic Structure Report mitigation is included within a grant, the documentation must be prepared in accordance with the *Historic Structure Reports and Preservation Plans: A Preparation Guide – Second Edition*, as may be amended, and the project team must include an individual meeting the SOI's professional qualifications standards for historic architecture.
 - c. Where funding for visitor experience, public access, climate resiliency, or comparable actions would be granted, all projects must meet the SOI's standards for the Treatment of Historic Properties and these projects should not constitute adverse effects themselves on the historic properties.
 - d. Consistent with NHPA Section 110(f) and as described in EIS Appendix J, the Finding of Effect, BOEM has undertaken planning and actions as may be necessary to minimize harm to NHLs.

IV. PROJECT MODIFICATIONS

- A. If Revolution Wind proposes any modifications to the Project that expands the Project beyond the Project Design Envelope included in the COP and/or occurs outside the defined APEs or the proposed modifications would change BOEM's final Section 106 determinations and findings for this Project, Revolution Wind must notify and provide BOEM with information concerning the proposed modifications. Revolution Wind will not proceed with the proposed modifications until the following process under IV.A are concluded. BOEM will notify consulting parties within 60 calendar days and consult on whether these modifications require alteration of the conclusions reached in the Finding of Effect and, thus, may require additional consultation with the signatories, invited signatories and consulting parties. Revolution Wind will provide the signatories, invited signatories, and consulting parties with the information concerning the

proposed changes, and they will have 30 calendar days from receipt of this information to comment on the proposed changes. BOEM will take into account any comments from signatories, invited signatories, and consulting parties prior to agreeing to any proposed changes. Using the procedure below, BOEM will, as necessary, consult with the signatories, invited signatories, and consulting parties to identify and evaluate historic properties in any newly affected areas, assess the effects of the modification, and resolve any adverse effects. Any project modification followed pursuant to Stipulation IV would not require an amendment to the MOA.

1. If, for the proposed Project modification, BOEM identifies no additional historic properties or finds that no historic properties are adversely affected due to the modification, BOEM, with the assistance of Revolution Wind, will notify and consult with the signatories, invited signatories, and consulting parties following the consultation process set forth in this Stipulation IV.A.1.
 - i. Revolution Wind will notify all the signatories, invited signatories, and consulting parties about this proposed change and BOEM's finding by providing a written summary of the project modification including any maps, a summary of any additional surveys and/or research conducted to identify historic properties and assess effects, and copies of the surveys.
 - ii. BOEM and Revolution Wind will allow the signatories, invited signatories, and consulting parties 30 calendar days to review and comment on the proposed change, BOEM's finding, and the documents.
 - iii. After the 30-calendar day review period has concluded and if no comments require additional consultation, Revolution Wind will notify the signatories and consulting parties that the project modification has been accepted and, if they received any comments, provide a summary of the comments and BOEM's responses.
 - iv. BOEM, with the assistance of Revolution Wind, will conduct any consultation meetings if requested by the signatories or consulting parties.
2. If BOEM finds new adverse effects to historic properties will occur due to a proposed Project modification, BOEM, with the assistance of Revolution Wind, will notify and consult with the signatories, invited signatories, and consulting parties regarding BOEM's finding and the proposed measures to resolve the adverse effect(s), including the development of a new treatment plan(s) following the consultation process set forth in this Stipulation IV.A. 2.
 - i. Revolution Wind will notify all signatories, invited signatories, and consulting parties about this proposed modification, BOEM's finding, and the proposed resolution measures for the adverse effect(s).
 - ii. The signatories, invited signatories, and consulting parties will have 30 calendar days to review and comment on the adverse effect finding and the proposed resolution of adverse effect(s), including a draft treatment plan(s).
 - iii. BOEM, with the assistance of Revolution Wind, will conduct additional consultation meetings, if necessary, during consultation on the adverse effect finding and during drafting and finalization of the treatment plan(s).
 - iv. BOEM, with the assistance of Revolution Wind, will respond to the comments and make necessary edits to the documents.

- v. Revolution Wind will send the revised draft final documents to the other signatories, invited signatories, and consulting parties for review and comment during a 30-calendar day review and comment period. With this same submittal of draft final documents, Revolution Wind will provide a summary of all the comments received on the documents and BOEM's responses.
 - vi. BOEM, with the assistance of Revolution Wind, will respond to the comments on the draft final documents and make necessary edits to the documents.
 - vii. Once BOEM has received agreement from the appropriate SHPO(s) on the finding of new adverse effect(s), BOEM has accepted the final treatment plan(s), and the Project modification has been accepted, then Revolution Wind will notify all the signatories, invited signatories, and consulting parties that the project modification has been accepted. With this notification, Revolution Wind will provide the final document(s), including the final treatment plan(s) and a summary of comments and BOEM's responses to comments (if they receive comments on the draft final documents).
3. If any of the signatories, invited signatories, or consulting parties object to the findings or resolutions made pursuant to these measures (Stipulation IV.A.1 and 2), BOEM will resolve any such objections pursuant to the dispute resolution process set forth in Stipulation XIII.

V. REVIEW PROCESS FOR DOCUMENTS PRODUCED UNDER MOA STIPULATIONS

- A. The following process will be used for any document, report, or plan produced in accordance with Stipulations I through IV of this MOA:
- 1. Draft Document
 - i. Revolution Wind must provide the document to BOEM for technical review and approval
 - a. BOEM has 15 calendar days to complete its technical review.
 - b. If BOEM does not provide approval, it will submit its comments back to Revolution Wind, who will have 15 calendar days to address the comments.
 - ii. BOEM, with the assistance of Revolution Wind, will provide the draft document to consulting parties, except the ACHP, for review and comment.
 - a. Consulting parties will have 30 calendar days to review and comment.
 - b. BOEM, with the assistance of Revolution Wind, will coordinate a meeting with consulting parties to facilitate comments on the document if requested by a consulting party.
 - c. BOEM will consolidate comments received and provide them to Revolution Wind within 15 calendar days of receiving comments from consulting parties.
 - 2. Draft Final Document
 - i. Revolution Wind must provide BOEM with the draft final document and response to consulting party comments for technical review and approval
 - a. BOEM has 15 calendar days to complete its technical review.

- b. If BOEM does not provide approval, it will submit its comments back to Revolution Wind, who will have 15 calendar days to address the comments.
 - ii. BOEM, with the assistance of Revolution Wind, will provide the draft final document and response to previous comments to consulting parties, except the ACHP, for review and comment
 - a. Consulting parties have 30 calendar days to review and comment.
 - b. BOEM, with the assistance of Revolution Wind, will coordinate a meeting with consulting parties to facilitate comments on the document if requested by a consulting party.
 - c. BOEM will consolidate comments received and provide them to Revolution Wind within 15 calendar days of receiving comments from consulting parties.

3. Final Document

- i. Revolution Wind must provide BOEM with the final document and response to consulting party comments for approval.
 - a. BOEM has 15 calendar days to complete its technical review.
 - b. If BOEM does not provide approval, it will submit its comments back to Revolution Wind, who will have 15 calendar days to address the comments.
 - c. BOEM, with the assistance of Revolution Wind, will provide the final document and responses to previous comments to consulting parties, except the ACHP, within 30 calendar days of approving the final document.

VI. SUBMISSION OF DOCUMENTS

A. Connecticut, Rhode Island, and New York SHPOs, ACHP, NPS, Tribal Nations, and Consulting Parties.

- 1. All submittals to the Rhode Island, New York, and Connecticut SHPOs, ACHP, NPS, Tribal Nations, and consulting parties will be submitted electronically unless a specific request is made for the submittal to be provided in paper format.

B. Rhode Island and Massachusetts SHPOs.

- 1. All submittals to RI SHPO, if required for any document produced under an HPTP or the mitigation fund action pursuant to this MOA and unless specifically requested by RI SHPO to be for digital delivery only, will be in paper format and delivered by U.S. Mail, delivery service, or by hand.
- 2. All submittals to the MA SHPO, if required for any document produced under an HPTP or the mitigation fund action pursuant to this MOA, will be in paper format and delivered by U.S. Mail, delivery service, or by hand.
- 3. Plans and specifications submitted to the MA SHPO, if required for any HPTP, must measure no larger than 11- x 17-inch paper format (unless another format is agreed to in consultation); therefore, all documents produced that will be submitted to Massachusetts SHPO under this MOA, must meet this format.

VII. CURATION

A. Collections from federal lands or the OCS:

1. Any archaeological materials removed from federal lands or the OCS as a result of the actions required by this MOA must be curated in accordance with 36 CFR 79, "Curation of Federally Owned and Administered Archaeological Collections," ACHP's "Recommended Approach for Consultation on Recovery of Significant Information from Archaeological Sites" published in the Federal Register (64 Fed. Reg. 27085-27087 (May 18, 1999)), or other provisions agreed to by the consulting parties and following applicable State guidelines. Other provisions may include curating materials of Native American heritage with Tribal Nations. The curation plan will be developed through consultation with the Tribal Nations, agencies, and property owners and finalized within one year after completion of the associated construction activities.

B. Collections from state, local government, and private lands:

1. Archaeological materials from state or local government lands in the APE and the records and documentation associated with these materials must be curated within the state of their origin at a repository acceptable to the SHPO, or an approved and certified repository, in accordance with the standards and guidelines required by the state. Curating materials of Native American heritage with Tribal Nations should be considered as an acceptable option. State and local government lands as described here may include the seafloor in state waters. The terrestrial APE for the Project, where archaeological materials could originate, is located only within Rhode Island and Tribal Nations are to be consulted on the curation location for any archaeological and Native American heritage material collections from onshore terrestrial archaeology work for the Project under this MOA, whether for mitigation or resulting from post-review discovery. The curation plan will be developed through consultation with the Tribal Nations, agencies, and property owners and finalized within one year after completion of the onshore construction activities.
2. Collections from private lands that would remain private property: In cases where archaeological survey and testing are conducted on private land, any recovered collections remain the property of the landowner. In such instances, BOEM and Revolution Wind, in coordination with the SHPO, and affected Tribal Nation(s), will encourage landowners to donate the collection(s) to an appropriate public or Tribal entity. To the extent a private landowner requests that the materials be removed from the site, Revolution Wind will seek to have the materials donated to the repository identified under Stipulation VII.B.1 through a written donation agreement developed in consultation with the consulting parties. BOEM, assisted by Revolution Wind, will seek to have all materials from each state curated together in the same curation facility within the state of origin. In cases where the property owner wishes to transfer ownership of the collection(s) to a public or Tribal entity, BOEM and Revolution Wind will ensure that recovered artifacts and related documentation are curated in a suitable repository as agreed to by BOEM, SHPO, and affected Tribal Nation(s), and following applicable State guidelines. To the extent feasible, the materials and records resulting from the actions required by this MOA for private lands, shall be curated in accordance with 36 CFR 79. The curation plan will be developed through consultation with the Tribal Nations, agencies, and property owners and finalized within one year after completion of the onshore construction activities.

VIII. PROFESSIONAL QUALIFICATIONS

- A. SOI's Standards for Archaeology and Historic Preservation. Revolution Wind will ensure that all work carried out pursuant to this MOA meets the SOI's Standards for Archaeology and Historic Preservation, 48 Fed. Reg. 44,716 (September 29, 1983), taking into account the suggested approaches to new construction in the SOI's Standards for Rehabilitation.
- B. SOI Professional Qualifications Standards. Revolution Wind will ensure that all work carried out pursuant to this MOA is performed by or under the direction supervision of historic preservation professionals who meet the SOI's Professional Qualifications Standards (48 Fed. Reg. 44,738-44,739). A "qualified professional" is a person who meets the relevant standards outlined in such SOI Standards. BOEM, or its designee, will ensure that consultants retained for services pursuant to the MOA meet these standards.
- C. Investigations of ASLFs. Revolution Wind will ensure that the additional investigations of ASLFs will be conducted, and reports and other materials produced by one or more qualified marine archaeologists and geological specialists who meet the SOI's Professional Qualifications Standards.
- D. Tribal Consultation Experience. BOEM, with the assistance of Revolution Wind, will ensure that all work carried out pursuant to this MOA that requires consultation with Tribal Nations is performed by professionals who have demonstrated professional experience consulting with federally recognized Tribal Nations.
- E. BOEM Acknowledgement of the Special Expertise of Tribal Nations. BOEM recognizes that all tribal participants and knowledge need not conform to the SOI's standards, acknowledging that Tribal Nations possess special expertise in assessing the eligibility of historic properties that may possess religious and cultural significance to Tribal Nations, pursuant to 36 CFR 800.4(c)(1). To further apply this expertise, BOEM with the assistance of Revolution Wind will incorporate indigenous knowledge and ITEK into the documents and review processes when such knowledge is received from Tribal Nations in consultation and during implementation of the MOA, consistent with the Office of Science and Technology Policy and Council on Environmental Quality memorandums (Executive Branch policy) on ITEK and federal decision making (November 15, 2021) and on guidance for federal departments and agencies on indigenous knowledge (November 30, 2022). Tribal Nations are also afforded the opportunity to review the application of their knowledge in documents produced under the MOA pursuant to Stipulation V.

IX. DURATION

- A. This MOA will expire at (1) the decommissioning of the Project in the lease area, as defined in Revolution Wind's lease with BOEM (Lease Number OCS-A 0486) or (2) 25-years from the date of COP approval, whichever occurs first. Prior to such time, BOEM may consult with the other signatories and invited signatories to reconsider the terms of the MOA and amend it in accordance with Amendment Stipulation (Stipulation XIV).

X. POST-REVIEW DISCOVERIES

- A. Implementation of Post-Review Discovery Plans. If properties are discovered that may be historically significant or unanticipated effects on historic properties found, BOEM will implement the post-review discovery plans (UDPs) found in Attachment 14 (Revolution Wind Export Cable Onshore Substation and Interconnection Facility, North Kingstown, Rhode Island: Procedures Guiding the Discovery of Unanticipated Cultural Resources and Human Remains) and Attachment 15 (Unanticipated Discoveries Plan for Submerged Archaeological Sites,

Historic Properties, and Cultural Resources Including Human Remains: Revolution Wind Farm for Lease Area OCS A-0486 Construction and Operations Plan).

1. The signatories acknowledge and agree that it is possible that additional historic properties may be discovered during implementation of the Project, despite the completion of a good faith effort to identify historic properties throughout the APEs.
- B. All Post-Review Discoveries. In the event of a post-review discovery of a property or unanticipated effects to a historic property prior to or during construction, operation, maintenance, or decommissioning of the Project, Revolution Wind will implement the following actions that are consistent with the post-review discovery plans (Attachments 14 and 15):
1. Immediately halt all ground- or seafloor-disturbing activities within the area of discovery while taking into account whether stabilization and further protections are warranted to keep the discovered resource from further degradation and impact;
 2. Notify BOEM in writing via report within 72 hours of the discovery, including any recommendations on need and urgency of stabilization and additional protections for the discovered resource;
 3. Keep the location of the discovery confidential and take no action that may adversely affect the discovered property until BOEM or its designee has made an evaluation and instructs Revolution Wind on how to proceed; and
 4. Conduct any additional investigations as directed by BOEM or its designee to determine if the resource is eligible for listing in the NRHP (30 CFR 585.702(b)). BOEM will direct Revolution Wind to complete additional investigations, as BOEM deems appropriate, if:
 - i. the site has been impacted by Revolution Wind Project activities; or
 - ii. impacts to the site from Revolution Wind Project activities cannot be avoided.
 5. If investigations indicate that the resource is eligible for the NRHP, BOEM, with the assistance of Revolution Wind, will work with the other relevant signatories, invited signatories, and consulting parties to this MOA who have a demonstrated interest in the affected historic property and on the further avoidance, minimization or mitigation of adverse effects.
 6. If investigations identify that human remains or funerary items are present and associated with Tribal Nations or Native American occupations, as defined at 25 USC 32 3001 (9), then BOEM, assisted by Revolution Wind, will implement the treatment process consistent with the Native American Graves Protection and Repatriation Act (NAGPRA). BOEM will consult with Tribal Nations prior to the development or execution of a treatment plan, consistent with the provisions of NAGPRA at 25 USC 3001-3013 and related law at 18 USC 1170. Revolution Wind will assist BOEM in the development and execution of a treatment plan at BOEM's request that is responsive to Tribal Nation concerns that might be expressed in the consultation.
 7. If there is any evidence that the discovery is from an indigenous society or appears to be a preserved burial site, Revolution Wind will contact the Tribal Nations (Mashpee Wampanoag Tribe, Shinnecock Indian Nation, Mashantucket (Western) Pequot Tribal Nation, Wampanoag Tribe of Gay Head [Aquinnah], Mohegan Tribe of Indians of Connecticut, Narragansett Indian Tribe, Delaware Tribe of Indians, The Delaware Nation) as identified in

the notification lists included in the post-review discovery plans within 72 hours of the discovery with details of what is known about the discovery, and consult with the Tribal Nations pursuant to the post review discovery plan.

8. If BOEM incurs costs in addressing the discovery, under Section 110(g) of the NHPA, BOEM may charge Revolution Wind reasonable costs for carrying out historic preservation responsibilities, pursuant to its delegated authority under the OCS Lands Act (30 CFR 585.702(c)-(d)).

XI. EMERGENCY SITUATIONS

- A. In the event of an emergency or disaster that is declared by the U.S. President or the Governor of Rhode Island or Massachusetts, which represents an imminent threat to public health or safety, or creates a hazardous condition, BOEM will immediately notify the Tribal Nations, SHPOs, and the ACHP of the condition which has initiated the situation and the measures taken to respond to the emergency or hazardous condition. If the Tribal Nations, SHPOs, or the ACHP want to provide technical assistance to BOEM, they will submit comments within seven calendar days from notification, if the nature of the emergency or hazardous condition allows for such coordination.

XII. MONITORING AND REPORTING

- A. At the beginning of each calendar year by January 31, following the execution of this MOA until it expires or is terminated, Revolution Wind will prepare and, following BOEM's review and agreement to share this summary report, provide all signatories, invited signatories, and consulting parties to this MOA a summary report detailing work undertaken pursuant to the MOA. Such report must include:
 1. a description of how the stipulations relating to avoidance, minimization, and mitigation measures (Stipulations I, II, and III) were implemented;
 2. any scheduling changes proposed; any problems encountered; and
 3. any disputes and objections received in BOEM's efforts to carry out the terms of this MOA.
- B. Revolution Wind can satisfy its reporting requirement under this stipulation by providing the relevant portions of the annual compliance certification required under 30 CFR 285.633.
- C. BOEM with the assistance of Revolution Wind will hold annual meetings with the required signatories and invited signatories, to review work undertaken pursuant to the MOA for the first five calendar years of MOA implementation.
- D. Revolution Wind will create a Tribal Nations Communications Plan to guide communications with Tribal Nations on actions implemented pursuant to this MOA and in addressing all stipulations in the MOA that call for Revolution Wind to assist BOEM in communicating or consulting with Tribal Nations. Revolution Wind will complete the Tribal Nations Communications Plan and provide it for BOEM and Tribal Nations review following the submission of documents process at Stipulation V Review Process for Documents Produced under MOA Stipulations. This Tribal Nations Communications Plan will need to be finalized within one year after the MOA is executed. Any mitigation measures and activities specified in this MOA that require coordination and consultation with Tribal Nations prior to finalization of this plan can continue while the plan is developed and finalized. On acceptance by BOEM, the Tribal Nations Communications Plan will become Attachment 16 of this MOA and will not require MOA amendment.

XIII. DISPUTE RESOLUTION

- A. If any signatory, invited signatory, or consulting party to this MOA objects at any time to any actions proposed or the manner in which the terms of this MOA are implemented, they must notify BOEM in writing of their objection. BOEM will consult with such party to resolve the objection. If BOEM determines that such objection cannot be resolved, BOEM will:
 - 1. Forward all documentation relevant to the dispute, including the BOEM's proposed resolution, to the ACHP. The ACHP will provide BOEM with its advice on the resolution of the objection within 30 calendar days of receiving adequate documentation. Prior to reaching a final decision on the dispute, BOEM will prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories, invited signatories, and/or consulting parties, and provide them with a copy of this written response. BOEM will make a final decision and proceed accordingly.
 - 2. If the ACHP does not provide its advice regarding the dispute within the 30 calendar-day time period, BOEM may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, BOEM will prepare a written response that takes into account any timely comments regarding the dispute from the signatories, invited signatories, or consulting parties to the MOA, and provide them and the ACHP with a copy of such written response.
- B. BOEM's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute will remain unchanged.
- C. At any time during the implementation of the measures stipulated in this MOA, if a member of the public objects in writing to the signatories regarding the manner in which the measures stipulated in this MOA are being implemented, that signatory will notify BOEM. BOEM will review the objection and may notify the other signatories as appropriate and respond to the objector.

XIV. AMENDMENTS

- A. This MOA may be amended when such an amendment is agreed to in writing by all signatories and invited signatories. The amendment will be effective on the date a copy signed by all of the signatories and invited signatories is filed with the ACHP.
- B. Revisions to any attachment may be proposed by any signatory or invited signatory by submitting a draft of the proposed revisions to all signatories and invited signatories with a notification to the consulting parties. The signatories and invited signatories will consult for no more than 30 calendar days (or another time period agreed upon by all signatories and invited signatories) to consider the proposed revisions to the attachment. If the signatories and invited signatories unanimously agree to revise the attachment, BOEM will provide a copy of the revised attachment to the other signatories, invited signatories, and consulting parties. Revisions to any attachment to this MOA will not require an amendment to the MOA.

XV. TERMINATION

- A. If any signatory or invited signatory to this MOA determines that its terms will not or cannot be carried out, that party will immediately consult with the other signatories, invited signatories, and consulting parties to attempt to develop an amendment per Stipulation XIV. If within 30 calendar days (or another time period agreed to by all signatories) an amendment cannot be reached, any

signatory or invited signatory may terminate the MOA upon written notification to the other signatories.

- B. Once the MOA is terminated, and prior to work continuing on the undertaking, BOEM will either(a) execute an MOA pursuant to 36 CFR 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR 800.7. BOEM will notify the signatories and invited signatories as to the course of action it will pursue.

XVI. COORDINATION WITH OTHER FEDERAL AGENCIES

- A. In the event that another federal agency not initially a party to or subject to this MOA receives an application for funding/license/permit for the undertaking as described in this MOA, that agency may fulfill its Section 106 responsibilities by stating in writing that it concurs with the terms of this MOA and notifying the signatories and invited signatories that it intends to do so. Such federal agency may become a signatory, invited signatory, or a concurring party (collectively referred to as signing party) to the MOA as a means of complying with its responsibilities under Section 106 and based on its level of involvement in the undertaking. To become a signing party to the MOA, the agency official must provide written notice to the signatories and invited signatories that the agency agrees to the terms of the MOA, specifying the extent of the agency's intent to participate in the MOA. The participation of the agency is subject to approval by the signatories and invited signatories who must respond to the written notice within 30 calendar days, or the approval will be considered implicit. Any necessary amendments to the MOA as a result will be considered in accordance with the Amendment Stipulation (Stipulation XIV).
- B. If the signatories and invited signatories approve the federal agency's request to be a signing party to this MOA, an amendment under Stipulation XIV will not be necessary if the federal agency's participation does not change the undertaking in a manner that would require any modifications to the stipulations set forth in this MOA. BOEM will document these conditions and involvement of the federal agency in a written notification to the signatories, invited signatories, and consulting parties, and include a copy of the federal agency's executed signature page, which will codify the addition of the federal agency as a signing party in lieu of an amendment.

XVII. ANTI-DEFICIENCY ACT

- A. Pursuant to 31 USC 1341(a)(1), nothing in this MOA will be construed as binding the United States to expend in any one fiscal year any sum in excess of appropriations made by Congress for this purpose, or to involve the United States in any contract or obligation for the further expenditure of money in excess of such appropriations.
- B. Execution of this MOA by BOEM, the Connecticut, Massachusetts, New York, and Rhode Island SHPOs, and the ACHP, and implementation of its terms evidence that BOEM has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Signatory:

Bureau of Ocean Energy Management (BOEM)

WALTER
CRUICKSHANK

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CRUICKSHANK
Date: 2023.08.15 14:24:54
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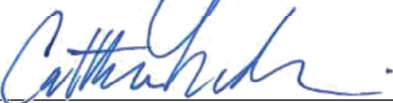
Walter D. Cruickshank
Acting Director
Bureau of Ocean Energy Management

Date: 08/15/2023

MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT

Signatory:

Connecticut State Historic Preservation Officer (SHPO)



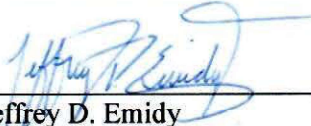
Catherine Labadia
Deputy State Historic Preservation Officer
Connecticut State Historic Preservation Office

Date: _____ 8/11/2023 _____

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Signatory:

Rhode Island State Historic Preservation Officer (SHPO)



Jeffrey D. Emidy
Executive Director and Interim State Historic Preservation Officer
Rhode Island Historical Preservation & Heritage Commission

Date: 8-15-2023

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Signatory:

New York State Historic Preservation Officer (SHPO)

R. Daniel Mackay
Roger Daniel Mackay
Deputy Commissioner New York State Division for Historic Preservation

Date: 8/9/23

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Signatory:

Massachusetts State Historic Preservation Officer (SHPO)

Brona Simon

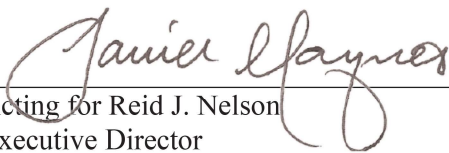
Brona Simon
State Historic Preservation Officer
Massachusetts Historical Commission

Date: August 15, 2023

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Signatory:

Advisory Council on Historic Preservation (ACHP)



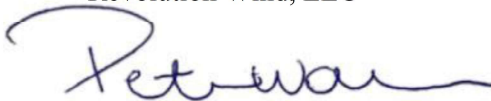
Acting for Reid J. Nelson
Executive Director
Advisory Council on Historic Preservation

Date: 8/17/2023

MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
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REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT

Invited Signatory:

Revolution Wind, LLC

A handwritten signature in blue ink, appearing to read "Peter Allen", written over a horizontal line.

Peter Allen
Authorized Person
Revolution Wind, LLC

Date: August 7, 2023

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
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CABLE PROJECT**

Invited Signatory:

Mashpee Wampanoag Tribe

[Name]

[Title]

Mashpee Wampanoag Tribe

Date: _____

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
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REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Invited Signatory:

Shinnecock Indian Nation

[Name]

[Title]

Shinnecock Indian Nation

Date: _____

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Invited Signatory:

Mashantucket (Western) Pequot Tribal Nation

[Name]

[Title]

Mashantucket (Western) Pequot Tribal Nation

Date: _____

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Invited Signatory:

Wampanoag Tribe of Gay Head (Aquinnah)

[Name]

[Title]

Wampanoag Tribe of Gay Head (Aquinnah)

Date: _____

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Concurring Party:

Mohegan Tribe of Indians of Connecticut

[Name]
[Title]
Mohegan Tribe of Indians of Connecticut

Date: _____

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Concurring Party:

Narragansett Indian Tribe

[Name]

[Title]

Narragansett Indian Tribe

Date: _____

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Concurring Party:

The Delaware Tribe of Indians

[Name]
[Title]
The Delaware Tribe of Indians

Date: _____

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Concurring Party:

The Delaware Nation

[Name]

[Title]


The Delaware Nation

Date: _____

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Concurring Party:

U.S. Army Corps of Engineers (USACE)



Justin R. Pabis, P.E.
Colonel, Corps of Engineers
Commander, New England District

Date: 8/14/23



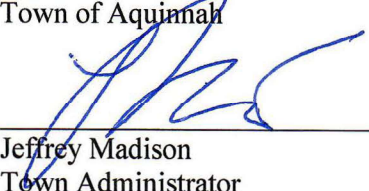
TOWN OF AQUINNAH

955 State Road, Aquinnah, Massachusetts 02535
Tel. (508) 645-2300 - Fax (508) 645-7884
www.aquinnah-ma.gov

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

Concurring Party:

Town of Aquinnah



Jeffrey Madison
Town Administrator
Town of Aquinnah

Date: August 15, 2023

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, WAMPANOAG TRIBE OF
GAY HEAD (AQUINNAH), MASHANTUCKET (WESTERN) PEQUOT TRIBAL NATION,
MASHPEE WAMPANOAG TRIBE, THE STATE HISTORIC PRESERVATION OFFICERS OF
CONNECTICUT, MASSACHUSETTS, NEW YORK, AND RHODE ISLAND, REVOLUTION
WIND, LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REVOLUTION WIND FARM AND REVOLUTION WIND EXPORT
CABLE PROJECT**

LIST OF ATTACHMENTS TO THE MOA

ATTACHMENT 1 – PROGRAMMATIC AGREEMENT

ATTACHMENT 2 – APE MAPS

ATTACHMENT 3 – ABOVE GROUND HISTORIC PROPERTIES ADVERSELY AFFECTED BY
THE PROJECT

ATTACHMENT 4 – LISTS OF INVITED AND PARTICIPATING CONSULTING PARTIES

ATTACHMENT 5 - MITIGATION FUNDING OPTIONS PROPOSED BY SIGNATORIES AND
CONSULTING PARTIES

ATTACHMENT 6 – HISTORIC PROPERTY TREATMENT PLAN FOR THE REVOLUTION WIND
FARM: ANCIENT SUBMERGED LANDFORM FEATURE, OUTER CONTINENTAL SHELF,
FEDERAL AND RHODE ISLAND WATERS OF RHODE ISLAND SOUND

ATTACHMENT 7 – HISTORIC PROPERTY TREATMENT PLAN FOR THE REVOLUTION WIND
FARM: THE MILL CREEK SWAMP #1 AND #2 SITES, TOWN OF NORTH KINGSTOWN,
WASHINGTON COUNTY, RHODE ISLAND

ATTACHMENT 8 – HISTORIC PROPERTIES TREATMENT PLAN FOR THE REVOLUTION
WIND FARM: THE CHAPPAQUIDDICK ISLAND TRADITIONAL CULTURAL PROPERTY
DUKES COUNTY, MASSACHUSETTS & ATLANTIC OUTER CONTINENTAL SHELF

ATTACHMENT 9 – HISTORIC PROPERTIES TREATMENT PLAN FOR THE REVOLUTION
WIND FARM: THE VINEYARD SOUND & MOSHUP’S BRIDGE TRADITIONAL CULTURAL
PROPERTY DUKES COUNTY, MASSACHUSETTS & ATLANTIC OUTER CONTINENTAL
SHELF – FEDERALLY-RECOGNIZED NATIVE AMERICAN TRIBES

ATTACHMENT 10 – HISTORIC PROPERTY TREATMENT PLAN FOR THE REVOLUTION WIND
FARM: DOCUMENTATION OF TWENTY-EIGHT HISTORIC PROPERTIES IN RHODE ISLAND

ATTACHMENT 11– HISTORIC PROPERTIES TREATMENT PLAN FOR THE REVOLUTION
WIND FARM: NINE HISTORIC PROPERTIES, TOWN OF MIDDLETOWN, NEWPORT COUNTY,
RHODE ISLAND

ATTACHMENT 12 – HISTORIC PROPERTIES TREATMENT PLAN FOR THE REVOLUTION WIND FARM, NINE HISTORIC PROPERTIES SUBJECT TO ADVERSE EFFECTS IN THE TOWN OF AQUINNAH, DUKES COUNTY, MASSACHUSETTS

ATTACHMENT 13 – HISTORIC PROPERTIES TREATMENT PLAN FOR THE REVOLUTION WIND FARM: THE GAY HEAD LIGHTHOUSE, TOWN OF AQUINNAH, DUKES COUNTY, MASSACHUSETTS

ATTACHMENT 14 – REVOLUTION WIND EXPORT CABLE ONSHORE SUBSTATION AND INTERCONNECTION FACILITY, NORTH KINGSTOWN, RHODE ISLAND: PROCEDURES GUIDING THE DISCOVERY OF UNANTICIPATED CULTURAL RESOURCES AND HUMAN REMAINS

ATTACHMENT 15 – UNANTICIPATED DISCOVERIES PLAN FOR SUBMERGED ARCHAEOLOGICAL SITES, HISTORIC PROPERTIES, AND CULTURAL RESOURCES INCLUDING HUMAN REMAINS: REVOLUTION WIND FARM FOR LEASE AREA OCS A-0486 CONSTRUCTION AND OPERATIONS PLAN

ATTACHMENT 16 – TRIBAL NATIONS COMMUNICATIONS PLAN [to be attached on completion]

ATTACHMENT 1 –PROGRAMMATIC AGREEMENT

MAY 23 2012

PROGRAMMATIC AGREEMENT

Among

The U.S. Department of the Interior, Bureau of Ocean Energy Management;
the State Historic Preservation Officers 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;

Regarding

the "Smart from the Start" Atlantic Wind Energy Initiative:

Leasing and Site Assessment Activities offshore Massachusetts and Rhode Islands

WHEREAS, the Energy Policy Act of 2005, Pub. L. No. 109-58, added Section 8(p)(1)(C) to the Outer Continental Shelf Lands Act (OCSLA), which grants the Secretary of the Interior the authority to issue leases, easements, or rights-of-way on the Outer Continental Shelf (OCS) for the purpose of renewable energy development, including wind energy development. *See* 43 U.S.C. § 1337(p)(1)(C); and

WHEREAS, the Secretary delegated this authority to the former Minerals Management Service (MMS), now the Bureau of Ocean Energy Management (BOEM), and promulgated final regulations implementing this authority at 30 CFR Part 585; and

WHEREAS, 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 that occurs in distinct phases: lease issuance; approval of a site assessment plan (SAP); and approval of a construction and operation plan (COP); and

WHEREAS, BOEM is currently identifying areas that may be suitable for wind energy leasing through collaborative, consultative, and analytical processes; and

WHEREAS, the issuance of a commercial wind energy lease gives the lessee the exclusive right to subsequently seek BOEM approval of plans (SAPs and COPs) for the development of the leasehold; and

WHEREAS, 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 implements them. *See* 30 CFR 585.600 and 585.601; and

WHEREAS, the SAP contains the lessee's detailed proposal for the construction of a meteorological tower and/or the installation of meteorological buoys ("site assessment activities") on the leasehold. *See* 30 CFR 585.605 - 585.618; and

WHEREAS, the lessee's SAP must be approved by BOEM before it conducts these "site assessment" activities on the leasehold; and

Programmatic Agreement concerning the “Smart from the Start” Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

WHEREAS, BOEM may approve, approve with modification, or disapprove a lessee’s SAP. *See* 30 CFR 585.613; and

WHEREAS, the COP is a detailed plan for the construction and operation of a wind energy project on the lease. *See* 30 CFR 585.620-585.638; and

WHEREAS, BOEM approval of a COP is a precondition to the construction of any wind energy facility on the OCS. *See* 30 CFR 585.600; and

WHEREAS, the regulations require that a lessee provide the results of surveys with its SAP and COP for the areas affected by the activities proposed in each plan, including an archaeological resource survey. *See* 30 CFR 585.610(b)(3) and 30 CFR 585.626(a)(5). BOEM refers to surveys undertaken to acquire this information as “site characterization” activities. *See Guidelines for Providing Geological and Geophysical, Hazards, and Archaeological Information Pursuant to 30 CFR Part 585* at: <http://www.boem.gov/Renewable-Energy-Program/Regulatory-Information/GGARCH4-11-2011-pdf.aspx>; and

WHEREAS, BOEM has embarked upon the “Smart from the Start” Atlantic Wind Energy Initiative for the responsible development of wind energy resources on the Atlantic OCS; and

WHEREAS, under the “Smart from the Start” Initiative, BOEM has identified areas on the OCS that appear most suitable for future wind energy activities offshore the Commonwealth of Massachusetts (MA) and the State of Rhode Island (RI); and

WHEREAS these areas are located: (1) within the Rhode Island-Massachusetts Wind Energy Area (WEA); and (2) within the MA Call area east of the Rhode Island-Massachusetts WEA (hereafter known as “Areas”); and

WHEREAS BOEM may issue multiple renewable energy leases and approve multiple SAPs on leases issued within these Areas; and

WHEREAS, BOEM has determined that issuing leases and approving SAPs within these Areas constitute multiple undertakings subject to Section 106 of the National Historic Preservation Act (NHPA; 16 U.S.C. § 470f), and its implementing regulations (36 CFR 800); and

WHEREAS, BOEM has determined that the implementation of the program is complex as the decisions on these multiple undertakings are staged, pursuant to 36 CFR § 800.14(b); and

WHEREAS, the implementing regulations for Section 106 (36 CFR § 800) prescribe a process that seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among parties with an interest in the effects of the undertakings, commencing at the early stages of the process; and

Programmatic Agreement concerning the “Smart from the Start” Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

WHEREAS, the Section 106 consultations have been initiated and coordinated with other reviews, including the National Environmental Policy Act (NEPA), in accordance with 36 CFR § 800.3(b); and

WHEREAS, 36 CFR § 800.14(b)(3) provides for developing programmatic agreements (Agreements) for complex or multiple undertakings and § 800.14(b)(1)(ii) and (v) provide for developing Agreements when effects on historic properties cannot be fully determined prior to approval of an undertaking and for other circumstances warranting a departure from the normal section 106 process; and

WHEREAS, 36 CFR § 800.4(b)(2) provides for phased identification and evaluation of historic properties where alternatives consist of large land areas, and for the deferral of final identification and evaluation of historic properties when provided for in a Agreement executed pursuant to 36 CFR §800.14(b); and

WHEREAS, BOEM has determined that the identification and evaluation of historic properties shall be conducted through a phased approach, pursuant to 36 CFR § 800.4(b)(2), where the final identification of historic properties will occur after the issuance of a lease or leases and before the approval of a SAP; and

WHEREAS, the Section 106 consultations described in this Agreement will be used to establish a process for identifying historic properties located within the undertakings’ Areas of Potential Effects (APE) that are listed in or eligible for listing in the National Register of Historic Places (National Register), and assess the potential adverse effects and avoid, reduce, or resolve any such effects through the process set forth in this Agreement; and

WHEREAS, according to 36 CFR § 800.16(l)(1) “historic property” means

any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria; and

WHEREAS, the APEs, as defined in 36 CFR § 800.16(d) of the Advisory Council on Historic Preservation’s (ACHP’s) regulations implementing Section 106 of the NHPA, for the undertakings that are the subject of this Agreement, are: (1) the depth and breadth of the seabed that could potentially be impacted by seafloor/bottom-disturbing activities associated with the undertakings (e.g., core samples, anchorages and installation of meteorological towers and buoys); and (2) the viewshed from which lighted meteorological structures would be visible; and

Programmatic Agreement concerning the “Smart from the Start” Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

WHEREAS, BOEM has identified and consulted with the State Historic Preservation Offices (SHPOs) for MA and RI, (collectively, “the SHPOs”); and

WHEREAS, BOEM initiated consultation in 2011 and 2012 through letters of invitation, telephone calls, emails, meetings, webinars, and the circulation and discussion of this Agreement in draft; and this outreach and notification included contacting over 66 individuals and entities, including federally-recognized Indian Tribes (Tribes), local governments, SHPOs, and the public; and

WHEREAS, BOEM has initiated formal government-to-government consultation with the following Tribes: the Mashpee Wampanoag Tribe, the Narragansett Indian Tribe, the Shinnecock Indian Nation, and the Wampanoag Tribe of Gay Head (Aquinnah); and

WHEREAS, these Tribes have chosen to consult with BOEM and participate in development of this Agreement, in which the term Tribe refers to them, within the meaning of 36 CFR § 800.16(m); and

WHEREAS, BOEM shall continue to consult with these Tribes to identify properties of religious and cultural significance that may be eligible for listing in the National Register of Historic Places (Traditional Cultural Properties or TCPs) and that may be affected by these undertakings; and

WHEREAS, BOEM involves the public and identifies other consulting parties through notifications, requests for comments, existing renewable energy task forces, contact with SHPOs, NEPA scoping meetings and communications for these proposed actions; and

WHEREAS, BOEM, the SHPOs, the Mashpee Wampanoag Tribe, the Narragansett Indian Tribe, and the Wampanoag Tribe of Gay Head (Aquinnah) and the ACHP are Signatories to this Agreement, and

WHEREAS, future submission of a COP and commercial-scale development that may or may not occur within the Areas would be separate undertakings and considered under future, separate Section 106 consultation(s) not under this Agreement; and

WHEREAS, BOEM requires a SAP to include the results of site characterization surveys that will identify potential archaeological resources that could be affected by the installation and operation of meteorological facilities. *See* (30 CFR § 585.611 (b)(6)); and

WHEREAS, consultations conducted prior to the execution of this Agreement included all steps in the Section 106 process up to and including consulting on the scope of identification efforts that would be used to conduct site characterization surveys that would identify historic properties that may be impacted by activities described in the SAP pursuant to 36 CFR § 800.4(a); and

WHEREAS, these consultations resulted in recommendations to BOEM that the following items should be added to leases issued within the Areas, both to ensure that

Programmatic Agreement concerning the “Smart from the Start” Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

historic properties that may be impacted by activities described in the SAP are identified through a reasonable and good faith effort (§ 800.4(b)(1)), and also to ensure that properties identified through the geophysical surveys are not impacted by geotechnical sampling:

The lessee may only conduct geotechnical (sub-bottom) sampling activities in areas of the leasehold in which an analysis of the results of geophysical surveys has been completed for that area. The geophysical surveys must meet BOEM’s minimum standards (see Guidelines for Providing Geological and Geophysical, Hazards, and Archaeological Information Pursuant to 30 CFR Part 285 at <http://www.boem.gov/Renewable-Energy-Program/Regulatory-Information/GGARCH4-11-2011-pdf.aspx>), and the analysis must be completed by a qualified marine archaeologist who both meets the Secretary of the Interior’s Professional Qualifications Standards (48 FR 44738- 44739) and has experience analyzing marine geophysical data. This analysis must include a determination whether any potential archaeological resources are present in the area and the geotechnical (sub-bottom) sampling activities must avoid potential archaeological resources by a minimum of 50.0 meters (m; 164.0 feet). The avoidance distance must be calculated from the maximum discernible extent of the archaeological resource. In no case may the lessee’s actions impact a potential archaeological resource without BOEM’s prior approval;

NOW, THEREFORE, BOEM, the ACHP, the SHPOs, Tribes, and the other concurring parties (the Parties), agree that Section 106 consultation shall be conducted in accordance with the following stipulations in order to defer final identification and evaluation of historic properties.

STIPULATIONS

- I. SAP Decisions. Before 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)). If a potential historic property is identified, and the lessee chooses to conduct additional investigations, and:
 - A. If additional investigations demonstrate that a historic property does not exist, then BOEM will make a determination of *No historic properties affected* and follow 36 CFR § 800.4(d)(1).

Programmatic Agreement concerning the “Smart from the Start” Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

- B. If additional investigations demonstrate that a historic property does exist and may be affected, BOEM will evaluate the historic significance of the property, in accordance with 800.4(c); make a determination of *Historic properties affected* and follow 36 CFR § 800.4(d)(2); and resolve any adverse effects by following 800.5.
- II. Tribal Consultation. BOEM shall continue to consult with the Tribes throughout the implementation of this Agreement in a government-to-government manner consistent with Executive Order 13175, Presidential memoranda, and any Department of the Interior policies, on subjects related to the undertakings.
- III. Public Participation
- A. Because BOEM and the Parties recognize the importance of public participation in the Section 106 process, BOEM shall continue to provide opportunities for public participation in Section 106-related activities, and shall consult with the Parties on possible approaches for keeping the public involved and informed throughout the term of the Agreement.
 - B. BOEM shall keep the public informed and may produce reports on historic properties and on the Section 106 process that may be made available to the public at BOEM’s headquarters, on the BOEM website, and through other reasonable means insofar as the information shared conforms to the confidentiality clause of this Agreement (Stipulation IV).
- IV. Confidentiality. Because BOEM and the Parties agree that it is important to withhold from disclosure sensitive information such as that which is protected by NHPA Section 304 (16 U.S.C. § 470w-3) (*e.g.*, the location, character and ownership of an historic resource, if disclosure would cause a significant invasion of privacy, risk harm to the historic resources, or impede the use of a traditional religious site by practitioners), BOEM shall:
- A. Request that each Party inform the other Parties if, by law or policy, it is unable to withhold sensitive data from public release.
 - B. Arrange for the Parties to consult as needed on how to protect such information collected or generated under this Agreement.
 - C. Follow, as appropriate, 36 CFR 800.11(c) for authorization to withhold information pursuant to NHPA Section 304, and otherwise withhold sensitive information to the extent allowable by laws including the Freedom of Information Act, 5 U.S.C. § 552, through the Department of the Interior regulations at 43 CFR Part 2.

Programmatic Agreement concerning the “Smart from the Start” Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

- D. Request that the Parties agree that materials generated during consultation be treated by the Parties as internal and pre-decisional until they are formally released, although the Parties understand that they may need to be released by one of the Parties if required by law.
- V. Administrative Stipulations
- A. In coordinating reviews, BOEM shall follow this process:
 - 1. Standard Review: The Parties shall have a standard review period of thirty (30) calendar days for commenting on all documents which are developed under the terms of this Agreement, from the date they are sent by BOEM.
 - 2. Expedited Request for Review: The Parties recognize the time-sensitive nature of this work and shall attempt to expedite comments or concurrence when BOEM so requests. The expedited comment period shall not be less than fifteen (15) calendar days from the date BOEM sends such a request.
 - 3. If a Party cannot meet BOEM’s expedited review period request, it shall notify BOEM in writing within the fifteen (15) calendar day period. If a Party fails to provide comments or respond within the time frame requested by BOEM (either standard or expedited), then BOEM may proceed as though it has received concurrence from that Party. BOEM shall consider all comments received within the review period.
 - 4. All Parties will send correspondence and materials for review via electronic media unless a Party requests, in writing, that BOEM transmit the materials by an alternate method specified by that Party. Should BOEM transmit the review materials by the alternate method, the review period will begin on the date the materials were received by the Party, as confirmed by delivery receipt.
 - 5. MA and RI SHPO Review Specifications: All submittals to the MA and RI SHPOs shall be in paper format and shall be delivered to the MA and RI SHPOs’ offices by US Mail, by a delivery service, or by hand. Plans and specifications submitted to the MA and RI SHPOs shall measure no larger than 11" x 17" paper format (unless another format is specified in consultation). The MA and RI SHPOs shall review and comment on all adequately documented project submittals within 30 calendar days of receipt unless a response has been requested within the expedited review period specified in Stipulation V.A.2.

Programmatic Agreement concerning the “Smart from the Start” Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

6. Each Signatory shall designate a point of contact for carrying out this Agreement and provide this contact’s information to the other Parties, updating it as necessary while this Agreement is in force. Updating a point of contact alone shall not necessitate an amendment to this Agreement.
- B. **Dispute Resolution.** Should any Signatory object in writing to BOEM regarding an action carried out in accordance with this Agreement, or lack of compliance with the terms of this Agreement, the Signatories shall consult to resolve the objection. Should the Signatories be unable to resolve the disagreement, BOEM shall forward its background information on the dispute as well as its proposed resolution of the dispute to the ACHP. Within 45 calendar days after receipt of all pertinent documentation, the ACHP shall either: (1) provide BOEM with written recommendations, which BOEM shall take into account in reaching a final decision regarding the dispute; or (2) notify BOEM that it shall comment pursuant to 36 CFR 800.7(c), and proceed to comment. BOEM shall take this ACHP comment into account, in accordance with 36 CFR 800.7(c)(4). Any ACHP recommendation or comment shall be understood to pertain only to the subject matter of the dispute; BOEM’s responsibility to carry out all actions under this Agreement that are not subjects of dispute shall remain unchanged.
 - C. **Amendments.** Any Signatory may propose to BOEM in writing that the Agreement be amended, whereupon BOEM shall consult with the Parties to consider such amendment. This Agreement may then be amended when agreed to in writing by all Signatories, becoming effective on the date that the amendment is executed by the ACHP as the last Signatory.
 - D. **Adding Federal Agencies.** In the event that another Federal agency believes it has Section 106 responsibilities related to the undertakings which are the subject of this Agreement, that agency may attempt to satisfy its Section 106 responsibilities by agreeing in writing to the terms of this Agreement and notifying and consulting with the SHPOs and the ACHP. Any modifications to this agreement that may be necessary for meeting that agency’s Section 106 obligations shall be considered in accordance with this Agreement.
 - E. **Adding Concurring Parties.** In the event that another party wishes to assert its support of this Agreement, that party may prepare a letter indicating its concurrence, which BOEM will attach to the Agreement and circulate among the Signatories.
 - F. **Term of Agreement.** The Agreement shall remain in full force until BOEM makes a final decision on the last SAP submitted under a lease issued under this portion of the “Smart from the Start” initiative, or for ten (10) years from the date the Agreement is executed, defined as the date the last signatory

Programmatic Agreement concerning the “Smart from the Start” Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

signs, whichever is earlier, unless otherwise extended by amendment in accordance with this Agreement.

G. Termination.

1. If any Signatory determines that the terms of the Agreement cannot or are not being carried out, that Party shall notify the other Signatories in writing and consult with them to seek amendment of the Agreement. If within sixty (60) calendar days, an amendment cannot be made, any Signatory may terminate the Agreement upon written notice to the other Signatories.
2. If termination is occasioned by BOEM’s final decision on the last SAP contemplated under this portion of the “Smart from the Start” Initiative, BOEM shall notify the Parties and the public, in writing.

H. Anti-Deficiency Act. Pursuant to 31 U.S.C. § 1341(a)(1), nothing in this Agreement shall be construed as binding the United States to expend in any one fiscal year any sum in excess of appropriations made by Congress for this purpose, or to involve the United States in any contract or obligation for the further expenditure of money in excess of such appropriations.

I. Existing Law and Rights. Nothing in this Agreement shall abrogate existing laws or the rights of any consulting party or agency party to this Agreement.

J. Compliance with Section 106. Execution and implementation of this Agreement evidences that BOEM has satisfied its Section 106 responsibilities for all aspects of these proposed undertakings by taking into account the effects of these undertakings on historic properties and affording the ACHP a reasonable opportunity to comment with regard to the undertakings.

Programmatic Agreement concerning the "Smart from the Start" Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

By:



Date: 5-23-12

Maureen A. Bornholdt
Program Manager, Office of Renewable Energy Programs
Bureau of Ocean Energy Management

Programmatic Agreement concerning the "Smart from the Start" Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

Brona Simon

Date: *5/31/12*

Brona Simon
Massachusetts Historical Commission
Massachusetts State Historic Preservation Officer

Programmatic Agreement concerning the "Smart from the Start" Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island

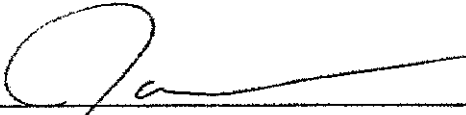
 _____

Date: 6/4/2012

[NAME] Edward F. Sanderson

[TITLE] Executive Director, Rhode Island Historical Preservation & Heritage Commission
Rhode Island State Historic Preservation Officer


Programmatic Agreement concerning the "Smart from the Start" Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island




Date: 05 June 2012

John Brown
Tribal Historic Preservation Officer
Narragansett Indian Tribe

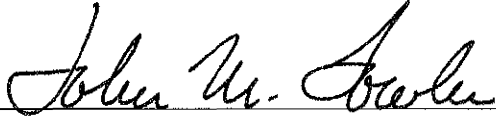
Programmatic Agreement concerning the "Smart from the Start" Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island



Date: 

Cedric Cromwell
Tribal Chairman
Mashpee Wampanoag Tribe

Programmatic Agreement concerning the "Smart from the Start" Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities offshore Massachusetts and Rhode Island



Date: 6/8/12

John M. Fowler
Executive Director
Advisory Council on Historic Preservation

ATTACHMENT 2 – AREA OF POTENTIAL EFFECTS MAPS

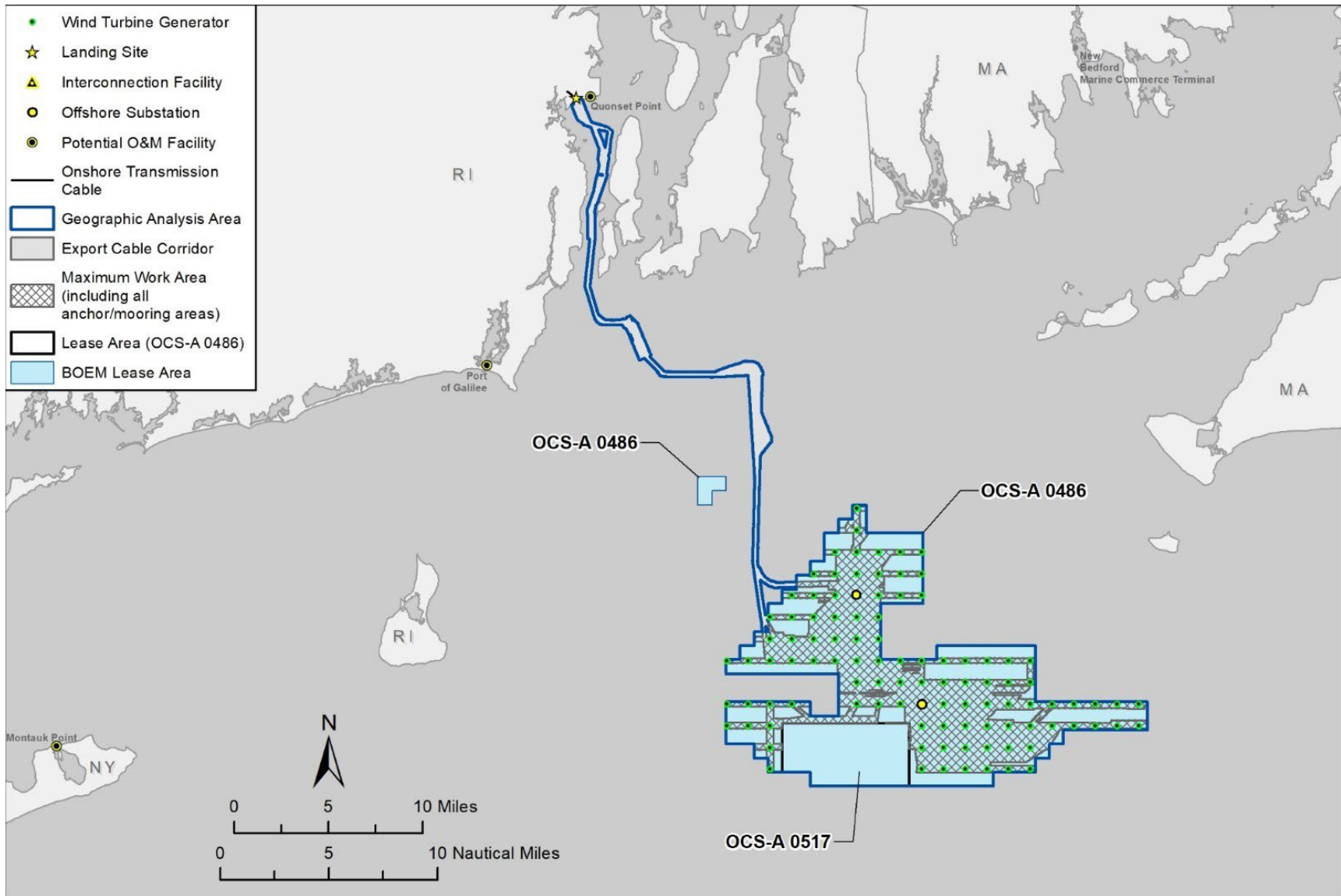


Figure 1. Revolution Wind construction and operations plan proposed offshore Project elements.

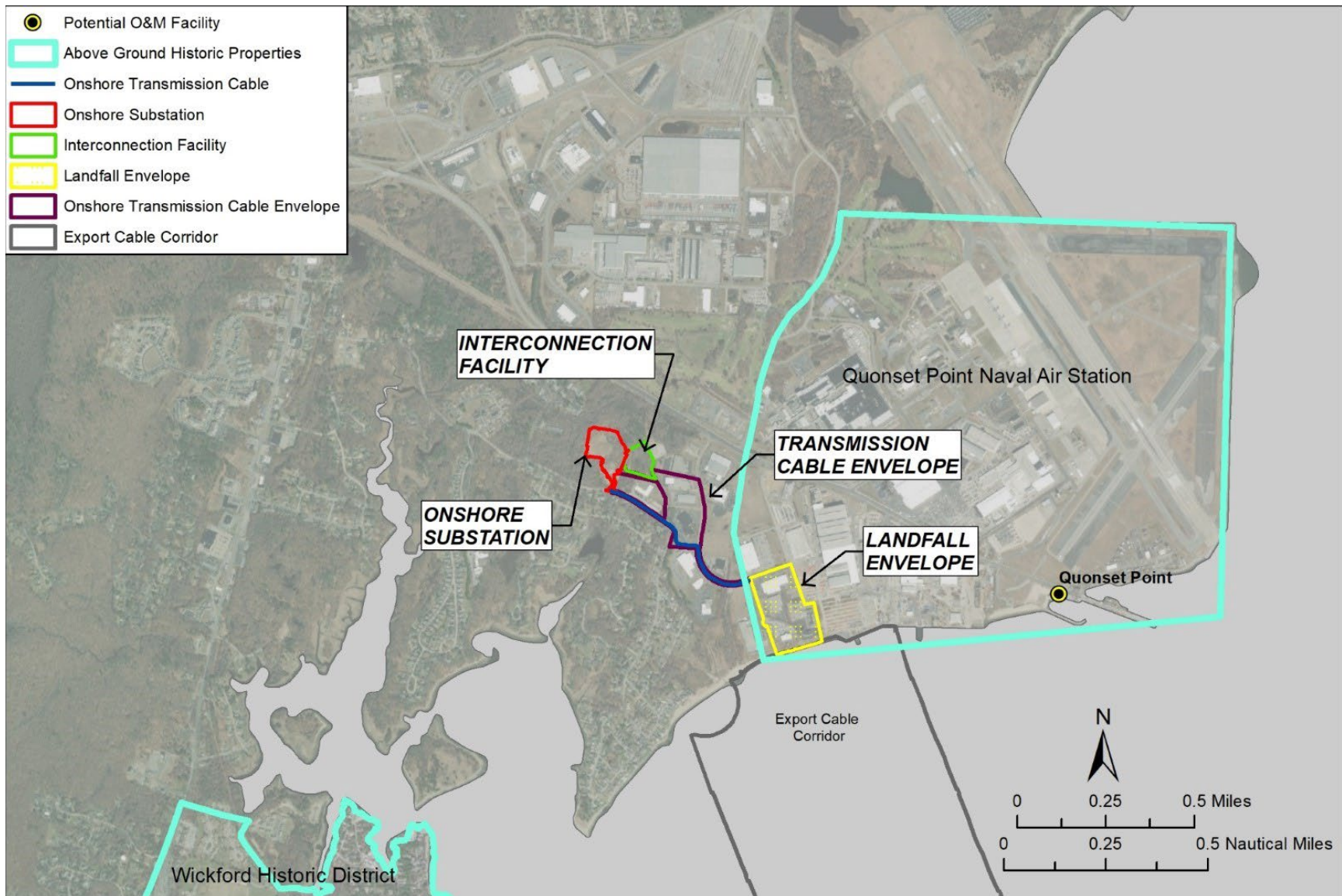


Figure 2. Revolution Wind construction and operations plan proposed onshore Project elements.

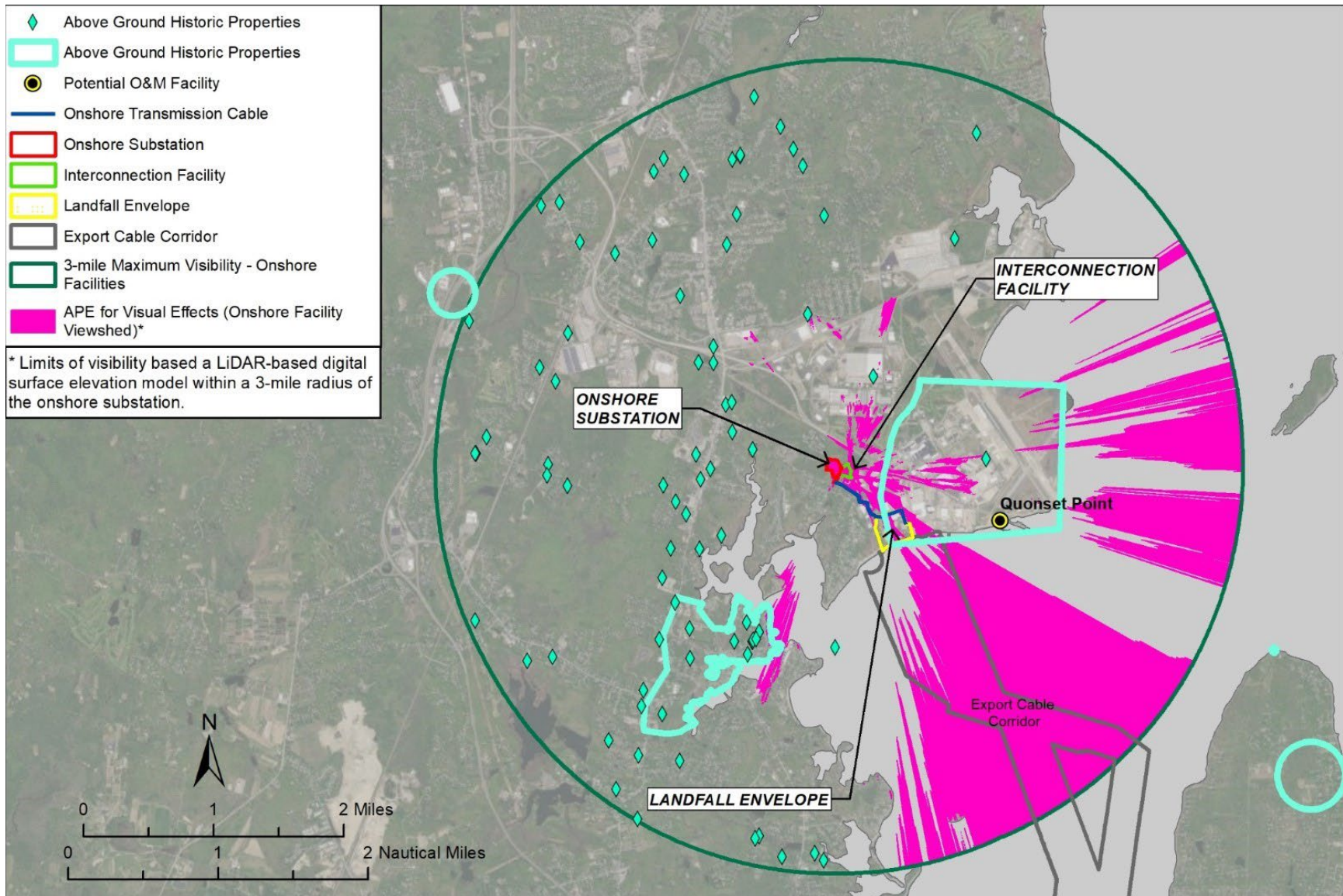


Figure 3. Visual area of potential effects and visual effects assessment geographic analysis area – onshore.

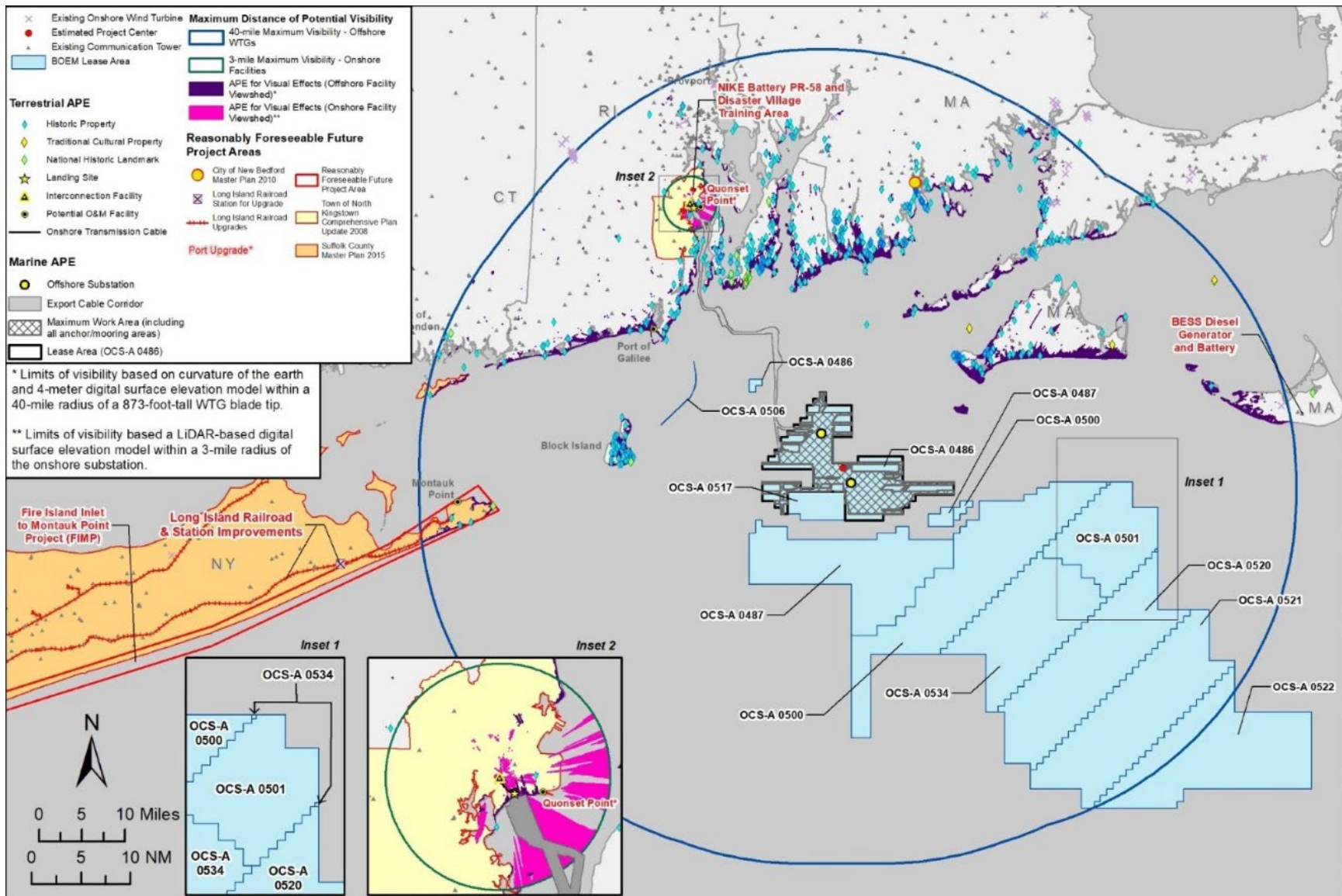


Figure 4. Visual area of potential effects and visual effects assessment geographic analysis area – offshore.

**ATTACHMENT 3 – ABOVE GROUND HISTORIC PROPERTIES ADVERSELY AFFECTED
BY THE PROJECT**

Table 1. Above Ground Historic Properties Adversely Affected by the Project, in Order of Nearest Distance to Project WTGs

Survey ID	Visually Sensitive Resource	Municipality	County	State	Property Designation	Distance to nearest RWF WTG (miles)
TCP-3	Vineyard Sound and Moshup's Bridge TCP	Aquinnah	Dukes	MA	NRHP-eligible (BOEM determined)	6*
300	Sakonnet Light Station	Little Compton	Newport	RI	NRHP-listed resource	12.7
297	Warren Point Historic District	Little Compton	Newport	RI	NRHP-eligible resource (RIHPHC determined)	12.9
299	Abbott Phillips House	Little Compton	Newport	RI	RIHPHC historic resource	13
504	Flaghole	Chilmark	Dukes	MA	MHC historic inventory site	13.3
296	Stone House Inn	Little Compton	Newport	RI	NRHP-listed resource	13.4
503	Simon Mayhew House	Chilmark	Dukes	MA	MHC historic inventory site	13.5
496	71 Moshup Trail	Aquinnah	Dukes	MA	MHC historic inventory site	13.7
484	Vanderhoop, Edwin DeVries Homestead	Aquinnah	Dukes	MA	NRHP-listed resource	13.7
480	Gay Head - Aquinnah Shops Area	Aquinnah	Dukes	MA	MHC historic inventory site	13.7
474	Flanders, Ernest House, Shop, Barn	Aquinnah	Dukes	MA	MHC historic inventory site	13.8
495	3 Windy Hill Drive	Aquinnah	Dukes	MA	MHC historic inventory site	13.9
479	Gay Head Light	Aquinnah	Dukes	MA	NRHP-listed resource	13.9
485	Tom Cooper House	Aquinnah	Dukes	MA	MHC historic inventory site	14
497	Leonard Vanderhoop House	Aquinnah	Dukes	MA	MHC historic inventory site	14
490	Theodore Haskins House	Aquinnah	Dukes	MA	MHC historic inventory site	14.1
486	Gay Head - Aquinnah Coast Guard Station Barracks	Aquinnah	Dukes	MA	MHC historic inventory site	14.1
491	Gay Head - Aquinnah Town Center Historic District	Aquinnah	Dukes	MA	NRHP-listed resource	14.2
303	Gooseneck Causeway	Westport	Bristol	MA	MHC historic inventory site	14.8
304	Gooseberry Neck Observation Towers	Westport	Bristol	MA	MHC historic inventory site	14.8
540	Spring Street	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	14.9
590	Capt. Mark L. Potter House	New Shoreham	Washington	RI	RIHPHC historic resource	14.9
276	Tunipus Goosewing Farm	Little Compton	Newport	RI	NRHP-Eligible Resource (RIHPHC Determined)	15
543	WWII Lookout Tower – Spring Street	New Shoreham	Washington	RI	NRHP-Eligible Resource (RIHPHC Determined)	15.1
251	Westport Harbor	Westport	Bristol	MA	MHC historic inventory site	15.2
290	Bellevue Avenue Historic District NHL	Newport	Newport	RI	NHL	15.2
548	Block Island Southeast Lighthouse NHL	New Shoreham	Washington	RI	NHL	15.2
595	New Shoreham Historic District	New Shoreham	Washington	RI	Local Historic	15.3
536	Spring Cottage	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	15.3
531	Old Harbor Historic District	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC-determined)	15.3
538	Captain Welcome Dodge Sr.	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	15.3
541	Caleb W. Dodge Jr. House	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	15.3
535	Spring House Hotel	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	15.4
545	Pilot Hill Road and Seaweed Lane	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	15.4
222	Ocean Drive Historic District NHL	Newport	Newport	RI	NHL	15.7
298	Marble House NHL	Newport	Newport	RI	NHL	15.7
597	Ochre Point – Cliffs Historic District	Newport	Newport	RI	NRHP-listed resource	15.8
546	WWII Lookout Tower at Sands Pond	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	15.8
552	Sea View Villa	Middletown	Newport	RI	RIHPHC historic resource	15.9

Survey ID	Visually Sensitive Resource	Municipality	County	State	Property Designation	Distance to nearest RWF WTG (miles)
295	Rosecliff/Oelrichs (Hermann) House/ Mondroe (J. Edgar) House	Newport	Newport	RI	NRHP-listed resource	15.9
293	The Breakers NHL	Newport	Newport	RI	NHL	15.9
516	Corn Neck Road	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	15.9
302	Clam Shack Restaurant	Westport	Bristol	MA	MHC historic inventory site	15.9
301	Horseneck Point Lifesaving Station	Westport	Bristol	MA	MHC historic inventory site	15.9
553	Whetstone	Middletown	Newport	RI	RIHPHC historic resource	16
284	The Bluff/John Bancroft Estate	Middletown	Newport	RI	RIHPHC historic resource	16
288	Clambake Club of Newport	Middletown	Newport	RI	NRHP-listed resource	16
530	Old Town and Center Roads	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16
526	Beach Avenue	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16.1
519	Mitchell Farm	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16.1
523	Indian Head Neck Road	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16.2
168	Westport Pt. Revolutionary War Properties	Westport	Bristol	MA	MHC historic inventory site	16.2
261	Indian Avenue Historic District	Middletown	Newport	RI	NRHP-listed resource	16.2
278	St. Georges School	Middletown	Newport	RI	NRHP-listed resource	16.3
528	Hygeia House	New Shoreham	Washington	RI	NRHP-listed resource	16.3
527	U.S. Weather Bureau Station	New Shoreham	Washington	RI	NRHP-listed resource	16.3
549	Miss Abby E. Vaill/1 of 2 Vaill cottages	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16.4
550	Hon. Julius Deming Perkins / "Bayberry Lodge"	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16.4
542	Lakeside Drive and Mitchell Lane	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16.5
280	Land Trust Cottages	Middletown	Newport	RI	NRHP-eligible resource (RIHPHC determined)	16.6
482	Russell Hancock House	Chilmark	Dukes	MA	MHC historic inventory site	16.6
163	Westport Point Historic District (1 of 2)	Westport	Bristol	MA	NRHP-eligible resource (MHC determined)	16.7
164	Westport Point Historic District (2 of 2)	Westport	Bristol	MA	NRHP-listed resource	16.7
551	Mohegan Cottage/Everett D. Barlow House	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16.7
266	Paradise Rocks Historic District	Middletown	Newport	RI	RIHPHC historic resource	16.8
547	Lewis- Dickens Farm	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16.8
525	Island Cemetery/Old Burial Ground	New Shoreham	Washington	RI	RI Historical Cemetery	16.8
279	Kay St.-Catherine St.-Old Beach Rd. Historic District/The Hill	Newport	Newport	RI	NRHP-listed resource	16.9
532	Beacon Hill Road	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16.9
533	Nathan Mott Park	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	16.9
515	Block Island North Lighthouse	New Shoreham	Washington	RI	NRHP-listed resource	17.1
522	Champlin Farm	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	17.1
517	Hippocampus/Boy's Camp/ Beane Family	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	17.2
520	U.S. Lifesaving Station	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	17.4
518	U.S. Coast Guard Brick House	New Shoreham	Washington	RI	NRHP-eligible resource (RIHPHC determined)	17.4
521	Peleg Champlin House	New Shoreham	Washington	RI	NRHP-listed resource	17.5
469	Hancock, Captain Samuel - Mitchell, Captain West House	Chilmark	Dukes	MA	NRHP-eligible resource (MHC determined)	17.6
508	Scrubby Neck Schoolhouse	West Tisbury	Dukes	MA	MHC historic inventory site	18
345	Point Judith Lighthouse	Narragansett	Washington	RI	NRHP-listed resource	18.2

Survey ID	Visually Sensitive Resource	Municipality	County	State	Property Designation	Distance to nearest RWF WTG (miles)
245	Bailey Farm	Middletown	Newport	RI	NRHP-listed resource	18.3
226	Beavertail Light	Jamestown	Newport	RI	NRHP-listed resource	18.4
582	Horsehead/Marbella	Jamestown	Newport	RI	NRHP-listed resource	18.6
333	Ocean Road Historic District	Narragansett	Washington	RI	NRHP-listed resource	18.9
335	Dunmere	Narragansett	Washington	RI	NRHP-listed resource	19.1
86	Puncatest Neck Historic District	Tiverton	Newport	RI	RIHPHC historic resource	19.4
576	Fort Varnum/Camp Varnum	Narragansett	Washington	RI	NRHP-eligible resource (RIHPHC determined)	19.6
156	Salters Point	Dartmouth	Bristol	MA	MHC historic inventory site	19.7
578	Dunes Club	Narragansett	Washington	RI	NRHP-listed resource	19.8
329	Life Saving Station at Narragansett Pier	Narragansett	Washington	RI	NRHP-listed resource	19.8
330	The Towers Historic District	Narragansett	Washington	RI	NRHP-listed resource	19.8
591	Narragansett Pier MRA	Narragansett	Washington	RI	NRHP-listed resource	19.8
328	The Towers/Tower Entrance of Narragansett Casino	Narragansett	Washington	RI	NRHP-listed resource	19.9
TCP-1	Chappaquiddick Island TCP	Edgartown	Dukes	MA	NRHP-eligible resource (BOEM determined)	20
343	Brownings Beach Historic District	South Kingstown	Washington	RI	NRHP-listed resource	21.8
444	Tarpaulin Cove Light	Gosnold	Dukes	MA	NRHP-listed resource	22.2
391	Clark's Point Light	New Bedford	Bristol	MA	NRHP-listed resource	24.6
390	Fort Rodman Historic District	New Bedford	Bristol	MA	NRHP-eligible resource (MHC determined)	24.6
392	Fort Taber Historic District	New Bedford	Bristol	MA	NRHP-listed resource	24.6
386	Butler Flats Light Station	New Bedford	Bristol	MA	NRHP-listed resource	25.6
389	744 Sconticut Neck Road	Fairhaven	Bristol	MA	MHC historic inventory site	25.9
449	Nobska Point Lighthouse	Falmouth	Barnstable	MA	NRHP-listed resource	28

Notes: MHC = Massachusetts Historical Commission, RIHPC = Rhode Island Historical Preservation & Heritage Commission.

ATTACHMENT 4 – LIST OF CONSULTING PARTIES

Table 1. Consulting Parties Invited to Consult in the NHPA Section 106 Consultation

Participants in the Section 106 Process	Invited Consulting Parties
SHPOs and state agencies	Connecticut State Historic Preservation Office
	Connecticut Department of Economic and Community Development
	Rhode Island Historical Preservation & Heritage Commission
	New York State Division for Historic Preservation
	Massachusetts Historical Commission
	Massachusetts Board of Underwater Archaeological Resources
	Massachusetts Commissioner on Indian Affairs
	Rhode Island Department of Environmental Management
Federal agencies	National Park Service (NPS)
	National Oceanic and Atmospheric Administration – Habitat and Ecosystem Services Division
	U.S. Army Corps of Engineers, New England District
	U.S. Army Corps of Engineers, New York District
	Office of the Deputy Assistant Secretary of the Navy for Environment (DASN(E))
	Chief of Naval Operations, Installations Division
	Naval Facilities Engineering Systems Command Headquarters– Cultural Resources
	Naval History and Heritage Command – Underwater Archaeology Branch
	Bureau of Safety and Environmental Enforcement
	U.S. Department of Defense - Office of the Deputy Assistant Secretary of Defense (Environment), Environmental Compliance and Planning
	U.S. Department of Defense - Office of the Assistant Secretary of Defense for Sustainment
	Advisory Council on Historic Preservation
	U.S. Coast Guard -Sector SE New England
	U.S. Coast Guard - Marine Transportation Systems (CG-5PW)
	U.S. Coast Guard – First Coast Guard District
	U.S. Fish and Wildlife Service
	Environmental Protection Agency
	Federal Aviation Administration
Federally recognized Tribal Nations	Mashpee Wampanoag Tribe
	Shinnecock Indian Nation
	Mashantucket (Western) Pequot Tribal Nation

Participants in the Section 106 Process	Invited Consulting Parties
	Wampanoag Tribe of Gay Head (Aquinnah)
	Mohegan Tribe of Indians of Connecticut
	Narragansett Indian Tribe
	Delaware Tribe of Indians
	The Delaware Nation
Non-federally recognized Tribal Nations	Chappaquiddick Tribe of Wampanoag Nation
	The Golden Hill Paugussett
	Eastern Pequot Tribal Nation
	Schaghticoke Tribal Nation
	Unkechaug Nation
Local governments	Cape Cod Commission
	City of Newport
	County of Dukes (MA)
	Town of Charlestown
	Town of East Hampton
	Town of Middletown
	Town of Nantucket
	Nantucket Planning & Economic Development Commission
	Town of Narragansett
	Town of North Kingstown
	City of Cranston
	City of East Providence
	City of Fall River
	City of New Bedford
	City New Bedford Historical Commission
	City of Providence
	City of Rehoboth
	City of Taunton
	County of Barnstable (MA)
	County of Bristol (MA)
	County of Plymouth (MA)
	County of Suffolk (NY)
	Town of Acushnet
	Town of Aquinnah
	Town of Barnstable
	Town of Barrington
	Town of Berkley
	Town of Bourne
	Town of Bristol
	Town of Chilmark
	Town of Coventry

Participants in the Section 106 Process	Invited Consulting Parties
	Town of Dartmouth
	Town of Dighton
	Town of East Greenwich
	Town of Edgartown
	Town of Exeter
	Town of Fairhaven
	Town of Falmouth
	Town of Freetown
	Town of Gosnold
	Town of Griswold
	Town of Groton
	Town of Hopkinton
	Town of Jamestown
	Town of Johnston
	Town of Lakeville
	Town of Ledyard
	Town of Little Compton
	Town of Marion
	Town of Mashpee
	Town of Mattapoisett
	Town of Middleborough
	Town of Nantucket
	Town of New Shoreham
	Town of North Stonington
	Town of Oak Bluffs
	Town of Portsmouth
	Town of Richmond
	Town of Rochester
	Town of Sandwich
	Town of Scituate
	Town of Seekonk
	Town of Somerset
	Town of South Kingstown
	Town of South Kingstown Historic District Commission
	Town of Southold
	Town of Stonington
	Town of Swansea
	Town of Tisbury
	Town of Tiverton
	Town of Tiverton Historic Preservation Advisory Board
	Town of Voluntown

Participants in the Section 106 Process	Invited Consulting Parties
	Town of Wareham
	Town of Warren
	Town of Warwick
	Town of West Greenwich
	Town of West Tisbury
	Town of West Tisbury Historic District Commission
	Town of West Warwick
	Town of Westerly
	Town of Westport
	Town of Westport Historical Commission
Non-governmental organizations or groups	Alliance to Protect Nantucket Sound
	Balfour Beatty Communities
	Beavertail Lighthouse Museum Association
	Block Island Historical Society
	Bristol Historical and Preservation Society
	Butler Flats Lighthouse (Mass Light Ltd)
	Clambake Club of Newport
	Cuttyhunk Historical Society
	East Greenwich Historic Preservation Society
	Friends of Sakonnet Light
	Gay Head Lighthouse Advisory Committee
	Martha's Vineyard Commission
	Montauk Historical Society
	Newport Historical Society
	Newport Restoration Foundation
	Norman Bird Sanctuary
	Preservation Massachusetts
	Preserve Rhode Island
	Rhode Island Historical Society
	Salve Regina University
Southeast Lighthouse Foundation	
The Preservation Society of Newport County	
Revolution Wind, LLC (lessee)	

Table 2. Consulting Parties Who Accepted BOEM's Invitation to Consult

Participants in the Section 106 Process	Interested Consulting Parties
SHPOs and state agencies	Connecticut State Historic Preservation Office
	Connecticut Department of Economic and Community Development
	Rhode Island Historical Preservation & Heritage Commission
	New York State Division for Historic Preservation
	Massachusetts Historical Commission
	Rhode Island Department of Environmental Management

Participants in the Section 106 Process	Interested Consulting Parties
Federal agencies	NPS
	U.S. Army Corps of Engineers, New England District
	U.S. Army Corps of Engineers, New York District
	Office of the Deputy Assistant Secretary of the Navy for Environment (DASN(E))
	Chief of Naval Operations, Installations Division
	Naval Facilities Engineering Systems Command Headquarters– Cultural Resources
	Naval History and Heritage Command – Underwater Archaeology Branch
	U.S. Department of Defense - Office of the Deputy Assistant Secretary of Defense (Environment), Environmental Compliance and Planning
	U.S. Department of Defense - Office of the Assistant Secretary of Defense for Sustainment
	Advisory Council on Historic Preservation
	U.S. Coast Guard -Sector SE New England
	U.S. Coast Guard - Marine Transportation Systems (CG-5PW)
	Bureau of Safety and Environmental Enforcement
	Environmental Protection Agency
	Federal Aviation Administration
Federally recognized Tribal Nations	Mashpee Wampanoag Tribe
	Shinnecock Indian Nation
	Mashantucket (Western) Pequot Tribal Nation
	Wampanoag Tribe of Gay Head (Aquinnah)
	Mohegan Tribe of Indians of Connecticut
	Narragansett Indian Tribe
	Delaware Tribe of Indians
	The Delaware Nation
Non-federally recognized Tribal Nations	Chappaquiddick Tribe of Wampanoag Nation
	Unkechaug Nation
Local governments	City of Newport
	County of Dukes (MA)
	Town of Charlestown
	Town of East Hampton
	Town of Little Compton
	Town of Middletown
	Town of Nantucket
	Nantucket Planning & Economic Development Commission
	Town of Narragansett
	Town of North Kingstown
	Town of New Shoreham
Nongovernmental organizations or groups	Block Island Historical Society
	Clambake Club of Newport
	Friends of Sakonnet Light
	Gay Head Lighthouse Advisory Committee
	Martha's Vineyard Commission
	Newport Restoration Foundation
Norman Bird Sanctuary	

Participants in the Section 106 Process	Interested Consulting Parties
	Preserve Rhode Island
	The Preservation Society of Newport County
	Rhode Island Historical Society
	Salve Regina University
	Southeast Lighthouse Foundation
	Revolution Wind, LLC (lessee)

Table 3. Parties Invited to Consult under Section 106 and that Did Not Accept the Invitation to Consult

Invited Parties to the Section 106 Process	Invited Parties
SHPOs and state agencies	Massachusetts Board of Underwater Archaeological Resources
	Massachusetts Commissioner on Indian Affairs
Federal agencies	U.S. Fish and Wildlife Service
	National Oceanic and Atmospheric Administration – Habitat and Ecosystem Services Division
Non-federally recognized Tribal Nations	The Golden Hill Paugussett
	Eastern Pequot Tribal Nation
	Schaghticoke Tribal Nation
Local Government	Cape Cod Commission
	City of Cranston
	City of East Providence
	City of Fall River
	City of New Bedford and its Historical Commission
	City of Providence
	City of Rehoboth
	City of Taunton
	County of Barnstable (MA)
	County of Bristol (MA)
	County of Plymouth (MA)
	County of Suffolk (NY)
	Town of Acushnet
	Town of Aquinnah
	Town of Barnstable
	Town of Barrington
	Town of Berkley
	Town of Bourne
	Town of Bristol
	Town of Chilmark
	Town of Coventry
	Town of Dartmouth
	Town of Dighton
	Town of East Greenwich
	Town of Edgartown
	Town of Exeter
	Town of Fairhaven
Town of Falmouth	
Town of Freetown	

Invited Parties to the Section 106 Process	Invited Parties
	Town of Gosnold
	Town of Griswold
	Town of Groton
	Town of Hopkinton
	Town of Jamestown
	Town of Johnston
	Town of Lakeville
	Town of Ledyard
	Town of Little Compton
	Town of Marion
	Town of Mashpee
	Town of Mattapoisett
	Town of Middleborough
	Town of North Stonington
	Town of Oak Bluffs
	Town of Portsmouth
	Town of Richmond
	Town of Rochester
	Town of Sandwich
	Town of Scituate
	Town of Seekonk
	Town of Somerset
	Town of South Kingstown and Historic District Commission
	Town of Southold
	Town of Stonington
	Town of Swansea
	Town of Tisbury
	Town of Tiverton and Historic Preservation Advisory Board
	Town of Voluntown
	Town of Wareham
	Town of Warren
	Town of Warwick
	Town of West Greenwich
	Town of West Tisbury and Historic District Commission
	Town of West Warwick
	Town of Westerly
	Town of Westport and Historical Commission
Nongovernmental Organizations or Groups	Alliance to Protect Nantucket Sound
	Balfour Beatty Communities
	Beavertail Lighthouse Museum Association
	Bristol Historical and Preservation Society
	Butler Flats Lighthouse (Mass Light Ltd)
	Cuttyhunk Historical Society
	East Greenwich Historic Preservation Society
	Montauk Historical Society
	Newport Historical Society
	Preservation Massachusetts

ATTACHMENT 5 –MITIGATION FUNDING OPTIONS PROPOSED BY SIGNATORIES AND CONSULTING PARTIES

ATTACHMENT 5 – MITIGATION FUNDING AMOUNTS PROPOSED BY SIGNATORIES AND CONSULTING PARTIES

The mitigation measures proposed in Stipulation III have been developed by individuals who meet the qualifications specified in the SOL's Qualifications Standards for Archaeology, History, Architectural History, and/or Architecture (36 CFR 61) and are based on input from consulting parties. The proposed mitigation measures consider the nature, scope, and magnitude of adverse effects caused by the Project, the qualifying characteristics of each historic property that would be affected. The funding amounts that follow are those proposed by Revolution Wind, which is responsible for providing this funding, as revised in consultation with consulting parties. Revolution Wind would provide a maximum total of \$11,621,000 to support avoidance, minimization, and mitigation of all adverse effects from the Project as described in the MOA at Stipulation III, of which \$3,873,000 of that total would be placed in escrow to provide a mitigation fund as described under Stipulation III.C.6 and the remaining \$7,748,000 would be divided between the other mitigation measures under Stipulation III.C, as described below. These budgets are good-faith estimates, based on the experience of these qualified consultants with similar activities and comparable historic properties. The proposed level of funding is appropriate to accomplish the identified preservation goals and result in meaningful benefits to the affected properties, resolving adverse effects. Therefore, the funding amounts indicated here for activities required by the MOA represent the maximum amounts Revolution Wind is required to spend to fund the mitigation measures listed below.

Marine APE

- \$4,028,000 from the total mitigation dollars described above for mitigation measures, to be broken out as follows:
 - \$2,178,000 to resolve adverse effects at the nine ASLFs at the OCS and in RI state waters (Targets 21-26 and Targets 28 through 30) per MOA Stipulation III.A, including:
 - Pre-construction geoarchaeology
 - Marine Survey Vessel Tenders
 - GIS development
 - Tribal participation
 - Up to \$1,500,000 for ASLF post-construction seafloor inspection
 - \$350,000 for Tribal Nations youth university program support

Terrestrial APE

- \$390,000 from the total mitigation dollars to provide for the mitigation measures to resolve adverse effects per MOA Stipulation III.B, including Phase III Data Recovery at the Mill Creek Swamp Site #1 and Site #2, North Kingstown, RI, and including Tribal participation.

Visual APE

- Vineyard Sound Moshup's Bridge TCP
 - \$1,325,000 from the total mitigation dollars for provision to the consulting Tribal Nations for mitigation measures to resolve adverse effects at the TCP per MOA Stipulation III.C.2.ii, to be broken out as follows:
 - \$75,000 for Support for Improved Tribal Connections to Nomans Land Island

- \$200,000 to the Mashpee Wampanoag and \$300,000 to the Wampanoag Tribe of Gay Head (Aquinnah) for Scholarships and Training for Tribal Resource Stewardship
 - \$300,000 to the Mashpee Wampanoag and \$300,000 to the Wampanoag Tribe of Gay Head (Aquinnah) for Coastal Resilience and Habitat Restoration
 - \$150,000 for Archaeological and Cultural Sites Data Compilation and GIS Database
- Chappaquiddick Island TCP
 - \$325,000 from the total mitigation dollars for provision for mitigation measures to resolve adverse effects at the TCP per MOA Stipulation III.C.2., to be broken out as follows:
 - \$25,000 for a GIS database of the contributing resources to the TCP
 - \$100,000 for Interpretative materials to educate the public on the TCP
 - \$150,000 for Climate adaptation planning study for the TCP
 - \$50,000 for the public interpretation of interconnected marine cultural landscapes.
- Town of Middletown, RI
 - \$200,000 from the total mitigation dollars for the mitigation measures to resolve adverse effects in accordance with MOA Stipulation III.C.4 to the Bluff/John Bancroft Estate, the Bailey Farm, the Clambake Club of Newport, the Paradise Rocks Historic District, the Sea View Villa, the St. George's School: Church of St. George, Little Chapel, and Memorial Schoolhouse, the Indian Avenue Historic District, and Whetstone, to be broken out as follows:
 - \$50,000 for updating the existing Historic and Architectural Resources of Middletown, Rhode Island: A Preliminary Report and
 - \$150,000 for Support of the Ongoing Maintenance and Aesthetic Improvements to the Third Beach Road and Hanging Rocks Road through Stone Wall Preservation and Observation Trails within the Paradise Rocks Historic District.
- Town of Aquinnah, MA
 - Up to \$550,000 from the total mitigation dollars for mitigation to resolve adverse effects, in accordance with MOA Stipulation III.C.5.ii, to the Gay Head - Aquinnah Town Center Historic District, the Edwin D. Vanderhoop Homestead, the Gay Head – Aquinnah Shops Area, 71 Moshup Trail, the Leonard Vanderhoop House, the Tom Cooper House, the Theodore Haskins House, the Stone wall boundary system, and 3 Windy Hill Drive, to be broken out as follows:
 - Up to \$500,000 for Americans with Disabilities Act (ADA) compliant access at the Gay Head – Aquinnah Shops Area and
 - \$50,000 for the weatherization of the Edwin D. Vanderhoop Homestead.
 - \$425,000 from the total mitigation dollars for mitigation measures to resolve adverse effects to the Gay Head Light in accordance with MOA Stipulation III.C.5.ii, by providing a

financial contribution towards the completion of physical repairs and/or restoration planned by the Gay Head Lighthouse Advisory Board.

Rhode Island National Historic Landmarks and Historic Property Documentation Mitigation

Based on consultation with RIHPHC, also referred to as the Rhode Island SHPO in the MOA, the below mitigation measures to resolve adverse effects will be funded and implemented in accordance with MOA Stipulation III.C.3 and are listed by municipality:

- Little Compton, RI
 - \$60,000 from the total mitigation dollars for the mitigation of adverse effects to the Tunipus Goosewing Farm, the Warren's Point Historic District, the Abbott Phillips House, and the Stone House Inn through the development of National Register of Historic Places (NRHP) nominations.

- Narragansett, RI
 - \$50,000 from the total mitigation dollars for the mitigation of adverse effects to the Fort Varnum/Camp Varnum, Narragansett Pier MRA, the Life Saving Station at Narragansett Pier, the Towers Historic District, the Towers/Entrance of Narragansett Casino, Dunmere, the Dunes Club, and the Ocean Road Historic District through an update to the existing *Historic and Architectural Resources of Narragansett, Rhode Island*.

- New Shoreham, RI
 - \$200,000 from the total mitigation dollars for the mitigation of adverse effects to the Champlin Farm Historic District, Mitchell Farm Historic District, Beacon Hill, Lewis-Dickens Farm, Lakeside Drive and Mitchell Lane, Indian Head Neck Road, Beach Avenue, Old Town and Center Roads, Corn Neck Road, Pilot Hill Road and Seaweed Lane, and the New Shoreham Historic District through the development of NRHP nominations.

- Newport, RI
 - \$100,000 from the total mitigation dollars for the mitigation of adverse effects to the Ochre Point - Cliffs Historic District, and the Ocean Drive Historic District NHL through the development of updates to the Ochre Point-Cliffs Historic District NRHP nomination and the Ocean Drive Historic District NHL nomination.
 - \$50,000 for the mitigation of adverse effects to the Bellevue Avenue Historic District NHL through the development of an update to the Bellevue Avenue Historic District NHL nomination.

- South Kingstown, RI
 - \$25,000 from the total mitigation dollars for the mitigation of adverse effects to the Brownings Beach Historic District through the development of architectural surveys for the Matunuck and Green Hill neighborhoods.

- Tiverton, RI
 - \$20,000 from the total mitigation dollars for the mitigation of adverse effects to the Puncatest Neck Historic District through the development of a NRHP nomination.

Mitigation Fund

In consultation with BOEM, the consulting parties recommended a mitigation fund in lieu of previously considered mitigation measures (for a description of those previous measures see Draft Environmental Impact Statement [DEIS] Appendix J draft MOA and its attached draft HPTPs) and the Notes section below.

- \$3,873,000 from the total mitigation dollars to be placed in escrow to provide for the mitigation fund as required under MOA Stipulation III.C.6. The mitigation fund is applicable to resolving adverse to historic properties in the visual APE as described at Stipulation III.C.6, including but not limited to the below adversely affected historic properties (in alphabetical order of state, municipality, and then property):
 - Captain Samuel Hancock – Captain Mitchell West House, Chilmark, MA
 - Ernest Flanders House, Shop, Barn, Chilmark, MA
 - Flaghole, Chilmark, MA
 - Russell Hancock House, Chilmark, MA
 - Simon Mayhew House, Chilmark, MA
 - Salters Point, Dartmouth, MA
 - 744 Sconticut Neck Road, Fairhaven, MA
 - Nobska Point Lighthouse, Falmouth, MA
 - Tarpaulin Cove Light, Gosnold, MA
 - Butler Flats Light Station, New Bedford, MA
 - Clark's Point Light, New Bedford, MA
 - Fort Rodman Historic District, New Bedford, MA
 - Fort Taber New Bedford, MA
 - Clam Shack Restaurant, Westport, MA
 - Gooseberry Neck Observation Towers, Westport, MA
 - Gooseneck Causeway, Westport, MA
 - Horseneck Point Lifesaving Station, Westport, MA
 - Westport Harbor, Westport, MA
 - Westport Point Historic District (1 of 2), Westport, MA
 - Westport Point Historic District (2 of 2), Westport, MA
 - Westport Point Revolutionary War Properties, Westport, MA
 - Scrubby Neck Schoolhouse, West Tisbury, MA
 - Beavertail Light, Jamestown, RI
 - Horsehead/Marbella, Jamestown, RI
 - Sakonnet Light Station, Little Compton, RI
 - Point Judith Lighthouse, Narragansett, RI
 - Bellevue Avenue Historic District NHL, Newport, RI
 - Kay St.-Catherine St.-Old Beach Rd. Historic District/The Hill, Newport, RI
 - Marble House NHL, Newport, RI

- Ocean Drive Historic District NHL, Newport, RI
- Ochre Point - Cliffs Historic District, Newport, RI
- Rosecliff/Oelrichs (Hermann) House/Mondroe (J. Edgar) House, Newport, RI
- The Breakers NHL, Newport, RI
- Beach Avenue, New Shoreham, RI
- Beacon Hill, New Shoreham, RI Indian Head Neck Road, New Shoreham, RI
- Block Island North Lighthouse, New Shoreham, RI
- Block Island Southeast Lighthouse NHL, New Shoreham, RI
- Caleb W. Dodge Jr. House, New Shoreham, RI
- Captain Mark L. Potter House, New Shoreham, RI
- Captain Welcome Dodge Sr., New Shoreham, RI
- Champlin Farm, New Shoreham, RI
- Corn Neck Road, New Shoreham, RI
- Hippocampus/Boy's camp/Beane Family, New Shoreham, RI
- Hon. Julius Deming Perkins/Bayberry Lodge, New Shoreham, RI
- Hygeia House, New Shoreham, RI
- Island Cemetery/Old Burial Ground, New Shoreham, RI
- Lakeside Drive and Mitchell Lane, New Shoreham, RI
- Lewis-Dickens Farm, New Shoreham, RI
- Miss Abby E. Vaill/1 of 2 Vaill cottages, New Shoreham, RI
- Mitchell Farm, New Shoreham, RI
- Mohegan Cottage, New Shoreham, RI
- Nathan Mott Park, New Shoreham, RI
- New Shoreham Historic District, New Shoreham, RI
- Old Harbor Historic District, New Shoreham, RI
- Old Town and Center Roads, New Shoreham, RI
- Pilot Hill Road and Seaweed Lane, New Shoreham, RI
- Peleg Champlin House, New Shoreham, RI
- Spring Cottage, New Shoreham, RI
- Spring House Hotel, New Shoreham, RI
- Spring Street Historic District, New Shoreham, RI
- U.S. Coast Guard Brick House, New Shoreham, RI
- U.S. Lifesaving Station, New Shoreham, RI
- U.S. Weather Bureau Station, New Shoreham, RI
- WWII Lookout Tower at Sands Pond, New Shoreham, RI
- WWII Lookout Tower – Spring Street, New Shoreham, RI
- Brownings Beach Historic District, South Kingstown, RI
- Puncatest Neck Historic District, Tiverton, RI

Notes

The mitigation fund amount was tabulated from the sum of previously proposed mitigation measures, based on the scopes of work to perform the HPTP efforts provided in DEIS Appendix J, at a proposed level of funding appropriate to accomplish the identified preservation goals. The mitigation fund would support meaningful benefits to the affected properties that resolve the adverse effects. The budgets are good-faith estimates for implementing the previously proposed draft HPTPs, based

on the experience of qualified consultants working with similar activities and comparable historic properties. None of the below are now stipulations of the MOA and the dollar amounts provided serve only as baseline examples, not committed in the overall mitigation budget. The mitigation fund is intended to be at minimum commensurate with the effort that would be required to complete the following:

- Chilmark, MA
 - \$50,000 estimated for mitigation to resolve adverse effects to the Capt. Samuel Hancock and the Capt. West Mitchell House, the Russell Hancock House, the Ernest Flanders House, Shop, and Barn, the Simon Mayhew House, and Flaghole through the development of a Hazard Mitigation Plan for Historic Properties.

- Dartmouth, MA
 - \$15,000 estimated for mitigation to resolve adverse effects to Salters Point through the development of a NRHP nomination form.

- Fairhaven, MA
 - \$8,000 estimated for mitigation to resolve adverse effects to 744 Sciticut Neck Road through the development of a NRHP nomination form.

- New Bedford, MA
 - \$25,000 estimated for mitigation to resolve adverse effects to Fort Rodman and the Fort Taber Historic District through the implementation of restoration or universal access per the *Fort Taber Park Master Plan*.

- West Tisbury, MA
 - \$15,000 estimated for mitigation to resolve adverse effects to the Scrubby Neck Schoolhouse through the development of an adaptive reuse plan or a landscape vegetation plan.

- Westport, MA
 - \$15,000 estimated for mitigation to resolve adverse effects to the Gooseberry Neck Observation Towers, the Gooseneck Causeway, the Westport Harbor, the Horseneck Point Lifesaving Station, the Clam Shack Restaurant, the Westport Point Historic District, the Westport Point Revolutionary War Properties, and the Westport Point Historic District through the development of a Historic Maritime Infrastructure Survey and Adaptive Use Guidance for historic wharves, docks, and buildings within the Westport Harbor and Westport Point historic districts (1 of 2 and 2 of 2).

- Jamestown, RI
 - \$25,000 estimated for the mitigation of adverse effects to Horsehead/Marbella through the development of Historic Architectural Building Survey (HABS) Level II Documentation.

- Little Compton, RI
 - \$75,000 estimated for the mitigation of adverse effects to the Tunipus Goosewing Farm, the Warren's Point Historic District, the Abbott Phillips House, and the Stone House Inn through the development of Interpretive Exhibits/Signage.

- Narragansett, RI
 - \$100,000 estimated for the mitigation of adverse effects to the Fort Varnum/Camp Varnum, Narragansett Pier MRA, the Life Saving Station at Narragansett Pier, the Towers Historic District, the Towers/Entrance of Narragansett Casino, Dunmere, the Dunes Club, and the Ocean Road Historic District through an assessment of the Ocean Road Seawall.

- New Shoreham, RI
 - \$600,000 estimated for the mitigation of adverse effects to the Block Island Southeast Lighthouse, NHL through cyclical maintenance activity and restoration.
 - \$700,000 estimated for the mitigation of adverse effects to the Island Cemetery/Old Burial Ground, the New Shoreham Historic District, the Old Harbor Historic District, the Capt. Mark L. Potter House, the Spring Cottage, the Spring House Hotel, Spring Street, the WWII Lookout Tower – Spring Street, the Caleb W. Dodge Jr. House, the Capt. Welcome Dodge Sr. House, Pilot Hill Road and Seaweed Lane, the WWII Lookout Tower at Sands Pond, the Mohegan Cottage, the Lewis-Dickens Farm, the Miss Abby E. Vaill/1 of 2 Vaill cottages, the Hon. Julius Deming Perkins/"Bayberry Lodge", the Peleg Champlin House, Lakeside Drive and Mitchell Lane, the Nathan Mott Park, the Champlin Farm, Old Town and Center Roads, Beacon Hill , Beach Avenue, Indian Head Neck Road, Corn Neck Road, the Hippocampus/Boy's camp/Beane Family, the Mitchell Farm, the U.S. Coast Guard Brick House, the U.S. Lifesaving Station, the U.S. Weather Bureau Station, and the Hygeia House through implementation of the Coastal Resiliency Plan, and a town-wide NRHP Nomination.

- Newport, RI
 - \$650,000 estimated for the mitigation of adverse effects to the Ochre Point - Cliffs Historic District, the Kay St.-Catherine St.-Old Beach Rd. Hist. Dist. / The Hill, and the Ocean Drive Historic District NHL through the development of a Historic Property Owner Guidebook and the development of Stormwater Drainage Improvement Plans for the Historic Districts.
 - \$800,000 estimated for the mitigation of adverse effects to the Bellevue Avenue Historic District NHL, the Marble House NHL, Rosecliff / Oelrichs (Hermann) House / Mondroe (J. Edgar) House, and the Breakers NHL through ongoing maintenance, the development of a Resiliency Plan, and Invasive Species Maintenance Plan, a Volunteer Ambassador Program, and a Mobile Application for the Cliff Walk.

- South Kingstown, RI
 - \$25,000 estimated for the mitigation of adverse effects to the Brownings Beach Historic District through the development of a historic context for summer cottage and resort development in Rhode Island.

- Tiverton, RI
 - \$20,000 estimated for the mitigation of adverse effects to the Puncatest Neck Historic District through the development of a historic context for summer cottage and resort development in Rhode Island.

- Lighthouses in RI and MA
 - \$750,000 estimated for the mitigation of adverse effects to the below lighthouses through Assessment, Planning, Restoration, and Institutional Development:
 - Sakonnet Light Station, Little Compton, RI
 - Block Island North Lighthouse, New Shoreham, RI
 - Point Judith Lighthouse, Narragansett, RI
 - Beavertail Light, Jamestown, RI
 - Tarpaulin Cove Light, Gosnold, MA
 - Clark's Point Light, New Bedford, MA
 - Butler Flats Light Station, New Bedford, MA
 - Nobska Point Lighthouse, Falmouth, MA

**ATTACHMENT 6 – HISTORIC PROPERTY TREATMENT PLAN FOR THE REVOLUTION
WIND FARM ANCIENT SUBMERGED LANDFORM FEATURE, OUTER CONTINENTAL
SHELF, FEDERAL AND RHODE ISLAND WATERS OF RHODE ISLAND SOUND**

REDACTED (For Public Distribution)

Historic Property Treatment Plan

for the

Revolution Wind Farm

Ancient Submerged Landform Feature
Outer Continental Shelf, Federal and Rhode Island State Waters

Submitted to:



Bureau of Ocean Energy Management
U.S. Department of the Interior

Prepared for:



Revolution Wind, LLC
<https://revolutionwind.com/>

Prepared by:



Environmental Design & Research, D.P.C.
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Syracuse, New York 13202
www.edrdpc.com

July 2023

ABSTRACT

Federal Undertaking: Revolution Wind Farm and Revolution Wind Export Cable Project

Location: Outer Continental Shelf and Rhode Island State Waters

Federal and
State Agencies: Bureau of Ocean Energy Management
National Park Service
U.S. Army Corps of Engineers
Massachusetts Historical Commission
Rhode Island Historical Preservation & Heritage Commission
New York Historic Preservation Office
Connecticut Historic Preservation Office
Advisory Council on Historic Preservation

Regulatory Process: National Environmental Policy Act
Section 106 of the National Historic Preservation Act

Purpose: This Historic Property Treatment Plan provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects from the Revolution Wind Project.

Adverse
Effect Finding for: Ancient Submerged Landform Feature, Outer Continental Shelf and Rhode Island State Waters

Submitted By: Revolution Wind, LLC

Date: July 2023

TABLE OF CONTENTS

1.0 Executive Summary 1

2.0 Background Information 3

 2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable..... 3

 2.2 Section 106 of the National Historic Preservation Act (NHPA) 5

 2.3 Interested Consulting Parties 5

3.0 Existing Conditions and Historic Significance..... 6

 3.1 Historic Properties 6

 3.2 Ancient Submerged Landform Features (ASLFs)..... 12

 3.2.1 Physical Description and Existing Conditions..... 12

 3.2.2 Historic Context..... 14

 3.2.3 NRHP Criteria..... 15

4.0 Mitigation Measures..... 16

 4.1 Target 21 through Target 26 and Target 28 through Target 30..... 16

 4.1.1 Preconstruction Geoarchaeology 16

 4.1.2 Common GIS and Digital Media Presentations 19

 4.1.3 Post-Construction Seafloor Impact Inspection 21

 4.1.4 Tribal Youth Development Program 24

5.0 Implementation 26

 5.1 Timeline..... 26

 5.2 Organizational Responsibilities 26

 5.2.1 Bureau of Ocean Energy Management (BOEM) 26

 5.2.2 Revolution Wind, LLC 26

 5.2.3 Other Parties, as Appropriate..... 26

 5.3 Interested Consulting Parties 26

6.0 References..... 28

LIST OF FIGURES

Figure 2.1-1. Project Location..... 4

Figure 3.1-1. Historic Property Location..... 7

LIST OF TABLES

Table 3.1-1. Historic Properties included in the ASLF HPTP..... 6

LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADLS	Aircraft Detection Lighting System
ASLFs	Ancient Submerged Landform Features
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
COP	Construction and Operations Plan
DEIS	Draft Environmental Impact Statement
EDR	Environmental Design and Research, D.P.C.
FEIS	Final Environmental Impact Statement
FR	Federal Register
HPTP	Historic Property Treatment Plan
MARA	Marine Archaeological Resources Assessment
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act of 1966
NRHP	National Register of Historic Places
OCS	Outer Continental Shelf
PAPE	Preliminary Area of Potential Effect
QMA	Qualified Marine Archaeologist
RFP	Request for Proposals
ROD	Record of Decision
RWEC	Revolution Wind Export Cable
RWF	Revolution Wind Farm
SOI	Secretary of the Interior
WTG	Wind Turbine Generator

1.0 EXECUTIVE SUMMARY

This Historic Property Treatment Plan (HPTP) for Ancient Submerged Landform Features (ASLFs), which are recommended as eligible for listing on the National Register of Historic Places (NRHP), provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects identified in the *Marine Archaeological Resources Assessment (MARA)*, dated February 2023 (SEARCH, 2023a) for the Revolution Wind Farm (RWF) and Revolution Wind Export Cable (RWECC) Project (collectively, the Undertaking). Revolution Wind LLC (Revolution Wind) has provided this HPTP in accordance with the Bureau of Ocean Energy Management's (BOEM) Findings of Adverse Effect (FoAE) for the Undertaking under the National Historic Preservation Act of 1966 (NHPA).

BOEM has used the National Environmental Policy Act (NEPA) substitution process to fulfill its Section 106 obligations as provided for in the NHPA implementing regulations (36 CFR § 800.8(c)), and BOEM has consulted with the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers, federally recognized Tribal Nations, and other NHPA Section 106 consulting parties in accordance with this process. Revolution Wind has provided this HPTP to BOEM for inclusion in the Final Environmental Impact Statement (FEIS).

This HPTP describes the mitigation measures to resolve adverse effects on historic properties, the implementation steps, and timeline for actions. The mitigation measures are based on the evaluations and outreach performed by Revolution Wind prior to the issuance of the DEIS as well as outreach to consulting parties performed by BOEM. This HPTP document has undergone revision and refinement in consultation with the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer, the ACHP, and other consulting parties throughout the NEPA substitution process. This HPTP is included in the Memorandum of Agreement (MOA) issued in accordance with 36 CFR §§ 800.8, 800.10.

This HPTP is organized into the following sections:

- **Section 1.0, Introduction**, outlines the content of this HPTP.
- **Section 2.0, Cultural Resources Regulatory Context**, briefly summarizes the Undertaking while focusing on cultural resources regulatory contexts (federal, tribal, state, and local, including preservation restrictions), identifies the historic properties discussed in this HPTP that will be adversely affected by the Undertaking, and summarizes the pertinent provisions and attachments of the *Marine Archaeological Resources Assessment – Revolution Wind Farm Project Construction and Operations Plan* (MARA; SEARCH, 2023a) and *Revolution Wind Farm Construction and Operations Plan* (COP; Revolution Wind, 2022) that guided the development of this document.
- **Section 3.0, Existing Conditions, Historic Significance, and Maritime Setting**, provides a physical description of the historic properties included in this HPTP. Set within its historic context, the applicable NRHP criteria for the historic properties are discussed with a focus on the contribution of a maritime visual setting to its significance and integrity.

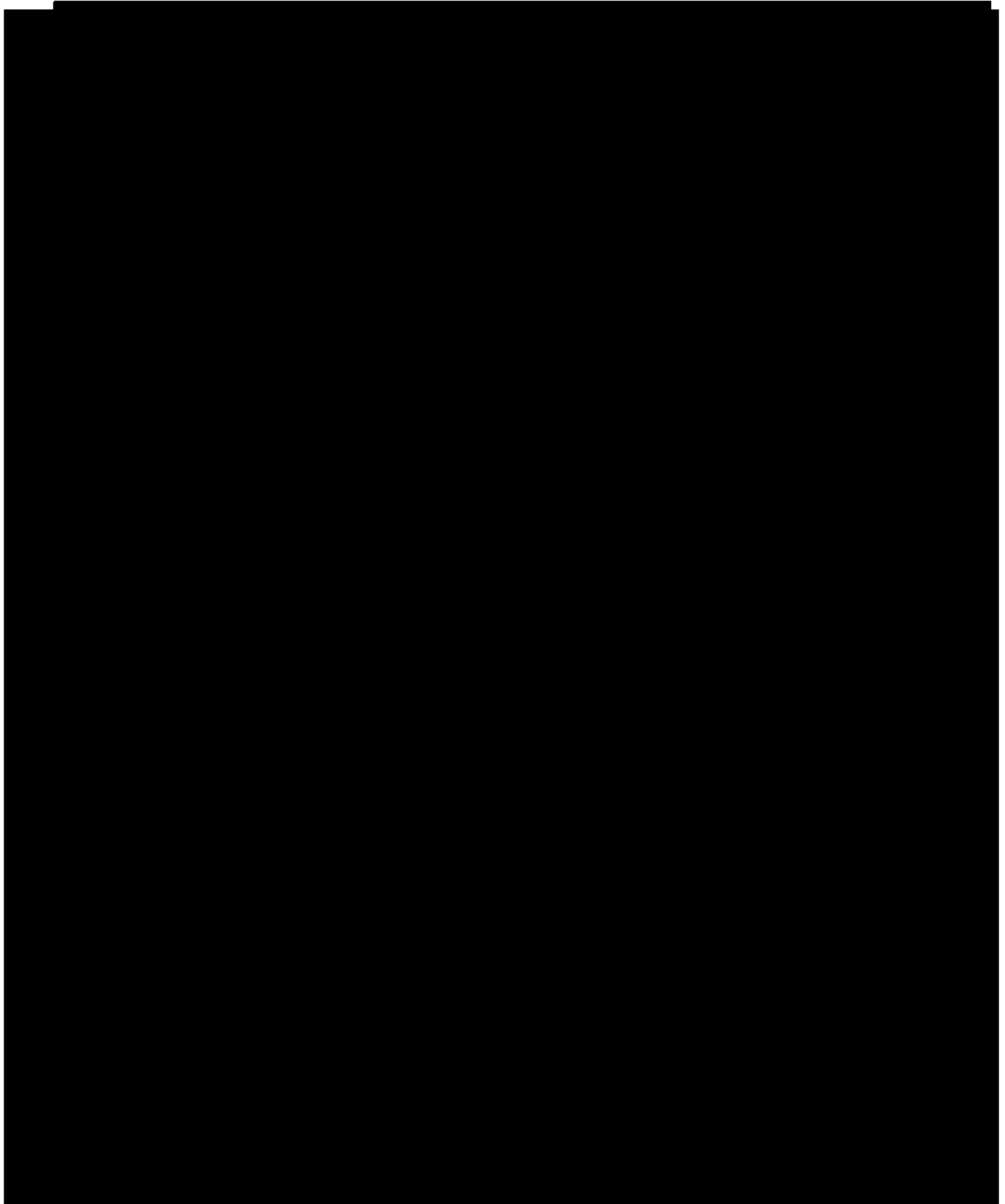
- **Section 4.0, Mitigation Measures**, presents specific steps to carry out the mitigation actions. The mitigation action includes a detailed description, intended outcome, methods, standards, and requirements for documentation.
- **Section 5.0, Implementation**, establishes the process for executing mitigation actions at the historic properties, as identified in Section 4.0 of this HPTP. For each/the action, organizational responsibilities are outlined, a timeline is provided, and regulatory reviews are listed.
- **Section 6.0, References**, is a list of works cited in this HPTP.

2.0 BACKGROUND INFORMATION

2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable

The Undertaking is a wind-powered electric generating facility composed of up to 100 wind turbine generators (WTGs) and associated foundations, two offshore substations, and inter-array cables connecting the WTGs and the offshore substations (see Figure 2.1-1). The WTGs, offshore substations, array cables, and substation interconnector cables would be located on the Outer Continental Shelf approximately 15 nautical miles (18 statute miles) southeast of Point Judith, Rhode Island, approximately 13 nautical miles (15 statute miles) east of Block Island, Rhode Island, approximately 7.5 nautical miles (8.5 statute miles) south of Nomans Land Island National Wildlife Refuge (uninhabited island), and between approximately 10 to 12.5 nautical miles (12 to 14 statute miles) south/southwest of varying points of the Rhode Island and Massachusetts coastlines (62 FR 33708). In addition, two submarine export cables located in both federal waters and Rhode Island State waters, will connect the offshore substation to the electrical grid. Export cables will be buried below the seabed. The proposed interconnection location for the Undertaking is the existing Davisville Substation, which is owned and operated by The Narragansett Electric Company d/b/a National Grid and located in North Kingstown, Rhode Island.

Figure 2.1-1. Project Location



2.2 Section 106 of the National Historic Preservation Act (NHPA)

The regulations at 36 CFR § 800.8 provide for use of the NEPA process to fulfill a federal agency's NHPA Section 106 review obligations in lieu of the procedures set forth in 36 CFR § 800.3 through 800.6. Under these provisions, issuance of a ROD and implementation of relevant conditions will resolve adverse effects to historic properties caused by the Undertaking.

The measures to avoid and minimize adverse effects to identified historic properties are described in the MARA Report (SEARCH 2023a). This HPTP addresses the treatment plans to resolve the remaining adverse effects after application of the above-referenced measures. The mitigation measures reflect consultations among consulting parties to refine a conceptual mitigation framework proposed by Revolution Wind.

All activities implemented under this HPTP will be conducted in accordance with any conditions imposed by BOEM in its ROD and with applicable local, state, and federal regulations and permitting requirements. Responsibilities for specific compliance actions are described in further detail in Section 5.2, Organizational Responsibilities.

2.3 Interested Consulting Parties

BOEM initiated consultation under Section 106 with invitations to consulting parties on April 30, 2021. BOEM hosted the first Section 106-specific meeting with consulting parties on December 17, 2021, pursuant to Sections 106 of the NHPA and in accordance with 36 CFR 800.8.

Following BOEM's initial Section 106 meeting with consulting parties, Revolution Wind held stakeholder outreach meetings (see Section 5.3) to review conceptual mitigation measures for the historic properties and invited the Tribal Nations:

- Mashantucket Pequot Tribal Nation;
- Mohegan Tribe of Indians;
- Narragansett Indian Tribe;
- Shinnecock Indian Nation;
- Wampanoag Tribe of Gay Head (Aquinnah); and
- Mashpee Wampanoag Tribe.

Revolution Wind also held outreach meetings to discuss mitigation measures with the following interested consulting party:

- Historical Chappaquiddick Tribe of the Wampanoag Nation.

3.0 EXISTING CONDITIONS AND HISTORIC SIGNIFICANCE

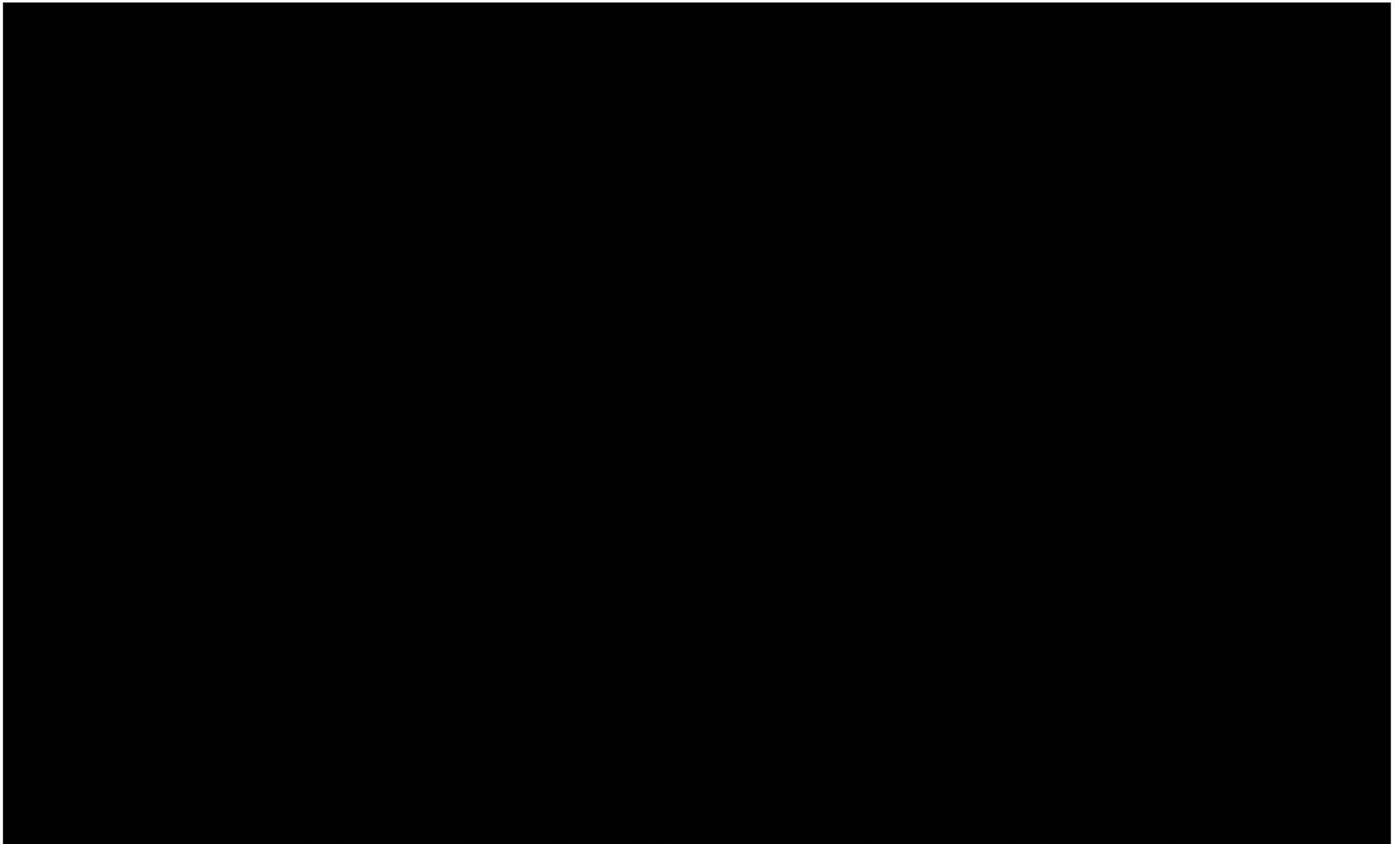
3.1 Historic Properties

This HPTP involves nine historic properties, as identified in Table 3.1-1 and located on Figure 3.1-1. Revolution Wind has committed to avoidance of impacts to Target 27 and Targets 31-33 during all phases of construction and operations.

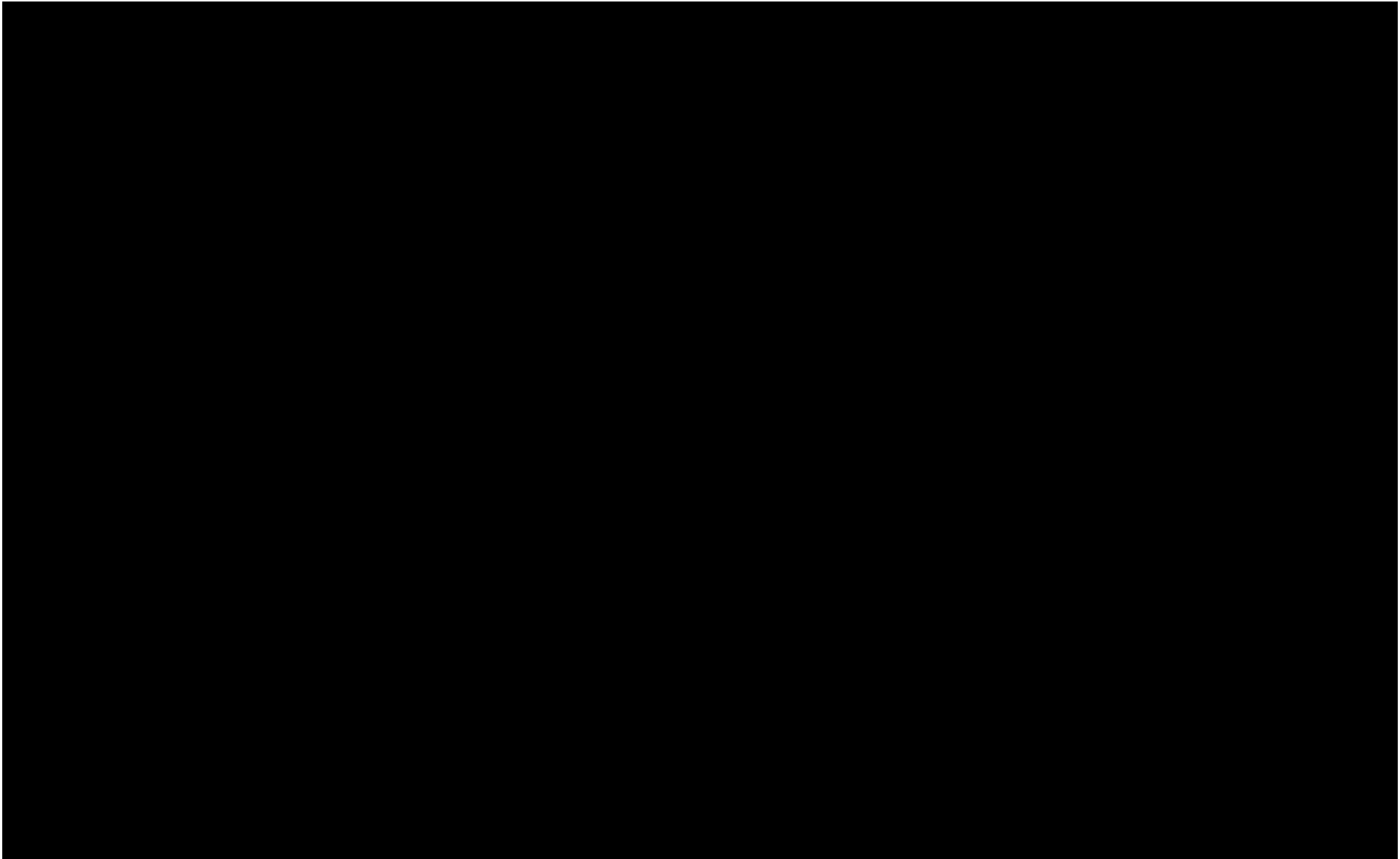
Table 3.1-1. Historic Properties included in the ASLF HPTP

Name	Municipality	State	Site No. (Agency)	Ownership
Target 21	N/A	RI	N/A	State waters
Target 22	N/A	RI	N/A	State waters
Target 23	N/A	N/A	N/A	Federal waters
Target 24	N/A	N/A	N/A	Federal waters
Target 25	N/A	N/A	N/A	Federal waters
Target 26	N/A	N/A	N/A	Federal waters
Target 28	N/A	N/A	N/A	Federal waters
Target 29	N/A	RI	N/A	State waters
Target 30	N/A	RI	N/A	State waters

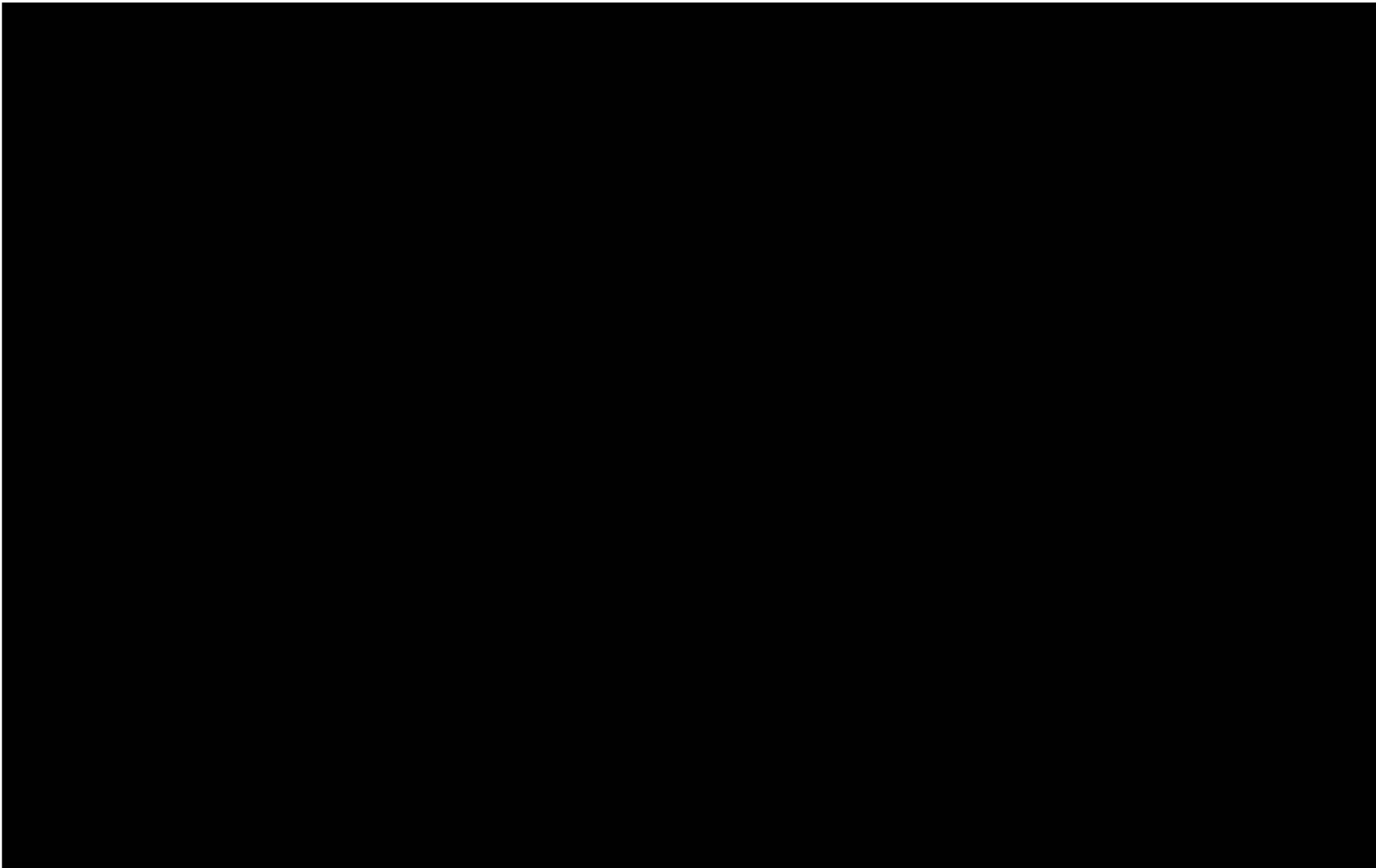
Figure 3.1-1. Historic Property Location



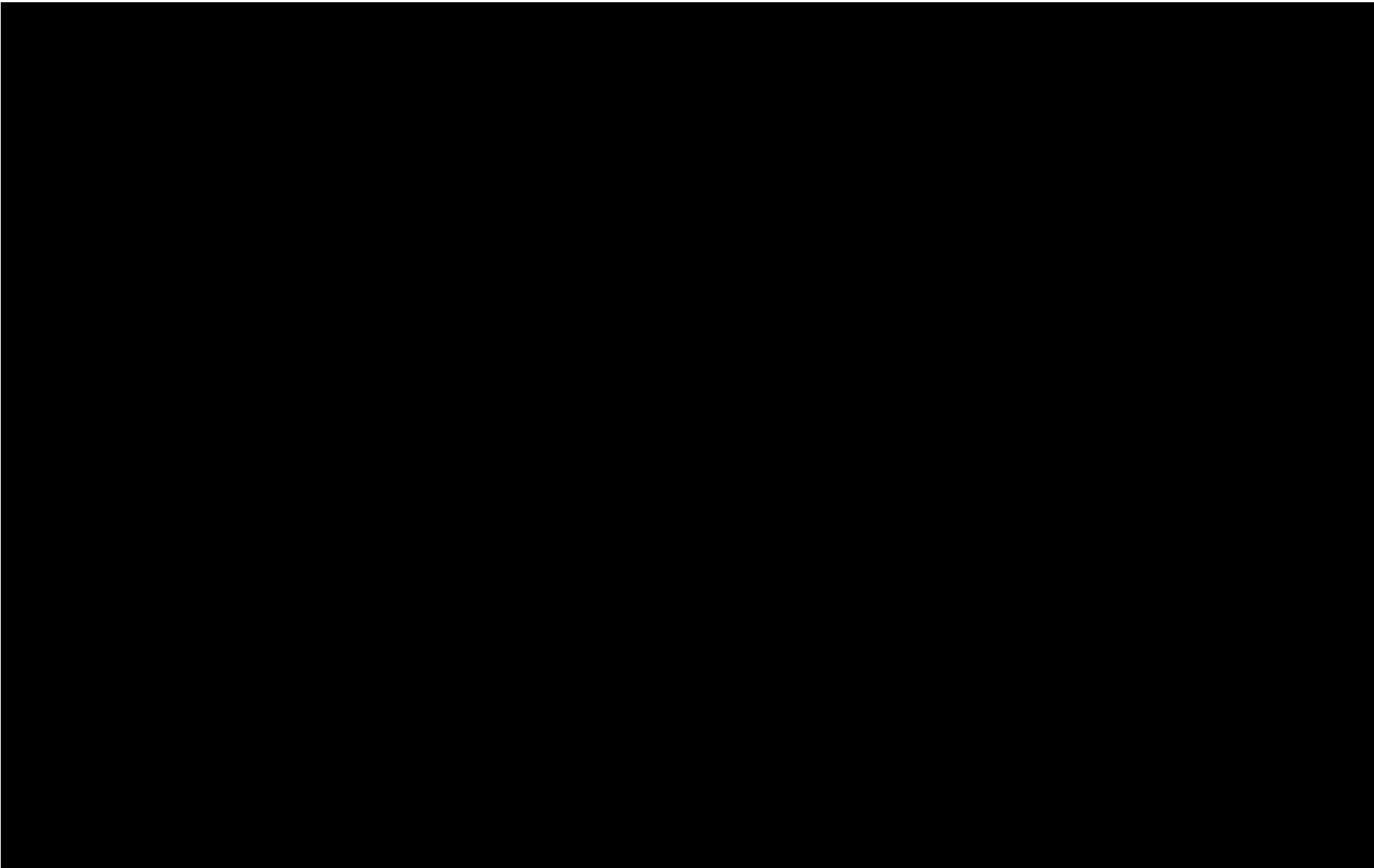
Location of ASLFs ("Geomorphic Feature of Archaeological Interest") within Preliminary Area of Potential Effect (PAPE) – Sheet 1 of 5



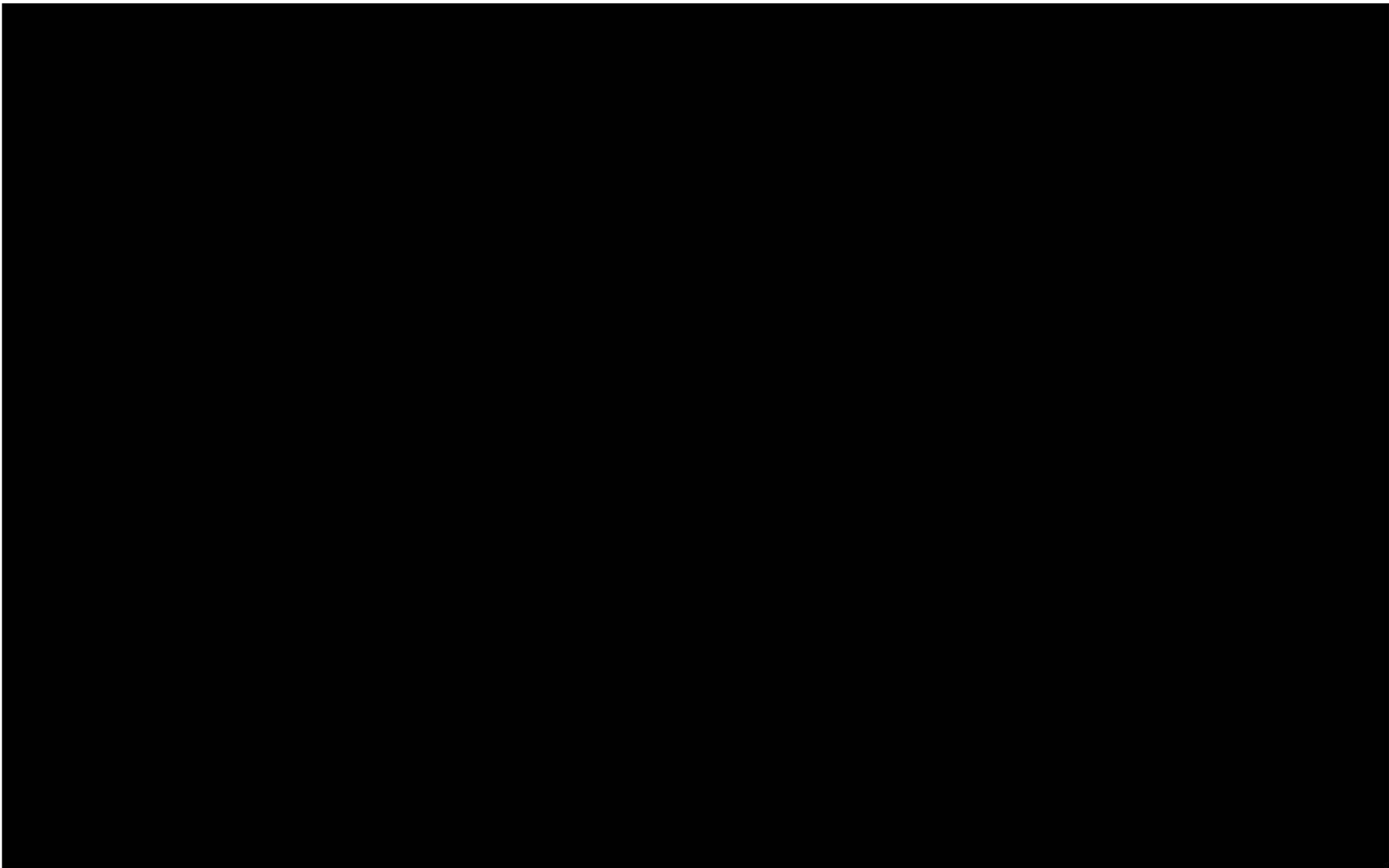
Location of ASLFs ("Geomorphic Feature of Archaeological Interest") within PAPE – Sheet 2 of 5



Location of ASLFs ("Geomorphic Feature of Archaeological Interest") within PAPE – Sheet 3 of 5



Location of ASLFs ("Geomorphic Feature of Archaeological Interest") within PAPE – Sheet 4 of 5



Location of ASLFs ("Geomorphic Feature of Archaeological Interest") within PAPE – Sheet 5 of 5

3.2 Ancient Submerged Landform Features (ASLFs)

3.2.1 Physical Description and Existing Conditions

Target 21

Potentially intact alluvial deposits along the northwest margins of the incised channel were identified in the sub-bottom geophysical data. A single vibracore was collected in the central section of the ASLF and penetrated 16.6 feet (5.05 meters) below the sea floor but contained no evidence of terrestrial soils or sediments. Small charcoal flecks within dense marine clays in core were noted during the analyses and may indicate proximity to terrestrial settings where such materials were likely derived. Based on the overall geomorphic context, the relict river channel and floodplain is likely temporally associated with a period of fluvial incision on the coastal slope following deglaciation and drainage of Glacial Lake Rhode Island around 15,500 years ago. Based on a worst-case scenario for export cable alignment relative to the shallow portions of the ASLF, Revolution Wind estimates that less than one percent of Target 21 could be disturbed by cable construction activities.

Target 22

No geoarchaeological cores were collected from this feature during the MARA investigations. Based on a worst-case scenario for export cable routing, Revolution Wind estimates that less than one percent of Target 22 could be disturbed by cable construction activities. Actual impacts, if any, will likely be of a lower magnitude based on the location of the feature along the outer margins of the survey corridor.

Target 23

Channel sediments include likely redeposited/eroded alluvial deposits near the transgressive ravinement with a potentially intact floodplain below. No geoarchaeological cores were collected from this feature during the MARA investigations. Based on a worst-case scenario for export cable routing, Revolution Wind estimates that less than one percent of Target 23 could be disturbed by cable construction activities. Actual impacts, if any, will likely be of a lower magnitude based on the location of the feature along the outer margins of the survey corridor.

Target 24

[REDACTED]

No geoarchaeological cores were collected from this landform. Target 24 can likely be avoided; however Revolution Wind assumed a worst-case scenario for IAC alignment and estimates that up to 3 percent of the shallow portions the ASLF could be impacted by cable construction activities.

Target 25

[REDACTED]

Two geoarchaeological vibracores were collected from Target 25 during the MARA investigations. A core placed near the northeastern margin of the channel did not contain any evidence of terrestrial soils or subaerially exposed sediments. A second core collected near the southern limits of the feature contained intact sediment beds with varying densities of charcoal flecking. A fragment of sedge (Cyperacea family) was recovered from the deepest strata with charcoal flecking. AMS dating of the charcoal from this horizon yielded an age estimate of 10,350±30 calibrated years before present (cal. B.P.).

Target 26

[REDACTED]

No WTGs are planned within the feature limits and no IAC alignments intersect the shallow sections of ASLF. Avoidance of Target 26 is likely feasible. Based on a worst theoretical case scenario for IAC routing, Revolution Wind estimates up to 2.5 percent of Target 26 could be affected by Project construction activities.

Target 28

[REDACTED] but no evidence of terrestrial

soils or subaerially exposed sediments was recovered (Gray & Pape, 2020: 5-65). No additional geoarchaeological vibracores were collected from Target 26 during the Revolution Wind MARA investigations. Potential floodplain deposits were identified within Target 28, but varied in thickness and preservation due to reworking during marine transgression; marine transgression completely removed large portion of this feature in this area. As currently designed, WTG foundations will not be sited within Target-28 and nearly the entire feature falls below the anticipated maximum vertical extent of impact (i.e. 4.6 m [15 ft]) associated with installation of the IACs. Preservation of potentially intact alluvial deposits that could be disturbed by IAC construction are limited to the extreme eastern and southwestern margins of the feature. Avoidance of Target 28 is likely feasible.

Target 29

No geoarchaeological cores were collected from this feature during the MARA investigations. Based on a worst-case scenario for export cable routing, Revolution Wind estimates that up to 3 percent of Target 29 could be disturbed by cable construction activities. Actual impacts will likely be of a lower magnitude.

Target 30

rchaeological core ECR-AC-05 was recovered from within the feature. Potential evidence of subaerial exposure and pedogenic (soil forming) processes were noted within the cored sediments. Based on a worst-case scenario for export cable routing, Revolution Wind estimates that up to 2 percent of Target 29 could be disturbed by cable construction activities. Actual impacts will likely be of a lower magnitude.

3.2.2 Historic Context

Based on radiocarbon data collected for the MARA and detailed reconstructions of the paleolandscapes within the PAPE, the identified ASLFs included in this treatment plan are associated with terminal Pleistocene/Early Holocene drainage systems.

The potential indigenous use of the preserved landforms would likely have been restricted to a period between approximately 15,000 and 9150 cal. B.P. roughly correlating with the archaeologically defined Paleoindian Period and extending into the earliest phases of the antecedent Early Archaic Period. The younger age limit for archaeological sites that could be preserved at

each ASLF is based on marine transgression and would vary in specific timing depending on the elevation of each valley floor.

The dating program and interpretations suggest that each ASLF is associated with a stable terrestrial landform within an ancient valley that could have supported indigenous occupation or other activities. No direct evidence of human use of these locations has been recovered, but the settings of each are consistent with terrestrial locations used by indigenous peoples in the northeastern United States after 13,000 cal. B.P. Although direct evidence of indigenous settlements on the post-glacial OCS landscapes is currently lacking, paleoenvironmental reconstructions suggest the RWEC and RWF ASLFs are the types of locations where evidence of occupations might be expected. Current models for Paleoindian settlement and subsistence patterns indicate people living in the region between approximately 15,000 and 11,000 years ago were highly mobile. Reported Paleoindian site locations occur in a wide range of environmental settings, including river valleys and wetland margins comparable to those inferred at each ASLF.

It is important to note that very little is known about potential coastal adaptations during this time period. The submerged continental shelf contains the vast majority of coastal habitats that would have been available to people living in the region more than 15,000 years ago. Practical and technological challenges have limited the range of surveys that might yield direct evidence of now-submerged coastal sites. Where terminal Pleistocene or very early Holocene coastal sites have been identified elsewhere in North America, those sites have yielded different types of stone tools than typically associated with Paleoindian sites in the Northeast. As such, it is plausible that archaeological expressions of Pleistocene coastal occupations in the New England region may look quite different than their counterparts in the interior sections (now on the mainlands).

Further, each of the ASLFs is associated with a preserved element of the ancient terrestrial landscape that the consulting Tribal Nations have identified as having traditional cultural significance. As shared with Revolution Wind by tribal representatives, several of the consulting Tribal Nations' traditions hold that their people have always been here. They did not migrate from ancient Asia or Europe or anywhere else. Their origins are rooted here, in the Northeast, and at the interface between the seas and lands. Important events in tribal histories occurred on the OCS and preserved elements of the ancient landscapes with which their ancestors and culture heroes interacted are important.

3.2.3 NRHP Criteria

Based on prior BOEM consultations for the South Fork Wind Farm and Vineyard Wind 1 Wind Farm undertakings and Revolution Wind's assessments, the identified ASLFs are potentially eligible for listing in the NRHP under Criterion D for their potential to yield important information about the indigenous settlement of the northeastern United States and development of coastal subsistence adaptations. Each ASLF may also be eligible for listing under Criterion A for their association with and importance in maintaining the cultural identities of multiple Tribal Nations.

4.0 MITIGATION MEASURES

Mitigation measures at the historic properties are detailed in this section. The conceptual mitigation measures were developed in consultation with the interested consulting parties by individuals who met Secretary of the Interior (SOI) Qualifications Standards for Archeology and/or History (62 FR 33708) and are appropriate to fully address the nature, scope, size, and magnitude of adverse effects including cumulative effects caused by the Project, and NRHP-qualifying characteristics of each historic property that would be affected.

Based on the commitment to establish a no-anchor zone encompassing Target-31 and the location of Targets 32 and 33 beneath the vertical limits of disturbance, no adverse effects to these three ASLF are anticipated. Target 27 will be avoided due to its location on the margin of the RWF and the South Fork Wind Farm. The measures developed to resolve potential adverse effects to the remaining ASLFs are summarized below.

4.1 Target 21 through Target 26 and Target 28 through Target 30

4.1.1 *Preconstruction Geoarchaeology*

4.1.1.1 Purpose and Intended Outcome

This mitigation measure will consist of the collection of vibracores within the affected portions of each ASLF prior to Project construction. The collected cores, the locations of which will be selected in consultation with Tribal Nations, will be analyzed in collaboration with the Tribal Nations to provide a more detailed understanding of ancient terrestrial landscapes along the RWEC and within the RWF and how such settings may have been used by Pleistocene-age indigenous peoples. Data acquired from this effort is expected to refine the age estimates for each stable landform, the timing and character of ecological transitions evidenced in the MARA report and provide an additional opportunity to recover evidence of ancient indigenous use of each ASLF.

This measure will provide for a more detailed analysis of the stratigraphy, chronology, and evolving ecological conditions at each ancient landform. Two separate reports on the analyses and interpretations will be developed. The first will be focused on content of specific interest the consulting Tribal Nations, including a broad approach to integrating available data collected from other recent archaeological research and surveys on the Atlantic OCS. The specific content and formatting of this report will be refined in consultation with the Tribal Nations. The second report will be geared primarily toward technical, Tribal/State Historic Preservation Officer and agency audiences.

4.1.1.2 Scope of Work

The scope of work will consist of the following:

- Collaborative review of existing geophysical and geotechnical data with Tribal Nations
- Selection of coring locations in consultation with Tribal Nations;

- Collection of at least two to three vibracores (final quantity to be determined in consultation with the Tribal Nations) within each affected ASLF with a sampling focus on areas that will be disturbed by Project construction activities;
- Written verification to BOEM that the samples collected are sufficient for the planned analyses and consistent with the agreed scope of work;
- Collaborative laboratory analyses at a laboratory located in Rhode Island or Massachusetts;
- Screening of recovered sediments for debitage or micro-debitage associated with indigenous land uses;
- Third-party laboratory analyses, including micro- and macro-faunal analyses, micro- and macro-botanical analyses, radiocarbon dating of organic subsamples, and/or chemical analyses for potential indirect evidence of indigenous occupations;
- Temporary curation of archival core sections
- Draft reports for review by interested consulting parties;
- Final reporting; and
- Public or professional presentations summarizing the results of the investigations, developed with the consent of the consulting Tribal nations.

4.1.1.3 Methodology

Revolution Wind will conduct the Preconstruction Geoarchaeology in consultation with the interested consulting parties. The research, analyses, and interpretations are intended to be a collaborative effort with the consulting Tribal Nations. The research will be conducted in collaboration with the consulting Tribal Nations, who will be invited by Revolution Wind to series of working sessions to:

- Review existing data;
- Develop specific research questions addressing the Tribal Nations' interests in the ASLF;
- Select candidate coring locations;
- Split, document, and sample recovered vibracores in the laboratory;
- Review analytic results and preliminary interpretations; and
- Review draft reporting.

Vibracores placed within the affected sections of each ASLF will extend a maximum depth of approximately 20 feet (6 meters) below the sea floor. The cores will be cut on the survey vessel into approximately 1-meter-long sections and sealed to minimize the risk of environmental contamination. The core segments will be logged on the survey vessel and a chain of custody will be maintained to ensure all samples are accounted for and that all samples are transferred to the laboratory for geoarchaeological analyses. Once the core segments are transferred to the Qualified Marine Archaeologist (QMA), Revolution Wind will invite tribal representatives to participate in the splitting, documentation, and subsampling of each core, if feasible due to COVID-19 restrictions. Each core segment will be split longitudinally into working and archival halves. Subsamples collected from working halves for specific third-party analyses will be packaged in a manner appropriate to the specific analysis for which they are intended. Archival halves will be sealed and stored horizontally on shelves or racks in a climate-controlled facility for at least one year following completion of

laboratory analyses. Revolution Wind will prioritize reasonable access to archival core segments by Consulting Parties when selecting the storage facility. All samples collected from the working halves will be submitted to third party laboratories within approximately 6 months of core transfer to the QMA facilities. As an option, both halves of the core may be consumed to extract the highest amount of quality data possible. This option will be determined through coordination with any participating Tribal Nations.

Revolution Wind will prepare a presentation of the preliminary results and interpretations for discussion with the Tribal Nations (see work session schedule above). Revolution Wind will consider the Tribal Nations' comments and suggestions when preparing the draft reports and will seek to resolve any disagreements among the parties through supplemental consultations prior to preparing the draft reports.

Revolution Wind will submit the draft reports to the interested consulting parties for review and comment. Revolution Wind will consider all comments received when developing the final reports. Final digital copies of the completed reports will be provided to all interested consulting parties. Hard copies of the final reports will be submitted to the State Historic Preservation Officers, Tribal Nations or other parties upon request.

Following the one-year retention period, Revolution Wind will offer transfer of the archival core segments to the affected Tribal Nations, SHPOs and related state agencies, and regional research institutions with an interest in and capacity to conduct further analyses. Revolution Wind currently anticipates research institutions with potential interests/capacities to include the University of Rhode Island, University of Connecticut, and Eastern Connecticut State University. Revolution Wind will notify the Consulting Parties of its intent to transfer archival core segments to any party at least 45 days prior to initiating such transfer and will consider any comments provided by Consulting Parties before proceeding. If no external parties agree to accept the archival core segments, Revolution Wind will water-screen the retained segments to identify and collect potential physical evidence of ancient Native American activity at the ASLFs. In such circumstances, Revolution Wind will prepare a technical memorandum summarizing the results of the archival core segment processing and analyses and submit that memorandum to the Consulting Parties.

4.1.1.4 Standards

The Preconstruction Geoarchaeology effort will be conducted in accordance with BOEM's *Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585* (May 2020). The QMA leading the research will meet the SOI professional qualification standards for archeology (62 FR 33708) and BOEM's standards for QMAs.

4.1.1.5 Documentation

The following documentation is to be provided for review by interested consulting parties:

- Draft Technical Report;
- Final Technical Report; and
- Draft Public or Professional Presentations.

4.1.1.6 Curation

The geoarchaeological collections associated with the ASLF investigations will be curated at the Public Archaeology Laboratory (PAL) facility at 26 Main Street, Pawtucket, Rhode Island. PAL is an approved curatorial facility under specific project permits issued by the Rhode Island RIHPHC and the Massachusetts Historical Commission (MHC) for collections originating in Rhode Island and Massachusetts. PAL currently curates multiple collections for state and federal agencies in accordance with all applicable state and federal standards. The curation section of the laboratory is inspected regularly by state and federal agencies to ensure the proper maintenance of the cultural materials entrusted to PAL's care.

PAL is an approved institution for curating cultural materials and project-related documentation according to the Code of Federal Regulations 36 CFR 79 (Curation of Federally-Owned and Administered Archeological Collections). Laboratory employees are experienced with the curation protocols of many states and federal agencies and the current standards for curation practices as set forth in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 Federal Register 44716-44742, 1983). The Laboratory Manager is a Registered Professional Archaeologist (RPA) and follows the Code of Conduct for that organization as well as the principles of archaeological ethics specified by the Society of American Archaeology and the Society for Historical Archaeology.

4.1.1.7 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.1.2 *Common GIS and Digital Media Presentations*

4.1.2.1 Purpose and Intended Outcome

This mitigation measure will consist of the compilation and transfer of relevant geophysical, geotechnical, and geoarchaeological datasets pertaining to the ASLFs to a non-proprietary GIS system for use by Tribal Nations. The datasets will include sub-bottom (seismic) data used to characterize the seabed and ASLFs, the location of all geotechnical/geoarchaeological samples collected, and the vertical and horizontal extents of the affected features or sub-features within each ASLF. The GIS will be, to the extent feasible and practicable, compatible with GIS datasets compiled for other OCS projects to assist in the Tribal Nations' on-going research and stewardship efforts. The digital media presentations will be prepared to integrate and present the complex technical data compiled during the MARA and mitigation investigations in a manner best suited for the Tribal Nations' uses. The content would be developed in close consultation and collaboration with the consulting Tribal Nations.

Incorporation of Revolution Wind datasets into a broader GIS framework will allow the Tribal Nations to better understand and protect preserved elements of the ASLFs. The intent of this measure is to enhance the Tribal Nations understanding of existing conditions for a range of ASLFs located in the northeastern Atlantic OCS. This knowledge would allow for more effective Government to Government consultations regarding similar features that may be affected by future federal undertakings. The value of the GIS will

increase as additional datasets are acquired and incorporated. Access to the GIS will support each Tribal Nations' capacity to pursue their own research or intra-tribal educational programs related to the OCS and traditional cultural uses of the now-submerged landscapes of their ancestors. The combined MARA and Preconstruction Geoarchaeology investigations will provide an important perspective on the preservation of ASLFs within formerly glaciated sections of the OCS and within the footprint of former glacial lakes. Integrated GIS that can accommodate datasets collected from other OCS development projects and surveys would allow for comparisons to areas south of the maximum glacial limits on the OCS to provide a more comprehensive view of the ancient landscapes within the region. Revolution Wind will provide reasonable compensation to tribal representative working with Revolution Wind on implementation of this measure. The digital media presentation created within the GIS will provide a flexible approach to incorporating media from a variety of sources, including geospatial data, interviews with traditional knowledge-holders, photographs, audio recordings, and archival cartography for a compelling interpretive experience. The media can be tailored for specific uses and would be developed in consultation with the Tribal Nations.

4.1.2.2 Scope of Work

The scope of work will consist of the following:

- Consultation with the Tribal Nations to determine the appropriate GIS platform;
- Review of candidate datasets and attributes for inclusion in the GIS;
- Data integration;
- Development of custom reports or queries to assist in future research or tribal maintenance of the GIS;
- Work Sessions with Tribal Nations to develop digital media presentation content;
- Training session with Tribal Nations to review GIS functionality;
- Review of Draft digital media presentation with Tribal Nations;
- Delivery of GIS to Tribal Nations; and
- Delivery of Final digital media presentation.

4.1.2.3 Methodology

Revolution Wind will develop the GIS in consultation with the interested consulting parties. At least one work session will be scheduled to refine specific functionality of interest to the Tribal Nations. That session will be conducted after the preliminary data analyses for the Preconstruction Geoarchaeology effort has been completed. This will allow for a more focused walk-through of the data and options for organizing and integrating different datasets. Revolution Wind will request from the Tribal Nations details on any existing GIS systems currently in use by each Tribal Nation to minimize any issues with data integration or interoperability. Once the work session has been conducted Revolution Wind will proceed with development of the GIS, taking into account the Tribal Nations' comments and suggestions. The draft GIS system will be shared with the Tribal Nations in a training session that presents the functions of the GIS and familiarizes the tribal representatives with the interfaces, data organization, and any custom features developed to enhance useability. Revolution Wind will consider any feedback from the Tribal Nations on the draft GIS before proceeding with finalizing the system design and implementation. Revolution Wind will

provide the GIS to the Tribal Nations by physical storage media or as a secure digital file transfer, as appropriate to each Tribal Nations IT infrastructure and preference. Revolution Wind does not intend to be responsible for the upkeep of the GIS database.

The digital media presentation content will be developed with the consulting Tribal Nations through one or more scheduled work sessions. Potential options for content intended for youth audiences, tribal governments, and/or general tribal membership will be discussed to refine the conceptual framework and develop draft digital media presentation for review by the Tribal Nations. Revolution Wind will consider all comments and feedback provided by the Tribal Nations when preparing the final digital media presentation.

4.1.2.4 Standards

The GIS developed under this measure will be free to use and free to modify by the Tribal Nations. To the extent feasible, all data will be provided in formats that allow for interoperability with other GIS platforms that the Tribal Nations may use. All datasets incorporated in the GIS will comply with Federal Geographic Data Committee data and metadata standards.

4.1.2.5 Documentation

Revolution Wind will provide draft descriptions and documentation of the GIS for review by the interested consulting parties and will provide a description of the draft digital media presentations to the consulting Tribal Nations following the initial working sessions.

The following documentation is to be provided for review by interested consulting parties:

- Draft Description of the GIS with appropriate schema, data organization, and custom reports/queries;
- Draft digital media presentation descriptions with details on content, formatting, and intended audiences; and
- Final Technical Description of the GIS with schema, data organization, and custom reports/queries.

4.1.2.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.1.3 *Post-Construction Seafloor Impact Inspection*

4.1.3.1 Purpose and Intended Outcome

Revolution Wind proposes a mitigation measure to use seafloor inspection to assess construction activity impacts to selected ASLFs within the export cable corridor. This effort will focus on areas of cable installation as this activity is more likely to disturb and redistribute shallow portions of a previously identified ASLF. Revolution Wind will construct a 3D model defining the spatial relationship of project components and installation methodology (e.g., cable installation via trenching or jetting) relative to the ASLFs. The 3D model

will identify portions of the ASLFs within the vertical APE that will be impacted and may possess a high preservation potential for evidence of human occupation.

Revolution Wind will coordinate with BOEM and Tribal Nations on the results of this effort to select locations for post-construction visual inspection. Moreover, representatives from the Tribal Nations will be invited to join Revolution Wind project staff and BOEM subject matter experts in-person to view a live feed during the visual inspection of the seafloor. Revolution Wind will also offer a virtual meeting with access to the live feed for Tribal Nation representatives who cannot participate in-person. Revolution Wind's QMA will design and direct the post-construction visual inspection of the seafloor at the selected locations identified through the above process to assess for the presence/absence of displaced cultural materials, potentially from the ASLF.

BOEM and Revolution Wind will work together to determine the ROV inspection methodology. Post-construction inspection will focus on the areas of disturbance within the ASLFs. Various factors, including but not limited to environmental conditions, health and safety risks, the spatial extent of impacts, and the unique characteristics of each selected ASLF will be considered before mobilization to conduct the visual inspection.

Identification of potential cultural material during the ROV inspection would not constitute a "discovery" nor trigger the reporting and consultation requirements established in the *Offshore Unanticipated Discoveries Plan* (UDP – SEARCH 2023b). In the unlikely event that human remains or potential human remains are identified during the ROV inspections. Revolution Wind will adhere to the UDP, inclusive of the statutory, regulatory, and policy requirements incorporated, therein.

4.1.3.2 Scope of Work

The scope of work will consist of the following:

- Development of 3D model throughout ASLFs designated for review.
- Development of the ROV investigation methodology
- Review of 3D model and selection of inspection locations with Tribal Nations and BOEM;
- Seafloor impact inspection of selected locations not to exceed one mobilization and two, consecutive twelve-hour days;
- Data Interpretative technical report draft; and
- Final technical report.

4.1.3.3 Methodology

Inspection of the impacted portions of the ASLFs will consist of the following:

- Development of 3D model throughout ASLFs designated for review.
- Consultation with BOEM to discuss the ROV investigation methodology.
- Consultation with BOEM and Tribal Nations to review 3D model and select locations for inspection.

- QMA directed remotely operated vehicle (ROV) inspection of the seafloor along impacted portions of the selected ASLFs not to exceed one mobilization and two consecutive twelve-hour days
- Photo & video camera with laser scale
- High-resolution camera system
- Laser scales set at 10 centimeters
- ROV lighting
- Forward-looking sonar (FLS) multibeam; and
- Data interpretative technical draft and final reports with accompanying investigation data.

Revolution Wind's QMA will define the spatial relationship of export cable and installation methodology relative to the selected ASLFs. The 3D model will identify portions of the ASLFs within the vertical APE that will be impacted and possess a high preservation potential for evidence of human occupation. Revolution Wind's QMA will coordinate with BOEM and Tribal Nations on the results of this effort to select locations for post-construction visual inspection. The total areas selected for inspection should not cause the inspection to exceed one mobilization and two consecutive twelve-hour days.

This effort will be restricted to areas of cable installation as this activity is more likely to disturb and redistribute shallow portions of a previously identified ASLF. Therefore, the inspection process is designed to focus on the ASLFs with the shallowest subsurface expression and highest likelihood of containing intact deposits. The final number of ASLFs will be selected for this post-construction inspection based on a detailed review of the proposed cable route, the ability to perform the inspection in one mobilization and the aforementioned factors. Review will focus on the disturbed sediments around the as-laid cable route and attempt to delineate any materials indicative of human presence (i.e., lithics, pottery sherds, etc.). The goal of the investigation, therefore, is to determine the presence or absence of archaeological material in potential association with previously identified ASLFs through visual inspection and no cultural material will be collected.

Revolution Wind's QMA will design and direct the visual inspection of the seafloor at the selected locations identified through the above process to assess for the presence/absence of displaced cultural materials from the ASLF. ROV investigation will occur over one mobilization and be conducted in two, 12-hour/day operations. The inspection will be executed no more than sixty days post-final cable burial. If unanticipated issues arise during the course of offshore construction that prevent this measure from being completed within sixty days post-final cable burial, Revolution Wind must notify BOEM and propose an alternate completion timeframe for BOEM approval. Revolution Wind's QMA will maintain detailed logs of ROV diving missions and archaeological information, as well as record video with voice-over narration. Video will be recorded continuously throughout the duration of all dives for later analysis and archiving. Detailed photographs, including the use of a laser scale, will be captured at the discretion of the QMA and ROV operator.

Reporting will include draft and final technical reports detailing the methods and results of the inspection.

4.1.3.4 Standards

To be determined in consultation with BOEM and the Tribal Nations.

4.1.3.5 Documentation

Revolution Wind will provide BOEM and Tribal Nations with draft and final technical reports including the development of the 3D models and any resulting seafloor impact assessments.

4.1.3.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.1.4 *Tribal Youth Development Program*

4.1.4.1 Purpose and Intended Outcome

The Tribal Nations have expressed a desire for the integration of Indigenous Traditional Ecological Knowledge (ITEK) into the identification and interpretation of resources on the Outer Continental Shelf, including ASLFs. This measure would provide Tribal youth development opportunities focusing on exposure to STEM fields (science, technology, engineering, and mathematics) and how STEM studies can be enhanced by ITEK. The intended outcome of this measure is to provide interested Tribal Nations an opportunity to develop and execute a youth program with the assistance and facilitation of a preferred regional academic or research institution.

Additional intended outcomes of this measure including exposing Tribal youth to the fundamentals of STEM and exploring meaningful integration with ITEK, exploring possible career opportunities, and elevating Native voices.

4.1.4.2 Scope of Work

The scope of work will consist of the following:

- BOEM, in consultation with the Tribal Nations, will select a regional academic or research institution acceptable to the majority of Tribal Nations.
- Selected institution and their associated staff will provide group meetings with the Tribal Nations to develop the program framework in accordance with the appropriate Tribal Nation standards.
- Selected institution in coordination with Tribal Nations will execute the youth development program.
- Selected institution will provide annual reports to the Tribal Nations, Revolution Wind and BOEM until the funds are fully expended. This reporting should include the number of Tribal youths participating in any program activities.

4.1.4.3 Standards

To be determined by the Tribal Nations with assistance of the selected institution.

4.1.4.4 Documentation

The following documentation is to be provided by the selected institution to the Tribal Nations for review:

- Draft and final program framework

4.1.4.5 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA. Revolution Wind will deposit half of the stipulated funding in an escrow account within 120 calendar days of Revolution Wind receiving a no objection to the complete Facility Design Report/Fabrication and Installation Report. Within 1 year of the first payment, Revolution Wind will place the remaining half into that escrow account. The escrowed funds shall be released for the sole purpose of implementation of the mitigation as set forth in Section 4.1.4. Funding would also be used to compensate the Tribal Nation representatives for their participation in the development and execution of the program.

5.0 IMPLEMENTATION

5.1 Timeline

The timeline for implementation of the mitigation measures is identified in the MOA.

5.2 Organizational Responsibilities

5.2.1 *Bureau of Ocean Energy Management (BOEM)*

BOEM remains responsible for making all federal decisions and determining compliance with Section 106. BOEM has reviewed this HPTP to ensure, at minimum, it includes the content required.

- BOEM remains responsible for making all federal decisions and determining compliance with Section 106;
- BOEM, in consultation with the interested consulting parties, will ensure that mitigation measures adequately resolve adverse effects, consistent with the NHPA;
- BOEM will be responsible for sharing the annual summary report with interested consulting parties; and
- BOEM is responsible for consultation related to dispute resolution.

5.2.2 *Revolution Wind, LLC*

Revolution Wind will be responsible for the following:

- Considering the comments provided by the interested consulting parties in the development of this HPTP;
- Funding the mitigation measures specified in Section 4.0;
- Completion of the scope/s of work in Section 4.0 unless otherwise specified;
- Ensuring all Standards in Section 4.0 are met;
- Providing the Documentation in Section 4.0 to the interested consulting parties for review and comment;
- Annual Reporting to BOEM; and
- Revolution Wind will be responsible for ensuring that all work that requires consultation with Tribal Nations are performed by professionals who have demonstrated professional experience consulting with federally recognized Tribal Nations.

5.2.3 *Other Parties, as Appropriate*

Revolution Wind does not anticipate additional consulting parties, should any be determined, this will be updated.

5.3 Interested Consulting Parties

This HPTP was provided by Revolution Wind for review by interested consulting parties to provide meaningful input on the resolution of adverse effects to and form(s) of implementing mitigation at the

historic properties. interested consulting parties were provided the opportunity for review and comment on the HPTP concurrent with BOEM's NEPA substitution schedule for the Project. This HPTP was further refined through informational and consultation meetings, conference calls, HPTP draft reviews and document exchanges, or similar means of communication of information.

6.0 REFERENCES

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**ATTACHMENT 7 – HISTORIC PROPERTY TREATMENT PLAN FOR THE REVOLUTION
WIND FARM, THE MILL CREEK SWAMP #1 AND #2 SITES, TOWN OF NORTH
KINGSTOWN, WASHINGTON COUNTY, RHODE ISLAND**

REDACTED (For Public Distribution)

Historic Property Treatment Plan

for the

Revolution Wind Farm

The Mill Creek Swamp #1 and #2 Sites,
Town of North Kingstown, Washington County, Rhode Island

Submitted to:



Bureau of Ocean Energy Management
U.S. Department of the Interior

Prepared for:



Revolution Wind, LLC
<https://revolutionwind.com/>

Prepared by:



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August 2023

ABSTRACT

Federal Undertaking: Revolution Wind Farm and Revolution Wind Export Cable Project

Location: Outer Continental Shelf and Rhode Island

Federal and
State Agencies: Bureau of Ocean Energy Management
National Park Service
U.S. Army Corps of Engineers
Massachusetts Historical Commission
Rhode Island Historical Preservation & Heritage Commission
New York Historic Preservation Office
Connecticut Historic Preservation Office
Advisory Council on Historic Preservation

Regulatory Process: National Environmental Policy Act
Section 106 of the National Historic Preservation Act
Section 110(f) of the National Historic Preservation Act

Purpose: This Historic Property Treatment Plan provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects from the Revolution Wind Project.

Adverse Physical Effect
Finding for: The Mill Creek Swamp #1 and #2 Sites,

Submitted By: Revolution Wind, LLC

Date: July 2023

TABLE OF CONTENTS

1.0 Executive Summary 1

2.0 Background information 3

 2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable 3

 2.2 Section 106 and Section 110(f) of the National Historic Preservation Act..... 5

 2.3 Interested Consulting Parties 6

3.0 Existing Conditions and Historic Significance..... 8

 3.1 Historic Properties 8

 3.2 The Mill Creek Swamp #1 Site 9

 3.2.1 Physical Description and Existing Conditions 9

 3.2.2 Historic Context 10

 3.2.3 NRHP Criteria..... 11

 3.3 The Mill Creek Swamp #2 Site 12

 3.3.1 Physical Description and Existing Conditions 12

 3.3.2 Historic Context 13

 3.3.3 NRHP Criteria..... 13

4.0 Mitigation Measures 14

 4.1 The Mill Creek Swamp #1 Site & Mill Creek Swamp #2 Site 14

 4.1.1 Data Recovery Investigations 14

 4.1.2 Archaeological Construction Monitoring Plan 16

 4.1.3 Historic Property Archaeological Protection Plan 16

 4.1.4 Documentation 17

 4.1.5 Funds and Accounting 17

5.0 Implementation 18

 5.1 Timeline..... 18

 5.2 Organizational Responsibilities 18

 5.2.1 Bureau of Ocean Energy Management (BOEM) 18

 5.2.2 Revolution Wind, LLC 18

 5.2.3 Other Parties, as Appropriate..... 18

 5.3 Interested Consulting Party Consultation 18

6.0 References..... 20

LIST OF FIGURES

Figure 2.1-1. Onshore Facilities Regional Location 4

Figure 2.1-2. Onshore Facilities Overview..... 5

Figure 3.1-1. Mill Creek Swamp #1 and #2 Site Locations..... 8

LIST OF TABLES

Table 3.1-1. Historic Resources included in the HPTP	8
Table 3.2-1. Native American Cultural Materials by Stratum, the Mill Creek Swamp #1 Site	9
Table 3.3-1. Native American Cultural Materials by Stratum, the Mill Creek Swamp #2 Site	12

LIST OF ATTACHMENTS

Attachment A. Phase III Archaeological Data Recovery Program
Attachment B. Archaeological Construction Monitoring Plan

LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADLS	Aircraft Detection Lighting System
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
cmbgs	centimeters below ground surface
COP	Construction and Operations Plan
EDR	Environmental Design and Research, D.P.C.
FEIS	Final Environmental Impact Statement
FR	Federal Register
HPTP	Historic Property Treatment Plan
MOA	Memorandum of Agreement
NHPA	National Historic Preservation Act of 1966
NPS	National Park Service
NRHP	National Register of Historic Places
QDC	Quonset Development Corporation
RFP	Request for Proposals
RIHPHC	Rhode Island Historical Preservation & Heritage Commission
RI SHPO	Rhode Island State Historic Preservation Officer
ROD	Record of Decision
RWF	Revolution Wind Farm
STP	shovel test pit
THPO	Tribal Historic Preservation Officer
USCG	United States Coast Guard
WTG	Wind Turbine Generator

1.0 EXECUTIVE SUMMARY

This Historic Property Treatment Plan (HPTP) for two archaeological historic properties, the Mill Creek Swamp #1 and #2 Sites (the historic properties) provides background data, resource-specific information, and detailed steps that will be implemented to carry out the mitigation actions in the *Terrestrial Archaeological Resources Assessment and Site Identification Survey, Revolution Wind Farm Project, Onshore Facilities* (TARA) dated February 2023 (PAL, 2023) for the Revolution Wind Farm (RWF) and Revolution Wind Export Cable Project (collectively, the Undertaking). Revolution Wind, LLC (Revolution Wind) has provided this HPTP in accordance with the Bureau of Ocean Energy Management's (BOEM) Findings of Adverse Effect (FoAE) for the Undertaking under the National Historic Preservation Act (NHPA).

BOEM has used the National Environmental Policy Act (NEPA) substitution process to fulfill its Section 106 obligations as provided for in the NHPA implementing regulations (36 CFR § 800.8(c)), and BOEM has consulted with the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers, federally recognized Native American Tribes, and other NHPA Section 106 consulting parties in accordance with this process. Revolution Wind has provided this HPTP to BOEM for inclusion in the Final Environmental Impact Statement (FEIS).

This HPTP describes the mitigation measures to resolve potential adverse effects on historic properties, the implementation steps, and timeline for actions. The mitigation measures are based on the evaluations and outreach performed by Revolution Wind prior to the issuance of the DEIS as well as outreach to consulting parties performed by BOEM. This HPTP document has undergone revision and refinement in consultation with the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer, the ACHP, and other consulting parties throughout the NEPA substitution process. This HPTP is included in the Memorandum of Agreement (MOA) issued in accordance with 36 CFR §§ 800.8, 800.10.

Pursuant to the terms and conditions of the MOA, Revolution Wind will implement these mitigation measures.

This HPTP is organized into the following sections:

- **Section 1.0, Introduction**, outlines the content of this HPTP.
- **Section 2.0, Cultural Resources Regulatory Context**, briefly summarizes the Undertaking while focusing on cultural resources regulatory contexts (federal, tribal, state, and local, including preservation restrictions), identifies the historic properties discussed in this HPTP that will be adversely affected by the Undertaking, and summarizes the pertinent provisions and attachments of the *Historic Resources Visual Effects Analysis – Revolution Wind Farm* (EDR, 2023) and *Revolution Wind Farm Construction and Operations Plan* (COP; Revolution Wind, 2022) that guided the development of this document.
- **Section 3.0, Existing Conditions and Historic Significance**, provides a physical description of the historic properties included in this HPTP. Set within its historic context, the applicable NRHP criteria

for the historic properties are discussed with a focus on the contribution of a maritime visual setting to its significance and integrity.

- **Section 4.0, Mitigation Measures**, presents specific steps to carry out the mitigation actions. The mitigation action includes a detailed description, intended outcome, methods, standards, and requirements for documentation.
- **Section 5.0, Implementation**, establishes the process for executing mitigation actions at the historic properties, as identified in Section 4.0 of this HPTP. For each/the action, organizational responsibilities are outlined, a timeline is provided, and regulatory reviews are listed.
- **Section 6.0, References**, is a list of works cited in this HPTP.
- **Attachment A**, Phase III Archaeological Data Recovery Program
- **Attachment B**, Archaeological Construction Monitoring Plan

2.0 BACKGROUND INFORMATION

2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable

The Undertaking is a wind-powered electric generating facility composed of up to 100 wind turbine generators (WTGs) and associated foundations, two offshore substations, and inter-array cables connecting the WTGs and the offshore substations (see Figure 2.1-1). The WTGs, offshore substations, array cables, and substation interconnector cables would be located on the Outer Continental Shelf approximately 15 nautical miles (18 statute miles) southeast of Point Judith, Rhode Island, approximately 13 nautical miles (15 statute miles) east of Block Island, Rhode Island, approximately 7.5 nautical miles (8.5 statute miles) south of Nomans Land Island National Wildlife Refuge (uninhabited island), and between approximately 10 to 12.5 nautical miles (12 to 14 statute miles) south/southwest of varying points of the Rhode Island and Massachusetts coastlines (62 FR 33708). In addition, two submarine export cables located in both federal waters and Rhode Island State territorial waters, will connect the offshore substation to the electrical grid. The proposed interconnection location for the Undertaking is the existing Davisville Substation, which is owned and operated by The Narragansett Electric Company d/b/a National Grid and located in North Kingstown, Rhode Island. The visible offshore components of the operational Undertaking will be located on Lease OCS-A 0486 in water depths ranging from approximately 108 to 125 feet.

Figure 2.1-1. Onshore Facilities Regional Location

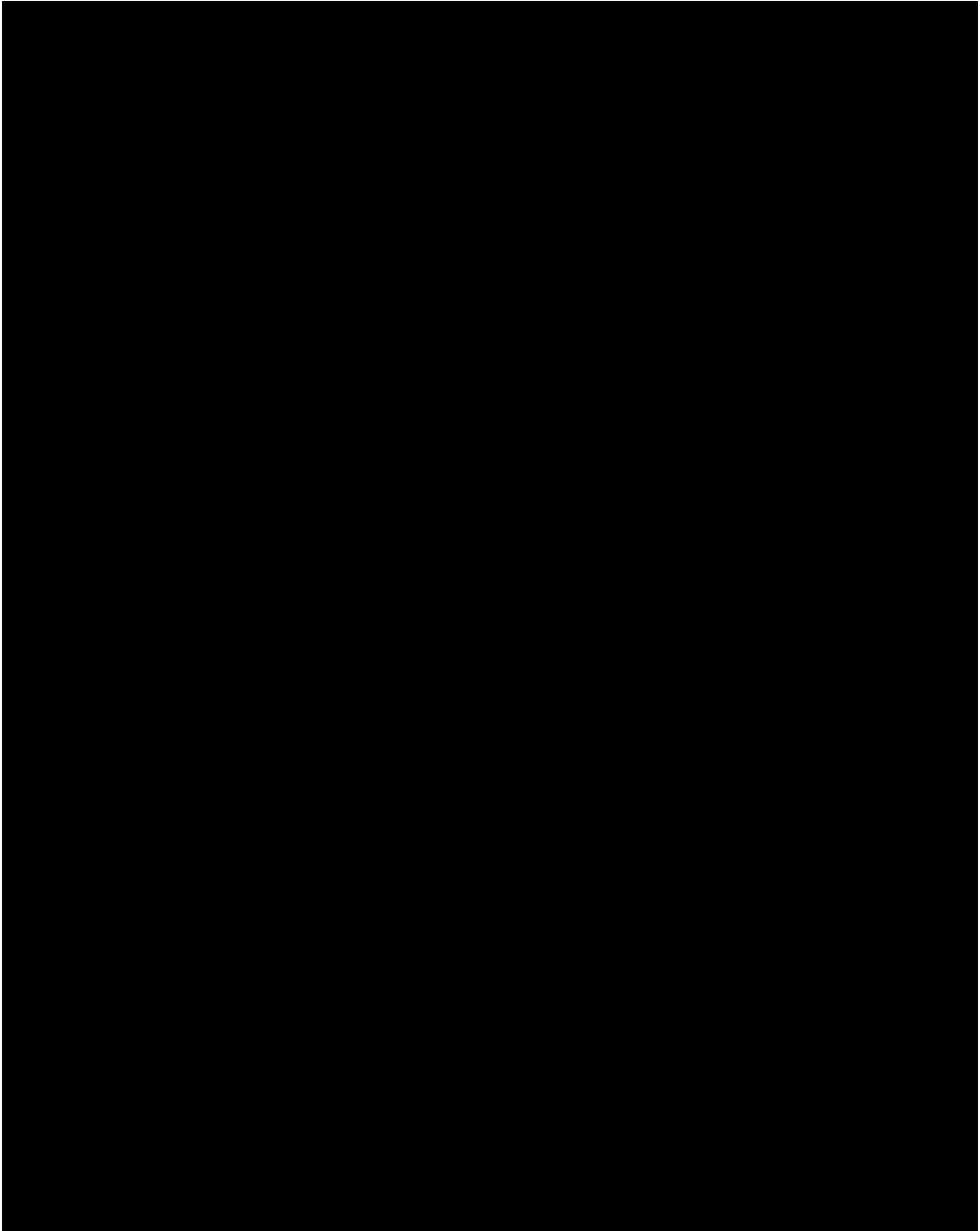
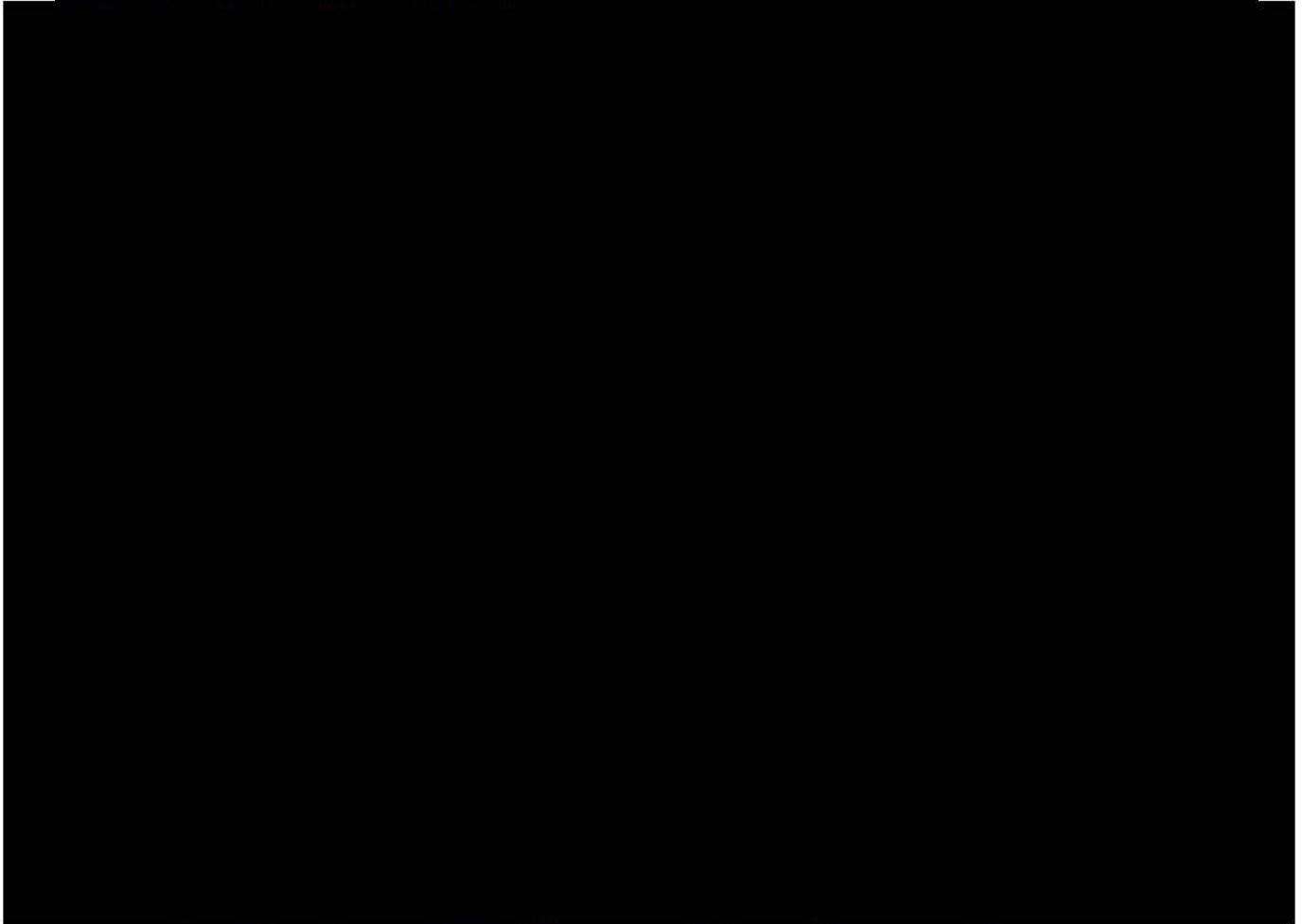


Figure 2.1-2. Onshore Facilities Overview



2.2 Section 106 and Section 110(f) of the National Historic Preservation Act

This HPTP was developed in accordance with the TARA and COP and reflects consultations conducted by BOEM with multiple consulting parties, including the Rhode Island State Historic Preservation Officer (RI SHPO), the Narragansett Indian Tribe, Wampanoag Tribe of Gay Head/Aquinnah, Mashpee Wampanoag, Shinnecock Indian Nation and Mashantucket Pequot Tribal Nation (Tribal Nations). The regulations at 36 CFR § 800.8 provide for use of the National Environmental Policy Act (NEPA) process to fulfill a Federal agency's National Historic Preservation Act (NHPA) Section 106 review obligations in lieu of the procedures set forth in 36 CFR § 800.3 through 800.6. Under these provisions, issuance of a Record of Decision (ROD) and implementation of relevant conditions will resolve adverse effects to historic properties caused by the Undertaking, including to National Historic Landmarks for which BOEM must provide a higher standard of care, as required by Section 110(f) of the National Historic Preservation Act.

The measures to avoid and minimize adverse effects to identified historic properties are described in the *Terrestrial Archaeological Resources Assessment and Site Identification Survey*.

This HPTP addresses the mitigation requirements identified by BOEM to resolve the remaining adverse effects after application of the above-referenced measures. The mitigation measures reflect consultations among consulting parties to refine a conceptual mitigation framework proposed by Revolution Wind. That framework identified the following measures as appropriate means of resolving adverse effects to the Mill Creek Swamp #1 and #2 Sites:

- a. Phase III Data recovery investigations to document and recover critical information regarding the ancient Native American use of the impacted sites.
 - i. All excavations will be conducted under a permit issued by the Rhode Island Historical Preservation & Heritage Commission.
 - ii. Excavations are intended to extend over approximately 20% of the affected section of each site.
 - iii. The research design and specific research questions to be addressed through field research and laboratory analyses have been developed in consultation with the consulting Native American Tribes.
 - iv. Representatives from the consulting Native American Tribes will be invited to monitor the field investigations and participate in the interpretation of data collected.
- b. Technical reports for peer review and dissemination of data at professional conferences/publications will be produced at the conclusion of the field investigations.
- c. An Archaeological Construction Monitoring Plan developed to ensure that impacts to the areas of the Mill Creek Swamp #1 and #2 to be protected do not occur during ground disturbing activities.
- d. A Historic Property Archaeological Protection Plan to be developed following Phase III data recovery to ensure that protection measures are carried out during ongoing Operations and Maintenance of the Project.

All activities implemented under this HPTP will be conducted in accordance with any conditions imposed by BOEM in its Record of Decision (ROD) and with applicable state and federal regulations and permitting requirements. Responsibilities for specific compliance actions are described in further detail in Section 5.2 – Organizational Responsibilities.

2.3 Interested Consulting Parties

BOEM initiated consultation under Section 106 with invitations to consulting parties on April 30, 2021. BOEM hosted the first Section 106-specific meeting with consulting parties on December 17, 2021, and additional meetings pursuant to Sections 106 and 110(f) of the NHPA and in accordance with 36 CFR 800.8.

Following BOEM initial Section 106 meeting with consulting parties, Revolution Wind held stakeholder outreach meetings (see Section 5.3) to review conceptual mitigation measures for the historic property and invited the following parties:

- RI SHPO;

- The Narragansett Indian Tribe THPO;
- The Wampanoag Tribe of Gay Head/Aquinnah THPO;
- The Mashpee Wampanoag Tribe THPO;
- The Mashantucket Pequot Tribal Nation THPO; and
- The Shinnecock Indian Nation THPO.

This HPTP provides details and specifications for mitigation measures to resolve the adverse effects within the APE for the Mill Creek Swamp #1 and #2 Sites.

3.0 EXISTING CONDITIONS AND HISTORIC SIGNIFICANCE

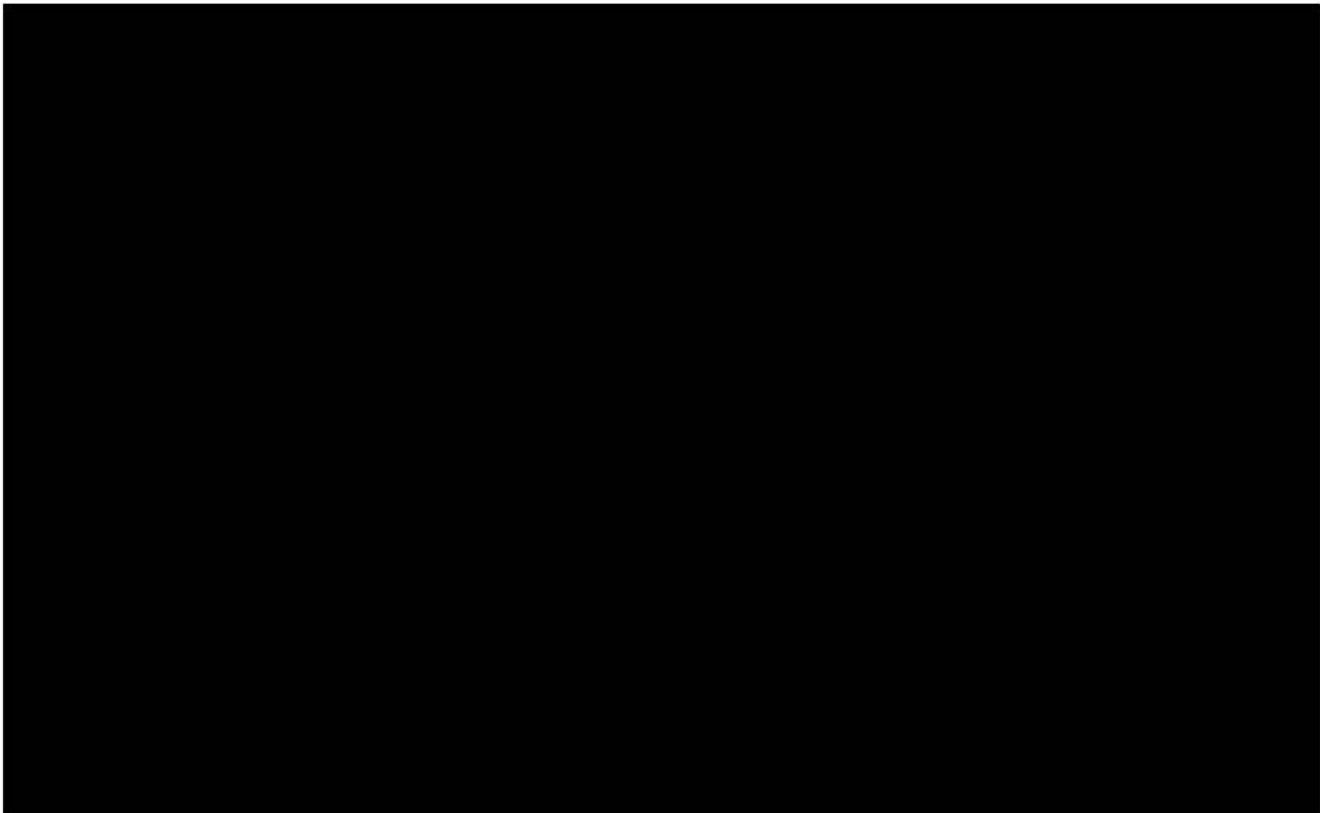
3.1 Historic Properties

The HPTP involves two historic properties, as identified in 3.1-1 and located on Figure 3.1-1.

Table 3.1-1. Historic Resources included in the HPTP

Name	Municipality	State	Site No.	Property Designation	Ownership
The Mill Creek Swamp #1 Site	North Kingstown	RI		Recommended NRHP-eligible	Quonset Development Corporation
The Mill Creek Swamp #2 Site	North Kingstown	RI		Recommended NRHP-eligible	Narragansett Electric Company

Figure 3.1-1. Mill Creek Swamp #1 and #2 Site Locations



In Section 3.22 and 3.33, each historic property is individually considered, described both physically and historically. Information on each historic property, relevant historic context, and potential NRHP eligibility is summarized from the *Terrestrial Archaeological Resources Assessment and Site Identification Survey* (TARA; PAL, 2021) prepared in support of the Undertaking's COP submittal to BOEM.

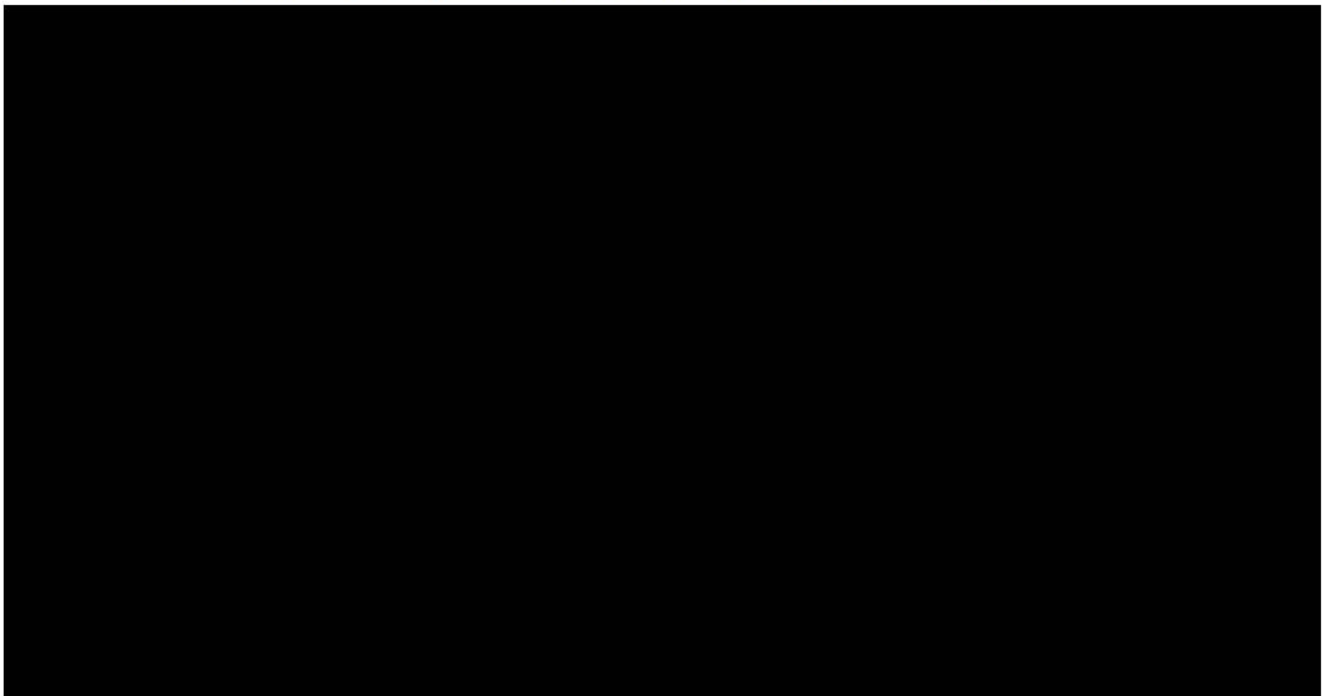
3.2 The Mill Creek Swamp #1 Site

3.2.1 Physical Description and Existing Conditions

The Mill Creek Swamp #1 Site is a Native American encampment within the [REDACTED] parcel. The Mill Creek Swamp #1 Site occupies a level to gently sloping glacial outwash terrace within the [REDACTED] parcel overlooking the [REDACTED]. Secondary growth woodlands cover the terrace. The Site is located [REDACTED]

Soils within the Mill Creek Swamp #1 Site were documented as mostly intact/undisturbed by 19 archaeological test pits (TPs) conducted in June and July 2021 as part of PAL's archaeological survey. In profile, the soils appeared as an organic layer (A_o) overlying a silty sand A horizon. The A horizon was underlain by medium-coarse sand B₁ and B₂ horizons, overlying an oxidized, coarse sand C horizon. Most of the test pits excavated within the Mill Creek Swamp #1 Site had a plowed A horizon (A_p).

Table 3.2-1. Native American Cultural Materials by Stratum, the Mill Creek Swamp #1 Site



[REDACTED]

[REDACTED]

Both Feature 01 and 02 at the Mill Creek Swamp #1 Site are outside of the area of the site that will be impacted during Project construction. Thus, no Phase III Data Recovery investigations are planned around either of these two previously recorded features.

[REDACTED]

[REDACTED]

3.2.2 *Historic Context*

[REDACTED]

[Redacted text block]

[Redacted text block]

[Redacted text block]

3.2.3 *NRHP Criteria*

[Redacted text block]

[Redacted]

3.3 The Mill Creek Swamp #2 Site

3.3.1 *Physical Description and Existing Conditions*

[Redacted]

[Redacted]

[Redacted]

Table 3.3-1. Native American Cultural Materials by Stratum, the Mill Creek Swamp #2 Site

[Redacted Table Content]

[Redacted]

3.3.2 *Historic Context*

[Redacted]

[Redacted]

[Redacted]

3.3.3 *NRHP Criteria*

[Redacted]

4.0 MITIGATION MEASURES

Revolution Wind recognizes the significance of the Mill Creek Swamp #1 and #2 Sites and is committed to avoiding or minimizing impacts to these sites to the extent feasible. This HPTP addresses the mitigation requirements identified by BOEM to resolve the remaining adverse effects. The mitigation measures for the Mill Creek Swamp #1 and #2 Sites (detailed below) reflect consultations among consulting parties to refine a conceptual mitigation framework proposed by Revolution Wind. BOEM and Revolution Wind have identified steps to implement these measures in consultation with interested consulting parties, led by individuals who meet the qualifications specified in the Secretary of the Interior's Qualifications Standards for Archaeology (36 CFR 61) and have demonstrated experience in the interpretation of Precontact Period archaeological sites in the Northeast region.

4.1 The Mill Creek Swamp #1 Site & Mill Creek Swamp #2 Site

4.1.1 *Data Recovery Investigations*

4.1.1.1 Purpose and Intended Outcome

This HPTP proposes to complete Phase III data recovery investigations within the affected sections of the sites to document and recover critical information regarding the ancient Native American use of the Mill Creek Swamp #1 and Mill Creek Swamp #2 sites. The intended outcome is to provide funding to Secretary of the Interior's Qualified Archaeologists (36 CFR 61) to conduct a data recovery investigation within the affected sections of the historic properties.

4.1.1.2 Scope of Work

The scope of work will consist of the following:

- The Phase III Data Recovery Program specifying the scope of the proposed Phase III investigation (Attachment A);
 - The data recovery program would provide a means for informing the public of the project and its results before, during and after the conclusion of the program.
 - The data recovery report would meet contemporary professional standards and its significant findings would be disseminated to a public and scholarly audience.
- Field investigation of approximately 20% of the impact areas of both historic properties, including 1-x-1 and 2-x-2-meter excavation units (EUs) to document the stratigraphic integrity of the site, investigate artifact concentrations, and/or investigate potential features more precisely;
- Feature documentation and excavation; and
- Artifact recovery, processing, and analysis.

4.1.1.3 Methodology

The research design and specific research questions to be addressed through field research and laboratory analyses will be developed in consultation with the RI SHPO and the interested consulting parties. Representatives from the consulting Native American Tribes will be invited to monitor the field investigations and participate in the interpretation of collected data. Excavations are anticipated to include

up to 20 percent of the impacted areas of the historic properties in order to provide a representative sample of cultural materials and to support detailed analyses.

4.1.1.4 Standards

The archaeological data recovery investigations will comply with the following standards:

- Rhode Island Historical Preservation & Heritage Commission's (RIHPHC) Performance Standards and Guidelines for Archaeology in Rhode Island (the Guidelines, 2021); and
- Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation* (48 Federal Register 44716–44742, 1983).
- Advisory Council on Historic Preservation's *Policy Statement on Burial Sites, Human Remains, and Funerary Objects* (2023)

4.1.1.5 Reporting

The results of the Phase III data recovery investigations will be presented in a Phase III illustrated report. The report will include the results of the Phase III field investigations, artifact analyses, appropriate maps, photographs, and illustrations, and conclusion regarding significance. It is anticipated that the Phase III report will include the following sections:

1. Introduction: The report will describe the purpose and goals of the investigation and describe the proposed development/construction within the historic properties.
2. Project Background: The report will include a summary of the TARA (PAL, 2021), as well as a summary of correspondence with involved state and federal agencies and interested consulting parties.
3. Research Design/Research Questions: The Phase III report will include the research design and specific research questions to be addressed by data recovery and analysis at each site.
4. Field Investigations: The Phase III report will include a summary of the methods and results of field investigations. This will include:
 - one or more artifact density maps,
 - representative stratigraphic profiles for test units
 - stratigraphic profiles and plan views of all investigated potential features.
5. Analyses: The report will include a complete artifact inventory, as well as a synthesis and interpretation of the artifact assemblages recovered, and features documented during the Phase I investigation described in the TARA and the proposed Phase III investigations.
6. Conclusions: The report will offer additional preservation and management recommendations and the need (if any) for additional archaeological investigations.

An electronic copy of the Phase III report will be submitted to the RI SHPO, BOEM, and Tribal Nations for review and comment. Revolution Wind will provide two bound copies of the final report to the RI SHPO reflecting the consideration of all consulting party comments and recommendations.

4.1.1.6 Curation

The archaeological collections associated with Mill Creek Swamp #1 and #2 sites will be temporarily curated at [REDACTED] Pawtucket, Rhode Island. Curation of the collections will be in accordance with a RIHPHC-issued archaeological permit authorizing the data recovery excavations. [REDACTED] is an approved curatorial facility under specific project permits issued by the RIHPHC and the Massachusetts Historical Commission (MHC) for collections originating in Rhode Island and Massachusetts. [REDACTED] currently curates multiple collections for state and federal agencies in accordance with all applicable state and federal standards. The curation section of the laboratory is inspected regularly by state and federal agencies to ensure the proper maintenance of the cultural materials entrusted to [REDACTED]'s care.

[REDACTED] is an approved institution for curating cultural materials and project-related documentation according to the Code of Federal Regulations 36 CFR 79 (*Curation of Federally-Owned and Administered Archeological Collections*). Laboratory employees are experienced with the curation protocols of many states and federal agencies and the current standards for curation practices as set forth in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 Federal Register 44716–44742, 1983). The Laboratory Manager is a Registered Professional Archaeologist (RPA) and follows the Code of Conduct for that organization as well as the principles of archaeological ethics specified by the Society of American Archaeology and the Society for Historical Archaeology.

Revolution Wind, in consultation with the Tribal Nations, BOEM, RIHPHC, and property owners, will prepare a permanent curation plan within one year of the completion of onshore construction activities. The draft curation plan will be submitted by Revolution Wind to the interested consulting parties for review and comment. The final curation plan, taking into account the comments provided by the interested consulting parties, will be submitted to BOEM for approval no later than 18 (eighteen) months following completion of the onshore construction activities. The related consultations and final curation plan will acknowledge that several of the Tribal Nations have appropriate curation facilities and could serve as the permanent curation facility for the Mill Creek Swamp #1 and #2 Sites collections.

4.1.2 *Archaeological Construction Monitoring Plan*

Following the completion of the data recovery field investigations an Archaeological Construction Monitoring Plan (Attachment B) will be implemented during all ground disturbing activities within and adjacent to the archaeological sites' impact areas.

4.1.3 *Historic Property Archaeological Protection Plan*

A Historic Property Archaeological Protection Plan will be developed following the Phase III data recovery investigations in order to ensure that the areas of the Mill Creek Swamp #1 and Mill Creek Swamp #2 sites that remain intact will be protected throughout ongoing Operations and Maintenance of the Project. The draft plan will be circulated to the interested consulting parties for review.

4.1.4 Documentation

The following documentation is to be provided for review by interested consulting parties:

- Mill Creek Swamp 1 and 2 Archaeological Site Form Updates;
- Draft Historic Property Archaeological Protection Plan;
- Final Historic Property Archaeological Protection Plan;
- Draft Archaeological Construction Monitoring Report;
- Final Archaeological Construction Monitoring Report;
- Draft Phase III Archaeological Data Recovery Report; and
- Final Phase III Archaeological Data Recovery Report.
- Draft Historic Property Archaeological Protection Plan
- Final Historic Property Archaeological Protection Plan

4.1.5 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in Attachment 7 of the MOA.

5.0 IMPLEMENTATION

5.1 Timeline

The timeline for implementation of the mitigation measures is identified in the MOA.

5.2 Organizational Responsibilities

5.2.1 *Bureau of Ocean Energy Management (BOEM)*

BOEM remains responsible for making all federal decisions and determining compliance with Section 106 of the NHPA. BOEM has reviewed this HPTP to ensure, at minimum, it includes the content required.

- BOEM remains responsible for making all federal decisions and determining compliance with Section 106;
- BOEM, in consultation with the interested consulting parties, will ensure that mitigation measures adequately resolve adverse effects, consistent with the NHPA;
- BOEM will be responsible for sharing the annual summary report with interested consulting parties; and
- BOEM is responsible for consultation related to dispute resolution.

5.2.2 *Revolution Wind, LLC*

Revolution Wind will be responsible for the following:

- Considering the comments provided by the interested consulting parties in the development of this HPTP;
- Funding the mitigation measures specified in Section 4.0;
- Completion of the scope/s of work in Section 4.0;
- Ensuring all Standards in Section 4.0 are met;
- Providing the Documentation in Section 4.0 to the interested consulting parties for review and comment;
- Annual Reporting to BOEM; and
- Revolution Wind will be responsible for ensuring that all work that requires consultation with Tribal Nations are performed by professionals who have demonstrated professional experience consulting with federally recognized Tribes.

5.2.3 *Other Parties, as Appropriate*

Revolution Wind does not anticipate additional consulting parties, should any be determined, this will be updated.

5.3 Interested Consulting Party Consultation

This HPTP was provided by Revolution Wind for review by interested consulting parties to provide meaningful input on the resolution of adverse effects to and form(s) of implementing mitigation at the

historic properties. Interested consulting parties were provided the opportunity for review and comment on the HPTP concurrent with BOEM's NEPA substitution schedule for the Project. This HPTP was further refined through informational and consultation meetings, conference calls, HPTP draft reviews and document exchanges, or similar means of communication of information.

6.0 REFERENCES

Advisory Council on Historic Preservation (ACHP) 2023. *Policy Statement on Burial Sites, Human Remains, and Funerary Objects – March 2023*. Available at <https://www.achp.gov/sites/default/files/policies/2023-07/PolicyStatementonBurialSitesHumanRemainsandFuneraryObjects30June2023.pdf>. Accessed July 21, 2023.

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**ATTACHMENT 8 – HISTORIC PROPERTIES TREATMENT PLAN FOR THE REVOLUTION
WIND FARM: THE CHAPPAQUIDDICK ISLAND TRADITIONAL CULTURAL PROPERTY
DUKES COUNTY, MASSACHUSETTS & ATLANTIC OUTER CONTINENTAL SHELF**

REDACTED (For Public Distribution)

Historic Property Treatment Plan

for the

Revolution Wind Farm

The Chappaquiddick Island Traditional Cultural Property
Dukes County, Massachusetts & Atlantic Outer Continental Shelf

Submitted to:



Bureau of Ocean Energy Management
U.S. Department of the Interior

Prepared for:



Revolution Wind, LLC
<https://revolutionwind.com/>

Prepared by:



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July 2023

ABSTRACT

Federal Undertaking: Revolution Wind Farm and Revolution Wind Export Cable Project

Location: Outer Continental Shelf and Rhode Island

Federal and
State Agencies: Bureau of Ocean Energy Management
National Park Service
U.S. Army Corps of Engineers
Massachusetts Historical Commission
Rhode Island Historical Preservation & Heritage Commission
New York Historic Preservation Office
Connecticut Historic Preservation Office
Advisory Council on Historic Preservation

Regulatory Process: National Environmental Policy Act
Section 106 of the National Historic Preservation Act
Section 110(f) of the National Historic Preservation Act

Purpose: This Historic Property Treatment Plan provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects from the Revolution Wind Project.

Adverse Visual
Effect Finding for: The Chappaquiddick Island Traditional Cultural Property (TCP)

Submitted By: Revolution Wind, LLC

Date: July 2023

TABLE OF CONTENTS

1.0	Executive Summary	1
2.0	Background Information	3
2.1	Project Overview: Revolution Wind Farm and Revolution Wind Export Cable.....	3
2.2	Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA)	4
2.2.1	Municipal Regulations.....	4
2.3	Interested Consulting Parties	4
3.0	Existing Conditions, Historic Significance, and Maritime Setting	5
3.1	Historic Properties	5
3.2	Maritime Setting.....	6
3.3	The Chappaquiddick Island TCP	6
3.3.1	Historic Context	7
3.3.2	NRHP Criteria and the Maritime Visual Setting	8
4.0	Mitigation Measures	9
4.1	GIS Database of Contributing Resources to the TCP.....	9
4.1.1	Purpose and Intended Outcome	9
4.1.2	Scope of Work.....	9
4.1.3	Methodology	10
4.1.4	Standards	10
4.1.5	Documentation	10
4.1.6	Funds and Accounting	10
4.2	Development of Interpretative Materials	10
4.2.1	Purpose and Intended Outcome	10
4.2.2	Scope of Work.....	11
4.2.3	Methodology	11
4.2.4	Standards	11
4.2.5	Documentation	12
4.2.6	Funds and Accounting	12
4.3	Climate Adaptation Planning Study	12
4.3.1	Purpose and Intended Outcome	12
4.3.2	Scope of Work.....	13
4.3.3	Methodology	13
4.3.4	Standards	13

4.3.5	Documentation	13
4.3.6	Funds and Accounting	13
4.4	Public Interpretation of Interconnected Maritime Cultural Landscapes	14
4.4.1	Purpose and Intended Outcome	14
4.4.2	Scope of Work.....	14
4.4.3	Methodology	15
4.4.4	Standards	15
4.4.5	Documentation	15
4.4.6	Funds and Accounting	15
5.0	Implementation	16
5.1	Timeline.....	16
5.2	Organizational Responsibilities	16
5.2.1	Bureau of Ocean Energy Management (BOEM)	16
5.2.2	Revolution Wind, LLC	16
5.2.3	Other Parties, as Appropriate.....	16
5.3	Interested Consulting Parties Consultation	17
6.0	References.....	18

LIST OF FIGURES

Figure 2.1-1.	Project Location.....	3
Figure 3.1-1.	Historic Property Location.....	5

LIST OF TABLES

Table 3.1-1.	Historic Property included in the HPTP	5
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LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADLS	Aircraft Detection Lighting System
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
COP	Construction and Operations Plan
EDR	Environmental Design and Research, D.P.C.
DEIS	Draft Environmental Impact Statement
FEIS	Final Environmental Impact Statement
FR	Federal Register
HPTP	Historic Property Treatment Plan
MHC	Massachusetts Historical Commission
MOA	Memorandum of Agreement

NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act of 1966
NPS	National Park Service
NRHP	National Register of Historic Places
RFP	Request for Proposals
ROD	Record of Decision
RWF	Revolution Wind Farm
SOI	Secretary of the Interior
TCP	Traditional Cultural Property
USCG	United States Coast Guard
WTG	Wind Turbine Generator

1.0 EXECUTIVE SUMMARY

This Historic Property Treatment Plan (HPTP) for the Chappaquiddick Island Traditional Cultural Property (the historic property), which was determined eligible for listing in the National Register of Historic Places by the Bureau of Ocean Energy Management in 2021, provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects identified in the *Historic Resources Visual Effects Analysis – Revolution Wind Farm*, (HRVEA; EDR, 2023) for the Revolution Wind Farm (RWF) and Revolution Wind Export Cable Project (collectively, the Undertaking). Revolution Wind LLC (Revolution Wind) has provided this HPTP in accordance with the Bureau of Ocean Energy Management's (BOEM) Findings of Adverse Effect (FoAE) for the Undertaking under the National Historic Preservation Act of 1966 (NHPA).

BOEM has used the National Environmental Policy Act (NEPA) substitution process to fulfill its Section 106 obligations as provided for in the NHPA implementing regulations (36 CFR § 800.8(c)), and BOEM has consulted with the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers, Tribal Nations, and other NHPA Section 106 consulting parties in accordance with this process. Revolution Wind has provided this HPTP to BOEM for inclusion in the Final Environmental Impact Statement (FEIS).

This HPTP describes the mitigation measures to resolve potential adverse effects on historic properties, the implementation steps, and timeline for actions. The mitigation measures are based on the evaluations and outreach performed by Revolution Wind prior to the issuance of the DEIS as well as outreach to consulting parties performed by BOEM. This HPTP document has undergone revision and refinement in consultation with the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer, the ACHP, and other consulting parties throughout the NEPA substitution process. This HPTP is included in the Memorandum of Agreement (MOA) issued in accordance with 36 CFR §§ 800.8, 800.10.

This HPTP is organized into the following sections:

- **Section 1.0, Introduction**, outlines the content of this HPTP.
- **Section 2.0, Cultural Resources Regulatory Context**, briefly summarizes the Undertaking while focusing on cultural resources regulatory contexts (federal, tribal, state, and local, including preservation restrictions), identifies the historic properties discussed in this HPTP that will be adversely affected by the Undertaking, and summarizes the pertinent provisions and attachments of the HRVEA (EDR, 2023) and *Revolution Wind Farm Construction and Operations Plan* (COP; Revolution Wind, 2022) that guided the development of this document.
- **Section 3.0, Existing Conditions, Historic Significance, and Maritime Setting**, provides a physical description of the historic properties included in this HPTP. Set within its historic context, the applicable NRHP criteria for the historic properties are discussed with a focus on the contribution of a maritime visual setting to its significance and integrity.

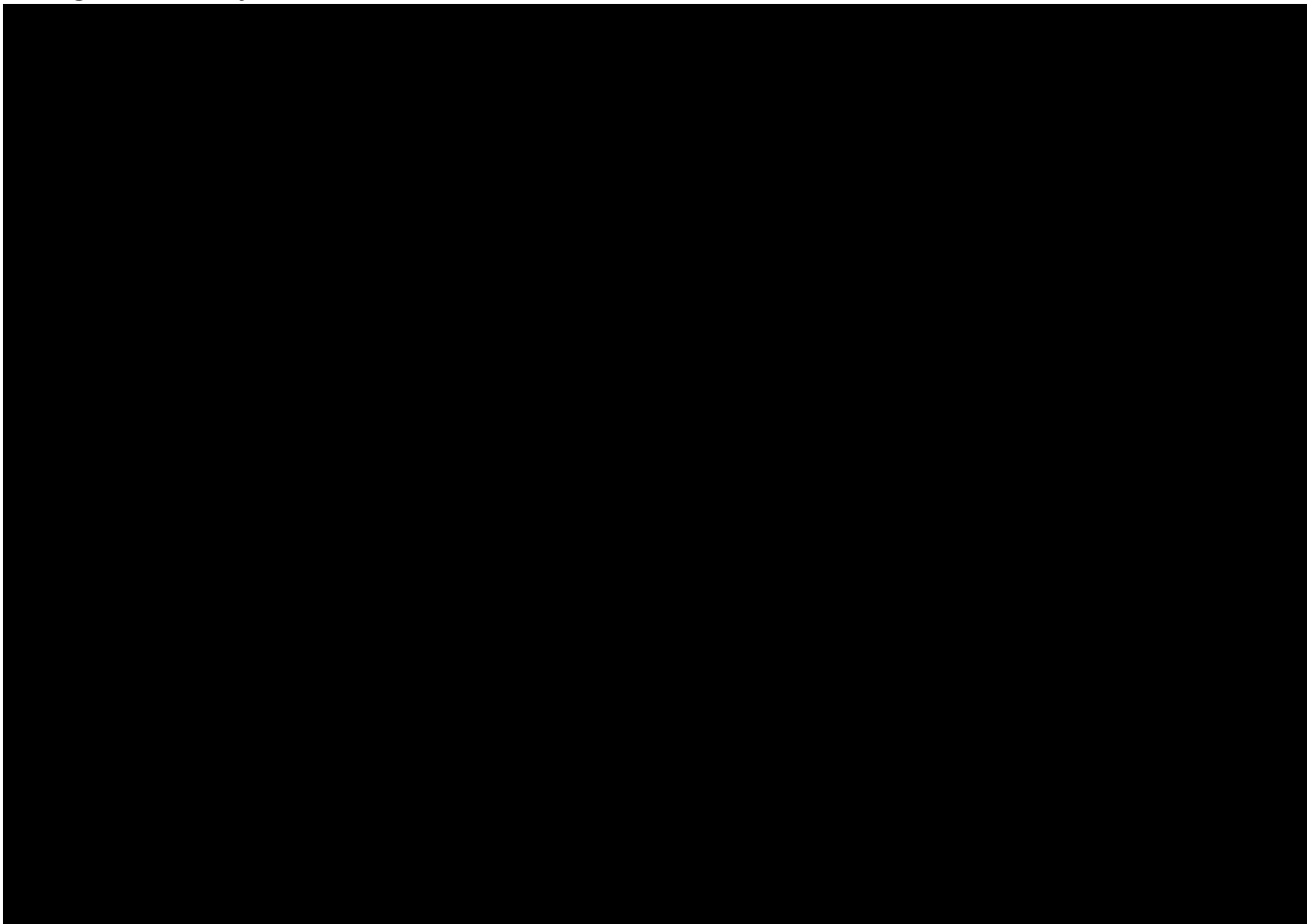
- **Section 4.0, Mitigation Measures**, presents specific steps to carry out the mitigation actions. The mitigation action includes a detailed description, intended outcome, methods, standards, and requirements for documentation.
- **Section 5.0, Implementation**, establishes the process for executing mitigation actions at the historic properties, as identified in Section 4.0 of this HPTP. For each/the action, organizational responsibilities are outlined, a timeline is provided, and regulatory reviews are listed.
- **Section 6.0, References**, is a list of works cited in this HPTP.

2.0 BACKGROUND INFORMATION

2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable

The Undertaking is a wind-powered electric generating facility composed of up to 100 wind turbine generators (WTGs) and associated foundations, two offshore substations, and inter-array cables connecting the WTGs and the offshore substations (see Figure 2.1-1). The WTGs, offshore substations, array cables, and substation interconnector cables would be located on the Outer Continental Shelf approximately 15 nautical miles (18 statute miles) southeast of Point Judith, Rhode Island, approximately 13 nautical miles (15 statute miles) east of Block Island, Rhode Island, approximately 7.5 nautical miles (8.5 statute miles) south of Nomans Land Island National Wildlife Refuge (uninhabited island), and between approximately 10 to 12.5 nautical miles (12 to 14 statute miles) south/southwest of varying points of the Rhode Island and Massachusetts coastlines (62 FR 33708). In addition, two submarine export cables located in both federal waters and Rhode Island State territorial waters, will connect the offshore substation to the electrical grid. The proposed interconnection location for the Undertaking is the existing Davisville Substation, which is owned and operated by The Narragansett Electric Company d/b/a National Grid and located in North Kingstown, Rhode Island. The visible offshore components of the operational Undertaking will be located on Lease OCS-A 0486 in water depths ranging from approximately 108 to 125 feet.

Figure 2.1-1. Project Location



2.2 Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA)

The regulations at 36 CFR § 800.8 provide for use of the NEPA process to fulfill a federal agency's NHPA Section 106 review obligations in lieu of the procedures set forth in 36 CFR § 800.3 through 800.6. Under these provisions, issuance of an ROD and implementation of relevant conditions will resolve adverse effects to historic properties caused by the Undertaking, including to National Historic Landmarks for which BOEM must provide a higher standard of care, as required by Section 110(f) of the NHPA.

The measures to avoid and minimize adverse effects to identified historic properties are described in the COP (Section 4.4.1.3 and Appendix BB). This HPTP addresses the mitigation requirements identified by BOEM to resolve the remaining adverse effects after application of the above-referenced measures. The mitigation measures reflect consultations among consulting parties to refine a conceptual mitigation framework proposed by Revolution Wind.

All activities implemented under this HPTP will be conducted in accordance with any conditions imposed by BOEM in its ROD and with applicable local, state and federal regulations and permitting requirements. Responsibilities for specific compliance actions are described in further detail in Section 5.2 – Organizational Responsibilities.

2.2.1 *Municipal Regulations*

Before implementation, any on-site mitigation measures will be coordinated with local municipalities and commissions to obtain approvals, as appropriate. These may include, but are not limited to building permits, zoning, land use, planning, historic commissions, and design review boards. Additional information regarding compliance with local requirements appears in Section 5.0, Implementation.

2.3 Interested Consulting Parties

BOEM initiated consultation under Section 106 with invitations to consulting parties on April 30, 2021. BOEM hosted the first Section 106-specific meeting with consulting parties on December 17, 2021, pursuant to Sections 106 and 110(f) of the NHPA and in accordance with 36 CFR 800.8.

Following BOEM initial Section 106 meeting with consulting parties, Revolution Wind held stakeholder outreach meetings (see Section 5.3) to review conceptual mitigation measures for the historic property and invited the following party:

- 

3.0 EXISTING CONDITIONS, HISTORIC SIGNIFICANCE, AND MARITIME SETTING

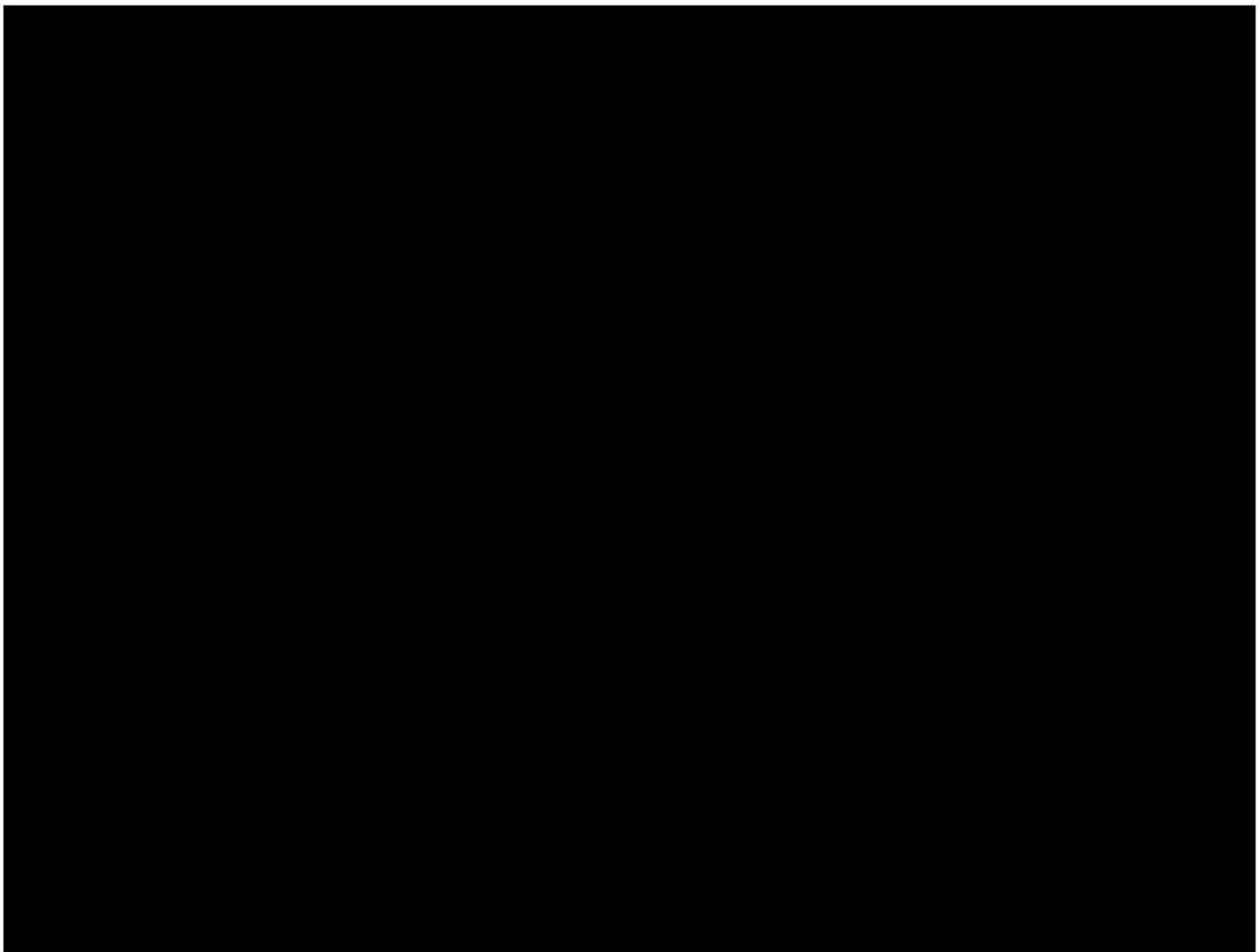
3.1 Historic Properties

This HPTP involves one historic property, as identified in Table 3.1-1 and depicted on Figure 3.1-1.

Table 3.1-1. Historic Property included in the HPTP

Name	Municipality	State	Site No. (Agency)	Ownership	Historic Property Type
The Chappaquiddick Island TCP	Edgartown	MA	N/A	Multiple	TCP

Figure 3.1-1. Historic Property Location



In Section 3.3 the historic property is described both physically and within its historic context, with a focus on the contribution of a maritime visual setting to the property’s significance and integrity.

3.2 Maritime Setting

For the purposes of this analysis and assessment, views of marine waters are considered critical aspects of maritime settings. The influence of the marine environment and related human activities on historical development patterns is extensive and may be expressed in areas without direct lines of sight to the sea. Although these types of setting may contribute to the significance of historic properties, they would not be subject to alteration as a result of the proposed undertaking and are not considered further in this report.

3.3 The Chappaquiddick Island TCP

[REDACTED]

The lands and waters encompassed by the Chappaquiddick Island TCP include relatively rugged uplands bordering the southern and western margins [REDACTED]. Barrier spits and beaches are prominent features of the TCP and, as is common for such landforms, have evolved significantly over time in response to rising sea levels and major coastal storms (Capece, 2001). [REDACTED] until the Gale of 1823 shifted a large volume of sand, linking the former barrier island to the larger landmass and [REDACTED].

[REDACTED]

The lands and waters encompassed by the TCP include relatively rugged uplands bordering the [REDACTED]. Barrier spits and beaches are prominent features of the TCP and, as is common for such landforms, have evolved significantly over time in response to rising sea levels and major coastal storms (Capece, 2001). [REDACTED].

[REDACTED]

At present-day sea levels, the physical connections between [REDACTED] are ephemeral. [REDACTED]

[REDACTED] The island's shorelines are also subject to dramatic shifts in short periods of time due to the complex interplay of nearshore currents, very low relief on the barrier spits, and storms along [REDACTED].

[REDACTED]

Where retreating beaches and spits encroach upon adjacent coastal bluffs, erosion of the older, more generally stable landforms can be dramatic.

Culturally significant locations include ceremonial viewsheds

[REDACTED]

Multiple contributing resources to the TCP district were documented as part of BOEM's Vineyard Wind 1 Section 106 consultations:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

3.3.1 Historic Context

The Chappaquiddick Island TCP is one of at least three inter-related Wampanoag maritime traditional cultural properties extending outwards from [REDACTED]. [REDACTED] are each distinguishable entities within a broader maritime cultural landscape associated with ancient and enduring traditional beliefs and practices.

of Wampanoag peoples. Each of the identified TCPs is associated with specific cultural practices and traditions related to the formation of the constituent lands and waters, the origins of the Wampanoag peoples, and the relationships among the Tribal Nations and the worlds in which they have lived since time immemorial.

[REDACTED]

The local ecology at the time of the first European contact with indigenous peoples on Martha's Vineyard reflected a complex mosaic of open grasslands, herbaceous growth, and red cedar stands. The specific mix of habitats likely reflected long-standing Wampanoag landuse and stewardship practices, such as the use of controlled fires to maintain open habitats and to limit the density of undergrowth

The open lands were attractive as pasturage to early English colonist [REDACTED]

[REDACTED]

Based on BOEM's previous consultations, some ceremonies and cultural connections with the physical and spiritual worlds of which the Tribe is part include activities tied to astronomical events (sunrise, sunset, and moon phases) observed from land-based vantages over the ocean's waters.

[REDACTED]

3.3.2 *NRHP Criteria and the Maritime Visual Setting*

BOEM determined the Chappaquiddick Island TCP is potentially eligible for listing in the National Register of Historic Places under Criterion A for its association with and importance in maintaining the continuing cultural identity of the Chappaquiddick Tribe of the Wampanoag Nation.

The maritime setting of the TCP is integral to its historical and cultural significance. The TCP, as a whole, and numerous contributing resources within the historic district are closely associated with maritime subsistence and traditional ceremonial practices,

[REDACTED]

Traditional use of specific locations for lookouts is also associated with unobstructed views of and across ocean waters. The integrity of ceremonial viewsheds is of critical importance to the Chappaquiddick Tribe of the Wampanoag Nation (BOEM, 2019).

4.0 MITIGATION MEASURES

Mitigation measures at these historic properties are detailed in this section. These mitigation measures were developed in consultation with the interested consulting parties by individuals who met Secretary of the Interior (SOI) Qualifications Standards for Archeology, History, Architectural History and/or Architecture (62 FR 33708) and are appropriate to fully address the nature, scope, size, and magnitude of adverse effects including cumulative effects caused by the Project, and the NRHP-qualifying characteristics of each historic property that would be affected. These mitigation measures also include actions to respond to some reasonably foreseeable hazards unrelated to the Project that pose risks to the long-term preservation of affected historic properties, such as climate change.

4.1 GIS Database of Contributing Resources to the TCP

4.1.1 *Purpose and Intended Outcome*

Stewardship of the Chappaquiddick Island TCP is of critical importance to the Chappaquiddick Wampanoag Tribe. The historical Tribe's efforts to preserve and sustain both the physical elements of the historic property and the associated traditional practices with the landscape features, within, will be enhanced with a detailed and current GIS database based on documentation studies being conducted by others. This HPTP proposes the development of a non-proprietary spatial database of contributing resources and associated physical features to assist in prioritizing preservation efforts and ensure that accurate information is available to support local, state, and federal consideration of TCP impacts in future permitting processes.

A GIS database incorporating the results of on-going documentation of the TCP will be developed and include information on existing conditions at each contributing resource and/or significant element of the TCP district. The GIS will include simple data collection and update interfaces to enhance the Tribe's capacity to maintain the database and associated records pertaining to the TCP. The GIS will allow for overlays of other publicly available that may assist in identifying sites and places at-risk due to coastal erosion, storm surge, habitat degradation, or other climate change related threats.

4.1.2 *Scope of Work*

The scope of work will consist of the following:

- Request for Proposals (RFP)¹;
- Proposals by qualified consultants in response to the RFP;
- Preliminary platform, schema, proposed interfaces, and database structures with associated narrative descriptions that accommodate the following mitigation measure (Section 4.2) for review by the interested consulting parties;
- Final development and deployment plan for the GIS; and
- Development and delivery of the GIS with associated datasets.

¹ At the Chappaquiddick Wampanoag's discretion, the RFP for measures described in Sections 4.1 and 4.2 may be combined, provided the scoping is appropriate to encompass the separate deliverable.

Final deliverables produced by the consultant will incorporate further comments and any additional information provided by the interested consulting parties.

4.1.3 Methodology

Revolution Wind will release a RFP for consultant services in consultation with the interested consulting parties and will seek input from the interested consulting parties on the criteria for selection and priorities for the consultant team's qualifications and experience.

Final deliverables produced by Revolution Wind or their consultant team will incorporate further comments and any additional information provided by the interested consulting parties.

4.1.4 Standards

Documentation will be prepared by professionals meeting the qualifications specified in the Secretary of the Interior's *Professional Qualifications Standards* (36 CFR Part 61). The GIS will be developed by professionals with demonstrated experience in the creation and organization of spatial databases of cultural resources and the relevant and specific attributes necessary for recordation and management. The GIS development will be overseen by a qualified Geographic Information Systems Professional.

4.1.5 Documentation

The following documentation is to be provided for review by interested consulting parties:

- RFPs;
- Consultant bids in response to RFPs;
- Draft deliverables; and
- Final deliverables.

4.1.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.2 Development of Interpretative Materials

4.2.1 Purpose and Intended Outcome

Development of the TCP GIS database (see Section 4.1) will allow for incorporation of other digital media pertaining to the physical and cultural elements of the historic property in a manner that enhances intra-tribal and extra-tribal appreciation. GIS story maps or comparable presentations could include relevant archival data, oral histories, news stories, video footage, and public domain datasets to help the historical

Chappaquiddick Wampanoag Tribe share the history of the TCP and its meaning to members of their community.

The intended outcome of this measure is to support the historical Chappaquiddick Wampanoag Tribe's efforts to integrate existing information from disparate sources in a compelling, flexible interpretative format that suits the needs and priorities of their community. Story maps and comparable presentations would allow the Tribe to focus on educational opportunities within their community, share important information about the TCP with tribal members who have limited physical access to the island, and tell their collective stories in a format that enhances mutual understanding and supports effective decision-making for future preservation efforts.

4.2.2 Scope of Work

The scope of work will consist of the following:

- RFPs²;
- Proposals by qualified consultants in response to the RFP;
- Community charette(s) to select topics to be addressed in story maps or other interpretive exhibits;
- Draft story maps for review and comment by interested consulting parties; and
- Final story maps.

4.2.3 Methodology

Revolution Wind will release a RFP for consultant services in consultation with the interested consulting parties and will seek input from the interested consulting parties on the criteria for selection and priorities for the consultant team's qualifications and experience.

Revolution Wind will host a meeting with the interested consulting parties to review the draft Story Maps including a walk-through of the user interface, functions and associated media content. Revolution Wind will solicit feedback on the draft work product during the meeting. No more than 30 days following the meeting, Revolution Wind will provide to BOEM and the interested consulting parties a summary of the discussions, comments shared, and the steps Revolution Wind will take to incorporate comments in the final work products. Final deliverables produced by Revolution Wind or their consultant team will incorporate further comments and any additional information provided by the interested consulting parties.

4.2.4 Standards

The GIS media (story maps or other work products) will be developed under the supervision of a qualified Geographic Information Systems Professional. Unless otherwise agreed by the Chappaquiddick Wampanoag Tribe and Revolution Wind, the work products will be accessible by parties without access to

² At the Chappaquiddick Wampanoag's discretion, the RFP for measures described in Sections 4.1 and 4.2 may be combined, provided the scoping is appropriate to encompass the separate deliverable.

proprietary software and at no cost to the end-user. At the Tribe's discretion, access to sensitive content may be restricted to limited audiences where disclosure would pose a risk to the contributing resources within the TCP or other historic properties.

4.2.5 Documentation

The following documentation is to be provided for review by interested consulting parties:

- RFPs;
- Consultant bids in response to RFPs;
- Draft deliverables; and
- Final deliverables.

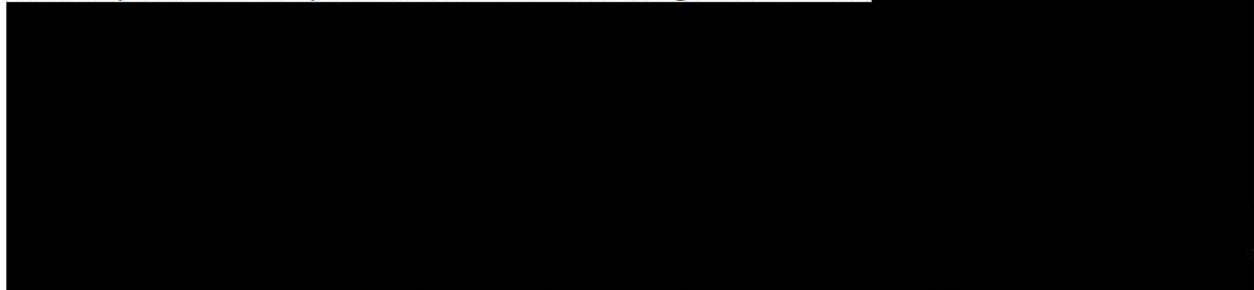
4.2.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.3 Climate Adaptation Planning Study

4.3.1 Purpose and Intended Outcome

Multiple elements of the Chappaquiddick Island TCP are threatened by coastal erosion, habitat degradation, storm impacts, invasive species and other climate change-related risks.



The Climate Adaptation Planning Study would assess future threats to elements of the TCP included in the integrated GIS database (see Section 4.1) and define a series of options to mitigate those threats.

The intended outcome of this measure is a Climate Adaptation Plan that is focused on the specific resources and characteristics of the Chappaquiddick Island TCP and needs of the associated traditional community. The plan and data compiled during the implementation of the other mitigation measures will assist the historical Tribe in determining the most appropriate and feasible actions to help preserve the TCP from foreseeable threats. The plan may also foster collaborative efforts among the municipal, state, and private parties to preserve the unique physical and cultural assets of Chappaquiddick Island.

4.3.2 Scope of Work

The scope of work will consist of the following:

- RFPs³;
- Proposals by qualified consultants in response to the RFP;
- Community charette(s) to select priority resources and/or risks;
- Draft plan for review and comment by interested consulting parties; and
- Final plan.

4.3.3 Methodology

Revolution Wind will release a RFP for consultant services in consultation with the interested consulting parties and will seek input from the interested consulting parties on the criteria for selection and priorities for the consultant team's qualifications and experience.

Final deliverables produced by Revolution Wind or their consultant team will incorporate further comments and any additional information provided by the interested consulting parties.

4.3.4 Standards

The Climate Adaptation Planning Study will be conducted by qualified professionals with Global Association of Risk Professionals' Sustainability and Climate Risk certification and/or demonstrated experience in the preparation of climate change risk assessments for municipal, state, or federal governments.

4.3.5 Documentation

The following documentation is to be provided for review by interested consulting parties:

- RFPs;
- Consultant bids in response to RFPs;
- Draft Plan for review and comment by interested consulting parties; and
- Final Plan.

4.3.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

³ At the Chappaquiddick Wampanoag's discretion, the RFP for measures described in Sections 4.1 and 4.2 may be combined, provided the scoping is appropriate to encompass the separate deliverable.

4.4 Public Interpretation of Interconnected Maritime Cultural Landscapes

4.4.1 Purpose and Intended Outcome

The Chappaquiddick Tribe of Wampanoag Nation have expressed an interest in greater recognition of the maritime landscapes associated with their Tribe and shared traditional beliefs and practices. This measure will draw upon on-going ethnographic studies and documentation of the Chappaquiddick Island TCP, interviews with traditional knowledge holders, and supplemental archival research to document the interconnected components of a broader maritime cultural landscape. The measure will afford opportunities for the Chappaquiddick Tribe of Wampanoag Nation to share, as appropriate and at their sole discretion, their traditional knowledge and stories relating to the formation of the lands and seas, significant events in their community's history associated with the maritime cultural landscape, and how their maritime traditions continue to support and sustain their distinctive cultural identities. The intended outcome is a publicly-available and inclusive synthesis of information and knowledge about the maritime cultural landscapes along the shores, coastal islands, and waters of southern New England and Long Island. Documentation and presentation of the maritime cultural landscape will incorporate traditional Chappaquiddick Tribe of Wampanoag Nation names for places, people, and events associated with the cultural landscape.

4.4.2 Scope of Work

The scope of work will consist of the following:

- Collection and review of available documentation regarding Native American traditions associated with the coastal and submerged lands and waters of the region;
- Consultations with the Tribe to refine the geographic extent of a potential maritime cultural landscape;
- Consultations with the Tribe to identify appropriate knowledge-holders with an interest in sharing traditions and beliefs associated with the maritime cultural landscape;
- Consultations with appropriate knowledge-holder to identify appropriate names and terms for significant elements of the cultural landscape;
- Preparation of draft mapping depicting the boundaries and sub-divisions or significant elements of the landscape;
- Interviews with traditional knowledge-holders to collect information regarding traditions and variations on traditions associated with the cultural landscape;
- Creation of GIS data layers depicting the boundaries and names of significant maritime cultural landscape elements;
 - To the extent feasible and practicable, GIS data will be formatted to be compatible with open-source platforms used by the consulting parties or employed to share data generated from other offshore wind projects in the region;
- Submittal of a preliminary draft report and mapping synthesizing the information gathered;
- Review of all comments and suggestions provided by the Tribe on the preliminary draft report;
- Submittal of a second draft report to the Tribe for review and comment; and
- Submittal of final report to the Tribe.

4.4.3 Methodology

Revolution Wind will release a RFP for consultant services in consultation with the Chappaquiddick Tribe of Wampanoag Nation and will seek input from the Tribe on the criteria for selection and the Tribes' priorities for the consultant team's qualifications and experience.

Final deliverables produced by Revolution Wind or their consultant team will incorporate further comments and any additional information provided by the Tribe.

4.4.4 Standards

The report will be prepared by professionals meeting the Secretary of the Interior's professional qualification standards in cultural anthropology, archeology, and/or history (36 CFR 60) and in direct consultation with the consulting Tribal Nation's Tribal Historic Preservation Office or other designated tribal representative(s).

4.4.5 Documentation

The following documentation is to be provided for review by the Chappaquiddick Tribe of Wampanoag Nation :

- RFPs;
- Consultant bids in response to RFPs;
- Draft and Final reports; and
- Open-source GIS database will be for sole use by the Tribe or sharing with other interested consulting parties at the Tribes' discretion.
- If agreed by the Tribe, a publicly-available Open-source GIS will be created for access by other interested consulting parties and members of the surrounding communities.

4.4.6 Funds and Accounting

Funding amounts were determined by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

5.0 IMPLEMENTATION

5.1 Timeline

The timeline for implementation of the mitigation measures is identified in the MOA.

5.2 Organizational Responsibilities

5.2.1 *Bureau of Ocean Energy Management (BOEM)*

BOEM remains responsible for making all federal decisions and determining compliance with Section 106. BOEM has reviewed this HPTP to ensure, at minimum, it includes the content required.

- BOEM remains responsible for making all federal decisions and determining compliance with Section 106;
- BOEM, in consultation with the interested consulting parties, will ensure that mitigation measures adequately resolve adverse effects, consistent with the NHPA;
- BOEM will be responsible for sharing the annual summary report with interested consulting parties; and
- BOEM is responsible for consultation related to dispute resolution.

5.2.2 *Revolution Wind, LLC*

Revolution Wind will be responsible for the following:

- Considering the comments provided by the interested consulting parties in the development of this HPTP;
- Funding the mitigation measures specified in Section 4.0;
- Completion of the scope/s of work in Section 4.0;
- Ensuring all Standards in Section 4.0 are met;
- Providing the Documentation in Section 4.0 to the interested consulting parties for review and comment;
- Annual Reporting to BOEM; and
- Revolution Wind will be responsible for ensuring that all work that requires consultation with Tribal Nations are performed by professionals who have demonstrated professional experience consulting with Tribal Nations and descendant communities.

5.2.3 *Other Parties, as Appropriate*

Revolution Wind does not anticipate additional consulting parties, should any be determined, this will be updated.

5.3 Interested Consulting Parties Consultation

This HPTP was provided by Revolution Wind for review by interested consulting parties to provide meaningful input on the resolution of adverse effects to and form(s) of implementing mitigation at the historic properties. interested consulting parties were provided the opportunity for review and comment on the HPTP concurrent with BOEM's NEPA substitution schedule for the Project. This HPTP was further refined through informational and consultation meetings, conference calls, HPTP draft reviews and document exchanges, or similar means of communication of information.

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**ATTACHMENT 9 – HISTORIC PROPERTIES TREATMENT PLAN FOR THE REVOLUTION
WIND FARM: THE VINEYARD SOUND & MOSHUP’S BRIDGE TRADITIONAL CULTURAL
PROPERTY DUKES COUNTY, MASSACHUSETTS & ATLANTIC OUTER CONTINENTAL
SHELF - FEDERALLY-RECOGNIZED NATIVE AMERICAN TRIBES**

REDACTED (For Public Distribution)

Historic Property Treatment Plan

for the

Revolution Wind Farm

The Vineyard Sound & Moshup's Bridge Traditional Cultural Property
Dukes County, Massachusetts & Atlantic Outer Continental Shelf
Federally-Recognized Tribal Nations

Submitted to:



Bureau of Ocean Energy Management
U.S. Department of the Interior

Prepared for:



Revolution Wind, LLC
<https://revolutionwind.com/>

Prepared by:



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July 2023

ABSTRACT

Federal Undertaking: Revolution Wind Farm and Revolution Wind Export Cable Project

Location: Outer Continental Shelf and Rhode Island

Federal and
State Agencies: Bureau of Ocean Energy Management
National Park Service
U.S. Army Corps of Engineers
Massachusetts Historical Commission
Rhode Island Historical Preservation & Heritage Commission
New York Historic Preservation Office
Connecticut Historic Preservation Office
Advisory Council on Historic Preservation

Regulatory Process: National Environmental Policy Act
Section 106 of the National Historic Preservation Act
Section 110(f) of the National Historic Preservation Act

Purpose: This Historic Property Treatment Plan provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects from the Revolution Wind Project.

Adverse Visual
Effect Finding for: The Vineyard Sound & Moshup's Bridge Traditional Cultural Property (TCP), Dukes County, Massachusetts and Atlantic Outer Continental Shelf

Submitted By: Revolution Wind, LLC

Date: July 2023

TABLE OF CONTENTS

1.0 Executive Summary 1

2.0 Background Information 3

 2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable..... 3

 2.2 Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA) 4

 2.2.1 Municipal Regulations..... 4

 2.2.2 Preservation Easements and Restrictions..... 4

 2.3 Interested Consulting Parties 4

3.0 Existing Conditions, Historic Significance, and maritime setting 6

 3.1 Historic Properties 6

 3.2 Maritime Setting..... 7

 3.3 The Vineyard Sound & Moshup’s Bridge TCP 7

 3.3.1 Historic Context..... 9

 3.3.2 NRHP Criteria and the Maritime Visual Setting 10

4.0 Mitigation Measures 11

 4.1 Support for Improved Tribal Connections to Nomans Land Island 11

 4.1.1 Purpose and Intended Outcome 11

 4.1.2 Scope of Work..... 11

 4.1.3 Methodology 12

 4.1.4 Standards 12

 4.1.5 Documentation 12

 4.1.6 Funds and Accounting 12

 4.2 Scholarships and Training for Tribal Resource Stewardship..... 12

 4.2.1 Purpose and Intended Outcome 12

 4.2.2 Scope of Work..... 13

 4.2.3 Methodology 13

 4.2.4 Standards 14

 4.2.5 Documentation 14

 4.2.6 Funds and Accounting 14

 4.3 Coastal Resilience and Habitat Restoration..... 14

 4.3.1 Purpose and Intended Outcome 14

 4.3.2 Scope of Work..... 15

 4.3.3 Methodology 15

 4.3.4 Standards 15

 4.3.5 Documentation 15

4.3.6	Funds and Accounting	16
4.4	Cultural and Natural Resource Data Compilation.....	16
4.4.1	Purpose and Intended Outcome	16
4.4.2	Scope of Work.....	16
4.4.3	Methodology	16
4.4.4	Standards	16
4.4.5	Documentation	17
4.4.6	Funds and Accounting	17
5.0	Implementation	18
5.1	Timeline.....	18
5.2	Organizational Responsibilities	18
5.2.1	Bureau of Ocean Energy Management (BOEM)	18
5.2.2	Other Parties, as Appropriate.....	18
5.3	Interested Consulting Party Consultation	18
6.0	References.....	20

LIST OF FIGURES

Figure 2.1-1.	Project Location.....	3
Figure 3.1-1.	Historic Property Location.....	6

LIST OF TABLES

Table 3.1-1.	Historic Property included in the HPTP	6
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LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADLS	Aircraft Detection Lighting System
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
COP	Construction and Operations Plan
EDR	Environmental Design and Research, D.P.C.
FEIS	Final Environmental Impact Statement
FR	Federal Regulation
HPTP	Historic Property Treatment Plan
MHC	Massachusetts Historical Commission
MOA	Memorandum of Agreement
NHPA	National Historic Preservation Act of 1966
NPS	National Park Service
NRHP	National Register of Historic Places
RFP	Request for Proposals

ROD	Record of Decision
RWF	Revolution Wind Farm
TCP	Traditional Cultural Property
WTG	Wind Turbine Generator

1.0 EXECUTIVE SUMMARY

This draft applicant-proposed Historic Property Treatment Plan (HPTP) for the Vineyard Sound & Moshup's Bridge Traditional Cultural Property (the historic property), which was determined eligible for listing in the National Register of Historic Places by the Bureau of Ocean Energy Management in 2021, provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve potential adverse effects preliminarily identified by the applicant in the *Historic Resources Visual Effects Analysis – Revolution Wind Farm*, dated May 2023 (HRVEA; EDR, 2023) for the Revolution Wind Farm (RWF) and Revolution Wind Export Cable Project (collectively, the Undertaking). Revolution Wind, LLC (Revolution Wind) has provided this HPTP in accordance with the Bureau of Ocean Energy Management's (BOEM) Findings of Adverse Effect (FoAE) for the Undertaking under the National Historic Preservation Act (NHPA).

BOEM has used the National Environmental Policy Act (NEPA) substitution process to fulfill its Section 106 obligations as provided for in the NHPA implementing regulations (36 CFR § 800.8(c)), and BOEM has consulted with the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers, federally recognized Tribal Nations, and other NHPA Section 106 consulting parties in accordance with this process. Revolution Wind has provided this HPTP to BOEM for inclusion in the Final Environmental Impact Statement (FEIS).

This HPTP describes the mitigation measures to resolve potential adverse effects on historic properties, the implementation steps, and timeline for actions. The mitigation measures are based on the evaluations and outreach performed by Revolution Wind prior to the issuance of the DEIS as well as outreach to consulting parties performed by BOEM. This HPTP document has undergone revision and refinement in consultation with federally-recognized Tribal Nations, the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer, the ACHP, and/or other consulting parties throughout the NEPA substitution process. This HPTP is included in the Memorandum of Agreement (MOA) issued in accordance with 36 CFR §§ 800.8, 800.10.

Pursuant to the terms and conditions of the MOA, Revolution Wind will implement these mitigation measures.

This HPTP is organized into the following sections:

- **Section 1.0, Introduction**, outlines the content of this HPTP.
- **Section 2.0, Cultural Resources Regulatory Context**, briefly summarizes the Undertaking while focusing on cultural resources regulatory contexts (federal, tribal, state, and local, including preservation restrictions), identifies the historic properties discussed in this HPTP that will be adversely affected by the Undertaking, and summarizes the pertinent provisions and attachments of the HRVEA (EDR, 2023) and *Revolution Wind Farm Construction and Operations Plan (COP*; Revolution Wind, 2022) that guided the development of this document.

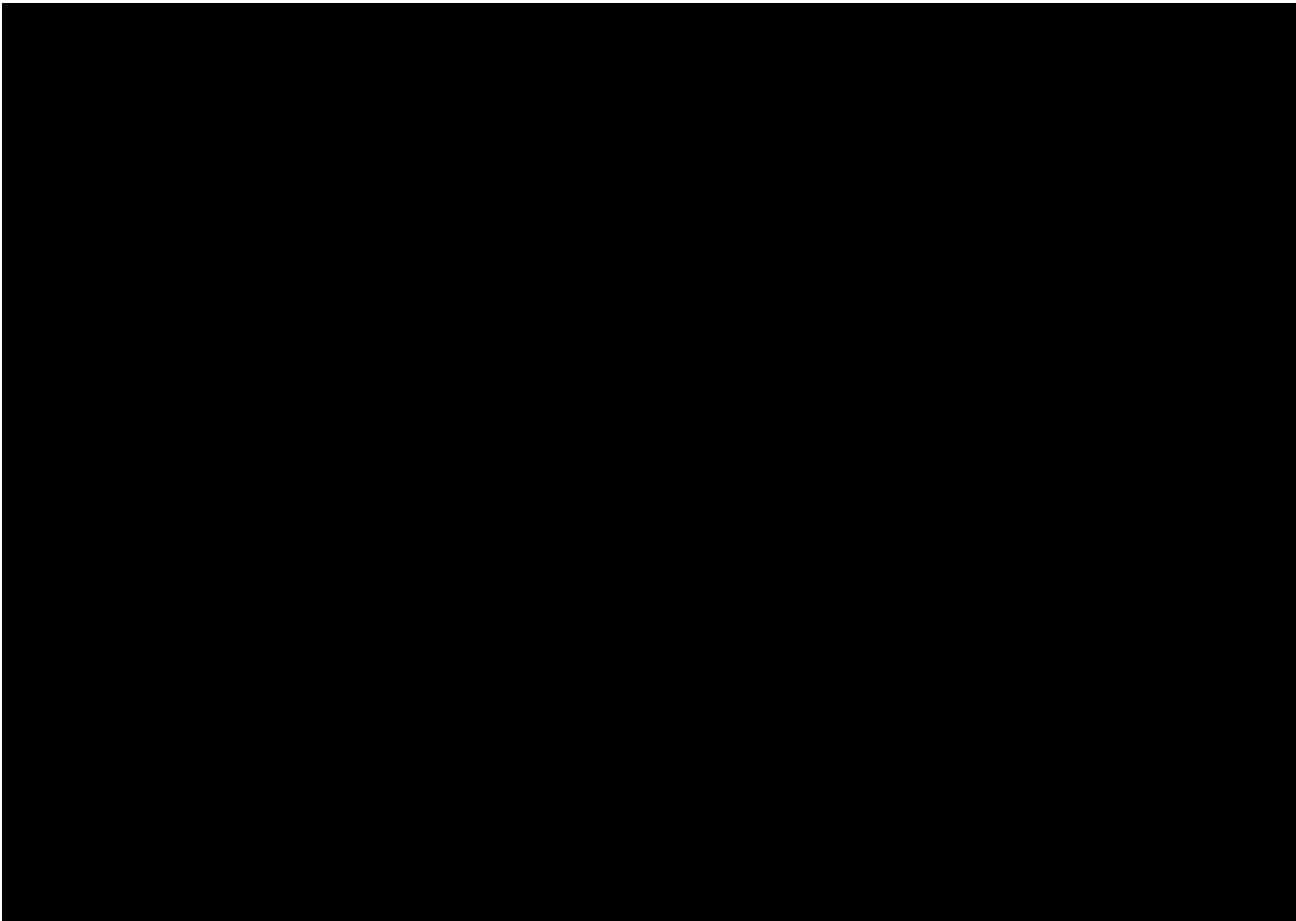
- **Section 3.0, Existing Conditions, Historic Significance, and Maritime Setting**, provides a physical description of the historic property included in this HPTP. Set within its historic context, the applicable NRHP criteria for the historic property are discussed with a focus on the contribution of a maritime visual setting to its significance and integrity.
- **Section 4.0, Mitigation Measures**, presents specific steps to carry out the mitigation actions. The mitigation action includes a detailed description, intended outcome, methods, standards, and requirements for documentation.
- **Section 5.0, Implementation**, establishes the process for executing mitigation actions at the historic property, as identified in Section 4.0 of this HPTP. For each/the action, organizational responsibilities are outlined, a timeline is provided, and regulatory reviews are listed.
- **Section 6.0, References**, is a list of works cited in this HPTP.

2.0 BACKGROUND INFORMATION

2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable

The Undertaking is a wind-powered electric generating facility composed of up to 100 wind turbine generators (WTGs) and associated foundations, two offshore substations, and inter-array cables connecting the WTGs and the offshore substations (see Figure 2.1-1). The WTGs, offshore substations, array cables, and substation interconnector cables would be located on the Outer Continental Shelf approximately 15 nautical miles (18 statute miles) southeast of Point Judith, Rhode Island, approximately 13 nautical miles (15 statute miles) east of Block Island, Rhode Island, approximately 7.5 nautical miles (8.5 statute miles) south of Nomans Land Island National Wildlife Refuge (uninhabited island), and between approximately 10 to 12.5 nautical miles (12 to 14 statute miles) south/southwest of varying points of the Rhode Island and Massachusetts coastlines (62 FR 33708). In addition, two submarine export cables located in both federal waters and Rhode Island State territorial waters, will connect the offshore substation to the electrical grid. The proposed interconnection location for the Undertaking is the existing Davisville Substation, which is owned and operated by The Narragansett Electric Company d/b/a National Grid and located in North Kingstown, Rhode Island. The visible offshore components of the operational Undertaking will be located on Lease OCS-A 0486 in water depths ranging from approximately 108 to 125 feet.

Figure 2.1-1. Project Location



2.2 Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA)

The regulations at 36 CFR § 800.8 provide for use of the NEPA process to fulfill a federal agency's NHPA Section 106 review obligations in lieu of the procedures set forth in 36 CFR § 800.3 through 800.6. Under these provisions, issuance of an ROD and implementation of relevant conditions will resolve adverse effects to historic properties caused by the Undertaking, including to National Historic Landmarks for which BOEM must provide a higher standard of care, as required by Section 110(f) of the NHPA.

The measures to avoid and minimize adverse effects to identified historic properties are described in the COP (Section 4.4.1.3 and Appendix BB).

This HPTP describes the measures to resolve the remaining adverse effects after application of the above-referenced measures. The mitigation measures reflect a refinement of the conceptual mitigation framework proposed by Revolution Wind (see Appendix BB in the COP).

All activities implemented under this HPTP will be conducted in accordance with any conditions imposed by BOEM in its ROD and with applicable local, state and federal regulations and permitting requirements. Responsibilities for specific compliance actions are described in further detail in Section 5.2, Organizational Responsibilities.

2.2.1 Municipal Regulations

Before implementation, any on-site mitigation measures will be coordinated with local municipalities and commissions to obtain approvals, as appropriate. These may include, but are not limited to building permits, zoning, land use, planning, historic commissions, and design review boards. Additional information regarding compliance with local requirements appears in Section 5.0, Implementation.

2.2.2 Preservation Easements and Restrictions

Preservation easements and restrictions protect significant historic, archaeological, or cultural resources. The State of Massachusetts preservation restrictions are outlined in Massachusetts General Law Chapter 184, Sections 31-33. The Massachusetts Historical Commission (MHC) holds a Historic Preservation Restriction and the United States Coast Guard holds an Aid to Navigation Easement on the [REDACTED] per 10 USC 2668 Easements for Rights of Way. MHC also holds a preservation restriction on the [REDACTED]. Both the [REDACTED] and [REDACTED] are potential contributing resources to the Vineyard Sound and Moshup's Bridge TCP. Any mitigation work associated with the [REDACTED] or [REDACTED] will comply with the conditions of all extant historic preservation easements. Additional information regarding compliance with extant preservation restrictions appears in Section 5.0, Implementation.

2.3 Interested Consulting Parties

BOEM initiated consultation under Section 106 with invitations to consulting parties on April 30, 2021. BOEM hosted the first Section 106-specific meeting with consulting parties on December 17, 2021 pursuant to Sections 106 and 110(f) of the NHPA and in accordance with 36 CFR 800.8.

Following BOEM initial Section 106 meeting with consulting parties, Revolution Wind held stakeholder outreach meetings (see Section 5.3) with Federally recognized Tribal Nations and interested consulting parties to review conceptual mitigation measures for the historic property.

Interested consulting parties for this Treatment Plan consist of the Wampanoag Tribe of Gay Head (Aquinnah), the Mashpee Wampanoag Tribe, Revolution Wind, and BOEM.

3.0 EXISTING CONDITIONS, HISTORIC SIGNIFICANCE, AND MARITIME SETTING

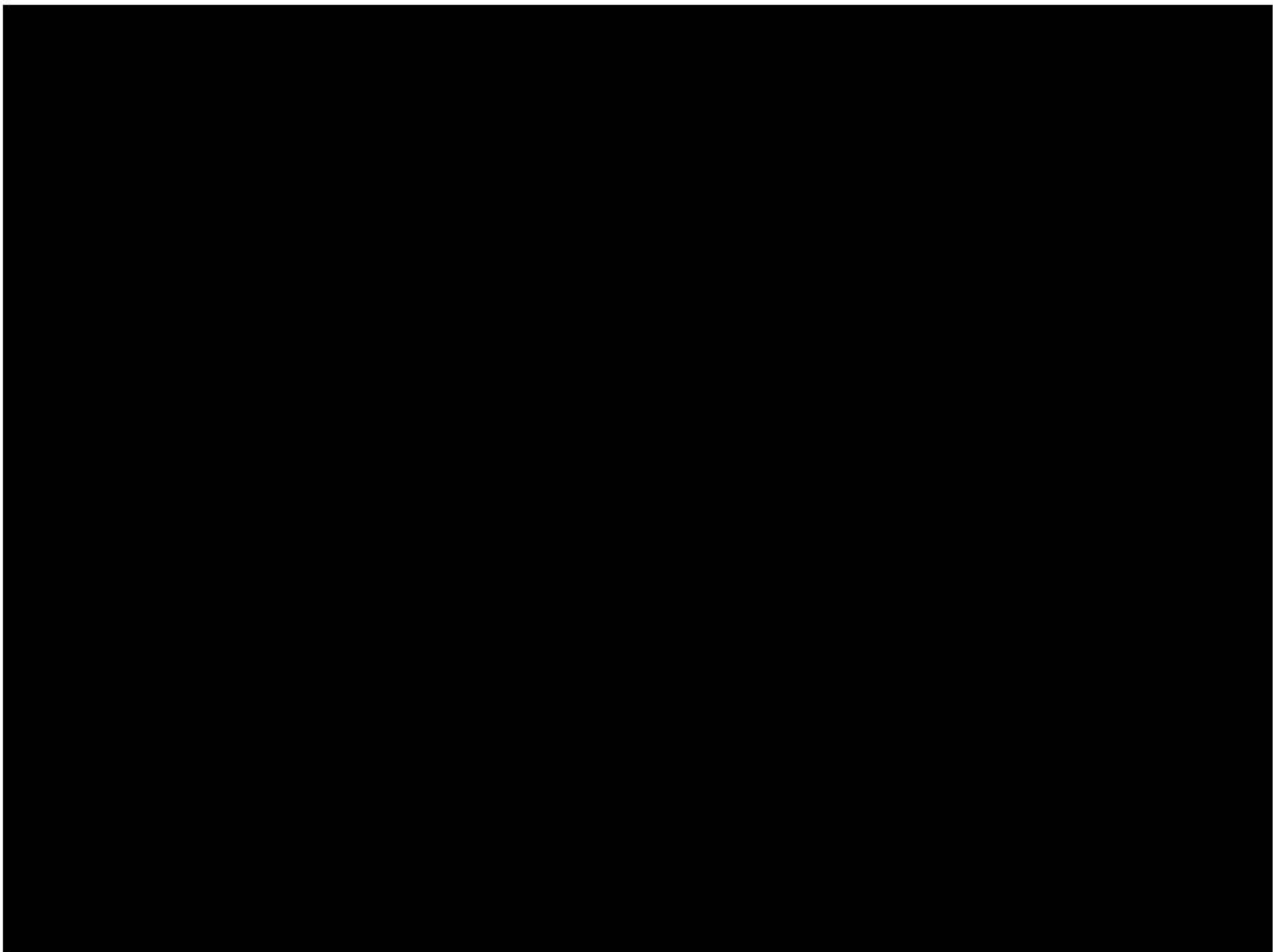
3.1 Historic Properties

This HPTP involves one historic property, as identified in Table 3.1-1 and located on Figure 3.1-1.

Table 3.1-1. Historic Property included in the HPTP

Name	Municipality	State	Site No. (Agency)	Ownership
The Vineyard Sound & Moshup's Bridge TCP	Multiple	MA	N/A	Multiple

Figure 3.1-1. Historic Property Location



In Section 3.3, the historic property is described both physically and within its historic context, with a focus on the contribution of a maritime visual setting to the property's significance and integrity.

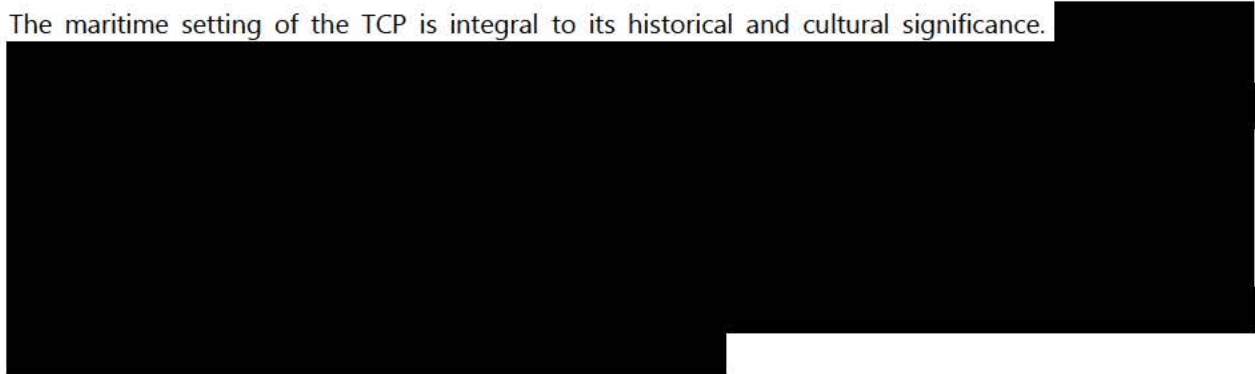
3.2 Maritime Setting

For the purposes of this analysis and assessment, views of marine waters are considered critical aspects of maritime settings. The influence of the marine environment and related human activities on historical development patterns is extensive and may be expressed in areas without direct lines of sight to the sea. Although these types of setting may contribute to the significance of historic properties, they would not be subject to alteration as a result of the proposed undertaking and are not considered further in this report.

The lands and waters encompassing



The maritime setting of the TCP is integral to its historical and cultural significance.



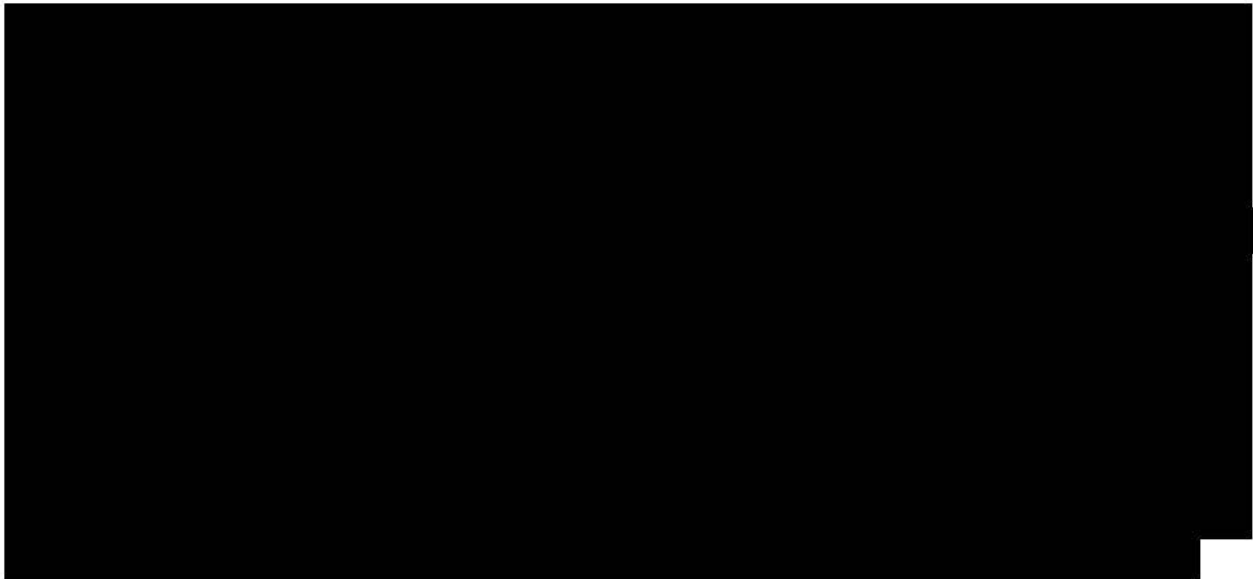
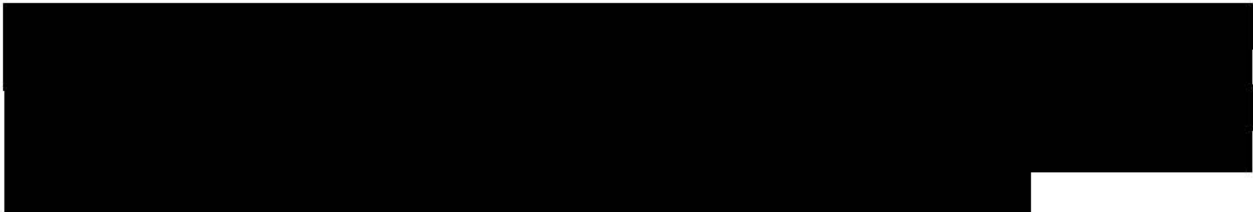
3.3 The Vineyard Sound & Moshup's Bridge TCP

The lands and waters encompassing

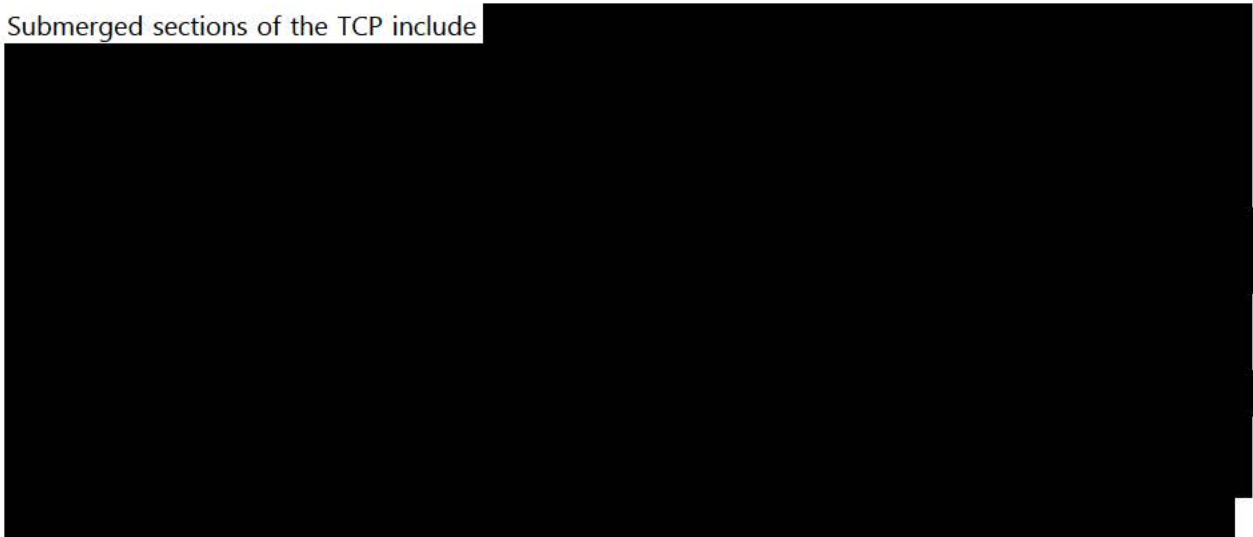


Central to the physical landscape elements of the TCP and most prominent of the culturally significant landforms are the





Submerged sections of the TCP include



The TCP maintains a high degree of integrity despite alterations through time due to post-glacial sea-level rise, coastal erosion, grazing, bombing, clay mining, and modern development. The landforms, themselves, are associated with central events and figures in Wampanoag creation traditions. The historic property continues to support traditional cultural practices, including the sharing of stories related to the formation of the associated landforms and the importance of reciprocal relationships among the Wampanoag peoples and other beings of land, sea, and air as central elements of Wampanoag identities.

3.3.1 *Historic Context*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

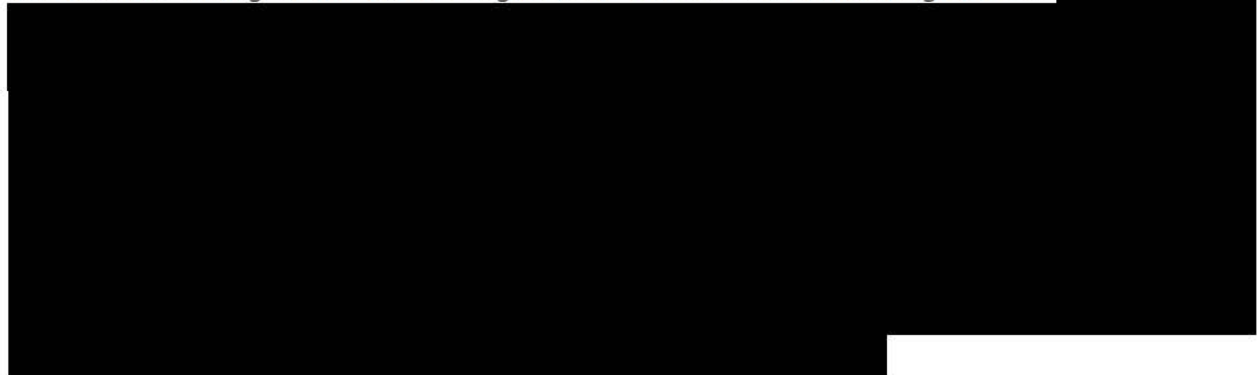


3.3.2 *NRHP Criteria and the Maritime Visual Setting*

The Vineyard Sound and Moshup's Bridge TCP is eligible for listing in the National Register under the following criteria:

- Criterion A for its association with ancient and historic Native American exploration and settlement of Aquinnah, central events in Moshup's and the Aquinnah Tribal Nation's history, and the character of the lands within;
- Criterion B for its association with Moshup;
- Criterion C as a distinguishable and significant component of Aquinnah lifeways, cosmology, economies, traditions, beliefs, and cultural practices; and
- Criterion D for its potential to yield information through archaeology, ethnography, and ethnohistory significant to understanding the Native American settlement, economies, land use and cultural practices prior to and after the inundation of Vineyard Sound.

The maritime setting of the TCP is integral to its historical and cultural significance.



4.0 MITIGATION MEASURES

Mitigation measures at these historic properties are detailed in this section. This HPTP addresses the mitigation requirements identified by BOEM to resolve adverse effects to the Vineyard Sound & Moshup's Bridge TCP. BOEM and Revolution Wind have identified steps to implement these measures in consultation with interested consulting parties, led by individuals who meet the qualifications specified in the Secretary of the Interior's Qualifications Standards for History, Architectural History and/or Architecture (62 FR 33708) and have demonstrated experience in the interpretation of Precontact Period archaeological sites in the Northeast region.

4.1 Support for Improved Tribal Connections [REDACTED]

4.1.1 Purpose and Intended Outcome

[REDACTED] is a prominent contributing resource to the Vineyard Sound & Moshup's Bridge TCP. The Aquinnah and Mashpee Tribal Nations have very limited physical access [REDACTED]

[REDACTED] The mitigation measure would help improve tribal connections to the cultural landscapes of [REDACTED] for those community members who cannot currently visit through the creation of virtual interpretative or physical exhibits.

This measure is intended to support and enhance the traditional cultural connections between the Wampanoag Tribe of Gay Head (Aquinnah) and [REDACTED] through the development of interpretative exhibits which may include virtual experiences [REDACTED] existing and past conditions and Wampanoag traditions [REDACTED].

4.1.2 Scope of Work

The scope of work will consist of the following:

- Identification of appropriate printed and/or digital media for interpretative exhibits;
- Archival research on the history, development, and historical/cultural significance of [REDACTED];
- Consultation with Wampanoag Tribe of Gay Head (Aquinnah);
- Design and production of draft interpretive materials; and
- Design and production of final printed and/or digital interpretive materials.

Final deliverables produced by the consultant will incorporate further comments and any additional information provided by the interested consulting parties.

4.1.3 Methodology

Revolution Wind will release a Request for Proposals (RFP) for consultant services in consultation with the interested consulting parties and will seek input from the Wampanoag Tribe of Gay Head (Aquinnah) on the criteria for selection and the Tribal Nation's priorities for the consultant team's qualifications and experience.

Final deliverables produced by Revolution Wind or their consultant team will incorporate further comments and any additional information provided by the Wampanoag Tribe of Gay Head (Aquinnah).

4.1.4 Standards

Documentation will be prepared by professionals meeting the qualifications specified in the Secretary of the Interior's *Professional Qualifications Standards* (36 CFR Part 61).

4.1.5 Documentation

The following documentation is to be provided for review by Wampanoag Tribe of Gay Head (Aquinnah):

- RFPs;
- Consultant bids in response to RFPs;
- Draft deliverables; and
- Final deliverables.

The following documentation is to be provided for review by the interested consulting parties:

- Draft deliverables; and
- Final deliverables.

4.1.6 Funds and Accounting

Funding amounts were determined by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.2 Scholarships and Training for Tribal Resource Stewardship

4.2.1 Purpose and Intended Outcome

The Aquinnah and Mashpee Tribal Nations have protected and cherished the Vineyard Sound & Moshup's Bridge TCP for generations. Development of the lands and seas within and near the TCP will continue to alter the character-defining elements of the historic property. Climate change is also threatening multiple culturally significant habitats and associated plant and animal communities upon which the Tribal Nations have relied since time immemorial, and which are of great importance in maintaining the distinct cultural identities of the Tribal Nations and Tribal Nation members. Effective analyses, consultation, and decision-making within each Tribal Nation government and to support each Tribal Nation's consultations with external agencies require a broad range of skills and knowledge. The purpose of this measure is to enhance

the capacity of each Tribal Nation to preserve the critical physical and cultural attributes of the TCP through training and education of tribal members. Through this measure Revolution Wind would fund scholarships and fees for professional training or certification programs in fields including but not limited to Astronomy, Archaeology/Anthropology, Marine Sciences, Aquaculture, Marine Fisheries, Marine Construction, Native American Studies, Ethnohistory, History, Biology, and related fields identified at the discretion of each Tribal Nation. At the discretion of each Tribal Nation, recipients of financial support funded through this measure may be required to perform a limited period of service in the tribal government offices related to their field of study or training.

The intended outcome of this measure is to support and strengthen the Tribal Nations' capacity to protect and preserve the TCP and its constituent elements through education and professional development. Traditional stewardship activities, including, but not limited to, finfishing, shellfishing, plant harvesting and tending, and respectful treatment of plant and animal communities that form critical elements of the TCP would be enhanced through incorporation of professional and academic training with traditional knowledge.

4.2.2 Scope of Work

The scope of work will consist of the following for separate scholarship programs for the Wampanoag Tribe of Gay Head (Aquinnah) and Mashpee Wampanoag Tribal Nations:

- Development of selection criteria for qualified applicants from each Tribal Nation to receive financial support for educational and training opportunities;
- Development of specific accreditation requirements for educational and training programs to which qualified tribal members may enroll;
- Establishment of the appropriate Tribal Council, Tribal Department of Education, or committees of such governing bodies or departments to select among applicants to the funding program;
- Development of fiscal control measures and annual reporting standards for all disbursements; and
- Development of a Scholarship Program Proposal for review by Revolution Wind prior to initial disbursements, with proposed administrative costs to compensate each Tribal government for administration of the program.

4.2.3 Methodology

Revolution Wind will release a RFP for consultant services in consultation with the interested consulting parties and will seek input from the consulting Tribal Nations on the criteria for selection and each Tribal Nation's priorities for the consultant team's qualifications and experience.

Final deliverables produced by Revolution Wind or their consultant team will incorporate further comments and any additional information provided by the interested consulting parties.

4.2.4 Standards

Documentation will be prepared by professionals with demonstrated experience in education and training program management and fiscal reporting.

4.2.5 Documentation

The following documentation is to be provided for review by interested consulting parties:

- RFPs;
- Consultant bids in response to RFPs;
- Executed contracts between the implementing party and selected consultants; and
- Draft Scholarship Program Proposals; and
- Final Scholarship Program Proposals.

4.2.6 Funds and Accounting

Funding amounts were determined by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA. Revolution Wind will deposit half of the stipulated funding into two escrow accounts (one for each Tribal Nation) within 120 calendar days of Revolution Wind receiving a no objection to the complete Facility Design Report/Fabrication and Installation Report. Within 1 year of the first payment, Revolution Wind will place the remaining half into those escrow accounts. The escrowed funds shall be released for the sole purpose of implementation of the mitigation as set forth in Section 4.2.

4.3 Coastal Resilience and Habitat Restoration

4.3.1 Purpose and Intended Outcome

Climate change poses a significant threat to archaeological, architectural, habitat, and landscape elements of the TCP. Rising seas and water temperatures, expansion of invasive species, trends towards shorter, warmer winters, and the increased frequency and intensity of coastal storms are expected to result in future losses of character defining features and contributing resources to the historic property. This measure will provide funding for planning and implementation of targeted efforts to mitigate such foreseeable losses, support economically sustainable traditional shellfishing/finfishing and plant collection practices, and documentation and/or recover of threatened elements of cultural sites associated with the TCP.

The intended outcome of this measure is to identify, and where appropriate, implement projects to preserve, recover, and enhance culturally sensitive species habitat, cultural sites, and to offset the foreseeable impacts of climate change. The structure of this measure is intended to provide for appropriate flexibility for each Tribal Nation to respond to changing conditions over the period of funding and accounts for the unpredictability of certain future environmental conditions. The proposed funding would support phased planning and implementation of related activities. Separate funding would be provided to the Wampanoag Tribe of Gay Head (Aquinnah) and Mashpee Wampanoag Tribe to support each Tribal Nation's priorities and needs.

4.3.2 Scope of Work

The scope of work will consist of the following for separate Wampanoag of Gay Head (Aquinnah) and Mashpee Wampanoag Tribe programs:

- Development of selection criteria for qualified planning and implementation activities for each program;
- Development of specific professional qualifications for support of funded activities for each program;
- Designation of the appropriate Tribal government body to select project proposals for funding for each program; and
- Development of fiscal control measures, including conflict of interest provisions, and annual reporting on all funded activities for each program.

4.3.3 Methodology

Revolution Wind will release a RFP for consultant services in consultation with the interested consulting parties and will seek input from these parties on the criteria for selection and the Tribal Nations' priorities for the consultant team's qualifications and experience.

Final deliverables produced by Revolution Wind or their consultant team will incorporate further comments and any additional information provided by the interested consulting parties.

4.3.4 Standards

Documentation will be prepared by professionals with demonstrated experience in archaeology, habitat restoration, coastal resilience planning program management and fiscal reporting, as appropriate to the specific funded activities.

All archaeological surveys or other subsurface terrestrial investigations on any land owned or controlled by the Commonwealth of Massachusetts, its agencies or political subdivisions or on any historical or archeological landmarks or on any lands restricted by Massachusetts General Law (MGL) c. 184, § 31 will be conducted in accordance MHC regulations (950 CMR 70). This HPTP does not require MHC permitting for activities that would not otherwise require such permitting.

4.3.5 Documentation

The following documentation is to be provided for review by interested consulting parties:

- RFPs;
- Consultant bids in response to RFPs;
- Draft deliverables; and
- Final deliverables.

4.3.6 Funds and Accounting

Funding amounts were determined by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.4 Cultural and Natural Resource Data Compilation

4.4.1 Purpose and Intended Outcome

The Wampanoag Tribe of Gay Head (Aquinnah) and Mashpee Wampanoag Tribal Nations have each identified a need for updated inventories of cultural and natural resource data and the preparation of updated Tribal cultural and natural contexts for the interpretation of resources of interest to the respective Tribal Nations. The measure would provide the Aquinnah and Mashpee Wampanoag Tribal Nations separate funding for an individual of each Tribal Nation's selection meeting the qualifications outlined below to perform systematic update of resource inventories and incorporation of indigenous traditional ecological knowledge (ITEK). Tribal cultural and natural context(s) would be developed to integrate newly compiled information and enhance each Tribal Nation's stewardship efforts.

The intended outcome of this measure is updated inventories of resources of interest to the respective Aquinnah and Mashpee Wampanoag Tribal Nations and companion Tribal cultural and natural contexts that assists each of the identified Tribal Nations in prioritizing preservation and stewardship efforts. Where feasible, the inventories will include updated information on the existing conditions of specific resources.

4.4.2 Scope of Work

The scope of work will consist of the following, but is not limited to:

- Collection and review of existing MHC and THPO documentation of resources of interest to respective Tribal Nations;
- Field visits and photo-documentation, as feasible, to document existing conditions at specific cultural and natural resources;
- Development of one or more Tribal cultural and natural contexts for interpretation of resources;
- Annual status updates to BOEM and Revolution Wind until funds are expended.

4.4.3 Methodology

Revolution Wind will provide funding to the Aquinnah and Mashpee Wampanoag Tribal Nations to engage an individual meeting the qualifications identified below to perform the identified scope of work.

4.4.4 Standards

The scope of work will be executed by a Tribal representative or a professional meeting the Secretary of the Interior's professional qualification standards in archeology and/or history (36 CFR 60).

4.4.5 Documentation

The following documentation is to be provided for review by BOEM:

- Annual status updates

4.4.6 Funds and Accounting

Funding amounts were determined by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA. Revolution Wind will deposit half of the stipulated funding into two escrow accounts (one for each Tribal Nation) within 120 calendar days of Revolution Wind receiving a no objection to the complete Facility Design Report/Fabrication and Installation Report. Within 1 year of the first payment, Revolution Wind will place the remaining half into those escrow accounts. The escrowed funds shall be released for the sole purpose of implementation of the mitigation as set forth in Section 4.4.

5.0 IMPLEMENTATION

5.1 Timeline

The timeline for implementation of the mitigation measures is identified in the MOA.

5.2 Organizational Responsibilities

5.2.1 *Bureau of Ocean Energy Management (BOEM)*

BOEM remains responsible for making all federal decisions and determining compliance with Section 106. BOEM has reviewed this HPTP to ensure, at minimum, it includes the content required.

- BOEM remains responsible for making all federal decisions and determining compliance with Section 106;
- BOEM, in consultation with the interested consulting parties, will ensure that mitigation measures adequately resolve adverse effects, consistent with the NHPA;
- BOEM will be responsible for sharing the annual summary report with interested consulting parties; and
- BOEM is responsible for consultation related to dispute resolution.
- BOEM may, at its discretion, assist the implementing party in inter-agency coordination with USFWS and the Navy.

Revolution Wind will be responsible for the following:

- Considering the comments provided by the interested consulting parties in the development of this HPTP;
- Funding the mitigation measures specified in Section 4.0;
- Completion of the scope/s of work in Section 4.0;
- Ensuring all Standards in Section 4.0 are met;
- Providing the Documentation in Section 4.0 to the interested consulting parties for review and comment;
- Annual Reporting to BOEM; and
- Revolution Wind will be responsible for ensuring that all work that requires consultation with Tribal Nations are performed by professionals who have demonstrated professional experience consulting with federally recognized Tribal Nations.

5.2.2 *Other Parties, as Appropriate*

Revolution Wind does not anticipate additional consulting parties, should any be determined, this will be updated.

5.3 Interested Consulting Party Consultation

This HPTP was provided by Revolution Wind for review by interested consulting parties to provide meaningful input on the resolution of adverse effects to and form(s) of implementing mitigation at the

historic properties. Interested consulting parties were provided the opportunity for review and comment on the HPTP concurrent with BOEM's NEPA substitution schedule for the Project. This HPTP was further refined through informational and consultation meetings, conference calls, HPTP draft reviews and document exchanges, or similar means of communication of information.

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**ATTACHMENT 10 – HISTORIC PROPERTY TREATMENT PLAN FOR THE REVOLUTION
WIND FARM: DOCUMENTATION OF TWENTY-EIGHT HISTORIC PROPERTIES IN
RHODE ISLAND**

Historic Property Treatment Plan

for the

Revolution Wind Farm

Documentation of Twenty-Eight Historic Properties in Rhode Island

Submitted to:



Bureau of Ocean Energy Management
U.S. Department of the Interior

Prepared for:



Revolution Wind, LLC
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July 2023

ABSTRACT

Federal Undertaking: Revolution Wind Farm and Revolution Wind Export Cable Project

Location: Outer Continental Shelf and Rhode Island

Federal and
State Agencies: Bureau of Ocean Energy Management
National Park Service
U.S. Army Corps of Engineers
Massachusetts Historical Commission
Rhode Island Historical Preservation & Heritage Commission
New York Historic Preservation Office
Connecticut Historic Preservation Office
Advisory Council on Historic Preservation

Regulatory Process: National Environmental Policy Act
Section 106 of the National Historic Preservation Act
Section 110(f) of the National Historic Preservation Act

Purpose: This Historic Property Treatment Plan provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects from the Revolution Wind Project.

Adverse Visual
Effect Finding for: Abbott Phillips House, Little Compton
The Stone House Inn, Little Compton
Warren Point Historic District, Little Compton
Tunipus Goosewing Farm, Little Compton
Fort Varnum/Camp Varnum, Narragansett
Narragansett Pier MRA, Narragansett
Life Saving Station at Narragansett Pier, Narragansett
The Towers Historic District, Narragansett
The Towers/Tower Entrance of Narragansett Casino, Narragansett
Dunmere, Narragansett
Ocean Road Historic District, Narragansett
The Dunes Club, Narragansett
Champlain Farm Historic District, New Shoreham
Mitchell Farm Historic District, New Shoreham
Beacon Hill Historic District, New Shoreham
Lewis-Dickens Farm Historic District, New Shoreham
Lakeside Drive and Mitchell Lane Historic District, New Shoreham
Indian Head Neck Road Historic District, New Shoreham

Beach Avenue Historic District, New Shoreham
Old Town and Center Roads Historic District, New Shoreham
Corn Neck Road Historic District, New Shoreham
Pilot Hill Road and Seaweed Lane Historic District, New Shoreham
New Shoreham Historic District, New Shoreham
Ochre Point-Cliffs Historic District, Newport
Ocean Drive Historic District, Newport
Bellevue Avenue Historic District, Newport
Brownings Beach Historic District, South Kingstown
Puncatest Neck Historic District, Tiverton

Submitted By: Revolution Wind, LLC

Date: July 2023

TABLE OF CONTENTS

1.0 Executive Summary7

2.0 Background Information 10

 2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable..... 10

 2.2 Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA) 10

 2.2.1 Municipal Regulations..... 10

 2.2.2 Preservation Easements and Restrictions..... 11

 2.3 Interested Consulting Parties 11

3.0 Historic Properties 13

 3.1 Maritime Setting..... 13

 3.2 Little Compton 16

 3.2.1 The Abbott Phillips House..... 16

 3.2.2 The Stone House Inn 17

 3.2.3 The Warren’s Point Historic District..... 18

 3.2.4 Tunipus Goosewing Farm 19

 3.3 Narragansett 20

 3.3.1 Dunmere..... 20

 3.3.2 The Ocean Road Historic District..... 21

 3.3.3 The Towers Historic District 21

 3.3.4 The Towers..... 23

 3.3.5 The Life Saving Station at Narragansett Pier 24

 3.3.6 Fort Varnum/Camp Varnum 25

 3.3.7 Narragansett Pier MRA..... 25

 3.3.8 The Dunes Club..... 26

 3.4 New Shoreham..... 27

 3.4.1 Historic Context of New Shoreham 27

 3.4.2 New Shoreham Historic District 28

 3.4.3 Corn Neck Road Historic District 28

 3.4.4 Indian Head Neck Road Historic District 29

 3.4.5 The Mitchell Farm Historic District..... 29

 3.4.6 The Beach Avenue Historic District 29

 3.4.7 The Lakeside Drive and Mitchell Lane Historic District..... 29

 3.4.8 The Champlin Farm Historic District..... 30

 3.4.9 The Old Town and Center Roads Historic District 30

 3.4.10 The Beacon Hill Historic District..... 30

3.4.11	Lewis-Dickens Farm.....	30
3.4.12	The Pilot Hill Road and Seaweed Lane Historic District.....	30
3.5	Newport.....	31
3.5.1	The Ochre Point – Cliffs Historic District.....	31
3.5.2	The Ocean Drive Historic District, National Historic Landmark.....	31
3.5.3	Bellevue Avenue Historic District National Historic Landmark.....	32
3.6	South Kingstown.....	34
3.6.1	Browning’s Beach Historic District.....	34
3.7	Tiverton.....	35
3.7.1	Puncatest Neck Historic District.....	35
4.0	Mitigation Measures.....	37
4.1	NRHP Nominations for the Abbott Phillips House, the Warren Point Historic District, and the Tunipus Goosewing Farm.....	37
4.1.1	Purpose and Intended Outcome.....	37
4.1.2	Scope of Work.....	37
4.1.3	Methodology.....	38
4.1.4	Standards.....	38
4.1.5	Documentation.....	38
4.1.6	Funds and Accounting.....	38
4.2	Update the Existing <i>Historic and Architectural Resources of Narragansett, Rhode Island</i>	38
4.2.1	Purpose and Intended Outcome.....	38
4.2.2	Scope of Work.....	39
4.2.3	Methodology.....	39
4.2.4	Standards.....	39
4.2.5	Documentation.....	40
4.2.6	Funds and Accounting.....	40
4.3	NRHP Nominations for the following NRHP-eligible historic properties: Champlin Farm Historic District, Mitchell Farm Historic District, Beacon Hill, Lewis-Dickens Farm, Lakeside Drive and Mitchell Lane, Indian Head Neck Road, Beach Avenue, Old Town and Center Roads, Corn Neck Road, Pilot Hill Road and Seaweed Lane, and the New Shoreham Historic District.....	40
4.3.1	Purpose and Intended Outcome.....	40
4.3.2	Scope of Work.....	41
4.3.3	Methodology.....	41
4.3.4	Standards.....	41
4.3.5	Documentation.....	42
4.3.6	Funds and Accounting.....	42

4.4	Update the NRHP Nomination for the Ochre Point – Cliffs Historic District	42
4.4.1	Purpose and Intended Outcome	42
4.4.2	Scope of Work.....	42
4.4.3	Methodology	43
4.4.4	Standards	43
4.4.5	Documentation	43
4.4.6	Funds and Accounting	44
4.5	NHL Nomination Form for the Ocean Drive Historic District.....	44
4.5.1	Purpose and Intended Outcome	44
4.5.2	Scope of Work.....	44
4.5.3	Methodology	44
4.5.4	Standards	44
4.5.5	Documentation	45
4.5.6	Funds and Accounting	45
4.6	NHL Nomination Form for the Bellevue Avenue Historic District	45
4.6.1	Purpose and Intended Outcome	45
4.6.2	Scope of Work.....	45
4.6.3	Methodology	46
4.6.4	Standards	46
4.6.5	Documentation	46
4.6.6	Funds and Accounting	46
4.7	Updated Historic Resources Surveys of the Green Hill and Matunuck Neighborhoods.....	47
4.7.1	Purpose and Intended Outcome	47
4.7.2	Scope of Work.....	47
4.7.3	Methodology	47
4.7.4	Standards	47
4.7.5	Documentation	48
4.7.6	Funds and Accounting	48
4.8	NRHP Nomination for Puncatost Neck Historic District.....	48
4.8.1	Purpose and Intended Outcome	48
4.8.2	Scope of Work.....	48
4.8.3	Methodology	49
4.8.4	Standards	49
4.8.5	Documentation	49
4.8.6	Funds and Accounting	49

5.0	Implementation	49
5.1	Timeline.....	49
5.2	Organizational Responsibilities	50
5.2.1	Bureau of Ocean Energy Management (BOEM)	50
5.2.2	Revolution Wind, LLC	50
5.2.3	Other Parties, as Appropriate.....	50
5.3	Interested Consulting Party Consultation	50
6.0	References.....	51

LIST OF TABLES

Table 1-1	Historic Properties included in the HPTP	7
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LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADLS	Aircraft Detection Lighting System
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
COP	Construction and Operations Plan
EDR	Environmental Design and Research, D.P.C.
DEIS	Draft Environmental Impact Statement
FEIS	Final Environmental Impact Statement
FR	Federal Register
HPTP	Historic Property Treatment Plan
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act of 1966
NPS	National Park Service
NRHP	National Register of Historic Places
RFP	Request for Proposals
RIHPHC	Rhode Island Historical Preservation & Heritage Commission
ROD	Record of Decision
RWF	Revolution Wind Farm
USCG	United States Coast Guard
WTG	Wind Turbine Generator

1.0 EXECUTIVE SUMMARY

This Historic Property Treatment Plan (HPTP) was developed in consultation with the Rhode Island Historical Preservation & Heritage Commission (RIHPHC). The HPTP provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects in the *Historic Resources Visual Effects Analysis – Revolution Wind Farm* (HRVEA; EDR, 2023) for the Revolution Wind Farm (RWF) and Revolution Wind Export Cable Project (collectively, the Undertaking) for twenty-eight aboveground historic properties located in Rhode Island (hereinafter, the Historic Properties).

Table 1-1 Historic Properties included in the HPTP

Historic Property Name	Municipality	Property Designation
Abbott Phillips House	Little Compton	RIHPHC Historic Resource
Warren Point Historic District	Little Compton	National Register of Historic Places (NRHP)-Eligible Resource (RIHPHC-Determined)
Tunipus Goosewing Farm	Little Compton	NRHP-Eligible Resource (RIHPHC-Determined)
The Stone House Inn	Little Compton	NRHP-Listed Resource
Fort Varnum/Camp Varnum	Narragansett	NRHP-Eligible Resource (RIHPHC-Determined)
Narragansett Pier MRA	Narragansett	NRHP-Listed Resource
Life Saving Station at Narragansett Pier	Narragansett	NRHP-Listed Resource
The Towers Historic District	Narragansett	NRHP-Listed Resource
The Towers/Tower Entrance of Narragansett Casino	Narragansett	NRHP-Listed Resource
Dunmere	Narragansett	NRHP-Listed Resource
Ocean Road Historic District	Narragansett	NRHP-Listed Resource
The Dunes Club	Narragansett	NRHP-Listed Resource
Champlain Farm Historic District	New Shoreham	NRHP-Eligible Resource (RIHPHC-Determined)
Mitchell Farm Historic District	New Shoreham	NRHP-Eligible Resource (RIHPHC-Determined)
Beacon Hill Historic District	New Shoreham	NRHP-Eligible Resource (RIHPHC-Determined)
Lewis-Dickens Farm Historic District	New Shoreham	NRHP-Eligible Resource (RIHPHC-Determined)
Lakeside Drive and Mitchell Lane Historic District	New Shoreham	NRHP-Eligible Resource (RIHPHC-Determined)
Indian Head Neck Road Historic District	New Shoreham	NRHP-Eligible Resource (RIHPHC-Determined)
Beach Avenue Historic District	New Shoreham	NRHP-Eligible Resource (RIHPHC-Determined)
Old Town and Center Roads Historic District	New Shoreham	NRHP-Eligible Resource (RIHPHC-Determined)
Corn Neck Road Historic District	New Shoreham	NRHP-Eligible Resource (RIHPHC-Determined)
Pilot Hill Road and Seaweed Lane Historic District	New Shoreham	NRHP-Eligible Resource (RIHPHC-Determined)

Historic Property Name	Municipality	Property Designation
New Shoreham Historic District	New Shoreham	Local Historic District
Ochre Point-Cliffs Historic District	Newport	NRHP-Listed
Ocean Drive Historic District	Newport	National Historic Landmark (NHL)
Bellevue Avenue Historic District	Newport	NHL
Brownings Beach Historic District	South Kingstown	NRHP-Listed Resource
Puncatest Neck H.D.	Tiverton	RIHPHC Historic Resource

Revolution Wind LLC (Revolution Wind) has provided this HPTP in accordance with the Bureau of Ocean Energy Management’s (BOEM) Findings of Adverse Effect (FoAE) for the Undertaking under the National Historic Preservation Act of 1966 (NHPA).

BOEM has used the National Environmental Policy Act (NEPA) substitution process to fulfill its Section 106 obligations as provided for in the NHPA implementing regulations (36 CFR § 800.8(c)), and BOEM has consulted with the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers, federally recognized Native American Tribes, and other NHPA Section 106 consulting parties in accordance with this process. Revolution Wind has provided this HPTP to BOEM for inclusion in the Final Environmental Impact Statement (FEIS).

This HPTP describes the mitigation measures to resolve potential adverse effects on historic properties, the implementation steps, and timeline for actions. The mitigation measures are based on the evaluations and outreach performed by Revolution Wind prior to the issuance of the DEIS as well as outreach to consulting parties performed by BOEM. This HPTP document has undergone revision and refinement in consultation with the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer, the ACHP, and other consulting parties throughout the NEPA substitution process. This HPTP is included in the Memorandum of Agreement (MOA) issued in accordance with 36 CFR §§ 800.8, 800.10.

This HPTP is organized into the following sections:

- **Section 1.0, Introduction**, outlines the content of this HPTP.
- **Section 2.0, Cultural Resources Regulatory Context**, briefly summarizes the Undertaking while focusing on cultural resources regulatory contexts (federal, tribal, state, and local, including preservation restrictions), identifies the historic properties discussed in this HPTP that will be adversely affected by the Undertaking, and summarizes the pertinent provisions and attachments of the HRVEA (EDR, 2023) and *Revolution Wind Farm Construction and Operations Plan (COP;* Revolution Wind, 2022) that guided the development of this document.
- **Section 3.0, Existing Conditions, Historic Significance, and Maritime Setting**, provides a physical description of the historic properties included in this HPTP. Set within its historic context,

the applicable NRHP criteria for the historic properties are discussed with a focus on the contribution of a maritime visual setting to its significance and integrity.

- **Section 4.0, Mitigation Measures**, presents specific steps to carry out the mitigation actions. The mitigation action includes a detailed description, intended outcome, methods, standards, and requirements for documentation.
- **Section 5.0, Implementation**, establishes the process for executing mitigation actions at the historic properties, as identified in Section 4.0 of this HPTP. For each/the action, organizational responsibilities are outlined, a timeline is provided, and regulatory reviews are listed.
- **Section 6.0, References**, is a list of works cited in this HPTP.

2.0 BACKGROUND INFORMATION

2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable

The Undertaking is a wind-powered electric generating facility composed of up to 100 wind turbine generators (WTGs) and associated foundations, two offshore substations, and inter-array cables connecting the WTGs and the offshore substations. The WTGs, offshore substations, array cables, and substation interconnector cables would be located on the Outer Continental Shelf approximately 15 nautical miles (18 statute miles) southeast of Point Judith, Rhode Island, approximately 13 nautical miles (15 statute miles) east of Block Island, Rhode Island, approximately 7.5 nautical miles (8.5 statute miles) south of Nomans Land Island National Wildlife Refuge (uninhabited island), and between approximately 10 to 12.5 nautical miles (12 to 14 statute miles) south/southwest of varying points of the Rhode Island and Massachusetts coastlines (62 FR 33708). In addition, two submarine export cables located in both federal waters and Rhode Island State territorial waters, will connect the offshore substation to the electrical grid. The proposed interconnection location for the Undertaking is the existing Davisville Substation, which is owned and operated by The Narragansett Electric Company d/b/a National Grid and located in North Kingstown, Rhode Island. The visible offshore components of the operational Undertaking will be located on Lease OCS-A 0486 in water depths ranging from approximately 108 to 125 feet.

2.2 Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA)

The regulations at 36 CFR § 800.8 provide for use of the NEPA process to fulfill a federal agency's NHPA Section 106 review obligations in lieu of the procedures set forth in 36 CFR § 800.3 through 800.6. Under these provisions, issuance of an ROD and implementation of relevant conditions will resolve adverse effects to historic properties caused by the Undertaking, including to National Historic Landmarks for which BOEM must provide a higher standard of care, as required by Section 110(f) of the NHPA.

The measures to avoid and minimize adverse effects to identified historic properties are described in the COP (Section 4.4.1.3 and Appendix BB). This HPTP addresses the mitigation requirements identified by BOEM to resolve the remaining adverse effects after application of the above-referenced measures. The mitigation measures reflect consultations among consulting parties to refine a conceptual mitigation framework proposed by Revolution Wind.

All activities implemented under this HPTP will be conducted in accordance with any conditions imposed by BOEM in its ROD and with applicable local, state and federal regulations and permitting requirements. Responsibilities for specific compliance actions are described in further detail in Section 5.2, Organizational Responsibilities.

2.2.1 Municipal Regulations

Before implementation, any on-site mitigation measures will be coordinated with local municipalities and commissions to obtain approvals, as appropriate. These may include, but are not limited to building permits, zoning, land use, planning, historic commissions, and design review boards. Additional information regarding compliance with local requirements appears in Section 5.0, Implementation.

2.2.2 Preservation Easements and Restrictions

Preservation easements and restrictions protect significant historic, archaeological, or cultural resources. The MOA identifies certain preservation restrictions and easements applicable to specific properties in Stipulation III.C.1. The Rhode Island General Law Title 42, Section 42-45-9.1 established a historic preservation easement fund. The RIHPHC holds Historic Preservation Easements on the following historic properties:

- The Towers, Narragansett
- Spring House Hotel, New Shoreham
- Redwood Library, Newport
- Griswold House (Newport Art Museum), Newport
- Cushing Gallery, Newport
- The Kedge, Newport
- Harbor Court, Newport
- Touro Synagogue National Historic Site, Newport
- Bienvenue, Newport
- Ochre Court, Newport
- The Breakers, Newport
- Seaward, Newport
- Newport Casino, Newport
- Kingscote, Newport
- Chateau-sur-Mer, Newport
- Chinese Tea House at Marble House, Newport
- Faxon Lodge, Newport
- Edward King House, Newport

Any mitigation work associated with the Historic Properties will comply with the conditions of all extant historic preservation easements.

2.3 Interested Consulting Parties

BOEM initiated consultation under Section 106 with invitations to consulting parties on April 30, 2021. BOEM hosted the first Section 106-specific meeting with consulting parties on December 17, 2021, pursuant to Sections 106 and 110(f) of the NHPA and in accordance with 36 CFR 800.8.

Following BOEM initial Section 106 meeting with consulting parties, Revolution Wind held stakeholder outreach meetings (see Section 5.3) to review conceptual mitigation measures for the historic properties and invited the following parties:

- The Town of Little Compton
- The Town of Narragansett
- The Narragansett Historic District Commission

- The Narragansett Historical Society
- The Town of New Shoreham
- The Block Island Historical Society
- The City of Newport
- The Newport Restoration Foundation
- The Newport Historic District Commission
- The Preservation Society of Newport County
- The Town of South Kingstown
- The Town of Tiverton
- The U.S. Coast Guard
- The Rhode Island Historical Preservation & Heritage Commission.

3.0 HISTORIC PROPERTIES

This HPTP involves twenty-eight historic properties, as identified above in Table 1.1-1. In the below section, each historic property is individually considered, described both physically and within its historic context, with a focus on the contribution of a maritime visual setting to the property's significance and integrity.

3.1 Maritime Setting

For the purposes of this analysis and assessment, views of marine waters are considered critical aspects of maritime settings. The influence of the marine environment and related human activities on historical development patterns is extensive and may be expressed in areas without direct lines of sight to the sea. Although these types of setting may contribute to the significance of historic properties, they would not be subject to alteration as a result of the proposed undertaking and are not considered further in this report.

The historic properties identified in this HPTP are included within the following property types as defined in the HRVEA: "Historic Buildings and Structures," "Historic Cemeteries and Burial Grounds," "Agricultural Properties," "Recreational Properties," "Maritime Safety and Defense Facilities," "Lighthouses and Navigational Aids," and "Estates and Estate Complexes." Each property type is defined below as well as the characteristics typical of their maritime setting.

"Historic Buildings and Structures" includes buildings and associated properties historically used as residences (in some instances their current use may be commercial, municipal, institutional, or otherwise non-residential) and is the largest grouping of above-ground historic properties within the PAPE. Historic Buildings and Structures within the PAPE consist mostly of vernacular residences, or groupings of residences, although this above-ground historic property type also includes historic parks and stone markers. The overall character of these individual above-ground historic properties and districts is residential or intended for public enjoyment, as opposed to the grand mansions and summer "cottages" built by wealthy industrialist families that typified the "Estates and Estate Complexes" property type (see below). These above-ground historic properties are typically listed due to each resource's unique significance or the combined significance of the resources forming an historic district, and usually qualify under National Register Criteria A and C. These factors are shared among the resource to a degree which justifies their grouping as an above-ground historic property type.

Historic buildings and structures not fitting within the previously described types occur throughout the study area and in a variety of local contexts. Location and orientation of such properties is critical to understanding the nature of any associated maritime settings. Many historic structures were oriented to local roadways, with the front and rear elevations parallel to the nearby road's alignment. Local roadways along the region's shorelines often parallel the water's edge and Historic Buildings frequently shift in orientation along such coastal roads. This variation in orientation may strongly influence the associated views of marine waters that may form important elements of a property's historic setting.

"Historic Cemeteries and Burial Grounds" consists of cemeteries identified by federal, state, or local governmental agencies as having historic significance. These above-ground historic properties may be

municipally owned cemeteries on public land, small family plots on private land, or abandoned burial grounds. Historic cemeteries are lasting memorials to the past, provide a guide to the changing values and composition of communities in the course of their historic development.

Historic cemeteries and burial grounds vary throughout the study area. Small, private, non-denominational and family cemeteries were relatively common in New England, and many have survived to present-day. Many examples of small cemeteries were associated with specific farms or families and were frequently placed within the available agricultural lands surrounding a farmstead or near multiple associated family farms. Where such burial grounds are located near the water they may be associated with ocean or other maritime viewsheds, however, ocean vistas are less likely to have been a significant consideration in the siting of such cemeteries than their larger, more formal counterparts in the region. Where cemeteries are located within districts or other historic settlements strongly associated with maritime settings, such burial grounds may be sited to maintain a visual connection to the waters in order to maintain a sense of continuity linking the departed's final resting places with the environment in which they lived. Cemeteries in urban locations expressing such patterns may include formal design elements associated with the "rural cemetery movement" of the 19th century, which sought to create naturalistic, park-like settings to express "an appreciation of nature and a sense of the continuity of life" (Potter and Boland, 1992). Maritime views from hillside cemeteries that were intentionally incorporated or framed by landscape designs may be more sensitive to discordant modern elements than those associated with less formal burial grounds that may not have been specifically located to provide ocean views.

"Agricultural Properties" consist of historic farm buildings and landscapes which have retained a high degree of integrity and are generally no longer used for their original purpose. These above-ground historic properties feature barns, farmhouses, and large, open tracts of pastureland. Generally, these above-ground historic properties do not derive their significance in any direct way from the ocean or maritime activities.

Historic agricultural properties, including farms, farmhouses, barns and related buildings and structures are relatively common in the study area. Many of these properties were built between 1700 and 1850, after which agricultural economies in New England and New York declined sharply. The historic settings for such properties typically include open, agrarian landscapes which once may have afforded open views of the seas when sited along the shoreline or at higher elevations within the coastal interior. Few of the once expansive agrarian landscapes associated with the historic use of the region's farms survive. Some have been altered by later residential and commercial development and many have been transformed by reforestation. Despite these changes, historic agricultural properties remain an important part of the region's heritage and tangible expression of several centuries of intensive farming that transformed the landscapes throughout southern New England and eastern Long Island.

"Recreational Properties" is defined by the role these properties served in their original functions as places for the resort tourism economy of the late-nineteenth century to flourish. These above-ground historic properties feature beaches, casinos, restaurants, and other buildings and structures built to entertain seasonal vacationers. They are typically located near the shoreline or immediately adjacent to the sea, and in some cases, are the beaches themselves. The enjoyment of, and interaction with, the sea are integral

features of the significance of these above-ground historic properties. In many cases, the beachfront, shoreline, and adjacent ocean waters are prominent features of the historic setting due to their close association with historic recreational activities.

The same macroeconomic trends that saw the decline of the quintessential New England farm in the mid-19th century are associated with a population shift to cities and rise in affluence for some segments of society. Summer resorts, supported by steamships, rail transportation, and eventually, automobiles were developed in numerous locations in the study area in the late 19th century. These resorts varied between properties intended to serve the rising group of "upper middle income" families living in the region's cities to estate-like developments serving a more affluent set. Seaside resorts, like many other shoreline recreational, commercial, and residential properties, were often sited to take advantage of aesthetically pleasing ocean or maritime views. Depending on location and the conformation of the local shoreline, such properties may be associated with specific bay or cove viewsheds that include limited areas of the open ocean waters. Recreational activities at resorts frequently included swimming and designated beaches where residents and visitors may have spent considerable time during the summer months. Where these features are still present and express a tangible association with the historic resort property, views from beaches may be as important as views from more formal elements of the designed landscape. Likewise, historic hotels and inns became more common elements of the region's shoreline communities in the late 19th century. Such properties were often sited near harbors, ferry landings, rail stations, and public or private beaches and may be associated with similar historic maritime settings. Views to ocean waters or the more intimate bays and coves of the region may have been an integral part of the visitor's motivation for staying in such establishments. Such considerations can be expressed through the inclusion of building and landscape features clearly intended to afford views of ocean. Older taverns and inns in the study area may be found along the working harbors and ports and were intended to serve the fishing, whaling, and related participants in maritime commerce. The design and location of these properties may not show the same influence of aesthetic considerations but will likely also retain a strong association with the waterfront and maritime environment.

"Maritime Safety and Defense Facilities" consists entirely of facilities erected by bureaus of the U.S. Department of Defense or their predecessors and share historic associations with coastal defense. These structures vary in their design and construction materials but are unified by their historic functions of rescuing and protecting maritime transportation in the area, or for coastal defense.

Historic military and maritime safety properties along the shoreline will likely be associated with maritime settings. Aesthetic considerations in the siting of such facilities may or may not be expressed in the design of buildings, structures, and landscapes depending on the age and specific functions of the property. Proximity to navigation channels, defensibility, and the presence of existing shipbuilding or repair infrastructure in a broader maritime context may have been significant considerations in the siting of naval facilities. Such factors may not demonstrate a significant association with open ocean viewsheds. The study area includes several significant examples of World War II-era defense structures, including fire control or observation towers designed to monitor specific parts of the maritime environment. Early lifesaving stations were likewise intended to provide for observation of marine waters in the vicinity of known hazards or where

storms posed specific risks to sea-going or coastal vessels. Lifesaving stations were also frequently located where rescue boats or other vessels might be safely launched under treacherous conditions. These locations may have included inlets, harbors or coves adjacent to open waters where rescue and recovery efforts would likely be made.

“Lighthouses and Navigational Aids” are defined by the historic associations with water-related transportation and defense, prominent views of the sea and dominance of the surrounding landscape, and common architectural forms. These structures present themselves as prominent and iconic features on the coastal landscape, possess elevated views of the ocean horizon, and are sited specifically for those elevated views.

Lighthouses and other historic navigation aids in the study area include properties that were intended to serve mariners plying large areas of open water and other properties that served specific navigation routes through the complex and treacherous waters of the region’s bays. All of these properties have an obvious association with maritime settings, but the scale of those settings will vary due to the conformation of the local landscape and seas and the design and purpose of each navigation aid.

“Estates and Estate Complexes” consists of high-style residences, or groupings of residences, typically designed by prominent architects of the nineteenth and early twentieth centuries, such as Richard Morris Hunt and McKim, Mead and White. This property type consists mainly of the mansions and summer “cottages” built by wealthy industrialist families, drawn to the vicinity of Newport, Rhode Island as it became a prominent vacation and recreation area for the emerging American elite, and to Montauk Point as a naturalistic and remote enclave.

Estates built by or for wealthy families have been part of the region’s landscapes for centuries and many such properties are located along the shorelines. High style, architect-designed mansions and associated landscapes are characteristic of several areas within the study area and many such properties were sited to take advantage of ocean views. The importance of maritime settings to these properties may be apparent in the design of building features such as veranda, porches, and large windows facing the water or through landscape elements and overall designs that were intended to frame specific views towards the seas. As with many other historic property types, the conformation of local shorelines and the specific orientation of each property may be important in assessing the association with specific aspects or elements of each associated viewshed.

3.2 Little Compton

3.2.1 The Abbott Phillips House

3.2.1.1 Physical Description and Existing Conditions

The Abbott Phillips House was built circa 1926-1927 by regional architect Albert Harkness (RIHPHC, 1990). It is sited at 97 Round Pond Road on a 1.8-acre lot, just north of Mill Point, at the Atlantic Ocean. The residence is one-and-one-half stories tall, and approximately 3200 square feet. Its massing is Z-shaped with a central main block (shingled, with mansard roof and hipped dormers), two gabled wings to either side,

and a round stone entrance tower where the southern sections meet. The immediate landscape around the house has been cleared but the parcel retains woodlots as well.

3.2.1.2 Historic Context

Henry Tillinghast Sisson, son of industrialist David Sisson, served with distinction during the Civil War, and after his death was honored by construction of a statue to his memory in Union Cemetery, in the Town of Little Compton. He worked as a mill superintendent for A. & W. Sprague until 1873, then was elected to three terms as Rhode Island Lieutenant Governor. Returning to Little Compton in the late 1870s, Henry Sisson planned a seaside summer resort just north of Mill Point, featuring curving avenues and house lots. The project was never realized and only Round Pond Road itself remains as a remnant of his plans (RIHPHC, 1990).

Architect Albert Harkness of Providence designed the house at 97 Round Pond Road for Abbott Phillips, also of Providence, and a lawyer at the firm of Hinckley, Allen, Phillips & Wheeler. Phillips lived there with his wife and their four children (Little Compton Historical Society, 2020). It remains in use today as a private residence.

3.2.1.3 NRHP Criteria and the Maritime Visual Setting

The Abbott Phillips House is significant under NRHP Criterion C for Architecture. An architectural survey of the building noted “the design of this house draws on sources in French provincial vernacular architecture; the image of picturesque domesticity that it creates was popular in the 1920s and 1930s” (RIHPHC, 1990).

Located on the southern coast of Little Compton, the Abbott Phillips house was designed intentionally with views toward the Atlantic Ocean. Though its significance is derived from the architectural merit of the residence, the location affords unobstructed maritime views from both the house and grounds.

3.2.2 *The Stone House Inn*

3.2.2.1 Physical Description and Existing Conditions

The NRHP-listed Stone House Inn (also known as the David Sisson House) was built circa 1854 at 122 Sakonnet Point Road in the Town of Little Compton. It is sited on a nearly 3-acre lot, facing south and overlooking Round Pond. The imposing stone residence is three-and-one-half stories tall and has an associated circa 1886 barn. The residence is seven bays wide and three bays deep, with a rectangular footprint. Modern replacement windows occupy each bay. A hipped slate roof features two dormers with paired arched windows. Between them is a large octagonal belvedere. An ornate, wood-framed, two-story wraparound porch is located at the south and west sides. Multiple wings extend from the rear of the building.

3.2.2.2 Historic Context

Providence-based industrialist David Sisson of the Fall River Ironworks commissioned a home at 122 Sakonnet Point Road (architect unknown) which was at the time the largest residence in Little Compton,

and the only one constructed of stone (Connors, 2008). The house was passed to his son Henry and following his Lieutenant Governorship, his family used the Stone House as their primary residence. Financial difficulties resulted in the auctioning of the home in 1902 which marks the change of its use from single-family to inn, and interior renovations and stylistic updates occurred regularly over the past 170 years. An exception to its continual operation was a two-decade closure due to flooding resulting from the Hurricane of 1938 (Connors, 2008).

3.2.2.3 NRHP Criteria and the Maritime Visual Setting

The Stone House Inn is listed on the NRHP and is significant under NRHP Criterion C for Architecture. It was the largest single-family dwelling in Little Compton at the time of its construction, and the only one built of fieldstone. In addition, it derives significance from its use as an inn for the past century, the “only public accommodation for travelers in this intensely private seaside community almost exclusively dominated by single-family houses” (Connors, 2008). The Stone House Inn is sited 10 feet above sea level, at an inland location, with interior views of nearby Round Pond. However, the rooftop belvedere was a unique feature designed that affords farther views to the Atlantic Ocean.

3.2.3 *The Warren’s Point Historic District*

3.2.3.1 Physical Description and Existing Conditions

The Warren's Point Historic District is located on Warren Point, in the southern portion of the Town of Little Compton east of Sakonnet Point, on the southeastern tip of an elevated, rocky peninsula. The point is bordered by the Atlantic Ocean to the east and south and Long Pond on the west. The district includes approximately 155 acres centered along Warren Point Road, which runs north-to-south and serves as a central axis for residential development. The area is characterized by large, affluent residences set on large lots, which are for the most open lawns, oriented to afford views of the adjacent waterbodies.

3.2.3.2 Historic Context

Warren’s Point is located east of Sakonnet Point and Long Pond, first colonized by Nathaniel Warren in the seventeenth century. Developed as the Town of Little Compton’s first summer resort colony in the 1880s, its picturesque homes were built by wealthy families from the northeast and Midwest, on land subdivided from the former Kempton Farm (RIHPHC, 1990). Presenting a cohesive aesthetic, the picturesque shingle-sided houses all shared views to the Atlantic Ocean. As time moved forward, so did architectural styles. New buildings of the Cape Cod and Modernist designs were added to the collection of residences at Warren’s Point through the first half of the twentieth century. Regardless of architectural style, most buildings shared similar landscapes that included manicured lawns and stone walls. The neighborhood was designed as a quiet enclave for the enjoyment of idyllic ocean views. Public access was limited by privatizing streets which continue to operate in this manner.

3.2.3.3 NRHP Criteria and the Maritime Visual Setting

The Warren’s Point Historic District has been determined by RIHPHC to be eligible for listing in the NRHP under Criterion A for its association with the establishment of summer coastal resorts in Rhode Island, and

under Criterion C for architecture, including residences that span a wide variety of architectural styles, constructed between 1880 and 1970 and retaining a high degree of integrity. The district is recommended as an appropriate candidate for nomination to the NRHP (RIHPC, 1990) and the *Town of Little Compton Comprehensive Plan* identifies the establishment of a voluntary historic district at Warren Point as a goal for the town relative to historic preservation (Town of Little Compton, 2018a:37).

By deed restriction, early purchasers of the property in Warren's Point were guaranteed overland access to Warren's Point Beach, ensuring a quiet, residential summer colony (Connors, 2008). It was this access and isolation that made Warren's Point a desirable oceanside retreat. Its visual and physical connection to the Atlantic Ocean is at the center of the significance of the district.

3.2.4 Tunipus Goosewing Farm

3.2.4.1 Physical Description and Existing Conditions

The Tunipus Goosewing Farm is located at 540 Long Highway on a peninsula an approximate 60-acre property between Quicksand Pond to the east, Tunipus Pond to the west, and the Atlantic Ocean to the south. According to the property card, the property currently contains a circa 1894 2-story, irregular-shaped house; two one-story circa 1999 guest houses, two one-and-a-half-story guest houses constructed circa 1815; and a circa 1850 two-story limestone, gambrel roof barn with an attached silo (Vision Appraisal, 2022). The property has been recently restored by the current owners (Morgan, 2016).

3.2.4.2 Historic Context

The Tunipus Goosewing Farm was constructed for the Sisson family, who moved to Little Compton from Newport in 1816 (RIHPC, 1990). The property has remained an active farm since the eighteenth century. According to the *Historic and Architectural Resources of Little Compton, Rhode Island*, Lemuel Sisson raised cows on the property during the nineteenth century (RIHPC, 1990).

3.2.4.3 NRHP Criteria and the Maritime Visual Setting

The Tunipus Goosewing Farm is located on a peninsula overlooking Quicksand Pond, Tunipus Pond, and the Atlantic Ocean. The property also provides the only access to the town-owned Goosewing Beach. The farm has a strong maritime setting with views across the open agricultural fields to the water in three directions. The relationship of the fields, buildings, and structures on an elevated ridge to the surrounding waters is an integral part of the historic setting. The Tunipus Goosewing Farm is eligible for listing on the NRHP under Criterion A and C for its architecture and its association with the Sisson family and farming in Little Compton.

3.3 Narragansett

3.3.1 *Dunmere*

3.3.1.1 Physical Description and Existing Conditions

Dunmere, also known as Dunmere Gardener's Cottage, Gate, and Garden, is a 3.4-acre estate located at 560 Ocean Road in Narragansett, Rhode Island, approximately 600 feet from the coastline of Narragansett Bay. The property consists of the original Gardener's Cottage, entrance gate, and associated garden landscape. The Gardener's Cottage is a two-story building featuring granite masonry and wood construction. A three-story conical tower on the south elevation rises above the multi-gabled roof and a massive granite chimney rises from a central point in the roof. Fenestration is varied, with examples of Queen Anne and Eastlake-style windows, including single, fixed-pane and one-over-one, double-hung sash windows, some with colored geometric lights and delicate wood mullions and muntins (Youngken et al., 2005).

The entrance gate is of rough-cut granite construction and features an elliptical arch which appears to emerge from the natural rocky outcrops at the north side of the arch. A two-story conical tower on the south side of the arch features a small rectangular open window. A small, hipped roof projects from the base of the turret over a stone patio. The word "Dunmere" is legible within the design on a pair of decorative wrought-iron gates. Although much of the historic landscape has been removed or destroyed over time, the extant landscape architecture associated with the historic Dunmere estate include some garden terraces, fountains, a man-made pond, stone-arched bridge and stone retaining walls (Youngken et al., 2005).

3.3.1.2 Historic Context

The Dunmere estate was designed by John M. Merrick and constructed in 1883 for investor and financial pioneer Robert G. Dun. Dun began developing his estate after the expansion of Ocean Road and the growth of Narragansett as a recreational resort. Spanning over ten years, the construction at Dunmere included a three-and-one-half-story Queen Anne-style mansion on a rocky outcropping near the sea, a water tower, and a windmill. The landscape design was developed under the direction of the landscape architect Nathan Franklin Barrett, and eventually expended to encompass over 13 acres. The water tower was expanded and renovated to become the present Gardener's Cottage. Several of the estate buildings, including the main house, have been lost over the years to fire and demolition, and the original estate boundaries have been subdivided (Youngken et al., 2005).

3.3.1.3 NRHP Criteria and the Maritime Visual Setting

Dunmere is listed on the NRHP and meets NRHP Criteria A and C for its associations with seasonal maritime recreation in late nineteenth-century New England and for its importance as an example of a seasonal estate complex with Gilded Age landscape design (Youngken et al., 2005). The location of the original mansion near the ocean speaks to the property's historic association with views to and enjoyment of the seascape. The historic properties have views of the open ocean to the east. The remaining buildings are significant due to their importance as elements of a late-nineteenth century seaside estate complex. Dunmere was listed in the NRHP in 2005.

3.3.2 *The Ocean Road Historic District*

3.3.2.1 Physical Description and Existing Conditions

The Ocean Road Historic District is an approximately 92-acre historic district located in Narragansett, Rhode Island, and includes 45 residences situated on portions of Ocean and Wildfield Farm Roads and Hazard and Newton Avenues. This district consists of various examples of Shingle-style houses and estates situated along the coastline that exhibit a range of expressions of the style. Among the most striking examples of architecture within the district is the unique two-and-one-half-story stone Hazard Castle with a 105-foot-tall tower, the Suwanee Villa Carriage House designed by James H. Taft with its conical tower, and the Colonial Revival-style Rose Lea designed by Willard Kent (Roise, 1981).

3.3.2.2 Historic Context

The history of the Ocean Road Historic District began with the acquisition of the land now encompassing the district boundaries by Joseph P. Hazard. Hazard's initial construction efforts included the Hazard Castle, which took nearly 40 years to complete, but which influenced the style and setting of the surrounding area. Based on Hazard's interpretation of English castles and informed by his spiritualist beliefs, Hazard Castle became the touchstone from which the eclectic slant of the Shingle style was expressed through subsequent development of the seaside resort town. In addition, Hazard began planting trees along the bluffs, ancestors of the trees that make up the wooded area in and around the district today. In addition, many of the residences were designed by prominent architects of the late nineteenth century, such as McKim, Mead, and White, and William Gibbons (Roise, 1981). The district was listed in the NRHP in 1982.

3.3.2.3 NRHP Criteria and the Maritime Visual Setting

The NRHP-listed Ocean Road Historic District meets Criterion C for high-style seasonal residences of the wealthy and famous of the Gilded Age. Most of the contributing properties "stand on dramatic sites overlooking the rocky shoreline and are oriented to the ocean" (NPS, 1982). The district also meets NRHP Criterion A for its association with the maritime resort community that developed around Narragansett Pier. Situated along the coastline, its relationship to the water is central to the significance of the district. Many of the contributing properties within the district enjoy expansive views of the Atlantic Ocean and were sited to take advantage of those vistas.

3.3.3 *The Towers Historic District*

3.3.3.1 Physical Description and Existing Conditions

The Towers Historic District is an approximately 10-acre district bounded by Exchange Place, Mathewson Street, Taylor Street, and the Atlantic Ocean in the unincorporated village of Narragansett Pier. The district is comprised of 13 contributing resources including the Towers, the Life Saving Station at Narragansett Pier, a town park, and 10 private residences. Additionally, there is one non-contributing resource within the district, a residence built circa 2006 (Town of Narragansett, 2022).

The Towers and the Life Saving Station at Narragansett Pier are substantial Romanesque Revival-style stone buildings. The Towers span Ocean Road, while the Life Saving Station is sited between Ocean Road and the Atlantic Ocean. North and west of the Towers, Memorial Park occupies approximately 1.6 acres. It consists primarily of open lawn, with a memorial fountain set within a paved plaza at the northeast corner and a group of war memorial monuments at the northwest corner (Roise, 1981).

The remaining contributing resources within the district are residences constructed between circa 1822 and 1900 in popular nineteenth-century styles including the Federal, Italianate, Second Empire, Colonial Revival, and Shingle styles. All of the residences feature wood clapboard or shingle siding and retain a generally high degree of integrity. Three of the residences are sited on Ocean Road facing east to the Atlantic Ocean (Roise, 1981).

3.3.3.2 Historic Context

The Town of Narragansett is named for the Narragansett Indian Tribe, the indigenous people of Rhode Island. The town was primarily agricultural in character from the late seventeenth century through the mid-nineteenth century (RIHPHC, 1991a). Piers and wharves constructed along the shore during this time contributed to a diversified economy based on fishing, shipbuilding, and the export of agricultural products. A pier built in the late eighteenth century near the present site of the Towers gave the village of Narragansett Pier its name. One of the contributing resources within the Towers Historic District, the residence at 16 Mathewson Street, was built during this period, circa 1822 (Roise, 1981).

The transformation of Narragansett Pier from a working port village to a tourist destination began in the 1840s, when the first visitors began to spend the summer season as boarders in private homes. The village's first hotel was built in 1856 and by 1871 ten additional hotels were built to serve guests from throughout the Northeast, Mid-Atlantic, and Midwest. The construction of private summer residences and rental cottages soon followed, and Narragansett Pier became a fashionable resort town popular with businesspeople, industrialists, and members of the professional class. The residences within the Towers Historic District were primarily built during this period, as either private residences or rental properties. The Narragansett Casino and the Life Saving Station at Narragansett Pier were both designed by McKim, Mead and White, and constructed in the 1880s (Roise, 1981; RIHPHC, 1991a).

In 1900 a catastrophic fire destroyed most of the Narragansett Casino, along with the Rockingham Hotel and neighboring commercial buildings. Several of the large nineteenth-century hotels also burned in the early decades of the twentieth century. During this period, Narragansett Pier's tourism economy began to shift away from long-term renters towards day-trippers and short-term guests. Other physical changes included damage or destruction of many buildings in the area by hurricanes in 1938, 1954, and 1991. In the post-World War II era, the year-round population of the village and town increased, further altering the Pier's character as a seasonal resort community. Urban renewal activity in the 1970s resulted in the clearance of nineteenth-century buildings from a 28-acre area northwest of the Towers Historic District. The site of the former Narragansett Hotel was purchased by the Town of Narragansett in 1931 and developed as Memorial Park (Roise, 1981; RIHPHC, 1991a). The Towers Historic District was listed in the NRHP in 1982.

3.3.3.3 NRHP Criteria and the Maritime Visual Setting

The Towers Historic District meets National Register Criteria A and C for its relationship to the development of seaside tourism in Narragansett Pier and as a collection of intact nineteenth-century buildings which directly relate to tourism and maritime activity. The district's period of significance is 1850 to 1924 (Roise, 1981). The district as a whole derives historic significance from its seaside location and maritime visual setting. The siting of the Towers and several of the district's residences, in particular, provide expansive views of the ocean, while the Life Saving Station at Narragansett Pier was sited especially close to the ocean in order to facilitate the launch of lifeboats.

3.3.4 *The Towers*

3.3.4.1 Physical Description and Existing Conditions

The Towers is a multistory stone building with a roughly I-shaped plan formed by two pairs of engaged round towers connected by a massive east-west segmental arch spanning Ocean Road. The building has a steeply pitched main gable roof with multiple dormers while the towers have conical dormered roofs. A wing to the west has dormered hipped roofs. The exterior is of rock faced granite and the roofs are clad in wood shingles. Windows are primarily six-over-one or nine-over-one double hung sash. Primary entrances to the east and west tower sections are located within arched openings below the main arched volume. A small octagonal cupola and lantern are located at the center of the main gable roof. The Towers currently serves as a public event venue and is owned by the Town of Narragansett (Roise 1981; RIHPHC, 1991a).

3.3.4.2 Historic Context

The village of Narragansett Pier was a leading seaside resort town during the last quarter of the nineteenth century. Several grand hotels and numerous private residences and rental cottages were constructed during this period. The Narragansett Casino was built between 1883 and 1886, serving as the center of social activity during the summer season. The rambling casino was designed by McKim, Mead & White, the nationally prominent firm that had designed the Newport Casino just a few years earlier. The stone Towers served as a grand entrance linking the casino to the shore over Ocean Road, while the bulk of the building, consisting of guest rooms, card rooms, and dining rooms, was built of wood. A massive fire on September 12, 1900, destroyed the wood portions of the casino, including the roofs of the Towers, leaving only the stone portions of the Towers standing. The roofs of the Towers were subsequently rebuilt, and the building was acquired by the Town of Narragansett and renovated for use as a town hall. The Towers was individually listed in the NRHP in 1969 and was included as a contributing resource to the Towers Historic District, listed in the NRHP in 1982. Today, the building is utilized as an event venue (Roise, 1981; RIHPHC, 1991a). A major exterior and interior restoration was completed in 2017.

3.3.4.3 NRHP Criteria and the Maritime Visual Setting

The Towers is an iconic building in the village of Narragansett Pier and is the sole remnant of the community's many Gilded Age hotels. The building meets National Register Criteria A and C for its relationship to the development of seaside tourism in Narragansett Pier, as a notable example of seaside recreational architecture in the Romanesque Revival style, and as the work of McKim, Mead & White. The

Narragansett Casino's oceanfront location and orientation provide expansive ocean vistas. This maritime visual setting is a key component of the Towers' historic significance.

3.3.5 *The Life Saving Station at Narragansett Pier*

3.3.5.1 Physical Description and Existing Conditions

The Life Saving Station at Narragansett Pier, also known as the Coast Guard House, is a two-story stone building located about 50 feet from the Atlantic Ocean on the east side of Ocean Road. The north end of the building is semicircular in plan while the south end is rectangular. The exterior is of rock faced granite ashlar and the gable-conical roof is clad in asphalt shingle. Multiple additions to the north, east, and south, dating from the late twentieth and early-twenty-first centuries, are primarily constructed of wood. The west elevation of the main volume features Roman arch openings which continue along the apsidal north end of the building. A bas-relief sculpture of a ship anchor decorates the parapeted gable end of the south elevation. Three rectangular window openings on this elevation are now obscured by later additions (Jones, 1976).

3.3.5.2 Historic Context

The United States Life-Saving Service was founded in 1848 as a volunteer organization providing rescue services along the New England and Mid-Atlantic coast. Early lifesaving stations consisted of utilitarian structures housing lifeboats and other equipment, often located near dangerous shoals and rocks. The service was nationalized by Congress in 1871, and funding provided for full-time crews to staff lifesaving stations. Congress authorized the construction of two initial stations in Rhode Island in the early 1870s, one on Block Island and the other at Narragansett Pier. This first lifesaving station at Narragansett Pier was a wood structure completed by 1873 north of the public beach (Jones, 1976).

The current Life Saving Station was built in 1888. It was designed by the nationally prominent architecture firm of McKim, Mead & White, which had completed the neighboring Narragansett Casino two years prior. The form and materials of the Life Saving Station complemented those of the casino. The Life Saving Station's ground floor served as a boathouse and had a sloping floor which allowed lifeboats to be launched through the arched openings, while the second floor served as the living quarters for the life station crew (Jones, 1976).

The Life-Saving Service was merged with the Revenue Cutter Service in 1915 to become the United States Coast Guard, which began consolidating lifesaving stations in the 1920s. The Life Saving Station at Narragansett Pier, then known as the Coast Guard House, was closed in 1946. It was subsequently converted into a dining establishment and continues in that function today, having survived damage from Hurricane Carol in 1954 and Hurricane Bob in 1991, as well as a fire shortly before it was listed in the NRHP in 1976. It was included as a contributing resource to the Towers Historic District, listed in the NRHP in 1982 (Jones, 1976; Roise, 1981).

3.3.5.3 NRHP Criteria and the Maritime Visual Setting

The Life Saving Station at Narragansett Pier meets National Register Criteria A and C for its association with the U.S. Life Saving Service and the early development of the U.S. Coast Guard, as a rare surviving example of a nineteenth-century lifesaving station, and as the work of McKim, Mead & White. The building's use as a boat launch necessitated its siting very close to the water on the ocean side of Ocean Road. This maritime visual setting is a key component of the Life Saving Station's historic significance.

3.3.6 *Fort Varnum/Camp Varnum*

3.3.6.1 Physical Description and Existing Conditions

Fort Varnum/Camp Varnum is currently an Army National Guard training facility located off Cormorant Road on Cormorant Point in Narragansett overlooking Narragansett Bay and the Atlantic Ocean. According to property records, the property currently consists of over 41 acres. Per review of aerial mapping, there are currently approximately 25 buildings on the property, the majority of which were constructed prior to 1963.

3.3.6.2 Historic Context

Fort Varnum/Camp Varnum was established in 1942 at the beginning of World War II as part of the United States military defense of Narragansett Bay. The fort was built to protect the west passage of Narragansett Bay and named after Revolutionary War Brigadier General James Mitchell Varnum (Sevigny, 2012). The original fort consisted of barracks, a mess hall, classrooms, and fire control towers, as well as other buildings (RIHPHC, 1991a). The fort was transferred to the Rhode Island National Guard in 1957 and renamed Camp Varnum (Sevigny, 2012).

3.3.6.3 NRHP Criteria and the Maritime Visual Setting

Fort Varnum/Camp Varnum was constructed to defend Narragansett Bay. Its location on the coast with views of the Bay and the Atlantic Ocean were necessary for the army to defend the coast.

3.3.7 *Narragansett Pier MRA*

3.3.7.1 Physical Description and Existing Conditions

The Narragansett Pier MRA is located along the coastline of Narragansett Bay and the Atlantic Ocean and consists of residences, resort-related buildings, hotels, religious buildings, the Towers and other buildings dating from circa 1840 to the mid-twentieth century (Roise, 1978).

3.3.7.2 Historic Context

In the late nineteenth century, Narragansett, along with many other coastal New England towns, transformed from a predominately agricultural community to a summer destination. Hotels, summer cottages, and resorts were constructed along the shorelines for the upper-middle- and upper-class residents of nearby New York, Boston and Philadelphia. The first hotel, the Narragansett House was built in 1856 and by 1871, ten hotels existed at the Pier (RIHPHC, 1991a). The Narragansett Casino was designed

by McKim, Mead, and White and was constructed between 1883 and 1860. A fire destroyed the complex and other buildings in the vicinity in 1900, leaving only the Towers.

3.3.7.3 NRHP Criteria and the Maritime Visual Setting

The Narragansett Pier MRA is significant under Criterion A for its association with the transformation of Narragansett from a rural, farming community to a summer resort as well as under Criterion C for its architecture. Many buildings within the MRA were designed by some of the most prominent architects of the time in a variety of styles including Italianate, Second Empire, Stick, Shingle, Queen Anne and Second Empire (Roise, 1978).

The MRA's location along Narragansett Bay as well as its history and existence as a summer resort colony are intrinsic to its maritime setting. Buildings were sited on the water or to have views of the water and were designed for people wanting to escape the heat of the city and be on the water. The most architecturally significant properties are located on the coast, including the Towers and the Life Saving Station.

3.3.8 *The Dunes Club*

3.3.8.1 Physical Description and Existing Conditions

The Dunes Club is addressed as 137 Boston Neck Road. The property is located on 32.16 acres on Little Neck, off Boston Neck Road, on Beach Street, between the road, of Narragansett Bay and the Atlantic Ocean, and the Pettaquamscutt River, also known as the Narrow River (Town of Narragansett, 2022).

There are six resources that contribute to the Dunes Club, the property also has seven noncontributing buildings and structures. The clubhouse is a one-and-a-half-story building with a lantern cupola constructed in 1939 in the colonial revival style. Connected by a wood deck to the east of the clubhouse are a pool constructed in 1928 and one-story bathhouses constructed in 1939. Further east are three U-shaped cabana buildings constructed in 1939. A one-story, gable-roofed staff house constructed in 1939 is located to the north of the clubhouse. The staff house complex is four buildings connected around a central courtyard. The gatehouse is located at the entrance of the property at the intersection of Beach Street and Boston Neck Road. The gatehouse is a hipped-roof turreted building constructed in 1928. All of the buildings, except the gatehouse, have sustained damage in multiple hurricanes and have had alterations and/or partial reconstructions (Youngken, 2015).

3.3.8.2 Historic Context

With the ease of travel by train and ferry, during the mid-to-late nineteenth century, wealthy families from New York, Philadelphia, and Boston began frequenting the southern New England coast in the summer to get away from the heat of the cities. Resort hotels and summer homes were constructed, and summer colonies and resorts were developed.

In the 1920s the Dunes Club was founded by wealthy summer residents of Narragansett to establish a private club after the casino was destroyed by fire in 1900. The original Dunes Club was constructed between

1928 and 1929. Kenneth Murchison, Jr., an architect from New York, was the original architect and designed the club in the Mediterranean Revival style, which was the popular style for these types of clubs at the time (North Carolina Architects and Builders, 2022; RIHPHC. 1991). The complex was destroyed in the hurricane of 1938, and only the gatehouse and pool remain from the original club (Youngken, 2015).

In 1938-1939 the Dunes Club was reconstructed. The new complex was designed by Thomas Pym Cope, an architect from Philadelphia. Cope designed the clubhouse, bathhouses, cabanas, and staff housing complex as part of the original plan for the club (Youngken, 2015).

3.3.8.3 NRHP Criteria and the Maritime Visual Setting

The Dunes Club is listed on the NRHP as an “excellent example of the private American beach club facility of the early-to-mid-20th century.” The club is significant under Criterion A for its association with coastal Rhode Island, and in particular Narragansett, becoming a summer destination. The Dunes Club was established as a members-only club by summer residents from Philadelphia and New York. The Dunes Club is also significant under Criterion C for its architecture. As stated above, Thomas Pym Cope designed the original Dunes Club complex including the clubhouse, gatehouse, bathhouses, cabanas and staff housing complex (Youngken, 2015).

The Dunes Club is located on Little Neck, between the Atlantic Ocean, and the Pettaquamscutt River. As a private beach club, this historic property has a clear maritime setting with access and views of Narragansett Bay and the Atlantic Ocean.

3.4 New Shoreham

3.4.1 *Historic Context of New Shoreham*

Block Island was home to Native Americans for thousands of years prior to its initial “discovery” by European explorers. Archaeological studies indicate indigenous people were visiting or living on the island at least 7,000 years ago. Giovanni da Verrazzano is credited with discovering and describing the inhabited island during a 1524 voyage to the New World. Sixteen families moved to Block Island in 1662, representing the first permanent European settlement in present-day New Shoreham. For the next two centuries the island’s residents developed a significant fishing and processing industry for fish products. Enslaved Africans were among the island’s earliest post-Contact Period inhabitants. A National Harbor was established early in the Island’s history, and seasonal tourism began in the early-to-mid nineteenth century. Block Island’s proximity to major northeastern cities, as well as its natural scenic landscape and charm led to its development as a summer destination. Development of inns, hotels, and other amenities increased around the harbor in the mid-nineteenth century, with the first public house built in 1842 (Gibbs, 1974). As transportation to the island improved with the first recreational steamboat in 1858, the development of summer beach cottages increased. By the mid-nineteenth century it became known as the “Bermuda of the North.” The present harbor was constructed between 1870 and 1876 consisting of two rip-rap granite breakwaters that remain relatively unchanged to this day. Although many tourists stayed in boarding houses, inns, and hotels,

seasonal summer cottages were being constructed in large numbers by the mid-1880s. It was well-established as a recreation destination for the regional elite by 1890 (Scofield and Adams, 2012).

The resort economy had declined in the first half of the twentieth century but rebounded with the construction of an airport in 1950 (Gibbs, 1974). By the early 1970s, pressure from new development spurred the creation of the Block Island Conservancy. This effort has contributed to the preservation of open rural spaces on the island and the historic fabric of much of the island's-built environment (PAL, 2012).

3.4.2 *New Shoreham Historic District*

3.4.2.1 Physical Description and Existing Conditions

The New Shoreham Historic District is a local historic district/historic district overlay (Town of New Shoreham Historic District Commission, 2022a). The historic district is located along Spring, Water, and Ocean Avenues and Corn Neck Road roughly bounded to the southeast by Amy Dodge Lane; to the northeast by Trims Pond; to the north by Great Salt Pond; and to the west at the intersection of West Side and Champlin Roads (Town of New Shoreham GIS, 2022). There are 321 parcels located within the boundaries of the district including the Old Harbor Historic District, residences, commercial buildings, town-owned properties, and vacant land (Town of New Shoreham Historic District Commission, 2022b).

The topography within the district is that of relatively low and gently rolling hills, with some slightly higher elevations around the periphery, such as along Old Town Road to the west and Spring Street to the south. The buildings within the district include three-and-one-half- and four-and-one-half-story hotels and inns facing the ocean along Water Street, and smaller one-and-one-half- and two-and-one-half-story residences inland and just outside of the village center. The extant historic buildings feature architectural styles of the mid- to late-nineteenth century, such as Gothic Revival, Second Empire, and Queen Anne. Many recently constructed buildings feature matching forms and materials evocative of this period, helping to maintain the historic feeling and association with the district's period of significance. Mansard roofs are common, especially on the hotels and inn buildings, while the residences typically feature gables. Powerful storm surges attributed to global climate change have increased in recent years, leading to damage to both man-made and natural resources within the district (Kelly, 2021). This situation has increased the need for major planning and conservation efforts on Block Island.

3.4.3 *Corn Neck Road Historic District*

3.4.3.1 Physical Description and Existing Conditions

The Corn Neck Road Historic District is a cultural landscape that encompasses the entire northern tip of Block Island, surrounded by the Atlantic Ocean on three sides and bounded by Mansion Road to the south. The district includes 29 contributing buildings dating back to the eighteenth century, including the NRHP-listed Block Island North Light (74000008). The landscape features bucolic settings, open fields, forested areas, stone walls, and historic farmsteads. It was determined eligible for listing on the NRHP in 2012 (PAL, 2012).

3.4.4 *Indian Head Neck Road Historic District*

3.4.4.1 Physical Description and Existing Conditions

The Indian Head Neck Road Historic District is located along a peninsula between Corn Neck Road and great Salt Pond on Block Island. The district consists of five one-and-one-half-story summer cottages with wrap-around porches on large parcels. These cottages were built during the late nineteenth century for seasonal tourists and later for year-round residences. The district has clear views of the ocean and was determined eligible for listing on the NRHP in 2012 (PAL, 2012).

3.4.5 *The Mitchell Farm Historic District*

3.4.5.1 Physical Description and Existing Conditions

The Mitchell Farm Historic District is an historic district located along Corn Neck Road on the narrow isthmus between Great Slat Pond and Rhode Island Sound on Block Island. It includes fifteen contributing properties dating from the mid-eighteenth to the mid-twentieth century. Small, forested areas and open fields are delineated by stone walls. It was determined eligible for listing on the NRHP in 2012 (PAL, 2012).

3.4.6 *The Beach Avenue Historic District*

3.4.6.1 Physical Description and Existing Conditions

The Beach Avenue Historic District is a small, compact neighborhood on a narrow spit separating Trims Pond and Harbor Pond. The district encompasses residential and inn properties built in the late nineteenth to early twentieth centuries. The U.S. Weather Bureau Station and Hygeia House properties, both listed on the NRHP, are contributing resources to the historic district. Well-preserved examples of several architectural styles are included, ranging from Second Empire to Gothic Revival to Neoclassical (PAL, 2012). Although eclectic, the district retains its essential cohesiveness and distinction among the compact developments of Block Island.

3.4.7 *The Lakeside Drive and Mitchell Lane Historic District*

3.4.7.1 Physical Description and Existing Conditions

The Lakeside Drive and Mitchell Lane Historic District is an historic district located between Lakeside Drive and Cooneymus Road, just south of the Block Island airport. The district includes Fresh Pond and thirteen contributing buildings. The buildings within the district date from the mid-eighteenth to the mid-twentieth century. The landscape is a significant element of this district, featuring gently rolling topography, stone walls, open fields, and modest homestead which characterize the historic lifeways of Block Island. The district was determined eligible for listing on the NRHP in 2012 (PAL, 2012).

3.4.8 *The Champlin Farm Historic District*

3.4.8.1 Physical Description and Existing Conditions

The Champlin Farm Historic District is an historic farmstead located on approximately 16.6 acres of land along Coast Guard Road on Block Island. The farm complex consists of a two- and-one-half-story frame residence, two frame barns, and four sheds. The farm is associated with the Champlin family, who have been farmers on Block Island since the late eighteenth century. The property was determined eligible for listing on the NRHP in 2012 (PAL, 2012).

3.4.9 *The Old Town and Center Roads Historic District*

3.4.9.1 Physical Description and Existing Conditions

The Old Town and Center Roads Historic District is an historic district located in the center of Block Island consisting of what was once the original town center, from the west boundary of the Old Harbor Historic District to Center Road. The district includes 48 contributing properties that date from the late-seventeenth to the mid-twentieth century. Historic markers denote the locations of non-extant mills and structures. The oldest structure in the district is the Samuel Ball house, constructed in 1680. The district represents the traditional architecture and development of early Block Island and was determined eligible for listing on the NRHP in 2012 (PAL, 2012).

3.4.10 *The Beacon Hill Historic District*

3.4.10.1 Physical Description and Existing Conditions

The Beacon Hill Historic District is an historic district located west of the Block Island airport from Beacon Hill Road to Old Mill Road in the south. It is representative of residential, agricultural, and military development on Block Island and was determined eligible for listing on the NRHP in 2012 (PAL, 2012).

3.4.11 *Lewis-Dickens Farm*

3.4.11.1 Physical Description and Existing Conditions

The Lewis Farm and Dickens Farm Road Historic District is an historic agricultural landscape district encompassing most of the southeast corner of Block Island from Cooneymus Road to the Atlantic Ocean. It consists of thirteen contributing properties dating from the mid-eighteenth to the mid-twentieth century. Landscape features such as stone walls and open fields enhance the pastoral setting of the district. It was determined eligible for listing on the NRHP in 2012 (PAL, 2012).

3.4.12 *The Pilot Hill Road and Seaweed Lane Historic District*

3.4.12.1 Physical Description and Existing Conditions

The Pilot Hill Road and Seaweed Lane Historic District is an historic district located along Pilot Hill Road between Payne Road and Mohegan trail at the southeast corner of Block Island. It includes ten properties that date from the mid-eighteenth to the mid-twentieth century and is also characterized by stone walls

and open agricultural fields that give a pastoral setting to the district. The district represents both the residential development and the seasonal tourism of Block Island and was determined eligible for listing on the NRHP in 2012 (PAL, 2012).

3.5 Newport

3.5.1 The Ochre Point – Cliffs Historic District

3.5.1.1 Physical Description and Existing Conditions

The Ochre Point – Cliffs Historic District is located in the eastern portion of Newport and is roughly bounded to the north by Memorial Boulevard, to the east by Easton Bay, to the south by Marine Avenue and to the west Bellevue Avenue. Seventy-one contributing resources are identified in the National Register Nomination Form. The Cliff Walk, which is a 3.5-mile, National Recreational Trail, that runs from First/Easton’s Beach to Baileys Beach, is also a contributing resource to the Ochre Point – Cliffs Historic District.

3.5.1.2 Historic Context

Like many coastal New England cities and towns, Newport became a summer resort destination in the mid-nineteenth century. Properties along and adjacent to Bellevue Avenue were chosen as prime locations for some of the wealthiest Americans to build summer cottages due to their locations on the cliff and views to the water. Most of the properties also had designed landscapes surrounding the buildings.

3.5.1.3 NRHP/NHL Criteria and the Maritime Visual Setting

The Ochre Point – Cliffs Historic District is significant under Criterion A for its contribution to Newport becoming a summer resort and the social history of its summer residents and Criterion C for its architecture and designed landscapes.

As stated above, contributing resources of the Ochre Point – Cliffs Historic District were constructed on or nearby Bellevue Avenue to take advantage of the views of Easton Bay and the Atlantic Ocean. The landscapes surrounding many of the properties were also designed to take advantage of the views. The Cliff Walk features expansive views of the Atlantic Ocean, which are integral to the visual and maritime setting of the trail.

3.5.2 The Ocean Drive Historic District, National Historic Landmark

3.5.2.1 Physical Description and Existing Conditions

The Ocean Drive Historic District is both listed on the NRHP and was designated as an NHL district on May 11, 1976 (Longstreth, 1976; Pitts, 1976). The Ocean Drive Historic District is made up of 45 contributing properties located in a 1,509-acre suburban/rural setting encompassing most of the Newport Neck peninsula southwest of the City of Newport, Rhode Island. The summer homes in this district feature great

variety in style and opulence, ranging from Neoclassical-style residences to early nineteenth-century farms. The coastline features promontories and jetty-like rock formations.

3.5.2.2 Historic Context

The first European to occupy Newport Neck was William Brenton, who was an important founding figure in the history of Newport. Brenton and his descendants worked to develop the landscape for agriculture, erected the first buildings, and cut trails for the frequent visitors to the land. The area became a seasonal retreat for the wealthy even prior to the Revolutionary War. After being destroyed by the British during the Revolutionary War, Newport Neck remained rural for decades. By the mid-nineteenth century the community in Newport and along Bellevue Avenue to the north and east of the present-day Ocean Drive Historic District grew and the elite citizens utilized Newport Neck for daytime excursions to enjoy the pastoral setting. By the turn of the twentieth century, overland transportation had improved, and the building of large estates began. Landscape development was carried out by the well-known landscape architect Frederick Law Olmsted and his firm. In the late twentieth century, several of the large estate houses were demolished, but the rural character of the district was cultivated and maintained (Longstreth, 1976).

3.5.2.3 NRHP/NHL Criteria and the Maritime Visual Setting

The summer homes in the Ocean Drive Historic District feature great variety in style and opulence, ranging from Neoclassical-style mansions to early nineteenth-century farms. In contrast to the adjacent Bellevue Avenue Historic District, however, Ocean Drive (aka Ocean Avenue) is decidedly more bucolic and rural, with greater expanses between structures accentuated by natural and designed landscapes. The national significance of the Ocean Drive Historic District is derived from its architecture, which includes works from McKim, Mead and White, John Russell Pope, and landscape architecture by Frederick Law Olmstead (Pitts, 1976). In 2012 an updated statement of significance was appended to the NHL nomination which elaborated and expanded upon the initial areas of Criterion C significance such as architecture and landscape design. The update also addressed additional Criterion A areas of significance such as planning, and engineering related to maritime views and design features purposefully built to interact with the shoreline and the ocean. The updated nomination materials also included a detailed account of the evolution of Ocean Drive as a "pleasure drive" to accompany the development of the inland areas as an upper-income resort suburb. In addition, the landscape architecture firm of Frederick Law Olmstead was involved in at least two subdivisions and 15 private contract designs within the district. These designs include properties situated on dramatic overlooks, and along Ocean Drive. Clearly this roadway was specifically constructed to take advantage of ocean views.

3.5.3 *Bellevue Avenue Historic District National Historic Landmark*

3.5.3.1 Physical Description and Existing Conditions

The Bellevue Avenue Historic District National Historic Landmark is approximately two miles long and consists of 87 contributing properties in a 606-acre district occupying several blocks along Bellevue Avenue, from Memorial Boulevard in the north, to Block Island Sound in the south, in the City of Newport. Spring Street and Cogshell Avenue form the western boundary of the district, while Narragansett Bay forms the

eastern boundary. From north to south, this district features two miles of commercial blocks and villas, notably ending in the south with the grand and palatial nineteenth-century estates of wealthy summer residents.

The Cliff Walk is a contributing resource to the Ochre Point-Cliffs Historic District, which is part of the Bellevue Avenue Historic District, and designated a National Recreational Trail. The Cliff Walk extends approximately 3.5 miles along the eastern coastline of Aquidneck Island and the Bellevue Avenue Historic District, situated on the rocky outcrops of the shore and featuring expansive views of Easton Bay and the Atlantic Ocean. The Cliff Walk is part of the typical experience for visitors to the Newport mansions, is open to the public, and has been described as "Rhode Island's #1 tourist destination" with (reportedly) over 1.2 million visitors per year (Winthrop, 2021). Portions of the Cliff Walk were washed away in Hurricane Sandy and were recently restored/rebuilt with grant funds from the RIHPHC and National Park Service (RIHPHC, 2019b).

3.5.3.2 Historic Context

During its early decades and up to the mid-nineteenth century, Newport primarily grew around the downtown area to the north of Bellevue Avenue. The notable historic properties within the National Historic Landmark district were built during the Gilded Age, when some of the wealthiest Americans engaged in massive high-style residences for use as summer homes. Many of the estates in this district were designed by world-renowned master architects, including Richard Upjohn, Richard Morris Hunt, and McKim, Mead, and White. The district possesses many distinctive examples of high-style architecture. The district was listed as a National Historic Landmark on May 11, 1976.

3.5.3.3 NRHP/NHL Criteria and the Maritime Visual Setting

The significance by which the district was originally listed is primarily focused on architecture, commerce, and landscape architecture. While the significance attributed to the district does not explicitly reference the ocean, the estates were sited to take advantage of the ocean views. For example, property names such as "Sea View Terrace" and "Ocean View" imply that maritime views are essential to the district's identity. In addition, the NRHP nomination form for the Ochre Point-Cliffs Historic District (a contributing property to the Bellevue Avenue Historic District NHL), contains the following reference:

[The Ochre Point-Cliffs Historic District] has a fine, elevated north-easterly view over the lower, Easton's Beach, part of Newport, and, easterly out past Middletown's hill and on towards Sakonnet, Westport and Cape Cod, far out into the Atlantic horizon. This high, grassed promontory had its obviously desirable features even though Bellevue Avenue was the first fashionable allee (Harrington, 1974).

A major focus of the Ochre Point-Cliffs Historic District portion of the Bellevue Avenue Historic District is the Cliff Walk. The Cliff Walk was designed specifically to afford maritime views, as illustrated in the following excerpt from the nomination document:

The [Cliff]Walk provides spectacular views at every point, as it winds near many mansions and occasionally dips down to the shore. Originally a fishermen's trail, the Cliff Walk was at one time the subject of a court battle between the owners of the estates bordering the walk-way and the public. The estate-owners wished to prevent public access and viewing across their properties and erected gates and other barriers to close the Walk and prevent such nuisance. Such action outraged the native Newporters, who went to court and won a decision which re-asserted the right of the public to an unobstructed foot-way around the island. Thus, the barriers were removed, and the present foot-path was laid out, with much use ever since, with maintenance undertaken first by the Works Progress Administration in the 1930's-1940's, and by the municipality in more recent years (Harrington, 1974).

3.6 South Kingstown

3.6.1 Browning's Beach Historic District

3.6.1.1 Physical Description and Existing Conditions

The Browning's Beach Historic District is an NRHP-listed district located in South Kingstown along a private drive extending south of Cards Pond Road (also referred to as Card Ponds Road). The district encompasses approximately 20 acres and includes single family residences constructed in the late nineteenth and early twentieth century as part of a residential complex (Youngken, 1997). The district boundaries stretch south from Cards Pond Road, include a small peninsula extending west into Cards Pond and continues south to the barrier beach facing the Atlantic Ocean.

Review of modern aerial photography reveals that only five of the contributing resources are currently extant, including three buildings on the barrier beach, one building on the peninsula in Cards Pond, and one building on the east side of the private drive between the peninsula and the barrier beach. The buildings appear to have been removed or demolished between 2012 and 2014 (Google Earth, 2022).

3.6.1.2 Historic Context

The collection of residences constituting the Browning's Beach Historic District were constructed between circa 1895 and circa 1905 as a coastal Rhode Island summer colony, a popular trend at this time throughout coastal Rhode Island. It originated as a private enclave for a group of prominent Rhode Island families including the Knight, Webster, Lapham-Treat, and Noyes families. The complex was designed to take advantage of the recreation offered by the seaside location. There was a communal boardwalk traversing the ocean dunes, a beach cabana which housed changing rooms for bathing, as well as a tennis court, a large stable, shared water system, and shared private drive providing access to the residences (Youngken, 1997).

The district was listed in the NRHP in 1997 and consisted of 10 contributing buildings and one non-contributing building. The contributing buildings consisted of single dwellings representing Queen Anne, Shingle, and Craftsman/Bungalow-style residences constructed between circa 1895 and circa 1905. The district featured wood-framed, one-story to two-and-one-half-story houses. A variety of roofing forms were

found in the district, including gabled, gambrel, and gable-on-hip roofs. These houses were typically sheathed in wood shingles, but board-and-batten siding was also present. The private drive providing access to the residences was narrow and graveled (Youngken, 1997).

3.6.1.3 NRHP Criteria and the Maritime Visual Setting

The Browning's Beach Historic District meets NRHP Criterion C as a collection of late-nineteenth and early-twentieth century residences constructed as a summer colony in coastal Rhode Island. The district derives its significance from its maritime location on the coast, representing the significant trend of summer colonies in Rhode Island. The beach provided recreation for the residents, and by extension the view and setting of the Atlantic Ocean is a significant element to the historic district.

3.7 Tiverton

3.7.1 *Puncatest Neck Historic District*

3.7.1.1 Physical Description and Existing Conditions

Puncatest Neck is located in the southwestern portion of Tiverton between Nonquit Pond and the Sakonnet River. The 1979 RIHPHC report entitled *Historic and Architectural Resources of Tiverton, Rhode Island: A Preliminary Report*, identified 18 resources within the potential historic district as well as a ferry landing site, three former wharves, and the King Philip's War Battle Site (RIHPHC, 1979c). Of the 18 historic homes identified, it appears 17 are extant. The district runs along Puncatest Neck Road with the northern boundary approximately where Puncatest Neck Road takes a sharp, ninety-degree turn, to the southern end of the road, and along Fogland Road and includes Fogland Point.

While many of the properties have additions, seventeen of the residences appear to retain the integrity and significance to be eligible for listing on the NRHP. One of which, the Cook-Bateman Farm, is individually listed on the NRHP and one, the William Almy Farm/Fogland Farm/Puncatessett at 435 Puncatest Neck Road has been demolished. The former sites of the wharves, ferry land and the King Philip's War Battle Site would also be contributing resources to this historic district. The contributing resources are as follows:

- Cook Almy House – 58 Fogland Road
- Almy House – 103 Fogland Road
- John Almy House – 148 Fogland Road
- Former Site of Almy's Ferry Landing – Fogland Point
- Former Site of Almy's Wharf – Fogland Road
- Captain Gideon Wilcos House – 425 Puncatest Neck Road
- A. Wilcoc House – 481 Puncatest Neck Road
- Captain Fernando Wilcox House – 488 Puncatest Neck Road
- Peleg Cory House – 531 Puncatest Neck Road
- J. Piece House – 532 Puncatest Neck Road
- Captain George Gray House – 560 Puncatest Neck Road
- Isaac G. White House – 563 Puncatest Neck Road

- Robert Gray House – 630 Puncatest Neck Road
- Stephen Grinnell House – 677 Puncatest Neck Road
- Otis Almy House/Heathersfield – 737 Puncatest Neck Road
- Horace Almy House/Nanquit Farm – 807 Puncatest Neck Road
- Samuel E. Almy House – 494 Puncatest Neck Road
- Cook-Bateman Farm – 958 Puncatest Neck Road
- Ferol Bink Farm – 993 Puncatest Neck Road
- King Philip’s Battle Site– Fogland Road
- Cory’s Wharf/White’s Wharf – Fogland Point
- Pierce’s Wharf – Fogland Point

3.7.1.2 Historic Context

In 1659, Puncatest Neck was granted to 75 freeman of Plymouth Colony and 36 lots were defined, although no “substantial structures” were built. On July 8, 1675, one of the battles of King Philip’s War was fought on Puncatest Neck. The first known structures were constructed around 1680 by the Church and Almy families. During the seventeenth and eighteenth centuries, Puncatest Neck was primarily agricultural. In the early eighteenth century a ferry was established on Fogland Point connecting Tiverton to Dartmouth and Newport and in the early nineteenth century the first wharf was established, shifting the economy of Puncatest Neck toward maritime related industries including fishing, oystering, and whaling. The wharf was expanded circa 1863 and in 1870 a second wharf was constructed. As industry increased, new residences were constructed, both modest and more opulent and in the late nineteenth century and through the twentieth century, additional residences were constructed to be used as summer residences (RIHPHC, 1979c).

3.7.1.3 NRHP Criteria and the Maritime Visual Setting

The Puncatest Neck Historic District is eligible for listing under Criterion A for its association with the history of Tiverton, including farming, maritime, and summer colony development as well as the architecture of the contributing resources.

Similar to other coastal communities in the region, in the late nineteenth century and through the twentieth century, summer cottages, resorts, and summer colonies began to develop in Tiverton particularly on Puncatest Neck and Nannaquaket Neck (RIHPHC, 1979). These areas were attractive to the upper class for their proximity to Boston and New York and their locations on the water. As stated above, Puncatest Neck is located between Nonquit Pond to the east and Sakonnet River to the east and Nannaquaket Pond is located on the eastern side of Nannaquaket Neck and the Sakonnet River is located to the west.

4.0 MITIGATION MEASURES

Mitigation measures at the historic properties are detailed in this section. These mitigation measures were developed in consultation with the RIHPHC and consulting parties.

4.1 NRHP Nominations for the Abbott Phillips House, the Warren Point Historic District, and the Tunipus Goosewing Farm

4.1.1 *Purpose and Intended Outcome*

The purpose of this mitigation measure is to recognize and document the historic and cultural significance of the Abbott Phillips House, the Warren Point Historic District, and the Tunipus Goosewing Farm by completing NRHP Nomination Forms for each property. Listing properties on the NRHP not only documents the history of the area and specific properties but can help build community knowledge and pride. Nomination Forms can be used as educational tools for both the owners of the properties and the community as a whole and can help guide the future restoration and rehabilitation of the buildings. Although listing the affected historic properties on the NRHP is not an explicit outcome of the mitigation, all nominations prepared under this treatment plan will be drafted in accordance relevant NPS standards to support formal listings pursued by other parties. To support adherence to appropriate standards, Revolution Wind will support RIHPHC staff in presenting, and responding to comments or questions of draft nominations provided by RIHPHC's State Review Board, should the subject nominations be submitted to the review board within 5 years of the date of execution of the MOA. NRHP listing also allows properties to be eligible for state and federal grant funding and historic tax credit programs. NRHP listing does not place any restrictions on a property, nor does it prevent the remodeling or demolition of the building or allow for public access to the building. It does not in any way restrict the rights of the private property owner.

4.1.2 *Scope of Work*

This work is anticipated to consist of the following:

- Consulting with the interested consulting parties and property owners;
- Research of available historic sources and documentation;
- Field survey and conditions assessments;
- Annotated photographs;
- Drafting of the NRHP listing document;
- Submitting the preliminary draft NRHP Nomination for review and comment to the interested consulting parties;
- Developing a final draft NRHP Nomination to be provided to the interested consulting parties; and
- If the NRHP nomination is formally reviewed by the RIHPHC's State Review Board with 5 years of the MOA execution, then the consultants who prepared the nomination will be available to present the nomination and respond to the board's questions and comments.

4.1.3 Methodology

Revolution Wind will release a request for proposals (RFP) to hire a SOI Qualified Professional consultant to perform the scope of work listed in Section 4.1.2. The consultant selected will prepare a draft nomination form, prepared in accordance with applicable NPS and RIHPHC guidance. The draft document will include a historic context and statement of significance, identification, photographs, and descriptions of all contributing resources, and all maps and photographs required by NPS guidance. A final draft will be produced by the consultant that incorporates comments and additional information provided by the Interested consulting Parties.

4.1.4 Standards

The mitigation measure will comply with following standards:

- The SOI's Guidance on the *Identification of Historic Properties* (36 CFR 800.4);
- The SOI's *Professional Qualifications Standards* (36 CFR Part 61);
- The NPS *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*, as applicable (NPS, 1997a);
- *National Register Bulletin 16a: How to Complete the National Register Registration Form* (NPS, 1997b); and
- RIHPHC guidance.

4.1.5 Documentation

The following documentation is to be provided for review by Interested consulting Parties:

- RFPs;
- Proposals by qualified consultants in response to the RFP;
- Preliminary Draft of the NRHP Nomination Forms; and
- Revised draft of the NRHP Nomination Forms.

4.1.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.2 Update the Existing *Historic and Architectural Resources of Narragansett, Rhode Island*

4.2.1 Purpose and Intended Outcome

The purpose of this mitigation measure is to revise and update the 1991 Historic and Architectural Resources of Narragansett, Rhode Island survey to reflect existing conditions within the Town of Narragansett and to identify cultural landscapes and other types of cultural resources that may have been under-emphasized in prior surveys. The survey results will assist the Town of Narragansett, the State of Rhode Island, and members of the public in planning and prioritizing efforts to preserve significant elements

of the Town's architectural and historical heritage for future generations. This measure aligns with the key priorities and objectives of *Comprehensive Statewide Historic Preservation Plan for Rhode Island, 2021-2027* to ensure current, accessible information on the full range of historic and heritage resources are available in all Rhode Island communities (RIHPHC, 2021: "Goal One"). The survey will also provide substantive support to the Town of Narragansett and its citizens in meeting the standards established by the Rhode Island Comprehensive Planning Advisory Committee (*The Rhode Island Comprehensive Planning Standards Guidance Handbook Series Guidance Handbook #4: Standard 4.1*)

4.2.2 Scope of Work

The scope of work will consist of the following:

- The scope of work assumes approximately 150 buildings, structures, and/or objects will be included in the Updated Town-Wide Historic Resources Survey.
- Research of available historical archival sources and existing documentation, including surveys and assessments conducted in compliance with local, state and federal preservation regulations and ordinances;
- Consultation with the Town of Narragansett, local and state preservation organizations, and other knowledgeable parties to identify and prioritize types of historic architectural or landscape resources under-represented in existing survey data;
- Field survey, annotated photographs, and mapping;
- Develop draft survey forms;
- Drafting of a Survey Report to be distributed to the Interested consulting Parties for review and comment;
- Development of a final Survey Report which addresses comments from the Interested consulting Parties; and
- Distribution of the final Survey Report to the Interested consulting Parties.

4.2.3 Methodology

Revolution Wind will release a RFP for consultant services and select a consultant to perform the scope of work listed in Section 4.2.2. The consultant selected will prepare a draft survey, prepared in accordance with applicable National Park Service and RIHPHC guidance. The draft document will include a methodology, an updated historic context and history of Narragansett, associated maps, photographs, building descriptions, and inventory forms as required by RIHPHC. The draft survey will be distributed to the Interested consulting Parties for review and comment. A final draft will be produced by the consultant that incorporates comments and additional information provided by the Interested consulting Parties.

4.2.4 Standards

The project will comply with the following standards:

- *The Secretary of the Interior's Guidance on the Identification of Historic Properties* (36 CFR 800.4);

- *The Secretary of the Interior’s Standards and Guidelines – Professional Qualifications Standards, for Archaeology, History, Architectural History and/or Architecture* (62 FR 33708);
- National Park Service’s *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*;
- *National Register Bulletin 16a: How to Complete the National Register Registration Form* (NPS, 1997b); and
- RIHPHC guidance.

4.2.5 Documentation

The following documentation is to be provided for review by Interested consulting Parties:

- RFPs;
- Proposals by qualified consultants in response to the RFP;
- Preliminary Draft of the Survey Report; and
- Final Survey Report.

4.2.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.3 NRHP Nominations for the following NRHP-eligible historic properties: Champlain Farm Historic District, Mitchell Farm Historic District, Beacon Hill, Lewis-Dickens Farm, Lakeside Drive and Mitchell Lane, Indian Head Neck Road, Beach Avenue, Old Town and Center Roads, Corn Neck Road, Pilot Hill Road and Seaweed Lane, and the New Shoreham Historic District

4.3.1 Purpose and Intended Outcome

The purpose of this mitigation measure is to complete NRHP Nomination Forms to recognize and document the historic and cultural significance of each of the following NRHP-eligible historic districts: Mitchell Farm Historic District, Champlain Farm Historic District, Beacon Hill, Lewis-Dickens Farm, Lakeside Drive and Mitchell Lane, Indian Head Neck Road, Beach Avenue, Old Town and Center Roads, Corn Neck Road, Pilot Hill Road and Seaweed Lane, and the New Shoreham Historic District. This measure aligns with the key goals and objectives of the Rhode Island State Preservation Plan (RIHPHC, 2021) and the Town of New Shoreham’s Comprehensive Plan (2016) to recognize and protect historic and heritage assets.

Listing properties on the NRHP not only documents the history of the area and specific properties but can help build community knowledge and pride. Nomination Forms can be used as educational tools for both the owners of the properties and the community as a whole and can help guide the future restoration and rehabilitation of the buildings. Although listing the affected historic properties on the NRHP is not an explicit outcome of the mitigation, all nominations prepared under this treatment plan will be drafted in accordance relevant NPS standards to support formal listings pursued by other parties. To support adherence to

appropriate standards, Revolution Wind will support RIHPHC staff in presenting, and responding to comments or questions of draft nominations provided by RIHPHC's State Review Board, should the subject nominations be submitted to the review board within 5 years of the date of execution of the MOA. NRHP listing also allows properties to be eligible for state and federal grant funding and historic tax credit programs. NRHP listing does not place any restrictions on a property, nor does it prevent the remodeling or demolition of the building or allow for public access to the building. It does not in any way restrict the rights of the private property owner.

4.3.2 Scope of Work

This work is anticipated to consist of the following:

- Consulting with the interested consulting parties and property owners;
- Research of available historic sources and documentation;
- Field surveys and conditions assessments;
- Annotated photographs;
- Drafting of the NRHP listing documents;
- Submitting the preliminary draft NRHP Nominations for review and comment to the Interested consulting Parties;
- Developing final draft NRHP Nominations to be provided to the Interested consulting Parties; and
- If the NRHP nominations are formally reviewed by the RIHPHC's State Review Board within 5 years of MOA execution, then the consultants who prepared the nomination will be available to present the nomination.

4.3.3 Methodology

Revolution Wind will release a RFP for consultant to perform the scope of work listed in Section 4.3.2. The consultant selected will prepare a draft nomination form, prepared in accordance with applicable NPS and RIHPHC guidance. The draft document will include a historic context and statement of significance, identification, photographs, and descriptions of all contributing resources, and all maps and photographs required by NPS guidance. A final draft will be produced by the consultant that incorporates comments and additional information provided by the Interested consulting Parties.

4.3.4 Standards

The project will comply with following standards:

- The SOI's Guidance on the *Identification of Historic Properties* (36 CFR 800.4);
- The SOI's *Professional Qualifications Standards* (36 CFR Part 61);
- The National Park Service's (NPS) *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*, as applicable (NPS, 1997a);
- *National Register Bulletin 16a: How to Complete the National Register Registration Form* (NPS, 1997b); and
- RIHPHC guidance.

4.3.5 Documentation

The following documentation is to be provided for review by Interested consulting Parties:

- RFPs;
- Proposals by qualified consultants in response to the RFP;
- Preliminary Draft of the NRHP Nomination Forms; and
- Revised draft of the NRHP Nomination Forms.

4.3.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.4 Update the NRHP Nomination for the Ochre Point – Cliffs Historic District

4.4.1 Purpose and Intended Outcome

The purpose of this mitigation measure is to provide funding to hire a SOI qualified professional to update the existing form. The Ochre Point – Cliffs Historic District NRHP nomination form was completed in 1975. The Ochre Point – Cliffs Historic District is located in the eastern portion of Newport and is significant for its architecture as well as the development of the City of Newport. The intent of this measure is to document the current conditions of the district, confirm the boundaries, and identify and document the contributing and non-contributing resources.

Properties on the NRHP not only document the history of the area and specific properties but can help build community knowledge and pride. Nomination Forms can be used as educational tools for both the owners of the properties and the community as a whole and can help guide the future restoration and rehabilitation of the buildings. Although listing the affected historic properties on the NRHP is not an explicit outcome of the mitigation, all nominations prepared under this treatment plan will be drafted in accordance relevant NPS standards to support formal listings pursued by other parties. To support adherence to appropriate standards, Revolution Wind will support RIHPHC staff in presenting, and responding to comments or questions of draft nominations provided by RIHPHC's State Review Board, should the subject nominations be submitted to the review board within 5 years of the date of execution of the MOA. NRHP listing also allows properties to be eligible for state and federal grant funding and historic tax credit programs. NRHP listing does not place any restrictions on a property, nor does it prevent the remodeling or demolition of the building or allow for public access to the building. It does not in any way restrict the rights of the private property owner.

4.4.2 Scope of Work

This work is anticipated to consist of the following:

- Consulting with the Interested consulting Parties and property owners;

- Research of available historic sources and documentation;
- Field survey and conditions assessments;
- Annotated photographs;
- Drafting of the NRHP listing document;
- Submitting the preliminary draft NRHP Nomination for review and comment to the Interested consulting Parties;
- Developing a final draft NRHP Nomination to be provided to the Interested consulting Parties; and
- If the NRHP nomination is formally reviewed by the RIHPHC's State Review Board within 5 years of MOA execution, then the consultants who prepared the nomination will be available to present the nomination.

4.4.3 Methodology

Revolution Wind will release a RFP for consultant to perform the scope of work listed in Section 4.4.2. The consultant selected will prepare a draft updated nomination form, prepared in accordance with applicable NPS and RIHPHC guidance. The draft document will include a historic context and statement of significance, identification, photographs, and descriptions of all contributing resources, and all maps and photographs required by NPS guidance. A final draft will be produced by the consultant that incorporates comments and additional information provided by the Interested consulting Parties.

4.4.4 Standards

The project will comply with following standards:

- The SOI's *Guidance on the Identification of Historic Properties* (36 CFR 800.4);
- The SOI's *Professional Qualifications Standards* (36 CFR Part 61);
- The National Park Service's (NPS) *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*, as applicable (NPS, 1997a);
- *National Register Bulletin 16a: How to Complete the National Register Registration Form* (NPS, 1997b); and
- RIHPHC guidance.

4.4.5 Documentation

The following documentation is to be provided for review by Interested consulting Parties:

- RFPs;
- Proposals by qualified consultants in response to the RFP;
- Preliminary Draft of the NRHP Nomination Form; and
- Revised draft of the NRHP Nomination Form.

4.4.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.5 NHL Nomination Form for the Ocean Drive Historic District

4.5.1 Purpose and Intended Outcome

The Ocean Drive Historic District was designated an NHL in 1976 when the original NRHP nomination was completed and accepted by NPS. A subsequent nomination was drafted in 2008 but has not been accepted by NPS. The purpose of this mitigation measure is to provide funding to hire a SOI qualified professional to complete an NHL nomination form for the Ocean Drive Historic District document the current conditions of the district, confirm the boundaries, and identify and document the contributing and non-contributing resources.

4.5.2 Scope of Work

This work is anticipated to consist of the following:

- Consult with NPS, Interested consulting Parties, and property owners;
- Review of existing Ocean Drive Historic District nomination form;
- Research of available historic sources and documentation;
- Field survey, conditions assessments, NRHP-eligibility analysis;
- Annotated photographs;
- Drafting of the NHL nomination;
- Submitting the draft for review and comment to the Interested consulting Parties;
- Developing a final NHL Nomination to be provided to the Interested consulting Parties; and
- If the NRHP nomination is formally reviewed by the RIHPHC's State Review Board, then the consultants who prepared the nomination will be available to present the nomination.

4.5.3 Methodology

Revolution Wind will release a RFP for consultant to perform the scope of work listed in Section 4.5.2. The consultant selected will prepare a draft updated nomination form, prepared in accordance with applicable NPS and RIHPHC guidance. The draft document will include a historic context and statement of significance, identification, photographs, and descriptions of all contributing resources, and all maps and photographs required by NPS guidance. A final draft will be produced by the consultant that incorporates comments and additional information provided by the interested consulting parties.

4.5.4 Standards

The project will comply with following standards:

- The SOI's Guidance on the *Identification of Historic Properties* (36 CFR 800.4);

- The SOI's *Professional Qualifications Standards* (36 CFR Part 61);
- The National Park Service's (NPS) *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*, as applicable (NPS, 1997a);
- *National Register Bulletin 16a: How to Complete the National Register Registration Form* (NPS, 1997b);
- *National Register Bulletin: How to Prepare National Historic Landmark Nominations (1999 Edition; Reformatted for Web 2018)*; and
- RIHPHC guidance.

4.5.5 Documentation

The following documentation is to be provided for review by Interested consulting Parties:

- RFPs;
- Proposals by qualified consultants in response to the RFP;
- Preliminary Draft of the NRHP Nomination Form; and
- Revised draft of the NRHP Nomination Form.

4.5.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.6 NHL Nomination Form for the Bellevue Avenue Historic District

4.6.1 Purpose and Intended Outcome

The Bellevue Avenue Historic District was designated an NHL in 1976 when the original NRHP nomination was completed and accepted by NPS. The purpose of this mitigation measure is to provide funding to hire a SOI qualified professional to complete an NHL nomination form for the Bellevue Avenue Historic District document the current conditions of the district, confirm the boundaries, and identify and document the contributing and non-contributing resources in the historic district. Although a formal revision to the NHL documentation of the Bellevue Avenue Historic District is not an explicit outcome of the mitigation, all nominations prepared under this treatment plan will be drafted in accordance relevant NPS standards to support formal listings pursued by other parties. To support adherence to appropriate standards, Revolution Wind will support RIHPHC staff in presenting, and responding to comments or questions of draft nominations provided by RIHPHC's State Review Board, should the subject nominations be submitted to the review board within 5 years of the date of execution of the MOA.

4.6.2 Scope of Work

This work is anticipated to consist of the following:

- Consult with NPS, interested consulting parties, and property owners;
- Review of existing Ocean Drive Historic District nomination form;

- Research of available historic sources and documentation;
- Field survey, conditions assessments, NRHP-eligibility analysis;
- Annotated photographs;
- Drafting of the NHL nomination;
- Submitting the draft for review and comment to the Interested consulting Parties;
- Developing a final NHL Nomination to be provided to the Interested consulting Parties; and
- If the NRHP nomination is formally reviewed by the RIHPHC's State Review Board within 5 years of MOA execution, then the consultants who prepared the nomination will be available to present the nomination.

4.6.3 Methodology

Revolution Wind will release a RFP for a consultant to perform the scope of work listed in Section 4.6.2. The consultant selected will prepare a draft updated nomination form, prepared in accordance with applicable NPS and RIHPHC guidance. The draft document will include a historic context and statement of significance, identification, photographs, and descriptions of all contributing resources, and all maps and photographs required by NPS guidance. A final draft will be produced by the consultant that incorporates comments and additional information provided by the Interested consulting Parties.

4.6.4 Standards

The project will comply with following standards:

- The SOI's Guidance on the *Identification of Historic Properties* (36 CFR 800.4);
- The SOI's *Professional Qualifications Standards* (36 CFR Part 61);
- The National Park Service's (NPS) *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*, as applicable (NPS, 1997a);
- *National Register Bulletin 16a: How to Complete the National Register Registration Form* (NPS, 1997b); and
- RIHPHC guidance.

4.6.5 Documentation

The following documentation is to be provided for review by Interested consulting Parties:

- RFPs;
- Proposals by qualified consultants in response to the RFP;
- Preliminary Draft of the NRHP Nomination Form; and
- Revised draft of the NRHP Nomination Form.

4.6.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.7 Updated Historic Resources Surveys of the Green Hill and Matunuck Neighborhoods

4.7.1 Purpose and Intended Outcome

Per the request of RIHPHC, Revolution Wind will provide funding to hire a SOI qualified professional to complete an update of the existing *Historic and Architectural Resources of South Kingstown, Rhode Island: A Preliminary Report*, which was completed in 1980. The updated historic resources surveys will identify and document historic and potentially historic properties located within the of the Green Hill and Matunuck neighborhoods.

4.7.2 Scope of Work

The scope of work will consist of the following:

- Review the existing *Historic and Architectural Resources of South Kingstown, Rhode Island: A Preliminary Report*;
- Review existing historic property documentation available at local repositories and the RIHPHC files;
- Develop a methodology for completion of the survey to be distributed to the Interested consulting Parties for review and comment;
- Complete survey per the approved methodology;
- Develop a draft survey report to be distributed to the Interested consulting Parties for review and comment;
- Develop final report, addressing the comments received, to be distributed to the Interested consulting Parties.

4.7.3 Methodology

Revolution Wind will release a RFP for consultant services and select a consultant to perform the scope of work listed in Section 4.7.2. The consultant selected will prepare a draft survey, prepared in accordance with applicable National Park Service and RIHPHC guidance. The draft document will include a methodology, an updated historic context and history of the neighborhoods, associated maps, photographs, building descriptions, and inventory forms as required by RIHPHC. The draft survey will be distributed to the Interested consulting Parties for review and comment. A final draft will be produced by the consultant that incorporates comments and additional information provided by the Interested consulting Parties.

4.7.4 Standards

The exhibit will conform to the following standards:

- The SOI's *Professional Qualifications Standards* (36 CFR Part 61), as applicable;
- RIHPHC guidance;

4.7.5 Documentation

The following documentation is to be provided for review by Interested consulting Parties:

- RFP;
- Proposals by qualified consultants in response to the RFP;
- Preliminary draft report; and
- Final report.

4.7.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.8 NRHP Nomination for Puncatest Neck Historic District

4.8.1 Purpose and Intended Outcome

The purpose of this mitigation measure is to recognize and document the historic and cultural significance of the Puncatest Neck Historic District by completing an NRHP Nomination Form. Listing properties on the NRHP not only documents the history of the area and specific properties but can help build community knowledge and pride. Nomination Forms can be used as educational tools for both the owners of the properties and the community as a whole and can help guide the future restoration and rehabilitation of the buildings. Although listing the affected historic properties on the NRHP is not an explicit outcome of the mitigation, all nominations prepared under this treatment plan will be drafted in accordance relevant NPS standards to support formal listings pursued by other parties. To support adherence to appropriate standards, Revolution Wind will support RIHPHC staff in presenting, and responding to comments or questions of draft nominations provided by RIHPHC's State Review Board, should the subject nominations be submitted to the review board within 5 years of the date of execution of the MOA. NRHP listing also allows properties to be eligible for state and federal grant funding and historic tax credit programs. NRHP listing does not place any restrictions on a property, nor does it prevent the remodeling or demolition of the building or allow for public access to the building. It does not in any way restrict the rights of the private property owner.

4.8.2 Scope of Work

This work is anticipated to consist of the following:

- Consulting with the interested consulting parties and property owners;
- Research of available historic sources and documentation;
- Field survey and conditions assessments;
- Annotated photographs;
- Drafting of the NRHP listing document;
- Submitting the preliminary draft NRHP Nomination for review and comment to the Interested consulting Parties;

- Developing a final draft NRHP Nomination to be provided to the interested consulting parties; and
- If the NRHP nomination is formally reviewed by the RIHPHC's State Review Board within 5 years of MOA execution, then the consultants who prepared the nomination will be available to present the nomination.

4.8.3 Methodology

Revolution Wind will release a RFP to hire a SOI Qualified Professional consultant to perform the scope of work listed in Section 4.8.2. The consultant selected will prepare a draft nomination form, prepared in accordance with applicable NPS and RIHPHC guidance. The draft document will include a historic context and statement of significance, identification, photographs, and descriptions of all contributing resources, and all maps and photographs required by NPS guidance. A final draft will be produced by the consultant that incorporates comments and additional information provided by the Interested consulting Parties.

4.8.4 Standards

The mitigation measure will comply with following standards:

- The SOI's Guidance on the *Identification of Historic Properties* (36 CFR 800.4);
- The SOI's *Professional Qualifications Standards* (36 CFR Part 61);
- The NPS *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*, as applicable (NPS, 1997a);
- *National Register Bulletin 16a: How to Complete the National Register Registration Form* (NPS, 1997b); and
- RIHPHC guidance.

4.8.5 Documentation

The following documentation is to be provided for review by Interested consulting Parties:

- RFPs;
- Proposals by qualified consultants in response to the RFP;
- Preliminary Draft of the NRHP Nomination Form; and
- Revised draft of the NRHP Nomination Form.

4.8.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

5.0 IMPLEMENTATION

5.1 Timeline

The timeline for implementation of the mitigation measures is identified in the MOA.

5.2 Organizational Responsibilities

5.2.1 *Bureau of Ocean Energy Management (BOEM)*

BOEM remains responsible for making all federal decisions and determining compliance with Section 106. BOEM has reviewed this HPTP to ensure, at minimum, it includes the content required.

- BOEM remains responsible for making all federal decisions and determining compliance with Section 106;
- BOEM, in consultation with the Interested consulting Parties, will ensure that mitigation measures adequately resolve adverse effects, consistent with the NHPA;
- BOEM will be responsible for sharing the annual summary report with the interested consulting parties; and
- BOEM is responsible for consultation related to dispute resolution.

5.2.2 *Revolution Wind, LLC*

Revolution Wind will be responsible for the following:

- Considering the comments provided by the interested consulting parties in the development of this HPTP;
- Funding the mitigation measures specified in Section 4.0;
- Completion of the scope/s of work in Section 4.0;
- Ensuring all Standards in Section 4.0 are met;
- Providing the Documentation in Section 4.0 to the interested consulting parties for review and comment;
- Annual Reporting to BOEM; and
- Revolution Wind will be responsible for ensuring that all work that requires consultation with Tribal Nations are performed by professionals who have demonstrated professional experience consulting with federally recognized Tribes.

5.2.3 *Other Parties, as Appropriate*

Revolution Wind does not anticipate additional consulting parties, should any be determined, this will be updated.

5.3 Interested Consulting Party Consultation

This HPTP was developed in consultation with the RIHPHC and other interested consulting parties to provide meaningful input on the resolution of adverse effects to and form(s) of implementing mitigation at the historic properties.

6.0 REFERENCES

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**ATTACHMENT 11 – HISTORIC PROPERTIES TREATMENT PLAN FOR THE
REVOLUTION WIND FARM: NINE HISTORIC PROPERTIES, TOWN OF MIDDLETOWN,
NEWPORT COUNTY, RHODE ISLAND**

Historic Property Treatment Plan

for the

Revolution Wind Farm

Nine Historic Properties

Town of Middletown, Newport County, Rhode Island

Submitted to:



Bureau of Ocean Energy Management
U.S. Department of the Interior

Prepared for:



Revolution Wind, LLC
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July 2023

ABSTRACT

Federal Undertaking: Revolution Wind Farm and Revolution Wind Export Cable Project

Location: Outer Continental Shelf and Rhode Island

Federal and
State Agencies: Bureau of Ocean Energy Management
National Park Service
U.S. Army Corps of Engineers
Massachusetts Historical Commission
Rhode Island Historical Preservation & Heritage Commission
New York Historic Preservation Office
Connecticut Historic Preservation Office
Advisory Council on Historic Preservation

Regulatory Process: National Environmental Policy Act
Section 106 of the National Historic Preservation Act
Section 110(f) of the National Historic Preservation Act

Purpose: This Historic Property Treatment Plan provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects from the Revolution Wind Project.

Adverse Visual
Effect Finding for: The Bailey Farm
The Clambake Club of Newport
Paradise Rocks Historic District
Sea View Villa
St. George's School: Church of St. George, Little Chapel, and Memorial Schoolhouse
The Indian Avenue Historic District
Whetstone
The Land Trust Cottages
The Bluff/John Bancroft Estate

Submitted By: Revolution Wind, LLC

Date: July 2023

TABLE OF CONTENTS

1.0	Executive Summary	1
2.0	Background Information	3
2.1	Project Overview: Revolution Wind Farm and Revolution Wind Export Cable.....	3
2.2	Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA)	4
2.2.1	Municipal Regulations.....	4
2.3	Interested Consulting Parties	4
3.0	Existing Conditions, Historic Significance, and Maritime Setting	5
3.1	Historic Properties	5
3.2	Maritime Setting.....	6
3.3	The Bailey Farm.....	9
3.3.1	Physical Description and Existing Conditions.....	9
3.3.2	Historic Context.....	10
3.3.3	NRHP Criteria and the Maritime Visual Setting	10
3.4	The Clambake Club of Newport.....	10
3.4.1	Physical Description and Existing Conditions.....	10
3.4.2	Historic Context.....	11
3.4.3	NRHP Criteria and the Maritime Visual Setting	11
3.5	The Paradise Rocks Historic District	12
3.5.1	Physical Description and Existing Conditions.....	12
3.5.2	Historic Context.....	12
3.5.3	NRHP Criteria and the Maritime Visual Setting	13
3.6	The Sea View Villa.....	14
3.6.1	Physical Description and Existing Conditions.....	14
3.6.2	Historic Context.....	14
3.6.3	NRHP Criteria and the Maritime Visual Setting	14
3.7	The St. George's School: Church of St. George, Little Chapel, and Memorial Schoolhouse	14
3.7.1	Physical Description and Existing Conditions.....	14
3.7.2	Historic Context.....	16
3.7.3	NRHP Criteria and the Maritime Visual Setting	16
3.8	The Indian Avenue Historic District	17
3.8.1	Physical Description and Existing Conditions.....	17
3.8.2	Historic Context.....	17
3.8.3	NRHP Criteria and the Maritime Visual Setting	18
3.9	The Whetstone.....	18

3.9.1	Physical Description and Existing Conditions	18
3.9.2	Historic Context	18
3.9.3	NRHP Criteria and the Maritime Visual Setting	19
3.10	The Land Trust Cottages	19
3.10.1	Physical Description and Existing Conditions	19
3.10.2	Historic Context	19
3.10.3	NRHP Criteria and the Maritime Visual Setting	19
3.11	The Bluff/John Bancroft Estate.....	19
3.11.1	Physical Description and Existing Conditions	19
3.11.2	Historic Context	20
3.11.3	NRHP Criteria and the Maritime Visual Setting	20
4.0	Mitigation Measures	21
4.1	Support Ongoing Maintenance and Aesthetic Improvements to the Third Beach Road and Hanging Rocks Road through Stone Wall Preservation and Observation Trails within the Paradise Rocks Historic District	21
4.1.1	Purpose and Intended Outcome	21
4.1.2	Scope of Work.....	21
4.1.3	Methodology	21
4.1.4	Standards	22
4.1.5	Documentation	22
4.1.6	Funds and Accounting	22
4.2	Updated Town-Wide Historic Resources Survey.....	22
4.2.1	Purpose and Intended Outcome	22
4.2.2	Scope of Work.....	22
4.2.3	Methodology	23
4.2.4	Standards	23
4.2.5	Documentation	23
4.2.6	Funds and Accounting	23
5.0	Implementation	24
5.1	Timeline.....	24
5.2	Organizational Responsibilities	24
5.2.1	Bureau of Ocean Energy Management (BOEM)	24
5.2.2	Revolution Wind, LLC	24
5.2.3	Other Parties, as Appropriate.....	24
5.3	Interested Consulting Party Consultation	25

6.0	References.....	26
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LIST OF FIGURES

Figure 2.1-1. Project Location.....	3
Figure 3.1-1. Historic Property Locations.....	6

LIST OF TABLES

Table 3.1-1. Historic Properties included in the HPTP	5
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LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADLS	Aircraft Detection Lighting System
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
COP	Construction and Operations Plan
EDR	Environmental Design and Research, D.P.C.
DEIS	Draft Environmental Impact Statement
FEIS	Final Environmental Impact Statement
FR	Federal Register
HPTP	Historic Property Treatment Plan
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act of 1966
NPS	National Park Service
NRHP	National Register of Historic Places
RFP	Request for Proposals
RIHPHC	Rhode Island Historical Preservation & Heritage Commission
ROD	Record of Decision
RWF	Revolution Wind Farm
USCG	United States Coast Guard
WTG	Wind Turbine Generator

1.0 EXECUTIVE SUMMARY

This Historic Property Treatment Plan (HPTP) for the Bailey Farm, which is listed on the National Register of Historic Places (NRHP); the Clambake Club of Newport, which is listed on the NRHP; the Paradise Rocks Historic District, which is a Rhode Island Historical Preservation & Heritage Commission (RIHPHC) Historic Resource; the Sea View Villa, which is a RIHPHC Historic Resource; the St. George's School: Church of St. George, Little Chapel, and Memorial Schoolhouse, which is listed on the NRHP; the Indian Avenue Historic District which is listed on the NRHP; Whetstone, which is a RIHPHC Historic Resource; the Land Trust Cottages, which is a RIHPHC Historic Resource; and the Bluff/John Bancroft Estate, which is a RIHPHC Historic Resource, (the historic properties) provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects in the *Historic Resources Visual Effects Analysis – Revolution Wind Farm* (HRVEA; EDR, 2023) for the Revolution Wind Farm (RWF) and Revolution Wind Export Cable Project (collectively, the Undertaking). Revolution Wind LLC (Revolution Wind) has provided this HPTP in accordance with the Bureau of Ocean Energy Management's (BOEM) Findings of Adverse Effect (FoAE) for the Undertaking under the National Historic Preservation Act of 1966 (NHPA).

BOEM has used the National Environmental Policy Act (NEPA) substitution process to fulfill its Section 106 obligations as provided for in the NHPA implementing regulations (36 CFR § 800.8(c)), and BOEM has consulted with the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers, tribal nations, and other NHPA Section 106 consulting parties in accordance with this process. Revolution Wind has provided this HPTP to BOEM for inclusion in the Final Environmental Impact Statement (FEIS).

This HPTP describes the mitigation measures to resolve potential adverse effects on historic properties, the implementation steps, and timeline for actions. The mitigation measures are based on the evaluations and outreach performed by Revolution Wind prior to the issuance of the DEIS as well as outreach to consulting parties performed by BOEM. This HPTP document has undergone revision and refinement in consultation with the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer, the ACHP, and other consulting parties throughout the NEPA substitution process. This HPTP is included in the Memorandum of Agreement (MOA) issued in accordance with 36 CFR §§ 800.8, 800.10.

This HPTP is organized into the following sections:

- **Section 1.0, Introduction**, outlines the content of this HPTP.
- **Section 2.0, Cultural Resources Regulatory Context**, briefly summarizes the Undertaking while focusing on cultural resources regulatory contexts (federal, tribal, state, and local, including preservation restrictions), identifies the historic properties discussed in this HPTP that will be adversely affected by the Undertaking, and summarizes the pertinent provisions and attachments of the HRVEA (EDR, 2023) and *Revolution Wind Farm Construction and Operations Plan* (COP; Revolution Wind, 2022) that guided the development of this document.

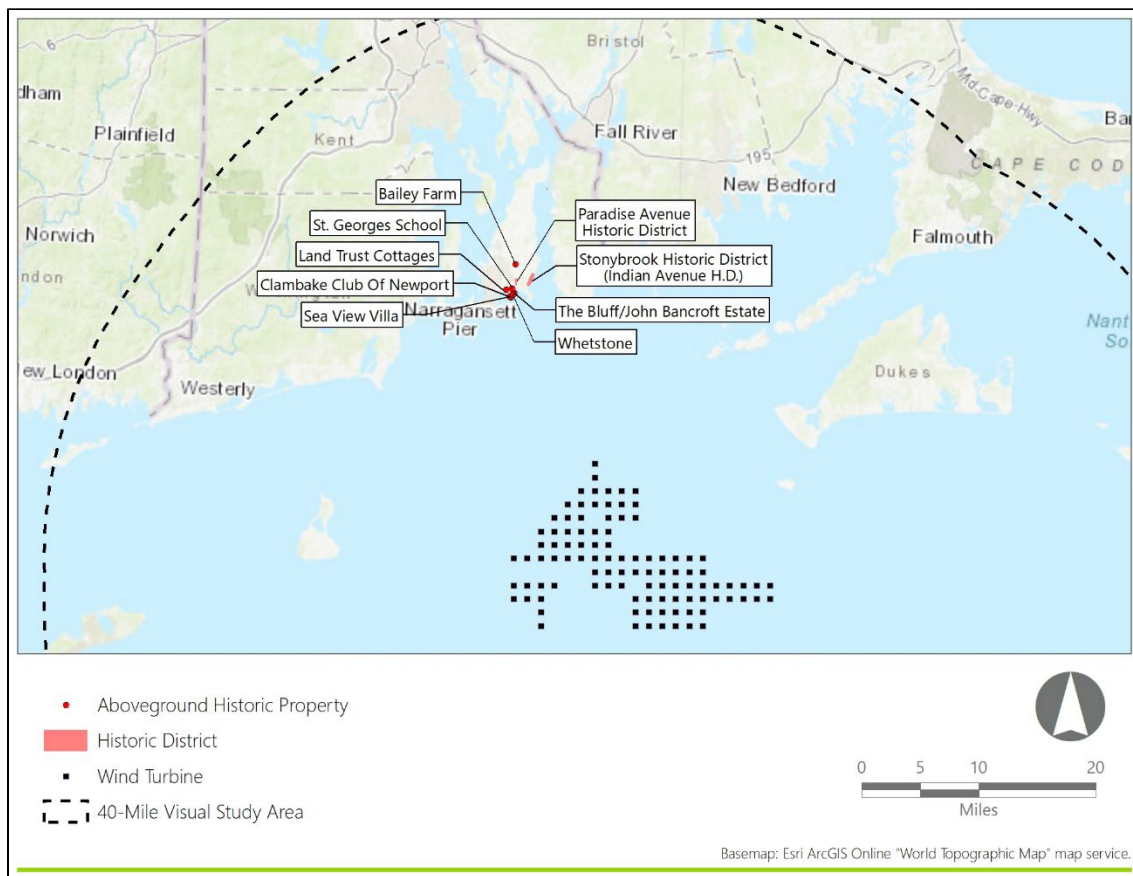
- **Section 3.0, Existing Conditions, Historic Significance, and Maritime Setting**, provides a physical description of the historic properties included in this HPTP. Set within its historic context, the applicable NRHP criteria for the historic properties are discussed with a focus on the contribution of a maritime visual setting to its significance and integrity.
- **Section 4.0, Mitigation Measures**, presents specific steps to carry out the mitigation actions. The mitigation action includes a detailed description, intended outcome, methods, standards, and requirements for documentation.
- **Section 5.0, Implementation**, establishes the process for executing mitigation actions at the historic properties, as identified in Section 4.0 of this HPTP. For each/the action, organizational responsibilities are outlined, a timeline is provided, and regulatory reviews are listed.
- **Section 6.0, References**, is a list of works cited in this HPTP.

2.0 BACKGROUND INFORMATION

2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable

The Undertaking is a wind-powered electric generating facility composed of up to 100 wind turbine generators (WTGs) and associated foundations, two offshore substations, and inter-array cables connecting the WTGs and the offshore substations (see Figure 2.1-1). The WTGs, offshore substations, array cables, and substation interconnector cables would be located on the Outer Continental Shelf approximately 15 nautical miles (18 statute miles) southeast of Point Judith, Rhode Island, approximately 13 nautical miles (15 statute miles) east of Block Island, Rhode Island, approximately 7.5 nautical miles (8.5 statute miles) south of Nomans Land Island National Wildlife Refuge (uninhabited island), and between approximately 10 to 12.5 nautical miles (12 to 14 statute miles) south/southwest of varying points of the Rhode Island and Massachusetts coastlines (62 FR 33708). In addition, two submarine export cables located in both federal waters and Rhode Island State territorial waters, will connect the offshore substation to the electrical grid. The proposed interconnection location for the Undertaking is the existing Davisville Substation, which is owned and operated by The Narragansett Electric Company d/b/a National Grid and located in North Kingstown, Rhode Island. The visible offshore components of the operational Undertaking will be located on Lease OCS-A 0486 in water depths ranging from approximately 108 to 125 feet.

Figure 2.1-1. Project Location



2.2 Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA)

The regulations at 36 CFR § 800.8 provide for use of the NEPA process to fulfill a federal agency's NHPA Section 106 review obligations in lieu of the procedures set forth in 36 CFR § 800.3 through 800.6. Under these provisions, issuance of an ROD and implementation of relevant conditions will resolve adverse effects to historic properties caused by the Undertaking, including to National Historic Landmarks for which BOEM must provide a higher standard of care, as required by Section 110(f) of the NHPA.

The measures to avoid and minimize adverse effects to identified historic properties are described in the COP (Section 4.4.1.3 and Appendix BB). This HPTP addresses the mitigation requirements identified by BOEM to resolve the remaining adverse effects after application of the above-referenced measures. The mitigation measures reflect consultations among consulting parties to refine a conceptual mitigation framework proposed by Revolution Wind.

All activities implemented under this HPTP will be conducted in accordance with any conditions imposed by BOEM in its ROD and with applicable local, state and federal regulations and permitting requirements. Responsibilities for specific compliance actions are described in further detail in Section 5.2, Organizational Responsibilities.

2.2.1 Municipal Regulations

Before implementation, any on-site mitigation measures will be coordinated with local municipalities and commissions to obtain approvals, as appropriate. These may include, but are not limited to building permits, zoning, land use, planning, historic commissions, and design review boards. Additional information regarding compliance with local requirements appears in Section 5.0, Implementation.

2.3 Interested Consulting Parties

BOEM initiated consultation under Section 106 with invitations to consulting parties on April 30, 2021. BOEM hosted the first Section 106-specific meeting with consulting parties on December 17, 2021 pursuant to Sections 106 and 110(f) of the NHPA and in accordance with 36 CFR 800.8.

Following BOEM initial Section 106 meeting with consulting parties, Revolution Wind held stakeholder outreach meetings (see Section 5.3) to review conceptual mitigation measures for the historic properties and invited the following parties:

- The Town of Middletown
- The Rhode Island Historical Preservation & Heritage Commission.

3.0 EXISTING CONDITIONS, HISTORIC SIGNIFICANCE, AND MARITIME SETTING

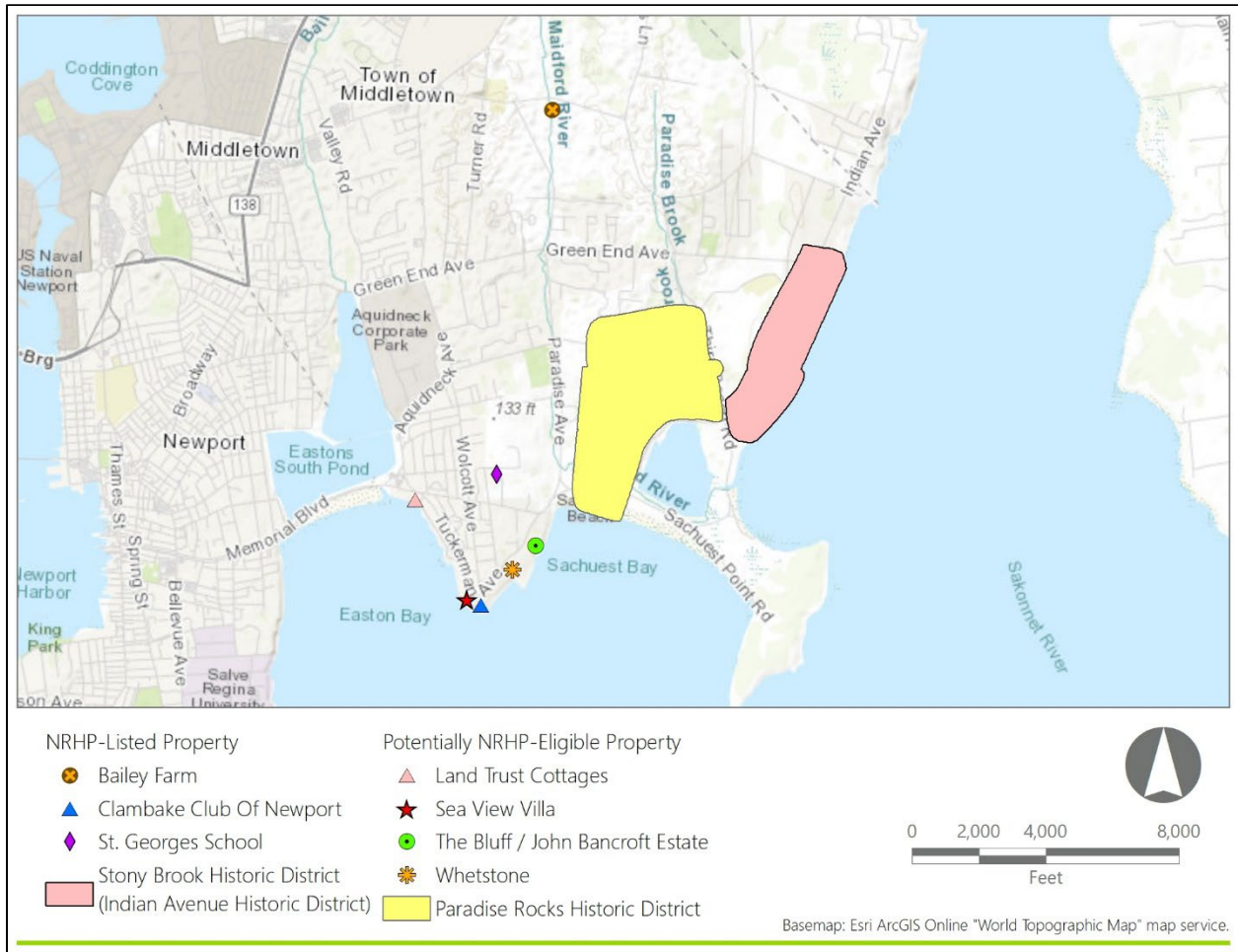
3.1 Historic Properties

This HPTP involves nine historic properties, as identified in Table 3.1-1 and located on Figure 3.1-1.

Table 3.1-1. Historic Properties included in the HPTP

Name	Property Designation	Municipality	State	Site No. (Agency)	Ownership	Historic Property Type
Bailey Farm	NRHP-Listed	Middletown	RI	84001887 (NPS Ref. #84001887)	Private	Agricultural Properties
Clambake Club of Newport	NRHP-Listed			95001267 (NPS Ref. #95001267)	Private	Recreational Properties
Paradise Rocks Historic District	RIHPHC Historic Resource			MT 4 (RI SHPO)	Private (Multiple)	Historic Buildings and Structures
Sea View Villa	RIHPHC Historic Resource			MT 75 (RI SHPO)	Private	Historic Buildings and Structures
St. George's School: Church of St. George, Little Chapel, and Memorial Schoolhouse	NRHP-Listed			4001235 (NPS Ref. #04001235)	Private	Historic Buildings and Structures
Indian Avenue Historic District	NRHP-Listed			9000708 (NPS Ref. #09000708)	Private (Multiple)	Historic Buildings and Structures
Whetstone	RIHPHC Historic Resource			MT 77 (RI SHPO)	Private	Historic Buildings and Structures
Land Trust Cottages	RIHPHC Historic Resource			903	Private	Historic Buildings and Structures
The Bluff/John Bancroft Estate	RIHPHC Historic Resource			MT 78 (RI SHPO)	Private	Estates and Estate Complexes

Figure 3.1-1. Historic Property Locations



In Sections 3.23 through 3.11, each historic property is individually considered, described both physically and within its historic context, with a focus on the contribution of a maritime visual setting to the property’s significance and integrity.

3.2 Maritime Setting

For the purposes of this analysis and assessment, views of marine waters are considered critical aspects of maritime settings. The influence of the marine environment and related human activities on historical development patterns is extensive and may be expressed in areas without direct lines of sight to the sea. Although these types of setting may contribute to the significance of historic properties, they would not be subject to alteration as a result of the proposed undertaking and are not considered further in this report.

The historic properties identified in this HPTP are included within the following property types as defined in the HRVEA: “Historic Buildings and Structures,” “Historic Cemeteries and Burial Grounds,” “Agricultural

Properties," "Recreational Properties," and "Estates and Estate Complexes." Each property type is defined below as well as the characteristics typical of their maritime setting.

"Historic Buildings and Structures" includes buildings and associated properties historically used as residences (in some instances their current use may be commercial, municipal, institutional, or otherwise non-residential) and is the largest grouping of above-ground historic properties within the PAPE. Historic Buildings and Structures within the PAPE consist mostly of vernacular residences, or groupings of residences, although this above-ground historic property type also includes historic parks and stone markers. The overall character of these individual above-ground historic properties and districts is residential or intended for public enjoyment, as opposed to the grand mansions and summer "cottages" built by wealthy industrialist families that typified the "Estates and Estate Complexes" property type (see below). These above-ground historic properties are typically listed due to each resource's unique significance or the combined significance of the resources forming an historic district, and usually qualify under National Register Criteria A and C. These factors are shared among the resource to a degree which justifies their grouping as an above-ground historic property type.

Historic Buildings and structures not fitting within the previously described types occur throughout the study area and in a variety of local contexts. Location and orientation of such properties is critical to understanding the nature of any associated maritime settings. Many historic structures were oriented to local roadways, with the front and rear elevations parallel to the nearby road's alignment. Local roadways along the region's shorelines often parallel the water's edge and Historic Buildings frequently shift in orientation along such coastal roads. This variation in orientation may strongly influence the associated views of marine waters that may form important elements of a property's historic setting.

"Historic Cemeteries and Burial Grounds" consists of cemeteries identified by federal, state, or local governmental agencies as having historic significance. These above-ground historic properties may be municipally owned cemeteries on public land, small family plots on private land, or abandoned burial grounds. Historic cemeteries are lasting memorials to the past, provide a guide to the changing values and composition of communities in the course of their historic development.

Historic cemeteries and burial ground vary throughout the study area. Small, private, non-denominational and family cemeteries were relatively common in New England, and many have survived to present-day. Many examples of small cemeteries were associated with specific farms or families and were frequently placed within the available agricultural lands surrounding a farmstead or near multiple associated family farms. Where such burial grounds are located near the water they may be associated with ocean or other maritime viewsheds, however, ocean vistas are less likely to have been a significant consideration in the siting of such cemeteries than their larger, more formal counterparts in the region. Where cemeteries are located within districts or other historic settlements strongly associated with maritime settings, such burial grounds may be sited to maintain a visual connection to the waters in order to maintain a sense of continuity linking the departed's final resting places with the environment in which they lived. Cemeteries in urban locations expressing such patterns may include formal design elements associated with the "rural cemetery movement" of the 19th century, which sought to create naturalistic, park-like settings to express "an

appreciation of nature and a sense of the continuity of life” (NPS National Register Bulletin 41: 6). Maritime views from hillside cemeteries that were intentionally incorporated or framed by landscape designs may be more sensitive to discordant modern elements than those associated with less formal burial grounds that may not have been specifically located to provide ocean views.

“Agricultural Properties” consist of historic farm buildings and landscapes which have retained a high degree of integrity and are generally no longer used for their original purpose. These above-ground historic properties feature barns, farmhouses, and large, open tracts of pastureland. Generally, these above-ground historic properties do not derive their significance in any direct way from the ocean or maritime activities.

Historic agricultural properties, including farms, farmhouses, barns and related buildings and structures are relatively common in the study area. Many of these properties were built between 1700 and 1850, after which agricultural economies in New England and New York declined sharply. The historic settings for such properties typically include open, agrarian landscapes which once may have afforded open views of the seas when sited along the shoreline or at higher elevations within the coastal interior. Few of the once expansive agrarian landscapes associated with the historic use of the region’s farms survive. Some have been altered by later residential and commercial development and many have been transformed by reforestation. Despite these changes, historic agricultural properties remain an important part of the region’s heritage and tangible expression of several centuries of intensive farming that transformed the landscapes throughout southern New England and eastern Long Island.

“Recreational Properties” is defined by the role these properties served in their original functions as places for the resort tourism economy of the late-nineteenth century to flourish. These above-ground historic properties feature beaches, casinos, restaurants, and other buildings and structures built to entertain seasonal vacationers. They are typically located near the shoreline or immediately adjacent to the sea, and in some cases, are the beaches themselves. The enjoyment of, and interaction with, the sea are integral features of the significance of these above-ground historic properties. In many cases, the beachfront, shoreline, and adjacent ocean waters are prominent features of the historic setting due to their close association with historic recreational activities.

The same macroeconomic trends that saw the decline of the quintessential New England farm in the mid-19th century are associated with a population shift to cities and rise in affluence for some segments of society. Summer resorts, supported by steamships, rail transportation, and eventually, automobiles were developed in numerous locations in the study area in the late 19th century. These resorts varied between properties intended to serve the rising group of “upper middle income” families living in the region’s cities to estate-like developments serving a more affluent set. Seaside resorts, like many other shoreline recreational, commercial, and residential properties, were often sited to take advantage of aesthetically pleasing ocean or maritime views. Depending on location and the the conformation of the local shoreline, such properties may be associated with specific bay or cove viewsheds that include limited areas of the open ocean waters. Recreational activities at resorts frequently included swimming and designated beaches where residents and visitors may have spent considerable time during the summer months. Where these features are still present and express a tangible association with the historic resort property, views from

Historic Property Treatment Plan

Nine Historic Properties

Town of Middletown, Newport County, Rhode Island

beaches may be as important as views from more formal elements of the designed landscape. Likewise, historic hotels and inns became more common elements of the region's shoreline communities in the late 19th century. Such properties were often sited near harbors, ferry landings, rail stations, and public or private beaches and may be associated with similar historic maritime settings. Views to ocean waters or the more intimate bays and coves of the region may have been an integral part of the visitor's motivation for staying in such establishments. Such considerations can be expressed through the inclusion of building and landscape features clearly intended to afford views of ocean. Older taverns and inns in the study area may be found along the working harbors and ports and were intended to serve the fishing, whaling, and related participants in maritime commerce. The design and location of these properties may not show the same influence of aesthetic considerations but will likely also retain a strong association with the waterfront and maritime environment.

"Estates and Estate Complexes" consists of high-style residences, or groupings of residences, typically designed by prominent architects of the nineteenth and early twentieth centuries, such as Richard Morris Hunt and McKim, Mead and White. This property type consists mainly of the mansions and summer "cottages" built by wealthy industrialist families, drawn to the vicinity of Newport, Rhode Island as it became a prominent vacation and recreation area for the emerging American elite, and to Montauk Point as a naturalistic and remote enclave.

Estates built by or for wealthy families have been part of the region's landscapes for centuries and many such properties are located along the shorelines. High style, architect-designed mansions and associated landscapes are characteristic of several areas within the study area and many such properties were sited to take advantage of ocean views. The importance of maritime settings to these properties may be apparent in the design of building features such as veranda, porches, and large windows facing the water or through landscape elements and overall designs that were intended to frame specific views towards the seas. As with many other historic property types, the conformation of local shorelines and the specific orientation of each property may be important in assessing the association with specific aspects or elements of each associated viewshed.

3.3 The Bailey Farm

3.3.1 *Physical Description and Existing Conditions*

The Bailey Farm (NPS Ref. #84001887, originally inventoried as the Chapman House and Farm) is an approximately 47-acre farm located at 373 Wyatt Road in Middletown, Road Island, approximately 2.25 miles from the coastline in Sachuest Bay (Figure 3.1-1). The property consists of a central, main farm complex including the original farmhouse, a barn, associated outbuildings including sheds and garages, and a cistern. The fields surrounding the central farm complex are still in use (predominantly as a vineyard) and are bound and interlaced with dry-laid stone walls. The Bailey family burying ground is located in the northwestern corner of the parcel, partially enclosed by a stone wall and modern metal fence. The Maidford River (a small brook) runs north to south, bisecting the property immediately west of the central farm complex (Nebiker et al., 1984; RIHPC, 1979a:40).

A more modern house (constructed circa 1930) with associated outbuildings is located in the northwestern corner of the property north of the Bailey family burying ground but does not contribute to the historical significance of the Bailey Farm (Nebiker et al., 1984).

The frame of the Bailey farmhouse dates from the mid-eighteenth century but was renovated in the nineteenth century Greek Revival style, including a large brick center chimney and three-bay façade. The outbuildings date from the mid-nineteenth to early-twentieth century (likely replacements for earlier barns and sheds) and have gabled roofs, but have been updated with modern shingles, windows, and fixtures (such as solar panels). Though the outbuildings have been updated and/or replaced, they retain their original placement and orientation to the road and the surrounding landscape (Nebiker et al., 1984).

3.3.2 *Historic Context*

The Bailey Farm was once a farmstead occupying as much as 100 acres that was owned and occupied by the Bailey family, who were settlers of nearby Newport, throughout the eighteenth and into the nineteenth century. When the farmhouse underwent its Greek Revival renovations in 1838 the property was owned by Easton Bailey. The property was sold by the Bailey family in the 1850s and was bought and sold several times before being purchased by Peleg Sherman in 1878. His family owned the land until 1918, until it was sold to the Nunes family, whose descendants still owned the property at the time of the Bailey Farm's nomination for the NRHP in 1979. In the year 1850, under the operation of James Gardiner, the Bailey Farm produced \$200 worth of fruits and vegetables, and \$210 worth of meat, marking a relatively prosperous operation compared to other Rhode Island hill farms (RIHPC, 1979b; RIHPC, 1979a:40; Nebiker et al., 1984).

3.3.3 *NRHP Criteria and the Maritime Visual Setting*

The NRHP-listed Bailey Farm meets Criterion A for its associations with the nineteenth-century agriculture of island farms of Narragansett Bay and NRHP Criterion C for its importance as an example of architecture and engineering of the Greek Revival, with a period of significance from 1825-1849 (Nebiker et al., 1984). The Bailey Farm was listed on the NRHP in 1964 and enjoys views to Sachuest Bay.

3.4 The Clambake Club of Newport

3.4.1 *Physical Description and Existing Conditions*

The Clambake Club of Newport is a one-story building located on the bluff at Easton Point. It is a wood-framed, wood-shingled structure laid out in an L-shaped plan. Each wing is covered by a gabled roof, with cedar shingles, punctuated by large stone chimneys. Horizontal cedar-board siding covers the exterior. Several minor additions protrude from the sides of the original building. Areas of exposed foundation show a mix of irregularly cut stone and/or stucco. On the south side of the structure, which drops off to the water, the building is supported by masonry piers (Werenfels, 1995; RIHPC, 1979b:34).

The main entrance on the north side of the structure is cross-gabled, with an arched fan-light window above the wood-paneled entrance door. Stone piers support a flat roof outside the main entrance. The south side of the structure is characterized by a series of enclosed porches. The porches all have an arrangement of

large viewing windows that offer views of the Rhode Island Sound. The porch at the western end of the south side of the structure has a stone terrace outside (Werenfels,1995).

Two outbuildings are also located on the property, the Chef's Cottage and the Guest Cottage. The Chef's Cottage is a small, wood-framed, one-story building with a gabled roof on the north end of the property. The exterior of the Chef's Cottage is also covered in horizontal cedar-board siding. The roof is made of asphalt shingles. The Guest Cottage is a small, wood-framed, one-story building with a gabled roof located on the western end of the property. The Guest Cottage has a gabled entrance portico, and a large bay window facing the Rhode Island Sound to the south. The exterior to the Guest Cottage is covered in horizontal cedar-board siding, and has a cedar shingle roof (Werenfels,1995).

3.4.2 Historic Context

The Clambake Club of Newport has occupied the site at Easton's Point since the 1890s, officially organizing as a club to utilize the property in 1895. An existing dwelling and stable on the property were improved upon beginning in 1897 when they entered into a formal rental agreement with the owner of the property. In 1903 the Clambake Club of Newport property was purchased by founding member Center Hitchcock, who constructed the first clubhouse facility specifically built for the Clambake Club's activities sometime between 1903 and 1907. Club records indicate the facility was likely designed by Colonel Francis Hoppin. A photograph from 1910 shows a simple, one-story building with gabled roofs (Werenfels, 1995).

The original building (with some small additions) survived until September 21, 1938, at which time a hurricane destroyed portions of the building on its southern and eastern ends, though the main body of the building survived the storm. The club was rebuilt in 1939 by William L. Van Alen of Wilmington, Delaware, though it is unclear how much of the original structure was incorporated into the design of the new building. However, the simple, one-story gabled-roof character of the building remained the same (Werenfels, 1995; RIHPC, 1979b:34).

The two outbuildings are not depicted on the 1921 Sanborn Map Co. *Atlas of Newport, Jamestown, Middletown and Portsmouth, Rhode Island* (Sanborn, 1921) and it is unclear if they existed before the 1938 hurricane or if they were later additions to the property (Werenfels, 1995).

3.4.3 NRHP Criteria and the Maritime Visual Setting

The Clambake Club of Newport is significant under NRHP Criterion A for its associations with the late nineteenth-century and early twentieth century entertainment and recreation movements, specifically the seaside recreational facilities on Rhode Island and New England coastlines used for clambakes, social gatherings, and sporting activities such as fishing and shooting. The Clambake Club of Newport has a period of significance from 1875-1949 and is still in use as a private club today (Werenfels, 1995). The location of the main building, and both outbuildings speak to the property's historic association with views to and enjoyment of the seascape. Large bay windows and multiple porches extending towards the water show the importance of the ocean views and the immediate proximity of the waterfront to the historical character of the property. It was listed in the NRHP in 1995.

Historic Property Treatment Plan

Nine Historic Properties

Town of Middletown, Newport County, Rhode Island

3.5 The Paradise Rocks Historic District

3.5.1 *Physical Description and Existing Conditions*

The Paradise Rocks Historic District is located at the south end of Middletown, to the north of Gardiner Pond and Second Beach. According to the Rhode Island Historical Preservation & Heritage Commission (1979a:17), "On an island devoted largely to agricultural, residential, commercial, and industrial uses, the Paradise Rocks area is a superb and unique natural enclave." The Paradise Rocks Historic District is a largely undeveloped area, with portions of the district set aside as wildlife sanctuaries. The district encapsulates Nelson Pond and Paradise Brook, and is named for Paradise Rocks, a north-south trending outcropping of fine blue-hued conglomerate rock" (RIHPC, 1979a:2). The Paradise Rocks Historic District consists of several resources, both natural and man-made. These include Hanging Rock, the Smith-Gardiner-Norman Farm, Gray Craig Estate, the Allen-King-Norman Farm, and the Norman Bird Sanctuary and Museum. The history of each resource is described in the following section.

3.5.2 *Historic Context*

For most of its history, the area within Paradise Rocks Historic District was left in its natural state. Unlike the surrounding area (i.e., Stonybrook Historic District), the District did not become a location for numerous sprawling summer estates. During the nineteenth century, the area was utilized for agriculture and hunting. By the twentieth century more "passive recreation" was enjoyed in the bird sanctuary, with only several residences constructed (RIHPC, 1979a:17). A description and history of some of the resources within the District is listed below.

Hanging Rock

Hanging Rock is a conglomerate-rock mass near Second Beach that juts out into a marsh, with an abrupt cliff-like break at its south end. According to the Rhode Island Historical Preservation & Heritage Commission, (1979a:17-18), the rock was also known as "Berkeley's Seat" during the eighteenth century, as it was a favorite location of Bishop George Berkeley. Today, it is a popular tourist attraction.

Smith-Gardiner-Norman Farm (Paradise Farm)

The Smith-Gardiner-Norman Farm is an NRHP-listed historic district located on 129 acres. The property consists of a mid-eighteenth-century farmhouse with later additions, a mid-nineteenth century barn, two agricultural outbuildings, two burial sites, a stone-lined sheep pen, stone-lined pastures and fields, wooded areas, Hanging Rock, and an abandoned bluestone quarry. The farmhouse consisted of a two-and-a-half story structure rebuilt in the late nineteenth century in the Colonial Revival style. According to the Rhode Island Historical Preservation & Heritage Commission (1979a:18), the farmhouse had a gambrel roof, two interior brick chimneys, a central entry with sidelights in a veranda, gable dormers in front, and a flat roof addition.

The property was primarily farmed by tenant farmers from 1850 to 1900. However, it was best known as the summer residence of George H. and Abbie Kinsley Norman who bought the property in 1898. Mabel

Norman Cerio, the last private owner of the Smith-Gardiner-Norman Farm, adapted the farmhouse and immediate neighboring fields for use as a main residence in 1915. Cerio bequeathed much of the estate to the Norman Bird Sanctuary Trust for use as a bird sanctuary in 1949, which continues to be its use today. At the time of Cerio's death, a 16-acre parcel comprising the Paradise Farmhouse, outbuildings, and agricultural fields along Third Beach Road remained in the hands of the Norman heirs. Various fields were leased for commercial use until the 1990s. In the late 1990s, the Norman Bird Sanctuary purchased this parcel and reintegrated it into the sanctuary (Town of Middletown, 2015).

Gray Craig

Gray Craig, also known as the Michael M. Van Bueren House, was once the farm of one of the earliest families in Middletown during the eighteenth century. The resource as it exists today consists of a large two-and-a-half story stone house with four chimneys and views of Sachuest Beach and the Atlantic Ocean. Updates were made to the estate by Mary and Michael Van Bueren during the early twentieth century to transform the estate into a chateau-like house. Additions included kennels, greenhouses, a walled and secret garden, a tea house, a gatehouse, a stable, and a barn (RIHPC, 1979a:18).

Allen-King-Norman Farm

The Allen-King-Norman Farm consists of a two-and-a-half story Federal-era structure with large brick and central chimneys. According to the Rhode Island Historical Preservation & Heritage Commission (1979a:18), the farmhouse had a central portico entry in a 5-bay, south-facing façade, and a large wing at a right angle at the rear. There was a complex of wood-shingle and stone outbuildings at the rear, and the grounds, with stone walls, were well landscaped. The farm was opened to the public as a bird sanctuary in 1950 and named for George H. Norman and George H. Norman, Jr.

Norman Bird Sanctuary and Museum

The Norman Bird Sanctuary, maintained by the Rhode Island Audubon Society, opened to the public in 1950 and consisted of a 450-acre tract of woodland, field, marshes, and rocky hills. Portions of the Sanctuary were formed from the Smith-Gardiner-Norman Farm and Allen-King-Norman Farm. A converted barn and several small outbuildings serve as the headquarters which comprise the bird sanctuary (RIHPC, 1979a:18).

3.5.3 NRHP Criteria and the Maritime Visual Setting

The Paradise Rocks Historic District is an NRHP-eligible resource, possibly under Criterion A and C. The district contains a typical landscape within coastal New England and Middletown that was utilized for agriculture by Europeans for over 200 years. In addition, the few houses within the district are typical examples of nineteenth century residences within Middletown, Rhode Island, embodying the distinctive characteristics of the type, period, or methods of construction. The homes are also in keeping with the vernacular building tradition of coastal New England.

One of the resources within the District, the Smith-Gardiner-Norman Farm (also known as Paradise Farm), was listed in the NRHP under Criterion A and C for its significance in the history of Middletown's settlement and agriculture. According to the NRHP Inventory Nomination Form (Connors, 2007), the Paradise Farm is "a well-preserved example of Rhode Island's eighteenth and nineteenth century island farms, typical of its

region in its form and in its history of use and ownership until the early twentieth century.” Contributing structures included a farmhouse, a two-car garage, carriage shed, barn, stone walls, agricultural fields, orchard, family garden, sheep pen, Gardiner Family Burial Plot (1786-1872), gravesite (date unknown), Hanging Rock, and quarry. The period of significance for the Farm spans from 1750 to 1949. While the early period’s significance included the history surrounding the historic farmstead, the later period’s significance included the pattern of development in the history of the island towns and the use of agricultural areas in island towns as country retreats for wealthy families. The Smith-Gardiner-Norman Farm may also be NRHP eligible under Criterion D, as it may yield evidence about the lifeways of coastal Native Americans as well as successive owners, tenants, and slaves (Connors, 2007).

3.6 The Sea View Villa

3.6.1 Physical Description and Existing Conditions

The Sea View Villa is a two-and-a-half story, multi-gabled chateau with a complex plan, several porches, and wood-carved details on the exterior (RIHPC, 1979a:34). The house is near the vicinity of Easton’s Point on Tuckerman Avenue. The house is less than 100 meters from the shoreline and approximately 40 feet above mean sea level, overlooking the Atlantic Ocean. Sea View Villa is currently a privately owned apartment complex (Sea View Villa, n.d.).

3.6.2 Historic Context

The Sea View Villa was built by General Zachariah Cantey Deas in the 1880s. The original lot, much like those in other sections of Middletown, were laid out by a syndicate of Boston businessmen. In 1945, the property was purchased by Tony and Mary Spiratos, whose family continues to own the property. During this time, Sea View Villa was host to President Eisenhower’s Cabinet and the White House’s staff. During the latter half of the twentieth century and to the present, the Spiratos family made major renovations to the estate, updating the various rooms (such as the old servant’s quarters) into apartments for rent (RIHPC, 1979a:6; Sea View Villa, n.d.).

3.6.3 NRHP Criteria and the Maritime Visual Setting

The Sea View Villa is an NRHP-eligible resource and appears to meet Criterion C. The house is a typical example of a late-nineteenth century residence within Middletown, Rhode Island, embodying the distinctive characteristics of the type, period, or methods of construction. In addition, the house is in keeping with the vernacular building tradition of coastal New England. The property’s natural landscape and maritime visual residence.

3.7 The St. George's School: Church of St. George, Little Chapel, and Memorial Schoolhouse

3.7.1 Physical Description and Existing Conditions

The St. George’s School (NPS Ref. #04001235) collectively refers to three buildings (attached to one another) together occupying less than one acre on a 125-acre school campus: the Church of Saint George, the

Memorial Schoolhouse, and the Little Chapel. Approximately 50 other structures, as well as lawns and athletic fields, cover the rest of the campus. Approximately half of the other structures were built between the 1880s and 1930s; some of those may also warrant NRHP nomination. The Memorial Schoolhouse, Church of Saint George, and the Little Chapel occupy the center of the campus between landscaped courtyards. The entire campus has been likened to an English manor estate, with buildings consistently between one and three stories, with gabled roofs, red brick exteriors, and Georgian Revival and Tudor Revival architecture (Cavanaugh, 2004: Section 7, pg. 1-2).

While the original campus was laid out in quadrangles, preserving ocean views to the east and south was later considered. The hilltop location of the school property offers “magnificent views of Second Beach, Sachuest Bay, Rhode Island Sound” and other landmarks (Cavanaugh, 2004: Section 7, pg. 1). Currently, the school serves as a private, Episcopal, coeducational boarding school (St. George’s School, n.d.).

The Little Chapel

The Little Chapel is a brick one-room building with one-story, and a gabled roof of green slate on a poured concrete foundation. Constructed between 1909 and 1911, the Tudor Revival style building was relocated in 1924 less than 100 feet away from its original site to make way for construction of the Church of Saint George. The Little Chapel is now attached to the larger Church of Saint George on the larger structure’s southeast corner in the position of a Gothic church’s “Lady Chapel.” The Little Chapel was modified between 1924 and 1928 to match the style of the Church of Saint George. The Little Chapel now exhibits a parapeted gable roof, Gothic pointed-arch doorway, diamond-paned leaded casement windows, and exposed roof beams and trusses. At the time of its inclusion on the NRHP, the slate roof and gutters of the Little Chapel were in disrepair (Cavanaugh, 2004: Section 7, pg. 3-5).

The Memorial Schoolhouse

The Memorial Schoolhouse is a two and one half-story red brick building built in the Tudor Revival style. It was constructed between 1921 and 1923 as a memorial to the alumni of the school who died in World War I. It has cast stone trim, a multi-gabled slate roof, and a wood-framed cupola. The main entranceway is semi-hexagonal with an arched doorway and Renaissance detailing. A miniature turret is adjacent to the north slype door. The schoolhouse is oriented on an east-west axis, and its primary façade faces the south. The schoolhouse is in very good condition, and retains full integrity of setting, feeling, and association (Cavanaugh, 2004: Section 7, pg. 6-11).

The Church of Saint George

The Church of Saint George was constructed between 1924 and 1927 by one of the major church architects of his generation, Ralph Adams Cram of the Boston firm of Cram & Ferguson. According to the St. George’s School NRHP registration form, “the Gothic Revival Style Church of St. George (commonly referred to as “the Chapel”) is not only the most visually prominent, but also the most historically and architecturally significant building on campus” (Cavanaugh, 2004; Section 7, pg. 12).

While notably smaller than medieval period counterparts, the Church of Saint George presents the Gothic feelings of height and weightlessness. Character defining features include: the stone materials; the

buttresses; the rib-vaulted roof; the pointed-arch window and door openings; the stained-glass windows outlined with stone tracery; the cloister with its fan-vaulting, pointed arches and stone tracery; the great tower; and the copious ornamentation inside and out (Cavanaugh, 2004: Section 7, pg. 12).

The Church of Saint George was constructed primarily of gray limestone, with areas of marble, granite and limestone interior. The roof is lead coated copper. The church is arranged in a T-shape, with a long nave running east-west and a short transept at the west end. The nave and the transept have end-gabled roofs. The church has four exterior towers, with the largest square tower rising 147 feet. A long, narrow, two-story stone structure called a slype connects the church with the Memorial Schoolhouse (Cavanaugh, 2004: Section 7, pg. 12).

3.7.2 *Historic Context*

The St. George's School was founded as an Episcopal school for boys in 1896 by Mr. John Byron Diman, a deacon in the Episcopal Church and alumnus of Brown, Cambridge, and Harvard. At the time, Rhode Island did not have a state-supported public high-school system, so the St. Georges School filled the need for private education. Originally the school rented a location in Newport, before relocating in 1901 to the present-day location due to Diman's love of the "rural, naturalistic qualities and extensive ocean views" (Cavanaugh, 2004; Section 8, pg. 45). By 1906 the school had 88 students, and construction of new campus buildings included classrooms, dormitories, residences, a dining hall and other supporting facilities. The Little Chapel was constructed between 1909 and 1911 to serve as a place for morning communion services, confirmation classes, Bible study, and community meetings. The Memorial Schoolhouse, constructed between 1921 and 1923, was built to memorialize those school alumni who had died in World War I. The Church of Saint George, constructed between 1924 and 1928, was built to provide religious services to the entire Episcopal community of St. George's School (Cavanaugh, 2004: RIHPC, 1979a:31).

3.7.3 *NRHP Criteria and the Maritime Visual Setting*

The St. Georges School is significant under NRHP Criterion A for reflecting the rise of faith-based private education in America, particularly of Episcopal boarding schools in New England, at the end of the 19th century and the beginning of the 20th century. Collectively and individually, the three buildings which comprise the NRHP listing are also significant Under Criterion C. The Little Chapel and the Memorial Schoolhouse both represent the Tudor Revival style. The Church of St. George is a masterpiece of English Gothic Revival ecclesiastical architecture, representing the work of one of the major church architects of his generation, Ralph Adams Cram of the Boston firm of Cram & Ferguson (Cavanaugh, 2004: Section 8, pg. 33).

The extensive and magnificent ocean views contribute to the St. George's School's integrity of setting, feeling, and association as they were a primary reason that founder John Diman chose the location. Layout and orientation of the campus buildings in relation to the east and south facing views was also considered during construction. The St. George's School was listed in the NRHP in 2004.

3.8 The Indian Avenue Historic District

3.8.1 *Physical Description and Existing Conditions*

The Indian Avenue Historic District, previously known as the Indian Avenue Historic District, is located in the eastern portion of Middletown, between Green End Avenue on the north and Third Beach Road on the south. The district encompasses a one-quarter mile section of Indian Avenue and contains approximately a dozen noteworthy Late Victorian and early twentieth century structures. An 1884 stone chapel, St. Columba's Chapel, is located nearby (RIHPC, 1979a:13). Most of the houses are located to the east of Indian Avenue, overlooking the Atlantic Ocean, with many consisting of one-and-a-half to two-story houses set back from the road and obscured by trees. The original homes were typically constructed from stone or vertical board-and-batten walls. Additional outbuildings, such as carriage houses, were and continue to be a common feature of these large estates (RIHPC, 1979a:14-15).

The land gently rises from sea level at the river's shore to just over 50 feet at the district's northwestern corner. Just south of Vancluse Avenue, which forms part of the district's western edge, a small creek crosses Indian Avenue and meanders into the Sakonnet River east of the intersection of Vancluse and Indian Avenues. The district's principal properties comprise a large, early twentieth century multiple resource estate with landscaped grounds, subdivided in the late twentieth century. It is comprised of four contributing buildings, five non-contributing buildings, and two discrete contributing sites. The contributing buildings include 75 Vancluse Avenue, 501 Indian Avenue, 502 Indian Avenue, 515 Indian Avenue, 521 Indian Avenue. The properties were largely divided from the Edward C. Knight, Jr. estate (Stonybrook) designed by Horace Trumbauer in 1928. In addition to the main house on a waterfront lot, the Knight estate extended across Indian Avenue, with formal gardens and outbuildings in the same style as Stonybrook (i.e., Late Gothic Revival) (Woodward, 2009).

3.8.2 *Historic Context*

From the time of European settlement in the eighteenth century until the mid-nineteenth century, the land within the Indian Avenue Historic District was primarily utilized for agriculture. A farmhouse stood at each end of the present-day district. In addition, a ferry landing near the end of Green End Avenue, originally known as Taggart's Ferry, carried farm produce between Little Compton and Newport until about 1870 (RIHPC, 1979a:13).

After the Civil War, the nearby town of Newport saw a marked increase in the purchase and construction of summer estates. Inspired by this growth, Eugene Sturtevant began his effort to make Middletown the "court end of the island" in 1871 (RIHPC, 1979a:6). Sturtevant and a partner purchased two and a half miles of farmland along the Sakonnet shore and money was invested into a 5-mile fenced road (Indian Avenue). The plat featured the road flanked by one hundred rectilinear lots, with an average frontage of 200 feet and depths of 400 feet or more (Woodward, 2009). The Indian Avenue neighborhood developed on a small scale, with the first purchases being made by Philadelphia and Hartford families. The advent of the automobile attracted more development within the district, as it was easier to drive the 3.5 miles from Newport (RIHPC, 1979a:13).

For the first three decades of the twentieth century, many new summer estates were constructed, though much of the original plat remained in agricultural use (Woodward, 2009). A pattern of summer estates with ample landscaped grounds interspersed with occasional farm fields defined the district in the decades after World War II. In the last quarter of the twentieth century another round of development added a new generation of large houses, filling in formerly undeveloped land or subdivided portions of the earlier estates (Woodward, 2009; RIHPC, 1979a:13).

3.8.3 *NRHP Criteria and the Maritime Visual Setting*

The Indian Avenue Historic District was added to the NRHP in 2009 under Criterion C. According to the NRHP Nomination Form (Woodward, 2009), the district is a "...notable example of the high-style residential development associated with the growth of an extensive summer-resort society that was centered in Newport, Rhode Island and spread into the neighboring towns of Middletown, Portsmouth, and Jamestown in the late nineteenth and early-twentieth centuries. The district... is the community's largest, most fully developed, and most intact representative of this phenomenon." In addition, it represents the work of a prominent architect of the time, Horace Trumbauer, and exemplified a style of life common to other sections of Middletown (RIHPC, 1979a:13). The district as a whole derives historic significance from its seaside location and maritime visual setting, as the location specifically relied on its coastal setting and maritime view in order to attract homeowners. According to the Rhode Island Historical Preservation & Heritage Commission (1979a:13), the maritime visual setting was an important aspect of the estates and District, as the "well sited lots afford[ed] good views of the river and ocean."

3.9 The Whetstone

3.9.1 *Physical Description and Existing Conditions*

The Whetstone is a two-story Early Victorian structure with two brick interior chimneys, round-head dormers, a front porch, and several additions. It is sited on the bluff overlooking Whetstone Point and Long Rock and Sachuest Bay at 455 Tuckerman Avenue (RIHPC, 1979a:34). The house is located approximately 100 meters from the shoreline and at approximately 40 feet above mean sea level, overlooking the Atlantic Ocean. The Whetstone is currently a privately owned home.

3.9.2 *Historic Context*

The Whetstone was built in 1860 by Lewis P. W. Balch, a doctor from New York, prior to the growth of Newport's summer colony after the Civil War (RIHPC, 1979a:6, 34). Prior to this, the Whetstone home was primarily located within a rural and agricultural environment. After the Civil War, increased construction in summer houses occurred on the south and east side of Tuckerman Avenue, as the lots offered views of the Atlantic Ocean. During the twentieth century, additional houses and roads were constructed to the north of the Whetstone. Currently, the Whetstone house is located within a moderately dense residential area.

3.9.3 *NRHP Criteria and the Maritime Visual Setting*

The Whetstone is an NRHP-eligible resource and appears to meet Criterion C. The house is a typical example of a mid-nineteenth century residence within Middletown, Rhode Island, embodying the distinctive characteristics of the type, period, or methods of construction. In addition, the house is in keeping with the vernacular building tradition of coastal New England. The property's natural landscape and maritime visual setting are a key component of its historic significance as a mid-nineteenth century vernacular seaside residence.

3.10 The Land Trust Cottages

3.10.1 *Physical Description and Existing Conditions*

The Land Trust Cottages are a group of five Shingle-style houses located off of Purgatory Road, at the east end of Easton Beach. The cottages are comprised primarily of two-and-a-half-story, gambrel-roof structures closely grouped together located between a tall hedgerow along Purgatory Road and Easton Bay.

3.10.2 *Historic Context*

The Land Trust Cottages were laid out for development in 1885-1887 under the guidance of Frederick Law Olmsted. The cottages were constructed as part of a wave of post-Civil War development in Middletown and Newport, primarily by businessmen and investors from Boston. In 1887-1888 E. B. Hall, a Boston builder, erected the cottages on a relatively small lot, positioned to take advantage of views of Easton Bay. The cottages have remained private residences since their construction, with relatively minimal alteration to materials or form (Nebiker and Kennedy, 1990; Jordy, 2012; Dunn, 2014).

3.10.3 *NRHP Criteria and the Maritime Visual Setting*

The Land Trust Cottages were included in the *Historic and Architectural Resources of Middletown RI* multi-property documentation form (Nebiker and Kennedy, 1990), but have not been formally listed on the NRHP. The RIHPHC have classified the property as potentially eligible for listing on the NRHP. The Land Trust Cottages appear to meet NRHP eligibility Criterion C as an intact, representative example of seaside Shingle-style residences, as well as for the associations with Frederick Law Olmsted. The coastal location and maritime visual setting of the cottages are a key component of their historic significance as late-nineteenth century summer cottages.

3.11 The Bluff/John Bancroft Estate

3.11.1 *Physical Description and Existing Conditions*

The Bluff/John Bancroft Estate is located at 575 Tuckerman Avenue. The property extends from the roadway to the bluffs overlooking Sachuest Bay. The building is an irregular-shaped, five-story Shingle-style residence originally constructed in 1895, converted into apartments in 1950, and renovated into ten luxury condominiums in 2006.

3.11.2 Historic Context

The Bluff/John Bancroft Estate was designed by architect William Ralph Emerson (regarded as one of the leading architects of the Shingle Style) for John Chandler Bancroft, a businessman and artist and collector of Japanese art from Boston, with a Japanese garden designed by Frederick Law Olmsted. The house was constructed on a bluff overlooking Sachuest Bay to take advantage of the sweeping views of the bay. The house was constructed as part of a wave of post-Civil War development in Middletown and Newport, primarily by businessmen and investors from Boston. Although Bancroft passed away in 1901, the building is still associated with his name due to his connections and contributions to the art world of Rhode Island in the late nineteenth century (RIHPC, 1979; Sieger, 2000; Historic New England, 2016; Dunn, 2017; WUC, 2020).

3.11.3 NRHP Criteria and the Maritime Visual Setting

The Bluff/John Bancroft Estate was included in the *Historic and Architectural Resources of Middletown RI* multi-property documentation form (Nebiker and Kennedy, 1990), but has not been formally listed on the NRHP. The RIHPC have classified the property as potentially eligible for listing on the NRHP. The Bluff/John Bancroft Estate appears to meet NRHP eligibility National Register Criterion A for its associations with John Chandler Bancroft, and Criterion C as an intact, representative example of the work of William Ralph Emerson, a prominent New England architect renowned for his Shingle-style designs, as well as the associations with Frederick Law Olmsted, who designed the Japanese garden on the property that is partially intact. The property's coastal location and uninterrupted maritime visual setting are a key component of its historic significance as a mid-nineteenth century seaside estate.

4.0 MITIGATION MEASURES

Mitigation measures at the historic properties are detailed in this section. These mitigation measures were developed in consultation with the interested consulting parties by individuals who meet the Secretary of the Interior's *Professional Qualifications Standards* (36 CFR Part 61) and are appropriate to fully address the nature, scope, size, and magnitude of adverse effects including cumulative effects caused by the Project, NRHP-qualifying characteristics of each historic property that would be affected. These mitigation measures also include actions to respond to some reasonably foreseeable hazards unrelated to the Project that pose risks to the long-term preservation of affected historic properties, such as climate change.

4.1 Support Ongoing Maintenance and Aesthetic Improvements to the Third Beach Road and Hanging Rocks Road through Stone Wall Preservation and Observation Trails within the Paradise Rocks Historic District

4.1.1 Purpose and Intended Outcome

Per the request of the Norman Bird Sanctuary, Revolution Wind will provide funding to support the ongoing implementation of ongoing maintenance, and/or aesthetic improvements to the historic stone walls along Third Beach Road and Hanging Rocks Road to ensure the long-term preservation of these historic and cultural resources. In addition, the funding may be used toward the ongoing improvement to the Norman Bird Sanctuary's Coastal Trail to provide support for viewing platforms and other trail improvements to enjoy and observe these historic and cultural resource.

4.1.2 Scope of Work

This scope of work will consist of the following:

- Review existing Town of Middletown Charter and Code of Ordinances;
- Review existing planning documents, guidance, and regulations;
- Review, photograph and document existing conditions;
- Solicit public engagement to discuss preservation priorities;
- Develop a draft plan, including drawings if necessary, to be distributed to the interested consulting parties for review and comment;
- Develop a final plan, including drawings if necessary to be distributed to the interested consulting parties;
- Complete the stone wall and observation trail project;
- Develop a draft report of work completed, including as-built documentation and photographs to be distributed to the interested consulting parties for review and comment; and
- Develop the final report to be distributed the interested consulting parties.

4.1.3 Methodology

Revolution Wind will release a request for proposals (RFP) for consultant services and select a consultant to perform the scope of work listed in Section 4.1.2.

4.1.4 Standards

The mitigation measure will comply with following standards:

- Town of Middletown Charter and Code of Ordinances; and
- The Secretary of the Interior's *Standards for the Treatment of Historic Properties* (36 CFR 68).

4.1.5 Documentation

The following documentation is to be provided for review by interested consulting parties:

- RFPs;
- Proposals by qualified consultants in response to the RFP;
- Photographs and documentation of existing conditions;
- Draft plan;
- Final plan;
- Draft report of work completed, including as-built documentation; and
- Final report.

4.1.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.2 Updated Town-Wide Historic Resources Survey

4.2.1 Purpose and Intended Outcome

Per the request of RIHPHC, Revolution Wind will provide funding to hire a Secretary of the Interior (SOI) qualified professional to complete an update of the existing Historic and Architectural Resources of Middletown, Rhode Island: A Preliminary Report, which was completed in 1979. The updated town-wide historic resources survey will identify and document historic and potentially historic properties located within the Town of Middletown.

4.2.2 Scope of Work

The scope of work will consist of the following:

- The scope of work assumes approximately 150 buildings, structures, and/or objects will be included in the Updated Town-Wide Historic Resources Survey.
- Review the existing Historic and Architectural Resources of Middletown, Rhode Island: A Preliminary Report;
- Review existing historic property documentation available at local repositories and the RIHPHC files;

- Consultation with the Town of Middletown, local and state preservation organizations, and other knowledgeable parties to identify and prioritize types of historic architectural or landscape resources under-represented in existing survey data;
- Develop a methodology for completion of the survey to be distributed to the interested consulting parties for review and comment;
- Field surveys, annotated photographs, and mapping;
- Develop draft survey forms;
- Develop a draft survey report to be distributed to the interested consulting parties for review and comment; and
- Develop final report, addressing the comments received, to be distributed to the interested consulting parties.

4.2.3 Methodology

Revolution Wind will release a request for proposals (RFP) for consultant services for the scope of work and select a consultant to perform the scope of work listed in Section 4.1.2. The consultant should be a SOI qualified professional and have demonstrated knowledge and experience in completing town-wide architectural surveys.

4.2.4 Standards

The exhibit will conform to the following standards:

- The Secretary of the Interior's *Professional Qualifications Standards* (36 CFR Part 61), as applicable; and
- RIHPHC guidance.

4.2.5 Documentation

The following documentation is to be provided for review by interested consulting parties:

- Request for Proposals (RFP);
- Proposals by qualified consultants in response to the RFP;
- Preliminary draft report; and
- Final report.

4.2.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

5.0 IMPLEMENTATION

5.1 Timeline

The timeline for implementation of the mitigation measures is identified in the MOA.

5.2 Organizational Responsibilities

5.2.1 *Bureau of Ocean Energy Management (BOEM)*

BOEM remains responsible for making all federal decisions and determining compliance with Section 106. BOEM has reviewed this HPTP to ensure, at minimum, it includes the content required.

- BOEM remains responsible for making all federal decisions and determining compliance with Section 106;
- BOEM, in consultation with the interested consulting parties, will ensure that mitigation measures adequately resolve adverse effects, consistent with the NHPA;
- BOEM will be responsible for sharing the annual summary report with the interested consulting parties; and
- BOEM is responsible for consultation related to dispute resolution.

5.2.2 *Revolution Wind, LLC*

Revolution Wind will be responsible for the following:

- Considering the comments provided by the interested consulting parties in the development of this HPTP;
- Funding the mitigation measures specified in Section 4.0;
- Completion of the scope/s of work in Section 4.0;
- Ensuring all Standards in Section 4.0 are met;
- Providing the Documentation in Section 4.0 to the interested consulting parties for review and comment;
- Annual Reporting to BOEM; and
- Revolution Wind will be responsible for ensuring that all work that requires consultation with tribal nations are performed by professionals who have demonstrated professional experience consulting with tribal nations.

5.2.3 *Other Parties, as Appropriate*

Revolution Wind does not anticipate additional consulting parties, should any be determined, this will be updated.

5.3 Interested Consulting Party Consultation

This HPTP was provided by Revolution Wind for review by interested consulting parties to provide meaningful input on the resolution of adverse effects to and form(s) of implementing mitigation at the historic properties. interested consulting parties were provided the opportunity for review and comment on the HPTP concurrent with BOEM's NEPA substitution schedule for the Project. This HPTP was further refined through informational and consultation meetings, conference calls, HPTP draft reviews and document exchanges, or similar means of communication of information.

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**ATTACHMENT 12 – HISTORIC PROPERTIES TREATMENT PLAN FOR THE
REVOLUTION WIND FARM, NINE HISTORIC PROPERTIES SUBJECT TO ADVERSE
EFFECTS IN THE TOWN OF AQUINNAH, DUKES COUNTY, MASSACHUSETTS**

Historic Property Treatment Plan

for the

Revolution Wind Farm

Nine Historic Properties

Town of Aquinnah, Dukes County, Massachusetts

Submitted to:



Bureau of Ocean Energy Management
U.S. Department of the Interior

Prepared for:



Revolution Wind, LLC

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Prepared by:



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July 2023

ABSTRACT

Federal Undertaking: Revolution Wind Farm and Revolution Wind Export Cable Project

Location: Outer Continental Shelf and Rhode Island

Federal and
State Agencies: Bureau of Ocean Energy Management
National Park Service
U.S. Army Corps of Engineers
Massachusetts Historical Commission
Rhode Island Historical Preservation & Heritage Commission
New York Historic Preservation Office
Connecticut Historic Preservation Office
Advisory Council on Historic Preservation

Regulatory Process: National Environmental Policy Act
Section 106 of the National Historic Preservation Act
Section 110(f) of the National Historic Preservation Act

Purpose: This Historic Property Treatment Plan provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects from the Revolution Wind Project.

Adverse Visual
Effect Finding for: 71 Moshup Trail
The Leonard Vanderhoop House
The Edwin DeVries Vanderhoop Homestead
The Tom Cooper House
The Theodore Haskins House
3 Windy Hill Drive
The Gay Head-Aquinnah Town Center Historic District
The Gay Head-Aquinnah Shops
The Gay Head-Aquinnah Coast Guard Station Barracks

Submitted By: Revolution Wind, LLC

Date: July 2023

TABLE OF CONTENTS

1.0 Executive Summary 1

2.0 Background Information 3

 2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable..... 3

 2.2 Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA) 4

 2.2.1 Municipal Regulations..... 4

 2.2.2 Preservation Easements and Restrictions..... 4

 2.3 Interested Consulting Parties 4

3.0 Existing Conditions, Historic Significance, and Maritime Setting 6

 3.1 Historic Properties 6

 3.2 Maritime Setting..... 7

 3.3 71 Moshup Trail..... 8

 3.3.1 Physical Description and Existing Conditions..... 8

 3.3.2 Historic Context..... 9

 3.3.3 NRHP Criteria and the Maritime Visual Setting 9

 3.4 The Leonard Vanderhoop House..... 9

 3.4.1 Physical Description and Existing Conditions..... 9

 3.4.2 Historic Context..... 10

 3.4.3 NRHP Criteria and the Maritime Visual Setting 10

 3.5 The Tom Cooper House 10

 3.5.1 Physical Description and Existing Conditions..... 10

 3.5.2 Historic Context..... 11

 3.5.3 NRHP Criteria and the Maritime Visual Setting 11

 3.6 The Theodore Haskins House 11

 3.6.1 Physical Description and Existing Conditions..... 11

 3.6.2 Historic Context..... 11

 3.6.3 NRHP Criteria and the Maritime Visual Setting 11

 3.7 3 Windy Hill Drive 12

 3.7.1 Physical Description and Existing Conditions..... 12

 3.7.2 Historic Context..... 12

 3.7.3 NRHP Criteria and the Maritime Visual Setting 12

 3.8 The Edwin DeVries Vanderhoop Homestead..... 12

 3.8.1 Physical Description and Existing Conditions..... 12

 3.8.2 Historic Context..... 13

 3.8.3 NRHP Criteria and the Maritime Visual Setting 13

3.9	Gay Head – Aquinnah Town Center Historic District.....	13
3.9.1	Physical Description and Existing Conditions.....	13
3.9.2	Historic Context.....	16
3.9.3	NRHP/NHL Criteria and the Maritime Visual Setting	18
3.10	Gay Head – Aquinnah Shops.....	18
3.10.1	Physical Description and Existing Conditions.....	18
3.10.2	Historic Context.....	21
3.10.3	NRHP/NHL Criteria and the Maritime Visual Setting	21
3.11	Gay Head – Aquinnah Coast Guard Station Barracks	22
3.11.1	Physical Description and Existing Conditions.....	22
3.11.2	Historic Context.....	22
3.11.3	NRHP/NHL Criteria and the Maritime Visual Setting	22
4.0	Mitigation Measures.....	23
4.1	Americans with Disabilities Act-Compliant Access for The Aquinnah Shops	23
4.1.1	Purpose and Intended Outcome	23
4.1.2	Scope of Work.....	23
4.1.3	Methodology	23
4.1.4	Standards	24
4.1.5	Documentation.....	24
4.1.6	Funds and Accounting.....	24
4.2	Weatherization of the Edwin D. Vanderhoop Homestead	24
4.2.1	Purpose and Intended Outcome	24
4.2.2	Scope of Work.....	24
4.2.3	Methodology.....	25
4.2.4	Standards	25
4.2.5	Documentation.....	25
4.2.6	Funds and Accounting.....	25
5.0	Implementation	26
5.1	Timeline.....	26
5.2	Organizational Responsibilities	26
5.2.1	Bureau of Ocean Energy Management (BOEM)	26
5.2.2	Revolution Wind, LLC	26
5.2.3	Other Parties, as Appropriate.....	26
5.3	Interested Consulting Party Consultation	27
6.0	References.....	28

LIST OF FIGURES

Figure 2.1-1. Project Location.....3
Figure 3.1-1. Historic Property Location.....7
Figure 3.10-1. Aquinnah Shops Site Map 19

LIST OF TABLES

Table 3.1-1. Historic Properties included in the HPTP6
Table 3.9-1. Contributing buildings within the Gay Head – Aquinnah Town Center Historic District..... 14

LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADLS	Aircraft Detection Lighting System
APE	Area of Potential Effects
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
COP	Construction and Operations Plan
DEIS	Draft Environmental Impact Statement
EDR	Environmental Design and Research, D.P.C.
FEIS	Final Environmental Impact Statement
FR	Federal Regulation
HPTP	Historic Property Treatment Plan
MHC	Massachusetts Historical Commission
MOA	Memorandum of Agreement
NHL	National Historic Landmark
NHPA	National Historic Preservation Act of 1966
NPS	National Park Service
NRHP	National Register of Historic Places
PAPE	Preliminary Area of Potential Effects
RFP	Request for Proposal
RIHPHC	Rhode Island Historical Preservation & Heritage Commission
ROD	Record of Decision
RWF	Revolution Wind Farm
TCP	Traditional Cultural Property
WTG	Wind turbine generator

1.0 EXECUTIVE SUMMARY

This Historic Property Treatment Plan (HPTP) for 71 Moshup Trail, which is a Massachusetts Historical Commission (MHC) Inventory Site; the Leonard Vanderhoop House, which is a MHC Inventory Site; the Edwin DeVries Vanderhoop Homestead, which is listed on the National Register of Historic Places (NRHP); the Tom Cooper House, which is an MHC Inventory Site; the Theodore Haskins House, which is an MHC Inventory Site; 3 Windy Hill Drive, which is an MHC Inventory Site; the Gay Head – Aquinnah Town Center Historic District, which is listed on the NRHP; the Gay Head – Aquinnah Shops, which is an MHC Inventory Site; and the Gay Head-Aquinnah Coast Guard Station Barracks, which is an MHC Inventory Site (hereinafter, the historic properties) provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects in the *Historic Resources Visual Effects Analysis – Revolution Wind Farm* (HRVEA; EDR, 2023) for the Revolution Wind Farm (RWF) and Revolution Wind Export Cable Project (collectively, the Undertaking). Revolution Wind LLC (Revolution Wind) has provided this HPTP in accordance with the Bureau of Ocean Energy Management’s (BOEM) Findings of Adverse Effect (FoAE) for the Undertaking under the National Historic Preservation Act of 1966 (NHPA).

BOEM has used the National Environmental Policy Act (NEPA) substitution process to fulfill its Section 106 obligations as provided for in the NHPA implementing regulations (36 CFR § 800.8(c)), and BOEM has consulted with the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers, tribal nations, and other NHPA Section 106 consulting parties in accordance with this process. Revolution Wind has provided this HPTP to BOEM for inclusion in the Final Environmental Impact Statement (FEIS).

This HPTP describes the mitigation measures to resolve adverse effects on historic properties, the implementation steps, and timeline for actions. The mitigation measures are based on the evaluations and outreach performed by Revolution Wind prior to the issuance of the DEIS as well as outreach to consulting parties performed by BOEM. This HPTP document has undergone revision and refinement in consultation with the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer, the ACHP, and other consulting parties throughout the NEPA substitution process. This HPTP is included in the Memorandum of Agreement (MOA) issued in accordance with 36 CFR §§ 800.8, 800.10.

This draft HPTP is organized into the following sections:

- **Section 1.0, Introduction**, outlines the content of this HPTP.
- **Section 2.0, Cultural Resources Regulatory Context**, briefly summarizes the Undertaking while focusing on cultural resources regulatory contexts (federal, tribal, state, and local, including preservation restrictions), identifies the historic properties discussed in this HPTP that will be adversely affected by the Undertaking, and summarizes the pertinent provisions and attachments of the HRVEA (EDR, 2023) and *Revolution Wind Farm Construction and Operations Plan* (COP; Revolution Wind, 2022) that guided the development of this document.
- **Section 3.0, Existing Conditions, Historic Significance, and Maritime Setting**, provides a physical description of the historic properties included in this HPTP. Set within its historic context,

the applicable NRHP criteria for the historic properties are discussed with a focus on the contribution of a maritime visual setting to its significance and integrity.

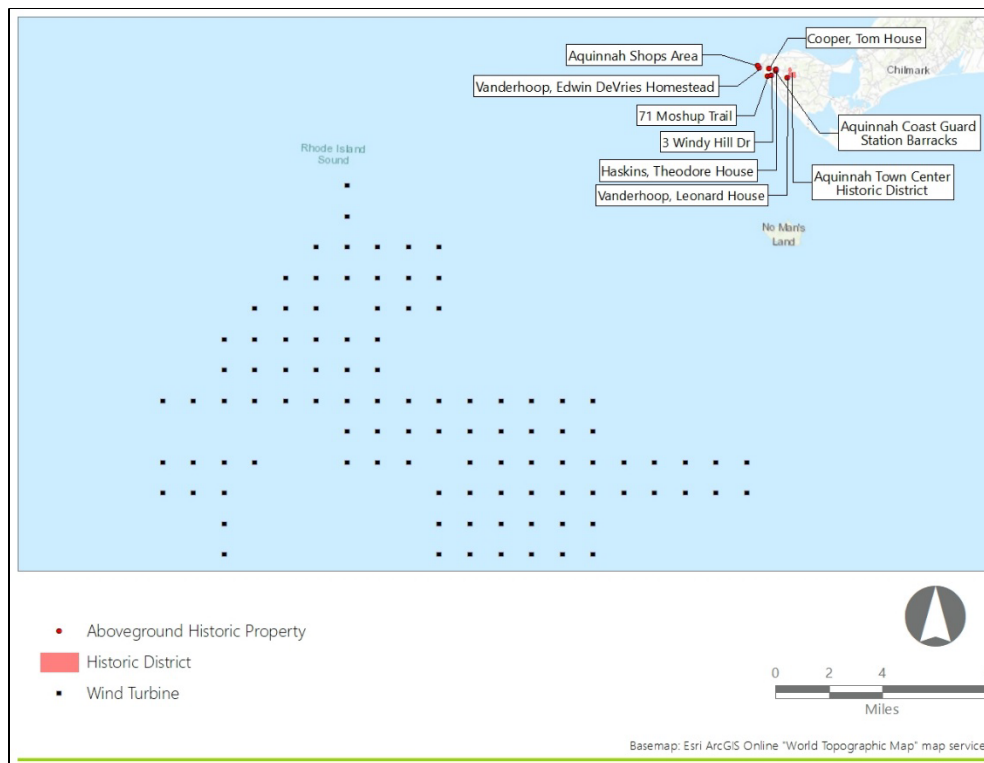
- **Section 4.0, Mitigation Measures**, presents specific steps to carry out the mitigation actions. The mitigation action includes a detailed description, intended outcome, methods, standards, and requirements for documentation.
- **Section 5.0, Implementation**, establishes the process for executing mitigation actions at the historic properties, as identified in Section 4.0 of this HPTP. For each/the action, organizational responsibilities are outlined, a timeline is provided, and regulatory reviews are listed.
- **Section 6.0, References**, is a list of works cited in this HPTP.

2.0 BACKGROUND INFORMATION

2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable

The Undertaking is a wind-powered electric generating facility composed of up to 100 wind turbine generators (WTGs) and associated foundations, two offshore substations, and inter-array cables connecting the WTGs and the offshore substations (see Figure 2.1-1). The WTGs, offshore substations, array cables, and substation interconnector cables would be located on the Outer Continental Shelf approximately 15 nautical miles (18 statute miles) southeast of Point Judith, Rhode Island, approximately 13 nautical miles (15 statute miles) east of Block Island, Rhode Island, approximately 7.5 nautical miles (8.5 statute miles) south of Nomans Land Island National Wildlife Refuge (uninhabited island), and between approximately 10 to 12.5 nautical miles (12 to 14 statute miles) south/southwest of varying points of the Rhode Island and Massachusetts coastlines (62 FR 33708). In addition, two submarine export cables located in both federal waters and Rhode Island State territorial waters, will connect the offshore substation to the electrical grid. The proposed interconnection location for the Undertaking is the existing Davisville Substation, which is owned and operated by The Narragansett Electric Company d/b/a National Grid and located in North Kingstown, Rhode Island. The visible offshore components of the operational Undertaking will be located on Lease OCS-A 0486 in water depths ranging from approximately 108 to 125 feet.

Figure 2.1-1. Project Location



2.2 Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA)

The regulations at 36 CFR § 800.8 provide for use of the NEPA process to fulfill a federal agency's NHPA Section 106 review obligations in lieu of the procedures set forth in 36 CFR § 800.3 through 800.6. Under these provisions, issuance of a ROD and implementation of relevant conditions will resolve adverse effects to historic properties caused by the Undertaking, including to National Historic Landmarks (NHLs) for which BOEM must provide a higher standard of care, as required by Section 110(f) of the NHPA.

The measures to avoid and minimize adverse effects to identified historic properties are described in the COP (Section 4.4.1.3 and Appendix BB). This HPTP addresses the mitigation requirements identified by BOEM to resolve the remaining adverse effects after application of the above-referenced measures. The mitigation measures reflect consultations among consulting parties to refine a conceptual mitigation framework proposed by Revolution Wind.

All activities implemented under this HPTP will be conducted in accordance with any conditions imposed by BOEM in its ROD and with applicable local, state and federal regulations and permitting requirements. Responsibilities for specific compliance actions are described in further detail in Section 5.2 – Organizational Responsibilities.

2.2.1 Municipal Regulations

Before implementation, any on-site mitigation measures will be coordinated with local municipalities and commissions to obtain approvals, as appropriate. These may include, but are not limited to building permits, zoning, land use, planning, historic commissions, and design review boards. Additional information regarding compliance with local requirements appears in Section 5.0, Implementation.

2.2.2 Preservation Easements and Restrictions

Preservation easements and restrictions protect significant historic, archaeological, or cultural resources. The State of Massachusetts preservation restrictions are outlined in Massachusetts General Law Chapter 184, Sections 31-33. Any mitigation work associated with the historic properties will comply with the conditions of all extant historic preservation easements. Additional information regarding compliance with extant preservation restrictions appears in Section 5.0, Implementation. The MHC holds a preservation easement on the Aquinnah Public Library/Gay Head School (a contributing building to the Gay Head – Aquinnah Town Center Historic District) per Massachusetts General Law Chapter 184, Sections 31-33.

2.3 Interested Consulting Parties

BOEM initiated consultation under Section 106 with invitations to consulting parties on April 30, 2021. BOEM hosted the first Section 106-specific meeting with consulting parties on December 17, 2021 pursuant to Sections 106 and 110(f) of the NHPA and in accordance with 36 CFR 800.8.

Following BOEM initial Section 106 meeting with consulting parties, Revolution Wind held stakeholder outreach meetings (see Section 5.3) to review conceptual mitigation measures for the historic property and invited the following parties:

Historic Property Treatment Plan
Nine Historic Properties
Town of Aquinnah, Dukes County, Massachusetts

- The Wampanoag Tribe of Gay-Head (Aquinnah)
- The Martha's Vineyard Commission
- The Gay Head Lighthouse Advisory Committee
- The Town of Aquinnah
- The Massachusetts Historical Commission.¹

¹ MHC was invited to attend stakeholder outreach meetings regarding historic properties in Massachusetts; however, MHC has not participated in outreach meetings for Revolution Wind.

3.0 EXISTING CONDITIONS, HISTORIC SIGNIFICANCE, AND MARITIME SETTING

3.1 Historic Properties

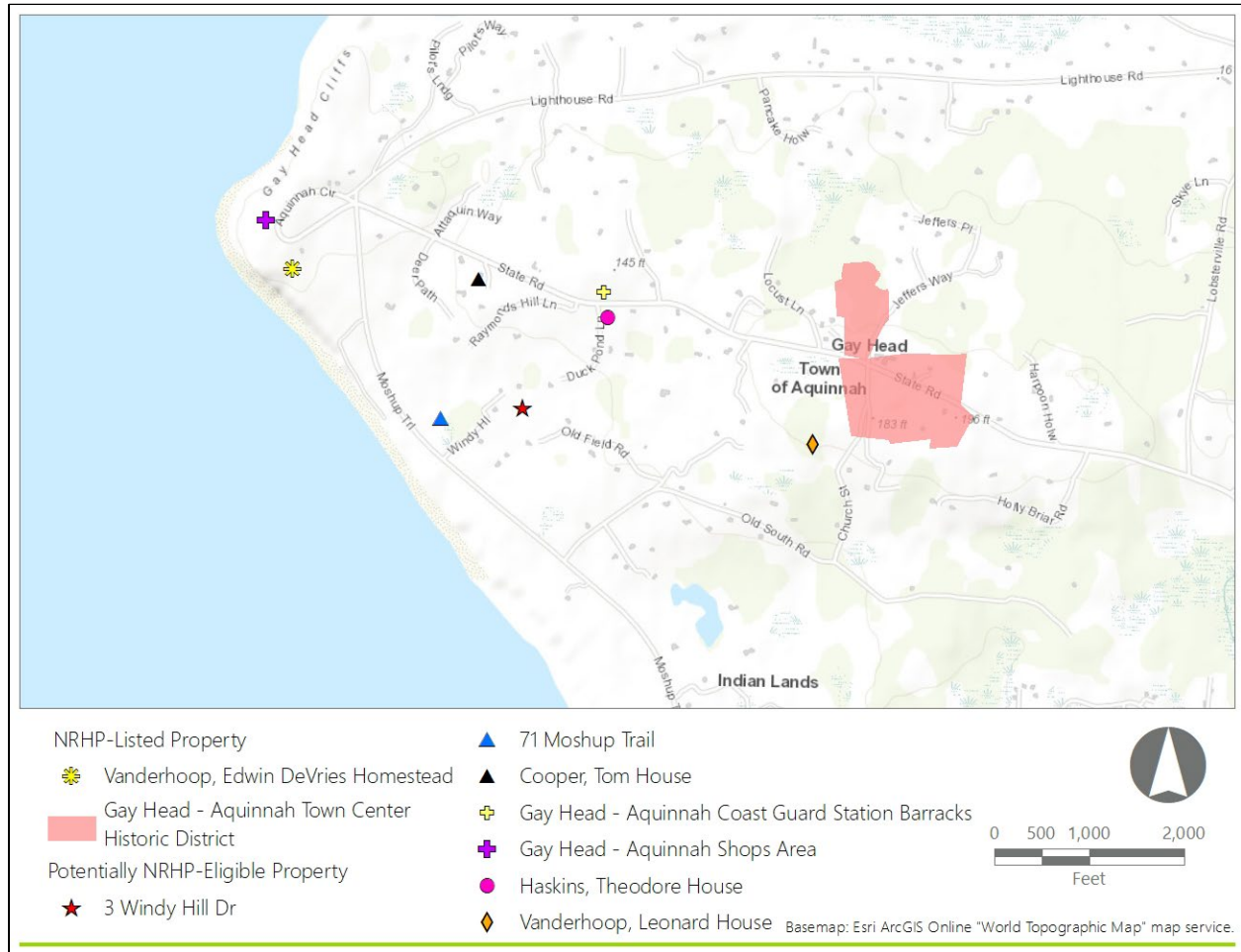
This HPTP addresses eight historic properties, as identified in Table 3.1-1 and located on Figure 3.1-1.

Table 3.1-1. Historic Properties included in the HPTP

Name	Property Designation	Municipality	State	Site No. (Agency)	Ownership	Historic Property Type
71 Moshup Trail	MHC Historic Inventory Site	Town of Aquinnah	MA	GAY.31 (MHC)	Private	Historic Buildings and Structures
Leonard Vanderhoop House	MHC Historic Inventory Site	Town of Aquinnah	MA	GAY.4 (MHC)	Private	Historic Buildings and Structures
Edwin DeVries Vanderhoop Homestead	NRHP-Listed	Town of Aquinnah	MA	GAY.40 (MHC); 06000784 (NPS)	Municipal	Historic Buildings and Structures
Tom Cooper House	MHC Historic Inventory Site	Town of Aquinnah	MA	GAY.53 (MHC)	Private	Historic Buildings and Structures
Theodore Haskins House	MHC Historic Inventory Site	Town of Aquinnah	MA	GAY.51 (MHC)	Private	Historic Buildings and Structures
3 Windy Hill Drive	MHC Historic Inventory Site	Town of Aquinnah	MA	GAY.55 (MHC)	Private	Historic Buildings and Structures
Gay Head – Aquinnah Town Center Historic District	NRHP-Listed	Town of Aquinnah	MA	GAY.A (MHC); 99000187 (NPS)	Municipal; Private	Historic Buildings and Structures
Gay Head – Aquinnah Shops	MHC Historic Inventory Site	Town of Aquinnah	MA	GAY.B (MHC)	Private; Tribal Nation	Historic Buildings and Structures

Gay Head- Aquinnah Coast Guard Station Barracks	MHC Historic Inventory Site	Town of Aquinnah	MA	GAY.52	Private	Historic Buildings and Structures
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Figure 3.1-1. Historic Property Location



In Sections 3.3. through 3.10, each property is described both physically and within its historic context, with a focus on the contribution of a maritime visual setting to the property’s significance and integrity.

3.2 Maritime Setting

For the purposes of this analysis and assessment, views of marine waters are considered critical aspects of maritime settings. The influence of the marine environment and related human activities on historical development patterns is extensive and may be expressed in areas without direct lines of sight to the sea. Although these types of setting may contribute to the significance of historic properties, they would not be subject to alteration as a result of the proposed undertaking and are not considered further in this document.

The historic properties included in this HPTP are all considered within the historic property type defined in the HRVEA as “Historic Buildings and Structures” which includes buildings and associated properties historically used as residences. Location and orientation of such properties is critical to understanding the nature of any associated maritime settings. Many historic houses were oriented to local roadways, with the front and rear elevations parallel to the nearby road’s alignment. Local roadways along the region’s shorelines often parallel the water’s edge and historic homes frequently shift in orientation along such coastal roads. This variation in orientation may strongly influence the associated views of marine waters that may form important elements of a property’s historic setting. Historic commercial fishing activities were focused along the eastern shores of Menemsha Pond, which afforded relatively sheltered harbor and access to Vineyard Sound to the north.

Topography and landcover also play critical roles in defining both the historic settings and existing visual settings for each historic property. Of these two factors, the latter has been generally subject to greater change since the period of original construction and/or period of significance for many historic properties located in the Town of Aquinnah. Mid- to late-twentieth century reforestation has transformed many of the formerly open, agrarian lands of Martha’s Vineyard and constrained local viewsheds from numerous buildings once set on or near agricultural or pasture lands (e.g. Seccombe, 2010). The extensive agricultural heritage in the area is now largely expressed by the stone walls constructed along former pastures, fields, and roads and the surviving farmhouses and barns. Post-1950 residential construction has affected the settings for a smaller number of historic properties but may have diminished the integrity of historic settings for specific properties. The extensive forest cover affords privacy in many residential areas, but limits direct ocean views.

The topography of Aquinnah is strongly influenced by the last glaciation. The elevated Gay Head (Aquinnah) Cliffs along the western shoreline and the highlands in the central section of the town were formed by deformation and upthrusting of ancient sediments as the ice advanced over the area approximately 24,000 years ago (Oldale and O’Hara, 1984). Where vegetation is absent or sparse, views towards the Project may be available from these higher elevations. The bordering areas along the Menemsha Pond to the east and along the southwestern shores have relatively low relief. Direct views of the ocean horizon are screened from Menemsha Pond by the Gay Head (Aquinnah) Cliffs. In the shoreline areas along the southwestern shores, even the commonly low tree and shrub canopies of the island may screen ground-level views of ocean due to the limited relief.

3.3 71 Moshup Trail

3.3.1 Physical Description and Existing Conditions

71 Moshup Trail is a one-and-one-half-story vernacular residence with a gable roof and wood shingle siding. Notable features include the semi-hexagonal tower and full-width porch on the primary (northeast elevation). Windows are generally two-over-two wood sash, and the primary entry door is offset on the northeast elevation. A single-story shed-roofed addition and a gabled dormer window are located on the

southwest elevation. The building has an asphalt shingle roof and rests on a stone foundation. A gable-roofed garage is also located on the roughly 9-acre lot.

3.3.2 *Historic Context*

Throughout the eighteenth century, most residential settlement was concentrated in the western and southern parts of the present-day Town of Aquinnah, which constituted the reservation lands of the Wampanoag Tribe of Gay Head (Aquinnah). Individual residences were linked by a network of paths, and by the mid-nineteenth century, several east-west roads connected the residential areas to the Gay Head Light and Clay Cliffs of Aquinnah to the west and the present-day Town of Chilmark to the east (Harrington, 1998a). In the 1860s, the “District of Gay Head” was established by the Massachusetts General Court. The district was incorporated as the Town of Gay Head in 1870, despite the objections of the Wampanoag residents, who viewed the town’s creation as the alienation of their lands in violation of the Federal Non-Intercourse Act of 1790 (WTGHA, 2022). At the time, tribal members accounted for all of the town’s 227 residents, and the survey and privatization of their land allowed non-tribal owners to acquire property in the town. By 1895, at least 18 non-tribal individuals owned land in the Town of Gay Head, and that number would increase in the following decades. The year-round (primarily Wampanoag) population declined during the twentieth century as communal economic systems dependent on fishing and agriculture waned. Meanwhile, visitation from off-island residents increased dramatically, and many new residences were constructed for use as summer rentals or vacation homes (Harrington, 1998a).

The residence at 71 Moshup Trail was built in approximately 1920. Its primary elevation faces northeast, towards a now-inaccessible extension of Old South Road which provided access to a small number of residences in the area during the early twentieth century. The current roadway, Moshup Trail, was built in 1956, extending east from Aquinnah Circle and providing access to home sites and points of interest along the town’s south shore (Harrington, 1998b).

3.3.3 *NRHP Criteria and the Maritime Visual Setting*

71 Moshup Trail appears to meet National Register Criterion C as a typical example of an early twentieth-century residence in keeping with the characteristic scale, form, and materials of the vernacular building tradition of coastal New England. The property’s natural landscape and maritime visual setting are a key component of its historic significance as an early-twentieth-century vernacular seaside residence.

3.4 The Leonard Vanderhoop House

3.4.1 *Physical Description and Existing Conditions*

The Leonard Vanderhoop House, located at 5 Church Street, is a one-and-one-half-story Greek Revival-derived vernacular residence with multiple additions sited on approximately 5.6 acres. The primary volume consists of a gable-and-ell modified (after 1998) with the addition of wall dormers. A small single-story addition to the west has a flat roof supporting an open deck. The exterior is clad in wood shingle and the roof is of asphalt shingle. The primary elevation faces northeast to an unpaved extension of Church Street.

3.4.2 Historic Context

The Leonard Vanderhoop House was built in approximately 1850 and was one of several residences, along with a school, church, and parsonage, which formed the nucleus of the Gay Head community along present-day Old South Road during the mid-nineteenth century. Leonard L. Vanderhoop (1855-1934), the earliest identified resident of the house, was a restaurant owner and Town Treasurer. The Vanderhoop family, descended from Leonard's parents William A. Vanderhoop and Beulah Salsbury, are a prominent Aquinnah family whose members own many properties and have held key positions in the town government as well as in the Wampanoag Tribe of Gay Head (Aquinnah) (Harrington, 1998c).

In 1870, the same year that the Town of Gay Head was incorporated, the improvement of present-day State Road by the State of Massachusetts dramatically altered the development patterns within the town. The new road was laid out north of Old South Road along the existing path that connected Chilmark to the east to the Gay Head Lighthouse. Nearly all of the existing buildings were subsequently moved from the older community around Old South Road to the new center of activity around the intersection of State Road and Church Street. By 1926 only a single unoccupied house remained at the old settlement (Harrington, 1998a). The Leonard Vanderhoop House was relocated during this period to its current site at 5 Church Street. It remains in the Vanderhoop family today.

3.4.3 NRHP Criteria and the Maritime Visual Setting

The Leonard Vanderhoop House has been significantly altered with the replacement of windows and doors and the introduction of wall dormers. However, it retains its overall massing and its historic setting. The house's relocation after 1870 in response to changing settlement patterns contributes to its historic significance. The Leonard Vanderhoop House appears to meet National Register Criterion A for its association with the mid-nineteenth century settlement along Old South Road. The Vanderhoop family is one of the most well-known families in the history of the Town of Aquinnah. The house is a Shingle-style building, typical of the buildings located on Martha's Vineyard, and has views to the water afforded by its relatively high elevation on the moraine. The remaining ocean views are associated with a once more expansive ocean viewshed that has been partially screened by reforestation.

3.5 The Tom Cooper House

3.5.1 Physical Description and Existing Conditions

The Tom Cooper House, located at 1 Sunset Lane, is a two-story residence consisting of a primary gable-roofed volume with multiple additions sited on approximately 0.5-acre. The exterior is clad in wood shingle and the roofs are clad in asphalt shingle. The residence appears to have been heavily remodeled in about 2005. All of the windows and doors appear to be modern replacements. Other alterations include the addition of a hipped-roof volume atop a walk-out basement, the enlargement of the original volume with wall dormers, and the addition of a visually prominent stone chimney.

3.5.2 *Historic Context*

Sunset Lane is a short road extending south from State Road. It was developed in the early twentieth century, following the improvement of State Road. The Tom Cooper House was built during the last quarter of the nineteenth century. Tom Cooper was the first known occupant of the house, during the early twentieth century. The Cooper family operated a restaurant out of the residence in the 1920s, later converted to an ice cream shop in the 1960s (Harrington, 1998d). The building was substantially remodeled in approximately 2005 (Town of Aquinnah, 2022).

3.5.3 *NRHP Criteria and the Maritime Visual Setting*

The Tom Cooper House appears to meet National Register Criteria A and/or C for its architecture and its role as a restaurant contributing to the development of the tourism industry in Gay Head. The natural landscape and maritime visual setting appear to be key components that contribute to the historic significance of the Tom Cooper House.

3.6 The Theodore Haskins House

3.6.1 *Physical Description and Existing Conditions*

The Theodore Haskins House, also known as the C. Adrian Vanderhoop House, located at 72 State Road/1150 State Road, is a one-and-one-half-story Colonial Revival-derived vernacular residence consisting of a gable-roofed main volume with multiple dormers and additions sited on approximately 1.0 acre. The exterior has wood shingle siding and an asphalt shingle roof, atop a concrete masonry unit foundation. A substantial brick chimney is located on the primary elevation. Windows are generally wood sash and appear original.

3.6.2 *Historic Context*

The Theodore Haskins House was built in the first quarter of the twentieth century for Theodore E. Haskins, who subsequently sold the property to C. Adrian Vanderhoop (1880-1956), a member of the prominent Vanderhoop family of Gay Head (see Section 3.3.2). In 1957, the property was acquired by the Gentry family, who still own it today (Harrington, 1998e; Town of Aquinnah, 2022).

3.6.3 *NRHP Criteria and the Maritime Visual Setting*

The Theodore Haskins House appears to meet National Register Criterion C as an intact and representative example of an early-twentieth-century residence in keeping with the characteristic scale, form, and materials of the vernacular building tradition of coastal New England with views to the ocean. The property is sited along the southwestern flank of an elevated glacial moraine with slopes oriented towards the Project. The remaining ocean views from the property are surviving elements of a once more expansive ocean viewshed that has been diminished by post-1950 reforestation.

3.7 3 Windy Hill Drive

3.7.1 *Physical Description and Existing Conditions*

The house at 3 Windy Hill Drive (current address, 5 Windy Hill Drive) is a two-story Colonial Revival-derived vernacular residence with hipped roofs, wood shingle siding, and a raised basement, sited on approximately 0.5 acre. The residence was significantly remodeled in the late-twentieth- or early-twenty-first century, with little or no historic exterior materials remaining.

3.7.2 *Historic Context*

The house at 3 Windy Hill Drive was built in the first quarter of the twentieth century. It was originally accessed via a network of trails and roads which extended south from Old South Road. Windy Hill Drive is now accessible from Moshup Trail, which was begun in 1956 to provide access to residential lots and points of interest on the town's south shore (Harrington, 1998f; Town of Aquinnah, 2022).

3.7.3 *NRHP Criteria and the Maritime Visual Setting*

The address 3 Windy Hill Drive appears to meet National Register Criterion C as an intact and representative example of a residence in keeping with the characteristic scale, form, and materials of the vernacular building tradition of coastal New England, and in particular Martha's Vineyard with views to the ocean. The natural landscape and maritime visual setting appear to be key components that contribute to the historic significance of 3 Windy Hill Drive.

3.8 The Edwin DeVries Vanderhoop Homestead

3.8.1 *Physical Description and Existing Conditions*

The Edwin DeVries Vanderhoop Homestead, located at 35 Aquinnah Circle, is a two-story wood-frame vernacular residence with complex massing consisting of multiple intersecting gable roofed volumes along with a single-story rear addition. The building has wood shingle siding, wood shingle roofing, and a granite foundation. Windows are generally two-over-two double hung wood sash with simple wood surrounds. The primary (north) elevation is arranged symmetrically, with two single-story entry porches flanking a two-story gable-roofed one-bay-wide projection. A 12-foot-by-29-foot open terrace (built in 2005) along the rear elevation of the house and provides expansive views of the ocean waters framed by the slightly elevated sections of the cliffs to the north. The existing terrace replaced a wooden deck. The residence is sited on an approximately 3.8-acre lot which extends southwest to the Clay Cliffs of Aquinnah and consists of grass lawn, mown fields, and low vegetation.

The house consists of two main side-gable volumes which are offset and are each roughly the size of a modest Cape Cod-style residence of the nineteenth century. The presence of a full basement beneath one of the volumes and the absence of a basement beneath the other suggests that one of the volumes may have been relocated from a previous site. Historic imagery shows that a barn and several additional outbuildings were once located on the property but are no longer extant (Parcon et. al., 2006). A public walking trail leads through the property to the shoreline. The property is owned by the Town of Aquinnah

and managed as part of the 49-acre Aquinnah Headlands Preserve, while the building serves as the Aquinnah Cultural Center and Aquinnah Wampanoag Indian Museum (MVLB, 2016; Aquinnah Cultural Center, 2021).

3.8.2 *Historic Context*

The Edwin DeVries Vanderhoop Homestead was built or assembled from one or more existing buildings between 1890 and 1897. Edwin DeVries Vanderhoop (1848-1923) was one of nine children born in Gay Head to William Adriaan Vanderhoop, a Dutch-Surinamese settler, and Beulah Salisbury, a member of the Wampanoag Tribe of Gay Head (Aquinnah). Edwin D. Vanderhoop worked as a whaling captain and served in the Massachusetts legislature. He purchased the lot upon which his homestead stands in 1890. His widow Mary A.C. Vanderhoop (1860-1935) inherited the homestead upon his death and the property remained in the Vanderhoop family until 2003. In that year, the property was sold to the Marsh Hawk Land Trust and subsequently transferred to the Town of Aquinnah, subject to conservation and preservation restrictions (Parcon et. al., 2006). The building has been rehabilitated since that time.

3.8.3 *NRHP Criteria and the Maritime Visual Setting*

The Edwin DeVries Vanderhoop Homestead meets National Register Criteria A and C in the areas of Architecture, Native American Ethnic Heritage, and Social History. It derives significance from its association with the prominent Vanderhoop family of the Wampanoag Tribe of Gay Head (Aquinnah), from its association with civic and social life in the community, and as a representative example of a late-nineteenth-century residence embodying the building traditions of coastal New England. The period of significance is circa 1890/1897 to 1956 (Parcon et. al., 2006). The rear of the residence and surrounding areas of the property retain views of the Atlantic Ocean to the south. The property's location atop the Gay Head Cliffs and the views to the sea are integral to its historic setting.

3.9 Gay Head – Aquinnah Town Center Historic District

3.9.1 *Physical Description and Existing Conditions*

The Gay Head – Aquinnah Town Center Historic District is a collection of 23 contributing buildings, two contributing objects, and five non-contributing buildings grouped near the intersection of State Road and Church Street, at the approximate geographic center of the Town of Aquinnah. The contributing buildings consist of historic public, semi-public, residential, and agricultural buildings related to the civic, religious, and economic development of the Town of Aquinnah in the nineteenth and early twentieth centuries. The 23 contributing buildings are enumerated in Table 3.9-1.

Table 3.9-1. Contributing buildings within the Gay Head – Aquinnah Town Center Historic District

Building Name and/or Description	Address	Construction Date
<p>The Aquinnah Town Hall/Community Center is a single-story end-gable building with a moderately pitched roof, wood shingle siding, and wood windows and doors. The primary (south) elevation consists of a projecting entry vestibule featuring a double leaf paneled door flanked by six-over-six windows. The east and west elevations include single-story ells and additions which are consistent with the form and materials of the main volume.</p>	<p>955 State Road</p>	<p>Circa 1929</p>
<p>The former post office and residence is a small single-story shed-roofed building with a roughly square plan and wood shingle and wood board siding. The building appears to have been unoccupied since at least the late 1990s and is overgrown with vegetation.</p>	<p>980 State Road</p>	<p>Circa 1920s</p>
<p>The Aquinnah Public Library/Gay Head School is a single-story Greek Revival-style end-gable building with wood shingle siding atop a granite foundation. The building has six-over-six windows and modest wood cornice returns, corner boards, and fascia boards. A wood deck and ramp added in the twenty-first century provide access to the library's main entrance on the south elevation. The primary historic entrance is on the north elevation and consists of a hipped-roof vestibule with doors on the east and west, which recall the building's use as a school from the time of its construction until 1968. The building was moved to its present location in 1878 (Harrington, 1998a).</p>	<p>1 Church Street</p>	<p>Circa 1844</p>
<p>The Gay Head Community Baptist Church is a one-and-one-half-story end-gable Greek Revival-style church with a square tower centrally located on the primary (south) elevation. The moderately-pitched roof is clad in asphalt shingle and the building has wood clapboard siding and Greek Revival-style wood cornice returns, corner boards, and fascia boards, atop a granite foundation. The outhouse located northeast of the church is also a contributing building to the historic district. It is not known whether the outhouse is still standing. The church was moved to its present location in 1907 (Harrington, 1998a).</p>	<p>2 Meetinghouse Way</p>	<p>Circa 1850</p>

Building Name and/or Description	Address	Construction Date
<p>The Minister’s House/Parsonage is a one-and-one-half-story end-gable residence with modest Greek Revival-style detailing. The building has wood shingle siding and simple cornice returns, corner boards, and fascia boards, atop a stone foundation. The primary (north) elevation is three bays wide, with an offset door and two six-over-six windows at the first floor, with two additional six-over-six windows in the gable end. A secondary entrance is located in a single-story rear addition. The parsonage was moved to its present location in 1907 along with the church (Harrington, 1998a).</p>	<p>3 Church Street</p>	<p>Circa 1856</p>
<p>The Linus S. Jeffers Residence is a one-and-one-half-story Cape Cod-derived vernacular residence with gable-and-ell massing, wood shingle siding, shed dormer windows, and an enclosed single-story porch.</p>	<p>4 Jeffers Way</p>	<p>Late-nineteenth century</p>
<p>The Isaac Rose/Charlie Vanderhoop House, Barn, Cottage, and Shed/cottage comprise a nineteenth-century farmstead sited on approximately 3.7 acres. The residence is a one-and-one-half-story cross-gabled Victorian Eclectic-derived vernacular building with wood shingle siding, ornate sawn vergeboards, an enclosed porch, and a circa-2005 addition.</p>	<p>38 South Road / 890 State Road</p>	<p>Mid-nineteenth century</p>
<p>The Adriaan Vanderhoop House, Barn, and Outhouse comprise a nineteenth-century farmstead sited on approximately 3.1 acres. The residence is a small single-story gable-roofed vernacular building with a central brick chimney, wood shingle siding, two-over-two windows, and a plank door.</p>	<p>46 South Road / 962 State Road</p>	<p>Late nineteenth century</p>
<p>The Lyman Madison House is a one-and-one-half-story vernacular residence with an end gable orientation, wood shingle siding, and a three-bay primary elevation with an offset door.</p>	<p>57 South Road / 903 State Road</p>	<p>Late nineteenth century</p>
<p>The house at 59 South Road/905 State Road is a one-and-one-half-story former boathouse clad in wood shingle atop a raised concrete block foundation. The building has a narrow gable-roofed wall dormer on the south elevation and a single-story wing on the east.</p>	<p>59 South Road / 905 State Road</p>	<p>Circa 1900</p>
<p>The Totem Pole Inn property consists of six buildings on an approximately 6.9-acre parcel, including an Innkeeper’s Residence, four cottages, and a shed. The Innkeeper’s Residence is a one-and-one-half-story Craftsman-style residence with wood shingle siding, a dormered gable roof, and an inset porch with cobblestone piers. The cottages are stylistically varied but are unified through their use of wood shingle siding and cobblestone foundations. The shed also has wood shingle siding.</p>	<p>1-9 Totem Pole Way</p>	<p>Circa 1920s</p>

The two contributing objects within the historic district are World War I monuments erected in 1918 and 1919 and currently located in front of the Aquinnah Town Hall. The monuments consist of bronze plaques affixed to boulders. According to the west monument's inscription, the Town of Gay Head (Aquinnah) contributed the "largest number of men in proportion to its population of any town in New England" to serve in the United States armed forces during the war.

Two of the five non-contributing buildings within the historic district are part of the complex of municipal buildings at 955 State Road. The Town Office Building (1989), east of the Town Hall, is a single-story gable-roofed building with wood shingle siding and six-over-six windows. East of the Town Office Building, the Fire Station (circa 1959) is a single-story gable-roofed building with wood shingle siding. Both buildings recall the scale, form, and materials of the 1929 Town Hall. The remaining three noncontributing buildings within the historic district are residences at 2 Jeffers Way, 44 South Road/920 State Road, and 61 South Road/ 917 State Road, all constructed in the 1960s or later.

3.9.2 *Historic Context*

Throughout the eighteenth century, most residential settlement was concentrated in the western and southern parts of the present-day Town of Aquinnah, which constituted the reservation lands of the Wampanoag Tribe of Gay Head (Aquinnah). Individual residences were linked by a network of paths, and by the mid-nineteenth century, several east-west roads connected the residential areas to the Gay Head Light and Clay Cliffs of Aquinnah to the west and the present-day Town of Chilmark to the east. Throughout the late eighteenth and nineteenth centuries, the community's population was roughly 200 (Harrington, 1998a).

The Gay Head community's civic and religious functions primarily took place within private residences until the mid-nineteenth century. The town's first and only purpose-built school building (now, the Aquinnah Public Library) was constructed prior 1844 north of present-day Old South Road. It was used for a variety of civic, social, and religious purposes in the years and decades before the community erected additional public buildings, and town records show that maintenance and upgrades to the building were frequent. The Baptist congregation of Gay Head met in the school before the Gay Head Community Baptist Church was constructed just north of the school in 1850. Within a few years, the Massachusetts Missionary Society supplied funding for a parsonage which was constructed in 1856 in order to attract a year-round minister to the church. The school, church, and parsonage, along with several additional residences, formed the nucleus of the Gay Head community along Old South Road in the mid-nineteenth century (Harrington, 1998a).

In the 1860s, the "District of Gay Head" was established by the Massachusetts General Court. The district was incorporated as the Town of Gay Head in 1870, despite the objections of the Wampanoag residents, who viewed the town's creation as the alienation of their lands in violation of the Federal Non-Intercourse Act of 1790 (WTGHA, 2022). At the time, tribal members accounted for all of the town's 227 residents, and the survey and privatization of their land allowed non-tribal owners to acquire property in the town. By 1895, at least 18 non-tribal individuals owned land in the Town of Gay Head, and that number would increase in the following decades (Harrington, 1998a).

In the same year that the Town of Gay Head was incorporated, the improvement of South Road (now, State Road) by the State of Massachusetts dramatically altered the development patterns within the town. The new road was laid out north of Old South Road along the existing path that connected Chilmark to the east to the Gay Head Lighthouse. Several buildings were subsequently moved from the older community around Old South Road to the new center of activity around the intersection of South Road and Church Street. The school was relocated in 1878, while the church and parsonage were relocated in 1907. Several additional residences were also moved during this period, and by 1926 only a single unoccupied house remained at the old settlement (Harrington, 1998a).

A post office serving the new Town of Gay Head was established in 1873 and operated out of a succession of private residences, including the Linus S. Jeffers Residence, throughout its roughly 70-year existence. The Post Office/Residence at 980 State Road was likely constructed in the 1920s as a seasonal gift shop and served as the post office and postmistress' residence from the 1930s until the post office was closed during the Second World War. The building presumably continued to serve as a residence following the post office's closure; however, by the late 1990s, the building had been vacant for some time (Harrington, 1998a).

There were no purpose-built town offices in Gay Head until 1929 when the current Town Hall was constructed. Previously, town meetings had been held in the school and town officials rented space in the nearby Linus S. Jeffers residence, which also served as a grocery store and town post office. Linus Jeffers served on the Board of Directors of the Gay Head Improvement Association, which raised funds for the construction of the new Town Hall. The building was designed by Vineyard Haven architect Herbert C. Hancock. Since its construction, the building has housed many of the town's social gatherings since it has the largest capacity of any buildings within the town (Harrington, 1998a).

The year-round (primarily Wampanoag) population declined during the twentieth century as communal economic systems dependent on fishing and agriculture waned. Meanwhile, visitation from off-island increased dramatically, and many new residences were constructed for use as summer rentals or vacation homes. A group of cottages known as the Totem Pole Inn was built during this period just east of the intersection of State Road and Church Street. Gay Head's town center continued to grow in order to meet the changing community's needs. The town was without a dedicated fire department until the fire station was constructed to the east of the Town Hall in about 1959 or 1960; it is still in use today. The town's library was shuffled back and forth between the school and the Town Hall multiple times over several decades before the school closed in 1968 and the town's children began attending larger schools in Chilmark and Vineyard Haven. In 1975, the school was used as additional town office space while a substantial addition was made to the Town Hall. In the same year, the school was permanently converted into the town library and it continues to serve that function today. In the late 1980s, the town once again was in need of additional office space, and a new town office building was built east of the existing Town Hall. Additional alterations were made to the 1975 addition in 1992-1993 to house the town police barracks. The town's name was changed from Gay Head to its Wampanoag name, Aquinnah, in 1998 (Harrington, 1998a).

In general, the buildings comprising the Gay Head – Aquinnah Town Center Historic District continue to be utilized by the community for their original purposes. While the Aquinnah Public Library no longer functions

as a school, it continues to be a center of activity and is well cared for by the community. A large deck and accessible ramp were recently added to the building. The Town Hall has likewise undergone maintenance and repairs in recent years. The Gay Head Community Baptist Church is the only extant church building in the Town of Aquinnah. The Post Office/Residence remains vacant. The Gay Head – Aquinnah Town Center Historic District was listed in the NRHP in 1999 (nomination completed in 1998) and in 2001, the boundary was increased to include an additional 17 contributing buildings and three noncontributing buildings (Harrington and Friedberg, 2001).

3.9.3 *NRHP/NHL Criteria and the Maritime Visual Setting*

The Gay Head – Aquinnah community's historic relationship with and dependence upon maritime resources is integral to understanding the history and development of the historic district. The Gay Head – Aquinnah Town Center Historic District meets National Register Criteria A and C in the areas of architecture, community planning, and Native American ethnic heritage as an intact group of civic, residential, and religious buildings representing nineteenth- and twentieth-century settlement in the Town of Gay Head. The district's period of significance is circa 1850 (the construction date of the earliest building in the district, the Aquinnah Public Library) to 1951 (50 years prior to the NRHP boundary expansion in 2001; Harrington and Friedberg, 2001). The fire station was not included in the 1998 NRHP nomination because it had not yet reached 50 years of age; however, it retains a high degree of integrity and could be considered a contributing resource to the historic district. Although the library, church, and parsonage have been relocated from their original sites, they meet Criteria Consideration B because their relocation took place during the period of significance and was directly related to the growth of the town center and shifts in development patterns in the late nineteenth and early twentieth centuries. The district is sited on the elevated highlands of a prominent moraine. The surviving ocean views are important surviving elements of a once-more expansive pastoral maritime setting for the district.

3.10 Gay Head – Aquinnah Shops

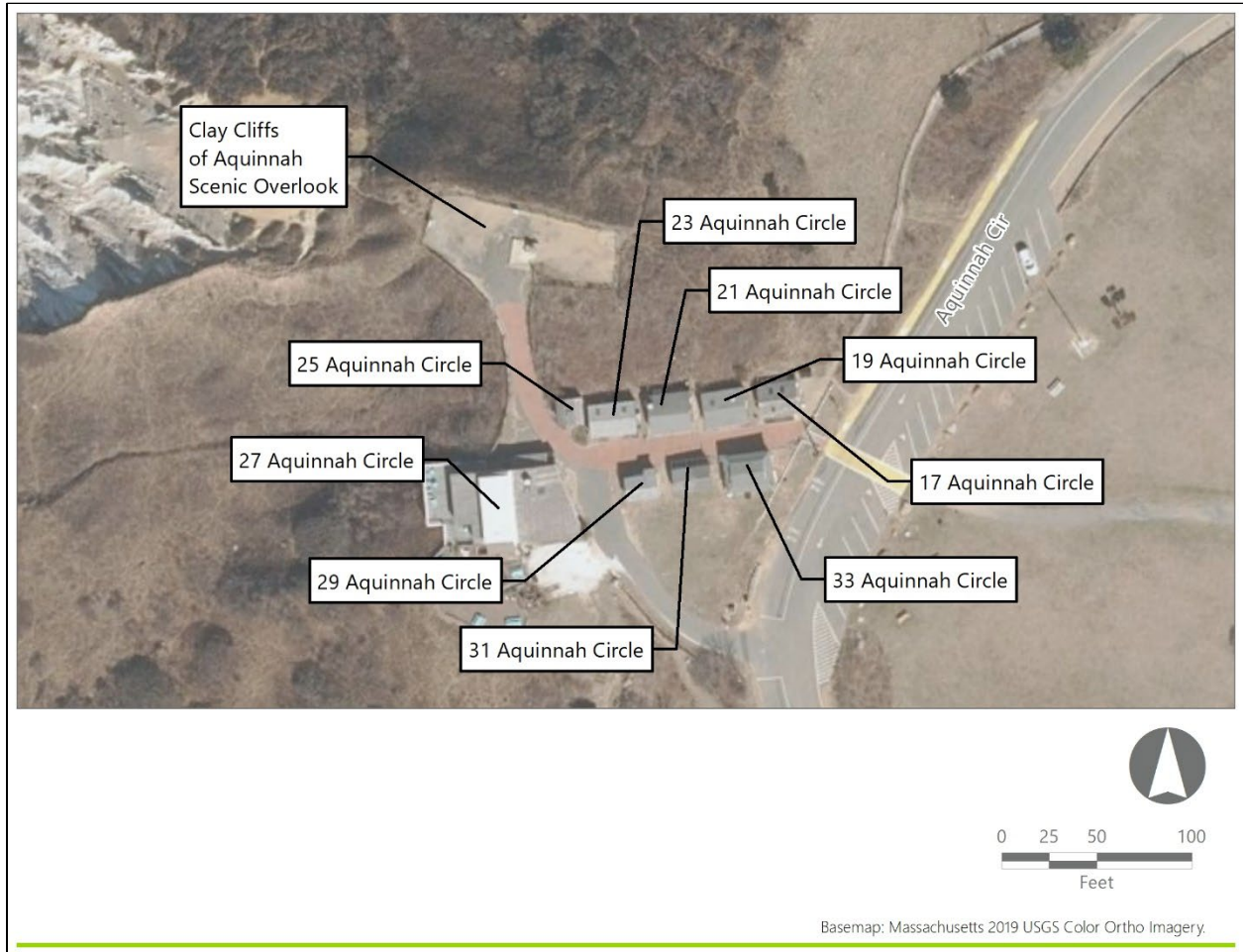
3.10.1 *Physical Description and Existing Conditions*

The Gay Head – Aquinnah Shops are a group of nine vernacular commercial buildings clustered around a paved walkway leading from a parking area along Aquinnah Circle to the Clay Cliffs of Aquinnah Scenic Overlook (see Figure 3.1-1). All buildings are of similar scale, form, and materials, generally consisting of simple rectangular volumes with gable or hipped roofs and wood-shingle siding. The buildings are sited on two tax parcels comprising approximately 4.8 acres, which comprise the entirety of the Property. The buildings occupy limited portions of the parcels, leaving large areas of open space consisting of low-growing vegetation.

The brick paved walkway which forms the central spine of the Property is accessed from Aquinnah Circle via a short flight of concrete stairs with painted wood handrails. From east to west, the buildings north of the walkway are numbered 17, 19, 21, 23 and 25 Aquinnah Circle. The buildings south of the walkway, from east to west, are numbered 33, 31, 29, and 27 Aquinnah Circle. The westernmost building, 27 Aquinnah

Circle, is separated from the other buildings by an asphalt vehicle access drive which functions as an alternative, stair-free path to the overlook.

Figure 3.10-1. Aquinnah Shops Site Map



Existing conditions and alterations since the Gay Head – Aquinnah Shops were documented in 1998 (Harrington, 1998) are described for each building:

- The building at 17 Aquinnah Circle (circa 2005) is a single-story building with a rectangular footprint, a moderately pitched gable roof clad in wood shingles, and exterior wood shingle wall cladding. The primary (south) elevation features a centered two-leaf entry door flanked by small windows. This entry is accessed by a wood ramp. The east elevation has a secondary entrance. The building does not appear in aerial imagery dated to 2001 and appears to have been completely rebuilt in approximately 2005 (Harrington, 1998b; MassGIS, 2001, 2005).
- The building at 19 Aquinnah Circle (early- to mid-twentieth century) is a single-story building with a rectangular footprint, a low gable roof clad in asphalt shingles, and exterior wood shingle wall cladding. The primary (south) elevation has a deep eave overhand and features a centered two-leaf

entry door flanked by paired one-over-one windows. The entry is raised three steps from the paved walkway. The doors and windows have been replaced since 1998 but retain their approximate size and position (Harrington, 1998b).

- The building at 21 Aquinnah Circle (circa 2005) is a single-story building with a rectangular footprint, a low gable roof clad in asphalt shingles, and exterior wood shingle wall cladding. The primary (south) elevation has three pairs of sliding service windows sheltered by an open porch. The building appears to have been completely rebuilt in approximately 2005 and does not appear in aerial imagery dated to 2001 (Harrington, 1998b; MassGIS, 2001, 2005).
- The building at 23 Aquinnah Circle (circa 1950s) is a single-story building with a rectangular footprint, a low gable roof clad in asphalt shingles, and exterior wood shingle wall cladding. The primary (south) elevation features a centered two-leaf entry door flanked by large windows. The entry is raised two steps from the paved walkway. The south elevation windows were replaced after 1998, when they consisted of paired three-light casement windows (Harrington, 1998b).
- The building at 25 Aquinnah Circle (circa 2013) is the smallest of the Gay Head – Aquinnah Shops buildings and is set back farther from the walkway than 17-23 and 29-33 Aquinnah Circle. It is a single-story building with an approximately square footprint, a low gable roof clad in wood shingle, and exterior wood shingle or bark wall cladding. It has been completely rebuilt since 1998 and does not appear in aerial imagery dated to 2011-2012 (Harrington, 1998b; MassGIS, 2011-2012, 2013-2014).
- The building at 27 Aquinnah Circle (mid-twentieth century) is the largest of the Gay Head – Aquinnah Shops buildings and occupies a separate tax parcel from the rest of the shops. It is a one-and-one-half-story building with a roughly rectangular footprint, a low gable roof clad in asphalt shingle, and exterior wood shingle wall cladding. It has two small shed additions and a shed dormer. The primary (east) elevation has an entrance within an inset porch and a pair of sliding service windows. The building houses a restaurant with indoor and outdoor seating areas, including a large wood deck and concrete patio. It does not appear to have been altered significantly since 1998 (Harrington, 1998b).
- The building at 29 Aquinnah Circle (circa 2015) is a single-story building with a rectangular footprint, a low gable roof clad in asphalt shingle, and exterior wood shingle wall cladding. It has been completely rebuilt since 1998 and does not appear in aerial imagery dated to 2015 (Harrington, 1998b; Town of Aquinnah, 2022).
- The building at 31 Aquinnah Circle (mid-twentieth century; rebuilt or enlarged circa 2008) is a single-story building with a rectangular footprint, a low gable roof clad in asphalt shingles, and exterior wood shingle wall cladding. The primary (north) elevation has double leaf, nine-light wood entry doors and a large fixed-sash window. The entry is raised two steps from the paved walkway. The building has been enlarged (or rebuilt) and the north elevation has been altered since 1998, when the entry doors were centered and flanked by two small windows (Harrington, 1998b; MassGIS, 2005, 2008).
- The building at 33 Aquinnah Circle (circa 1950s; possibly rebuilt circa 2000) is a single-story building with a rectangular footprint, a gable-on-hip roof clad in asphalt shingles, and exterior wood shingle wall cladding. The primary (north) elevation has four service windows. A single-light door and a

large window are located on the east elevation. The building has been substantially altered or possibly rebuilt since 1998, when it had a hipped roof and an inset porch with a door on the north elevation (Harrington, 1998b; MassGIS, 1990s, 2001).

The buildings were observed to be in fair to good condition when they were documented in 1998 (Harrington, 1998b). The apparent rebuilding or substantial remodeling of six of the buildings since that date, as well as the replacement of many of the remaining buildings' windows and doors, is likely due to the buildings' ongoing exposure to harsh seaside conditions.

3.10.2 *Historic Context*

The Aquinnah Cliffs and Gay Head Light have been a tourist attraction since the nineteenth century. Several small shops and "tepees" catering to tourists were present along the cliffs by the early twentieth century but were relocated to the present site by the Town of Gay Head (now, the Town of Aquinnah) in order to preserve the setting of the overlook. The earliest extant building on the site was built in the early-to-mid-twentieth century, while the remaining buildings are believed to have been constructed from the mid-twentieth century to the early twenty-first century. The form, scale, and materials of the buildings have been consistent with the vernacular building traditions of coastal New England: modest in size, with low-to-moderate gable roofs, shallow roof eaves, simple doors and windows, and shingle cladding. Historically, the shops sold souvenir items including Wampanoag crafts and objects made from the local clay (Harrington, 1998b).

The Gay Head Cliffs, comprising 24 acres under municipal and Wampanoag trust ownership, were designated as a National Natural Landmark by the National Park Service in 1965 (NPS, 2021). Gay Head Cliffs, including the Gay Head – Aquinnah Shops, was designated as a District of Critical Planning Concern by the Martha's Vineyard Commission (Dukes County). Construction within the district is subject to limitations in order to preserve the natural, ecological, cultural, and historic resources of the district (Town of Aquinnah, 2022). The Gay Head – Aquinnah Shops were surveyed by the Massachusetts Historical Commission in 1998. The same year, the name of the town and its namesake cliffs were changed from Gay Head to Aquinnah, their original Wampanoag name.

Today, the buildings are used primarily as seasonal restaurants and gift shops catering to the tourists who visit the Clay Cliffs of Aquinnah Scenic Overlook. Many of the businesses are multigenerational family enterprises owned by members of the Wampanoag Tribe of Gay Head (Aquinnah). As of 2015, tribal members had the right of first refusal to lease the building lots from the Town of Aquinnah (Elvin, 2015). The buildings now appear to be under a mix of individual and tribal ownership (Town of Aquinnah, 2022).

3.10.3 *NRHP/NHL Criteria and the Maritime Visual Setting*

As a historic district, the Gay Head – Aquinnah Shops meet National Register Criterion A for their association with the development of Aquinnah Cliffs as a tourist attraction during the late nineteenth and early twentieth centuries. The district also meets Criterion C as a group of intact twentieth-century commercial buildings in keeping with the characteristic scale, form, and materials of the vernacular building tradition of

coastal New England. The natural landscape and maritime visual setting of the Aquinnah Cliffs, including expansive views of the Atlantic Ocean, are key to understanding the Gay Head-Aquinnah Shops' historic significance as a commercial development directly tied to seaside tourism.

3.11 Gay Head – Aquinnah Coast Guard Station Barracks

3.11.1 Physical Description and Existing Conditions

The Gay Head – Aquinnah Coast Guard Station Barracks is currently located at 1147 State Road. The building is a one-and-a-half-story residential building set on a high stone foundation with stone support piers. The building is clad in wood shingles and two shed dormers are located on the north and south rooflines. A small, one-story addition is located to the east.

3.11.2 Historic Context

The building's exact construction date is unknown; however, it was originally a barracks located at the Coast Guard Station near the Gay Head Light. In 1870, South Road was constructed, and multiple buildings were relocated to the new roadway. According to the MHC Form, the Gay Head – Aquinnah Coast Guard Station Barracks was moved to its present location after World War II and was converted to a residence (Harrington, 1998g).

3.11.3 NRHP/NHL Criteria and the Maritime Visual Setting

As stated above, the Gay Head – Aquinnah Coast Guard Station Barracks was relocated from its original location, thus affecting its integrity of setting; however, the building retains its integrity of materials, workmanship, association, and design. The building is eligible for listing under Criterion A for its association with the United States Coast Guard Station in Aquinnah.

Although the Gay Head - Aquinnah Coast Guard Station Barracks was relocated from its original maritime setting, the building is currently sited on an elevated parcel of land with ocean views.

4.0 MITIGATION MEASURES

Mitigation measures at these historic properties are detailed in this section. These mitigation measures were developed in consultation with the interested consulting parties by individuals who meet the Secretary of the Interior's *Professional Qualifications Standards* (36 CFR Part 61) and are appropriate to fully address the nature, scope, size, and magnitude of adverse effects including cumulative effects caused by the Project, NRHP-qualifying characteristics of each historic property that would be affected. These mitigation measures also include actions to respond to some reasonably foreseeable hazards unrelated to the Project that pose risks to the long-term preservation of affected historic properties, such as climate change.

4.1 Americans with Disabilities Act-Compliant Access for The Aquinnah Shops

4.1.1 *Purpose and Intended Outcome*

The Town of Aquinnah, in consultation with Revolution Wind, has identified a need to improve ADA-compliant access to the Aquinnah Shops and adjacent Aquinnah Overlook properties. The Town will be replacing the existing wood steps linking the Aquinnah Shops with the Aquinnah Circle parking areas, but wheelchair accessible access will require additional planning and construction to ensure the physical and historic integrity of the Aquinnah Shops is maintained. Once completed, the access project will enhance public appreciation of the historic property by encouraging visitation from a broader spectrum of the resident community and tourists.

4.1.2 *Scope of Work*

The scope of work will consist of the following:

- Review existing town and county planning documents and regulations;
- Photograph and document (e.g. map) existing conditions;
- Draft ADA-compliant access plans that are consistent with the Secretary of the Interior's (SOI) *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*;
- Develop a final plan to include comments from the interested consulting parties;
- Distribute the final plan to the interested consulting parties;
- Photograph and document as-built conditions upon completion of construction.

4.1.3 *Methodology*

Revolution Wind will release a request for proposals (RFP) for consultant services for the scope of work and select a consultant to perform the Scope of Work listed in Section 4.1.2. The chosen consultant should have a demonstrated knowledge of climate change and the treatment of historic properties. Public engagement sessions will be held to solicit comments, questions, and concerns from the residents of the Town of Aquinnah. The sessions will inform the preparation of the draft plan which will be distributed to the interested consulting parties for review and comment. Additional sessions should be held as necessary to allow for public engagement. The comments shall be addressed and incorporated in the final document which will be distributed to the interested consulting parties.

4.1.4 Standards

The project will comply with the following standards:

- The Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (36 CFR 67.7);
- Martha's Vineyard Commission's planning and climate change guidance, as applicable;
- Town of Aquinnah Community Preservation Committee guidance, as applicable;
- Town of Aquinnah Planning Board Review Committee guidance, as applicable; and

4.1.5 Documentation

The following documentation is to be provided for review by interested consulting parties:

- RFP;
- Proposals by qualified consultants in response to the RFP;
- Existing conditions photography and documentation (e.g., mapping);
- Draft construction plans;
- Final construction plans;
- Final plans;
- As-Built photography and documentation.

4.1.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

4.2 Weatherization of the Edwin D. Vanderhoop Homestead

4.2.1 Purpose and Intended Outcome

The purpose of this mitigation measure is to fund weatherization improvements to the Edwin D. Vanderhoop Homestead property. The property houses the Aquinnah Cultural Center, a local museum operated by a local not-for-profit organization and staff by members of the Wampanoag Tribe of Gay Head (Aquinnah). The weatherization improvements are intended to maintain the physical and historic integrity of the property while reducing the costs of maintaining the building and collections.

4.2.2 Scope of Work

The scope of work will consist of the following:

- Review existing town and county planning documents and regulations;
- Review existing energy efficiency guidance, including resources from the National Park Service's Technical Preservation Services and the National Trust for Historic Preservation;
- Photograph and document (e.g., map) existing conditions;

- Develop draft plans and specifications;
- Consult with interested consulting parties;
- Develop draft plans and specifications to be distributed to the interested consulting parties for review and comment;
- Develop a final plans and specifications to include comments from the interested consulting parties;
- Distribute the final plans and specifications to the interested consulting parties;
- Implement the improvements; and
- Develop as-built documentation to be distributed to the interested consulting parties.

4.2.3 Methodology

Revolution Wind will release an RFP for consultant and contracting services for the scope of work and select a consultant to perform the Scope of Work listed in Section 4.2.2. The preferred consultants and contractors will have experience in developing energy efficiency plans for historic buildings. The draft and final plans and specifications will be developed in consultation with the interested consulting parties.

4.2.4 Standards

The project will comply with following standards:

- The Town of Aquinnah Building Code, as applicable;
- The Town of Aquinnah Energy and Climate Committee guidance, as applicable;
- The Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (36 CFR 67.7); and
- National Park Service's *Improving Energy Efficiency in Historic Buildings* Preservation Brief 3.

4.2.5 Documentation

The following documentation is to be provided for review by interested consulting parties:

- RFPs;
- Proposals by qualified consultants in response to the RFP.
- Preliminary draft plans and specifications;
- Final plans and specifications; and
- As-built documentation including photographs.

4.2.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA.

5.0 IMPLEMENTATION

5.1 Timeline

The timeline for implementation of the mitigation measures is identified in the MOA.

5.2 Organizational Responsibilities

5.2.1 *Bureau of Ocean Energy Management (BOEM)*

BOEM remains responsible for making all federal decisions and determining compliance with Section 106. BOEM has reviewed this HPTP to ensure, at minimum, it includes the content required:

- BOEM remains responsible for making all federal decisions and determining compliance with Section 106;
- BOEM, in consultation with the interested consulting parties, will ensure that mitigation measures adequately resolve adverse effects, consistent with the NHPA;
- BOEM will be responsible for sharing the annual summary report with interested consulting parties; and
- BOEM is responsible for consultation related to dispute resolution.

5.2.2 *Revolution Wind, LLC*

Revolution Wind will be responsible for the following:

- Considering the comments provided by the interested consulting parties in the development of this HPTP;
- Funding the mitigation measures specified in Section 4.0;
- Completion of the scope/s of work in Section 4.0;
- Ensuring all Standards in Section 4.0 are met;
- Providing the Documentation in Section 4.0 to the interested consulting parties for review and comment;
- Annual Reporting to BOEM; and
- Revolution Wind will be responsible for ensuring that all work that requires consultation with tribal nations are performed by professionals who have demonstrated professional experience consulting with tribal nations.

5.2.3 *Other Parties, as Appropriate*

Revolution Wind does not anticipate additional consulting parties, should any be determined, this will be updated.

5.3 Interested Consulting Party Consultation

This HPTP was provided by Revolution Wind for review by interested consulting parties to provide meaningful input on the resolution of adverse effects to and form(s) of implementing mitigation at the historic properties. Interested consulting parties were provided the opportunity for review and comment on the HPTP concurrent with BOEM's NEPA substitution schedule for the Project. This HPTP was further refined through informational and consultation meetings, conference calls, HPTP draft reviews and document exchanges, or similar means of communication of information.

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**ATTACHMENT 13 – HISTORIC PROPERTIES TREATMENT PLAN FOR THE
REVOLUTION WIND FARM: THE GAY HEAD LIGHTHOUSE, TOWN OF AQUINNAH,
DUKES COUNTY, MASSACHUSETTS**

Historic Property Treatment Plan

for the

Revolution Wind Farm

The Gay Head Lighthouse

Town of Aquinnah, Dukes County, Massachusetts

Submitted to:



Bureau of Ocean Energy Management

U.S. Department of the Interior

Prepared for:



Revolution Wind, LLC

<https://revolutionwind.com/>

Prepared by:



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July 2023

ABSTRACT

Federal Undertaking: Revolution Wind Farm and Revolution Wind Export Cable Project

Location: Outer Continental Shelf and Rhode Island

Federal and
State Agencies: Bureau of Ocean Energy Management
National Park Service
U.S. Army Corps of Engineers
Massachusetts Historical Commission
Rhode Island Historical Preservation & Heritage Commission
New York Historic Preservation Office
Connecticut Historic Preservation Office
Advisory Council on Historic Preservation

Regulatory Process: National Environmental Policy Act
Section 106 of the National Historic Preservation Act
Section 110(f) of the National Historic Preservation Act

Purpose: This Historic Property Treatment Plan provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve adverse effects from the Revolution Wind Project.

Adverse Visual
Effect Finding for: The Gay Head Lighthouse

Submitted By: Revolution Wind, LLC

Date: July 2023

TABLE OF CONTENTS

1.0	Executive Summary	1
2.0	Background Information	3
2.1	Project Overview: Revolution Wind Farm and Revolution Wind Export Cable.....	3
2.2	Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA)	4
2.2.1	Municipal Regulations	4
2.2.2	Preservation Easements and Restrictions.....	4
2.3	Interested Consulting Parties	5
3.0	Existing Conditions, Historic Significance, and Maritime Setting	6
3.1	Historic Properties	6
3.2	Maritime Setting.....	7
3.3	The Gay Head Lighthouse	7
3.3.1	Physical Description and Existing Conditions.....	7
3.3.2	Historic Context.....	8
3.3.3	NRHP Criteria and the Maritime Visual Setting	9
4.0	Mitigation Measures.....	10
4.1	Historic Rehabilitation of the Gay Head Lighthouse.....	10
4.1.1	Purpose and Intended Outcome	10
4.1.2	Scope of Work.....	10
4.1.3	Methodology	11
4.1.4	Standards	11
4.1.5	Documentation.....	12
4.1.6	Funds and Accounting.....	12
5.0	Implementation	13
5.1	Timeline.....	13
5.2	Organizational Responsibilities	13
5.2.1	Bureau of Ocean Energy Management (BOEM)	13
5.2.2	Revolution Wind, LLC	13
5.2.3	Massachusetts Historical Commission (MHC).....	13
5.2.4	Massachusetts State Historic Preservation Officer	13
5.2.5	United States Coast Guard (USCG)	14
5.2.6	Wampanoag Tribe of Gay Head (Aquinnah).....	14
5.2.7	Other Parties, as Appropriate.....	14
5.3	Interested Consulting Party Consultation	14
6.0	References.....	15

LIST OF FIGURES

Figure 2.1-1. Project Location.....	3
Figure 3.1-1. Historic Property Location.....	6

LIST OF TABLES

Table 3.1-1. Historic Properties included in the HPTP	6
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LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
ADLS	Aircraft Detection Lighting System
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
COP	Construction and Operations Plan
DEIS	Draft Environmental Impact Statement
EDR	Environmental Design and Research, D.P.C.
FEIS	Final Environmental Impact Statement
FR	Federal Regulation
HPTP	Historic Property Treatment Plan
MHC	Massachusetts Historical Commission
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act of 1966
NPS	National Park Service
NRHP	National Register of Historic Places
RIHPHC	Rhode Island Historical Preservation & Heritage Commission
ROD	Record of Decision
RWF	Revolution Wind Farm
SOI	Secretary of the Interior
USCG	United States Coast Guard
VERI	Vineyard Environmental Research Institute
WTG	Wind Turbine Generator

1.0 EXECUTIVE SUMMARY

This Historic Property Treatment Plan (HPTP) for the Gay Head Lighthouse, which is listed on the National Register of Historic Places (NRHP) (the Historic Property) provides background data, historic property information, and detailed steps that will be implemented to carry out mitigation actions to resolve potential adverse effects preliminarily identified by the applicant in the *Historic Resources Visual Effects Analysis – Revolution Wind Farm*, dated July 2022 (HRVEA; EDR, 2023) for the Revolution Wind Farm (RWF) and Revolution Wind Export Cable Project (collectively, the Undertaking). Revolution Wind LLC (Revolution Wind) has provided in accordance with the Bureau of Ocean Energy Management’s (BOEM) Findings of Adverse Effect (FoAE) for the Undertaking under the National Historic Preservation Act (NHPA).

BOEM has used the National Environmental Policy Act (NEPA) substitution process to fulfill its Section 106 obligations as provided for in the NHPA implementing regulations (36 CFR § 800.8(c)), and BOEM has consulted with the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers, tribal nations, and other NHPA Section 106 consulting parties in accordance with this process. Revolution Wind has provided this HPTP to BOEM for inclusion in the Final Environmental Impact Statement (FEIS).

This HPTP describes the mitigation measures to resolve adverse effects on historic properties, the implementation steps and timeline for actions. The mitigation measures are based on the evaluations and outreach performed by Revolution Wind prior to the issuance of the DEIS as well as outreach to consulting parties performed by BOEM. This HPTP document has undergone revision and refinement in consultation with the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer, the ACHP, and other consulting parties throughout the NEPA substitution process. This HPTP is included in the Memorandum of Agreement (MOA) issued in accordance with 36 CFR §§ 800.8, 800.10.

This HPTP is organized into the following sections:

- **Section 1.0, Introduction**, outlines the content of this HPTP.
- **Section 2.0, Cultural Resources Regulatory Context**, briefly summarizes the Undertaking while focusing on cultural resources regulatory contexts (federal, tribal, state, and local, including preservation restrictions), identifies the historic property discussed in this HPTP that will be adversely affected by the Undertaking, and summarizes the pertinent provisions and attachments of the HRVEA (EDR, 2023) and *Revolution Wind Farm Construction and Operations Plan (COP; Revolution Wind, 2022)* that guided the development of this document.
- **Section 3.0, Existing Conditions, Historic Significance, and Maritime Setting**, provides a physical description of the historic property included in this HPTP. Set within its historic context, the applicable NRHP criteria for the historic property are discussed with a focus on the contribution of a maritime visual setting to its significance and integrity.
- **Section 4.0, Mitigation Measures**, presents specific steps to carry out the applicant-proposed mitigation actions identified in the COP or alternative measures developed through stakeholder engagement meetings to date. The mitigation action includes a detailed description, intended

outcome, methods, standards, and requirements for documentation. The mitigation action details may be revised, based on feedback gathered during the process.

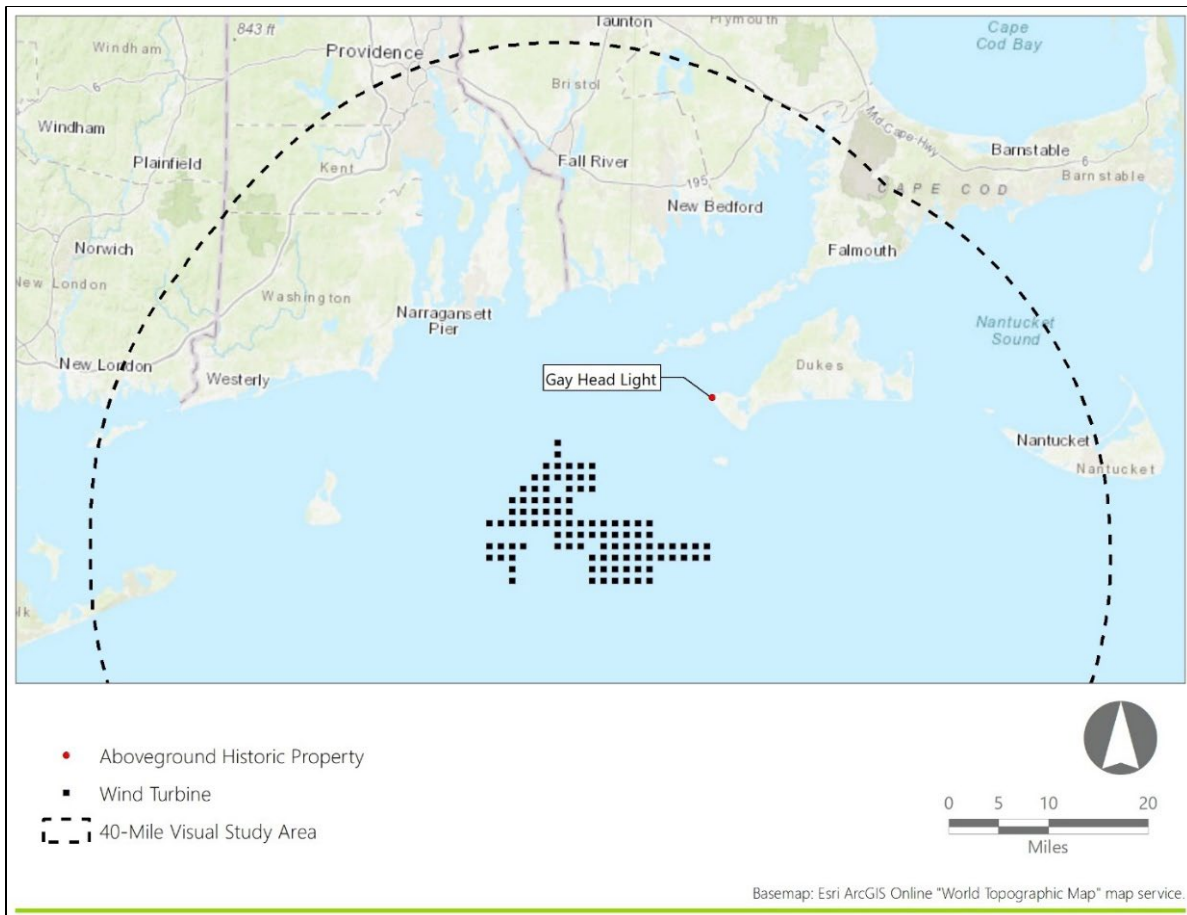
- **Section 5.0, Implementation**, establishes the process for executing mitigation actions at the historic property, as identified in Section 4.0 of this HPTP. For each/the action, organizational responsibilities are outlined, a timeline is provided, and regulatory reviews are listed.
- **Section 6.0, References**, is a list of works cited in this HPTP.

2.0 BACKGROUND INFORMATION

2.1 Project Overview: Revolution Wind Farm and Revolution Wind Export Cable

The Undertaking is a wind-powered electric generating facility composed of up to 100 wind turbine generators (WTGs) and associated foundations, two offshore substations, and inter-array cables connecting the WTGs and the offshore substations (see Figure 2.1-1). The WTGs, offshore substations, array cables, and substation interconnector cables would be located on the Outer Continental Shelf approximately 15 nautical miles (18 statute miles) southeast of Point Judith, Rhode Island, approximately 13 nautical miles (15 statute miles) east of Block Island, Rhode Island, approximately 7.5 nautical miles (8.5 statute miles) south of Nomans Land Island National Wildlife Refuge (uninhabited island), and between approximately 10 to 12.5 nautical miles (12 to 14 statute miles) south/southwest of varying points of the Rhode Island and Massachusetts coastlines (62 FR 33708). In addition, two submarine export cables located in both federal waters and Rhode Island State territorial waters, will connect the offshore substation to the electrical grid. The proposed interconnection location for the Undertaking is the existing Davisville Substation, which is owned and operated by The Narragansett Electric Company d/b/a National Grid and located in North Kingstown, Rhode Island. The visible offshore components of the operational Undertaking will be located on Lease OCS-A 0486 in water depths ranging from approximately 108 to 125 feet.

Figure 2.1-1. Project Location



2.2 Section 106 and Section 110(f) of the National Historic Preservation Act (NHPA)

This HPTP was developed in accordance with the HRVEA and COP and reflects consultations conducted by BOEM with multiple consulting parties, including the Massachusetts State Historic Preservation Officer (MA SHPO), the Town of Aquinnah, and the Gay Head Lighthouse Advisory Board. The regulations at 36 CFR § 800.8 provide for use of the NEPA process to fulfill a federal agency's NHPA Section 106 review obligations in lieu of the procedures set forth in 36 CFR § 800.3 through 800.6. Under these provisions, issuance of an ROD and implementation of relevant conditions will resolve adverse effects to historic properties caused by the Undertaking, including to National Historic Landmarks for which BOEM must provide a higher standard of care, as required by Section 110(f) of the NHPA.

The measures to avoid and minimize adverse effects to identified historic properties are described in the COP (Section 4.4.1.3 and Appendix BB).

This HPTP addresses the mitigation requirements identified by BOEM to resolve the remaining adverse effects after application of the above-referenced measures. The mitigation measures reflect consultations among consulting parties to refine a conceptual mitigation framework proposed by Revolution Wind.

All activities implemented under this HPTP will be conducted in accordance with any conditions imposed by BOEM in its ROD and with applicable local, state and federal regulations and permitting requirements. Responsibilities for specific compliance actions are described in further detail in Section 5.2 – Organizational Responsibilities.

2.2.1 Municipal Regulations

Before implementation, any on-site mitigation measures will be coordinated with local municipalities and commissions to obtain approvals, as appropriate. These may include, but are not limited to building permits, zoning, land use, planning, historical commissions, and design review boards. Additional information regarding compliance with local requirements appears in Section 5.0, Implementation.

2.2.2 Preservation Easements and Restrictions

Preservation easements and restrictions protect significant historic, archaeological, or cultural resources. The State of Massachusetts preservation restrictions are outlined in Massachusetts General Law Chapter 184, Sections 31-33. The Massachusetts Historical Commission (MHC) holds a Historic Preservation Restriction, and the United States Coast Guard (USCG) holds an Aid to Navigation Easement on the historic property per 10 USC 2668 Easements for Rights of Way. Any mitigation work associated with the historic property will comply with the conditions of all extant historic preservation easements. Additional information regarding compliance with extant preservation restrictions appears in Section 5.0, Implementation.

2.3 Interested Consulting Parties

BOEM initiated consultation under Section 106 with invitations to consulting parties on April 30, 2021. BOEM hosted the first Section 106-specific meeting with consulting parties on December 17, 2021, pursuant to Sections 106 and 110(f) of the NHPA and in accordance with 36 CFR 800.8.

Following BOEM initial Section 106 meeting with consulting parties, Revolution Wind held stakeholder outreach meetings (see Section 5.3) to review conceptual mitigation measures for the historic property and invited the following parties:

- The Wampanoag Tribe of Gay-Head Aquinnah
- The Martha's Vineyard Commission
- The Gay Head Lighthouse Advisory Committee
- The Town of Aquinnah
- The Massachusetts Historical Commission.¹

¹ MHC was invited to attend stakeholder outreach meetings regarding historic properties in Massachusetts; however, MHC has not participated in outreach meetings for Revolution Wind.

3.0 EXISTING CONDITIONS, HISTORIC SIGNIFICANCE, AND MARITIME SETTING

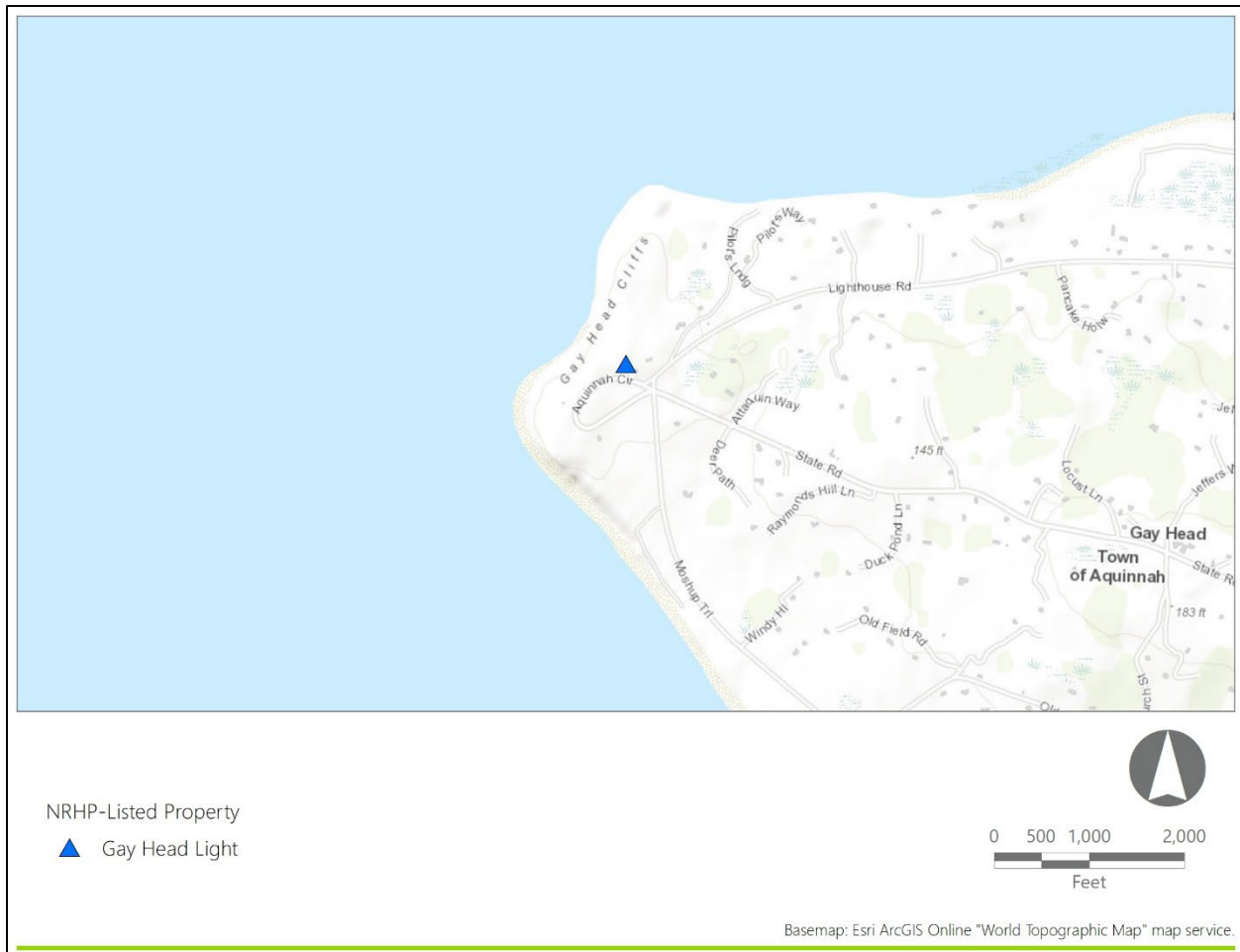
3.1 Historic Properties

This HPTP involves one historic property, as identified in Table 3.1-1 and located on Figure 3.1-1.

Table 3.1-1. Historic Properties included in the HPTP

Name	Property Designation	Municipality	State	Site No. (Agency)	Ownership	Historic Property Type
The Gay Head Lighthouse	NRHP-Listed	Town of Aquinnah	MA	MHC #GAY.900 (MHC); GSA 1-X-MA-0877 (USCG); 87001464 (NPS)	Public	Lighthouses and Navigational Aids

Figure 3.1-1. Historic Property Location



In Section 3.3, the historic property is described both physically and within its historic context, with a focus on the contribution of a maritime visual setting to the property's significance and integrity.

3.2 Maritime Setting

For the purposes of this analysis and assessment, views of marine waters are considered critical aspects of maritime settings. The influence of the marine environment and related human activities on historical development patterns is extensive and may be expressed in areas without direct lines of sight to the sea. Although these types of setting may contribute to the significance of historic properties, they would not be subject to alteration as a result of the proposed undertaking and are not considered further in this report.

The Gay Head Lighthouse is considered within the HRVEA as historic property type "Lighthouses and Navigational Aids" which is defined by the historic associations with water-related transportation and defense, prominent views of the sea and dominance of the surrounding landscape, and common architectural forms. These structures present themselves as prominent and iconic features on the coastal landscape, possess elevated views of the ocean horizon, and are sited specifically for those elevated views.

Lighthouses and other historic navigation aids in the study area include properties that were intended to serve mariners plying large areas of open water and other properties that served specific navigation routes through the complex and treacherous waters of the region's bays. All of these properties have an obvious association with maritime settings, but the scale of those settings will vary due to the conformation of the local landscape and seas and the design and purpose of each navigation aid.

3.3 The Gay Head Lighthouse

3.3.1 Physical Description and Existing Conditions

Sited on 1.35 acres off Aquinnah Circle at the southwestern point of the Town of Aquinnah, the conical 1856 brick lighthouse sits just east of clay cliffs which overlook Devil's Bridge rocks. The lighthouse marks the entrance to Vineyard Sound from the south. In 2015, the structure was relocated 134 feet from its original location, away from the cliffs due to erosion concerns (Gay Head Lighthouse, 2018). The structure was placed on a new granite sub-foundation, at the same elevation as its original location (Unnamed, 2015).

The red brick tower shaft houses interior stairs and measures 17.5 feet in diameter and 45.7 feet in height (DiStefano, 1981). A mid-level balcony, corresponding to the interior lamp room, rests on a sandstone entablature and has iron railings. The glazed lens room with black iron structure contains the optic and sits atop the masonry with its own iron balcony (Tait, 1987). The lens room is enclosed by an iron roof with ventilator and lightning rod. A series of square four-pane windows perforate the building envelope at various heights around the circumference of the lighthouse. Recent improvements include replacement iron railings that match the original set, and repair to masonry damage where the lens room and balcony meet the brick (Gay Head Lighthouse, 2018).

Following the relocation of the Gay Head Lighthouse in 2015, cliff erosion was no longer the biggest threat to the structure. Due to age and maritime siting, the poor condition of the Gay Head Lighthouse building

materials is currently posing the largest risk to its long-term survival. The curtain wall of the lens room, as well as brick, sandstone, and mortar all display signs of deterioration (Gay Head Lighthouse, 2018).

3.3.2 Historic Context

The extant circa 1856 Gay Head Lighthouse is the second lighthouse on this site, a replacement for the original wood structure authorized in 1799 by President John Adams (DiStefano, 1981). By 1854, the original structure was being confused with the Sankay Light on Nantucket, resulting in a shipwreck. As a response to the tragedy, Congress allocated \$30,000 for a new brick lighthouse, a first-order Fresnel lens from France, and a keeper's residence (demolished circa 1961). Caleb King of Boston constructed the new Gay Head Lighthouse and keeper's house using brick from the nearby Chilmark Brick Works. The lighthouse's reopening in 1856 was well publicized and tours opened to the public shortly thereafter (Gay Head Lighthouse, 2018).

Between 1856 and 1952 the Fresnel lens served as the lighthouse beacon, under the care of 18 principal keepers and 10 assistant keepers. The first Wampanoag Tribe of Gay Head (Aquinnah) member to serve as the Gay Head Lighthouse Keeper was Charles W. Vanderhoop, Sr. who served in that position from 1930-1933 (Gay Head Lighthouse, 2018). Following the introduction of electricity and an upgraded optic at the lighthouse, the USCG donated the Fresnel lens to the Martha's Vineyard Museum, and the keeper's house was demolished. With a fully automated beacon, the USCG began its operation of the Gay Head Lighthouse in 1956.

Under USCG stewardship, and with insufficient funds for maintenance, the condition of the Gay Head Lighthouse began its slow decline in the 1960s, continuing into the early 1980s. In 1984, Congressional hearings to save the Gay Head Lighthouse from demolition resulted in the licensure of a 35-year lease to the Vineyard Environmental Research Institute (VERI) who were given control of the management and maintenance of the property (Gay Head Lighthouse, 2018). The USCG continued to operate the navigational aid beacon through an access easement (see Section 2.2.2). VERI commenced fundraising activities to make repairs and re-open the lighthouse to the public, which was done in 1986, 30 years after its closure. Once again keepers and assistant keepers were appointed, including Charles Vanderhoop, Jr. who was born in the keeper's house. In 1994, VERI transferred its license to the Martha's Vineyard Museum, and in 2009 the Museum provided President Barack Obama a private tour of the property with his family (Gay Head Lighthouse, 2018).

Though cliff erosion was a decades-old problem at the Gay Head Lighthouse, it became an increased threat in 2010 when a portion of the perimeter fence tumbled down the cliff face. By 2012, the Save the Lighthouse Committee was formed to research options for the continued safety of the structure, including a potential relocation which was determined to be the solution. In 2013, the Gay Head Lighthouse was featured on the National Trust of Historic Preservation's list of 11 Most Endangered Places. Its inclusion on the list put in motion a years-long fundraising campaign for its relocation by International Chimney Corporation who recommended it occur no later than 2015. With funding in place, the move began on May 28, 2015, and finished on May 30, 2015, with the Gay Head Lighthouse's safety assured for another century (Gay Head Lighthouse, 2018).

The Town of Aquinnah filed for ownership of the property in 2015, as it was determined to be excess to the needs of the USCG (General Services Administration, 2013). The deed to the town included a preservation easement and access restrictions, described in Section 2.2.2. The Gay Head Lighthouse Advisory Committee is a municipal department board which manages the property.

3.3.3 *NRHP Criteria and the Maritime Visual Setting*

In 1987, the Gay Head Lighthouse was listed on the NRHP as part of the Lighthouses of Massachusetts Thematic Resources Area (DiStefano, 1981). At the time of construction, it was considered one of the ten most important lights on the Atlantic Coast and contained one of the country's first Fresnel lenses. The Gay Head Lighthouse is significant under Criterion A as a historic maritime structure and aid to navigation. It is also significant under Criterion C as an outstanding example of nineteenth-century maritime architecture (Tait, 2017).

The site chosen for the lighthouse's 2015 relocation was consistent with the setting of the original, thereby allowing for the continued integrity of "association, setting, feeling and relationship to the Gay Head cliffs and to the ocean as an aid to navigation" (Unnamed, 2015). Therefore, the Gay Head Lighthouse continued to be NRHP-listed during and following its relocation. Since that time, physical improvements have been consistent with the Secretary of the Interior's (SOI) Standards (36 CFR 68) which have allowed the structure to retain integrity of materials, workmanship, and design.

As stated above, the Gay Head Light is located on the Gay Head Cliffs and "marks the Devil's Bridge rocks, the shoals of the south shore of the island and the entrance to Vineyard Sound from Buzzard's Bay" (Tait, 2017). Devil's Bridge extends over a mile from the cliffs and has been the site of numerous accidents. In 1838 the lighthouse was replaced, and the new light could be seen for more than 20 miles (D'Entremont, 2021). The need for a lighthouse at this location is evident, and despite the powerful and long-distance light, due to Devil's Bridge and the strong currents, shipwrecks continued to occur. The setting of the Gay Head Light is intrinsically linked to the water with its location high on the Gay Head Cliffs, marking Vineyard Sound and the Atlantic Ocean.

4.0 MITIGATION MEASURES

Mitigation measures at the historic property are detailed in this section. The mitigation measures for the Gay Head Lighthouse (detailed below) reflect consultations among consulting parties to refine a conceptual mitigation framework proposed by Revolution Wind. BOEM and Revolution Wind have identified steps to implement these measures in consultation with interested consulting parties, led by individuals who meet the qualifications specified in the Secretary of the Interior's Qualifications Standards for History and Architectural History (36 CFR 61).

4.1 Historic Rehabilitation of the Gay Head Lighthouse

4.1.1 *Purpose and Intended Outcome*

In consultation with the Town of Aquinnah and the Gay Head Lighthouse Advisory Board, this mitigation measure will contribute funds to the next phase of rehabilitation at the Gay Head Lighthouse, as discussed at the Revolution Wind stakeholder meetings on February 1, 15 and 18, 2022. The Gay Head Lighthouse Advisory Board, a municipal board in the Town of Aquinnah, has commissioned a report identifying preservation and restoration needs for the lighthouse, the ICC Commonwealth Corporation *Report of December 2021 Inspection Gay Head Lighthouse Aquinnah, MA* dated April 13, 2022. The intended outcome is to ensure the long-term preservation of the lighthouse by contributing funds for physical repairs and/or restoration of the historic building materials according to the priorities identified by the report. During consultation, the Town requested contracting support for the restoration effort at the Gay Head Lighthouse. Should sufficient funds be available for the next phase of restoration the Gay Head Lighthouse in the timeframe set forth in Section 4.1.3 below, Revolution Wind would provide contracting support for restoration of the curtain wall.

4.1.2 *Scope of Work*

The scope of work includes the following:

- Revolution Wind will provide the funding amount identified in Attachment 7 of the MOA; and
- If sufficient funds are available to complete the full restoration project as defined in the previously referenced report, then Revolution Wind will provide additional support outlined below and in Sections 4.1.3 and 4.1.5 in consultation with the interested consulting parties.
 - Contracting support for restoration of the curtain wall per the ICC Commonwealth Corporation *Report of December 2021 Inspection Gay Head Lighthouse Aquinnah, MA* dated April 13, 2022. Contracted work would include:
 - Prior to any work commencing, photographic and written documentation of the existing conditions will be recorded;
 - Development of draft specifications and construction drawings to be distributed to the interested consulting parties for review and comment;
 - Final Specifications and construction drawings to be distributed to the interested consulting parties for review and comment;
 - Progress reports as requested by the interested consulting parties to be distributed to the interested consulting parties for review and comment; and

- A Summary Report of the work completed including photographs and as-built documentation to be distributed to the interested consulting parties.

4.1.3 Methodology

Revolution Wind will deposit the funding stipulated in Attachment 7 in an escrow account. If notified by the Town of Aquinnah that sufficient funds are available for the defined scope of work within five years of the execution of the MOA, Revolution Wind will hire a qualified contractor to complete the next phase of restoration at the Gay Head Lighthouse. Prior to any work commencing, photographic and written documentation of the existing conditions will be recorded. Drawings and specifications supporting the scope of work (see Section 4.1.2 and 4.1.5) will be developed in compliance with applicable standards (see Section 4.1.4). The project will require the mobilization of a qualified contractor that is experienced in the repair and restoration of historic lighthouses.

4.1.4 Standards

The scope of work will comply with following standards:

- Town of Aquinnah, MA Building Code;
- Martha’s Vineyard Commission planning guidance, as applicable;
- Preservation Restriction (MGL Chapter 184, Section 31-33);
- United States Coast Guard Aid to Navigation (ATON) Access Easement (U. S. Department of Homeland Security and U. S. Coast Guard, 2005);
- The Town of New Shoreham Building, Zoning, Land Use & Planning guidance and regulations;
- The Town of New Shoreham Historic District Commission;
- United States Coast Guard Aid to Navigation (ATON) Access Easement (U. S. Department of Homeland Security and U. S. Coast Guard, 2005);
- *Preservation Brief 17: Architectural Character – Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving their Character* (Nelson, 1988);
- *Preservation Brief 47: Maintaining the Exterior of Small and Medium Size Historic Buildings*;
- *National Register Bulletin 34: Guidelines for Evaluating and Documenting Historic Aids to Navigation*;
- *Historic Lighthouse Preservation Handbook*;
- *IALA-AISM Lighthouse Conservation Manual*;
- Preservation Restriction (RIGL Title 42, Section 42-45-9); and
- The Secretary of the Interior’s *Standards for Treatment of Historic Properties* (36 CFR 68);
- The Secretary of the Interior’s *Professional Qualifications Standards* (36 CFR Part 61), as applicable;
- The Secretary of the Interior’s *Standards for Treatment of Historic Properties* (36 CFR 68); and
- The Secretary of the Interior’s *Professional Qualifications Standards* (36 CFR Part 61), as applicable.

4.1.5 Documentation

The following documentation would be provided for review by the interested consulting parties should the Town of Aquinnah notify Revolution Wind that sufficient funds are available for the defined scope of restoration:

- Proposed scopes of work including draft text, project plans, and design specifications;
- Photographic and written documentation of existing conditions;
- Draft specifications and construction drawings to be distributed to the interested consulting parties for review and comment;
- Final Specifications and construction drawings to be distributed to the interested consulting parties for review and comment;
- Progress reports as requested by the interested consulting parties to be distributed to the interested consulting parties for review and comment; and
- A Summary Report of the work completed including photographs and as-built documentation to be distributed to the interested consulting parties.

4.1.6 Funds and Accounting

Funding amounts were determined to be sufficient by BOEM in consultation with the consulting parties and are identified in an attachment to the MOA. Revolution Wind will deposit the stipulated funding in an escrow account in accordance with the timeline for implementation of mitigation measures identified in the MOA. If insufficient funds are available to complete the restoration project (as defined in the Town's report) within five years of the execution of the Memorandum of Agreement, the escrowed funds shall be released to the Town of Aquinnah for sole use in the planning and implementation of repair and restoration work on the Gay Head Lighthouse property, provided such repair and restoration efforts comply with the standards listed in Section 4.1.4 and are reviewed and approved by the Massachusetts Historical Commission prior to implementation. Release of the escrowed funds to the Town of Aquinnah in this manner shall satisfy Revolution Wind's obligations as they relate to mitigation for the adverse visual effect to the Gay Head Lighthouse.

5.0 IMPLEMENTATION

5.1 Timeline

The timeline for implementation of the mitigation measures is identified in the MOA.

5.2 Organizational Responsibilities

5.2.1 *Bureau of Ocean Energy Management (BOEM)*

BOEM remains responsible for making all federal decisions and determining compliance with Section 106. BOEM has reviewed this HPTP to ensure, at minimum, it includes the content required.

- BOEM remains responsible for making all federal decisions and determining compliance with Section 106;
- BOEM, in consultation with the interested consulting parties, will ensure that mitigation measures adequately resolve adverse effects, consistent with the NHPA;
- BOEM will be responsible for sharing the annual summary report with interested consulting parties; and
- BOEM is responsible for consultation related to dispute resolution.

5.2.2 *Revolution Wind, LLC*

Revolution Wind will be responsible for the following:

- Considering the comments provided by the interested consulting parties in the development of this HPTP;
- Contributing funding for mitigation measures, as specified in Section 4;
- Providing the Documentation in Section 4.0 to the interested consulting parties for review and comment;
- Annual Reporting to BOEM; and
- Revolution Wind will be responsible for ensuring that all work that requires consultation with tribal nations are performed by professionals who have demonstrated professional experience consulting with tribal nations.

5.2.3 *Massachusetts Historical Commission (MHC)*

Should the Town of Aquinnah notify Revolution Wind that sufficient funding is available to complete the scope of restoration identified in the Town's report, the scope of work would be submitted to the MHC under the terms of the Preservation Restriction.

5.2.4 *Massachusetts State Historic Preservation Officer*

Should the Town of Aquinnah notify Revolution Wind that sufficient funding is available to complete the scope of restoration identified in the Town's report, the scope of work would be submitted to the

Massachusetts State Historic Preservation Officer for compliance with the SOI Standards for Rehabilitation (36 CFR 68).

5.2.5 *United States Coast Guard (USCG)*

Should the Town of Aquinnah notify Revolution Wind that sufficient funding is available to complete the scope of restoration identified in the Town's report, the scope of work will be submitted to the USCG for review to confirm that it complies with the terms of the ATON Access Easement.

5.2.6 *Wampanoag Tribe of Gay Head (Aquinnah)*

The Wampanoag Tribe of Gay Head (Aquinnah) may, at their sole discretion, participate in consultations for the finalization of the HPTP in recognition of the traditional cultural and religious significance of the historic property to the Tribe.

5.2.7 *Other Parties, as Appropriate*

Revolution Wind does not anticipate additional consulting parties, should any be determined, this will be updated.

5.3 Interested Consulting Party Consultation

This HPTP was provided by Revolution Wind for review by interested consulting parties to provide meaningful input on the resolution of adverse effects to and form(s) of implementing mitigation at the historic properties. interested consulting parties were provided the opportunity for review and comment on the HPTP concurrent with BOEM's NEPA substitution schedule for the Project. This HPTP was further refined through informational and consultation meetings, conference calls, HPTP draft reviews and document exchanges, or similar means of communication of information.

6.0 REFERENCES

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ATTACHMENT 14 – REVOLUTION WIND EXPORT CABLE ONSHORE SUBSTATION AND INTERCONNECTION FACILITY, NORTH KINGSTOWN, RHODE ISLAND: PROCEDURES GUIDING THE DISCOVERY OF UNANTICIPATED CULTURAL RESOURCES AND HUMAN REMAINS



Revolution Wind Export Cable Onshore Substation and Interconnection Facility North Kingstown, Rhode Island

Procedures Guiding the Discovery of Unanticipated Cultural Resources and Human Remains

July 2023

Revolution Wind, LLC (Revolution Wind), a 50/50 joint venture between Orsted North America Inc. (Orsted NA) and Eversource Investment LLC (Eversource), proposes to construct and operate the Revolution Wind Farm Project (Project). The wind farm portion of the Project will be located in federal waters on the Outer Continental Shelf (OCS) in the designated Bureau of Ocean Energy Management (BOEM) Renewable Energy Lease Area OCS-A 0486. The Project also includes up to two submarine export cables (RWECS), generally co-located within a single corridor through both federal waters and state waters of Rhode Island. The RWECS will make landfall at Quonset Point in North Kingstown, Rhode Island and will interconnect to an existing electric transmission system via the Davisville Substation, which is owned and operated by The Narragansett Electric Company (TNEC), located in North Kingstown, Rhode Island.

Revolution Wind is committed to the protection and preservation of cultural resources, in accordance with federal and state legislation, and is continuing that commitment as part of the onshore components of the Project. Revolution Wind recognizes that despite intensive cultural resource field investigations that were performed in the spring and summer of 2021 (Forrest and Waller 2021), it is nonetheless possible that potentially significant archaeological resources could be discovered during onshore Project construction, particularly during excavation. Revolution Wind also recognizes the requirement for compliance with federal, state, and municipal laws and regulations regarding the treatment of human remains, if any are discovered.

The procedures guiding the unanticipated discovery of cultural resources and human remains detailed herein (“Procedures”) were developed on behalf of Revolution Wind and in consultation with the Rhode Island Historical Preservation and Heritage Commission (RIHPHC)/office of the State Historic Preservation Officer (SHPO), and federally recognized Native American tribes. These Procedures summarize the approach that Revolution Wind will use to address any unanticipated discoveries of archaeological resources or human remains during construction activities within the onshore portion of the Project’s area of potential effect (APE).

The purpose of archaeological investigations is to determine the presence or absence of historic properties, including archaeological sites, within a project APE. These archaeological investigations are conducted in accordance with standards set forth in Section 106 of the National Historic Preservation Act of 1966, as amended, (54 USC 36018) and its implementing regulations (36 CFR 800), specifically, those procedures regarding “post-review discoveries” as outlined in 36 CFR 800.13. All work is undertaken pursuant to the Secretary of the Interior *Standards for Archaeology and Historic Preservation* (48 FR 44716-44742); the *Performance Standards and Guidelines for Archaeology in Rhode Island* (RIHPHC 2021); and the applicable laws and regulations pertaining to

the cultural resources and human remains including the Rhode Island Historical Cemeteries Act (Rhode Island General Law [R.I.G.L.] 23-18-11 *et seq.*) and the Antiquities Act of Rhode Island (R.I.G.L. 42-45.1).

Cultural Sensitivity Training

Revolution Wind acknowledges the sensitivity of the Project and surrounding area to potentially contain significant archaeological sites including Native American burials. The Public Archaeology Laboratory Inc. (PAL) Principal Investigator will give Revolution Wind and its contractor construction supervisors cultural and archaeological sensitivity training before the start of construction. The purpose of this training will be to review Revolution Wind's commitments to cultural resource compliance, review the general results of the archaeological investigations conducted within the onshore portions of the Project APE, and to provide an overview of the general cultural history of the area so that Revolution Wind and their contractors are aware of the types of archaeological resources that may be encountered during construction. The training program will outline the procedures that will be followed if a significant cultural resource or archaeological deposit is discovered during construction.

Notification Procedures

The identification of archaeological resources requires experience in recognizing and identifying potentially and significant archaeological sites and deposits. Revolution Wind is committed to having qualified archaeological monitors onsite during any ground disturbing construction activities. Revolution Wind will provide the Narragansett Indian Tribe, the Wampanoag Tribe of Gay Head/Aquinnah, Mashpee Wampanoag Tribe, the Mohegan Tribe, the Shinnecock Indian Nation, the Delaware Tribe of Indians, the Delaware Nation, and the Mashantucket Pequot Tribal Nation Tribal Historic Preservation Offices (THPOs) the opportunity to have their tribal monitors and cultural resource specialists onsite during archaeological or construction activities.

The following details the plan that Revolution Wind and their contractors will follow if archaeological resources or human remains are identified during construction.

During Construction

Archaeological Discoveries

1. Possible archaeological remains may be discovered by archaeological and tribal monitors during construction. If anyone including construction personnel identify suspected cultural or archaeological resources, the archaeologist on site should immediately be notified such that the qualified archaeological monitor can issue a stop-work order. If suspected artifacts or archaeological features are uncovered during a construction activity, qualified archaeological monitors will have the authority to stop work in the vicinity of the discovery until it can be determined if the materials are cultural and whether they represent a potentially significant site or archaeological deposit.
2. Archaeological monitors will immediately notify Revolution Wind's Environmental Compliance Manager. Notification will include the activity, specific work area including location/address and construction site (onshore substation, interconnection facility, export cable route, etc.), and provide digital photographs of the find.

3. Revolution Wind will issue a Stop Work order and direct the contractor to secure the area by flagging or fencing off the area of the archaeological discovery. Any discovery made on a weekend or overnight hours will be protected until all necessary parties have been notified of the discovery. The contractor will not resume work in the vicinity of the find until Revolution Wind's Environmental Compliance Manager has granted clearance.
4. PAL, in consultation with the onsite tribal monitors, will determine if the site is potentially significant and notify the RIHPHC and BOEM. Revolution Wind, their contractors, and PAL will work with the RIHPHC and the THPOs to develop and implement a site treatment plan.
5. Since the area of any potential discovery will have been partially disturbed by construction, the objective of cultural resource investigations will be to evaluate data quickly so that notifications are made and consultation can proceed. If archaeological investigations are required, Revolution Wind will inform the construction supervisor that no construction work in the immediate vicinity of the discovery can proceed until archaeological fieldwork is complete. The area will be flagged as being off-limits for work but will not be identified as an archaeological site *per se* to protect the resource(s).
6. The duration of any work stoppages will be contingent upon the significance of the identified cultural resource(s) and consultation among Revolution Wind, BOEM, RIHPHC, THPOs, and other parties to determine treatment to avoid, minimize, or mitigate any adverse effects to the identified site.
7. Once all treatment measures are complete, Revolution Wind will notify the contractor that construction work may proceed.

Human Remains Discoveries

If human remains are encountered during Project construction, they will be handled in accordance with the Rhode Island Historic Cemeteries Act (Appendix A) and North Kingstown Code of Ordinances, Part III, Chapter 12, Section 12–15 (Appendix B) and guided by the policy statement adopted by the Advisory Council on Historic Preservation ([Advisory Council]; see *Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects*, (Appendices C & D). Human remains, if present, are likely to be found in deeply buried or areas unimpacted by previous construction.

Human remains will be treated with the utmost dignity and respect at all times. Skeletal remains and/or associated artifacts will be left in place and not disturbed. No remains or associated materials will be collected or removed until all notifications have been made, appropriate consultation has taken place, and a plan of action has been determined. The procedures that will be followed in the event that human remains are discovered during Project construction are:

1. If PAL and/or tribal monitors identify human remains or possible human remains, all construction work in the vicinity of the find that could affect the integrity of the remains will cease. The remains will not be touched, moved, or further disturbed. PAL will notify Revolution Wind and with the assistance of onsite contractors take measures to ensure site security.
2. PAL/Revolution Wind will record the exact location of the find, its time of discovery, and will immediately notify the RI State Police and the Town of North Kingstown's Building Inspector in accordance with Rhode Island Historic Cemeteries Act and the North Kingstown Code of Ordinances. BOEM will also be notified as soon as practicable.

3. The Town will notify the Office of the State Medical Examiner (OSME). If the OSME determines the remains are less than 100 years old, then their treatment becomes the responsibility of the State Police and the Town. If the OSME determines the remains are more than 100 years old, the OCME will notify the RIHPHC State Archaeologist. The State Archaeologist, PAL and tribal monitors will determine if the remains are Native American.
4. The Town of North Kingstown, State Archaeologist, and if the remains are Native American, the Tribal Nations will discuss whether there are prudent and feasible alternatives to protect the remains. The results of this consultation will be made in writing. If it is not possible to protect the remains, they may be excavated only under a permit issued by the RIHPHC after the review of a recovery plan that specifies a qualified research team, research design, and plan for the disposition of the remains consistent with the results of consultation and permission from the North Kingstown Town Council.
5. In all cases, due care will be taken in the excavation, transport, and storage of any remains to ensure their security and respectful treatment.

Applicable Laws

Federal

- Section 106 of the National Historic Preservation Act of 1966, as amended (54 USC 306108) and its implementing regulations “Protection of Historic Properties” (36 CFR part 800).

Rhode Island

- Rhode Island Historic Cemeteries Act: Rhode Island General Law 23-18-11 *et seq.* (Appendix A)

North Kingstown

- North Kingstown Code of Ordinances, Part III, Chapter 12, Section 12–15 (Appendix B)

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Bureau of Ocean Energy Management

Office of Renewable Energy Programs

45600 Woodland Road

VAM-OREP

Sterling, Virginia 20166

Contact: Sarah Stokely, Lead Historian, Section 106 Team Lead

Email: sarah.stokely@boem.gov

Bureau of Safety and Environmental Enforcement

Office of Environmental Compliance

1201 Elmwood Park Blvd.

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Rhode Island Historical Preservation and Heritage Commission

150 Benefit Street

Providence, RI 02903-1209

Contact: Charlotte Taylor, Principal Archaeologist

Tel: (401) 222-4140

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Jeffrey Emidy, Interim Executive Director, Deputy State Historic Preservation Officer

Tel: (401) 222-4134

Email: Jeffrey.Emidy@preservation.ri.gov

Rhode Island Department of Health/Office of the State Medical Examiners

48 Orms Street

Providence, RI 02904

Contact: Tel: 401-222-5500

Rhode Island State Police, Wickford Barracks

7875 Post Road

North Kingstown, RI 02852

Contact: Tel: (401) 444-1064

North Kingstown Police Department

8166 Post Road

North Kingstown, RI 02852

Contact: Tel: (401) 294-3316



The Public Archaeology Laboratory, Inc.

26 Main Street

Pawtucket, RI 02860

Contact: Deborah Cox

TRIBAL NATIONS HISTORIC PRESERVATION OFFICES

Narragansett Indian Tribe Tribal Historic Preservation Office

[REDACTED]

Mashantucket Pequot Tribal Nation Tribal Historic Preservation Office

[REDACTED]

Mashpee Wampanoag Tribe Tribal Historic Preservation Office

[REDACTED]

Mohegan Tribe Tribal Historic Preservation Office

[REDACTED]

Shinnecock Indian Nation Tribal Historic Preservation Office

[REDACTED]

Wampanoag Tribe of Gay Head/Aquinnah Tribal Historic Preservation Office

[REDACTED]

Delaware Tribe of Indians Tribal Historic Preservation Office (PA)

[Redacted text block]

Delaware Nation Tribal Historic Preservation Office

[Redacted text block]

APPENDIX A: RHODE ISLAND GENERAL LAWS TITLE 23 - HEALTH AND SAFETY - CHAPTER 23-18 CEMETERIES

SECTION 23-18-11

§ 23-18-11 Regulation of excavation around cemeteries. – (a) The city or town council of any municipality may by ordinance prescribe standards regulating any construction or excavation in the city or town, when those standards are reasonably necessary to prevent deterioration of or damage to any cemetery or burial ground, or to any structures or gravesites located in any cemetery or burial ground. The rules and regulations shall not apply to the ordinary installation of gravesites or of monuments, markers, or mausoleums.

(b) No city or town shall permit construction, excavation or other ground disturbing activity within twenty-five feet (25') of a recorded historic cemetery except in compliance with the following provisions:

(1) The boundaries of the cemetery are adequately documented and there is no reason to believe additional graves exist outside the recorded cemetery and the proposed construction or excavation activity will not damage or destructively alter the historic cemetery through erosion, flooding, filling, or encroachment; or

(2) The proposed construction or excavation activity has been reviewed and approved by the city or town in accordance with § 23-18-11.1.

(c) Whenever an unmarked cemetery or human skeletal material is inadvertently located during any construction, excavation, or other ground disturbing activity, including archaeological excavation, the building official of the city or town where the unmarked cemetery or human skeletal material is located shall be immediately notified. The building official shall, in turn, notify the state medical examiner and the Rhode Island historical preservation and heritage commission if the grave, cemetery, or skeletal material appears to be historic. Prior to the continuation of any further construction, excavation, or other ground disturbing activity, and unless the provisions of § 23-18-7 shall apply, the property owner shall undertake an archaeological investigation to determine the boundaries of the unmarked cemetery and shall so inform the building official. In the event that the cemetery meets the criteria for a historic cemetery, the building official shall so advise the recorder of deeds of the city or town who shall record and register the cemetery in accordance with the provisions of § 23-18-10.1.

SECTION 23-18-11.1

§ 23-18-11.1 Permit required to alter or remove historic cemetery – Powers of city or town council – Appeal. – (a) Before an agency or a property owner may authorize or commence alteration or removal of any historic cemetery, the agency or owner must apply to the city or town council where the historic cemetery is located for a permit to alter or remove. The city or town council shall prescribe by ordinance standards to regulate the alteration or removal of any historic cemetery within its municipal limits, but shall at a minimum provide that:

(1) The applicant will examine all alternatives, and demonstrate that no prudent or feasible alternative to the proposed alteration is possible;

(2) The city or town provide for notification and participation in the permitting process of parties which may be interested in the proposed alteration or removal by virtue of their status as a governmental health or historic preservation authority, or as a private or nonprofit historical, genealogical or civic

organization, or, in the case of American Indian cemeteries and burial grounds, the appropriate tribal organization; and

(3) The city or town provide for due consideration of the rights of descendants in any application to substantially alter or remove a historic cemetery.

(b) When an application for alteration or removal of a historic cemetery has been made and the boundary is unknown or in doubt, the city or town may require that the applicant, at its own expense, conduct an archaeological investigation to determine the actual size of the cemetery prior to final consideration by the city or town of the application to alter or remove.

(c) After due consideration, the city or town council may grant the application to alter or remove the historic cemetery in whole or in part, under the supervision of an archaeologist and with any restrictions and stipulations that it deems necessary to effectuate the purposes of this section, or deny the application in its entirety. Any person or persons aggrieved by a decision of the city or town council shall have the right of appeal concerning the decision to the superior court and from the superior court to the supreme court by writ of certiorari.

(d) Nothing in this section shall be deemed to contravene the authority of municipal bodies under § 45-5-12 to hold, manage, repair, or maintain any neglected burial ground.

SECTION 23-18-11.2

§ 23-18-11.2 Regulation of excavation – Removal and transfer of graves and cemeteries – Penalties. – (a) The city or town council of any municipality may by ordinance prescribe standards, in addition to those required by § 23-18-10, regulating the excavation, removal, and transfer of any graves, grave sites, and cemeteries in the municipality so as to provide an accurate record of any activity and to ensure that any remains removed are properly re-interred and the location of the new interment is recorded. In the absence of a local ordinance establishing standards, regulations adopted by the historical preservation and heritage commission shall govern. A report of any grave removal and relocation from one cemetery or burial ground to another shall be filed in the clerk's office for each municipality and shall, to the extent permitted by law, be available for public inspection. In instances where there is a headstone or other burial marker identifying the original grave, the headstone or burial marker shall be erected on the site to which any remains are transferred.

(b) To the extent not promulgated pursuant to § 23-3-5.1, the state registrar of vital records shall promulgate regulations to establish a system of record-keeping to allow descendants to locate their ancestors' graves in Rhode Island.

(c) Any person convicted of violating this section shall be subject to a fine of not more than one thousand dollars (\$1,000) and such fine shall be deemed civil in nature and not a criminal penalty.

(d) The provisions of this section shall be considered to be in addition to any other penalties provided for desecration or vandalism to cemeteries.

SECTION 23-18-13

§ 23-18-13 Notification of historical preservation and heritage commission. – The historical preservation and heritage commission shall be notified whenever an ancient burial place contains or is suspected to contain the remains of one or more persons.

APPENDIX B: NORTH KINGSTOWN CODE OF ORDINANCES, PART III, CHAPTER 12, SECTION 12-15 – HISTORICAL AND ARCHAEOLOGICAL BURIAL SITES

- a) *Authority.* In compliance with RIGL 1956, § 23-18-1 et seq., the town adopts this section to govern the preservation of historic and archaeological burial sites in the town.
- b) *Purpose.* The town council recognizes that historic and archeological gravesites possess archaeological and scientific value and are often of great artistic, cultural and religious significance and represent for all cultures a respect for the sanctity of human life. It is, therefore, the policy of the town that marked or unmarked historic cemeteries are to be preserved and are not to be altered or removed except as provided for in this section.
- c) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Applicant means the owner of the land on which an archeological burial site or family cemetery is located for which a permit must be sought for alteration or removal.

Archaeological burial site means an area of land which has been designated and/or used for the interment of human remains in the prehistoric or distant past. Archaeological burial sites may include American Indian or other ethnic groupings.

Family cemetery means a historic cemetery which is not associated with a specific religious organization but which is the site of burial for persons related by blood, marriage or household.

Historic cemetery means any tract of land which has been used for a period in excess of 100 years as a burial place, whether or not marked with a historic marker or gravestone, including but not limited to ancient burial places known to contain the remains of one or more American Indians. For the purposes of this section, the term "historic cemetery" also includes an area 25 feet in width around the perimeter of the cemetery.

Human remains means any parts or remains of deceased persons including skeletal remains or cremated ashes.

Grave means any site where human remains have been purposefully interred. The term also includes gravemarkers, funerary objects and associated cultural remains and artifacts. A grave includes mausoleums, crypts or other structures designed to house human remains.

Least disruptive means means a means of construction, excavation, removal or other activity which, in the opinion of the state historic preservation commission, has the least overall destructive impact on the grave, human remains or cemetery.

Owner means the owner of a parcel of land.

Religious cemetery means any cemetery owned or maintained by a religious organization.

Religious organization means the organization representing the adherents of any religious society.

Site alteration plan means a document showing in written text and by illustration the proposed alteration of a historic cemetery, an archaeological burial site or a family cemetery, including detailed specifications for alteration, removal and reinterment of human remains.

Town means the town, its agents or its officers.

- d) Procedures. Procedures regarding disturbance of historic cemeteries or archaeological burial sites shall be as follows:
- 1) It shall be unlawful for any person to disturb, disrupt, excavate, deposit, fill in or on, remove or destroy gravemarkers, burial objects or buried human remains or conduct any other activities that would damage or diminish the integrity of any historic cemetery or archaeological burial site or family cemetery without first obtaining a permit to alter or remove such historic cemetery, archaeological burial site or family cemetery from the town council.
 - 2) Once a discovery of a previously unknown burial site is made, the owner or contractor shall immediately notify the building inspector who in turn shall contact the state medical examiner and state historical preservation commission pursuant to RIGL 1956, § 23-18-1 et seq.
 - 3) The town shall require the cessation of construction activities pending preliminary verification of the property as a human burial site by the state medical examiner or historic preservation commission. If the site is verified as a human burial site, work within 25 feet of the site shall be halted unless or until a permit to alter or remove is issued by the town pursuant to this section.
 - 4) The owner shall be required, at the owner's expense, to conduct an archaeological investigation of the area to establish the boundaries of the cemetery/burial site using the least disruptive means feasible. The least disruptive means shall be determined by the town through the town's consultation with the state historic preservation commission (RIHPC). A survey report shall be produced incorporating the findings of the investigation in text and graphic form.
 - 5) The applicant shall then submit the report and a detailed engineering plan, as required and identified in subsection (d)(8)a of this section of the proposed construction project and all other proposed activities on the property that in any manner might lead to or necessitate any disruption of the cemetery/burial site.
 - 6) The applicant shall also submit a detailed site alteration plan proposal of the extent and method of removal of human remains and a reburial plan in text and drawing of the new gravesite.
 - 7) The town council may issue a permit to allow the alteration or removal of historic cemeteries, archaeological cemeteries or family cemeteries only after concluding, based on evidence submitted to the council at a public hearing, that all alternatives to the proposed activity have been examined and that no prudent and feasible alternative to the proposed activity exists or that the alteration serves the interests, health, welfare and safety of the public and is not solely for commercial expediency.
 - 8) The applicant shall submit the following to the town council prior to the consideration of any application for a permit to remove and/or alter a historic cemetery or an archaeological burial site:
 - a. Detailed site plans drawn to scale by a licensed professional registered land surveyor or professional engineer, as applicable, at a minimum scale of 1"=50', showing the boundaries of the property in question, topographical contour intervals of no more than one foot, a surveyed boundary of the cemetery and a setback area of no less than 25 feet, and a proposed plan of all improvements proposed on the site that would necessitate disturbance of the cemetery.

- b. If known, a written description of the cemetery, its age and condition, and historical importance; whether the cemetery is religious, family, organization, publicly owned or other kind of cemetery; a listing of names and vital dates of those interred as may be determined from gravemarkers on site; and a cemetery plan indicating position of graves and to the extent possible the identities of those interred.
 - c. A detailed site alteration plan indicating the extent of disruption of the cemetery, methods of construction or removal of human remains, reburial plan, including in text and illustration the relocation of graves.
 - d. If a family cemetery, a genealogical study to identify whether decedents of the families of the interred still reside in the state.
 - e. If a religious cemetery, a listing of the religious organization that owns or maintains the cemetery.
 - f. Any further information and study the town council deems necessary to complete its consideration of the request to alter a cemetery in compliance with RIGL 1956, § 23-18-1 et seq.
- e) *Hearing*. A hearing shall be conducted in accordance with the following:
- 1) *Public notice*. Once the required documents are submitted by an applicant and published, the town council shall set the date for a public hearing. Notice of the date, time and location of the public hearing shall be at the applicant's expense, in a local newspaper, for a period of not less than two weeks prior to the hearing. The state historic preservation commission shall be notified not less than two weeks prior to the scheduled hearing, and an advisory opinion shall be requested by pertinent town staff.
 - 2) *Notice to interested parties*. Notice to interested parties shall be given as follows:
 - a. For archaeological burials and historic Native American graves, the town shall cause the tribal council of the Narragansett Tribe to be notified by regular mail of the subject, date and time of the scheduled hearing.
 - b. If an application involves the cemetery of an extant religious society, such society shall be so notified by regular mail of the scheduled hearing.
 - c. If the application involves a family cemetery, the interred of which have living lineal descendants, the applicant, at the applicant's expense, shall make all reasonable efforts to notify the lineal descendants as to the scheduled hearing, which efforts may include sending notice to the descendants via first class mail or publication of the notice in a newspaper of statewide circulation at least once per week for two successive weeks prior to the scheduled hearing.
 - 3) *Burden of proof*. At the hearing, the applicant shall prove to the satisfaction of the town council that:
 - a. The applicant has examined all possible alternatives and conclusively demonstrated that no prudent and feasible alternative to the proposed alteration is possible; or
 - b. The proposed alteration serves the interests of health, welfare and safety of the public and is not solely for commercial expediency.

- f) *Final action.* The town council shall conduct a public hearing on the proposed project and shall render a decision approving, denying or approving with reasonable conditions the proposed site alteration plan and may set other conditions and/or requirements necessary to carry out the purposes of RIGL 1956, § 23-18-1 et seq.
- g) *Legal status.* Nothing in this section shall be construed to prohibit the routine maintenance and repair of historical gravesites or the use of historic cemeteries as places of interment, nor shall it be construed to preclude the town boards or commissions or agents from otherwise acting within their authority to regulate and protect historical and archaeological cemeteries.
- h) *Severability.* If any subsection, clause, provision or portion of this section shall be held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other subsection, clause, provision or portion of this section.
- i) *Appeal.* Any person aggrieved by the decision of the town council shall have a right to appeal the decision to the superior court pursuant to RIGL 1956, § 23-18-11.1.

(Ord. No. 94-25, § 1, 11-14-1994)

Cross reference— Historical zoning, [§ 21-331](#) et seq.

State Law reference— Historical and archaeological burial sites, RIGL 1956, § 23-18-1 et seq.; historic burial sites, RIGL 1956, § 23-18-10.1; historic preservation, RIGL 1956, § 42-45-1 et seq.



**APPENDIX C: ADVISORY COUNCIL ON HISTORIC PRESERVATION POLICY
STATEMENT REGARDING TREATMENT OF BURIAL SITES, HUMAN REMAINS AND
FUNERARY OBJECTS**



**ADVISORY COUNCIL ON HISTORIC PRESERVATION
POLICY STATEMENT ON BURIAL SITES, HUMAN REMAINS, AND FUNERARY OBJECTS**

March 1, 2023

Preamble. The Advisory Council on Historic Preservation (ACHP) developed this policy statement to establish a set of principles and rules that the ACHP will encourage federal agencies to adopt as they carry out their day-to-day responsibilities under Section 106 of the National Historic Preservation Act (NHPA). This statement also establishes a set of standards and guidelines that federal and state agencies, local entities, Indian Tribes, industry applicants, and other relevant entities should, at a minimum, seek to implement in order to provide burial sites, human remains, and funerary objects the consideration and protection they deserve.

This policy statement is not bound by geography, ethnicity, political or socioeconomic status, or a system of belief and recognizes that the respectful consideration for burial sites, human remains, and funerary objects is a human rights concern shared by all. However, the burial sites, human remains, and funerary objects of certain groups of people, including but not limited to Indian Tribes, Native Hawaiians, enslaved Africans and their descendants, and other Indigenous Peoples, have a higher probability of being unmarked and undocumented and thus more likely to be affected by development projects. As such, this policy statement emphasizes the need for consultation and coordination with those communities, including seeking consensus in decision making and providing deference to their practices, protocols, and preferences, where feasible.

Section 106 requires agencies to consult and seek agreement with consulting parties on measures to avoid, minimize, or mitigate adverse effects to historic properties. Accordingly, and consistent with Section 106, this policy does not recommend a specific outcome from the consultation process. Rather, it focuses on issues and perspectives that federal agencies should consider while carrying out their consultation and decision-making responsibilities. The ACHP will incorporate these principles in its work and encourages federal agencies and other entities to apply the principles in this policy any time there is potential to encounter burial sites, human remains, or funerary objects.

In many cases, burial sites, human remains, and funerary objects are subject to other applicable federal, Tribal, state, or local laws or protocols that may prescribe a specific outcome, such as the Native American Graves Protection and Repatriation Act (NAGPRA). In those scenarios, the federal agency should identify and follow all applicable laws or protocols and implement any prescribed outcomes. NHPA and NAGPRA are separate and distinct laws, with separate and distinct implementing regulations and categories of parties that must be consulted.¹ Compliance with one of these laws does not equate to or fulfill the compliance requirements of the other. Implementation of this policy and its principles does not, in any way, change, modify, or detract from NAGPRA or other applicable laws.

Authority: The authority for this policy stems from the ACHP's statutory responsibility to advise on matters relating to historic preservation (which includes the role of Indian Tribes, Tribal Historic

¹ The ACHP's publication [Consultation with Indian Tribes in the Section 106 Process: The Handbook](#) (2021) and the National Association of Tribal Historic Preservation Officers' publication [Tribal Consultation: Best Practices in Historic Preservation](#) (2005) provide additional guidance.

Preservation Officers [THPOs], and Native Hawaiian organizations [NHOs] in that process), to advise the President and Congress regarding historic preservation matters, and to recommend methods to federal agencies to improve the effectiveness, coordination, and consistency of their historic preservation policies. While the ACHP recognizes that not all burial sites, human remains, and funerary objects may constitute or be associated with historic properties eligible for or listed in the National Register of Historic Places, the consideration and treatment of such places fall within the concerns of the historic preservation community.²

This policy statement recognizes the unique legal and political relationship between the federal government and federally recognized Indian Tribes as set forth in the Constitution of the United States, treaties, statutes, and court decisions, and acknowledges that the federal Indian trust responsibility is a legal obligation under which the United States “has charged itself with moral obligations of the highest responsibility and trust” toward Indian Tribes.³ Part of the ACHP’s trust responsibility is to ensure that the regulations implementing Section 106 incorporate the procedural requirement that federal agencies consult with Indian Tribes and NHOs that attach religious and cultural significance to historic properties that may be affected by undertakings the federal agency proposes to carry out, license, permit, or assist.⁴ In general, the trust responsibility establishes fiduciary obligations on the part of federal agencies to Tribes, including a duty to protect Tribal lands and cultural and natural resources for the benefit of Tribes and individual Tribal members.

The ACHP views its trust responsibility as encompassing all aspects of historic resources including intangible values.⁵ As part of that trust responsibility, the ACHP offers this policy statement to inform how the Section 106 consultation process should consider burial sites, human remains, and funerary objects.

Principles. The care for and consideration of burial sites, human remains, and funerary objects is of significant social and moral consequence in the United States and U.S. territories. When burial sites, human remains, or funerary objects are or have the potential to be encountered during the planning or implementation of a proposed federal undertaking, the following principles should be adhered to:

Principle 1: Burial sites, human remains, and funerary objects should be treated with dignity and respect in all circumstances regardless of National Register eligibility or the circumstances of the action. This includes, but is not limited to, all times prior to and during consultation, during field surveys, when handling must occur, in documenting and/or reporting, if treatment actions occur, and in all other forms of interaction.

Principle 2: Disturbing or disinterring burial sites, human remains, or funerary objects, when not requested by descendants, associated Indian Tribes or NHOs, or required by applicable law or regulation, should not be pursued unless there are no other alternatives available and only after consultation with descendants or associated communities and fully considered avoidance of impact and preservation in place.

Principle 3: Only through consultation, which includes the early and meaningful exchange of information and a concerted effort to reach consensus, can informed decisions be made about the identification, documentation, National Register eligibility, and treatment of burial sites, human remains, and funerary objects.

² 54 U.S.C. §§ 304102 and 304108

³ *Seminole Nation v. United States*, 316 U.S. 286 (1942)

⁴ [“The Advisory Council on Historic Preservation’s Statement on Its Trust Responsibility”](#) (Advisory Council on Historic Preservation, 2004)

⁵ [“Policy Statement Regarding the Council’s Relationship with Indian Tribes”](#) (Advisory Council on Historic Preservation, 2000)

Principle 4: To the maximum extent possible, decision making should give deference to the treatment requests of descendants or associated communities. Where known, and in accordance with applicable law, cultural practices of the descendants or associated communities should be followed if burial sites, human remains, or funerary objects may be encountered, are inadvertently identified, impacted, or must be disinterred.

Principle 5: The Indigenous Knowledge held by an Indian Tribe, NHO, or other Indigenous Peoples is a valid and self-supporting source of information. To the fullest extent possible, deference should be provided to the Indigenous Knowledge and expertise of Indian Tribes, NHOs, and Indigenous Peoples in the identification, documentation, evaluation, assessment, and treatment of their burial sites, human remains, and funerary objects.

Principle 6: Burial sites, human remains, and funerary objects are important in and of their own right. They may also constitute or be part of a sacred site and may include or incorporate several possible elements of historic significance including religious and cultural significance. The integrity of burial sites, human remains, and funerary objects is best informed by those who ascribe significance to them.

Principle 7: Burial sites, human remains, and funerary objects are frequently associated with cultural practices, sacred sites, Indigenous Knowledge, and other forms of culturally sensitive actions and/or information unique to a people. Maximum effort should be taken to limit the disclosure of confidential or sensitive information through all available mechanisms including, but not limited to, the proper handling and labeling of records, limiting documentation to necessary information, and through the application of existing law.

Principle 8: The federal Indian boarding school system directly targeted American Indian, Alaska Native, and Native Hawaiian children in the pursuit of a policy of cultural assimilation that coincided with territorial dispossession. In partnership with the historic preservation community, federal agencies should seek to implement the recommendations identified in the Department of the Interior's *Federal Indian Boarding School Investigative Report* by supporting community-driven identification, documentation, interpretation, protection, preservation, reclamation, and co-management of burial sites, human remains, and funerary objects across that system, including marked and unmarked burial areas, and supporting repatriation where appropriate.

Principle 9: The legacies of colonization, including cultural assimilation, forced relocation, and slavery, have led to an uneven awareness of where and why practitioners are likely to encounter burial sites, human remains, and funerary objects across the United States and its territories. The historic preservation community has a key role in expanding public education to support greater awareness of and consideration for the histories and lifeways of Indian Tribes, Native Hawaiians, enslaved Africans and their descendants, and Indigenous Peoples including recognizing and respecting the historical trauma that these groups and individuals may experience.

Principle 10: Access to and/or repatriation of burial sites, human remains, and funerary objects should be enabled through fair, transparent, and effective mechanisms developed in conjunction with descendant communities to the fullest extent of the law.

Principle 11: Human remains and funerary objects may be relocated or removed from a location by or at the request of descendant communities for a variety of reasons. The continued presence of human remains or funerary objects may not be essential to the ongoing significance and integrity of a site or its relevance to a broad theme in history. The historic significance and integrity of such sites are best determined in consultation with lineal descendants and/or associated communities.

Principle 12: Climate change can impact the burial sites, sacred sites, cemeteries, and associated cultural practices significant to Indian Tribes, NHOs, and other groups of people. Climate plans should be developed in consultation and should include mechanisms to support the advanced identification and protection or treatment of these locations.

Principle 13: Respectful consideration of burial sites, human remains or funerary objects may require additional assistance from consulting parties to properly identify, document, evaluate for National Register eligibility, and/or conduct treatment actions. If a federal agency requests or relies on an Indian Tribe, NHO, or other party to carry out activities that are the federal agency's responsibility under the NHPA, the Indian Tribe, NHO, or other consulting party should be reimbursed or compensated.⁶

Implementation of the Policy. Implementation of this policy statement is the responsibility of the ACHP's leadership and staff; however, the ACHP recognizes that appropriate expertise and experience to ensure effective implementation may also reside in other parties. Accordingly, the ACHP commits to advancing consideration of burial sites, human remains, and funerary objects in the Section 106 process with its preservation partners through the following:

- A. Train ACHP staff regarding the implementation of this policy statement.
- B. Development of informational resources that address the NHPA, Section 106, and the following:
 - i. The Federal Indian Boarding School Initiative
 - ii. The intersection of NAGPRA
 - iii. Acquiring and managing sensitive information
 - iv. Climate change and burial sites, human remains, and funerary objects
 - v. Best practices in the treatment of marked and unmarked burial sites, human remains, and funerary objects.
- C. ACHP staff will seek opportunities to implement the policy principles into Section 106 agreement documents and program alternatives to advance consideration of burial sites, human remains, and funerary objects.
- D. The ACHP will advise federal agencies, Indian Tribes, Tribal and State Historic Preservation Officers, and NHOs in their development of historic preservation protocols for appropriate consideration of burial sites, human remains, and funerary objects.
- E. Encourage federal agencies and other relevant parties to give full and meaningful consideration to burial sites, human remains, and funerary objects consistent with this policy statement.

Policy Review Period. The ACHP commits to reviewing this policy statement approximately every five years from the date of its adoption to ensure its continued applicability. The ACHP executive director will seek input regarding the need to update this policy statement through appropriate ACHP committees, including Federal Agency Programs and Native American Affairs. Amendments shall be pursued when the executive director or ACHP members determine that such action is required and/or would significantly improve the policy statement. This policy statement shall be in effect until rescinded by ACHP members.

Definitions. The definitions provided below are meant to inform the application of this policy statement. However, terms such as burial site, intact, disturbance, and human remains, among others, often require the input of associated parties to more fully understand how to interpret or apply each term. The

⁶ Consistent with ACHP's [Guidance on Assistance to Consulting Parties in the Section 106 Review Process](#), when the federal agency (or in some cases the applicant) seeks the views and advice of any consulting party in fulfilling its legal obligation to consult with them, the agency or applicant is not required to pay that party for providing its views.

definitions provided below are intended to be inclusive and to advance the preservation and protection of burial sites, human remains, and funerary items, as appropriate.

- **Burial Site:** Any location, whether originally below, on, or above the surface of the earth, where human remains are or have been located.

- **Confidential:** Information that is protected by law, regulation, or federal policy. Preserving authorized restrictions on information access and disclosure, including means for protecting personal privacy and proprietary information

- **Consultation:** The process of seeking, discussing, and considering the views of other participants and, where feasible, seeking agreement with them. A foundational activity in the Section 106 review process.

- **Consulting parties:** Persons or groups the federal agency consults with during the Section 106 process. They may include the State Historic Preservation Officer; Tribal Historic Preservation Officer; Indian Tribes and Native Hawaiian organizations; representatives of local governments; applicants for federal assistance, permits, licenses, and other approvals; and/or any additional consulting parties.⁷ Additional consulting parties may include individuals and organizations with a demonstrated interest in the undertaking due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties.⁸

- **Culturally sensitive:** Tangible and intangible property and knowledge which pertains to the distinct values, beliefs, and ways of living for a culture. It often includes property and knowledge that is not intended to be shared outside the community of origin or outside of specific groups within a community.⁹

- **Disturbance:** Disturbance of burial sites that are listed in or eligible for listing in the National Register of Historic Places likely would constitute an adverse effect under Section 106. An adverse effect occurs when "an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, setting, materials, workmanship, feeling, or association".¹⁰ Determination of what constitutes a "disturbance" should be defined in consultation with proper deference provided to the views and opinions of descendant individuals and/or communities.

- **Funerary objects:** Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to be associated with human remains.

- **Historic property:** Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. It includes artifacts, records, and remains that are related to and located within such properties, and it includes properties of traditional religious and cultural importance to an Indian Tribe or Native Hawaiian organization and that meet the National Register of Historic Places criteria.¹¹

- **Human remains:** The physical remains of a human body including cremains, fragmented human remains, hair, and fluid, among other components. When human remains are believed to be comingled with other material (such as soil or faunal), the entire admixture should be treated as human remains.

- **Indian Tribe:** An Indian Tribe, band, nation, or other organized group or community, including a Native village, Regional Corporation or Village Corporation, as those terms are defined in Section 3 of the Alaska Native Claims Settlement Act¹², which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.¹³

- **Indigenous Knowledge (IK):** Information provided by an Indian Tribe, Tribal member, Native Hawaiian, or other Indigenous person uniquely reflective of their knowledge, experience, understanding, or observation relating to cultural resources, practices, or actions. Indigenous Knowledge often constitutes sensitive information.

⁷ Based on 36 CFR § 800.2(c)

⁸ 36 CFR § 800.2(c)(6)

⁹ "[Native American Archival Materials](#)," (First Archivist Circle, 2007)

¹⁰ 36 CFR § 800.5(a)(1)

¹¹ 36 CFR § 800.16(1)

¹² 43 U.S.C. § 1602

¹³ 36 CFR § 800.16(m)

- **Native Hawaiian:** Any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the state of Hawaii.¹⁴
- **Native Hawaiian organization (NHO):** Any organization which serves and represents the interests of Native Hawaiians; has as a primary and stated purpose the provision of services to Native Hawaiians; and has demonstrated expertise in aspects of historic preservation that are significant to Native Hawaiians.¹⁵
- **Preservation in place:** Taking active steps to avoid disturbing a burial site, human remains, or funerary objects including, to the maximum extent practical, any access, viewsheds, setting, and/or ongoing cultural activity that may be associated with the location.
- **Section 106:** That part of the NHPA which establishes a federal responsibility to take into account the effects of undertakings on historic properties and to provide the ACHP a reasonable opportunity to comment with regard to such action.
- **Sensitive:** Information that may be protected by law, regulation, or federal policy; information that may be identified as sensitive by the sponsoring entity/original source.
- **State Historic Preservation Officer (SHPO):** The official appointed to administer a state's historic preservation program.¹⁶
- **Tribal Historic Preservation Officer (THPO):** The official appointed or designated to administer the Tribe's historic preservation program.¹⁷
- **Treatment:** Measures developed and implemented to avoid, minimize, or mitigate adverse effects to historic properties.

¹⁴ 36 CFR § 800.16(s)(2)

¹⁵ 36 CFR § 800.16(s)(1)

¹⁶ 54 U.S.C. § 302301

¹⁷ 54 U.S.C. § 302702

**APPENDIX D: ADVISORY COUNCIL ON HISTORIC PRESERVATION POLICY
STATEMENT REGARDING TREATMENT OF BURIAL SITES, HUMAN REMAINS AND
FUNERARY OBJECTS – EXPLANATIONS AND DISCUSSION**



Policy Statement Regarding Burial Sites, Human Remains, and Funerary Objects: Explanations and Discussion

“The Advisory Council on Historic Preservation is committed to reorienting historic preservation for the good of all. We encourage federal agencies, state and local governments, and the private sector to do their part in implementing the principles advanced in this new policy—and to ensure that the burial areas and sacred objects of our ancestors are treated with the dignity and respect they deserve.” – Hon. Sara C. Bronin, Chair

Introduction. The Advisory Council on Historic Preservation (ACHP) voted unanimously to adopt its new “Policy Statement on Burial Sites, Human Remains, and Funerary Objects” (Burial Policy) on March 1, 2023. The Burial Policy establishes a set of standards and guidelines that federal and state agencies, contractors, and other relevant entities should, at a minimum, seek to implement in order to provide burial sites, human remains, and funerary objects the consideration and protection they deserve.

The Burial Policy was adopted in response to unfortunate and traumatic incidents of disturbance to these sites, remains, and objects, some of which occurred as federal agencies carried out the review of a proposed undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA). The Burial Policy formally recognizes that the places most often disturbed are those associated with Indian Tribes, Native Hawaiians, Indigenous People, racial and ethnic minorities, and low-income communities. It also acknowledges the impact of climate change on sites, cemeteries, and associated cultural practices, which further threatens their identification and protection.

The ACHP will implement the Burial Policy throughout its work, including its oversight of the Section 106 process, and recommend it to federal agencies and any applicants or developers seeking federal licenses or permits. However, the Burial Policy’s reach is not limited to the federal government; the ACHP encourages state and local governments, nongovernmental institutions, cultural resource management firms, and private developers to adhere to the 13 principles set forth in the Burial Policy.

How federal agencies can implement the Burial Policy. The Burial Policy is broadly applicable in all federal historic preservation responsibilities. Federal agencies are encouraged to implement the Burial Policy while completing their Section 106 responsibilities during the identification, evaluation, and treatment of historic properties, and the development and implementation of agreement documents and other program alternatives. However, the principles identified in the Burial Policy speak to a broad range of circumstances and considerations and are not limited to the Section 106 arena. The ACHP encourages federal agencies to tailor implementation of the Burial Policy to their unique mission and authorities in an effort to advance protection of these sites, remains, and objects.

Federal agencies should look to relevant principles and consider:

- Applying the principles as part of their ongoing federal historic property stewardship and cultural resources management actions, including under Sections 106 and 110 of the NHPA; Executive Order 13007: Indian Sacred Sites; Executive Order 14096: Revitalizing Our Nation’s Commitment to Environmental Justice for All; Executive Order 13175: Consultation and Coordination with Tribal

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Governments; as part of their climate change planning and response actions; and as a part of other relevant actions.

- In consultation, develop agency protocol or policy that further details how the agency intends to apply the principles in carrying out their historic preservation responsibilities.
- For Section 106 Programmatic Agreements (PAs) and Memoranda of Agreement (MOAs), work with consulting parties to incorporate and tailor as necessary the ACHP MOA template language regarding the Burial Policy's principles in unanticipated discovery stipulations for burial sites, human remains, or funerary objects.¹
- Incorporate the ACHP MOA template language or other references to the Burial Policy's principles in other relevant Section 106 MOA or PA stipulations (e.g., identification and documentation, avoidance or minimization, consultation or coordination, etc.) or in other Section 106 program alternatives.

How state and local government agencies can implement the Burial Policy. While the Burial Policy was developed with a focus on federal agency activities and federal preservation requirements, its principles can be applied when state or local governments have similar stewardship or planning review responsibilities in their jurisdictions. State and local governments may also have opportunities to implement relevant principles from the policy when consulting with federal agencies in the Section 106 review process. The ACHP encourages state and local governments to look to the Burial Policy for best practices in working to preserve and protect burial sites, human remains, and funerary objects.

How nongovernmental institutions and private developers can implement the Burial Policy. Nongovernmental institutions and private developers can play a pivotal role in the protection of burial sites, human remains, and funerary objects. These organizations frequently work across federal, state, and local jurisdictions and the private sector. Through the application of internal guidance documents, codes of ethics, and other operating procedures that align with or adopt the principles contained in the Burial Policy, nongovernmental institutions and private developers, including cultural resources management firms, can support more effective and consistent consideration of these sites, remains, and objects.

Discussion. The following explanations are informed by comments and recommendations made by ACHP members and other consulting parties during the development of the Burial Policy. This document is intended to provide ACHP staff, federal agencies, and other interested parties with additional context, guidance, and advice on the interpretation and implementation of each principle.²

Principle 1: Burial sites, human remains, and funerary objects should be treated with dignity and respect in all circumstances regardless of National Register eligibility or the circumstances of the action. This includes, but is not limited to, all times prior to and during consultation, during field surveys, when handling must occur, in documenting and/or reporting, if treatment actions occur, and in all other forms of interaction.

The presence of human remains or funerary objects can give a location special importance as a burial area, cemetery, historic property,³ or as a sacred site.⁴ Federal agencies and state and local governments

¹ In implementing the policy, the ACHP recommends that federal agencies include the following template language in unanticipated discovery stipulations in Section 106 Memoranda of Agreement (MOAs) and Programmatic Agreements (PAs): **When applicable, the [Agency] will follow the principles within the ACHP's Policy Statement on Burial Sites, Human Remains, and Funerary Objects, dated March 1, 2023.** This template statement can be added to a stipulation tailored to the specific circumstances of an individual undertaking. While such a statement is not required, agencies are strongly encouraged to follow the principles in the policy statement and incorporate the reference when consulting to develop new MOAs and PAs; see [Guidance on Agreements Documents](#) (ACHP, n.d.) for additional information.

² See ACHP's [Policy Statement on Burial Sites, Human Remains, and Funerary Objects](#) for more information on the Policy.

³ Burial sites, human remains, and/or funerary objects should be treated with care and respect regardless of their ability to meet National Register eligibility criteria individually or as part of a larger site, district, TCP, or cultural landscape.

⁴ See [Executive Order 13007: Indian Sacred Sites](#) of May 24, 1996, and the 2021 [Memorandum of Understanding Regarding Interagency Coordination and Collaboration for the Protection of Indigenous Sacred Sites](#). Hereafter "Sacred Sites MOU."

should ensure that the actions of their staff, contractors, volunteers, and any other party under their direct supervision or control demonstrate respect for the beliefs and cultural practices of those who may be associated with the sites, remains, or objects they encounter. Respectful treatment includes all manner of interaction, including, but not limited to, physical handling, written and oral communication, and visual depictions. Prioritizing the use of respectful forms of documentation and communication may minimize harm experienced by associated communities⁵ if burial sites, human remains, or funerary objects are identified or impacted.

Through consultation with associated communities, including Indian Tribes and Native Hawaiian organizations (NHOs), federal agencies should discuss and, to the fullest extent of the law, seek agreement on what constitutes respectful treatment. Working toward consensus on these considerations is consistent with the intent of the Section 106 process and is best achieved through early and ongoing consultation and collaboration.

Principle 2: Disturbing or disinterring burial sites, human remains, or funerary objects, when not requested by descendants, associated Indian Tribes or NHOs, or required by applicable law or regulation, should not be pursued unless there are no other alternatives available and only after consultation with descendants or associated communities and fully considered avoidance of impact and preservation in place.

As a matter of practice and in accordance with applicable law, federal agencies and state and local governments should avoid impacting burial sites, human remains, and funerary objects including areas where there is the known potential for encountering them as they plan and carry out their actions or undertakings. Documentation or study should not be viewed as a justification for the disturbance or removal of such remains or objects without first consulting and seeking agreement with those associated with the site, remains, and/or objects.

When considering the potential to encounter or affect a burial site, human remains, or funerary objects, federal agencies and state and local governments should recognize that the size and makeup of burial sites can vary widely as they are reflective of the many unique cultures and belief systems in the United States and U.S. territories. These sites may do the following⁶

- be associated with established and ongoing cultural practices.⁷
- require access for associated individuals or communities for ongoing care and maintenance.⁸
- be part of an ongoing culture's lifeways (see discussion under Principle 11 for more information).
- include funerary objects placed before, during, or after the time of death.
- be comprised of individuals or multiple people, including mass graves, or group burials.
- have resulted from events including warfare, slavery, disease, and other circumstances that inadvertently or intentionally limited the cultural continuation of death rites and burial practices.
- take various forms, including cremains, encased human remains, and fluids.
- be physically/culturally inseparable from the surrounding soils, plants, or other landscape features.
- include remains originally below, on, or above the surface of the earth, including water sources.

⁵ The term "associated individuals and communities" as used in this document is inclusive of all people in the United States including Indigenous people of the U.S. territories, Indian Tribes, NHOs, and other racial and ethnic groups.

⁶ This list reflects comments and contributions from consulting parties and ACHP leadership and is not exhaustive.

⁷ "Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature," Article 11, [United Nations Declaration on the Rights of Indigenous Peoples](#). Hereafter "Declaration."

⁸ "Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies, the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains," Article 12 of the Declaration.

To determine if a proposed undertaking might disturb and/or the extent of any potential impact to a burial site, human remains, or funerary objects that may result from an agency's actions, the federal agency should consult with and provide deference to the knowledge and expertise of associated communities (see Principles 2 and 3 for more information).

As the Burial Policy advocates, federal agencies should always plan to avoid known or probable locations of burial sites, human remains, and funerary objects altogether. However, when a federal agency's actions are necessary to comply with applicable law or regulation, or determines through consultation that the avoidance of impact is not possible, the agency should minimize disturbance⁹ to the maximum extent practical.¹⁰ Accordingly, removal of human remains or funerary objects should only occur when required by law, if repatriation has been requested by associated communities, or when all other alternatives to preserve the site in place have been considered and rejected because they are not possible or appropriate.

Principle 3: Only through consultation, which includes the early and meaningful exchange of information and a concerted effort to reach consensus, can informed decisions be made about the identification, documentation, National Register eligibility, and treatment of burial sites, human remains, and funerary objects.

Consultation is the hallmark of the Section 106 process and is foundational to inform the broader decision-making efforts taken by federal agencies and state and local governments. Federal agencies are also directed by Presidential Memoranda¹¹ and Executive Orders,¹² which set out basic steps, standards, and criteria for Tribal consultation related to agency actions. Additionally, the United Nations Declaration on the Rights of Indigenous Peoples (Declaration) has identified that the right of an individual or associated community to "participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own decision-making instructions," is a basic human right.¹³ These mechanisms all identify minimum standards that can be used by federal agencies and state and local governments to inform their consultation and collaboration efforts to achieve a more mutually beneficial outcome.

Specific to the Section 106 process, federal agencies must make a "reasonable and good faith" effort to identify consulting parties and begin consultation early in project planning, after the federal agency determines it has an undertaking with the potential to affect historic properties and prior to making decisions that would restrict the consideration of alternatives to avoid adverse effects to historic properties. This process is an important tool for Indian Tribes, NHOs, State and Tribal Historic Preservation Officers, and other consulting parties to lend their voice in protecting and maintaining

⁹ Determination of what constitutes a "disturbance" should be defined in consultation and with proper deference provided to the views and opinions of associated communities. Consistent with 36 CFR §800.5(a)(2)(vi), natural deterioration of the remains may be the acceptable or preferred outcome if requested by associated communities during consultation.

¹⁰ If appropriate, preserve the human remains in place. Preservation in place may mean that, to the extent allowed by law, the natural deterioration may be the preferred outcome - See, e.g., 36 CFR § 800.5(a)(2)(vi).

¹¹ "Tribal consultation is a two-way, Nation-to-Nation exchange of information and dialogue between official representatives of the United States and of Tribal Nations regarding Federal policies that have Tribal implications. Consultation recognizes Tribal sovereignty and the Nation-to-Nation relationship between the United States and Tribal Nations and acknowledges that the United States maintains certain treaty and trust responsibilities to Tribal Nations. Consultation requires that information obtained from Tribes be given meaningful consideration, and agencies should strive for consensus with Tribes or a mutually desired outcome. Consultation should generally include both Federal and Tribal officials with decision-making authority regarding the proposed policy that has Tribal implications. Consultation will ensure that applicable information is readily available to all parties, that Federal and Tribal officials have adequate time to communicate, and that after the Federal decision, consulting Tribal Nations are advised as to how their input influenced that decision-making. All of these principles should be applied to the extent practicable and permitted by law" [Memorandum on Uniform Standards for Tribal Consultation](#), (Executive Office of the President, 2022).

¹² [Executive Order 13175: Consultation and Coordination with Tribal Governments](#); Executive Order 13007: Indian Sacred Sites.

¹³ Article 18 of the Declaration.

historic properties, including burial sites, human remains, and funerary objects important to their communities. For consultation to be successful, federal agencies should also recognize and account for other voices that constitute our diverse nation including African Americans,¹⁴ nonfederally recognized Tribes,¹⁵ Indigenous Peoples,¹⁶ other marginalized or low-income communities,¹⁷ and the public.

The statutory language of the NHPA and the Section 106 implementing regulations prescribe specific actions federal agencies must take in regard to federally recognized Indian Tribes and NHOs including the following:

- Seek out and invite any Indian Tribes or NHOs that might attach religious and cultural significance to historic properties in the area of potential effects (APE) to consult on a proposed undertaking.¹⁸
- Consult with any Indian Tribe or NHO that attaches religious and cultural significance to such historic properties.¹⁹
- Gather information from any Indian Tribe or NHO to assist in identifying properties which may be of religious and cultural significance to them and may be eligible for the National Register.²⁰
- Recognize that properties of traditional religious and cultural importance to an Indian Tribe or NHO may be determined eligible for inclusion on the National Register.²¹
- Recognize the government-to-government relationship between the federal government and Indian Tribes and consult with the representatives designated or identified by the Tribal government.²²
- Recognize that consultation on a government-to-government level with Indian Tribes cannot be delegated to nonfederal entities, such as applicants and contractors.²³
- Solicit the views of Indian Tribes and NHOs in a manner sensitive to their governmental structures.²⁴

Where appropriate, federal agencies should develop consultation protocols with Indian Tribes or NHOs to tailor how consultation between those parties may be carried out. Such agreements are often not project-specific but instead may be more general and focused on the relationship between the agency and the Indian Tribe or NHO. This type of agreement can cover all aspects of the consultation process with the Tribe or NHO and could grant an Indian Tribe or NHO additional rights to participate or concur in agency decisions in the Section 106 process beyond those specified in the regulations.²⁵ Additionally, many

¹⁴ "Including descendants in research and interpretation is contingent upon building a positive relationship with the community," (National Trust for Historic Preservation African American Cultural Heritage Action Fund, 2018, 8). Hereafter "Engaging Descendant Communities" (NTHP-AACHAF, 2018).

¹⁵ "In carrying out Section 106, a federal agency may invite state-recognized tribes or tribes with neither federal nor state recognition to participate in the review process as "additional consulting parties" based on a "demonstrated interest" in an undertaking's effects on historic properties," [Guide to Working with Non-Federally Recognized Tribes in the Section 106 Process](#) (ACHP, 2018); also see 36 CFR §§ 800.2(c)(5) and 800.3(f)(3).

¹⁶ "The Indigenous populations in Puerto Rico, Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau may have important information to contribute, Ibid; see 36 CFR §§ 800.3(e)-(f).

¹⁷ "If there is a golden rule to the preservation of cemeteries and burial grounds, it is to be aware that our diverse country is home to a wide variety of burial customs," Lynette Strangstad, *Preservation of Historic Burial Grounds* (National Trust for Historic Preservation, 2003).

¹⁸ 36 CFR § 800.2(a)(4) and 36 CFR § 800.3(c).

¹⁹ 54 U.S.C. § 302706(b) and 36 CFR § 800.2(c)(2)(ii)(D).

²⁰ 36 CFR § 800.4(a)(4) (emphasis added), 54 U.S.C. § 302706(b); this includes burial sites, human remains, and funerary objects.

²¹ 54 U.S.C. § 302706(a).

²² 36 CFR § 800.2(c)(2)(ii)(C).

²³ "...federal agencies cannot unilaterally delegate their Tribal consultation responsibilities to an applicant nor presume that such discussions substitute for federal agency Tribal consultation responsibilities," [Limitations on the Delegation of Authority by Federal Agencies to Initiate Tribal Consultation under Section 106 of the National Historic Preservation Act](#) (ACHP, 2011).

²⁴ 36 CFR § 800.4(a)(4); "Recognizing past injustice, while upholding Tribal treaty and reserved rights, and respecting Tribal and Indigenous communities, cultures, and values will assist Agencies in developing collaborative processes that are more equitable and inclusive of Indigenous Peoples and their knowledge systems," [Guidance for Federal Departments or Agencies on Indigenous Knowledge](#) (Executive Office of the President Office of Science and Technology Policy [OSTP] and Council on Environmental Quality [CEQ], 2022). Hereafter "Indigenous Knowledge (OSTP and CEQ, 2022)."

²⁵ See [Types of Agreement Documents in Section 106](#) (ACHP, 2018) and 36 CFR § 800.2(c)(2)(ii)(E).

Indian Tribes have existing protocols that federal agencies can utilize to inform ongoing or future actions related to burial sites, human remains, and funerary objects.²⁶

Principle 4: To the maximum extent possible, decision making should give deference to the treatment requests of descendants or associated communities. Where known, and in accordance with applicable law, cultural practices of the descendants or associated communities should be followed if burial sites, human remains, or funerary objects may be encountered, are inadvertently identified, impacted, or must be disinterred.

Any plan for the disinterment, housing, treatment, transport, recordation, or repatriation of burial sites, human remains, or funerary objects should be discussed and developed by the federal agency or the state or local government through consultation prior to the action occurring and in a manner that prioritizes the requests and expertise of associated communities. The associated community should be asked if they have any established protocols or any existing cultural practices that should be followed or adhered to, to the extent allowable by law.²⁷ While many situations involving the possible treatment of or impacts to burial sites, human remains, or funerary objects require the development of plans on a case-by-case basis, there are several actions that can be taken to potentially accommodate the treatment requests of associated communities, including the following:

- Contracting with associated communities. Frequently, cultural information is not known or shared outside of a community. Contracting with the associated community may allow decision making to be better informed by the people to whom these sites are most significant.²⁸
- Providing cultural sensitivity training for all staff who might interact with burial sites, human remains, or funerary objects. Consider working with associated communities to develop or administer the training. Extending training opportunities to applicants and contractors is also recommended.²⁹
- Informing staff and applicants. Agencies should ensure that staff and applicants are versed in agency policy and the preferences of any associated communities.
- Developing culturally appropriate protocols. Developing mutually acceptable actions, including housing, handling, transportation, documentation standards, and how sensitive information would be identified and managed, among others, can help ensure proper deference is provided, particularly when associated communities are not present in the field.
- Consulting early and consistently. During the scoping stage for proposed projects, while alternatives and project areas are being determined, associated communities can provide expertise and knowledge that can inform agency actions to help avoid impacting important locations. Early coordination also provides an opportunity to learn about the preferences and practices of associated communities.
- Acknowledging historical context and past injustice. Understanding that each group of people has had different experiences is critical for agencies to collaborate and engage effectively. Agencies should acknowledge the history of the department or agency they represent, and the federal government broadly. Further, they should recognize that at times, western science has been used as a tool to oppress Indian Tribes, Native Hawaiians, enslaved Africans and their descendants, and other Indigenous Peoples.³⁰

²⁶ See [Eastern Band of Cherokee Indians Tribal Code, Chapter 70, Skeletal Remains and Burial Site Preservation](#).

²⁷ In a Section 106 review, the federal agency is responsible for making findings and determinations and making the final decision regarding a proposed undertaking, potentially including treatment actions related to burial sites, human remains, and funerary objects. In doing so, the federal agency must make a reasonable and good faith effort to seek agreement through consultation with associated communities before making its decision on the undertaking.

²⁸ Many Indian Tribes and other associated communities have databases that contain information relevant to them that could inform federal decision making in a manner that results in a more accurate assessment of these locations.

²⁹ See [Early Coordination with Indian Tribes During Pre-Application Processes: A Handbook](#) (ACHP, 2018).

³⁰ Indigenous Knowledge (OSTP and CEQ, 2022); see also "All interpretation begins in research, and when discussing the history of enslavement, museum and historic site professionals do themselves and visitors a disservice by not involving descendants in research. Without their voices, research lacks depth, humanity and credibility, and institutions continue to perpetuate the exploitative practices of the past" "Engaging Descendant Communities" (NTHP-AACHAF, 2018, 8).

Principle 5: The Indigenous Knowledge held by an Indian Tribe, NHO, or other Indigenous Peoples is a valid and self-supporting source of information. To the fullest extent possible, deference should be provided to the Indigenous Knowledge and expertise of Indian Tribes, NHOs, and Indigenous Peoples in the identification, documentation, evaluation, assessment, and treatment of their burial sites, human remains, and funerary objects.

The ACHP applies the term “Indigenous Knowledge,” for purposes of Section 106 reviews, to the information or knowledge held by Indian Tribes and NHOs used for identifying, documenting, evaluating, assessing, and resolving adverse effects to historic properties of religious and cultural significance to them.³¹ Indigenous Knowledge is often specific to an Indian Tribe, NHO, or Indigenous People and may exist in a variety of forms.³² Federal agencies and state and local governments often lack the expertise to appropriately consider and apply this knowledge. As a result, consultation and collaboration with Indian Tribes, NHOs, and Indigenous Peoples is critical to ensuring that Indigenous Knowledge is considered and applied in a manner that respects Tribal sovereignty and achieves mutually beneficial outcomes for Tribal and Indigenous communities.³³

Federal agencies should understand at the outset that Indigenous Knowledge is frequently used by Indian Tribes and NHOs to identify historic properties of religious and cultural significance to them in the Section 106 review process. Indigenous Knowledge is recognized as a valid form of evidence for inclusion in federal policy, research, and decision making and does not require other forms of knowledge for validation or support.³⁴ In other words, a federal agency should not request a Tribe provide written documentation corroborating the Tribe’s statements.

The inclusion of Indigenous Knowledge is a critical component in the Section 106 process.³⁵ Including Indian Tribes or NHOs early on in project planning and continuing to consult with them at every step in the process as required in the regulations, will help provide federal agencies with the information necessary to carry out the Section 106 process. It should also be noted that the Section 106 regulations recognize that the passage of time, changing perceptions of significance, or incomplete prior evaluations of cultural resources may require the reevaluation of project areas for the presence of historic properties.³⁶ This is a particularly important when considering places of significance to Tribes and NHOs because past identification and evaluation efforts may not have included consultation or the Indigenous Knowledge held by Indian Tribes and NHOs.³⁷

Agencies should not initiate consultation with an assumption that an Indian Tribe or NHO will share its knowledge with the agency. The NHPA does not require any Indian Tribe or NHO to provide federal agencies with Indigenous Knowledge simply because it may be valuable information in the context of Section 106 decisions. In requesting Indigenous Knowledge, federal agencies should be respectful of an

³¹ Although the term “Indigenous Knowledge” is not defined in the NHPA or the Section 106 implementing regulations, its role in the Section 106 process is necessitated by the requirement, at 36 CFR Section 800.4(c)(1), that agency officials acknowledge that Indian Tribes and NHOs possess special expertise in assessing the eligibility of historic properties that may possess religious and cultural significance to them. Indigenous Knowledge is an integral part of that special expertise. TK and 106 (ACHP, 2021).

³² See [Traditional Knowledge and the Section 106 Process: Information for Federal Agencies and Other Participants](#) (ACHP, 2021) [hereafter “TK and 106 (ACHP, 2021)”] and Indigenous Knowledge (OSTP and CEQ, 2022) for a discussion on what constitutes Indigenous Knowledge in the Section 106 process and federal decision making more broadly.

³³ Indigenous Knowledge (OSTP and CEQ, 2022).

³⁴ “Indigenous Knowledge is a valid form of evidence for inclusion in Federal policy, research and decision making. Indigenous Knowledge and other forms of knowledge do not depend on each other for validation, and each system can support the insights of the other,” Indigenous Knowledge (OSTP and CEQ, 2022).

³⁵ “Where Federal statutes require Agencies to consider information and make informed decisions, Agencies should consult and collaborate with Tribal Nations and Indigenous Peoples to include Indigenous Knowledge in decision making.” Indigenous Knowledge (OSTP and CEQ, 2022).

³⁶ 36 CFR § 800.4(c)(1).

³⁷ TK and 106 (ACHP, 2021).

Indian Tribe's or NHO's authority to disclose or withhold such information.³⁸ Any effort to solicit and incorporate Indigenous Knowledge should be an inclusive process that empowers the Indian Tribe or NHO to determine if, and how, their knowledge may be included in the agency's process. Agencies should discuss plans for direct engagement with Indian Tribes and NHOs and ensure sustained engagement throughout the development or implementation of an activity. Agencies should only engage with knowledge holders designated by Tribal leadership.³⁹

Principle 6: Burial sites, human remains, and funerary objects are important in and of their own right. They may also constitute or be part of a sacred site and may include or incorporate several possible elements of historic significance including religious and cultural significance. The integrity of burial sites, human remains, and funerary objects is best informed by those who ascribe significance to them.

Individual and collective burial places can reflect and represent the cultural values and practices of the past that help instruct us about who we are as a people.⁴⁰ For associated communities, the burial sites of their ancestors also represent important locations that may have an ongoing role in their beliefs and lifeways and may only be known by those who are part of that culture or belief system. Federal agencies should seek to inform any identification and documentation efforts, determination of National Register eligibility, assessment of effects, and treatment actions in consultation with associated communities.⁴¹ Consulting with associated communities is essential to properly inform any evaluation of the significance and integrity of these locations.

The Section 106 regulations require federal agencies to acknowledge the special expertise of Indian Tribes and NHOs in evaluating and, by extension, identifying historic properties of religious and cultural significance to them, which may include burial sites, human remains, and funerary objects.⁴² Federal agencies should also be aware that historic properties of religious and cultural significance to an Indian Tribe may be located on ancestral, aboriginal, or ceded lands.⁴³ In many cases, because of migration or forced removal, Indian Tribes may now be located far away from historic properties that still hold significance for them. Accordingly, the regulations require that federal agencies make a reasonable and good faith effort to identify Indian Tribes that may attach religious and cultural significance to historic properties that may be affected by the undertaking,⁴⁴ even if Indian Tribes are now located a great

³⁸ "Article 19 is particularly relevant to the use and integration of traditional knowledge in Section 106 decision making. It states that governments 'shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative and administrative measures that may affect them,'" TK and 106 (ACHP, 2021).

³⁹ Indigenous Knowledge, (OSTP and CEQ, 2022); Article 31 of the Declaration states that "indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions...They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions." Working with Indigenous Peoples, governments "shall take effective measures to recognize and protect the exercise of these rights."

⁴⁰ "Guidelines for Evaluating and Registering Cemeteries and Burial Places" National Register Bulletin, Volume National Register Bulletin, Volume 41 (National Park Service [NPS], U.S. Department of the Interior [DOI], 1992).

⁴¹ "Furthermore, although those who were formerly enslaved are now ancestors long gone, their descendants still have much to contribute to the research process in the present day. The rubric promotes a changed practice in cultural institutions, enabling public historians to work alongside descendants to research the past and tell compelling stories about enslaved people, incorporating essential family oral histories, long dismissed as unreliable sources by many academic historians... data must be supplemented by the oral histories and other materials, such as genealogical records and family heirlooms that the descendant communities possess, to render whole a valuable and shared integral component of American history," "Engaging Descendant Communities" (NTHP-AACHAF, 2018, 4); see Guide to Working with Non-Federally Recognized Tribes in the Section 106 Process (ACHP, 2018); 36 CFR §§ 800.2(c)(5) and 3(f)(3); see Principle 5 of this document for more information.

⁴² See 36 CFR § 800.4(c)(1) and TK and 106 (ACHP, 2021).

⁴³ 36 C.R § 800.2(c)(2)(ii)(D).

⁴⁴ 36 CFR § 800.3(f)(2).

distance away from such properties and undertakings.⁴⁵

For Indian Tribes, NHOs, and other Indigenous Peoples, burial locations are frequently considered to be sacred sites due to their ongoing role in their lifeway, language, and family structure.⁴⁶ Consistent with Executive Order 13007: Indian Sacred Sites, federal agencies should, through consultation, implement procedures that seek to accommodate access to and ceremonial use of Indian sacred sites, avoid adversely affecting the physical integrity of such sites, and maintain confidentiality of sensitive information relating to the site when managing federal lands. It is important to note that a sacred site may not meet the National Register criteria as a historic property and that, conversely, a historic property may not constitute a sacred site. However, where an undertaking may affect a historic property that is also considered by an Indian Tribe to be a sacred site, including burial sites, the federal agency should consider access to and ceremonial use of the property consistent with Executive Order 13007 when applicable in the course of the Section 106 review process.⁴⁷ Agencies must also be aware that sacred sites often occur within a larger landform or are connected through physical features or ceremonies to other sites or a larger sacred landscape. These broader areas and connections should be accounted for when seeking to understand the context and significance of sacred sites.⁴⁸

Principle 7: Burial sites, human remains, and funerary objects are frequently associated with cultural practices, sacred sites, Indigenous Knowledge, and other forms of culturally sensitive actions and/or information unique to a people. Maximum effort should be taken to limit the disclosure of confidential or sensitive information through all available mechanisms including, but not limited to, the proper handling and labeling of records, limiting documentation to necessary information, and through the application of existing law.

As a federal agency carries out its historic preservation responsibilities, it may find that some kinds of information about historic properties is sensitive and if released, risk harm to the properties, and therefore should be protected from public disclosure. As provided in Section 304 of the NHPA, there could be several reasons an agency must not release information about the location, character, or ownership of historic properties. For example, withholding information may help prevent looting or disturbance of a site, or it may help protect the continued use of a site or area by traditional religious practitioners.⁴⁹ Other federal laws or regulations may also authorize or require the withholding of information about cultural resources. Federal agencies should utilize available mechanisms to limit disclosure of confidential or culturally sensitive information in the course of their duties.

Appropriately managing sensitive information is of the utmost importance. The release of information that could cause harm or threaten the ongoing cultural practices or beliefs associated with those places or objects should be avoided to the fullest extent of the law. Federal agencies should seek to develop transparent and effective protocols and processes that enable associated communities to share sensitive information with full awareness of the legal protections that could protect against its disclosure.

The agency official should address concerns raised about confidentiality during the Section 106 review process pursuant to 36 CFR § 800.11(c). In recognizing the importance of protecting sensitive information, the Section 106 implementing regulations state that:

- Consultation should commence early in the planning process in order to identify and discuss relevant issues and resolve concerns about the confidentiality of information on historic properties.⁵⁰

⁴⁵ 36 CFR § 800.2(c)(2)(ii); see also [Consultation with Indian Tribes in the Section 106 Process: The Handbook](#), (ACHP, 2021).

⁴⁶ Sacred Sites MOU (2021).

⁴⁷ See Executive Order 13007: Indian Sacred Sites of May 24, 1996, and [The Relationship Between Executive Order 13007 Regarding Indian Sacred Sites and Section 106](#), (ACHP, 2018).

⁴⁸ Sacred Sites MOU (2021).

⁴⁹ [Frequently Asked Questions on Protecting Sensitive Information About Historic Properties Under Section 304 of the NHPA](#) (ACHP, 2016). Hereafter "Section 304 and the NHPA (ACHP, 2016)."

⁵⁰ 36 CFR § 800.2(c)(2)(ii)(A).

- Federal agencies should recognize that an Indian Tribe or NHO may be reluctant to divulge specific information regarding the location, nature, and activities associated with sites.⁵¹
- Consultation with Indian Tribes and NHOs should be conducted in a manner sensitive to the concerns and needs of the Indian Tribe or NHO.⁵²

Additionally, federal agencies should recognize the wide range of information that Tribes, NHOs, and Indigenous Peoples may deem sensitive. At the same time, Indigenous Knowledge is relevant and essential to many federal decision-making processes, so it is of critical importance for federal employees to have a solid understanding of how to navigate public disclosure laws to identify how sensitive Indigenous Knowledge may be protected. In collecting or working with any Indigenous Knowledge, the federal agency should be cognizant of several factors, including the following:

- How and what Indigenous Knowledge might be needed to inform or influence the decision-making process at hand?
- What sensitivity concerns may exist for that Indigenous Knowledge?
- What legal protections exist to protect against the disclosure of Indigenous Knowledge?⁵³
- Do both the source of the Indigenous Knowledge as well as the receiving entity have a common understanding and expectation of how that Indigenous Knowledge will be treated and incorporated?

Principle 8: The federal Indian boarding school system directly targeted American Indian, Alaska Native, and Native Hawaiian children in the pursuit of a policy of cultural assimilation that coincided with territorial dispossession. In partnership with the historic preservation community, federal agencies should seek to implement the recommendations identified in the Department of the Interior's *Federal Indian Boarding School Investigative Report* by supporting community-driven identification, documentation, interpretation, protection, preservation, reclamation, and co-management of burial sites, human remains, and funerary objects across that system, including marked and unmarked burial areas, and supporting repatriation where appropriate.

The intentional targeting and removal of American Indian, Alaska Native, and Native Hawaiian children to achieve the goal of forced assimilation of Indian people was both traumatic and violent.⁵⁴ Based on initial research, the Department of the Interior (DOI) found that hundreds of Indian children died throughout the federal Indian boarding school system. Many of those children were buried in unmarked or poorly maintained burial sites far from their Indian Tribes, Alaska Native Villages, the Native Hawaiian Community⁵⁵, and families, often hundreds, or even thousands, of miles away.⁵⁶

Descendants' preferences for the possible disinterment or repatriation of the remains of children discovered in marked or unmarked burial sites across the federal Indian boarding school system vary widely and should be prioritized.⁵⁷ Depending on the religious and cultural practices of an Indian Tribe,

⁵¹ 36 CFR § 800.4(a)(4).

⁵² 36 CFR § 800.2(c)(2)(ii)(C).

⁵³ See [Memorandum of Understanding Regarding Interagency Coordination and Collaboration for the Protection of Indian Sacred Sites: Policy Review Report](#) (2013), Section 304 and the NHPA (ACHP, 2016), and Section 9 of the [Archaeological Resources Protection Act](#) for examples.

⁵⁴ "Indian boarding schools, and the policies that created, funded, and fueled their existence, were designed to assimilate American Indian, Alaska Native, and Native Hawaiian children into non-Native culture by stripping them of their cultural identities, often through physical, sexual, psychological, industrial, and spiritual abuse and neglect." [S.1723 - Truth and Healing Commission on Indian Boarding School Policies Act](#), 6).

⁵⁵ The term "Native Hawaiian Community" is specific to the DOI and DOI's Federal Indian Boarding School Initiative Report.

⁵⁶ Newland, Bryan, [Federal Indian Boarding School Initiative Investigative Report](#) (Assistant Secretary -Indian Affairs, U.S. Department of the Interior, 2022). Hereafter "DOI Boarding School Report (Newland, 2022)"; "...many of the American Indian and Alaska Native children who died while attending Indian boarding schools or neighboring hospitals were buried in unmarked graves or off campus cemeteries." [S.1723 - Truth and Healing Commission on Indian Boarding School Policies Act](#), 7).

⁵⁷ "Tribal preferences for the possible disinterment or repatriation of remains of children discovered in marked or unmarked burial sites across the Federal Indian boarding school system vary widely. Depending on the religious and cultural practices of an Indian Tribe, Alaska Native Village, or the Native Hawaiian Community, it may prefer to disinter or repatriate any remains of

Alaska Native Village, or the Native Hawaiian Community, they may prefer to disinter or repatriate any remains of a child discovered across the federal Indian boarding school system for return to the child's home territory or to leave the child's remains undisturbed in its current burial site. Moreover, some burial sites contain human remains or parts of remains of multiple individuals or human remains that were relocated from other burial sites, thereby preventing Tribal and individual identification.

Federal agencies should seek to support the Federal Indian Boarding School Initiative investigation through community-driven identification, documentation, interpretation, protection, preservation, reclamation, and co-management of burial sites, human remains, and funerary objects. Federal agencies should also seek to protect burial sites and enable potential repatriation or disinterment of remains of children, consistent with federal, state, and Tribal law, including the Native American Graves Protection and Repatriation Act (NAGPRA), and in coordination with proper authorities.⁵⁸

Principle 9: The legacies of colonization, including cultural assimilation, forced relocation, and slavery, have led to an uneven awareness of where and why practitioners are likely to encounter burial sites, human remains, and funerary objects across the United States and its territories. The historic preservation community has a key role in expanding public education to support greater awareness of and consideration for the histories and lifeways of Indian Tribes, Native Hawaiians, enslaved Africans and their descendants, and Indigenous Peoples including recognizing and respecting the historical trauma that these groups and individuals may experience.

The location and significance of burial sites, human remains, and funerary objects varies and is often unique to a people. In some circumstances, burial sites and funerary objects are known only to their descendants or associated communities. However, this knowledge is not always comprehensive; may not be consistently recorded, particularly in a manner that is readily transferrable for the purposes of federal decision making; may only reside with select individuals; and is frequently considered to be sensitive.⁵⁹

Legacies of occupation and colonization abruptly altered many of the cultural practices of Indigenous People and African Americans through forced assimilation and relocation, enslavement, warfare with the United States Government, and the introduction of disease, among other dynamics.⁶⁰ As a result, the location of burial areas and the method of burial were often controlled by external parties, were confined to remote areas, and/or were rarely documented.⁶¹ Thus, such locations infrequently appear on historical maps or in other records. In many cases, including as a result of segregation and the Federal Indian

a child discovered across the Federal Indian boarding school system for return to the child's home territory or to leave the child's remains undisturbed in its current burial site," *Ibid*.

⁵⁸ *Ibid*.

⁵⁹ TK and ACHP (ACHP, 2021).

⁶⁰ "The United States directly targeted American Indian, Alaska Native, and Native Hawaiian children in the pursuit of a policy of cultural assimilation that coincided with Indian territorial dispossession," DOI Boarding School Report (Newland, 2022): "...all Indian Tribes have undergone some manner of displacement, whether they have seen their homelands whittled down to small reservations or have lost their lands and status through the federal policies of removal and termination...the effects of removal persist and continue to affect Tribal participation in the Section 106 process," [The Indian Removal Era and Section 106 Tribal Consultation: Information Paper](#) (ACHP, 2019, 1); "assimilation processes, such as the Indian Boarding School Policies, were adopted by the United States Government to strip American Indian, Alaska Native, and Native Hawaiian children of their Indigenous identities, beliefs, and languages to assimilate them into non-Native culture through federally funded and controlled Christian-run schools, which had the intent and, in many cases, the effect, of termination, with dire and intentional consequences on the cultures and languages of Indigenous peoples." S.1723 - Truth and Healing Commission on Indian Boarding School Policies Act, 2).

⁶¹ "Mexican American history is often overlooked and is not well recorded," [UT-Austin Researchers Work to Protect Historic Mexican American Cemetery](#) (The Daily Texan, 2021); "African-American cemetery sites were often confined to remote areas or marginal property and they frequently were not provided the same sort of state or local maintenance support or assistance as predominantly white cemeteries. As a result, many jurisdictions are unaware of the existence of these historic sites," [African American Burial Grounds Preservation Program](#), Senate Report (United States Senate Committee on Energy and Natural Resources, December 12, 2022).

Boarding School Initiative, among other situations, these practices continued into the 20th century.⁶² For example, Federal Indian policy resulted in the separation (both physically and intellectually) of Indigenous Peoples from the places they are connected to, severing relationships with lands, waters, and social systems, which are all critical elements of Indigenous Knowledge. These policies systematically served to assimilate and displace Native people and eradicate Native cultures.⁶³

These communities continue to experience the impacts of intergenerational trauma resulting from the legacies of these federal policies,⁶⁴ including impacts on their social, cultural, spiritual, mental, and physical wellbeing.⁶⁵ Disturbing the burial areas or remains of ancestors or family members can have traumatic and compounding effects to the social and emotional welfare of associated individuals and communities and should be avoided to the maximum extent allowable by law.⁶⁶ The ACHP encourages federal agency and state and local governments to avoid disturbing or disinterring burial sites and human remains.

Federal, Tribal, state, and local officials and other subject matter experts providing public education and technical assistance in historic preservation have an important role to play both in raising awareness about these histories and their impact on where burial areas, human remains, and funerary objects may be encountered, and in creating resources to help others do the same. The ACHP encourages federal agencies and state and local governments, in collaboration with associated communities, to create additional understanding of and opportunities for associated communities to identify and protect their burial sites, human remains, and funerary objects. These efforts may include site protection and enhancement, providing access to associated individuals or communities, conducting additional research, or a number of

⁶² "Beginning with slavery and continuing through the Jim Crow era, African Americans were often restricted in where they could bury their loved ones. Local laws segregated burial grounds by race," *ibid*; see [S.3667 - African-American Burial Grounds Preservation Act \(introduced\)](#); see the [DOI Boarding School Report](#) (Newland, 2022); "Mexicans weren't necessarily allowed to be buried in white cemeteries...In some cases I've seen where there's a white cemetery, and then right next to it is the Mexican section or the Black section...[or] just a completely different cemetery," ["This Is Sacred Ground": Austinites And Researchers Seek To Restore Mexican-American Cemeteries In Montopolis](#) (KUT 90.5, 2021).

⁶³ Indigenous Knowledge (OSTP and CEQ, 2022).

⁶⁴ *Ibid*; "the general lack of public awareness, accountability, education, information, and acknowledgment of the ongoing and direct impacts of the Indian Boarding School Policies and related inter-generational trauma persists, signaling the overdue need for an investigative Federal commission to further document and expose assimilation and termination efforts to eradicate the cultures and languages of Indigenous peoples implemented under Indian Boarding School Policies (pages 12-13)". [S.1723 - Truth and Healing Commission on Indian Boarding School Policies Act](#).

⁶⁵ Sacred Sites MOU (2021); "the longstanding intended consequences and ramifications of the treatment of American Indian, Alaska Native, and Native Hawaiian children, families, and communities because of Federal policies and the funding of Indian boarding schools continue to impact Native communities through intergenerational trauma, cycles of violence and abuse, disappearance, health disparities, substance abuse, premature deaths, additional undocumented physical, sexual, psychological, industrial, and spiritual abuse and neglect, and trauma". S.1723 - Truth and Healing Commission on Indian Boarding School Policies Act, 10).

⁶⁶ "Desecration and disturbance of burial sites is not a victimless crime. The consequences of these actions not only include property damage, but can also result in emotional trauma to relatives and friends of the deceased, as well as to descendant communities" ([Historic African American Cemeteries, Maryland Commission on African American History & Culture](#), (Maryland Historical Trust, 2022, 24); "Traditional Hawaiian belief maintains that it is the kuleana (responsibility) of the living to care for and to protect 'ohana (family) burial sites and to pass on this knowledge and responsibility to the next generation. These practices assure that living Native Hawaiians will always provide perpetual care and protection to their ancestors, thereby maintaining the integrity of the family. Central to the physical and spiritual well-being of Native Hawaiians is the inheritance of mana from their ancestral past. In turn, the k...puna (ancestors) care for and protect the living, affirming the interdependent relationship between them and living descendants, where each cares for and protects the other," Native Burials: Human Rights and Sacred Bones (Edward Halealoha, 2000); "[The cemetery] is sacred ground to us [Mexican Americans], from our ancestors...The site is difficult to access, making it hard for people to visit and maintain...has long had problems with people dumping trash...It's sad to see because it looks as if it's been neglected and dismissed, especially with the development that's right next to it...Those are families and families' history and legacies and relatives that are buried there. Those are stories that need to be told," ["This Is Sacred Ground": Austinites And Researchers Seek To Restore Mexican-American Cemeteries In Montopolis](#) (KUT 90.5, 2021).

other targeted efforts. Identifying appropriate actions should be done in collaboration with associated communities.

Principle 10: Access to and/or repatriation of burial sites, human remains, and funerary objects should be enabled through fair, transparent, and effective mechanisms developed in conjunction with descendant communities to the fullest extent of the law.

Having access to a location, including the ability to conduct cultural practices or perpetuate Indigenous Knowledge, can contribute to the significance of a Traditional Cultural Place (TCP),⁶⁷ a sacred site, or historic property and may be necessary to retain the integrity of these locations. The care for and access to these locations may also be part of an ongoing cultural practice or may serve to revitalize traditions or customs, among other purposes, that are important to an associated community.⁶⁸ Federal agencies should seek to enable access to and protection of burial sites, human remains, and/or funerary objects through the development of protocols, co-stewardship or co-management agreements, and other mechanisms as part of their ongoing management functions.⁶⁹ Efforts to increase access and protection of these sites should be pursued in consultation with the associated communities and in a manner that does not inadvertently disclose sensitive information.

Associated communities may also seek to have human remains or funerary objects relocated or returned for several reasons. Repatriation is of particular concern to Indian Tribes, NHOs, and other Indigenous Peoples whose ancestors are frequently located in locations no longer under their control or ownership.⁷⁰ Consistent with NAGPRA, DOI's Boarding School Initiative, and the United Nations Declaration on the Rights of Indigenous Peoples (Declaration), the ACHP fully supports federal agency efforts to prioritize repatriation of human remains and funerary objects.⁷¹ The Declaration expressly recognizes Indigenous Peoples' rights to practice, access, and revitalize culture including the right to the repatriation of their human remains.⁷² The Declaration also states that Indigenous Peoples have the right to revitalize their cultural traditions and customs including the right to maintain, protect, and develop past, present, and future manifestations of their cultures, such as burial sites and ceremonies, among other aspects.⁷³

While the Declaration is not legally binding, federal agencies can look to it for policy guidance in carrying out their Section 106 responsibilities. Because the Declaration was developed with input from Indigenous Peoples around the world, it stands as a guide to what is important to Indigenous Peoples,

⁶⁷ A TCP is a building, structure, object, site, or district that may be eligible for inclusion in the National Register for its significance to a living community because of its association with cultural beliefs, customs, or practices that are rooted in the community's history and that are important in maintaining the community's cultural identity, National Register Bulletin, Volume 38 Draft Update (NPS, 2022). TCPs differ from a "sacred site" and a "historic property of religious and cultural significance" in several ways. Most notably, a TCP is a type of significance that any individual or group can ascribe to a location whereas the ability to designate a location as a "sacred site" under E.O. 13007 or to ascribe "religious and cultural significance" per 36 CFR Part 800 are exclusive to Indian Tribes and NHOs. See the Sacred Sites MOU (2021); E.O. 13007, and Sacred Sites and Section 106 for more information.

⁶⁸ The Declaration, like other human rights instruments, recognizes rights to religion and culture. Article 25 states more specifically: "Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands."

⁶⁹ See [Early Coordination with Indian Tribes During Pre-Application Processes](#) (ACHP, 2018) and [Secretarial Order 3403: Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters](#).

⁷⁰ "Articles 11, 12, 13, 14, 15, and 31 recognize that Indigenous Peoples have a right to their distinctive cultures generally, as well as to their languages, religions, traditional knowledge, and repatriation of human remains and ceremonial objects. To the extent that U.S. policy historically sought to eradicate Indigenous Peoples' cultures, and currently offers few remedial or ongoing protections in the realm of cultural rights, the Declaration can provide important standards," [Project to Implement the United Nations Declaration on the Rights of Indigenous Peoples Tribal Implementation Toolkit](#) (Native American Rights Fund, Colorado Law, and UCLA Law School, 2021); see discussion in Principles 8 and 9 of this document for additional information.

⁷¹ See Declaration articles 8, 11, 12, 15, 18, 25, and 31; see [Section 106 and the U.N. Declaration on the Rights of Indigenous Peoples: General Information and Guidance](#) (ACHP, 2018).

⁷² See Article 12 of the Declaration.

⁷³ See Article 11 of the Declaration.

above and beyond basic human rights. In its 2008 policy statement on its relationship with NHOs,⁷⁴ the ACHP clarified that the Section 106 implementing regulations “set the minimum standards for federal agency interactions with its preservation partners.”⁷⁵ This clarification applies to all preservation partners. The ACHP suggests that federal agencies and state and local governments consider the Declaration a reference to help inform the outreach, consultation, and consideration of the associated communities’ input, which in turn may work to increase the appropriate protection of, access to, and/or repatriation of burial sites, human remains, or funerary objects.⁷⁵

Principle 11: Human remains and funerary objects may be relocated or removed from a location by or at the request of descendant communities for a variety of reasons. The continued presence of human remains or funerary objects may not be essential to the ongoing significance and integrity of a site or its relevance to a broad theme in history. The historic significance and integrity of such sites are best determined in consultation with lineal descendants and/or associated communities.

Associated communities, including Indian Tribes and NHOs, are increasingly requesting that federal agencies and state and local governments relocate or return human remains or funerary objects for a variety of reasons, including from Federal Indian Boarding Schools, as a part of an ongoing cultural practice, or to reclaim control over their ancestors and funerary objects.

For many people the locations where their ancestors reside are frequently considered to be sacred sites, Traditional Cultural Places, or historic properties. Depending on the role that the deceased individual(s) and/or funerary object(s) have in their culture, the burial site may continue to be significant and may retain integrity even after human remains or funerary objects have been removed.⁷⁶ When evaluating burial sites during the course of a Section 106 review, the federal agency should consult with, recognize, and provide deference to the knowledge and expertise of the associated community in its decision making.

Principle 12: Climate change can impact the burial sites, sacred sites, cemeteries, and associated cultural practices significant to Indian Tribes, NHOs, and other groups of people. Climate plans should be developed in consultation and should include mechanisms to support the advanced identification and protection or treatment of these locations.

Climate change poses a unique risk to all burial sites, human remains, and funerary objects including those that are sacred sites, may be located in a cemetery, are connected to ongoing cultural practices, or are part of a larger landscape. These impacts may result from sea level rise, extended drought, increased severity of invasive species, severe storm events, or extreme wildfire, among other examples, all of which have the potential to affect or destroy these sites, remains, and objects.⁷⁷

When a federal agency develops climate change planning documents it should seek to consult with stakeholders to proactively identify locations of concern and review available mechanisms to preserve or protect burial sites, human remains, and funerary objects, recognizing that natural deterioration may be a

⁷⁴ [ACHP Policy Statement on the ACHP’s Interaction with Native Hawaiian Organizations](#) (ACHP, 2008).

⁷⁵ [ACHP Plan to Support the United Nations Declaration on the Rights of Indigenous Peoples](#) (ACHP, 2013); “The Declaration, which is grounded in widespread consensus and fundamental human rights values, should be a benchmark for all relevant decision-making by the federal executive, Congress, and the judiciary, as well as by the states of the United States,” S. James Anaya (Special Rapporteur on the Rights of Indigenous Peoples), [The Situation of Indigenous Peoples in the United States of America](#), U.N. Doc. A/HRC/21/47/Add.1 (Aug. 30, 2012).

⁷⁶ [“Guidelines for Evaluating and Registering Cemeteries and Burial Places”](#) National Register Bulletin, Volume 41 (NPS, DOI, 1992); “Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard,” Article 25 of the Declaration.

⁷⁷ See [“Cultural Resources Climate Change Strategy”](#) (NPS, DOI, n.d.), and [“Climate Impacts to Indian Tribe and Native Hawaiian Sacred Sites and Historic Properties: Plan for ACHP Actions”](#) (ACHP, 2022).

contributing quality of a property of religious and cultural significance to an Indian Tribe or NHO.⁷⁸ Having knowledge pertaining to the location or importance of significant places, preferred treatment options, and/or transparent consultation and coordination protocols can help ensure the preservation of these places during emergencies or as part of ongoing federal historic property management responsibilities. Federal agencies should also review climate-related planning and adaptation grant opportunities to ensure that cultural resources and historic properties (including burial sites, human remains, and funerary objects) are included as eligible categories.⁷⁹

Many Tribal, state, and local governments are also in the position to proactively identify and protect these sites, remains, or objects. Consistent with their relevant mission and authorities, these governments should seek to incorporate consideration of burial sites, human remains, and funerary objects into their climate change planning and response actions to the maximum extent practicable.

Principle 13: Respectful consideration of burial sites, human remains, and funerary objects may require additional assistance from consulting parties to properly identify, document, evaluate for National Register eligibility, and/or conduct treatment actions. If a federal agency requests or relies on an Indian Tribe, NHO, or other party to carry out activities that are the federal agency's responsibility under the NHPA, the Indian Tribe, NHO, or other consulting party should be reimbursed or compensated.

Understanding where burial sites, human remains, and funerary objects are located oftentimes requires the knowledge or expertise of associated communities to properly identify and evaluate these locations. The very basis of what constitutes a burial site or funerary object, their defining characteristics, boundaries, and proper protocols associated with interacting and recording them, is expertise frequently known only to associated communities. As such, consistent with Principle 3, federal agencies should conduct early and robust consultation that works to integrate the knowledge and understanding of those who attribute significance to the sites, remains, or objects into the agencies' decision making.

Consistent with ACHP guidance,⁸⁰ when the federal agency, or in some cases, the applicant, seeks the views and advice of any consulting party in fulfilling its legal obligation to consult with them, for instance in a Section 106 review, the agency or applicant is not required to pay that party for providing its views. However, both within and beyond the Section 106 context, where appropriate and consistent with applicable agency fiscal and acquisition authorities, federal agencies should consider compensating associated individuals or groups in a manner that allows them to fully participate and inform any identification, documentation, evaluation, or mitigation actions related to burial sites, human remains, or funerary objects. If a party is asked by a federal agency to do more than respond to the agency's findings and determinations, then it should be compensated for its efforts.

June 30, 2023

⁷⁸ 36 CFR 800.5(a)(2)(vi).

⁷⁹ Tribal and NHO Climate Plan (ACHP, 2022, 3).

⁸⁰ See [Guidance on Assistance to Consulting Parties in the Section 106 Review Process](#).

**ATTACHMENT 15 – UNANTICIPATED DISCOVERIES PLAN FOR SUBMERGED
ARCHAEOLOGICAL SITES, HISTORIC PROPERTIES, AND CULTURAL RESOURCES
INCLUDING HUMAN REMAINS: REVOLUTION WIND FARM FOR LEASE AREA OCS A-
0486 CONSTRUCTION AND OPERATIONS PLAN**

**UNANTICIPATED DISCOVERIES PLAN FOR SUBMERGED ARCHAEOLOGICAL
SITES, HISTORIC PROPERTIES, AND CULTURAL RESOURCES INCLUDING
HUMAN REMAINS, REVOLUTION WIND FARM FOR LEASE AREA OCS A-
0486 CONSTRUCTION AND OPERATIONS PLAN**

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INTRODUCTION

Revolution Wind LLC (Revolution Wind) proposes to construct and operate the Revolution Wind Farm Project (Project) within the Bureau of Ocean Energy Management (BOEM) Renewable Energy Lease Area OCS A-0486 (Lease Area). The Project consists of the Revolution Wind Farm (RWF) and the Revolution Wind Farm Export Cable (RWEC) route, which traverses federal and state waters. The RWEC has a proposed landfall near Quonset Point in North Kingstown, Rhode Island. Revolution Wind has submitted a Construction and Operations Plan (COP) for the Project to BOEM to support the development, operation, and eventual decommissioning of Project infrastructure, including offshore wind turbines, offshore substations, array cables, substation interconnector cables, and offshore export cables. SEARCH provided technical expertise to Revolution Wind's environmental consultant, VHB Engineering (VHB), by providing a Qualified Marine Archaeologist (QMA) in accordance with Lease Agreement Stipulation Addendum C Section 2.1.1.2.

SEARCH developed this Unanticipated Discoveries Plan (UDP) to assist Revolution Wind and its contractors to preserve and protect potential cultural resources from adverse impacts caused by Project construction, operation and maintenance, and decommissioning activities. The UDP sets forth guidelines and procedures to be used in the event potential submerged cultural resource are encountered during bottom disturbing activities and assists Revolution Wind in its compliance with Section 106 of the National Historic Preservation Act (NHPA) (Title 54 U.S.C. § 306108), Native American Graves Protection and Repatriation Act (Title 25 U.S.C. § 3001 et seq.), Lease OCS A-0486 Lease Stipulations, and other relevant state and local laws as applicable. This UDP is subject to revisions based on consultations with interested parties pursuant to Section 106 of the National Historic Preservation Act or the Act's implementing regulations at 36 CFR Part 800.

ROLES AND RESPONSIBILITIES

Implementation of the provisions and procedures in the UDP will require the coordinated efforts of Revolution Wind and their contractors during all construction, operations and maintenance, and decommissioning activities with the potential to impact the seafloor. The following sections identify key participants in the UDP and outlines their roles and responsibilities.

REVOLUTION WIND

Implementation of the provisions and procedures outlined in this plan is ultimately the responsibility of Revolution Wind or its designee, who will be responsible for the following:

- Ensuring procedures and policies outlined in the UDP and UDP training materials are implemented;
- Identifying a responsible party within Revolution Wind tasked with overseeing implementation of the UDP during all project and contractor activities;
- Developing cultural resource and UDP awareness training programs for all project staff and contractors;
- Requiring all project and contractor staff complete cultural resource and UDP awareness training;
- Coordinating and facilitating communication between the QMA, project staff, and contractors if a potential cultural resource is encountered during project activities; and
- Participating in and/or facilitating consultations with state and federal agencies (BOEM, Naval History and Heritage Command [NHHC], Rhode Island Historical Preservation & Heritage Commission [RIHPHC], etc...), federally recognized Tribes'/Tribal Nations' Tribal Historic Preservation Offices (THPOs), and other consulting parties, as appropriate.

QUALIFIED MARINE ARCHAEOLOGIST

Revolution Wind will retain the services of a QMA to provide cultural resource advisory services during implementation of the UDP. The QMA will be responsible for the following:

- Assist Revolution Wind with the development and implementation of the procedures outlined in the UDP;
- Assist Revolution Wind in developing a cultural resource and UDP awareness training program and informational graphic;
- Review and document potential submerged cultural resources identified by the project and/or contractor staff;

- Assist Revolution Wind with the Section 106 consultation process that may arise as a result of an unanticipated submerged cultural resource; and
- Conduct archaeological investigation of unanticipated submerged cultural resources following coordination with appropriate consulting parties.

TRAINING AND ORIENTATION

As described in the previous section, Revolution Wind will be responsible for ensuring Project and contractor staff complete a cultural resources and UDP awareness training program prior to the start of bottom disturbing activities. The training will be sufficient to allow Project and contractor staff to identify common types of marine cultural resources and implement the UDP procedures. The training will be delivered as a standalone training and/or combined with the Project's or contractors' general health and safety (H&S) or environment, health, and safety (EHS) induction training.

The training program will include, but not be limited to, the following elements:

- A review of applicable state and federal cultural resource laws and regulations;
- Characteristics of common types of submerged cultural resources found on the Atlantic Outer Continental Shelf (e.g. wooden shipwrecks, metal shipwrecks, downed aircraft, post-Contact artifacts, pre-Contact artifacts, bone and faunal remains, etc.);
- How to identify potential submerged cultural resources during bottom disturbing activities; and
- Procedures to follow and parties to notify if potential submerged cultural resources/materials are encountered during project activities.

The SEARCH QMA will develop draft cultural resources and UDP awareness training in coordination with Revolution Wind. The training program will be provided to BOEM and the RIHPHC for review and comment before the training program is finalized.

In addition to the training program, the SEARCH QMA will generate an informational graphic summarizing the UDP and the materials discussed in the cultural resources and UDP awareness training program. The informational graphic will include:

- Images of common types of submerged cultural resources and materials;
- A flow chart depicting the UDP reporting process;
- A notice to all employees of their stop work authority if potential cultural resources are encountered; and
- Contact information for the Revolution Wind staff responsible for overseeing implementation of the UDP and the QMA.

The informational graphic will be placed in a conspicuous location on each project and contractor vessel where workers can see it and copies will be made available to project and/or contractor staff upon request.

PROCEDURES WHEN CULTURAL MATERIAL ARE OBSERVED

As part of its COP submission, Revolution Wind conducted an extensive marine archaeological resources assessment (MARA) of the Project's preliminary area of potential effects (PAPE). The MARA identified 19 potential submerged cultural resources (Targets 01-11 and Targets 13-20) and 13 geomorphic features of archaeological interest (Targets 21-33) within the PAPE. Revolution Wind anticipates avoidance of Targets 01-11 and Targets 13-20 and their associated recommended avoidance buffers. Additionally, Revolution Wind has committed to avoidance of Target 27 and Targets 31-33. Revolution Wind has developed a Mitigation Framework and Historic Properties Treatment Plan to aid in avoiding, minimizing, and/or mitigating adverse effects upon the remaining historic properties (Targets 21-26 and Targets 28-30).

Even with the extensive preconstruction marine archaeological surveys, it is impossible to ensure that all cultural resources have been identified within the PAPE. Even at sites that have been previously identified and assessed, there is a potential for the discovery of previously unidentified archaeological components, features, or human remains that may require investigation and assessment. Furthermore, identified historic properties may sustain effects that were not originally anticipated. Therefore, a procedure has been developed for the treatment of unanticipated discoveries that may occur during site development.

The procedure also will be implemented should an unanticipated archaeological find occur during investigations to ground-truth potential unexploded ordnance (pUXO). In addition, Revolution Wind will involve the QMA during pUXO investigations to consult and monitor. Revolution Wind has agreed to a protocol for inspections that includes a decision tree for contacting the QMA; providing the QMA with inspection reports, including video footage, still photographs, multibeam echosounder imagery, and pUXO specialist observations; and real-time video monitoring for inspections that occur atop shallowly buried geomorphic features of archaeological interest.

The implementation of the final UDP will be overseen by Revolution Wind and a QMA who meets or exceeds the Secretary of the Interior's *Professional Qualifications Standards for Archaeology* [48 FR 44738-44739] and has experience in conducting HRG surveys and processing and interpreting data for archaeological potential [BOEM 2020]. See **Figure 1** for a flow chart of the communications and notification plan for unanticipated discoveries.

If unanticipated submerged cultural resources are discovered, the following steps should be taken:

- (1) Per Lease Stipulation 4.2.7.1, all bottom-disturbing activities in the immediate area of the discovery shall cease and every effort will be made to avoid or minimize impacts to the potential submerged cultural resource(s).
- (2) The project or contractor staff will immediately notify Revolution Wind of the discovery.
- (3) Revolution Wind will notify the QMA and provide them with sufficient information/documentation on the potential find to allow the QMA to evaluate the discovery and determine if the find is a cultural resource. If necessary, the QMA may request to visit the find site or the vessel that recovered the cultural material to inspect

the find. If the find is a cultural resource, the QMA will provide a preliminary assessment as to its potential to be a historic property as defined in 36 CFR Part 800.

- (4) Per Lease Stipulation 4.2.7.1, BOEM shall be notified of the potential submerged cultural resource within 24 hours of the discovery. Revolution Wind shall also notify the State Historic Preservation Officer (SHPO) of Rhode Island and/or Massachusetts, the State Archaeologist(s), and the Tribal Historic Preservation Officers (THPOs) or other designated representatives of the consulting tribal governments. If the potential submerged cultural resource could be a sunken military craft under the jurisdiction of the Department of the Navy, then Revolution Wind additionally will notify the NHHHC.
- (5) Within 72 hours of being notified of the discovery, Revolution Wind shall issue a report in writing to BOEM providing available information concerning the nature and condition of the potential submerged cultural resource and observed attributes relevant to the resource's potential eligibility for listing in the National Register of Historic Places (NRHP).
- (6) Revolution Wind shall consult with BOEM, as feasible, to obtain technical advice and guidance for the evaluation of the discovered cultural resource.
- (7) If the impacted resource is determined by BOEM, in consultation with the NHHHC if applicable to a sunken military craft, to be NRHP eligible, a mitigation plan shall be prepared by Revolution Wind for the discovered cultural resource. This plan must be reviewed by BOEM prior to submission to the RI/MA SHPO and representatives from consulting federally recognized Tribes/Tribal Nations for their review and comment, as well as provided to the NHHHC for review and approval if the potential cultural resource falls under the jurisdiction of the Department of the Navy. The RI/MA SHPO and Tribes/Tribal Nations will review the plan and provide comments and recommendations within one week, with final comments to follow as quickly as possible.
- (8) Per Lease Stipulation 4.2.6, Revolution Wind may not impact a known archaeological resource in federal waters without prior approval from BOEM. If the potential resource falls under the jurisdiction of the Department of the Navy, then similar approval will be provided from the NHHHC. No development activities in the vicinity of the cultural resource will resume until either a mitigation plan is executed or, if BOEM, or the NHHHC if applicable, determines a mitigation plan is not warranted, BOEM provides written approval to Revolution Wind to resume bottom disturbing activities. For discoveries in state waters, Revolution Wind will not impact a known archaeological resource with prior approval from BOEM and the RI/MA SHPO.

If suspected human remains are encountered, the below procedures, which comply with the Advisory Council on Historic Preservation's (ACHP) *Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects (ACHP, 2023a)*, should be followed.

- (1) All work in the near vicinity of the human remains shall cease and reasonable efforts should be made to avoid and protect the remains from additional impact. Encountered potential material shall be protected, which may include keeping the remains submerged in an onboard tank of sea water or other appropriate material.
- (2) The Onboard Representative shall immediately notify the County Medical Examiner, State Archaeologist, the Forensic Anthropology Unit of the Rhode Island State Police, and Revolution Wind as to the findings.

- (3) Revolution Wind will notify the QMA and provide them with sufficient information/documentation on the potential find to allow the QMA to evaluate the discovery and determine if the find is a cultural resource. If necessary, the QMA may request to visit the vessel to inspect the potential human remains. If the find is a cultural resource, the QMA will provide a preliminary assessment. The QMA will document and inventory the remains and any associated artifacts, and assist in coordinating with federal, state, and local officials.
- (4) A plan for the avoidance of any further impact to the human remains and/or mitigative excavation, reinternment, or a combination of these treatments will be developed in consultation with the State Archaeologist; the RI/MA SHPO; BOEM; the NHHHC, if the potential human remains could be associated with a sunken military craft under the jurisdiction of the Department of the Navy; and appropriate Tribes or closest lineal descendants. All parties will be expected to respond with advice and guidance in an efficient time frame. Once the plan is agreed to by all parties, the plan will be implemented.
- (5) If suspected human remains are encountered in RI State Waters, Revolution Wind will additionally adhere to the requirements of the Rhode Island Historic Cemeteries Act (Attachment A).

Additional guidance and context is provided by the ACHP in the agency's *Burial Policy Explanation and Discussion Guidance Document* (ACHP, 2023b).

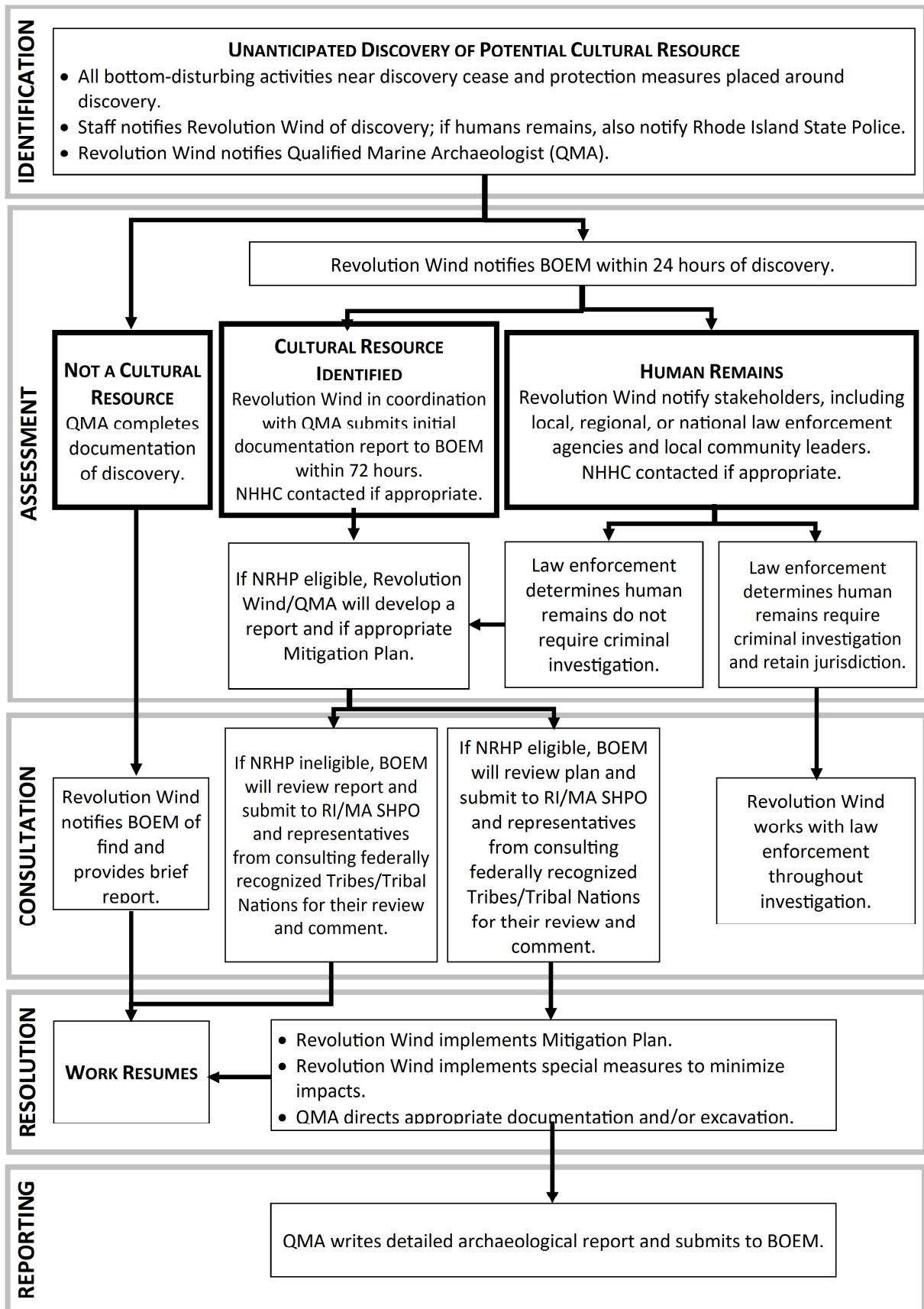


Figure 1. Communications and notification plan for unanticipated discoveries.

ARCHAEOLOGICAL INVESTIGATION OF A SUBMERGED UNANTICIPATED DISCOVERY

Archaeological investigation of a submerged unanticipated discovery may be necessary in order to evaluate the find, determine its eligibility for listing in the NRHP, and/or assess any construction impacts that may have occurred. The following is a recommended procedure for complying with the UDP and providing BOEM; NHHHC, if applicable; and RI/MA SHPO with the necessary information to make informed decisions to approve continuation of bottom disturbing activities. After each step, consultation among the appropriate parties will occur.

- (1) Initial assessment of unanticipated discovery via a refined HRG survey and/or ROV investigation (Phase Ia reconnaissance survey).
 - a. May result in no further recommended action (i.e., target is not a historic property) or additional investigation.
- (2) Develop an avoidance zone based upon Step 1.
 - a. Minimally, construction activity will remain outside of the avoidance zone for a period of time necessary to allow archaeological investigation, if required.
 - b. Determine whether construction activity can remain outside of the avoidance zone permanently.
- (3) Identify the source, delineate the site boundary, and assess potential impacts that led to the unanticipated discovery (Phase Ib identification).
 - a. Accomplished utilizing archaeological/scientific diving and/or ROV investigation.
 - b. May result in no further recommended action (i.e., target is not a historic property) or additional investigation.
- (4) Determine eligibility for listing in the NRHP (Phase II NRHP evaluation).
 - a. Accomplished utilizing archaeological/scientific diving.
 - b. May require extensive excavation.
 - c. May require archival research.
- (5) Develop a strategy to resolve adverse effects to the historic property that occurred as a result of the unanticipated discovery and to minimize or mitigate potential future adverse effects as construction proceeds.
- (6) On-site monitoring of bottom disturbing activities at the location.

Not all of these steps may be necessary, and the appropriate course of action will be determined at the time of discovery and in consultation with BOEM and if applicable, RI/MA SHPO.

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The Shinnecock Indian Nation



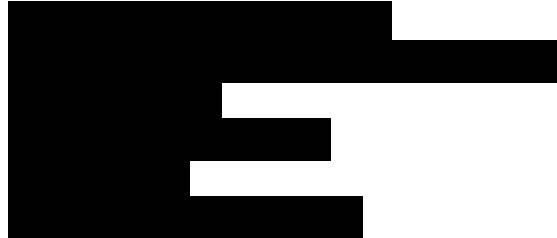
Mashpee Wampanoag Tribe



**Wampanoag Tribe of Gay Head
(Aquinnah)**



Mashantucket Pequot Tribal Nation



The Narragansett Indian Tribe



**Mohegan Tribe of Indians in
Connecticut**



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Bureau of Ocean Energy Management (BOEM)

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ATTACHMENT 16 – TRIBAL NATIONS COMMUNICATIONS PLAN