



## NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

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June 13, 2013

Frank J. Delgiudice  
Chief, Permits and Enforcement Branch C  
Regulatory Branch  
Department of the Army  
New England District, Corps of Engineers  
696 Virginia Road  
Concord, MA 01742-2751

Re: Antrim Wind Energy Project, RPR #3291  
Section 106 review under the National Historic Preservation Act, as amended

Dear Mr. Delgiudice:

The New Hampshire Division of Historical Resources (DHR) is in receipt of your letter dated June 7, 2013. We understand this letter is a follow-up to a May 22, 2013 email from David Keddell that outlines the Corps of Engineers (Corps) rationale for a finding of No Effect for the Antrim Wind Energy Project.

The above-noted correspondence raises a number of questions that need to be resolved in order for the DHR to respond to the Corps' finding of effect. The May 22<sup>nd</sup> email vacillates on whether White Birch Point is eligible for the National Register and creates some sort of demarcation between eligible properties and properties that someday will be "nominated." This difference does not exist in Section 106 reviews. Properties are either identified as historic or not. Our agencies already concurred on the finding that White Birch Point is eligible for the National Register as a historic district. As such, it should be treated as a historic resource as the review continues through the assessment of effects.

If the Corps would like to reopen this eligibility finding and request additional research and evaluation from the project consultant, please let the DHR know as soon as possible. Otherwise, our agencies need to move forward with the finding of effect using the determinations of eligibility in hand. If additional information is sought on the eligibility of the property, it should be compiled by a qualified cultural resources consultant.

Another concern with the Corps' assessment of effects centers on the criteria used in the evaluation described in the May 22, 2013 email. The analysis combines an evaluation of effect for the White Birch Point property under Section 106 with an evaluation of aesthetics using criteria from an unidentified source. It is very important to note that evaluating a project's effects under Section 106 needs to use the appropriate criteria and guidance. For example, it would be inappropriate to judge whether or not a property contained prime wetlands by using criteria for evaluating aquifers. The two may sound similar – they both contain water – but the results would be inaccurate. Similarly, an evaluation of effect under Section 106 differs from an evaluation of aesthetics.

36 CFR 800.5 of the regulations implementing Section 106 of the National Historic Preservation Act notes that an adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify it for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association (36 CFR 800.5(a)(1)). Please note that this language speaks to diminishing a historic property's integrity; it does not mandate that adverse effects are only present when a property's integrity is so diminished that it is no longer eligible for listing on the National Register. Also, consideration shall be given to all qualifying characteristics of a historic property. In the case of the proposed Antrim Wind Project, the introduction of visual, atmospheric or audible elements that diminish the integrity of a property's significant historic features is the primary criteria under which the effects to the White Birch Point property should be assessed.

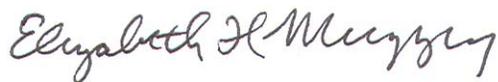
Based on the review materials submitted to the DHR by the applicant's cultural resources consultant, which include photo simulations of the turbines from a primary, character-defining location at the property, the DHR continues to recommend that the Antrim Wind Project will adversely affect the White Birch Point Historic District for the reasons outlined in our April 19, 2103 letter:

The White Birch Point Historic District will be adversely affected by the introduction of elements out of keeping with the historic nature of the resource. Photo-simulations note that the turbines will be primarily visible along shore banks with the National Register boundary of the resource. The property was sited in order to optimize the relationship of the shore/water and its setting for the enjoyment of users. Although the turbines will be visible from only 10% of the property, they are located along the shoreline which is a primary reason for which the property achieves its significance for location, setting, feeling and association. The introduction of modern turbines will diminish the integrity of the property's significant historic features, therefore constituting an Adverse Effect.

The DHR would be glad to meet to discuss this finding and seek resolution, but we will need to focus our attention on Section 106 criteria and guidance. The DHR would also encourage the Corps to invite cultural resources staff members to this discussion. Section 112(a)(1)(A) of the National Historic Preservation Act requires each Federal agency responsible for the protection of historic resources to ensure that all actions taken by employees or contractors of the agency meet professional standards under regulations developed by the Secretary of the Interior.

Thank you for your assistance.

Sincerely,



Elizabeth H. Muzzey  
Director and State Historic Preservation Officer

cc: Drew Kenworthy, Eolian Renewable Energy LLC  
Jane Murray, SEC  
Russ Stevenson, AD Marble & Co.