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MAINE HISTORIC PRESERVATION COMMISSION
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EARLE G. SHETTLEWORTH, JR.
DIRECTOR

October 4, 2013

Stephen Olausen
PAL
26 Main Street
Pawtucket, RI 02860

Project: MHPC# 0086-11 - Bingham Wind Project; MDEP Review

Town: Bingham and Mayfield Township, Somerset County, Maine; Kingsbury
Plantation, Abbot and Parkman, Piscataquis County, Maine;

Dear Mr. Olausen:

On May 16, 2013, the Maine Historic Preservation Commission [Commission] received the Historic Architectural Survey Report [Report] to continue consultation on the above referenced project pursuant to the requirements of the Maine Department of Environmental Protection, Site Location of Development Law. Subsequently, on June 20, 2013, the Commission received a copy of the Visual Impact Assessment. On July 3, 2013, the Commission issued a letter relating to the findings of the Report and requested additional information to continue our evaluation of those findings as they related to the identification of historic properties in the area of potential effect and the proposed undertaking's impact on those properties. In response, PAL submitted additional information on September 9 and October 2, 2013.

It is our understanding that wind projects in the jurisdiction of the Land Use Planning Commission are now being reviewed by and under the rules of the Maine Department of Environmental Protection. We have been previously advised by MDEP staff that the relevant statutes and rules that apply to our review are as follows: 38 MRSA §484(3), 35-A MRSA §3451, and Section 11 of the Chapter 375 Rules.

Identification of Historic Properties

With regard to above ground historic resources, the Chapter 375 Rules require the MDEP to consider impacts on a historic site that is "included on the National Register of Historic Places and/or on the Maine Historic Resource Inventory, or which is established by qualified testimony as being of historic significance." However, and unless there is a direct disturbance on a historic site, the provisions for grid-scale wind energy development as defined in Title 35-A limits the MDEP's consideration of such a project's effect (including effects from both the generating facilities and the associated facilities, such as transmission lines) on a "Scenic resource of state or national significance" to

those that are listed in the National Register of Historic Places and that are owned by the public or to which the public has a legal right of access.”

In view of the laws and rules cited above, the Commission concludes that there are only two resources in the project area that meet this definition:

- Bingham Free Meeting House, Old Church Road, Bingham
- The Arnold Trail to Quebec Historic District.

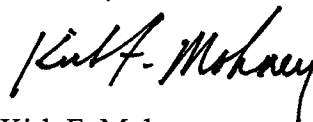
Assessment of Project Effects

Based on the information that has been submitted to our office, the Commission concludes that the proposed project will not have an unreasonable adverse effect on the above named historic properties.

We have been advised that the Bingham Wind project will require a permit from the US Army Corps of Engineers, thus making it an “undertaking” as defined in 36 CFR Part 800.16(y) subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended. The Section 106 review will examine effects on all historic properties (not just those that are publicly owned) in the area of potential effects that are both listed in and that are eligible for listing in the National Register of Historic Places. Our conclusions regarding impacts on this larger group of historic properties will be addressed in a separate response.

If you have any questions regarding our comments, please contact Robin Reed of our staff.

Sincerely,



Kirk F. Mohney
Deputy State Historic Preservation Officer

cc: Dan Courtemanch, MDEP