

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT,
THE STATE HISTORIC PRESERVATION OFFICERS OF VIRGINIA AND NORTH
CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

WHEREAS, the Bureau of Ocean Energy Management (BOEM) is considering whether to authorize construction and operation of the Coastal Virginia Offshore Wind Commercial Project (CVOW-C; the Project) pursuant to Section 8(p)(1)(C) of the Outer Continental Shelf (OCS) Lands Act (43 United States Code [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) (§) 585; and

WHEREAS, BOEM determined that approval of 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 Project Construction and Operations Plan (COP) submitted by Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion Energy; hereafter *Lessee*); and

WHEREAS, BOEM determined the construction, installation, operations and maintenance (O&M), and conceptual decommissioning of the Project, which will be located in Lease Area OCS-A 0483, has the potential to adversely affect historic properties as defined under 36 CFR 800.16(1). The Project will include up to 202 offshore wind turbine generators (WTGs) and their foundations, up to three offshore substations (OSSs) and their foundations, scour protection for foundations, inter-array cables linking the individual turbines to the OSSs, substation interconnector cables linking the substations to each other, offshore export cables and approximately 14 miles of onshore export cables, two onshore switching stations, and expansion of one substation; 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 elected to use the NEPA substitution process with its Section 106 consultation pursuant to 36 CFR 800.8(c); and

WHEREAS, in accordance with 36 CFR 800.3, BOEM invited the Virginia State Historic Preservation Officer (VA SHPO) and North Carolina SHPO (NC SHPO) on June 28, 2021 and Advisory Council on Historic Preservation (ACHP) on July 9, 2021 to consult on the Project and notified Virginia SHPO, North Carolina SHPO, and ACHP of their decision to use NEPA substitution and follow the standards for developing environmental documents to comply with the Section 106 consultation for this Project pursuant to 36 CFR 800.8(c); and

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

WHEREAS, The Virginia SHPO formally accepted on July 30, 2021; North Carolina SHPO formally accepted on January 30, 2023; and ACHP responded with acknowledgement and guidance regarding NEPA substitution on August 6, 2021; and

WHEREAS, in accordance with 36 CFR 800.6(a)(1), BOEM notified the ACHP of its adverse effect determination with specified documentation, including adverse effects to the NHLs, pursuant to 36

CFR 800.10(b) on December 16, 2022, and ACHP accepted to consult on the MOA to resolve adverse effects to the historic properties pursuant to 36 CFR 800.6(a)(1)(iii) and 36 CFR 800.10(b) on February 16, 2023; and

WHEREAS, the Project is within Lease Area OCS-A 0483, which was subject to previous NHPA Section 106 review by BOEM regarding the issuance of the commercial lease and approval of site assessment activities. Both Section 106 reviews for the lease issuance and the approval of the site assessment plan were conducted and concluded with No Historic Properties Affected for lease issuance on May 21, 2012, and site assessment approval on October 18, 2017 consistent with the Programmatic Agreements (PAs) regarding the review of OCS renewable energy activities offshore Virginia and North Carolina (*Programmatic Agreement Among The U.S. Department of the Interior, Bureau of Ocean Energy Management; the State Historic Preservation Officers of Delaware, Maryland, New Jersey, and Virginia; The Advisory Council on Historic Preservation; The Narragansett Indian Tribe; and the Shinnecock Indian Nation Regarding the “Smart from the Start” Atlantic Wind Energy Initiative: Leasing and Site Assessment Activities within the Wind Energy Areas offshore Delaware, Maryland, New Jersey, and Virginia and Programmatic Agreement Among The U.S. Department of the Interior, Bureau of Ocean Energy Management; North Carolina State Historic Preservation Officer; and The Advisory Council on Historic Preservation Regarding Review of Outer Continental Shelf Renewable Energy Activities Under Section 106 of the National Historic Preservation*); and

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 portion of the APE (marine APE); the depth and breadth of terrestrial areas potentially impacted by any ground-disturbing activities, constituting the terrestrial portion of the APE (terrestrial APE); the viewshed from which offshore or onshore renewable energy structures would be visible, constituting the visual 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 (see Attachment 1, *APE Maps*); and

WHEREAS, BOEM identified the following historic properties in the APE: 31 marine archaeological resources (i.e., Targets 1–31) and four (4) ancient submerged landform features (ASLFs) (i.e., P-02, P-03, P-04-A, and P-04-B) in the marine APE; three (3) terrestrial archaeological resources (i.e., [REDACTED] and one (1) historic aboveground resource (i.e., Camp Pendleton/State Military Reservation Historic District) in the terrestrial APE; 712 historic aboveground resources in the visual APE for offshore Project components; and 322 historic aboveground resources in the visual APE for onshore Project components; and

WHEREAS, BOEM identified two (2) additional ASLFs outside of but immediately adjacent to the marine APE: one ASLF (i.e., P-01) outside of but immediately adjacent to the horizontal extent of the marine APE and one ASLF (i.e., P-05) in the horizontal extent of the marine APE but below the vertical extent of the marine APE that is therefore outside of the marine APE; and

WHEREAS, BOEM identified two NHLs in the visual APE for offshore Project components (i.e., First Cape Henry Lighthouse and Eyre Hall); and

WHEREAS, BOEM, through consultation with Virginia Department of Military Affairs – Virginia Army National Guard (VDMA-VaNG), identified the “Memorial Magnolia” tree within the Camp Pendleton/State Military Reservation Historic District. While the tree is not a historic property and is not a contributing feature to the historic district, BOEM and the Lessee have agreed to avoid the tree during construction activities within the historic district, as described in the construction plans; and

WHEREAS, BOEM determined that the implementation of the avoidance measures identified in this MOA will avoid adverse effects on certain historic properties in the APE: 31 marine archaeological resources (i.e., Targets 1–31) and four (4) ASLFs (i.e., P-02, P-03, P-04-A, and P-04-B) in the marine APE; three (3) terrestrial archaeological resources (i.e., [REDACTED] in the terrestrial APE; 685 historic aboveground resources in the visual APE for offshore Project components; and 321 historic aboveground resources in the visual APE for onshore Project components; and

WHEREAS, BOEM determined that the Project would have no effect on the two (2) ASLFs that are outside of the marine APE (i.e., P-01 and P-05) but will nonetheless require the implementation of avoidance measures identified in this MOA to avoid adverse effects on these historic properties; and

WHEREAS, BOEM, with the assistance of the Lessee, determined that one (1) potential cemetery (34-5027-0050, a grave/memorial at Naval Air Station [NAS] Oceana) is in the terrestrial APE; however, BOEM anticipates this resource would not be adversely affected by the Project, as measures will be implemented to avoid any possible physical impacts per consultation with Commander, Navy Region Mid-Atlantic (NAS Oceana) and the stipulations herein; and

WHEREAS, BOEM, with the assistance of the Lessee, determined that one (1) additional terrestrial archaeological resource (i.e., 44VB0388) is outside of but adjacent to the terrestrial APE, and therefore, BOEM anticipates this resource would not be adversely affected by the Project, but measures will be implemented to avoid any possible physical impacts per consultation with the Virginia State Military Reservation and the stipulations herein; and

WHEREAS, within the range of the Project alternatives analyzed in the EIS, BOEM determined that one (1) historic aboveground resource in both the terrestrial APE and visual APE in Virginia (i.e., Camp Pendleton/State Military Reservation Historic District) would be physically and visually adversely affected by the Project; and

WHEREAS, within the range of the Project alternatives analyzed in the EIS, BOEM determined that the following 22 historic aboveground resources in the visual APE in Virginia would be visually adversely affected by the Project: Atlantic Wildfowl Heritage Museum/De Witt Cottage in Virginia Beach; Cavalier Hotel and Beach Club in Virginia Beach; Cavalier Shores Historic District in Virginia Beach; Chesapeake Bay Bridge-Tunnel in Northampton County and Virginia Beach; Chesapeake Light Tower in Virginia Beach; Cutty Sark Motel Efficiencies in Virginia Beach; Econo Lodge/Empress Motel in Virginia Beach; First Cape Henry Lighthouse (NHL) in Fort Story, Virginia Beach; Fort Story Historic District (Joint Expeditionary Base Little Creek-Fort Story) in Fort Story, Virginia Beach; Hilton Washington Inn/Quality Inn and Suites in Virginia Beach; House at 100 54th Street in Virginia Beach; House at 4910 Ocean Front Avenue in Virginia Beach; House at 5302 Ocean Front Avenue in Virginia Beach; House at 7900 Ocean Front Avenue in Virginia Beach; House at 8304–8306 Ocean Front Avenue in Virginia Beach; House at 8600 Ocean Front Avenue in Virginia Beach; Oceans II Condominiums/Aeolus Motel in Virginia Beach; Sandbridge Historic District in Virginia Beach; Seahawk Motel in Virginia Beach; Seatack Lifesaving Station/U.S. Coast Guard Station in Virginia Beach; Second Cape Henry Lighthouse in Fort Story, Virginia Beach; Virginia House in Virginia Beach; and

WHEREAS, within the range of the Project alternatives analyzed in the EIS, BOEM determined that one (1) historic aboveground resource in the visual APE in North Carolina (i.e., Currituck Beach Lighthouse in Corolla, Currituck County) would be visually adversely affected by the Project; and

WHEREAS, within the range of the Project alternatives analyzed in the EIS, BOEM determined that one (1) of two NHLs in the visual APE would be adversely affected by the Project (i.e., First Cape Henry Lighthouse in Fort Story, Virginia Beach, Virginia), and the other one (1) of two NHLs in the

visual APE would not be adversely affected by the Project (i.e., Eyre Hall in Northampton County, Virginia); and

WHEREAS, BOEM has planned and is taking action to minimize harm, as required by NHPA Section 110(f) at 36 CFR 800.10 to the one (1) adversely affected NHL (i.e., First Cape Henry Lighthouse) as explained in BOEM’s 2023 *Finding of Adverse Effect for the Coastal Virginia Offshore Wind Commercial Construction and Operations Plan* (hereinafter, *Finding of Effect*, and dated September 29, 2023); and

WHEREAS, BOEM has been engaged in consultation with the Nansemond Indian Nation regarding site(s) of religious and cultural significance located within the Back Bay National Wildlife Refuge (Refuge) in Virginia Beach, Virginia, managed by the United States Fish and Wildlife Service (USFWS). BOEM has not yet determined whether any sites of religious and cultural significance to Tribes are historic properties within the Refuge, and believes, based on comments from the Nansemond Indian Nation, that additional consultation and evaluation is necessary with the Nansemond Indian Nation and any other interested Tribes. BOEM therefore plans to defer the final identification of any historic properties at the Refuge, and if any historic properties are identified, the assessment of effects and potential resolution of adverse effects, pursuant to 36 CFR 800.4(b)(2) and 800.5(a)(3), and will do so consistent with the process set forth in Stipulation IV; and

WHEREAS, Virginia SHPO concurred with BOEM’s finding of adverse effect on September 28, 2023; and

WHEREAS, North Carolina SHPO concurred with BOEM’s finding of adverse effect on August 7, 2023; and

WHEREAS, throughout this document the term “Tribe” has the same meaning as “Indian Tribe” as defined at 36 CFR 800.16(m); and

WHEREAS, BOEM invited the following federally recognized Tribes to consult on this Project: the Absentee-Shawnee Tribe of Indians of Oklahoma; Cherokee Nation; Chickahominy Indian Tribe; Chickahominy Indian Tribe Eastern Division; Delaware Tribe of Indians; Eastern Band of Cherokee Indians; Eastern Shawnee Tribe of Oklahoma; Monacan Indian Nation; Nansemond Indian Nation; Pamunkey Indian Tribe; Rappahannock Tribe; Shawnee Tribe; The Delaware Nation; The Narragansett Indian Tribe; The Shinnecock Indian Nation; Tuscarora Nation; United Keetoowah Band of Cherokee Indians in Oklahoma; Upper Mattaponi Indian Tribe; and

WHEREAS, the Chickahominy Indian Tribe, Chickahominy Indian Tribe Eastern Division, Monacan Indian Nation, Nansemond Indian Nation, Pamunkey Indian Tribe, Rappahannock Tribe, The Delaware Nation, and Upper Mattaponi Indian Tribe accepted BOEM’s invitation to consult; and

WHEREAS, BOEM invited the Chickahominy Indian Tribe, Chickahominy Indian Tribe Eastern Division, Monacan Indian Nation, Pamunkey Indian Tribe, Rappahannock Tribe, The Delaware Nation, and Upper Mattaponi Indian Tribe to sign this MOA as concurring parties; and BOEM invited to the Nansemond Indian Nation to sign this MOA as an invited signatory; and

WHEREAS, the Cherokee Nation declined to participate in consultation; and

WHEREAS, the Absentee-Shawnee Tribe of Indians of Oklahoma, Delaware Tribe of Indians, Eastern Band of Cherokee Indians, Eastern Shawnee Tribe of Oklahoma, Shawnee Tribe, The Narragansett Indian Tribe, The Shinnecock Indian Nation, Tuscarora Nation, and United Keetoowah Band of Cherokee Indians in Oklahoma did not respond to BOEM’s invitation to consult; and

WHEREAS, BOEM acknowledges that Tribes possess special expertise in assessing the eligibility of historic properties that may possess religious and cultural significance to them, pursuant to 36 CFR § 800.4(c)(1); and

WHEREAS, in accordance with 36 CFR 800.3, BOEM invited other federal agencies, state and local governments, and consulting parties with a demonstrated interest in the undertaking to participate in this consultation; the list of those invited and accepting participation to direct invitations are listed in the *Lists of Invited and Interested Consulting Parties* (Attachment 2); and

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

WHEREAS, construction of the Project requires a Department of the Army (DA) permit from the United States Army Corps of Engineers (USACE) for activities that would result in the discharge of dredged or fill material into jurisdictional wetlands and/or other waters of the United States pursuant to Section 404 of the Clean Water Act, activities occurring in or affecting navigable waters of the United States pursuant to Section 10 of the Rivers and Harbors Act, for the Dam Neck Ocean Disposal Site crossing of Cells 2 and 5 by the Offshore Export Cables and crossing of the Intracoastal Waterway by three overhead 230 kV transmission lines pursuant to Section 14 of the Rivers and Harbors Act of 1899 (commonly referred to as Section 408); and

WHEREAS, BOEM invited USACE to consult since USACE has the authority to issue permits and permissions for this Project under Section 404 of the Clean Water Act (33 USC 1344), Section 10 of the Rivers and Harbors Act (33 USC 403), and Section 14 of the Rivers and Harbors Act (33 USC 408); and

WHEREAS, USACE 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 29, 2021), and BOEM invited USACE to sign this MOA as a concurring party; and

WHEREAS, the NAS Oceana 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 6, 2023) for activities that would occur for the construction of the Harper's Switching Station on property owned by NAS Oceana, and BOEM invited NAS Oceana to sign this MOA as a concurring party; and

WHEREAS, the Bureau of Safety of Environmental Enforcement (BSEE) 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 an electronic communication dated August 21, 2023), and BOEM invited BSEE to sign this MOA as a concurring party; and

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

WHEREAS, pursuant to 36 CFR 800.6(c)(2)(ii), BOEM invited the Nansemond Indian Tribe to sign this MOA as an invited signatory; and

WHEREAS, pursuant to 36 CFR 800.6(c)(2)(iii), BOEM invited the Lessee to sign this MOA as an invited signatory because the Lessee is assuming a responsibility under the MOA to implement certain stipulations; and

WHEREAS, pursuant to 36 CFR 800.6(c)(2)(iii), BOEM invited the City of Virginia Beach to sign this MOA as an invited signatory because the City of Virginia Beach is assuming a responsibility under the MOA to implement mitigation measures described in Stipulation III for historic properties in the City of Virginia Beach; and

WHEREAS, pursuant to 36 CFR 800.6(c)(2)(iii), BOEM invited Preservation Virginia to sign this MOA as an invited signatory because Preservation Virginia is assuming a responsibility under the MOA to implement mitigation measures described in Stipulation III for the First Cape Henry Lighthouse; and

WHEREAS, pursuant to 36 CFR 800.6(c)(2)(iii), BOEM invited Outer Banks Conservationists to sign this MOA as an invited signatory because Outer Banks Conservationists is assuming a responsibility under the MOA to implement mitigation measures described in Stipulation III for the Currituck Beach Lighthouse; and

WHEREAS, pursuant to 36 CFR 800.6(c)(2)(iii), BOEM invited VDMA-VaNG to sign this MOA as an invited signatory because VDMA-VaNG is assuming a responsibility under the MOA to assist in the implementation of mitigation measures described in Stipulation III for the Camp Pendleton/State Military Reservation Historic District; and

WHEREAS, pursuant to 36 CFR 800.6(c)(2)(iii), BOEM invited USFWS to sign this MOA as an invited signatory because USFWS is assuming a responsibility under the MOA to consult and participate in the phased and deferred identification described in Stipulation IV and may need to assist in the implementation of any potential mitigation measures for the Refuge; and

WHEREAS, pursuant to 36 CFR 800.6, BOEM invited the consulting parties as listed in *Lists of Invited and Interested Consulting Parties* (Attachment 2) 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 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 (required signatories and invited 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, 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 July 12, 14, and 20, 2021, and virtual public hearings related to the Draft EIS on January 25 and 31 and February 2, 2023; and

WHEREAS, BOEM conducted five Section 106 consultation meetings [September 9, 2022, December 15, 2022, April 13, 2023, June 12, 2023, and August 28, 2023] and invited all the participating consulting parties listed in Attachment 2 (*Lists of Invited and Interested Consulting Parties*) to these meetings; and

WHEREAS, BOEM made the first Draft MOA available to the Virginia SHPO, North Carolina SHPO, ACHP, Tribes, and consulting parties for review and comment in January 2023 and made an updated versions of the Draft MOA available to these parties for review and comment in June and August 2023.

NOW, THEREFORE, BOEM, Virginia SHPO, North Carolina SHPO, and ACHP agree that the undertaking will 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 the Lessee, will ensure that the following measures are carried out as conditions of its approval of the undertaking:

I. MEASURES TO AVOID ADVERSE EFFECTS ON IDENTIFIED HISTORIC PROPERTIES

A. BOEM will ensure that the following measures for avoiding adverse effects on historic properties located in the APE for the undertaking are required as conditions of approval of the Project COP:

1. Marine APE

- i. BOEM will include the following measures for avoiding adverse effects on historic properties in and immediately adjacent to the marine APE as described in the Lessee's avoidance plan for marine cultural resources (Attachment 3, *Avoidance Plan for Marine Archaeological Resources*):
 - a. The Lessee will establish horizontal protective buffers recommended by the Qualified Marine Archaeologist (QMA) for all 31 identified marine archaeological resources such that protective buffers are provided for:
 - 1) Six (6) marine archaeological resources (i.e., Targets 8, 10, 11, 14, 15, and 22) measuring a distance of no less than 164 feet (50 meters) from the known visible extent of each resource; and
 - 2) Twenty-four (24) marine archaeological resources (i.e., Targets 1–7, 9, 12, 13, 17–21, 23–31) measuring a distance of no less than 164 feet (50 meters) from the known center point of each resource; and
 - 3) One (1) marine archaeological resource (i.e., Target 16) measuring a distance of no less than 459 feet (140 meters) from the known center point of the resource.
 - b. The Lessee will establish horizontal protective buffers recommended by the QMA for all six (6) identified ASLFs such that protective buffers are provided for:
 - 1) P-02, located in the marine APE, measuring a distance of no less than 141 feet (43 meters) from the known extent of the resource, for a total avoidance area of 266.7 acres (107.9 hectares); and
 - 2) P-03, located in the marine APE, measuring a distance of no less than 164 feet (50 meters) from the known extent of the resource, for a total avoidance area of 9.91 acres (4.01 hectares); and
 - 3) P-04-A, located in the marine APE, measuring a distance of no less than 164 feet (50 meters) from the known extent of the resource, for a total avoidance area of 3.94 acres (1.59 hectares); and
 - 4) P-04-B, located in the marine APE, measuring a distance of no less than 164 feet (50 meters) from the known extent of the resource, for a total avoidance area of 22.05 acres (8.92 hectares); and
 - 5) P-01, located outside of the marine APE, measuring a distance of no less than 164 feet (50 meters) from the known extent of the resource, for a total avoidance area of 10.71 acres (4.33 hectares); and

- 6) P-05, located outside of the marine APE, measuring a distance of no less than 164 feet (50 meters) from the known extent of the resource, for a total avoidance area of 5.45 acres (2.2 hectares).

2. Terrestrial APE

- i. BOEM will include the following measures for avoiding adverse effects on historic properties as described in the Lessee's avoidance plan for cultural resources located in the terrestrial APE (Attachment 4, *Avoidance, Minimization, and Monitoring Plan for Cultural Resources in the Terrestrial APE*):
 - a. The Lessee will install temporary fencing for avoiding adverse effects on the three (3) terrestrial archaeological resources and the one (1) grave/memorial in the terrestrial APE such that:
 - 1) For [REDACTED] the known extent of each resource as identified in the Lessee's investigations will be delineated by fencing, flagging, and/or signage during all construction activities, and construction personnel will be instructed to stay outside of the delineated area; and
 - 2) For [REDACTED], the terrestrial APE will be delineated by fencing, flagging, and/or signage during all construction activities, and construction personnel will be instructed to stay within the delineated area; and
 - 3) For the grave/memorial on NAS Oceana (34-5027-0050), a buffer of 10 feet (3 meters) from the existing fencing of the resource will be delineated by fencing during all construction activities, and construction personnel will be instructed to stay outside of the fenced area.
 - b. The Lessee will install temporary fencing for avoiding adverse effects on one (1) terrestrial archaeological resource outside of but adjacent to the terrestrial APE such that:
 - 1) For 44VB0388, the known extent of the resource will be delineated by fencing during all construction activities, and construction personnel will be instructed to stay outside of the fenced area.
 - c. [REDACTED]

3. Visual APE

- i. To maintain avoidance of adverse effects on historic properties in the visual APE where BOEM determined no adverse effects or where no effects would occur, BOEM will require the Lessee to ensure that Project structures are within the design envelope, sizes, scale, locations, lighting prescriptions, and distances that were used by BOEM to inform the definition of the APE for the Project and for determining effects in the *Finding of Effect* (see the CVOW-C COP [2023]). If the project is modified, BOEM will follow Stipulation V (PROJECT MODIFICATIONS).

II. MEASURES TO MINIMIZE ADVERSE EFFECTS ON IDENTIFIED HISTORIC PROPERTIES

- A. BOEM has undertaken planning and actions to minimize adverse effects on historic properties located in the Project APE and will ensure the following measures are required as conditions of approval of the Project COP:
1. Terrestrial APE
 - i. BOEM will include the following measures for minimizing adverse effects on historic properties as described in the Lessee's minimization plan for cultural resources located in the terrestrial APE (Attachment 4, *Avoidance, Minimization, and Monitoring Plan for Cultural Resources in the Terrestrial APE*):
 - a. The Lessee will conduct archaeological monitoring of construction activities such that an archaeological monitor will be present at the locations of the following historic properties and cultural resources during construction activities that involve subsurface disturbance: 44CS0250; Camp Pendleton/State Military Reservation Historic District; and the grave/memorial on NAS Oceana (34-5027-0050).
 - b. The Lessee will consult with the Chickahominy Indian Tribe, Chickahominy Indian Tribe Eastern Division, Delaware Tribe of Indians, Monacan Indian Nation, Nansemond Indian Nation, Pamunkey Indian Tribe, Rappahannock Tribe, The Delaware Nation, and Upper Mattaponi Indian Tribe prior to implementation of the monitoring plans in Attachment 4.
 2. Visual APE
 - i. BOEM has undertaken planning and actions to minimize visual adverse effects to aboveground historic properties in the visual APE including minimizing harm to the one adversely affected NHL: the First Cape Henry Lighthouse. The minimization measures below will minimize visual adverse effects to all adversely affected historic properties in the visual APE and will minimize the undertaking's cumulative visual adverse effects, which 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 CVOW-C COP:
 - a. The Lessee will use uniform WTG design, speed, height, and rotor diameter to reduce visual contrast and decrease visual clutter.
 - b. The Lessee will include the option to reduce the number of constructed WTGs from a maximum proposed number of 202 positions to 176 positions or fewer, among the action alternatives analyzed in the EIS for the Project.
 - c. The Lessee will apply a RAL 7035 light gray paint color to the WTGs to help reduce potential visibility of the turbines against the horizon during daylight hours.
 - d. The Lessee will implement an aircraft detection lighting system (ADLS) to automatically activate lights when aircraft approach and then return to darkness. The WTGs and OSS will be lit and marked in accordance with Federal Aviation Administration and U.S. Coast Guard 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 ON IDENTIFIED HISTORIC PROPERTIES

- A. BOEM will ensure that the Lessee will resolve adverse effects on the one (1) adversely affected historic property located in both the terrestrial and visual APEs and 23 adversely affected aboveground historic properties in the visual APE through the following measures:
1. Funding and Implementation of Historic Property Treatment Plans (HPTPs). BOEM will ensure that the following measures, which are described in HPTPs to resolve adverse effects on the 24 adversely affected aboveground historic properties are required as conditions of approval of the Project COP and are funded and implemented by the Lessee according to a timeline determined through consultation. The measures included in this stipulation are based on consultation regarding the historic preservation priorities of the consulting parties associated with the affected historic properties. Attachment 10 (*Mitigation Funding Amounts*) contains budgets for each mitigation measure in Stipulation III.A.1.i-v that includes funding for mitigation efforts, reflecting good faith estimates, based on the experience of qualified consultants with similar activities and comparable historic properties. The Lessee is not required to spend more than \$1,890,000 total for the measures listed in Stipulation III.A.1.i-v. This amount, however, does not include or limit any mitigation funding that might be required as a result of the phased and deferred identification, evaluation, and assessment of effects described below in Stipulation IV.
 - i. Atlantic Wildfowl Heritage Museum/De Witt Cottage; Cavalier Hotel and Beach Club; Cavalier Shores Historic District; Chesapeake Bay Bridge-Tunnel; Chesapeake Light Tower; Cutty Sark Motel Efficiencies; Econo Lodge/Empress Motel; Hilton Washington Inn/Quality Inn and Suites; House (100 54th Street); House (4910 Ocean Front Avenue); House (5302 Ocean Front Avenue); House (7900 Ocean Front Avenue); House (8304–8306 Ocean Front Avenue); House (8600 Ocean Front Avenue); Oceans II Condominiums/Aeolus Motel; Sandbridge Historic District; Seahawk Motel; Seatack Lifesaving Station/U.S. Coast Guard Station; Second Cape Henry Lighthouse; and Virginia House. The following mitigation measures would be implemented to resolve adverse effects, including supporting the historic preservation priorities of the City of Virginia Beach, on these historic properties as described in the *Offshore Historic Properties Treatment Plan – Offshore Project Components in Virginia Beach, VA and Currituck, NC* (Attachment 5):
 - a. The Lessee will provide financial support to the City of Virginia Beach for the documentation or National Register of Historic Places (NRHP) nominations of historic gunning and hunting clubs in Virginia Beach. This measure may include the preparation of NRHP nominations for the Pocahontas Fowling Club and the Princess Anne County Gunning and Hunt Clubs Multiple Property Document (MPD), or documentation of other similar clubs in Virginia Beach. These funds will support scholarship on these historic resources, further the understanding of the properties and educate the public on gunning and hunting clubs.
 - b. The Lessee will provide financial support to the City of Virginia Beach to develop preservation planning documents. These documents and programs may include a Sea

Level Rise Mitigation Plan. This measure serves to mitigate the adverse effects on multiple properties in and near the City of Virginia Beach.

- c. The Lessee will provide financial support to the City of Virginia Beach to develop educational programs and interpretation of the Virginia Beach Surf and Rescue Museum located in the Seatack Lifesaving Station/U.S. Coast Guard Station and the Atlantic Wildfowl Heritage Museum/De Witt Cottage.
 - d. The Lessee will provide financial support to the City of Virginia Beach for the production of a Pattern Book for the Cavalier Shores Historic District. These funds will support scholarship on the historic resources and further the understanding of the properties by the public. This measure serves to educate the public on this residential historic district and mitigate the adverse effects to that district.
 - e. The Lessee will provide financial support for the City of Virginia Beach's preservation planning priorities. These funds may be used to support the survey and documentation of Doyletown and Queen City, depending on the needs and interest of these communities, or for the development of NRHP nominations for historic hotels in Virginia Beach. These funds will support scholarship on the historic resources and further the understanding of the properties by the public. This measure serves to educate the public on residential historic districts and historic hotels and motels and mitigate the adverse effects on these properties.
 - f. The Lessee will provide the financial support for the measures described in Stipulation III.A.1.i.a-e within one year of the execution of the MOA.
 - g. Once the Lessee has provided the financial support for the measures listed in Stipulation III.A.1.i.a-e, the City of Virginia Beach will oversee scheduling, set standards, hire contractors, and review draft and final deliverables, as described in Attachment 5. The City of Virginia Beach will ensure that the mitigation measures are complete within five years after the MOA is executed, unless another timeline is agreed upon by the City of Virginia Beach, the Lessee, VA SHPO, and BOEM. The Lessee will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV (MONITORING AND REPORTING) of this Agreement.
- ii. Currituck Beach Lighthouse. The following mitigation measure would be implemented to resolve adverse effects on this historic property as described in the *Offshore Historic Properties Treatment Plan – Offshore Project Components in Virginia Beach, VA and Currituck, NC* (Attachment 5):
- a. The Lessee will provide financial support to Outer Banks Conservationists, the organization that maintains the Currituck Beach Lighthouse, to fund priority preservation projects including, but not limited to, exterior masonry repairs, interior masonry and ironwork, a conditions assessment of the original First Order Fresnel lens, and other annual lighthouse restoration maintenance.
 - b. The Lessee will provide the financial support for the measures described in Stipulation III.A.1.ii.a within one year of the execution of the MOA.
 - c. Once the Lessee has provided the financial support for the measures listed in Stipulation III.A.1.ii.a, the Outer Banks Conservationist will implement the

mitigation activities and ensure compliance with relevant standards, as described in Attachment 5. The Outer Banks Conservationists will ensure that the mitigation measures are complete within five years after the MOA is executed, unless another timeline is agreed upon by the Outer Banks Conservationists, the Lessee, NC SHPO, and BOEM. The Lessee will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV (MONITORING AND REPORTING) of this Agreement.

- iii. First Cape Henry Lighthouse (NHL). The following mitigation measure would be implemented to resolve adverse effects under Section 106 as well as under Section 110(f) on the First Cape Henry Lighthouse NHL as described in the *Offshore Historic Properties Treatment Plan – Offshore Project Components in Virginia Beach, VA and Currituck, NC* (Attachment 5):
 - a. The Lessee will provide financial support to Preservation Virginia to fund priority preservation projects including, restoration projects, educational programming, or the development of a renovation and expansion plan for the Cape Henry Lighthouse Visitor Services Center. This measure would support the interpretation of the First Cape Henry Lighthouse for the public good.
 - b. The Lessee will provide the financial support for the measures described in Stipulation III.A.1.iii.a within one year of the execution of the MOA.
 - c. Once the Lessee has provided the financial support for the measures listed in Stipulation III.A.1.iii.a, Preservation Virginia will oversee scheduling, hiring contractors, and executing the restoration projects, educational programming, or renovation and expansion plan, as described in Attachment 5. Preservation Virginia will ensure that the mitigation measures are complete within five years after the MOA is executed, unless another timeline is agreed upon by Preservation Virginia, the Lessee, VA SHPO, and BOEM. The Lessee will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV (MONITORING AND REPORTING) of this Agreement.
- iv. Fort Story Historic District. The following mitigation measure would be implemented to resolve adverse effects on this historic property as described in the *Offshore Historic Properties Treatment Plan – Fort Story Historic District* (Attachment 6):
 - a. In coordination with BOEM and the United States Navy/Joint Expeditionary Base Little Creek-Fort Story (U.S. Navy/JEBLCFS), the Lessee will hire contractors to design, write, and produce an informational brochure about the architectural heritage of the Fort Story Historic District.
 - b. The Lessee will begin implementation of the measures described in Stipulation III.A.1.iv.a within one year of the execution of the MOA.
 - c. The Lessee will oversee all deliverables, provide draft and final copies to U.S. Navy/JEBLCFS for review and comment, and print copies of the final brochure and deliver them to the U.S. Navy/JEBLCFS, as described in Attachment 6. The Lessee will ensure that the mitigation measures are complete within five years after the MOA is executed, unless another timeline is agreed upon by the U.S. Navy/JEBLCFS, the Lessee, VA SHPO, and BOEM. The Lessee will provide

notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV (MONITORING AND REPORTING) of this Agreement.

- v. Camp Pendleton/State Military Reservation Historic District. The following mitigation measures would be implemented to resolve physical and visual adverse effects on this historic property and support the historic preservation priorities of VDMA-VaNG as described in *Historic Properties Treatment Plan Camp Pendleton/State Military Reservation Historic District* (Attachment 7):
 - a. In coordination with BOEM and the VDMA-VaNG, the Lessee will hire contractors to produce documentation of Building 410 and Building 59 according to VA SHPO's *Guidelines for Conducting Historic Resources Survey in Virginia* for intensive survey, including recordation and photography of the interior and exterior of each building and significant associated landscape features, and research into the history and significance of these buildings within the District and as historic building types.
 - b. In coordination with BOEM and VDMA-VaNG, the Lessee will hire contractors to complete a digital photo documentation of the Camp Pendleton/SMR Historic District landscapes and contributing resources, including pre- and post-construction digital photos of the district where it is traversed by the Project.
 - c. In coordination with BOEM and VDMA-VaNG, the Lessee will hire contractors to design and install two interpretive kiosks or panels at a location chosen by VDMA-VaNG. The kiosks/panels will discuss the historical landscape of the District, highlighting what has changed and what remains intact, and framing the discussion in the context of the facility's history and significance.
 - d. The Lessee will begin implementation of the measures described in Stipulation III.A.1.v.a-c within one year of the execution of the MOA.
 - e. The Lessee will oversee the implementation of the measures listed in Stipulation III.A.1.v.a-c, including hiring contractors and overseeing the documentation of the buildings and the design and installation of the kiosks/panels in consultation with VDMA-VaNG. VDMA-VaNG will consult on implementation of this HPTP, including providing research materials, reviewing and commenting on draft documentation materials and kiosk/panel designs and content, and coordinating with the Lessee on the installation of the kiosks/panels, as described in Attachment 7. The Lessee and VDMA-VaNG will ensure that the mitigation measures are complete within five years after the MOA is executed, unless another timeline is agreed upon by VDMA-VaNG, the Lessee, VA SHPO, and BOEM. The Lessee will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV (MONITORING AND REPORTING) of this Agreement.

IV. PHASED IDENTIFICATION

- A. BOEM's ongoing consultation with the Nansemond Indian Nation has highlighted that there are site(s) of religious and cultural significance to the Tribe within the visual APE at Back Bay National Wildlife Refuge (Refuge) that were not addressed in BOEM's Section 106 review prior to the finalization and execution of this MOA. BOEM, through consultation with the Nansemond Indian Nation, proposed phased and deferred identification and evaluation of historic properties within the Refuge portion of the visual APE and are therefore necessary to occur after publication

of the Final EIS and Record of Decision. BOEM, with the assistance of the Lessee, and pursuant to 36 CFR § 800.4(b)(2), will conduct the identification and evaluation process in consultation with the Nansemond Indian Nation and other interested Tribes and will seek and incorporate their Tribal expertise in this process. BOEM will also complete a cumulative visual effects analysis. In the event historic properties are identified in the Refuge, BOEM will apply the criteria of adverse effect, pursuant to 36 CFR § 800.5 to assess effects to the properties, and BOEM will resolve any adverse effects, pursuant to 36 CFR § 800.6, as outlined below in this stipulation. BOEM, with the assistance of the Lessee, will ensure the confidentiality of the information collected through this phased identification and evaluation process. The following measures will be implemented for phased identification in the Refuge:

1. Identification

- i. The Lessee will develop a Phased Identification Plan (PIP) in consultation with BOEM, the Nansemond Indian Nation, the USFWS, VA SHPO, and other interested Tribes. The Lessee will prepare the PIP pursuant to Stipulation VI (REVIEW PROCESS FOR DOCUMENTS) of this Agreement within one year after the MOA is executed. The PIP will include the following components:
 - a. A geographic description and maps of the survey area, including a map showing the survey area in relation to the Project visual APE.
 - b. A brief description of the research and survey methodology, including methods for seeking Tribal expertise. Methods may include, but are not limited to, background research and literature review, oral history interviews with knowledgeable Tribal members, and field visits with knowledgeable Tribal members. This section will also include a description of how participating Tribal members will be compensated for their time and any associated travel for field visits.
 - c. An anticipated schedule for coordination with the Nansemond Indian Nation and other interested Tribes, consultation, survey, and report completion.
 - d. Measures for maintaining confidentiality.
- ii. The Lessee will conduct the phased identification in accordance with applicable state guidelines, recommendations presented in BOEM's most recent Guidelines, and other applicable guidelines, including but not limited to the most recent versions of the NPS's *National Register Bulletin 38: Guidelines for Evaluating and Documenting Traditional Cultural Properties* and *Guide to Cultural Landscape Reports: Contents, Process, and Techniques*, and ACHP's *Guidance on Traditional Knowledge and the Section 106 Process: Information for Federal Agencies and Other Participants*.
 - a. BOEM requires that identification and evaluation efforts be documented in a supplemental technical report that addresses the identification of historic properties of religious and cultural significance to Tribes, and includes an assessment of effects applying the criteria of adverse effect pursuant to 36 CFR § 800.5(a).
 - 1) The supplemental report will include a summary of consultation among BOEM, the Lessee, and Tribes and will prioritize Tribal expertise in assessing sites of

religious and cultural significance to the Nansemond Indian Nation and other interested Tribes located within the Refuge.

- 2) Should the Nansemond Indian Nation, the USFWS, the VA SHPO, or other interested Tribes object to a determination of eligibility, BOEM will submit the determination to the Keeper of the National Register of Historic Places for resolution pursuant to 36 CFR § 800.4(c)(2).

2. Assessment of Effects

- i. BOEM, in consultation with Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee, will apply the criteria of adverse effect pursuant to 36 CFR § 800.5(a) to any historic properties identified in the supplemental report. BOEM will consider any views concerning effects on historic properties provided by these parties.
- ii. BOEM will analyze cumulative visual effects for any adversely affected historic properties identified in the phased identification and will include this cumulative visual effects assessment in the supplemental report.
- iii. BOEM will consult with the Nansemond Indian Nation, the USFWS, VA SHPO, and other interested Tribes on the supplemental report, including the assessment of effects.
- iv. BOEM will consider existing avoidance and minimization measures defined in this MOA (Stipulation I. MEASURES TO AVOID ADVERSE EFFECTS ON IDENTIFIED HISTORIC PROPERTIES and Stipulation II. MEASURES TO MINIMIZE ADVERSE EFFECTS ON IDENTIFIED HISTORIC PROPERTIES) when assessing effects to any historic properties identified through the phased identification and evaluation process.
- v. For any disputes regarding the assessment of effects findings, BOEM will resolve the objections pursuant to the dispute resolution process set forth in Stipulation XV (DISPUTE RESOLUTION).
- vi. *No Adverse Effect*: If BOEM identifies no additional historic properties or determines that no historic properties are adversely affected as a result of this phased identification, BOEM, with the assistance of the Lessee, will notify and consult with the Nansemond Indian Nation, the USFWS, VA SHPO, and other interested Tribes following the consultation process set forth here in this stipulation.
 - a. BOEM will notify the Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee about BOEM's determination or finding. BOEM will provide a copy of the supplemental report.
 - b. BOEM will allow the Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee 60-calendar days to review and comment on the survey reports, the results of the surveys, BOEM's determination, and the documents.
 - c. After the 60-calendar day review period has concluded and if no comments require additional consultation, BOEM will notify the Nansemond Indian Nation, the USFWS, other interested Tribes, and the Lessee that the VA SHPO has agreed on the

results of this identification and, if they received any comments, provide a summary of the comments and BOEM's responses.

- d. BOEM, with the assistance of the Lessee, will conduct a consultation meeting during this 60-calendar day review period and conduct any additional consultation meetings if requested by the Nansemond Indian Nation, the USFWS, VA SHPO, and other interested Tribes.
 - e. This MOA will not need to be amended if no additional historic properties are identified, affected, or adversely affected.
- vii. *Adverse Effect:* If BOEM determines that adverse effects to identified historic properties will occur based on the information in the supplemental report, BOEM will notify and consult with the Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee regarding BOEM's finding and the proposed measures to resolve the adverse effect(s).

3. Resolution of Adverse Effects

- i. BOEM will determine through consultation with the Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee measures for avoidance, minimization, and mitigation in order to resolve adverse effect(s), following the consultation process set forth here in this stipulation. BOEM will weigh a variety of factors in reaching decisions about appropriate resolution measures through consultation, including the significance of the historic property, the magnitude and nature of the undertaking and its adverse effect, views of the Nansemond Indian Nation, other interested Tribes, and VA SHPO, and associated costs.
 - a. The Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee will have 60-calendar days to review and comment on the proposed resolution of adverse effect(s), including a draft treatment plan(s).
 - b. BOEM, with the assistance of the Lessee, will invite the Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee to a consultation meeting during this 60-calendar day review period and conduct any additional consultation meetings as necessary.
 - c. BOEM, with the assistance of the Lessee, will respond to the comments and make necessary edits to the documents.
 - d. BOEM will send the revised draft final documents to the Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee for review and comment during a 30-calendar day review and comment period. With this same submittal of draft final documents, BOEM will provide a summary of all the comments received on the documents and BOEM's responses.
 - e. BOEM, with the assistance of the Lessee, will respond to the comments on the draft final documents and make necessary edits to the documents to develop the final HPTP(s).

- f. Once BOEM has received agreement from the VA SHPO on the finding of new adverse effect(s), BOEM has accepted the final HPTP(s), then BOEM will notify the Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee that the final HPTP(s) have been accepted. With this notification, BOEM will provide the final document(s), including any final HPTP(s) and a summary of comments and BOEM's responses to comments (if they receive comments on the draft final documents).
- g. For any disputes regarding the resolution of adverse effects, BOEM will resolve the objections pursuant to the dispute resolution process set forth in Stipulation XV (DISPUTE RESOLUTION)
- h. The MOA will not need to be amended after the HPTP(s) is accepted by BOEM.

V. PROJECT MODIFICATIONS

- A. If the Lessee proposes any modification(s) to the Project that expands the Project beyond the Project Design Envelope included in the COP and/or occurs outside of the defined APE, or if the proposed modifications would change BOEM's final determinations and findings for this Project, the Lessee will notify and provide BOEM with information concerning the proposed modifications. BOEM will determine if these modifications require alteration of the conclusions reached in the *Finding of Effect* in a manner that would require additional consultation with the signatories and consulting parties. If BOEM determines that additional consultation is required, the Lessee will provide the signatories and consulting parties with the information concerning the proposed changes, and these parties 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 and consulting parties prior to agreeing to any proposed changes. Using the procedure below, BOEM will, as necessary, consult with the 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 allowed pursuant to this Stipulation V would not require an amendment to the MOA.
 - 1. If the Project is modified and BOEM identifies no additional historic properties or determines that no additional historic properties will be adversely affected due to the modification, the Lessee will notify and consult with the signatories and consulting parties following the consultation process set forth in this Stipulation V.A.1.
 - i. The Lessee will notify all the signatories and consulting parties about the proposed change and BOEM's determination 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 survey reports.
 - ii. BOEM and the Lessee will allow the signatories and consulting parties 30 calendar days to review and comment on the proposed change, BOEM's determination, and the documents.
 - iii. After the 30-calendar day review period has concluded and if no comments require additional consultation, the Lessee will notify the signatories and consulting parties that BOEM has approved the project modification and, if any comments were received, provide a summary of the comments and BOEM's responses.

- iv. BOEM, with the assistance of the Lessee, will conduct any consultation meetings if requested by the signatories or consulting parties.
 2. If BOEM determines new adverse effects on historic properties will occur due to a Project modification, BOEM, with the assistance of the Lessee, will notify and consult with the signatories and consulting parties regarding BOEM's finding and the proposed measures to resolve the adverse effect(s) including the development of a new HPTP(s) following the consultation process set forth in this Stipulation V.A.2.
 - i. The Lessee will notify all signatories and consulting parties about this proposed modification, BOEM's determination, and the proposed resolution measures for the adverse effect(s).
 - ii. The signatories and consulting parties will have 30 calendar days to review and comment on the adverse effect finding and the proposed resolution of adverse effects, including a draft HPTP(s).
 - iii. BOEM, with the assistance of the Lessee, will conduct additional consultation meetings, if necessary, during consultation on the adverse effect finding and during drafting and finalization of the HPTP(s).
 - iv. BOEM, with the assistance of the Lessee, will respond to the comments and make necessary edits to the documents.
 - v. The Lessee will send the revised draft final documents to the other 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, the Lessee will provide a summary of all the comments received on the documents and BOEM's responses.
 - vi. BOEM, with the assistance of the Lessee, will respond to the comments on the draft final documents and make necessary edits to the documents.
 - vii. The Lessee will notify the signatories and consulting parties that BOEM has approved the project modification and will provide the final document(s) including the final HPTP(s) and a summary of comments and BOEM's responses to comments, if any comments are received on the draft final documents, after BOEM has received agreement from the affected SHPO(s) on the finding of new adverse effect(s), BOEM has accepted the final HPTP(s), and BOEM has approved the Project modification.
- B. If any of the signatories or consulting parties object to determinations, findings, or resolutions made pursuant to these measures (Stipulation V.A.1-2), BOEM will resolve any such objections pursuant to the dispute resolution process set forth in Stipulation XV (DISPUTE RESOLUTION).

VI. REVIEW PROCESS FOR DOCUMENTS

- A. The following process will be used for any document, report, or plan produced in accordance with the stipulations of this MOA:
 1. Draft Document:

- i. The Lessee will provide the document to BOEM for technical review and approval.
 - a. BOEM will have 15 calendar days to complete their technical review.
 - b. If BOEM does not approve the document, they will submit comments back to the Lessee, who will have 15 calendar days to address the comments.
 - ii. BOEM, with the assistance of the Lessee, will provide the draft document to SHPO[s], invited signatories, and consulting parties, except the ACHP, for review and comment.
 - a. SHPO[s], invited signatories, and consulting parties will have 30 calendar days to review and comment.
 - b. BOEM, with the assistance of the Lessee, will coordinate a meeting with SHPO[s], invited signatories, and consulting parties to facilitate comments on the document if requested by a consulting party.
 - c. BOEM will consolidate comments received and provide them to the Lessee within 15 calendar days of receiving all comments from SHPO[s], invited signatories, and consulting parties.
 - d. BOEM, with the assistance of the Lessee, will respond to the comments and make necessary edits to the documents.
2. Draft Final Document:
- i. The Lessee will provide BOEM with the draft final document for technical review and approval.
 - a. BOEM will have 15 calendar days to complete their technical review.
 - b. If BOEM does not approve the document, they will submit comments back to the Lessee, who will have 15 calendar days to address the comments.
 - ii. BOEM, with the assistance of the Lessee, will provide the draft final document to SHPO[s], invited signatories, and consulting parties, except the ACHP, for review and comment. With this submittal of draft final documents, BOEM, with the assistance of the Lessee, will provide a summary of all the comments received on the documents and BOEM's responses.
 - a. SHPO[s], invited signatories, and consulting parties will have 30 calendar days to review and comment.
 - b. BOEM, with the assistance of the Lessee, will coordinate a meeting with SHPO[s], invited signatories, and consulting parties to facilitate comments on the document if requested by a consulting party.
 - c. BOEM will consolidate comments received and provide them to the Lessee within 15 calendar days of receiving all comments from SHPO[s], invited signatories, and consulting parties.

- d. BOEM, with the assistance of the Lessee, will respond to the comments and make necessary edits to the documents.
3. Final Document:
 - i. The Lessee will provide BOEM with the final document for approval.
 - a. BOEM has 15 calendar days to complete their technical review.
 - b. If BOEM does not provide approval, they will submit comments back to the Lessee, who will have 15 calendar days to address the comments.
 - c. BOEM, with the assistance of the Lessee, will provide the final document to SHPO[s], invited signatories, and consulting parties, except the ACHP, within 30 calendar days of approving the final document. With this same submittal of final documents, the Lessee will provide a summary of all the comments received on the documents and BOEM's responses.

VII. SUBMISSION OF DOCUMENTS

- A. All submittals to federally recognized Tribes, VA SHPO, NC SHPO, ACHP, and other consulting parties will be submitted electronically unless a specific request is made for the submittal to be provided in paper format.

VIII. CURATION

- A. BOEM, with the assistance of the Lessee, will ensure that for collections and associated documentation 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 will 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. No excavation should be initiated before acceptance and approval of a curation plan.
 2. Any archaeological materials removed from property owned by NAS Oceana will be placed at Fort Gregg-Adams Regional Artifact Curation Facility in accordance with the *Memorandum of Agreement Between United States Army Garrison Fort Lee Regional Archaeological Curation Facility, Directorate Of Public Works, United States Army and Commander, Navy Region Mid-Atlantic* (2022) and/or another identified repository of the Navy.
 3. For any archaeological materials removed from federal lands or the OCS that are affiliated with or culturally significant to federally recognized Tribes, the potentially affiliated Tribe(s) will be consulted on the location and manner of curation, including materials removed from the NAS Oceana property and identified through consultation.

- B. BOEM, with the assistance of the Lessee, will ensure that for collections and associated documentation 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 will be curated within the state of their origin at a repository preferred by the appropriate SHPO, or an approved and certified repository, in accordance with the standards and guidelines required by the appropriate SHPO. Lands as described here may include the seafloor in state waters. No excavation should be initiated before acceptance and approval of a curation plan.
 - i. Any archaeological materials removed from the State Military Reservation property will be curated by VDMA-VaNG at the Army National Guard Military Training Center near Blackstone, Virginia.
 - ii. If there are any recovered collections that are affiliated with or culturally significant to federally recognized Tribes, the potentially affiliated Tribe(s) will be consulted on the location and manner of curation, including material removed from the State Military Reservation property.
 2. Collections from private lands that would remain private property: In cases where archaeological surveys and testing are conducted on private land, any recovered collections remain the property of the landowner. In such instances, BOEM and the Lessee, in coordination with the appropriate SHPOs and affected Tribe(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, the Lessee will seek to have the materials donated to the repository identified under Stipulation VIII.B.1 through a written donation agreement developed in consultation with the consulting parties. BOEM, assisted by the Lessee, 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 the Lessee will ensure that recovered archaeological materials and related documentation are curated in a suitable repository as agreed to by BOEM, appropriate SHPOs, and affected Tribe(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 will be curated in accordance with 36 CFR 79. No excavation should be initiated before BOEM's acceptance and approval of a curation plan, after consulting with the appropriate SHPO and affected Tribe(s) as applicable.
 3. For any archaeological materials removed from private lands, if there are any recovered collections that are affiliated with or culturally significant to federally recognized Tribes, and if the collections are given to a repository as contemplated by this stipulation, the potentially affiliated Tribe(s) will be consulted on the location and manner of curation.
- C. When applicable, BOEM will follow the principles within the ACHP's *Policy Statement Regarding Burial Sites, Human Remains, and Funerary Objects*, dated March 1, 2023.

IX. PROFESSIONAL STANDARDS AND QUALIFICATIONS

- A. Secretary of the Interior's Standards for Archaeology and Historic Preservation. The Lessee will ensure that all work carried out pursuant to this MOA will meet the SOI Standards for Archaeology and Historic Preservation, 48 FR 44716 (September 29, 1983), taking into account the suggested approaches to new construction in the SOI's Standards for Rehabilitation.

- B. SOI Professional Qualifications Standards. The Lessee will ensure that all work carried out pursuant to this MOA is performed by or under the direct supervision of historic preservation professionals who meet the SOI's Professional Qualifications Standards (48 FR 44738-44739). A "qualified professional" is a person who meets the relevant standards outlined in such SOI's Standards. BOEM, or its designee, will ensure that consultants retained for services pursuant to the MOA meet these standards. Additionally, historic preservation professionals cannot have been censured by any SHPO, THPO, or other professional organization.
- C. Investigations of Marine Archaeological Resources and ASLFs. The Lessee will ensure that any additional investigations of marine archaeological resources and ASLFs will be conducted and reports and other materials produced by one or more QMAs and geological specialists who meet the SOI's Professional Qualifications Standards and who have experience both in conducting HRG surveys and processing and interpreting the resulting data for archaeological potential, as well as collecting, subsampling, and analyzing cores.
- D. Tribal Consultation Experience. BOEM, with the assistance of the Lessee, will ensure that all work carried out pursuant to this MOA that requires consultation with Tribes is performed by professionals who have demonstrated professional experience consulting with federally recognized Tribes.
- E. BOEM Acknowledgement of the Special Expertise of Tribes. BOEM recognizes that all tribal participants and knowledge need not conform to the SOI's standards, acknowledging that Tribes possess special expertise in assessing the eligibility of historic properties that may possess religious and cultural significance to Tribes, pursuant to 36 CFR 800.4(c)(1).

X. DURATION

- A. This MOA will expire (1) when the decommissioning of the Project in the Lease Area is complete, as defined in the Lessee's lease with BOEM (Lease Number OCS-A 0483), or (2) 33 years from the date of COP approval, whichever occurs first. Prior to such time, BOEM may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation XVI (AMENDMENTS).

XI. TRIBAL AND ARCHAEOLOGICAL MONITORING

- A. Implementation of Archaeological Monitoring Plans. The Lessee will implement the archaeological monitoring plan for terrestrial archaeological resources (Attachment 4, *Avoidance, Minimization, and Monitoring Plan for Cultural Resources in the Terrestrial APE*) for the areas identified for archaeological monitoring.
- B. In the event of a post-review discovery during archaeological monitoring, the process identified under Stipulation XIII (POST-REVIEW DISCOVERIES) will apply.

XII. POST-REVIEW DISCOVERIES

- A. Implementation of Post-Review Discovery Plans. If historic properties are discovered that may be historically significant or unanticipated effects on historic properties are found, BOEM and BSEE, with the assistance of the Lessee, will implement the post-review discovery plan (PRDPs) for marine archaeology (Attachment 8, *Unanticipated Discoveries Plan – Plans and Procedures Addressing Unanticipated Discoveries of Cultural Resources and Human Remains, in Support of the Coastal Virginia Offshore Wind Commercial Project Located on the Outer Continental Shelf Offshore Virginia*) and terrestrial archaeology (Attachment 9, *Unanticipated Discoveries Plan –*

Plan for Unanticipated Discoveries of Cultural Resources and Human Remains – Terrestrial Archaeological Resources).

1. The signatories acknowledge and agree that it is possible that additional historic properties may be discovered prior to or 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 historic property or unanticipated effects on a historic property prior to or during construction, installation, O&M, or decommissioning of the Project, the Lessee will implement the following actions which are consistent with the post-review discovery plans for marine archaeology (Attachment 8, *Unanticipated Discoveries Plan – Plans and Procedures Addressing Unanticipated Discoveries of Cultural Resources and Human Remains, in Support of the Coastal Virginia Offshore Wind Commercial Project Located on the Outer Continental Shelf Offshore Virginia*) and terrestrial archaeology (Attachment 9, *Unanticipated Discoveries Plan – Plan for Unanticipated Discoveries of Cultural Resources and Human Remains – Terrestrial Archaeological Resources*):
 1. Immediately halt all ground- or seafloor-disturbing activities within the area of discovery.
 2. Notify BOEM and BSEE simultaneously in writing via report within 72 hours of the discovery.
 - i. In the case that the discovery is within an USACE permit area, BOEM will notify USACE and consulting Tribes as identified in the post-review discovery plans for marine archaeology (Attachment 8) and terrestrial archaeology (Attachment 9) of the discovery after receiving notice from the Lessee.
 - ii. In the case that HMS Kingston Ceylonite is identified, BOEM will notify both the Naval History and Heritage Command (Underwater Archaeology Branch) and the U.S. State Department of the discovery after receiving notice from the Lessee.
 - iii. In the case that a discovery occurs on property owned by the U.S. Navy at NAS Oceana, BOEM will notify the Commander, Navy Region Mid-Atlantic of the discovery after receiving notice from the Lessee.
 3. Keep the location of the discovery confidential and take no action that may adversely affect the discovered property until BOEM or their designee has made an evaluation and instructs the Lessee on how to proceed.
 4. Conduct any additional investigations as directed by BOEM or their designee to determine, in consultation with the appropriate SHPO and applicable federally recognized Tribes, if the resource is eligible for listing in the NRHP (30 CFR 585.802(b)). BOEM will direct the Lessee to complete additional investigations, as BOEM deems appropriate, if:
 - i. The site has been impacted by Project activities; or
 - ii. Effects on the site from Project activities cannot be avoided.
 5. If investigations indicate that the resource is eligible for listing in the NRHP, BOEM, with the assistance of the Lessee, will work with the other relevant 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 there is any evidence that the discovery is from an indigenous society or appears to be a burial site, the Lessee, notwithstanding provision XI.B.3, will contact, concurrently with BOEM, the Tribes 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 Tribes pursuant to the post-review discovery plan.
7. If BOEM incurs costs in addressing the discovery, under Section 110(g) of the NHPA, BOEM may charge the Lessee reasonable costs for carrying out historic preservation responsibilities, pursuant to its delegated authority under the OCS Lands Act (30 CFR 585.802 (c-d)).

XIII. EMERGENCY SITUATIONS

- A. In the event of an emergency or disaster that is declared by the President or the Governors of Virginia or North Carolina, which represents an imminent threat to public health or safety, or creates a hazardous condition due to impacts from this Project's infrastructure damaged during the emergency and affecting historic properties in the APE, BOEM with the assistance of the Lessee will notify the consulting Tribes, SHPOs, and the ACHP of the condition which has initiated the situation and the measures taken to respond to the emergency or hazardous condition. BOEM will make this notification as soon as reasonably possible, but no later than 48 hours from when it becomes aware of the emergency or disaster. If the consulting Tribes, 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.

XIV. 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, the Lessee will prepare and, following BOEM's review and agreement to share this summary report, provide all signatories and consulting parties to this MOA a summary report detailing work undertaken pursuant to the MOA. Such report will include a description of how the stipulations relating to avoidance and minimization measures (Stipulation I (MEASURES TO AVOID ADVERSE EFFECTS ON IDENTIFIED HISTORIC PROPERTIES) and Stipulation II (MEASURES TO MINIMIZE ADVERSE EFFECTS ON IDENTIFIED HISTORIC PROPERTIES)) were implemented; any scheduling changes proposed; any problems encountered; and any disputes and objections received with respect to BOEM's efforts to carry out the terms of this MOA. The Lessee can satisfy its reporting requirement under this stipulation by providing the relevant portions of the annual compliance certification required under 30 CFR 285.633. If requested by the signatories, BOEM will convene an annual meeting with the other signatories, invited signatory, and consulting parties to discuss the annual report, the implementation of this MOA, and other requested topics.

XV. DISPUTE RESOLUTION

- A. If any 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 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, and/or consulting parties and will provide each of them with a copy of this written response. BOEM will then make a final decision and proceed accordingly.
2. Make a final decision on the dispute and proceed accordingly if ACHP does not provide its advice regarding the dispute within the 30-calendar-day time period. 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 or consulting parties to the MOA and provide each of them and the ACHP with a copy of such written response.
- B. BOEM's and the Lessee's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute 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.

XVI. AMENDMENTS

- A. This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy of the amendment signed by the signatories is filed with the ACHP.
- B. Revisions to any attachment may be proposed by any signatory by submitting a draft of the proposed revisions to all signatories and invited signatories with a notification to the consulting parties. The 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 unanimously agree to revise the attachment, BOEM will provide a copy of the revised attachment to the other signatories and consulting parties. Revisions to any attachment to this MOA will not require an amendment to the MOA.

XVII. TERMINATION

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

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

XVIII. 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 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 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 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 Stipulation XVI (AMENDMENTS).

- B. Should the signatories approve the Federal agency's request to be a signing party to this MOA, an amendment under Stipulation XVI (AMENDMENTS) 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 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.

XIX. ANTI-DEFICIENCY ACT

BOEM's obligations under this MOA are subject to the availability of appropriated funds, and the stipulations of this MOA are subject to the provisions of the Anti-Deficiency Act. BOEM will make reasonable and good faith efforts to secure the necessary funds to implement this MOA in its entirety. If compliance with the Anti-Deficiency Act alters or impairs BOEM's ability to implement the stipulations of this agreement, BOEM will consult in accordance with the amendment and termination procedures found at Stipulations XVI (AMENDMENTS) and XVII (TERMINATION) of this Agreement.

Execution of this MOA by BOEM, Virginia SHPO, North Carolina SHPO, and ACHP, and implementation of its terms evidences that BOEM has taken into account the effects of this undertaking on historic properties and afforded ACHP an opportunity to comment.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT,
THE STATE HISTORIC PRESERVATION OFFICERS OF VIRGINIA AND NORTH
CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Signatory:

Bureau of Ocean Energy Management (BOEM)



Elizabeth Klein
Director
Bureau of Ocean Energy Management

Date: 10/20/2023

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT,
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CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Signatory:

Virginia State Historic Preservation Officer (SHPO)



Julie V. Langan
Director and State Historic Preservation Officer
Virginia Department of Historic Resources

Date: 10/20/2023

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Signatory:

North Carolina State Historic Preservation Officer (SHPO)



Darin Waters
State Historic Preservation Officer

Date: 10/20/23

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Signatory:

Advisory Council on Historic Preservation (ACHP)

A handwritten signature in black ink, appearing to read "Reid J. Nelson", is written over a horizontal line.

Reid J. Nelson
Executive Director
Advisory Council on Historic Preservation

Date: 10/27/2023

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Invited Signatory:

Virginia Electric And Power Company (Dominion Energy Virginia)



Joshua Bennett
Vice President Offshore Wind
Virginia Electric and Power Company (Dominion Energy Virginia)

Date: October 10, 2023

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Invited Signatory:

Nansemond Indian Nation

Keith Anderson
Chief
Nansemond Indian Nation

Date: _____

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Invited Signatory:

City of Virginia Beach, Virginia



Patrick A. Duhaney
City Manager
City of Virginia Beach, Virginia

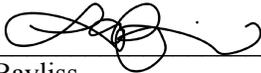
Date: 10/25/2023

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT,
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CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Invited Signatory:

Outer Banks Conservationists



Ladd Bayliss
Executive Director
Outer Banks Conservationists

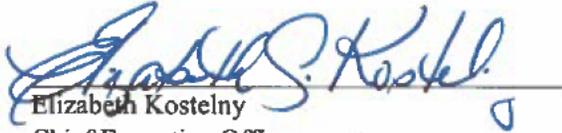
Date: 10/4/23

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Invited Signatory:

Preservation Virginia

A handwritten signature in blue ink, appearing to read "Elizabeth S. Kostelny", is written over a horizontal line.

Elizabeth Kostelny
Chief Executive Officer
Preservation Virginia

Date: 18 October 2023

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT,
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CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Invited Signatory:

United States Fish and Wildlife Service

SCOTT KAHAN Digitally signed by SCOTT KAHAN
Date: 2023.10.29 11:33:06 -04'00'

Date: _____

[Name]

[Title]

United States Fish and Wildlife Service

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Invited Signatory:

Virginia Department of Military Affairs – Virginia Army National Guard



James W. Ring
Major General, VaARNG
The Adjutant General

Date: 18 OCT 2023

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Concurring Party:

Chickahominy Indian Tribe

Stephen Adkins
Chief and Tribal Administrator
Chickahominy Indian Tribe

Date: _____

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Concurring Party:

Chickahominy Indian Tribe Eastern Division

Gerald A. Stewart
Chief
Chickahominy Indian Tribe Eastern Division

Date: _____

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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Concurring Party:

Delaware Tribe of Indians

Brad KillsCrow
Chief
Delaware Tribe of Indians

Date: _____

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Concurring Party:

Monacan Indian Nation

Kenneth Branham
Chief
Monacan Indian Nation

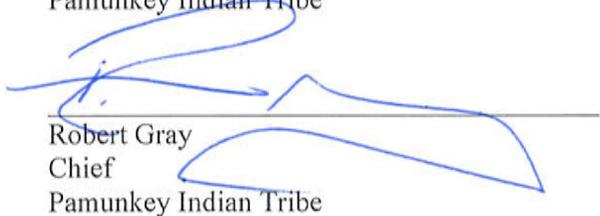
Date: _____

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Concurring Party:

Pamunkey Indian Tribe



Robert Gray
Chief
Pamunkey Indian Tribe

Date: 10/31/23

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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Concurring Party:

Rappahannock Tribe

Anne Richardson
Chief
Rappahannock Tribe

Date: _____

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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Concurring Party:

The Delaware Nation

Deborah Dotson
President of the Executive Committee
The Delaware Nation

Date: _____

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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Concurring Party:

Upper Mattaponi Indian Tribe

Frank Adams
Chief
Upper Mattaponi Indian Tribe

Date: _____

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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Concurring Party:

Bureau of Safety and Environmental Enforcement

[Name]
[Title]
Bureau of Safety and Environmental Enforcement

Date: _____

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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Concurring Party:

Navy Region Mid-Atlantic (NAS Oceana and JEBLCFS)

HELLER.JULIE.
A.1230360851

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HELLER.JULIE.A.1230360851
Date: 2023.12.14 11:51:13
-05'00'

Date: 14 DEC 2023

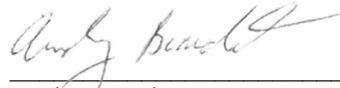
JULIE A. HELLER
Executive Director
Navy Region Mid-Atlantic

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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Concurring Party:

United States Army Corps of Engineers



Andy Beaudet
Acting Chief, Regulatory Branch
United States Army Corps of Engineers, Norfolk District

Date: October 26, 2023

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Concurring Party:

United States National Park Service

[Name]
[Title]
United States National Park Service

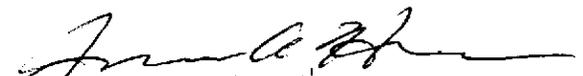
Date: _____

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Concurring Party:

Sandbridge Beach Civic League



James A. Horne
Vice President
Sandbridge Beach Civic League

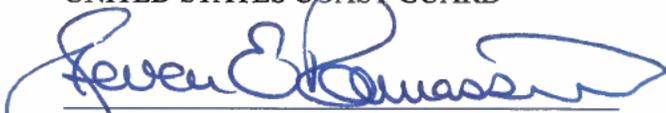
Date: 18 Oct 2023

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Concurring Party:

UNITED STATES COAST GUARD



STEVEN E. RAMASSINI, CAPTAIN
OFFICE OF NAVIGATION SYSTEMS
UNITED STATES COAST GUARD

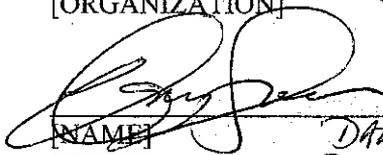
Date: 27 OCT 2023

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

Concurring Party:

Council of Virginia Archaeologists
[ORGANIZATION]



[NAME]
[TITLE]
[ORGANIZATION]

DAVID A. BROWN
President
Council of Virginia Archaeologists

Date: *11/1/23*

**MEMORANDUM OF AGREEMENT
AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT,
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REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT**

LIST OF ATTACHMENTS TO THE MOA

ATTACHMENT 1 – APE MAPS

ATTACHMENT 2 – LISTS OF INVITED AND PARTICIPATING CONSULTING PARTIES

ATTACHMENT 3 – AVOIDANCE PLAN FOR MARINE ARCHAEOLOGICAL RESOURCES

ATTACHMENT 4 – AVOIDANCE, MINIMIZATION, AND MONITORING PLAN FOR CULTURAL
RESOURCES IN THE TERRESTRIAL APE

ATTACHMENT 5 – OFFSHORE HISTORIC PROPERTIES TREATMENT PLAN – OFFSHORE
PROJECT COMPONENTS IN VIRIGNIA BEACH, VA AND CURRITUCK, NC

ATTACHMENT 6 – OFFSHORE HISTORIC PROPERTIES TREATMENT PLAN – FORT STORY
HISTORIC DISTRICT

ATTACHMENT 7 – HISTORIC PROPERTIES TREATMENT – PLAN CAMP PENDLETON/STATE
MILITARY PRESERVATION HISTORIC DISTRICT

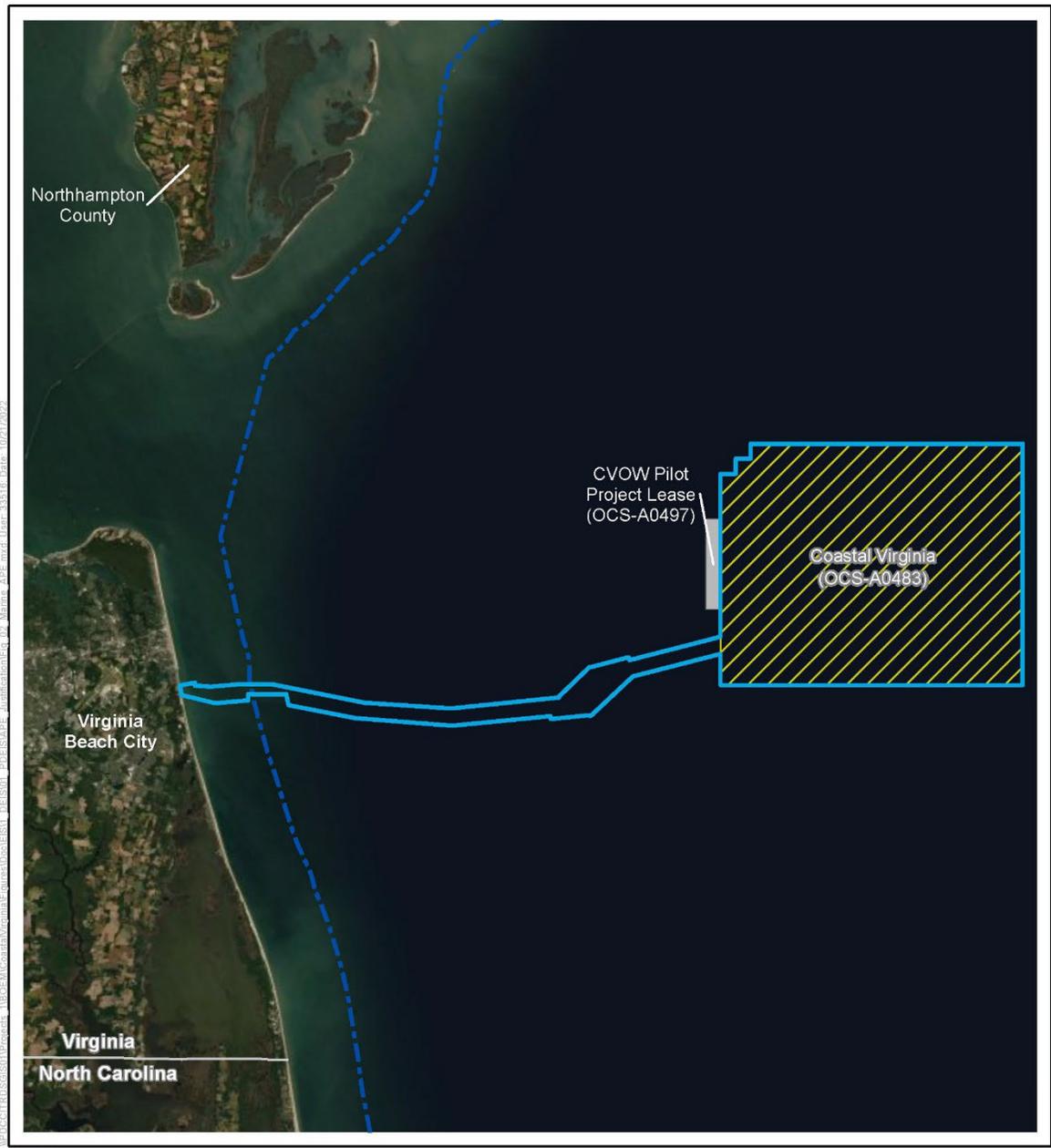
ATTACHMENT 8 – UNANTICIPATED DISCOVERIES PLAN – PLANS AND PROCEDURES
ADDRESSING UNANTICIPATED DISCOVERIES OF CULTURAL RESOURCES AND HUMAN
REMAINS, IN SUPPORT OF THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL
PROJECT LOCATED ON THE OUTER CONTINENTAL SHELF OFFSHORE VIRGINIA

ATTACHMENT 9 – UNANTICIPATED DISCOVERIES PLAN – PLAN FOR UNANTICIPATED
DISCOVERIES OF CULTURAL RESOURCES AND HUMAN REMAINS – TERRESTRIAL
ARCHAEOLOGICAL RESOURCES

ATTACHMENT 10 – MITIGATION FUNDING AMOUNTS

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

ATTACHMENT 1 – APE MAPS



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-  Marine Portion of the Area of Potential Effect
-  Coastal Virginia (OCS-A0483)
-  Other BOEM Lease Areas
-  State Seaward Boundary

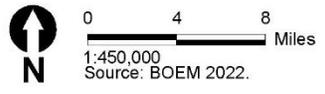
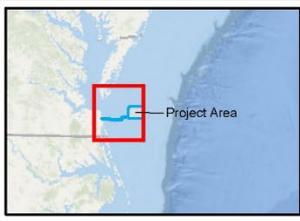
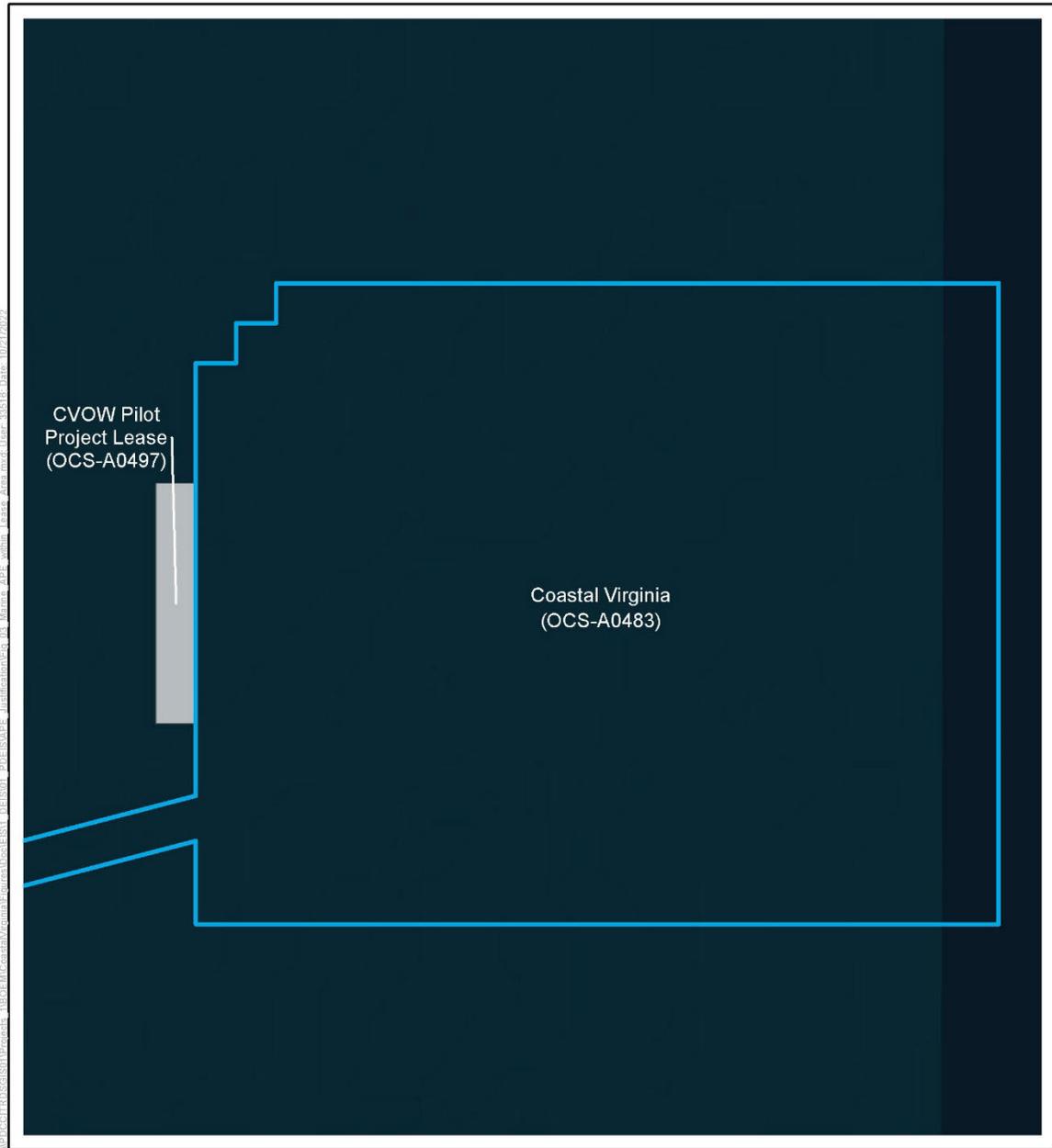


Figure 2 Marine APE



-  Marine Portion of the Area of Potential Effect
-  Other BOEM Lease Areas

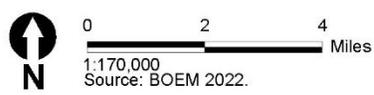
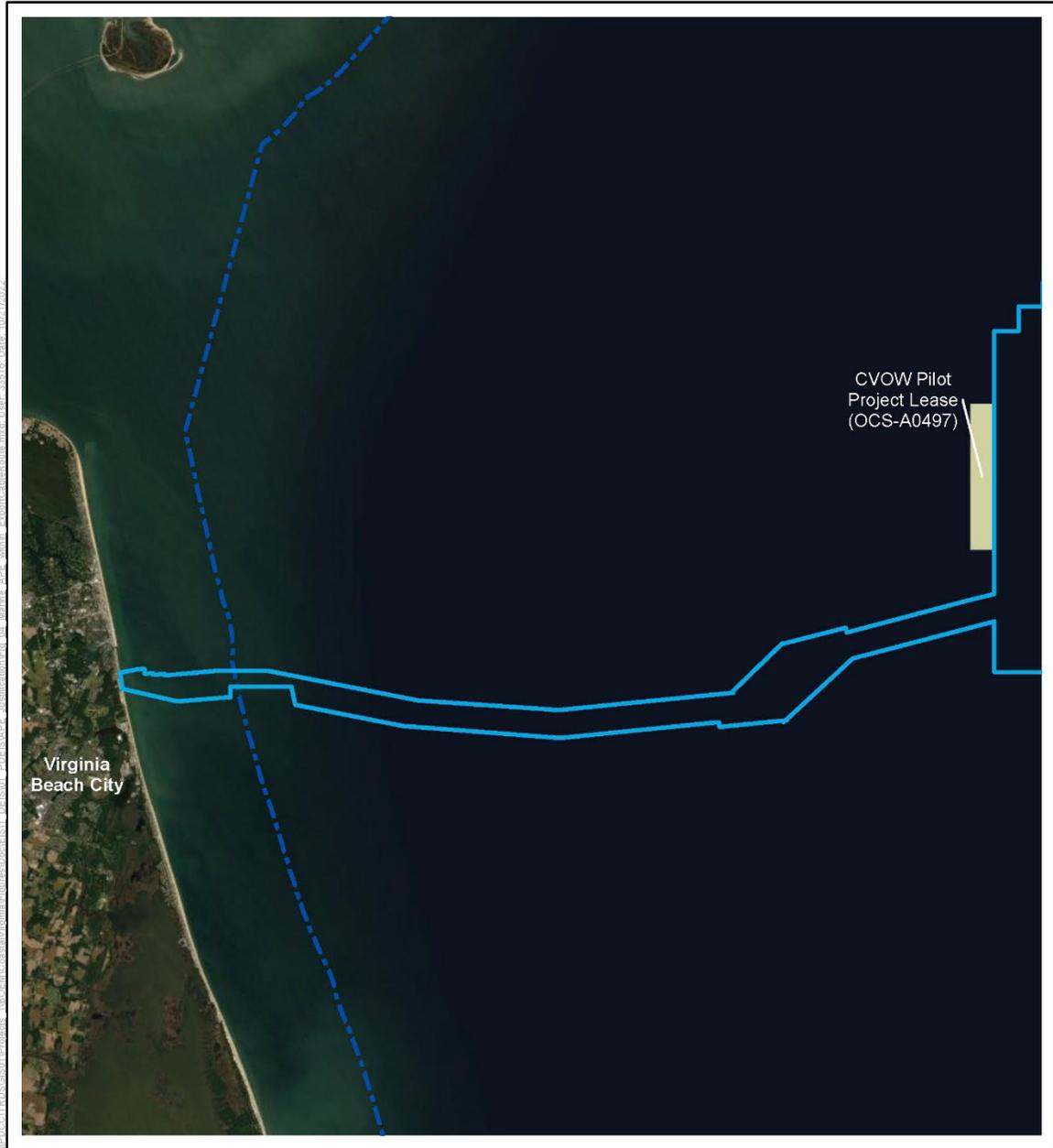


Figure 3 Detail of Marine APE Within the Lease Area



-  Marine Portion of the Area of Potential Effect
-  Other BOEM Lease Areas
-  State Seaward Boundary

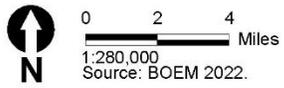
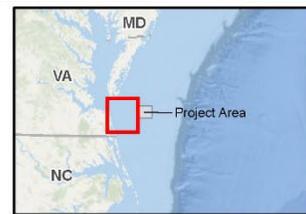
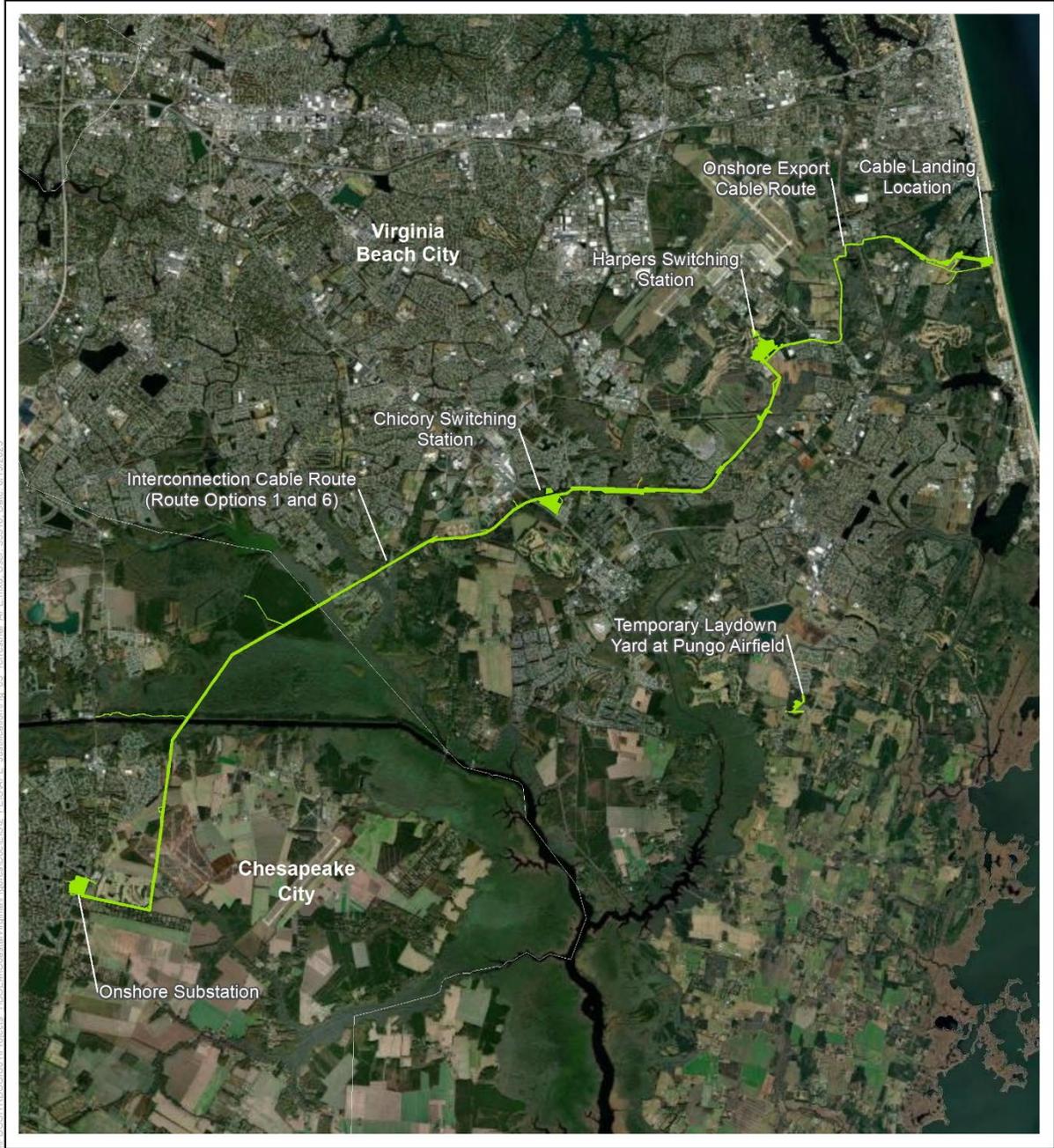


Figure 4 **Detail of Marine APE Within Export Cable Route Corridor**



 Terrestrial Portion of the Area of Potential Effect

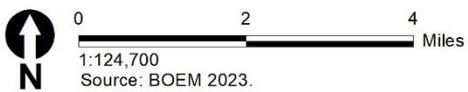
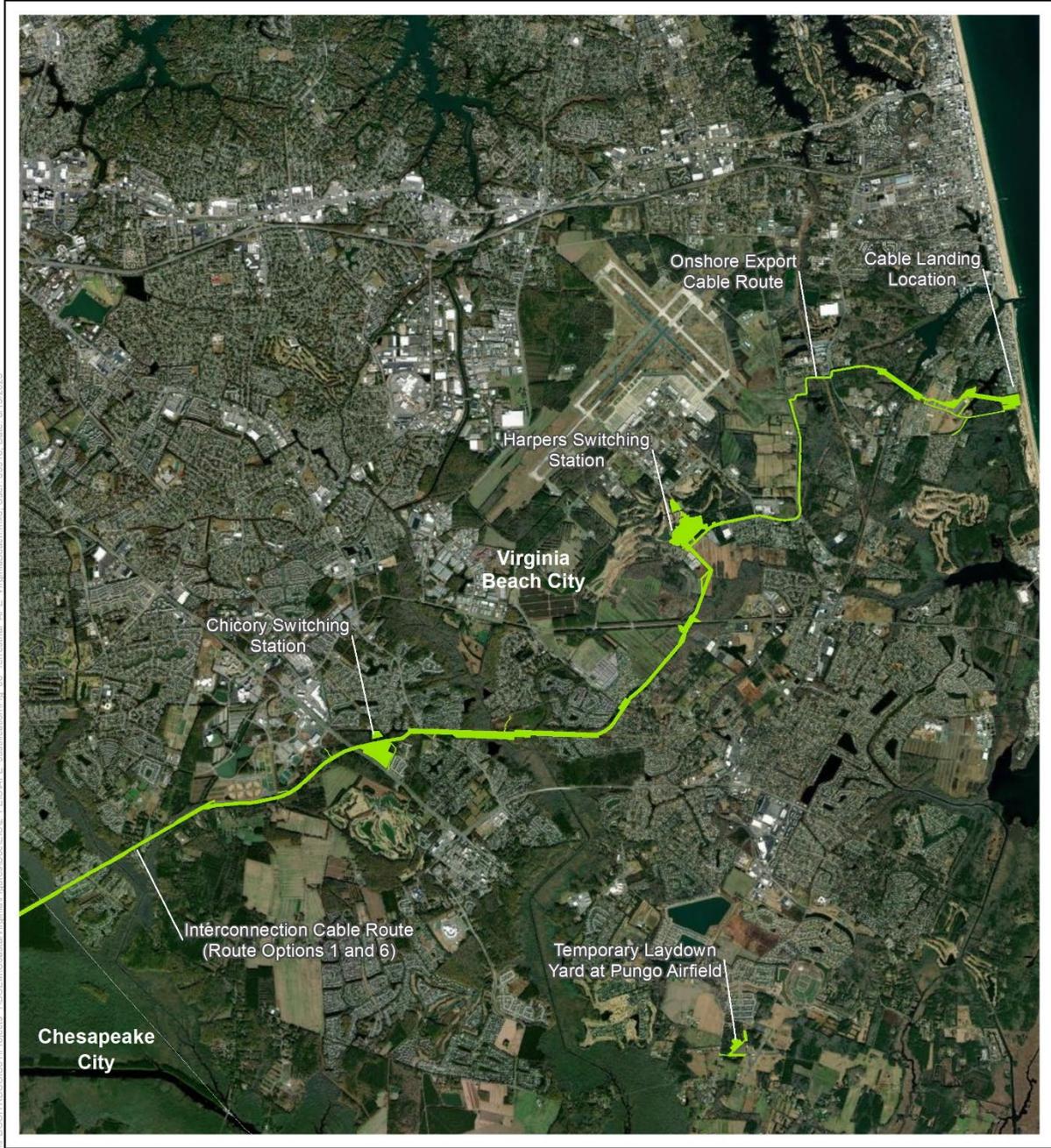


Figure 5 Terrestrial APE



 Terrestrial Portion of the Area of Potential Effect



Figure 6 Detail of Easternmost Portion of the Terrestrial APE



 Terrestrial Portion of the Area of Potential Effect

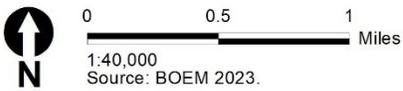


Figure 7 **Detail of Westernmost Portion of the Terrestrial APE**



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- Terrestrial Portion of the Area of Potential Effect—New Shifted Route
- Terrestrial Portion of the Area of Potential Effect—Before Route Shift

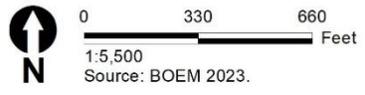
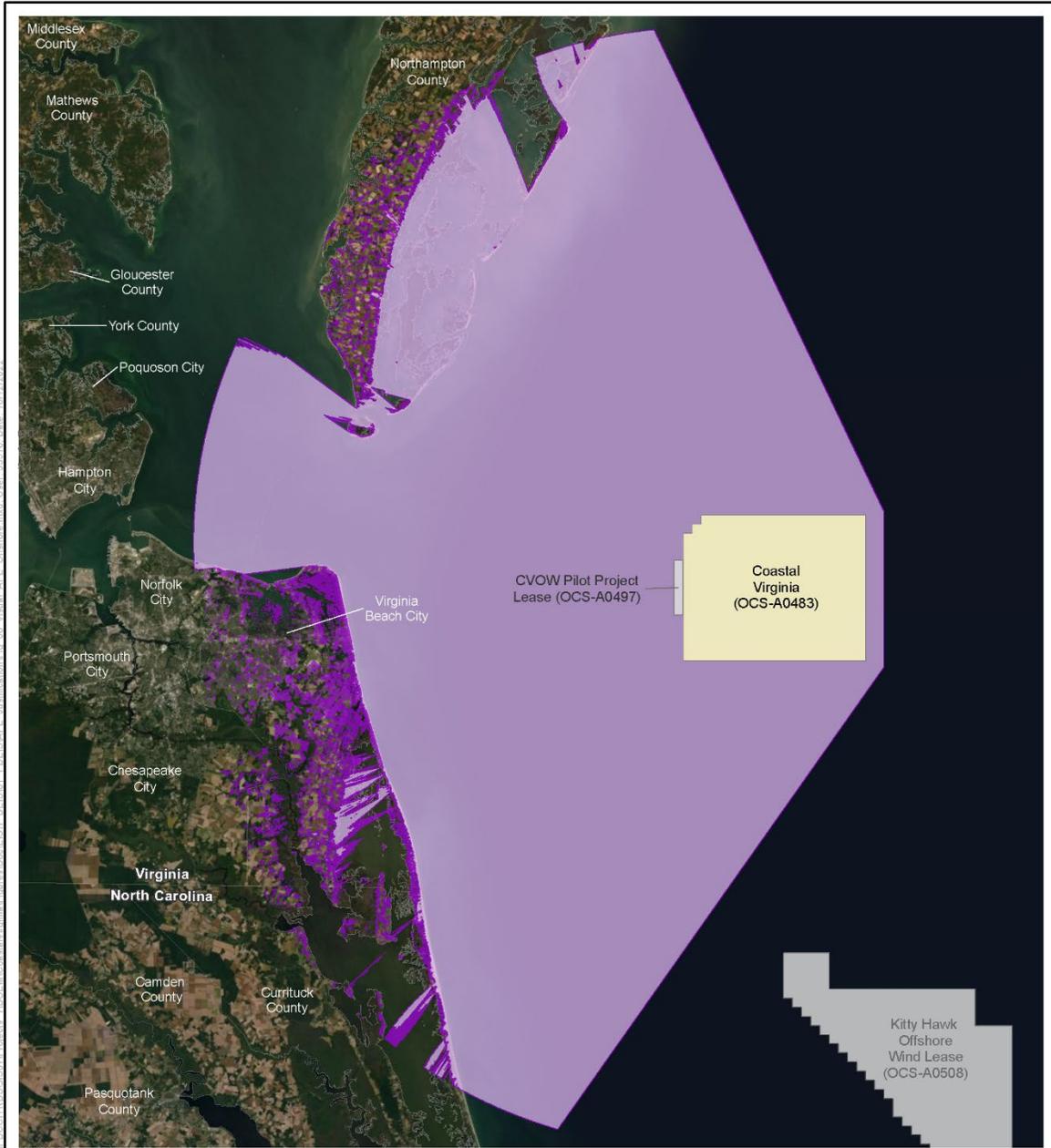


Figure 8 **Detail of Terrestrial APE at Interconnection Cable Route Shift in Virginia Beach, Virginia**



- Visual Area of Potential Effects for Offshore Project Components
- Coastal Virginia Lease Area (OCS-A0483)
- Other BOEM Lease Areas

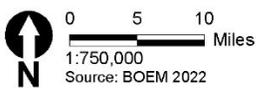
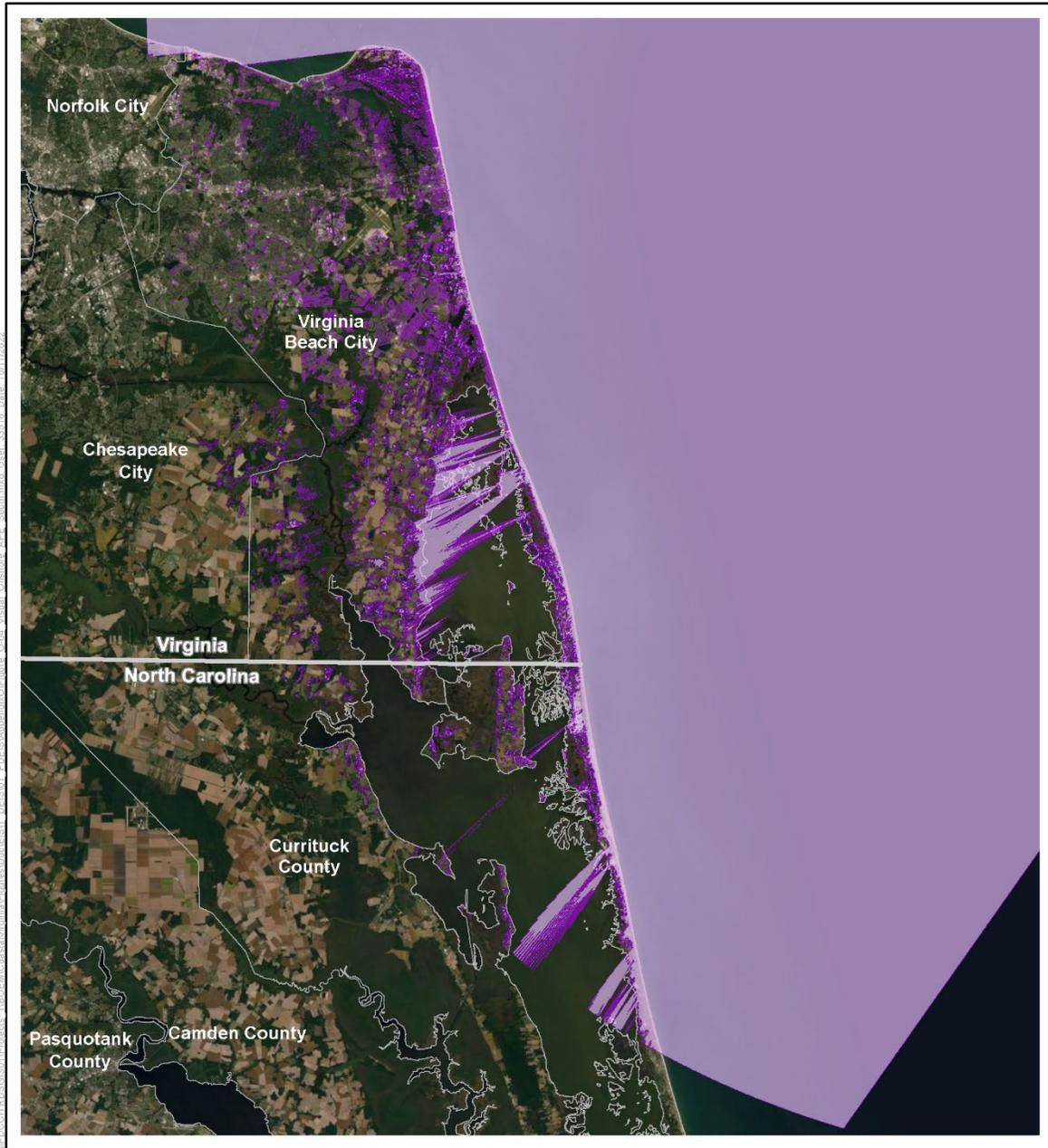


Figure 9 Visual APE for Offshore Project Components



Figure 10 Detail of Northernmost Portion of Visual APE for Offshore Project Components



Visual Area of Potential Effects for Offshore Project Components

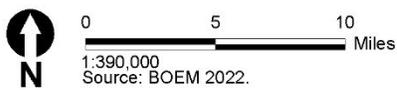
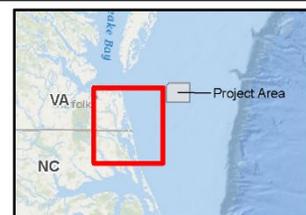


Figure 11 Detail of Southernmost Portion of Visual APE for Offshore Project Components



Visual Area of Potential Effects for Offshore Project Components

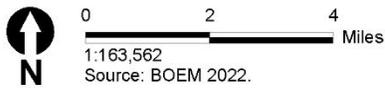


Figure 13 Detail of Visual APE for Offshore Project Components in North Carolina



Visual Portion of the Area of Potential effect for Onshore Project Components

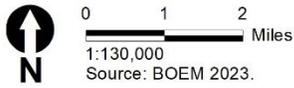


Figure 14 Visual APE for Onshore Project Components



Visual Portion of the Area of Potential Effect for Onshore Project Components

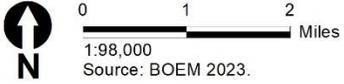


Figure 15 Detail of Northernmost Portion of Visual APE for Onshore Project Components



Figure 17 Revised Visual APE reflecting the route shift near the Princess Anne Athletic Complex in the City of Virginia Beach, Virginia

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

ATTACHMENT 2 – LISTS OF INVITED AND INTERESTED CONSULTING PARTIES

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

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

Organization Type	Invited Organization Name
SHPOs and State Agencies	North Carolina Department of Natural and Cultural Resources, Division of Historical Resources
	Virginia Department of Historic Resources
	Virginia Department of Military Affairs – Virginia Army National Guard
	False Cape State Park
	First Landing State Park
	Kiptopeke State Park
Federal Agencies	Assateague Island National Seashore
	Bureau of Safety and Environmental Enforcement
	Captain John Smith Chesapeake National Historic Trail
	Colonial National Historic Park
	Dominion Energy
	Fort Monroe National Monument
	NASA Wallops Flight Facility
	Naval Facilities Engineering Systems Command, Atlantic
	U.S. Advisory Council on Historic Preservation (ACHP)
	U.S. Army Corps of Engineers
	U.S. Coast Guard
	U.S. Fish and Wildlife Service
	U.S. Fleet Forces Command
	U.S. National Park Service
	U.S. Navy Region Mid-Atlantic - U.S. Naval Air Station Oceana
Volgenau Virginia Coast Reserve	
Federally Recognized Tribes	Absentee-Shawnee Tribe of Indians of Oklahoma
	Cherokee Nation
	Chickahominy Indian Tribe
	Chickahominy Indian Tribe- Eastern Division
	Delaware Tribe of Indians
	Eastern Band of Cherokee Indians
	Eastern Shawnee Tribe of Oklahoma
	Monacan Indian Nation
	Nansemond Indian Nation
	Pamunkey Indian Tribe
	Rappahannock Tribe
	Shawnee Tribe
	The Delaware Nation
	The Narragansett Indian Tribe
	The Shinnecock Indian Nation
	Tuscarora Nation
	United Keetoowah Band of Cherokee Indians in Oklahoma
	Upper Mattaponi Indian Tribe
	Non-Federally Recognized Tribe
Haliwa-Saponi Indian Tribe	
Lumbee Tribe of North Carolina	
Meherrin Indian Tribe	
Nottoway Indian Tribe of Virginia	
Occaneechi Band of the Saponi Nation	
Patawomeck Indian Tribe of Virginia	
The Coharie Tribe	

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

Organization Type	Invited Organization Name
	The Mattaponi Nation
	The Sappony
	Waccamaw Siouan Tribe
Local Government	Accomack County
	City of Chesapeake
	City of Norfolk
	City of Virginia Beach
	Currituck County
	Currituck County Historic Preservation Commission
	Currituck County Historical Society
	Downtown Norfolk Council
	Northampton County
	Northampton County Department of Planning, Permitting & Enforcement
	Town of Accomac
	Town of Cape Charles
	Town of Cheriton
	Town of Chincoteague
	Town of Eastville
	Town of Exmore
	Town of Onancock
	Town of Onley
	Town of Parksley
	Town of Saxis
Town of Wachapreague	
Nongovernmental Organizations or Groups	100 Black Men of Virginia Peninsula
	African American Heritage Trail
	American Battlefield Trust
	Atlantic Wildfowl Heritage Museum
	Cape Charles Historical Society
	Cavalier Associates LLC
	Cavalier Hotel and Beach Club
	Chesapeake Bay Bridge and Tunnel District
	Council of Virginia Archaeologists
	Eastern Shore of Virginia Barrier Islands Center
	Eastern Shore of Virginia Historical Society
	Fort Monroe Authority
	Hampton Roads Community Action Program
	Howell Virginia Beach Family LLC, Property Owner of 7900 Ocean Front Avenue, Virginia Beach, Virginia
	Jamak LLC
	Joint Expeditionary Base Little Creek-Fort Story; U.S. Navy
	Museum of Chincoteague Island
	NAACP Currituck County Branch
	Nansemond River Preservation Alliance
	Norfolk Historical Society
	Norfolk County Historical Society of Chesapeake, VA
	North Carolina Maritime History Council
	Northampton Historic Preservation Society
	Ocean 27th LLC
	Piedmont Environmental Council
	Preservation North Carolina

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

Organization Type	Invited Organization Name
	Preservation Virginia
	Princess Anne County / Virginia Beach Historical Society
	Property Owner of 100 54th Street, Virginia Beach, Virginia
	Property Owner of 4910 Ocean Front Avenue, Virginia Beach, Virginia
	Property Owner of Oceans II Condominiums/Aeolus Motel
	Purcell Cottage LLC, Property Owner of 5302 Ocean Front Avenue, Virginia Beach, Virginia
	Ruffin 86 LLC, Property Owner of 8600 Ocean Front Avenue, Virginia Beach, Virginia
	Sandbridge Beach Civic League
	Sandswept LLC, Property Owner of 8304–8306 Ocean Front Avenue, Virginia Beach, Virginia
	Scenic Virginia
	Seahawk Resort Enterprises Inc.
	The Historic Cavalier Shores Civic League
	Urban League of Hampton Roads Virginia African American Cultural Center
	VAB 435 Oceanfront LLC
	Virginia House Beach Corporation

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

Organization Type	Participating Organization Name
SHPOs and State Agencies	North Carolina State Historic Preservation Office
	Virginia Department of Historic Resources
Federal Agencies	Advisory Council on Historic Preservation
	Bureau of Safety and Environmental Enforcement
	Colonial National Historic Park
	NASA Wallops Flight Facility
	Naval History and Heritage Command (Underwater Archaeology Branch)
	U.S. Army Corps of Engineers
	U.S. Coast Guard
	U.S. Fish and Wildlife Service
	U.S. Fleet Forces Command
	U.S. National Park Service
U.S. Navy Region Mid-Atlantic - U.S. Naval Air Station Oceana	
Federally Recognized Tribe	Chickahominy Indian Tribe (represented by Cultural Heritage Partners)
	Chickahominy Indian Tribe Eastern Division (represented by Cultural Heritage Partners)
	Delaware Tribe of Indians
	Monacan Indian Nation (represented by Cultural Heritage Partners)
	Nansemond Indian Nation (represented by Cultural Heritage Partners)
	Pamunkey Indian Tribe
	Rappahannock Tribe (represented by Cultural Heritage Partners)
	The Delaware Nation
Upper Mattaponi Indian Tribe (represented by Cultural Heritage Partners)	

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

Organization Type	Participating Organization Name
State Recognized Tribes	Lumbee Tribe of North Carolina
	Nottoway Indian Tribe of Virginia
	Patawomeck Indian Tribe of Virginia
	The Coharie Tribe
Local Government	Accomack County
	City of Norfolk
	City of Virginia Beach
	Town of Chincoteague
	Town of Eastville
Non-Governmental Organizations or Groups	Atlantic Wildfowl Heritage Museum
	Cavalier Associates, LLC
	Chesapeake Bay Bridge and Tunnel District
	Council of Virginia Archaeologists
	Eastern Shore of Virginia Historical Society
	Nansemond River Preservation Alliance
	Outer Banks Conservationists
	Preservation Virginia
	Ruffin 86, LLC
	Sandbridge Beach Civic League
	Sandswept, LLC
	The Historic Cavalier Shores Civic League
	Virginia African American Cultural Center
Lessee	Dominion Energy

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

ATTACHMENT 3 – AVOIDANCE PLAN FOR MARINE ARCHAEOLOGICAL RESOURCES

**COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL
PROJECT**

**SECTION 106 MEMORANDUM OF AGREEMENT:
ATTACHMENT 3**

**AVOIDANCE PLAN – MARINE ARCHAEOLOGICAL
RESOURCES**

DD.1 INTRODUCTION

DD.1.1 Project Overview

This Avoidance Plan is prepared in support of the Coastal Virginia Offshore Wind (CVOW) Commercial Project (Project). This work was performed for the Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion Energy). The Project is located in the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) Offshore Virginia (Lease No. OCS-A 0483, Lease Area), which was awarded to Dominion Energy through the Bureau of Ocean Energy Management (BOEM) competitive renewable energy lease auction of the Wind Energy Area offshore of Virginia in 2013. The Lease Area covers approximately 112,799 acres (ac) (45,658 hectares [ha]) and is approximately 27 statute miles (mi) (23 nautical miles, 43 kilometers [km]) off the Virginia Beach coastline. The CVOW Offshore Export Cable Route Corridor will connect the Lease Area to a Cable Landing Location at the State Military Reservation in Virginia Beach, Virginia.

DD.1.2 Regulatory Context

The purpose of this Avoidance Plan is to support Dominion Energy in its compliance to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and its implementing regulations (36 CFR 800) entitled “Protection of Historic Properties”; the Archaeological and Historic Preservation Act of 1974; the Abandoned Shipwreck Act of 1987; Title 36 of the CFR, Parts 60-66 and 800, as appropriate; standards set forth in the Secretary of the Interior’s Guidelines for Archaeology and Historic Preservation; and the Native American Graves Protection and Repatriation Act. The Virginia Department of Historic Resources will serve as the State Historic Preservation Office in consultation with Section 106 of the NHPA of 1966, as amended (54 U.S.C. 300101 et seq.: Historic Preservation), for the portions of the Project located within Virginia state waters (DHR 2017).

The Outer Continental Shelf Lands Act (OCSLA), 1953 (as amended), grants BOEM (CFR Title 30, Chapter V, Subpart B-Offshore) lead enforcement of laws and regulations governing offshore leasing on the U.S. Outer Continental Shelf. The Energy Policy Act of 2005, an OCSLA amendment, grants BOEM lead management authority for marine renewable energy projects on the U.S. Outer Continental Shelf. Current BOEM guidelines (May 2020) provide applicants basic guidance on the design of geophysical surveys and geotechnical investigations to acquire archaeological information. The guidelines are specific to renewable energy activities on the OCS and may not comply with all conditions of an applicant’s lease. These guidelines replace the 2015 BOEM guidelines and incorporate updated information including the requirements of a magnetometer/transverse gradiometer configuration instead of a single marine magnetometer (BOEM 2020).

DD.2 MARINE ARCHAEOLOGICAL RESOURCES AVOIDANCE MEASURES

DD.2.1 Summary of Identified Resources

Dominion Energy conducted high resolution geophysical (HRG) and geotechnical survey campaigns to inform the Project from 2020 to 2021. HRG and geotechnical survey campaigns were completed across the Offshore Project Area, which is inclusive of the Lease Area and Offshore Export Cable Route Corridor. Results of those surveys were used to inform cultural resources analyses and interpretations for the Project. The HRG survey campaigns in the Offshore Project Area identified 31 potential cultural resources: 18 in the Lease Area and 13 in the Offshore Export Cable Route Corridor. These potential cultural resources were recommended for avoidance of any potential or inadvertent effects. Within the Lease Area, six buried paleolandscape features were identified from the seismic data sets. These features were delineated based on spatial extent and recommendations for avoidance incorporated larger areas beyond their mapped spatial extents. No paleolandscape features were identified within the Offshore Export Cable Route Corridor.

DD.2.1.1 Ancient Submerged Landforms

The HRG surveys identified six potentially preserved Ancient Submerged Landforms (ASLFs; P-01 – P-05). All six of these ASLFs are located near or within the Lease Area (U.S. Outer Continental Shelf) Area of Potential Effect (APE), and have been marked for avoidance to prevent impacts from Wind Turbine Generator (WTG) and Inter-Array Cable construction and bottom disturbing activities. All of the features marked for avoidance represent either channel banks or flood plains that appeared to have the potential for preservation and were sub-aerially exposed during a period of potential human habitation. The ASLFs were delineated and recommendations for avoidance based on spatial extent incorporated larger areas beyond their mapped spatial extents.

Only one feature, P-02, is located within the vertical component of a WTG (██████████) APE and could be affected by WTG construction activities. After discussions with BOEM on November 29, 2022, feature P-02 was given a reduced avoidance area. The avoidance area was only reduced in areas where it would overlap with a WTG work area; it was reduced by approximately 0.11 ac (0.04 ha) to 266.7 ac (107.9 ha) (C. Horrell, personal communication, November 30, 2022). The HRG data that was collected was at a high enough level and with close enough spacing that there was high confidence that the feature will not be impacted by work taking place around the WTG. This reduction of the avoidance area was done in order to allow work to be done around the WTG. Another feature (P-05) is located within the horizontal APE of the Inter-Array Cable, but is below the project depth, and should not be impacted. No other features were identified which would be within the APE of a WTG or Inter-Array Cable (Table 1). P-01 is located outside the APE but included to accommodate changes to design and construction parameters. ██████████

██████████

██████████

The avoidance criteria have been configured to protect the features extents based on the interpretation of HRG survey data and geotechnical data (as available).

BOEM was consulted to discuss proposed avoidance plans, especially regarding P-02, which was given a reduced avoidance area. Furthermore, protocols will be developed between the Qualified Marine Archaeologist (QMA) and construction team for monitoring of activities with the potential to impact ASLFs.

Table VI-1. ASLF features identified within the Lease Area APE.

ASLF ID	Minimum Depth Below Seabed (ft/m) ¹	Within Project Component APE	Area of Recommended Minimum Avoidance (ac/ha) ²
P-01	-33.66 ¹ ft/10.25 m	No	10.71 ac /4.33 ha
P-02	-4.81 ft/-1.47 m		266.7 ac/107.9 ha ³
P-03	-8.69 ft/-2.64 m	No	9.91 ac/4.01 ha
P-04-A	-3.41 ft/-3.04 m	No	3.94 ac/1.59 ha
P-04-B	-4.60 ft/-1.4 m	No	22.05 ac/8.92 ha
P-05	-23.49 ft/-7.28 m	No	5.45 ac/2.2 ha

¹Depth for P-01 is provided as below MLLW, based on the seismic profile.

²Avoidance Area is created by adding a 50 m (164.04 ft) buffer off the mapped extents of the ASLF

³After consultation with BOEM the 50 m (164.04 ft) buffer off the mapped extents of the ASLF were reduced to approximately 43 m (141.08 ft) in one area where it overlapped with the WTG work area

DD.2.1.2 Potential Historic Shipwrecks

The HRG surveys identified a total of 16 archaeological targets (Targets 1-9, 11-13, 15-18) that may be associated with potential historic shipwrecks located within the Lease Area APE (Table 2). Two additional targets (Targets 3 and 14) were identified outside of the Lease Area APE boundary but recommended for avoidance to prevent any potential and inadvertent impacts from future site activities. Ten of the 16 targets (Targets 21-30), which may be associated with historic shipwrecks, are located on the U.S. Outer Continental Shelf of the Offshore Export Cable Route Corridor APE. One target, Target 31, which may be associated with an historic shipwreck, is located within Virginia state waters of the Offshore Export Cable Route Corridor APE. Two targets (Targets 19 and 20) were identified outside the Offshore Export Cable

Route Corridor APE; however, the recommended avoidance areas extend into the APE but, will not be affected by Project activities, as Dominion Energy has committed to avoidance.

Table 2. Potential cultural resources identified within the Lease Area and the Offshore Export Cable Route Corridor.

Target ID	Charted ID ¹	Location	Area of Recommended Minimum Avoidance
Target 1	-	WEA	164 ft (50 m) radius from center point
Target 2	-	WEA	164 ft (50 m) radius from center point
Target 3	-	WEA	164 ft (50 m) radius from center point
Target 4	-	WEA	164 ft (50 m) radius from center point
Target 5	-	WEA	164 ft (50 m) radius from center point
Target 6	-	WEA	164 ft (50 m) radius from center point
Target 7	-	WEA	164 ft (50 m) radius from center point
Target 8	-	WEA	164 ft (50 m) radius from visible extent (3.96 ac [1.60 ha])
Target 9	-	WEA	164 ft (50 m) radius from center point
Target 10	<i>Cuyahoga</i>	WEA	164 ft (50 m) radius from visible extent (3.38 ac [1.37 ha])
Target 11	-	WEA	164 ft (50 m) radius from visible extent (2.99 ac [1.21 ha])
Target 12	-	WEA	164 ft (50 m) radius from center point
Target 13	-	WEA	164 ft (50 m) radius from center point
Target 14 ²	<i>Francis E. Powell</i>	WEA	164 ft (50 m) radius from visible extent (4.18 ac [1.69 ha])
Target 15	-	WEA	164 ft (50 m) radius from visible extent (4.18 ac [1.69 ha])
Target 16	-	WEA	459 ft (140 m) radius from center point
Target 17	-	WEA	164 ft (50 m) radius from center point
Target 18	-	WEA	164 ft (50 m) radius from center point
Target 19 ²		ECRC	164 ft (50 m) radius from center point
Target 20	-	ECRC	164 ft (50 m) radius from center point
Target 21	-	ECRC	164 ft (50 m) radius from center point
Target 22	-	ECRC	164 ft (50 m) radius from visible extent (3.80 ac [1.54 ha])
Target 23	-	ECRC	164 ft (50 m) radius from center point
Target 24	-	ECRC	164 ft (50 m) radius from center point
Target 25	-	ECRC	164 ft (50 m) radius from center point
Target 26	-	ECRC	164 ft (50 m) radius from center point
Target 27	-	ECRC	164 ft (50 m) radius from center point
Target 28	-	ECRC	164 ft (50 m) radius from center point

Target ID	Charted ID ¹	Location	Area of Recommended Minimum Avoidance
Target 29	-	ECRC	164 ft (50 m) radius from center point
Target 30	-	ECRC	164 ft (50 m) radius from center point
Target 31	-	ECRC	164 ft (50 m) radius from center point

¹ National Oceanographic and Atmospheric Administration, Wrecks and Obstructions Database. Electronic database, <https://nauticalcharts.noaa.gov/data/wrecks-and-obstructions.html>

²Outside APE

DD.2.1.3 Known Historic Shipwrecks

Through the interpretation of HRG survey data, the QMA identified two archaeological targets, Target 10 and Target 14, which are charted historic shipwrecks (Table 2). Target 10, the USCGC *Cuyahoga*, was a Morris-class vessel, which displaced 236 tons and had a primary armament of one 3 inch (76 mm) dual-purpose gun. The vessel was launched in January 1927 and placed in commission two months later at Camden, New Jersey. *Cuyahoga* chased rum runners until 1933, when it assumed duties with the U.S. Navy as a tender for the Presidential Yacht USS *Potomac*. *Cuyahoga* returned to the Coast Guard in May 1941, and it was stationed in Norfolk in January 1942. *Cuyahoga* was equipped further with two depth charge racks and then attached to the Commander Eastern Sea Frontier and Commander Caribbean Sea Frontier during World War II; it spent much of the war as an escort for vessels in the Caribbean. Shortly after the war, *Cuyahoga* was transferred to the Coast Guard Yard at Curtis Bay, Maryland and served with the Field Testing and Development Unit. In 1957, the vessel moved to New London, Connecticut to train officer candidates, and next moved in 1959 to Yorktown, Virginia to continue training. In October 1978, *Cuyahoga* collided with the Argentine coal freighter *Santa Cruz II* and sank in about 57 ft (17.4 m) of water about 3.5 mi (5.6 km) northwest of the mouth of the Potomac River. The vessel was raised by floating cranes and transported on barges to Portsmouth for inspection. *Cuyahoga* subsequently was sunk as an artificial reef (United States Coast Guard 2021). Target 10 is currently considered an historic property and, therefore, should be treated as a National Register of Historic Places (NRHP)-eligible resource.

Target 14, a 7,096-gross ton tanker, *Francis E. Powell*, was torpedoed and sunk on 27 January 1942 by German U-boat U-130 while enroute from Port Author, Texas to Providence, Rhode Island. The wreck of *Francis E. Powell* is one of at least four ship casualties attributable either to German mines or to German U-boat activity in areas offshore of Virginia Beach during World War II. Target 14, the *Francis E. Powell*, is considered an historic property and, therefore, should be treated as a NRHP-eligible resource; however, under the current construction design parameters, Target 14 is located outside the Offshore Export Cable Route Corridor APE and will be avoided.

Dominion Energy will avoid adverse effects to the potential known and historic shipwrecks identified within the marine APE. The Project proposes implementing adherence to the recommended avoidance areas established at each potential and known historic shipwreck based on the HRG survey data. The avoidance areas will be disseminated as shapefiles or other suitable formats to engineering and construction personnel before activities commence.

DD.3 CONSULTING PARTY ENGAGEMENT FOR AVOIDANCE PLANNING

Consulting Parties will be provided an opportunity for review and comment on the Avoidance Plan concurrent with BOEM’s anticipated NHPA Section 106 review schedule for the Project. Dominion Energy will provide the draft Avoidance Plan to BOEM for review by participating parties as part of BOEM’s NHPA Section 106 review to provide meaningful input on the proposed avoidance measures to address potential adverse effects to historic resources. Dominion Energy anticipates that further coordination to refine the Avoidance Plan may include meetings, conference calls, draft reviews, and document exchanges, or similar means of communication of information.

DD.4 POST-REVIEW DISCOVERY PLAN

Although the Project has completed intensive background research and remote sensing surveys, there is always the potential to encounter cultural resources, such as shipwrecks, during construction or bottom disturbing activities. In order to minimize the potential for the accidental discovery of cultural resources, systematic review of remote sensing data was conducted for the Project. To ensure full and complete compliance with all Federal and State regulations concerning the protection of cultural resources, an Unanticipated Discoveries Plan (UDP) was prepared for the Project. All inspectors have the responsibility to monitor construction sites for potential cultural resources throughout construction. R. Christopher Goodwin & Associates, Inc, acting as the approved QMA consultant, will inspect the discovery and provide an immediate verbal report. The UDP will include a stop-work order and coordination with the Project, the QMA, BOEM, and relevant stakeholders on the manner to proceed in the event of an unanticipated discovery during construction. The UDP for marine archaeological resources is provided in Attachment 8 of the Project's Section 106 Memorandum of Agreement.

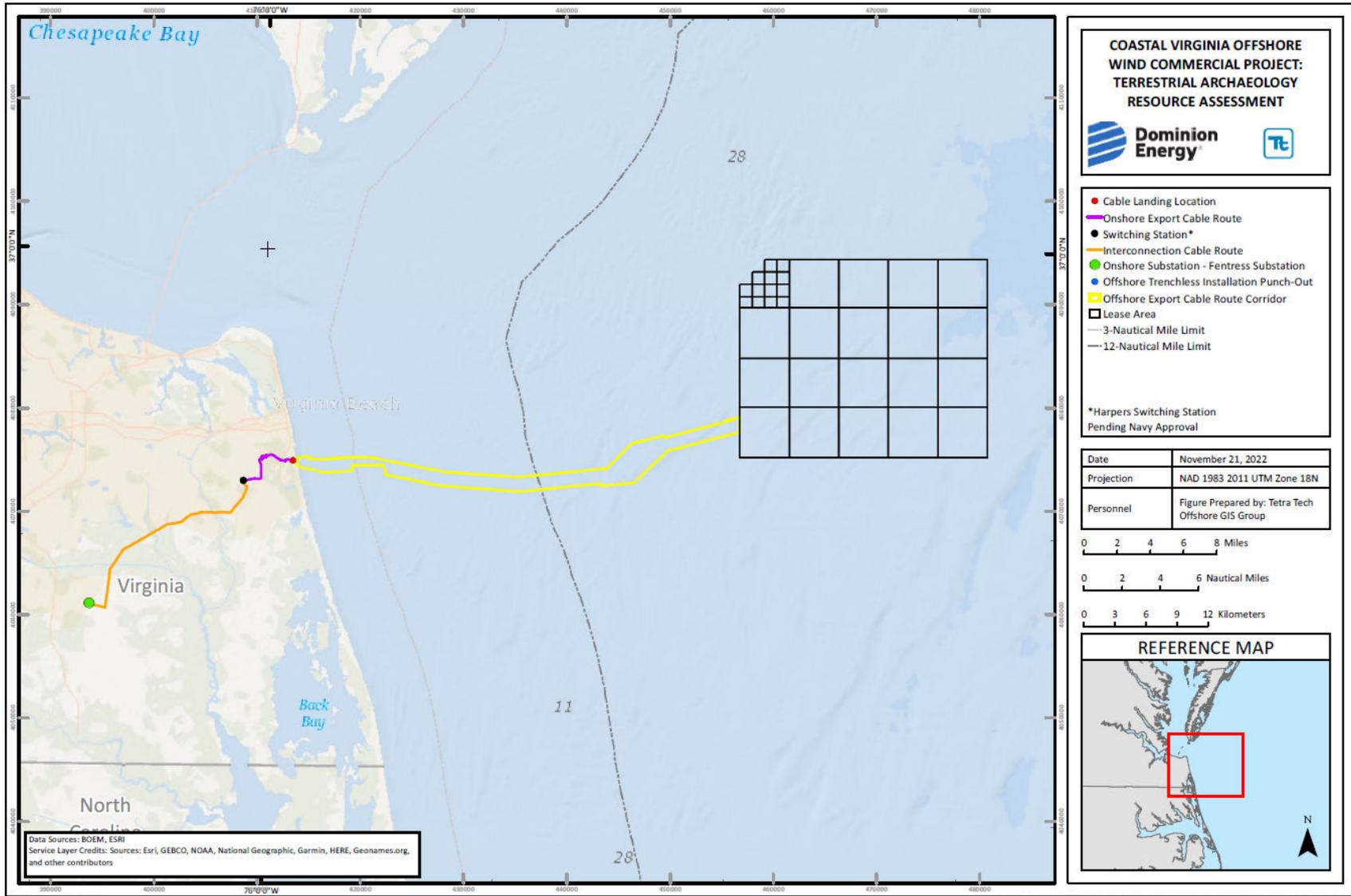


Figure 1. Project Overview

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

**ATTACHMENT 4 – AVOIDANCE, MINIMIZATION, AND MONITORING PLAN FOR
CULTURAL RESOURCES IN THE TERRESTRIAL APE**

CONSTRUCTION AND OPERATIONS PLAN

Coastal Virginia Offshore Wind Commercial Project

Section 106 Memorandum of Agreement: Attachment 4

Avoidance, Minimization, and Monitoring Plan – Terrestrial Archaeological Resources

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Submitted January 2023, Revised March and September 2023

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G.2.1-1. Previously Identified Archaeological Sites within the PAPE

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Project Overview



ACRONYMS AND ABBREVIATIONS

BOEM	Bureau of Ocean Energy Management
CVOW	Coastal Virginia Offshore Wind
Dominion Energy	Virginia Electric and Power Company, d/b/a Dominion Energy Virginia
ft	feet
GPR	Ground penetrating radar
HDD	horizontal directional drilling
Lease Area	the OCS-A 0483 Lease, located approximately 27 mi (23.75 nautical miles, 43.99 kilometers) off the coast of Virginia and includes approximately 112,799 acres (45,658 hectares) of submerged lands
m	meter
NAS	Naval Air Station
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NPS	National Park Service
NRHP	National Register of Historic Places
PAPE	Preliminary Area of Potential Effects
PDE	Project Design Envelope
Project	Coastal Virginia Offshore Wind Commercial Project
SOI	Secretary of the Interior
SMR	State Military Reservation
ST	Shovel Test
TARA	Terrestrial Archaeological Resources Assessment
UDP	Unanticipated Discoveries Plan
VDHR	Virginia Department of Historic Resources

G.1 INTRODUCTION

G.1.1 Project Overview

This Avoidance, Minimization, and Monitoring Plan is prepared in support of the Coastal Virginia Offshore Wind (CVOW) Commercial Project (Project). This work was performed for the Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion Energy). The Project is located in the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) Offshore Virginia (Lease No. OCS-A-0483, Lease Area), which was awarded to Dominion Energy (Lessee) through the Bureau of Ocean Energy Management (BOEM) competitive renewable energy lease auction of the Wind Energy Area (WEA) offshore of Virginia in 2013. The Lease Area covers approximately 112,799 acres (ac; 45,658 hectares [ha]) and is approximately 27 statute miles (mi) (23 nautical miles [nm], 43 kilometers [km]) off the Virginia Beach coastline. The CVOW Offshore Export Cable Route Corridor will connect the Lease Area to a Cable Landing Location at the State Military Reservation (SMR) in Virginia Beach, VA. From the Cable Landing Location, the Onshore Export Cable will connect to the Harpers Switching Station north of Harpers Road. The Interconnection Cable will travel from the Harpers Switching Station to the Onshore Substation. The Onshore Substation will be located at the existing Fentress Substation, which will be updated and expanded to accommodate the power generated by the Project (Figure G-9-1).

G.1.2 Regulatory Context

The purpose of this Avoidance, Minimization, and Monitoring Plan is to support Dominion Energy and aid the Bureau of Offshore Energy Management (BOEM) with compliance under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and its implementing regulations, 36 CFR Part 800 – Protection of Historic Properties, with the requirements of the National Environmental Policy Act (NEPA). Coordination of the Section 106 process and NEPA is authorized under 36 CFR Part 800.8 Coordination with the National Environmental Policy Act. The integration of Section 106 and NEPA was adopted by BOEM as the Federal agency’s preferred approach in December 2020.

This Avoidance, Minimization, and Monitoring Plan will aid BOEM and the Virginia Department of Historic Resources (VDHR) in making decisions about the avoidance, minimization, and monitoring of impacts to terrestrial archaeological resources located within the PAPE. This Avoidance, Minimization, and Monitoring Plan is required under BOEM’s *Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585* (2020) and is intended to support the integration of Section 106 and NEPA.

If archaeological sites potentially eligible for listing on the National Register of Historic Places (NRHP) are identified, Dominion Energy has worked to avoid them to the extent possible. However, if avoidance is not a practicable option, then appropriate minimization and monitoring measures will be put in place. This Avoidance, Minimization, and Monitoring Plan will identify any potentially sensitive archaeological resources within the PAPE and describe avoidance, minimization, and monitoring measures recommended by Tetra Tech. Appropriate avoidance, minimization and mitigation measures for impacts to historic

resources will be specified in a separate plan (See CVOW Commercial Project Construction and Operations Plan, Appendix H: Historic Resources Visual Effects Analysis).

G.2 TERRESTRIAL ARCHAEOLOGICAL RESOURCES AVOIDANCE, MINIMIZATION, AND MONITORING MEASURES

G.2.1 Summary of Identified Resources

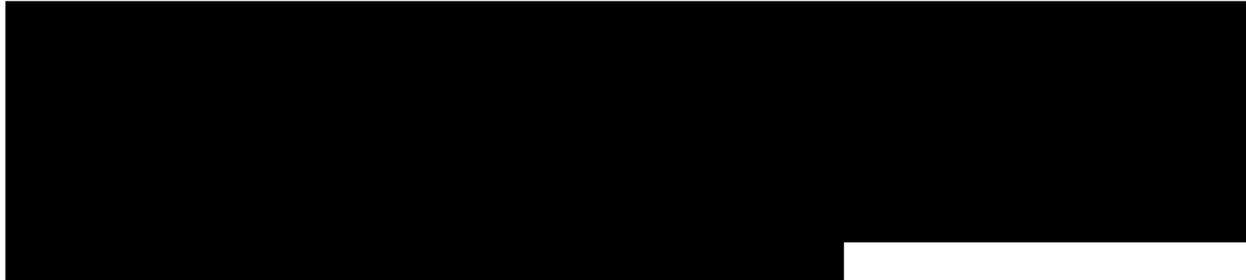


Table DD.2.1-1. Archaeological Sites within the PAPE

ID	Site Type	Time Period	NRHP Eligibility Status	Anticipated Effect
Onshore Export Cable				
44VB0204	Trash scatter	Antebellum Period (1830–1860), Civil War (1861–1865), Reconstruction and Growth (1866–1916)	Not Eligible	NHPA*
44VB0361	Farmstead	Reconstruction and Growth (1866–1916), World War I to World War II (1914–1945), The New Dominion (1946–1991)	Not Eligible	NHPA*
44VB0389	Lithic scatter, Military base/facility	Pre-Contact, World War I to World War II (1917–1945), The New Dominion (1946–1991)	Not Eligible	NHPA*
44VB0395	Lithic scatter, Military base/facility	Pre-Contact, Antebellum Period (1830–1860), Civil War (1861–1865), Reconstruction and Growth (1866–1916), World War I to World War II (1914–1945), The New Dominion (1946–1991)	Not Eligible	NHPA*
44VB0396	Military base/facility	World War I to World War II (1914–1945), The New Dominion (1946–1991)	Not Eligible	NHPA*
44VB0443	Site, Artifact Scatter	Reconstruction and Growth (1866–1916), World War I to World War II (1914–1945), The New Dominion (1946–1991)	Not Eligible	NHPA*
31-46	Isolate	Post-contact, undetermined	Not Eligible	NHPA*
33-08	Isolate	Post-contact, undetermined	Not Eligible	NHPA*
34-02	Isolate	Post-contact, undetermined	Not Eligible	NHPA*
37-27	Isolate	Post-contact, undetermined Modern (potential association with site 44VB0361)	Not Eligible	NHPA*
Interconnection Cable				

ID	Site Type	Time Period	NRHP Eligibility Status	Anticipated Effect
[REDACTED]	[REDACTED]	[REDACTED]	Potentially Eligible	No Adverse Effect with Recommended Avoidance
44VB0175	Artifact scatter	Contact Period (1607–1750), Colony to Nation (1751–1789), Early National Period (1790–1829), Antebellum Period (1830–1860), Civil War (1861–1865), Reconstruction and Growth (1866–1916)	Not Eligible	NHPA*
[REDACTED]	[REDACTED]	[REDACTED]	Potentially Eligible	No Adverse Effect with Recommended Avoidance
44VB0274	Artifact scatter, Farmstead	Paleo-Indian (15000–8501 B.C.E), Early Archaic Period (8500–6501 B.C.E), Middle Archaic Period (6500–3001 B.C.E), Late Archaic Period (3000–1201 B.C.E), Early Woodland (1200 B.C.E–299 C.E), Middle Woodland (300–999 C.E), Late Woodland (1000–1606)	Not Eligible	NHPA*
44VB0306	Canal	Early National Period (1790–1829), Antebellum Period (1830–1860), Civil War (1861–1865), Reconstruction and Growth (1866–1916), World War I to World War II (1914–1945), The New Dominion (1946–1991), Post-Cold War (1992–Present)	Not Eligible	NHPA*
44VB0314	Dwelling, single	Antebellum Period (1830–1860), Civil War (1861–1865), Reconstruction and Growth (1866–1916)	Not Eligible	NHPA*
44VB0444	Site, Artifact Scatter	Reconstruction and Growth (1866–1916), World War I to World War II (1914–1945), The New Dominion (1946–1991)	Not Eligible	NHPA*
11-56	Isolate	Post-contact, undetermined	Not Eligible	NHPA*
12-09	Isolate	Post-contact, undetermined	Not Eligible	NHPA*
26-21	Isolate	Post-contact, undetermined	Not Eligible	NHPA*
26-234	Isolate	Post-contact, undetermined	Not Eligible	NHPA*
28-08	Isolate	Post-contact, undetermined	Not Eligible	NHPA*
28-09	Isolate	Post-contact, undetermined	Not Eligible	NHPA*
Laydown Yard				
[REDACTED]	[REDACTED]	[REDACTED]	Potentially Eligible	No Adverse Effect with Recommended Avoidance

* NHPA = No Historic Properties Affected

Sites 44VB0396, 44VB0395, and 44VB0389 are located within State Military Reservation (SMR) Camp Pendleton and have been recommended not eligible to the NRHP. An extensive previous archaeological survey has been conducted at the SMR (Monroe et al. 2017) and, as a result, reevaluation of these sites was not required as part of the Phase IB survey associated with the Project. Additionally, while site 44VB0388 is not currently within the PAPE, in consultation with SMR a buffer of at least 10 feet will be established around the resource to avoid any possible impacts.



The two new sites identified within the PAPE are 44VB0443 and 44VB0444 (Table 1). Both sites are trash scatters in agricultural fields dating from the later nineteenth to the twentieth century. Tetra Tech has recommended that sites 44VB0443 and 44VB0444 are not eligible to the NRHP.

Virginia DHR ID	Site Type	Time Period	Recommendation
44VB0443	Site, Artifact Scatter	Reconstruction and Growth (1866–1916), World War I to World War II (1917–1945), The New Dominion (1946–1991)	Not Eligible
44VB0444	Site, Artifact Scatter	Reconstruction and Growth (1866–1916), World War I to World War II (1917–1945), The New Dominion (1946–1991)	Not Eligible

In addition to these archaeological sites, the grave, or memorial, of an unknown infant was also identified in Aeropines Golf Course on Naval Air Station (NAS) Oceana. The grave/memorial site consists of a concrete slab, approximately 4 ft (1.2 m) long, with an embedded metal plaque of the type supplied by funeral homes, often as temporary markers. The area is surrounded by a low fence which appears to be a recent addition. There are no dates, but the grave/memorial appears to date generally to the mid-twentieth century based on similar dated examples observed in other cemeteries in Virginia, particularly the plaque supplied by the funeral home. A Ground Penetrating Radar (GPR) survey conducted around the grave was inconclusive. The GPR findings did not display typical responses of a buried vault, body, or casket type anomaly, other anomalies that could represent excavations, graves, or other disturbances in soil stratigraphy were documented. Historic graves would generally be expected to appear as parallel rows of anomalies

aligned east to west. The anomalies identified by the GPR are scattered and at varying angles, a pattern which is not indicative of burials. The identified anomalies are also located to the south of the grave/memorial on the edge of the golf course, an area which has undergone significant landscaping. The use of this location as an agricultural field and then the construction of the golf course would have resulted in significant subsurface disturbance such as drainage/irrigation ditches, plow scars, and tree removal. These activities could have likely contributed to the type of anomalies identified by GPR.

Following the GPR survey, and in coordination with cultural resources managers at NAS Oceana and the Navy, Tetra Tech undertook Phase IB shovel testing of the area surrounding the grave/memorial. Six shovel tests (STs) were placed in the immediate vicinity of the grave/memorial. None of these STs contained cultural material and there was no indication of grave shafts or voids. The soils in the STs were deflated with a single stratum of gray (10YR 6/1) to light brownish gray (10YR 6/2) silty clay which is consistent with the subsoil identified in other areas of the golf course. The presence of a single stratum of subsoil is indicative of previous grading and is consistent with the area's use as an agricultural field and subsequent landscaping associated with the golf course.

Due to the lack of information about the grave, an assessment of its eligibility to the NRHP is necessarily tentative. Lack of information about the individual interred and the circumstances of the internment means that an assessment of eligibility under Criteria A or B cannot be made at this time. However, eligibility under these criteria seems unlikely given the occupant is described as an unknown infant. Given that the grave marker itself consists of a common mass-produced metal plaque and a concrete slab, it would not be eligible to the NRHP under Criterion C. Eligibility under Criterion D is currently unknown, though it is unlikely that it would be eligible under this criterion either.

G.2.2 Recommended Avoidance and Minimization Measures

Dominion Energy commits to the following avoidance and minimization measures during Project construction:

- All Project personnel involved in construction activities must be familiar with the Unanticipated Discoveries Plan (UDP) and the processes for notification of appropriate individuals if archaeological material is encountered (see Memorandum of Agreement (MOA) Attachment 9).
- An archaeological monitor will be on call and ready to assess unanticipated discoveries during all construction activities along the length of the APE including horizontal direct drilling operations and construction within existing roadways (Figure G-9-2). If the archaeological monitor is at a different location when potential cultural material is encountered, they will be notified immediately, proceed to the location of the unanticipated discovery, and make an on-site assessment of the potential cultural material as soon as possible. Work at the specific location of the unanticipated discovery will be halted until after the archaeological evaluation has been completed. At designated locations the archaeological monitor will be on site during all construction activities (see below).
- An archaeological monitor will be present at SMR Camp Pendleton during all construction activities that involve subsurface disturbance.

- [REDACTED]
- In consultation with the Navy, and in accordance with Code of Virginia §18.2-126, violation of sepulture; defilement of dead human body, Tetra Tech recommends a buffer of 10 ft (3 m) beginning at the existing fencing of the grave/memorial site identified on NAS Oceana/Aeropines Golf Course. This area will be surrounded by fencing during all construction activities. Tetra Tech also recommends having an archaeological monitor present during construction activities at this site. Any archaeological removal of human remains would require a permit from Virginia DHR, pursuant to Code of Virginia §10.1-2305, “Permit required for the archaeological excavation of human remains.”
- [REDACTED]
- The identity of the avoided, or partially avoided resources as archaeological sites will not be disclosed to the public or to construction/installation staff but will be known to the archaeological monitor.

G.2.2.1 Monitoring Plan

G.2.2.1.1 Purpose

This Monitoring Plan addresses areas within the Project’s APE where there is potential to find soil layers, deposits, or interfaces with sufficient integrity, contents, and characteristics to contain cultural resources and provide potentially significant information about the activities of past people of either the precontact or periods that may be affected by Project construction activities. Cultural resources in this context are defined as archaeological sites, objects, and features. Human remains and associated grave goods may also be encountered during ground-disturbing construction activities. This Monitoring Plan serves to identify, recover, protect/and or document archaeological information and materials that might be found during construction activities in accordance with Virginia (commonwealth) and federal laws and guidelines.

G.2.2.1.2 Training

Training of construction personnel will be conducted by a professional archaeologist who meets the Secretary of Interior’s Professional Qualification Standards (36 CFR Part 61) for archaeology. Training will occur as part of the pre-construction on-site training program for all construction personnel. Training will include:

- A description of the nature and type of archaeological resources that may be encountered within the Project’s APE, including precontact and historic artifacts, deposits, and features;
- A description of the procedures described in the UDP for reporting unanticipated archaeological discoveries and human remains encountered during Project construction activities; and

- An emphasis on the need to treat all potential human remains with dignity and respect.

G.2.2.1.3 Documentation

Copies of this Plan will be incorporated into all relevant construction documents and will be available in hard copy format onsite during construction. The Project Manager will maintain a log with the name and signature of personnel who have received the archaeological training developed for this Project including the protocols described in the UDP. The Project Manager will be responsible for compliance with the provisions of this plan including coordination with the archaeological monitor(s) and appropriate Stakeholders as may be required.

G.2.2.1.4 Archaeological and Tribal Monitors

Any archaeological investigations, including archaeological monitoring, on state and federal land must be permitted by VDHR or the appropriate federal agency (Navy only for NAS Oceana) and will be supervised by individuals who meet the Secretary of the Interior's (SOI's) professional qualifications for archeology (NPS 2022), including:

- A graduate degree (minimum Masters) in archeology, anthropology, or closely related field;
- At least one year of full-time professional experience or equivalent specialized training in archeological research, administration, or management;
- At least four months of supervised field and analytic experience in general North American archeology; and
- A demonstrated ability to carry research to completion.

At least one archaeological monitor will be on call and ready to assess unanticipated discoveries during all construction activities within the APE, though more may be added as needed. At designated locations an archaeological monitor will be on site during all construction activities.

Tribal monitors may participate in the archaeological monitoring at their discretion and do not need to meet the SOI professional qualifications for archeology. It is the responsibility of the archaeological monitor to coordinate the logistics for tribal monitors. Tribal representatives and/or Tribal Historic Preservation Offices (THPOs) will be notified of construction activities up to 30 days and minimally of two-weeks in advance to participate in monitoring activities, if desired. The Dominion Tribal Relations Manager or Archaeological Monitor will notify Tribal representatives and/or THPOs who have expressed an intent to have a Tribal Monitor and/or Tribal Representative present each day prior of the starting location for the next day. Additionally, the Dominion Tribal Relations Manager or Archaeological Monitor will assist Consulting Tribes with the logistics for pre-construction reconnaissance when they request to assess a portion of the project area prior to the start of construction activities in that area.

G.2.2.1.5 Locations where Monitoring is Required

[REDACTED]

[REDACTED]

[REDACTED]

- █ [REDACTED]
- █ [REDACTED]

Tribes may request additional areas for monitoring at their discretion. The archaeological monitors should be informed a minimum of twenty-four hours prior to work occurring in these specific areas.

[REDACTED]

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

[REDACTED]

[REDACTED]

[REDACTED]

G.2.2.1.7 Process for Determining if Monitoring a Construction Activity Is Necessary

If construction personnel are unsure if a monitor is required for work in at certain locations or for certain activities, they should consult with the Project Manager or those delegated by them who will coordinate with the archaeological monitors. Any newly proposed work areas need to go through the review process as described in MOA Stipulation VI (Review Process for Documents).

G.2.2.1.8 Reporting

For each day of on-site monitoring, the archaeology monitor will produce a daily monitoring report that will be comprised of notes summarizing observations made on each day. The archaeology monitor will also include photos of the working locations and conditions and characteristic soils/profiles (as appropriate) and provide any sketch maps, plans, profiles, etc. along with the daily monitoring report. These reports will be sent to the project management team daily.

Daily Monitoring Field Report will include:

- Date
- Weather
- Monitor's Name
- Identify monitoring location
 - Indicate the activity and location of what was monitored as specifically as possible.
- Note if any historical features are anticipated in this area
- General observations on excavated soils
 - Describe the soils, sediments, or other excavated matrix and indicate which layers or horizons appear to be undisturbed native soils, natural sediment accumulations, or artificial fills:
 - For each layer or group of related layers, consider and describe the following:
 - Are the sediments the products of natural processes or human activities?
 - Are the soils an undisturbed soil with apparently natural horizonation?
 - Have the soils been excavated and replaced?
 - Are the layers predominantly demolition debris? construction debris?
 - Are the layers a primary or secondary historical midden?
 - Describe the specific evidence that leads to the interpretation.
 - Characterize the soil as to color(s), pattern of lensing/stratification/soil horizonation, gross texture, including abundance of coarse materials like pebbles or cobbles; abundance, types, and character of principal kinds of artifacts, manuports, and debris.
 - If you observe different areas of soil within a monitoring observation area, write a separate brief discussion of each. Be sure to specify location.
 - Comment on any underground utilities or other buried infrastructure observed (e.g., presence/absence of active or abandoned electrical lines, pipelines, and drains).
 - Historical relevance or significance of the field observations, if any.

- Approximate depth of excavations and/or thickness of deposits, strata layers, and soil horizons.
- Comment on any features (e.g., dark stains that may result from former organic material that resulted from human activity like a burial, storage pit, garbage pit) that were observed or examined during the day's monitoring.
 - Describe each feature briefly, including measurements, location, and orientation.
 - Associated soils and artifacts.
 - Inferred age or period of the feature and indicate the basis for the age estimate, such as associated diagnostic artifacts recovered from the deposit.
 - Note whether archaeological examination of finds, features, or deposits, required a substantial (>~15 minutes) interruption of work?
 - Support notes with annotations on construction plans (if available), sketch maps or drawings, and photographs as appropriate.

Field photographs should include:

- For each area on each day of monitoring, record work in progress with a photograph taken from a vantage point that shows the work area and identifiable surroundings to provide location and context.
- Take a photo of a representative profile or area of soil from each area monitored.
- Keep a photo log to distinguish photographs that may look similar to all others once back in the office. Include Subject, Date, View of Direction, Identification of monitoring location.
- Photograph any soil anomalies, features, and typical/unusual pieces of underground infrastructure.
- Note in accordance with section G-1.3.2 of MOA Attachment 9 Plan for Unanticipated Discoveries of Cultural Resources and Human Remains, it is prohibited to photograph human remains or provide public access to view human remains regardless of affiliation. The only photography allowed of human remains will be field documentation by the Archaeological Monitor and Professional Archaeologist.

The archaeological monitor will produce a bi-weekly report which, in coordination with BOEM, will be sent via email to Section 106 consulting parties who request it (e.g., BOEM, SHPOs, Tribes, and any interested state or federal agencies). These bi-weekly reports will include a description of observed construction activities, photos of these activities, and a summary of upcoming work. The archaeological monitor will also produce a final report on the monitoring activities which will be provided to the Section 106 consulting parties within a reasonable amount of time following the conclusion of construction.

G.2.2.1.9 Post Review Discoveries

Detailed protocols for dealing with unanticipated discoveries, including precontact, historic, and human remains, are included in the UDP, which is Attachment 9 of the Section 106 MOA.

G.2.2.1.10 Notifications and Contact List

A detailed list of individuals and offices to contact in the event of an unanticipated discovery including BOEM cultural and environmental staff, project management, archaeological monitor(s), Tribes, VDHR, construction contacts, law enforcement, and medical examiner/coroner's office is included in the table below and included in the UDP, which is Attachment 9 of the Section 106 MOA.

Underground Transmission (SMR to Harpers Switching Station)	
Dominion Energy On-Site Project Manager David "Trip" Poore Strategic Project Advisor 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 804-627-3017 David.Poore@dominionenergy.com	Contractor On-Site Manager/Foreman Ajay Joshi Project Manager 1011 Brookside Road, Suite 155E Allentown, PA 18106 503-313-3460 ajoshi@wilsonconst.com
Dominion Contact Jared Williams Director – ET Strategic Projects 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 804-240-9881 jared.r.williams@dominionenergy.com	Alternate Dominion Contact Jason Emigh Manager – Environmental Compliance 5000 Dominion Blvd Glen Allen, VA 23060 804-310-5416 Jason.emigh@dominionenergy.com
Harpers Switching Station and Fentress Substation	
Dominion Energy On-Site Project Manager Robert Greg Dodds Strategic Project Advisor 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 703-258-5781 robert.g.dodds@dominionenergy.com	Contractor On-Site Manager/Foreman TBD
Dominion Contact Jared Williams Director – ET Strategic Projects 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 804-240-9881 jared.r.williams@dominionenergy.com	Alternate Dominion Contact Jason Emigh Manager – Environmental Compliance 5000 Dominion Blvd Glen Allen, VA 23060 804-310-5416 Jason.emigh@dominionenergy.com
Overhead Transmission (Harpers Switching Station to Fentress Substation)	
Dominion Energy On-Site Project Manager Kyle Keno Strategic Project Advisor 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 804-385-2517 kyle.A.keno@dominionenergy.com	Contractor On-Site Manager/Foreman TBD

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G.3 CONSULTING PARTY ENGAGEMENT FOR AVOIDANCE, MINIMIZATION, AND MONITORING PLANNING

Consulting Parties will be provided an opportunity for review and comment on the Avoidance, Minimization, and Monitoring Plan concurrent with BOEM’s anticipated NHPA Section 106 review schedule for the Project. Dominion Energy will provide the Avoidance, Minimization, and Monitoring Plan to BOEM for review by participating parties as part of BOEM’s NHPA Section 106 review to provide meaningful input on the Plan. Dominion Energy anticipates document exchanges, or similar means of communication of information. The final Avoidance, Minimization, and Monitoring Plan may be included in any Section 106 MOA and as conditions of any BOEM COP approval.

In consultation with BOEM, a list of Tribes who wish to participate in the consultation process for the UDP will be developed. Tribes will be invited to express their interest in participating in the UDP consultation process at meetings organized by BOEM. When a list of interested Tribes has been developed the contact information either for Tribal Historic Preservation Offices (THPOs) or tribal contact persons will be verified. Tribes who have expressed interest will be consulted in the event of the discovery of unanticipated cultural material of indigenous creation and on avoidance and data recovery proposals. Both THPOs and designated Tribal Representatives will be consulted regarding whether a find is associated with an NRHP eligible resource in coordination with BOEM.

G.4 REFERENCES

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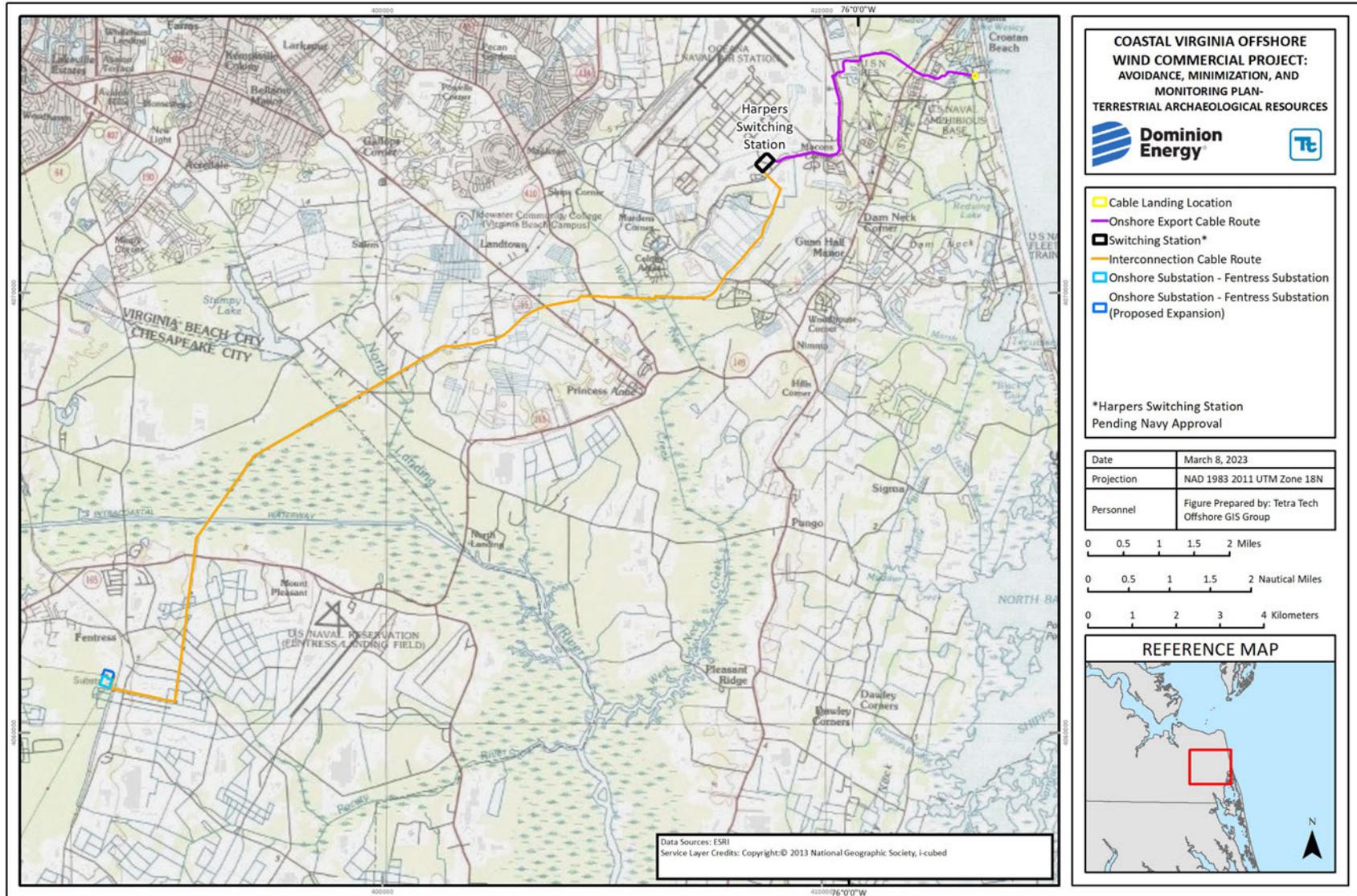


Figure G-9-1. Project Overview

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

**ATTACHMENT 5 – OFFSHORE HISTORIC PROPERTIES TREATMENT PLAN –
OFFSHORE PROJECT COMPONENTS IN VIRGINIA BEACH, VA AND CURRITUCK, NC**

Offshore Historic Properties Treatment Plan— Offshore Project Components in Virginia Beach, VA and Currituck, NC

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Submitted March 2023, Revised April, May, August, and September 2023

DOCUMENT REVISION LOG		
Revision Number	Date	Description
1	3/17/2023	Draft Submission
2	4/7/2023	Address BOEM Comments
3	5/1/2023	Address BOEM Comments
4	8/4/2023	Address BOEM Comments
5	September 2023	Address Consulting Party Comments

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LIST OF ACRONYMS

ac	acre
ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effect
BOEM	Bureau of Ocean Energy Management
ca.	circa
CFR	Code of Federal Regulations
CLG	Certified Local Government
COP	Construction Operation Plan
CVOW	Coastal Virginia Offshore Wind
dBA	A-weighted decibel
Dominion Energy	Virginia Electric and Power Company, d/b/a Dominion Energy Virginia
ft	foot
GIS	Geographic Information System
ha	hectare
HDD	horizontal directional drilling
HP KOP	Historic Properties Key Observation Point
HPOWeb	The North Carolina State Historic Preservation Office GIS Web Service
HPTP	Historic Preservation Treatment Plan
HRVEA	Historic Resources Visual Effects Analysis
km	kilometer
KOP	Key Observation Point
Lease Area	the OCS-A 0483 Lease, located approximately 27 mi (23.75 nautical miles, 43.99 kilometers) off the coast of Virginia and includes approximately 112,799 acres (45,658 hectares) of submerged lands
Lessee	Dominion Energy
m	meter
mi	mile
MPDF	Multiple Property Documentation Form
MW	megawatt
NCHPO	North Carolina State Historic Preservation Office
NEPA	National Environmental Policy Act
NHL	National Historic Landmark
NHPA	National Historic Preservation Act of 1966
nm	nautical mile
NPS	National Park Service
NRHP	National Register of Historic Places
OCS	Outer Continental Shelf
PAPE	Preliminary Area of Potential Effects
PDE Project	Project Design Envelope Dominion Coastal Virginia Offshore Wind Commercial Project
RCG&A	R. Christopher Goodwin & Associates, Inc.
SHPO	State Historic Preservation Office
SMR	State Military Reservation
TCP	Traditional Cultural Property
Undertaking	Coastal Virginia Offshore Wind Commercial Project
VCRIS	Virginia Cultural Resource Information System

VDHR	Virginia Department of Historic Resources
VLR	Virginia Landmark Register
WEA	Wind Energy Area
WTG	Wind Turbine Generator

1 EXECUTIVE SUMMARY

This Historic Preservation Treatment Plan (HPTP) was developed to support fulfillment of Stipulation III of the MEMORANDUM OF AGREEMENT (MOA) AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, THE STATE HISTORIC PRESERVATION OFFICERS OF VIRGINIA AND NORTH CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT. This document was prepared to provide background data, information on historic properties, and detailed implementation steps for mitigation measures developed to resolve adverse visual effects to 22 out of 24 of the historic properties identified by the Bureau of Ocean Energy Management (BOEM) through Section 106 consultation for the Coastal Virginia Offshore Wind Commercial Project (Undertaking), as identified by the Offshore Historic Resources Visual Effects Analysis (HRVEA), dated October 2022, and submitted to BOEM on October 21, 2022, and as amended by the Finding of Effect (Appendix O of the Final Environmental Impact Statement for the Coastal Virginia Offshore Wind Commercial Project) dated August 2023. The Offshore HRVEA summarized effects from Offshore Project Components to historic properties. The mitigation measures within this document, and their implementation if selected, were developed in consultation with federally and state recognized tribes, the Virginia Department of Historic Resources (VDHR), North Carolina Historic Preservation Office (NCHPO), the Advisory Council on Historic Preservation (ACHP), and other consulting parties.

2 BACKGROUND INFORMATION

2.1 Project Overview

BOEM has determined that the CVOW Commercial Project (Undertaking) constitutes an undertaking subject to Section 106 of the National Historic Preservation Act (NHPA; 54 U.S.C. § 306108) and its implementing regulations (36 CFR §800). The proposed activities to support the Project, as detailed in the CVOW Commercial Project Construction and Operations Plan (COP), have the potential to affect historic properties. The work of the Project detailed in the COP will be performed for the Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion Energy). The Project is located in the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) Offshore Virginia (Lease No. OCS-A-0483, Lease Area), which was awarded to Dominion Energy (Lessee) through the Bureau of Ocean Energy Management (BOEM) competitive renewable energy lease auction of the Wind Energy Area (WEA) offshore of Virginia in 2013. The Lease Area covers approximately 112,799 acres (ac; 45,658 hectares [ha]) and is approximately 27 statute miles (mi) (23 nautical miles [nm], 43 kilometers [km]) off the Virginia Beach coastline. The Offshore Export Cable Route Corridor will connect the Lease Area to a Cable Landing Location at the State Military Reservation (SMR) in Virginia Beach, VA.

The Offshore HRVEA (Appendix H-1) that was prepared as part of the CVOW Commercial Project COP evaluated effects to historic properties from Offshore Project Components. Based on the results of the Offshore HRVEA and through Section 106 consultation, BOEM determined that the Undertaking will result in an adverse visual effect to 24 properties that are either listed or treated as eligible for listing for purposes

of this analysis.¹ This HPTP details the proposed treatment plan for 22 of these properties.. The proposed mitigation measures for the other 2 properties are included in two separate HPTPs: *Offshore Historic Properties Treatment Plan – Fort Story Historic District* and *Historic Properties Treatment Plan Camp Pendleton State Military Reservation Historic District*. Consultation will be undertaken between federally and state recognized Native American tribes, VDHR, NCHPO, and other consulting parties to develop manners in which to avoid, minimize, and mitigate adverse effects to the 22 historic properties described in this HPTP. The resolution of adverse effects is recorded in the Section 106 MOA currently in draft titled MEMORANDUM OF AGREEMENT (MOA) AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, THE STATE HISTORIC PRESERVATION OFFICERS OF VIRGINIA AND NORTH CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT (MOA). This HPTP was developed in support of the MOA.

2.1.1 Section 106 of the NHPA

This plan was developed to address the items proposed in the MOA intended to help mitigate the visual adverse effects from the Undertaking.

2.1.1.1 Resolution of Adverse Effects Measures in the MOA

Prior to implementation of the MOA, local governments and commissions may require coordination to obtain approvals for mitigation measures including planning boards, historic review commissions, zoning, and code enforcement. All mitigation work selected and completed as outlined in this HPTP will follow applicable historic preservation laws.

Participating parties are defined as consulting parties that have a critical and functional role in fulfilling the mitigation stipulations of the MOA. The roles of participating parties are outlined in Section 4.0 of the HPTP. A list of participating parties is provided in Table 1.

Table 1. Participating Parties in Consultation

Name	Relationship to Historic Property	Address
City of Virginia Beach, Virginia	Governing Entity	2875 Sabre Street, Suite 500, Virginia Beach, VA 23452
Outer Banks Conservationists	Property Owner	305 Queen Elizabeth Avenue, P.O. Box 721, Manteo, NC 27954
Preservation Virginia	Property Owner	204 West Franklin Street, Richmond, VA, 23220

3 HISTORIC SIGNIFICANCE AND EXISTING CONDITIONS OF THE

¹ Through Section 106 consultation with the U.S. Navy and NAS Oceana, it was determined that the Dam Neck Annex was misidentified as an NRHP-eligible property in the HRVEA. The only eligible property associated with NAS Oceana is the Surface-Launched Guided Missile School Historic District. Through a review of the historic significance of the property and consultation with NAS Oceana, BOEM determined that this property, though within the visual APE, would not be adversely affected by the Project. Therefore, BOEM determined that 24 historic properties within the visual APE for Offshore Project components would be adversely affected.

HISTORIC PROPERTY

Twenty-two historic properties are included in this HPTP based on analysis of visual effects to properties as outlined in the HRVEA; these properties are listed in Table 2. Twenty-one of these properties are located in Virginia Beach, VA; one is located in Currituck County, NC. The proposed mitigation measures for the other two adversely affected properties are included in two separate HPTPs: *Offshore Historic Properties Treatment Plan – Fort Story Historic District* and *Historic Properties Treatment Plan Camp Pendleton State Military Reservation Historic District*.

Table 2. Table of Affected Properties

SHPO ID Number	Name	City	State	Eligibility
065-0167	Chesapeake Bay Bridge-Tunnel	Cape Charles Virginia Beach	VA	Eligible for Listing
134-0007	First Cape Henry Lighthouse	Virginia Beach	VA	NHL, NRHP, VLR Listing
134-0047	Seatack Lifesaving Station/United States Coast Guard Station	Virginia Beach	VA	NRHP, VLR Listing
134-0066	Atlantic Wildfowl Heritage Museum/De Witt Cottage	Virginia Beach	VA	NRHP, VLR Listing
134-0079	Second Cape Henry Lighthouse	Virginia Beach	VA	NRHP, VLR Listing
134-0503	Cavalier Hotel	Virginia Beach	VA	NRHP, VLR Listing
134-0587	House, 7900 Ocean Front Avenue	Virginia Beach	VA	Eligible for the Purposes of the Project
134-5089	House, 8304-8306 Ocean Front Avenue	Virginia Beach	VA	Eligible for Listing
134-5301	Chesapeake Light Tower	Virginia Beach	VA	Eligible for the Purposes of the Project
134-5379	Cavalier Shores Historic District	Virginia Beach	VA	NRHP, VLR Listing
134-5399	House, 4910 Ocean Front Avenue	Virginia Beach	VA	Eligible for the Purposes of the Project
134-5493	House, 8600 Ocean Front Avenue	Virginia Beach	VA	Eligible for the Purposes of the Project
134-5660	House, 100 54 th Street	Virginia Beach	VA	Eligible for the Purposes of the Project
134-5665	House, 5302 Ocean Front Avenue	Virginia Beach	VA	Eligible for the Purposes of the Project
134-5857	Seahawk Motel	Virginia Beach	VA	Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD
134-5863	Hilton Washington Inn/Quality Inn and Suites	Virginia Beach	VA	Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD
134-5865	Virginia House	Virginia Beach	VA	Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD

SHPO ID Number	Name	City	State	Eligibility
134-5866	Cutty Sark Motel Efficiencies	Virginia Beach	VA	NRHP, Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD
134-5869	Econo Lodge/Empress Motel	Virginia Beach	VA	Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD
134-5872	Oceans II Condominiums/Aeolus Motel	Virginia Beach	VA	Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD
CK0106	Currituck Beach Lighthouse Complex Boundary Expansion	Corolla	NC	NRHP
Proposed	Sandbridge Historic District	Virginia Beach	VA	Eligible for the Purposes of the Project

3.1 Historic Context and Significance

3.1.1 Virginia Beach, Virginia

Virginia Beach emerged as a resort town during the second half of the nineteenth century. Travelers came to visit what was called “Virginia Beach” during the late nineteenth and early twentieth centuries by rail and car. A rail line connecting Virginia Beach and Norfolk was opened in 1883 by Colonel Marshall Parks, a developer, who constructed beachside amenities to attract Norfolk residents. The area was incorporated in 1906.

Military activity in Virginia Beach increased during World War I to protect Cape Henry (Cultural Resource Analysts, Inc. and Debra A. McClane 2018). State Military Reservation (SMR), formerly known as Camp Pendleton, was established as a summer training camp for the Virginia National Guard; it subsequently became an Army rifle range (The Beacon 1988; Watts 2007; and Moffett 2003).

Along with military construction, the oceanfront resort area continued to grow. Development accelerated during and after World War II, a conflict that permanently changed the character of the region. Early twentieth century military installations were enlarged, and the region’s population soared as military personnel were transferred into the area. Three of the region’s present military installations originated during World War II: Oceana Naval Air Station (1940); the Fleet Combat Training Center at Dam Neck (1941); and, Little Creek Amphibious Base (1945) (Watts 2007). The resort function of Virginia Beach also continued to expand through the twentieth century. In 1963, Princess Anne County merged with the resort town of Virginia Beach to form the City of Virginia Beach. This merger signaled a burst of rapid urban growth and industrial development that continues to encroach upon the open farmlands and barrier beaches south of Virginia Beach. Development remained concentrated along the beachfront until the 1960s when inland suburban communities began to form. In 1977, Virginia Beach was ranked as the fourth fastest growing city in the country (The Beacon 1988).

3.1.2 Currituck County, North Carolina

Currituck County was initially a precinct of Albemarle County in early colonial North Carolina. The earliest explorers to the county arrived circa 1650 and settled in areas facing the Currituck Sound. The Town of Currituck was established in 1672 (Malvasi 2010). Small towns were established throughout the county during the early eighteenth century including Indian Town, Coinjock, and Moyock. The economy included agriculture and shipbuilding (Malvasi 2010). By 1790, 5,392 individuals lived in Currituck County, and by 1830, 8,098 individuals were recorded as living in the county (Malvasi 2010). However, the population shrunk to 6,703 in 1840. The Albemarle & Chesapeake Canal was constructed in 1859 and provided increased water travel in the region between Virginia and North Carolina (Malvasi 2010). Following the Civil War, tenant farming emerged in the region, subdividing larger plantations into smaller individual farms; and by 1890 958 farms were located within the county (Malvasi 2010). The county became known for its outdoor pursuits including hunting and fishing. During the late nineteenth and early twentieth centuries hunting clubs were constructed along the coast to accommodate sportsmen (Martin Nd). The 1920s brought the popularity of the automobile and less reliance on waterways for transportation. Small unincorporated towns included amenities like stores, restaurants, and gas stations (Malvasi 2010). During the 1930s roadways were constructed to connect the small communities to each other and neighboring Camden County (Malvasi 2010).

3.2 NRHP Criteria and Aspects of Integrity Affected by the Undertaking

This section details the historic and physical context of the affected properties and their character defining views to the ocean.

3.2.1 DHR ID: 134-0007, First Cape Henry Lighthouse, National Historic Landmark (NHL)

“The construction of the Cape Henry Lighthouse was the first public works project of the United States government. President George Washington personally reviewed bids in January of 1791 and selected John McCornbs, a New York bricklayer, as the contractor. Secretary of the Treasury, Alexander Hamilton, executed the contract with the contractor on March 31, 1791. Governor Alexander Spotswood first proposed building a lighthouse at Cape Henry in November of 1720. He suggested that the province of Maryland assist in the costs of the proposed lighthouse. The general assembly passed an act to construct the lighthouse in 1752 and planned to use revenues from an export tax on tobacco. The British disallowed the law claiming the tax would infringe on the tobacco trade. In 1772, another act was passed and construction was started before the British could object; however, construction was interrupted during the revolutionary war. Construction on the project resumed in August 1791 and the lighthouse was placed into service in the fall of 1792. The cost of the project was \$17,700. Most of the original Acquia stone was covered under sand by the time construction resumed in 1791. It was decided to complete the lighthouse with newly acquired Rappahannock red sandstone rather than to unearth all of the acquia stone left on the site prior to the revolutionary war. The sandstone used in the base of the lighthouse was transported from Acquia Virginia quarries near Washington, D.C. The Acquia stone has a special significance since the same stone was provided for Mount Vernon, The U.S. Capital, and the White House. In 1861, the lighthouse was damaged by civil war fighting. The lighthouse was repaired in 1863 and service was restored. The Cape Henry Lighthouse light continued to shine until 1881 when it was replaced by a more modern lighthouse which is still in use today.” (Virginia Department of Historic Resources 2011). The Cape Henry Light is

designated as a NHL. The Cape Henry Lighthouse is located on the Atlantic Ocean and, at several vantage points, has clear ocean views. The property, as a whole, is sited on an early to mid- twentieth century defense facility with an association with military history. The Cape Henry Lighthouse is sited directly along the ocean coastline with historic associations with ocean views.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the lighthouse would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the First Cape Henry Lighthouse.

3.2.2 DHR ID: 134-0047, Seatack Lifesaving Station/United States Coast Guard Station (NRHP Listed)

“Built for the United States Lifesaving Service, a predecessor of the Coast Guard, the station at Virginia Beach is one of the few such facilities remaining on the Atlantic Coast. Erected in 1903 on Atlantic Avenue and 24th Street, the station was constructed to rescue victims of shipwrecks and other maritime disasters. Replaced by larger and more technologically advanced facilities, the station was abandoned by the United States Coast Guard in 1969 and is now the property of the City of Virginia Beach” (Virginia Department of Historic Resources 2013a). The United States Coast Guard Station/Seatack Lifesaving Station is located in an urban setting on a half-acre lot in Virginia Beach, Virginia. Constructed in 1903 and altered in 1933, the wood weatherboard building is one of the few remaining examples of United States Lifesaving Service buildings. The two and one-half-story, wood-frame building was moved to its current location during the late twentieth century and turned so that the original east elevation now faces north. The property is identified in *Evaluation of Visual Impact on Cultural Resources/Historic Properties: North Atlantic, Mid-Atlantic, South Atlantic, and Florida Straits, Volume II: Appendices* as possessing a significant maritime setting and views to the ocean. The United States Coast Guard Station/Seatack Lifesaving Station is oriented towards the Atlantic Ocean in Virginia Beach. The property was listed in the National Register of Historic Places in 1979 and currently houses a museum on coastal rescue. The Station retains significance and overall integrity.

The United States Coast Guard Station/Seatack Lifesaving Station was moved to its current location in the late twentieth century. The reoriented frame building currently occupies a site adjoining a modern twelve-story hotel complex. While the property has lost its original use and location, the building retains two characteristics of its original physical environment that were important to its integrity of setting. These characteristics are the building’s relationship to the beach and views to the ocean. The significance of the property is related to its historical role in coastal rescue during the early twentieth century and for embodying the design characteristics of an increasingly rare property type. Location within the immediate vicinity of the beach was historically important for rapid rescue response from the station as were unobstructed views to the ocean. The early twentieth century period of significance of the property applies to the aspects defining its integrity. The level of integrity of setting for the property is measured by the physical environment and character of place surviving from the period of significance. Beach front

orientation and views to the water are defining elements to the Seatack Lifesaving Station's current integrity of setting.

The Project will not alter the aspects of integrity of location, workmanship, design, or materials. However, the integrity of setting, feeling, and association of the Seatack Lifesaving Station would be diminished. Unobstructed ocean views and a beachside or maritime setting from the early twentieth century are character-defining features of the property integrity of setting that contribute to its significance. The Project would result in an adverse effect to the Seatack Lifesaving Station.

3.2.3 DHR ID: 134-0066, Atlantic Wildfowl Heritage Museum/De Witt Cottage (NRHP Eligible)

“The de Witt cottage is significant because it is the sole surviving example of the type of oceanfront dwelling constructed in Virginia Beach during its first period of development between its founding in 1883 and its incorporation in 1906. Alterations to the structure have been few and in keeping with its character. The house retains most of its turn-of-the-century ambiance. The remainder of the early Virginia Beach development, however, has changed completely. High-rise hotels and condominiums dwarf the de Witt cottage; rising land values and modern development pressures threaten its existence. The de Witt cottage is eligible for National Register listing under criteria A and C. It is eligible under Criterion A because of its association with the development of oceanfront resort property for the use of prosperous city-dwellers. Oceanfront resort development in the late nineteenth and early twentieth centuries was a national phenomenon. Under Criterion C the house is eligible because of its architectural quality and integrity” (Virginia Department of Historic Resources 2013b).

The de Witt Cottage was constructed in 1895 as a year-round single-family residence. The two-story dwelling occupies an L-shaped plan with a wrap-around porch. The building was constructed of brick masonry and included Queen Anne-style elements. The building is sited directly on the Virginia Beach oceanfront with unobstructed views of the Atlantic Ocean. The site yields significance and integrity from its urban, maritime setting and ocean views.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the Atlantic Wildfowl Heritage Museum would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements of the Project that would alter the relationship between the Cottage and of the physical environment from the period of dwelling's design and construction. The Project would result in an adverse effect to the Atlantic Wildfowl Heritage Museum.

3.2.4 DHR ID: 134-0079, Second Cape Henry Lighthouse (NRHP Listed)

“The tower retains its original first-order lens. Other than a modern partition wall with modern electrical components in the watch room, it retains over 85 to 90 percent of its original fabric. The oil house is rare in that it retains its original oil fume ceiling hood. The original fog signal building, now used as a garage, is one of only a few pre-turn-of-the-century fog signal structures extant on the East Coast. The remaining station structures have been modified over the years and have low to moderate historic integrity. Taken as

a whole, however, the ancillary buildings represent a light station complex which is largely intact. Few stations, especially on the East Coast, possess such variety.” The Second Cape Henry Lighthouse is listed in the NRHP.

The Cape Henry Lighthouse is located on the Atlantic Ocean and, at several vantage points, has clear ocean views. The Second Cape Henry Lighthouse is sited directly along the ocean coastline with historic associations with ocean views.

While naval architecture and navigation technology have changed over the years, active lighthouses continue to provide water-based traffic with reliable markers for navigation. Visibility of the light from the structure supports safe passage for watercraft in navigation channels and coastal waters. This primary role, as an aid to navigation, required the designers of lighthouses such as the Second Cape Henry Lighthouse to factor location and setting in the development of their engineering designs. The lighthouse marks the entrance to the Chesapeake Bay and historically supported a regional economy dependent on the Bay and shipping. The introduction of WTGs into the maritime landscape marks a change in use in coastal waters and would introduce modern industrial elements to the physical environment that would alter the historic setting of the lighthouse from the period of its importance.

As a result of the Project, the property’s integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the lighthouse would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance; the structure’s relationship to the physical environment was an integral consideration in its siting, design, and operation. While changes have occurred in the maritime landscape since the construction of the lighthouse in 1881, the viewshed to the ocean is important to the engineering design significance of the historic property. Location and setting were aspects of integrity that supported the historical operation of the structure, which continues to operate as an automated light. The Project would result in an adverse effect to the lighthouse.

3.2.5 VDHR ID: 065-0167 Chesapeake Bay Bridge-Tunnel (NRHP Eligible)

“In 1956, the General Assembly authorized the Ferry Commission to explore the construction of a fixed crossing. Results of the study indicated a crossing was feasible and recommended a series of bridges and tunnels. In the summer of 1960, the Chesapeake Bay Ferry Commission sold \$200 million in revenue bonds to private investors. Monies collected by future tolls were pledged to pay the principal and interest on these bonds. Construction contracts were awarded to Tidewater Construction Corporation; Merritt Chapman, Scott; Raymond International; Peter Kiewitt & Sons, Inc. and American Bridge Co. No local, state or federal tax money was used in the construction of the project. In April 1964 - just 42 months after construction began - the Bridge-Tunnel opened to traffic and ferry service was discontinued. From shore to shore, the Bridge-Tunnel measures 17.6 miles (28.4 km) and is considered the world's largest bridge-tunnel complex. Construction of the span required undertaking a project of more than 12 miles of low-level trestle, two 1-mile tunnels, two bridges, almost 2 miles of causeway, four manmade islands and 5-1/2 miles of approach roads, totaling 23 miles. Although individual components are not the longest or largest ever built, the Bridge-Tunnel is unique in the number of different types of structures it includes [...] The Chesapeake Bay Bridge Tunnel (065-0167) retains integrity and continues to meet the minimum criteria for inclusion in the

NRHP at the state level under Criterion A and C for significance in the areas of transportation and engineering” (Virginia Department of Historic Resources 2014a).

As a significant bridge-tunnel structure, orientation and association to the Atlantic Ocean are character-defining features. The engineering design of the structure was developed in response to its physical environment and setting. Setting, as defined as the physical environment of the property also is a factor related to the structure’s importance in regional transportation history during a period of regional transition from coastal ferries to major transportation infrastructure projects, such as the structure. The bridge-tunnel is a monumental scale engineering structure designed in direct response to its natural setting. Therefore, the Project would result in an adverse effect to the Chesapeake Bay Bridge-Tunnel.

3.2.6 VDHR ID: 134-0503, Cavalier Hotel and Beach Club (NRHP Listed)

The Cavalier Hotel is listed in the NRHP under Criterion C for Architecture as a 1920s hotel exhibiting Jeffersonian-inspired Classical Revival style. The hotel is also listed under Criterion A in the areas of Recreation and Social History for its associations with development of Virginia Beach as a beach resort destination town; it was also the last pre-World War II hotel built in the city. The seven-story hotel has a maritime setting and overlooks the town and ocean from its elevated location on a hill the rises above Atlantic Avenue/Pacific Avenue. Its unique Y form maximizes the views of the ocean from individual rooms and, according to the NRHP nomination (Pollard 2013), “Every possible aspect of the design was chosen to reflect the relationship of the hotel to the ocean including views of the ocean from many public areas.” The Cavalier Hotel and Beach Club is listed in the NRHP.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the Cavalier Hotel would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the hotel that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently open ocean viewscape visible from the beach and from the public and private areas in the hotel. Therefore, the Project would result in an adverse effect to the Cavalier Hotel.

3.2.7 DHR ID: 134-0587, House (7900 Ocean Front Avenue) (Eligible for the Purposes of the Project)

This resource is considered eligible for the purposes of the Project. It is potentially eligible under Criterion A as an example of an urban residence in Virginia Beach on the local level and under Criterion C. The ca. 1910 one-story cottage is situated on an urban lot directly on the beach coastline (Virginia Department of Historic Resources 1992). The building is oriented west onto Ocean Front Avenue. The resource is situated on a beachfront lot in a coastal setting with beach access and ocean views from the rear elevation. The resource has a historic association with maritime activities.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the residence would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience

the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the residence.

3.2.8 DHR ID: 134-5089, House (8304-8306 Ocean Front Avenue) (NRHP Eligible)

“Locally born architect Herbert Smith designed the house according to the aesthetics pioneered by Frank Lloyd Wright. The house is full of small details that delight aficionados of the 1950s, such as a wall-mounted ice crusher and much period furniture (Virginia Department of Historic Resources 2005).” The property was evaluated as eligible for listing in the NRHP. The ca. 1955 two-story International-style dwelling is situated on a coastal lot directly overlooking the beach front and Atlantic Ocean. The residence is located on oceanfront property with associations with coastal development in Virginia Beach. The building is oriented toward the ocean and has ocean views.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the residence would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the residence.

3.2.9 DHR ID: 134-5301, Chesapeake Light Tower (Eligible for the Purposes of the Project)

The Chesapeake Light Tower is located in open water 12.83 mi (20.66 km) from the proposed turbines. The Chesapeake Bay Tower is a 120-foot-tall light station constructed in 1965 and is an example of Texas Tower design. The property is referenced in the *National Register Multiple Property Listing for Light Stations in the United States* (NRHP accepted:2002) and the property is considered eligible for listing in the NRHP by the VHDR under Criterion C. Modeled after the design of offshore drilling platforms, Texas Towers were prefabricated light stations utilized in open ocean conditions in water greater than 30 feet. The Chesapeake Bay Tower was prefabricated by the Tidewater Raymond Kiewit Company of Norfolk and originally manned by a staff of four people. The structure was later converted to an automated station for data collection for scientific research and for the NOAA marine reporting system. The lighthouse, which was deactivated in 2016 due to its structural condition, was the last Texas Tower light station in service. The light station was sold by the General Services Administration to a private party in 2016. The resource is located offshore and has clear views of the ocean. The resource, as a whole, is situated offshore with clear views of the ocean in all directions. Further, the resource has an historic association with maritime and offshore navigation and scientific research.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the lighthouse would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would diminish the functional role of setting

in the siting of the structure, which historically and currently include unobstructed ocean views. Therefore, the Project would result in an adverse effect to the lighthouse.

3.2.10 DHR ID: 134-5379, Cavalier Shores Historic District (NRHP Listed)

“The Cavalier Shores Historic District is comprised of a seven-block residential neighborhood of the same name that was platted in 1927 by Cavalier Shores, Inc., a subsidiary of the adjacent Cavalier Hotel. The district is located immediately north of the Cavalier Hotel property and thus is the first neighborhood between the more commercial and high-density “resort area” and the primarily residential “north end” area between it and Cape Henry. This section of Virginia Beach is flat and narrow between the ocean to the east and various branches of Lynnhaven Bay to the west. The setting is naturally sandy with a plethora of low, scrub vegetation, although this has been supplemented with more lush and ornamental landscaping by both private and municipal efforts. Overall, the district retains a lush, cohesive, and attractive neighborhood feel through consistent scale, setback, and style of homes and a well-planned and maintained layout. The neighborhood is further complimented by decorative streetlights which also adorn the brick promenade and some sidewalks. Overhead power and utility lines are hidden within the alleys in the interior of the block and thus do not intrude in the historic character of the neighborhood. Nearly all of the homes in the proposed district retain a high degree of integrity and historic character. In general, they retain original form, materials, features, and other architectural details and convey the development and evolution of Cavalier Shores from 1927 through the present-day” (Virginia Department of Historic Resources 2019). The Cavalier Shores Historic District is listed in the NRHP.

The Cavalier Shores Historic District is a ca. 1920s residential subdivision with three blocks of coastal beach access and views. Several of the resources within the district are oriented north or south. Resources along the beach have ocean views. The district, as a whole, comprises densely constructed residences in a coastal setting with beach access and ocean views. The district has historic associations with maritime setting.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the historic district would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unobscured ocean viewscape. Therefore, the Project would result in an adverse effect to the historic district.

3.2.11 DHR ID: 134-5399, House (4910 Ocean Front Avenue) (Eligible for the Purposes of the Project)

This resource is considered eligible for the purposes of the Project under Criterion A as an example of urban development in Virginia Beach and under Criterion C as an example of the Shingle style. The ca. 1930 Shingle-style cottage is an early example of the houses that were built along the Virginia Beach beachfront during this period and the building retains several characteristics of the style including shingle cladding, clipped gable roofs with swooping eaves, and cottage-style windows (Virginia Department of Historic Resources 2018a). The dwelling is situated on a beachfront lot and is oriented west onto Ocean Front

Avenue. From the rear of the dwelling, the ocean is visible. The resource is situated on a beachfront lot in a coastal setting with beach access and ocean views. The resource has a historic association with maritime activities.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the residence would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the residence.

3.2.12 DHR ID: 134-5493, House (8600 Ocean Front Avenue) (Eligible for the Purposes of the Project)

This resource is considered eligible for the purposes of the Project under Criterion A as an example of urban development in Virginia Beach. The ca. 1934 two-story dwelling with no discernable-style is situated on a coastal lot with vegetation and partial-ocean views from the east elevation (Virginia Department of Historic Resources 2018b). The dwelling is oriented south onto Ocean Front Avenue. The resource is situated on a beachfront lot in a coastal setting with beach access and ocean views. The resource has a historic association with maritime activities.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the residence would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the residence.

3.2.13 DHR ID: 134-5660, House (100 54th Street) (Eligible for the Purposes of the Project)

This resource is considered eligible for the purposes of the Project under Criterion A as an example of urban development in Virginia Beach. The resource is ca. 1956, two-story Colonial Revival-style dwelling situated on a modest oceanfront lot populated with minimal landscaping (Virginia Department of Historic Resources 2018c). The dwelling is oriented west onto 54th Street and has unobstructed ocean views from the rear (east) elevation. The resource is situated on a beachfront lot in a coastal setting with beach access and ocean views. The resource has a historic association with maritime activities.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the residence would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience

the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the residence.

3.2.14 DHR ID: 134-5665, House (5302 Ocean Front Avenue) (Eligible for the Purposes of the Project)

This resource is considered eligible for the purposes of the Project under Criterion A as an example of urban development in Virginia Beach. The resource is ca. 1936 two-and-one-half story vernacular dwelling located on a modest coastal lot with minimal landscaping (Virginia Department of Historic Resources 2018d). The dwelling is oriented west onto Ocean Front Avenue and has ocean views from the rear (east) elevation. The resource is situated on a beachfront lot in a coastal setting with beach access and ocean views. The resource has a historic association with maritime activities.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the residence would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the residence.

3.2.15 DHR ID: 134-5857, Seahawk Motel (Associated with the Virginia Beach Oceanfront Resort Motels and Hotels Multiple Property Document)

“The Seahawk Motel is an oceanfront hotel that was constructed in 1964 on the site formerly occupied by the 67-room Spotswood Arms resort inn. The Spotswood was built in the 1910s and was torn down in 1962. The Seahawk stands on Lots 5 and 6 of Block 62 of the Virginia Beach Development Company plat. The hotel was owned by Hugh Kitchin Jr., and initially was managed by his son Hugh Kitchin III, and later by William H. Phillips. The elder Kitchin served as a Virginia Beach Councilman (representing the Virginia Beach borough), was a member of the Virginia Beach School Board, and served as the Chairman of the city's Erosion Commission. The Kitchin family had been involved in hotel-motel industry since the 1930s and at the time the Seahawk was built, Mr. Kitchin's mother, Mrs. W.H. Kitchin, operated the Halifax House vacation cottage, formerly located north of the Seahawk at 2600 Atlantic Avenue. The Seahawk Motel is recommended eligible for listing in the NRHP as part of the Multiple Property Document (MPD) Virginia Beach Oceanfront Resort Motels and Hotels (1955-1970) as a resource that is located in the Virginia Beach Oceanfront, was built as a motel during the period of significance, and that retains a sufficient amount of its original architectural character to convey its historical appearance. Early brochures for the resort motel highlighted its "100% oceanfront" rooms, the "sun struck protected pool and sun lounge terrace," and the "expansive parking area." Individual guest rooms were equipped with "oceanfront verandas, oceanscope glass window wall, conversation corner (seating), tiled shower tub baths" and luxurious appointments. Corner efficiency rooms had kitchenettes, adjustable circular tables, and connected to adjacent rooms for use by families. The motel was open year-round with golf and beach club privileges included” (Virginia Department of Historic Resources 2020a). The property is associated with the Virginia Beach Oceanfront Resort Motels and Hotels (1955-1970) MPD and is eligible for listing.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the motel would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the motel.

3.2.16 DHR ID: 134-5863, Hilton Washington Inn/Quality Inn and Suites (Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD)

“The Washington Club Inn Hotel, now the Quality Inn and Suites, was constructed on Lots 1, 2, 3, and 4, Block 1 of the Ocean Lot Investment Company subdivision plat (1922, W. Frank Robertson, president). In 1966, plans were announced for the 124-unit hotel and construction was underway in February of that year. By June, the hotel had opened 40 rooms. The owner and president of the Washington Hotel Corp., was Charles Gardner, a Nashville native. Gardner and his wife Juanita moved to Virginia Beach in the early 1960s, and continued working in the accommodations industry until his retirement in 1975. Mr. Gardner died in 2009. Mr. Gardner's community service to Virginia Beach included terms on City Council, the city's Personnel Board and its Race Relations Committee, the Chesapeake Bay Preservation Board, Virginia Marine Science Museum Board, the Crime Task Force Rotary (lifetime), and Mid-Atlantic Teen Challenge Board (chairman). He also served as president of the Innkeepers of Virginia Beach Association. Construction of the hotel was completed in phases, with the 40-unit south end wing constructed first. In 1968, an additional 20 units (on two floors) were added, and in 1969, a permit was granted for construction of the final 64 units at the motel. Those units opened in 1970. The Quality Inn/Washington Club Inn is recommended eligible for listing in the NRHP as part of the MPD Virginia Beach Oceanfront Resort Motels and Hotels (1955-1970) as a resource that is located in the Virginia Beach Oceanfront, was built as a motel during the period of significance, and that retains a sufficient amount of its original architectural character to convey its historical appearance. The hotel retains its unique semi-circular plan with all oceanfront rooms. Private balconies, a centralized pool area, and office wing remain intact. Exterior materials appear to be original and any renovations to railings or windows have been made in-kind. Additions to the hotel include two small food service areas (one on each wing) near the pool. The wooden fence between the pool area and the boardwalk has recently been reconstructed” (Virginia Department of Historic Resources 2020b).”

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the hotel would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the hotel.

3.2.17 DHR ID: 134-5865, Virginia House (Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD)

“When originally built, the Virginia House Residences incorporated at least some motel units, though they have since been converted to condominiums. The Virginia House Motel is listed for the first time in the 1966 Virginia Beach City Directory but does not appear in the 1971 Accommodation Directory. It continues to be listed in the City Directory under the Motels heading in the early 1970s, however. It seems likely that it was built to incorporate a variety of functions; City Directories appear to list some private offices within the Virginia House as well, and, to the recollection of local residents, it was always year-round apartments. It appears to have good integrity to the 1960s on the exterior. It was evaluated under the Multiple Property Document Virginia Beach Oceanfront Resort Motels and Hotels (1955-1970), but, because it was built to serve multiple uses and not as a resort hotel, it is not eligible under the MPD. Further survey would be necessary to evaluate it for individual eligibility” (Virginia Department of Historic Resources 2020c). The resource has a historic association to maritime setting as a recreational lodging resource.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the Virginia House would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern Project elements would alter the property’s historical and current ocean views, factors contributing to the development climate in Virginia Beach. Therefore, the Project would result in an adverse effect to the Virginia House.

3.2.18 DHR ID: 134-5866, Cutty Sark Motel Efficiencies (NRHP Listed)

“The Cutty Sark was built as the Crest Kitchenette Motel in 1963 by Mr. William T. Winner, owner and general contractor. The architect was William Burton Alderman, and the plans are dated February 17, 1963. Alderman was also the architect for several other motels in Virginia Beach, including Jefferson Manor Motel Apartments, the Blue Marlin Lodge, the Plantation Motel, and the Golden Sands Motel. Winner built the motel as something to keep him busy during retirement and, at the time, it had the largest units on the oceanfront and high-end kitchen efficiencies. He soon realized that he missed the construction business and sold the Crest Kitchenette Motel to Mr. Lit Hudgins, a local developer. Hudgins was responsible for changing the name to the Cutty Sark, which, depending on which story you believe, is either a nod to a famous sailing ship or a bottle of scotch. The Cutty Sark is an excellent example of the type of small, independently-owned, family-operated motels that were built along the oceanfront in the 1950s and 1960s and it retains good integrity to the period. It is recommended individually eligible for listing on the Registers, and is also eligible under the Multiple Property Document, Virginia Beach Oceanfront Resort Motels and Hotels (1955-1970). It retains such significant character-defining features as concrete block construction; original flat roof; visually differentiated units; original private concrete balconies with exposed concrete beams; plate glass windows; original footprint and three-story height; stacked/vertically aligned façade; and Modern-inspired-style” (Virginia Department of Historic Resources 2020d).” The property was listed in the NRHP in October 2022.

Access to the beach and views to the ocean were key advantages in attracting guests in Virginia Beach’s developing tourist economic during the 1950s and 1960s. Architectural design often was functional and

subordinate to the considerations of location and views. This pattern is illustrated in the Cutty Sark Motel Efficiencies.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the motel would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the motel.

3.2.19 DHR ID: 134-5869, Econo Lodge/Empress Motel (Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD)

“The Econo Lodge was built in 1965 as the Empress Motel. It was part of a boom in resort motel construction along the Virginia Beach oceanfront following the opening of the Chesapeake Bay Bridge Tunnel in 1964. One of the co-founders was Norman T. Cox who is also listed as the manager in the 1966 City Directory; in the 1971 Accommodation Directory Mrs. Norman Cox is listed as the manager. The Directory indicates that the Empress had 38 air-conditioned units, each with a private ocean front balcony. The property also boasted a heated pool and sun deck, and advertised motel rooms, efficiencies, motor apartments, and bridal suites. The former Empress Motel was surveyed and evaluated under the Multiple Property Document, Virginia Beach Oceanfront Resort Motels and Hotels (1955-1970). In spite of some alterations to stylistic details, the motel retains its original footprint and several character-defining features of a resort motel as defined in the MPD including concrete construction; original, multi-story height; concrete balconies, both private, oceanfront balconies and continuous balconies forming exterior corridors along the west elevation; visually distinctive individual units that are stacked/vertically aligned; plate glass windows; sun deck and pool; on-site parking; and separate office building with porte cochère. Therefore, it is considered eligible for listing on the Registers under the MPD” (Virginia Department of Historic Resources 2020e)”

The design of the Empress Hotel integrated the beach experience through the inclusion of balconies, exterior corridors, a sun deck and pool. The beach, ocean views and opportunities for outdoor recreation catered to the City’s developing tourist economy. Setting was a character defining features of the design and business model.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the motel would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the motel.

3.2.20 DHR ID: 134-5872, Oceans II Condominiums/Aeolus Motel (Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD)

“The Aeolus Motel was built in 1955-56 and is the oldest remaining mid-century motel along the oceanfront. It was built and operated by former Virginia Beach mayor Paul F. (Pat) Murray and his sons, Arthur E. Murray and P.F. Murray, Jr. It was designed by Ft. Lauderdale architectural firm Gambel, Pownall, & Gilroy and opened for business in the spring of 1956 as one of the first motels in Virginia Beach to incorporate a tropical Florida vibe. In 1963, Murray sold the motel to Mr. and Mrs. George Davis, who had previously operated the Ebbitide Motor Lodge at 20th Street and the oceanfront. In 1973, the Aeolus was sold to developer E. Howland Smith II, president of Oceans Condominium Corp., which developed the Oceans condominium tower just across Atlantic from the Aeolus. A major remodel in 1974 by architects Williams & Tazewell (who were also the architects for the Oceans tower and the Oceans Club, adjacent to the Aeolus) converted the motel into studio efficiency condominiums called Oceans II. It is eligible for listing on the Registers under the Multiple Property Document, Virginia Beach Oceanfront Resort Motels and Hotels (1955-1970) as an example of the Resort Motel property type that retains such character defining features as multi-story height, masonry construction, concrete balconies, plate glass windows, identifiable units that are vertically aligned, on-site parking, and Modern-inspired stylistic elements. From the exterior, it remains recognizable when compared to 1950s and 60s photographs” (Virginia Department of Historic Resources 2020f).

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the motel would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the motel.

3.2.21 Sandbridge Historic District (Eligible for the Purposes of the Project)

The City of Virginia Beach has documented selected buildings contained in the community of Sandbridge as part of their on-going municipal architectural survey efforts. Architectural survey data for the Sandbridge community was recorded using VCRIS forms and entered into the Virginia inventory system maintained by VDHR. Formal evaluation by VDHR of the individual significance or potential collective significance of this area as an historic district is not reflected in the database. However, recommendations contained in the VCRIS forms concluded that while individual resources lacked significance, the community, as a whole, possesses historic importance as among the City’s last planned communities with beachfront access and limited commercial development, particularly when initial development (ca. 1958) is combined with the more recent development (1970-85) in the community. Formal consideration of the area as a whole as an historic district was recommended in the near future (2030). Based on this recommendation, the importance of the community to the history of the City of Virginia Beach, the long-standing history of local municipal preservation interest, and the importance of maritime setting to the character of the area, the Sandbridge area was considered as a potential historic district for the purposes of the current assessment. This approach is consistent with methodology adopted for properties surveyed but not yet evaluated, as well as the

recognizes the potential local historical significance of the Sandbridge area to the development of the City of Virginia Beach under Criteria A of the National Register Criteria for Evaluation (36 CFR 60 [a-d]).

A formal boundary delineation of the potential historic district has not been made to date. Maps accompanying this assessment include the neighborhood boundaries for reference and anticipate that the definition of formal boundaries will accompany a formal determination of National Register eligibility. The potential district is anticipated to include residential development; Sandbridge Beach, an oceanfront amenity of approximately 4.5 miles; and Fire Station 17, a two-bay firehouse constructed by the residents of Sandbridge in 1975 and currently manned by the Virginia Beach Fire Department. The Sandbridge Lifesaving Station (DHR ID 134-0596), a surveyed but unevaluated property was among the properties documented by the City of Virginia Beach during the first architectural survey of the south section of the City in 1992. Sandbridge is a physically isolated seaside residential community distinguished by its beach front and ocean orientation. The Station, constructed in 1920, is recorded as among the oldest surviving lifesaving facilities in Virginia Beach and is closely associated with the recreational history and orientation of the Sandbridge community during the twentieth century. Fire Station 17 replaced an earlier fire station and currently houses the Sandbridge Lifeguard Service (summer) and the Sandbridge Volunteer Rescue Squad.

Sandbridge is a residential coastal community in south Virginia Beach accessible from Sandbridge Road. The community is located on the Currituck Banks Peninsula separating North Bay from the Atlantic Ocean. Predominantly single-family dwellings on single building lots are organized along a densely developed attenuated grid plan that extends along the peninsula from the Atlantic Ocean beach to the North Bay, with most recent development extending into the bay along irregular cul-de-sacs. Beach and waterfront orientation dominates the architectural character of the community, which comprises low scale, one- to three- story, frame dwellings of irregular size and massing. Dwellings occupying lots between Sandbridge Road and the beach are sited with direct beach access and sweeping ocean views. The compressed land area and development plan affords ocean views from the majority, if not all, dwellings in the community.

While the maritime character of the City of Virginia Beach has changed and evolved over the twentieth century with progressive military and private sector development, Sandbridge has retained its overall integrity of setting, feeling, and association as an isolated, residential enclave oriented to the beach and water due, in part, to its limited assess and residential use. The development in the Sandbridge area is characterized by its isolation from the urban center, compact development along the peninsula, and water orientation. Beach front building orientation and ocean setting are important to the historical integrity of the 20th-century planned community. The introduction of the WTG array within the community's viewshed could alter the community's setting and orientation to the existing managed, but natural, landscape, thus affecting its overall integrity. The scale and industrial character of the array differs from the community's scale and dominant residential character. While the visibility of the Project to the contemporary visitor will be limited, the unobstructed ocean setting is important to the historical integrity of the Sandbridge area as a mid-20th century seaside community developed to capitalize on its natural setting. Therefore, due to altering the unobstructed ocean setting and overall integrity of the Sandbridge community, the Project would result in an adverse effect to the potential historic district.

3.2.22 NC SHPO ID: CK0106, Currituck Beach Lighthouse (NRHP Listed)

The Currituck Beach Lighthouse Complex Boundary Expansion is a historic resource which includes the following components: the individually listed Currituck Beach Lighthouse (CK0001); the Light Keepers' House; the Light Keepers' Rainwater Cistern; the Small Light Keepers' House, Cistern, and Privy; a Storehouse; and the Lighthouse Compound Landscape. The complex and boundary expansion was listed in the NRHP under Criteria A and C for significance in maritime history and architecture (Smith 1999). The maritime complex resource is situated in a coastal beach town setting, setback from the beachfront on a flat, wooded lot. Most resources associated with the complex have minimal views to the ocean due to intervening development and vegetation. However, the Currituck Beach Lighthouse is 162-feet in height with clear views toward the Atlantic Ocean. Maritime association is a character-defining feature from the property and the historic property is anticipated to have minimal views of the turbines under ideal weather conditions solely from the Lighthouse structure due to its height above low-lying treelines. Location and setting affording water visibility contribute to the historical integrity of the engineering structure.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the lighthouse would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect to the lighthouse.

4 MITIGATION MEASURES

This section details the mitigation measures to resolve adverse effects to historic properties stipulated in the MOA, and describes the purpose and intended outcome, scope of work, methodology, standards, deliverables and funds and accounting for each measure. The content of this section was developed on behalf of Dominion Energy by individuals who meet Secretary of the Interior's (SOI) Professional Qualifications Standards for History, Architectural History and/or Architecture (62 FR 33708) and is consistent with fulfilling the mitigation measures such that they fully address the nature, scope, size, and magnitude of the visual adverse effect. Fulfillment of the mitigation measures will be led by individuals who meet SOI Qualifications Standards for History, Architectural History and/or Architecture.

Virginia Beach is the location of 21 of the 22 adversely affected historic properties addressed in this HPTP. Virginia Beach has received Certified Local Government (CLG) status from the Virginia Department of Historic Resources, denoting that the city has enacted local preservation ordinances and comments on National Register of Historic Places (NRHP) nominations. As a CLG, Virginia Beach has experience receiving and administering preservation grants. Virginia Beach's CLG status was considered while developing mitigation. Dominion Energy met with the City of Virginia Beach on March 13, 2023, to discuss potential mitigation. Virginia Beach stated their priorities for mitigation including survey, NRHP nominations, renovation planning, educational programming, and sea level rise mitigation planning.

The resource in North Carolina that would be affected by the Project is located in Currituck County, which is also a CLG. Dominion Energy met with Outer Banks Conservationists on March 21, 2023 to discuss adverse effects to the Currituck Lighthouse resulting from the Project and solicit their feedback on mitigation priorities in development of the HPTP. Dominion Energy reviewed the HRVEA methodology, results of the Currituck Lighthouse visual simulations, and responded to questions from Outer Banks Conservationists regarding the visual effects from the Project and process for compensation determination. Dominion Energy proposed a donation to Outer Banks Conservationists commensurate with Project impacts to contribute to the upkeep and renovation to the lighthouse.

These mitigation options were developed to further preservation, preservation education, and preservation scholarship in the public interest. The mitigations that have been developed are classified as “alternative” or “creative” mitigation—mitigation that does not prescribe the traditional documentation of the affected resources, but, rather, chooses to further the preservation needs of the community as a whole. Guidance on alternative mitigation can be found by the Advisory Council on Historic Preservation.²

4.1 Mitigation Measure—Support for documentation or NRHP nominations for historic properties in Virginia Beach, Virginia

4.1.1 Purpose and Intended Outcomes

Based on input from Participating Parties during consultation, Dominion Energy will provide financial support to either fully or partially fund the documentation of historic properties in Virginia Beach, Virginia. Examples of these activities include the survey and documentation of Doyletown and Queen City, both of which were identified as potentially eligible historically African American neighborhoods in the 2018 Historic Architecture Resource Survey Update City of Virginia Beach, Virginia Northern Half. Depending on the interest and needs of these communities, the City of Virginia Beach may conduct the survey and documentation of these areas. Additionally, financial contributions may support the production of NRHP nominations for hotels identified in or eligible under the *Virginia Beach Oceanfront Resort Motels and Hotels (1955-1970) Multiple Property Documentation Form*. The funds will support scholarship on these historic properties and further the understanding of the properties by the public. This measure serves to educate the public on residential historic districts and serves to mitigate the adverse effects to Sandbridge Historic District and Cavalier Shores Historic District—both residential historic districts—and the adversely affected hotels and motels, including the Cutty Sark Motel Efficiencies, Econo Lodge/Empress Motel, Hilton Washington Inn/Quality Inn and Suites, Oceans II Condominiums/Aeolus Motel, and Seahawk Motel.

4.1.2 Scope of Work and Methodology

The scope of work for this mitigation measure will consist of the following:

- Dominion Energy will fund the agreed upon survey and documentation in accordance with the funding amounts listed in Attachment 10 of the MOA.

² https://www.achp.gov/Section_106_Archaeology_Guidance/Questions%20and%20Answers/Reaching%20agreement%20on%20Appropriate%20Treatment

- The City of Virginia Beach will oversee scheduling, set standards, hire contractors, and review draft and final deliverables.
- Dominion Energy will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV of the MOA.

4.1.3 Standards

The project will comply with the following standards:

- Guidelines for Conducting Historic Resources Survey in Virginia
- Secretary of the Interior’s Professional Qualification Standards for architectural history

4.1.4 Deliverables

The City of Virginia Beach will oversee the deliverables of this project resulting in survey report(s) and accompanying forms. Dominion Energy will provide notification to BOEM and all signatories, invited signatories, and consulting parties that the funding was provided.

4.1.5 Funds and Accounting

Dominion Energy will provide the funding for this project to the City of Virginia Beach in accordance with the funding amounts identified in Attachment 10 of the MOA.

4.2 Mitigation Measure—Support for production of a Pattern Book for the Cavalier Shores Historic District

4.2.1 Purpose and Intended Outcomes

Based on input from Participating Parties during consultation, Dominion Energy will provide financial support to either fully or partially fund the production of a historic architectural Pattern Book for the Cavalier Shores Historic District. The Pattern Book may discuss the patterns of land use and development in the district, including the designs and layouts of neighborhoods, site and landscaping patterns, building types and site layouts, architectural styles, and other character-defining features as appropriate. The Pattern Book should provide design guidance for new construction, renovation, and maintenance within the district in ways that are consistent with the historic and architectural character of the community. The funds will support scholarship on these historic properties and further the understanding of the properties by the public. This measure serves to educate the public on residential historic districts and serves to mitigate the adverse effects to the Cavalier Shores Historic District.

4.2.2 Scope of Work and Methodology

The scope of work for this mitigation measure will consist of the following:

- Dominion Energy will fund the agreed upon Pattern Book production with the funding amounts listed in Attachment 10 of the MOA.

- The City of Virginia Beach will oversee scheduling, set standards, hire contractors, and review draft and final deliverables.
- Dominion Energy will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV of the MOA.

4.2.3 Standards

The project will comply with the following standards:

- Secretary of the Interior’s Professional Qualification Standards for architectural history
- Secretary of the Interior’s Standards for the Treatment of Historic Properties
- State and local laws, including zoning and building codes as applicable

4.2.4 Deliverables

The City of Virginia Beach will oversee the deliverables of this project resulting in a Pattern Book for the Cavalier Shores Historic District. Dominion Energy will provide notification to BOEM and all signatories, invited signatories, and consulting parties that the funding was provided.

4.2.5 Funds and Accounting

Dominion Energy will provide the funding for this project to the City of Virginia Beach in accordance with the funding amounts identified in Attachment 10 of the MOA.

4.3 Mitigation Measure—Support for the preparation of NRHP nominations for gunning and hunting clubs in Virginia Beach, Virginia

Dominion Energy will provide financial support to either fully or partially fund the documentation of NRHP nominations for historic gunning and hunting clubs in Virginia Beach, Virginia. This measure may include the preparation of NRHP nominations for the Pocahontas Fowling Club and the Princess Anne County Gunning and Hunt Clubs Multiple Property Document (MPD), or documentation of other similar clubs in Virginia Beach. These funds will support scholarship on these historic properties and further the understanding of the properties by the public. This measure serves to educate the public on gunning and hunting clubs and serves to mitigate the adverse effects to various properties in and near Virginia Beach.

4.3.1 Scope of Work and Methodology

The scope of work for this mitigation measure will consist of the following:

- Dominion Energy will fund the agreed upon NRHP nominations in accordance with the funding amounts listed in Attachment 10 of the MOA.
- The City of Virginia Beach will oversee scheduling, hire contractors, and review draft and final deliverables.

- The City of Virginia Beach will ensure the nominations associated with the funded activities are submitted to the VDHR and NPS (as applicable) for their review, comment, and signature.
- Dominion Energy will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV of the MOA.

4.3.2 Standards

The project will comply with the following standards:

- National Register Bulletin 16A: How to Complete the National Register Registration Form and other National Register Bulletins as applicable
- Secretary of the Interior’s Professional Qualification Standards for architectural history

4.3.3 Deliverables

The City of Virginia Beach will oversee the deliverables of this project resulting in two NRHP nominations. Dominion Energy will provide notification to BOEM and all signatories, invited signatories, and consulting parties that the funding was provided.

4.3.4 Funds and Accounting

Dominion Energy will provide the funding for this project to the City of Virginia Beach in accordance with the funding amounts identified in Attachment 10 of the MOA.

4.4 Mitigation Measure—Support for preservation planning documents

4.4.1 Purpose and Intended Outcomes

Dominion Energy will provide financial support to either fully or partially fund preservation planning priorities for the City of Virginia Beach. The funds will be used to hire a contractor to develop a Sea Level Rise Mitigation Plan for the City. This mitigation measure will further preservation efforts of historic buildings in Virginia Beach for the public good. The measure will mitigate adverse effects to various properties in and near Virginia Beach.

4.4.2 Scope of Work and Methodology

The scope of work for this mitigation measure will consist of the following:

- Dominion Energy will fund the agreed upon Sea Level Rise Mitigation Plan development in accordance with the funding amounts listed in Attachment 10 of the MOA.
- The City of Virginia Beach will oversee scheduling, set standards, hire contractors, and review draft and final deliverables, as applicable.
- The City of Virginia Beach will make good faith efforts to ensure the funded activities are implemented by professionals who meet the Secretary of the Interior’s Professional Qualifications Standards, as applicable.

- Dominion Energy will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV of the MOA.

4.4.3 Standards

The project will comply with the following standards:

- Secretary of the Interior’s Standards for the Treatment of Historic Properties
- Secretary of the Interior’s Professional Qualification Standards as applicable
- State and local laws, including zoning and building codes as applicable

4.4.4 Deliverables

The City of Virginia Beach will oversee the deliverables of this project, which may result in a Sea Level Rise Mitigation Plan. Dominion Energy will provide notification to BOEM and all signatories, invited signatories, and consulting parties that the funding was provided.

4.4.5 Funds and Accounting

Dominion Energy will provide the funding for this measure to the City of Virginia Beach in accordance with the funding amounts identified in Attachment 10 of the MOA.

4.5 Mitigation Measure—Support for educational programs

4.5.1 Purpose and Intended Outcomes

Dominion Energy will provide financial support to either fully or partially fund educational programs for the City of Virginia Beach. Examples for use of these funds include supporting educational programs and interpretation of the Virginia Beach Surf and Rescue Museum located in the Seatack Lifesaving Station/U.S. Coast Guard Station and the Atlantic Wildfowl Heritage Museum/De Witt Cottage. This mitigation measure will further preservation efforts and public education about historic buildings in Virginia Beach for the public good. The measure will mitigate adverse effects to various properties in Virginia Beach.

4.5.2 Scope of Work and Methodology

The scope of work for this mitigation measure will consist of the following:

- Dominion Energy will fund the agreed upon education programs in accordance with the funding amounts listed in Attachment 10 of the MOA.
- The City of Virginia Beach will oversee development of the programs in coordination with the Virginia Beach Surf and Rescue Museum in the Seatack Lifesaving Station/U.S. Coast Guard Station and the Atlantic Wildfowl Heritage Museum/De Witt Cottage, and will oversee scheduling, set standards, hire contractors, and review draft and final deliverables, as applicable.

- The City of Virginia Beach will make good faith efforts to ensure the funded activities are implemented by professionals who meet the Secretary of the Interior’s Professional Qualifications Standards, as applicable.
- Dominion Energy will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV of the MOA.

4.5.3 Standards

The project will comply with the following standards:

- Secretary of the Interior’s Professional Qualification Standards, as applicable

4.5.4 Deliverables

The City of Virginia Beach will oversee the deliverables of this project, which will result in educational and interpretation programs. Dominion Energy will provide notification to BOEM and all signatories, invited signatories, and consulting parties that the funding was provided.

4.5.5 Funds and Accounting

Dominion Energy will provide the funding for this measure to the City of Virginia Beach in accordance with the funding amounts identified in Attachment 10 of the MOA.

4.6 Mitigation Measure—Support for planning for restoration, educational programming, or renovation and expansion of the Cape Henry Lighthouse Visitor Services Center

4.6.1 Purpose and Intended Outcomes

Dominion Energy will provide financial support to either fully or partially fund priority preservation projects including, restoration projects, educational programming, or the development of a renovation and expansion plan for the Cape Henry Lighthouse Visitor Services Center. These funds will support the interpretation of the First Cape Henry Lighthouse for the public good and serves to mitigate the adverse effects to the lighthouse.

4.6.2 Scope of Work and Methodology

The scope of work for this mitigation measure will consist of the following:

- Dominion Energy will fund the agreed upon mitigation in accordance with the funding amounts listed in Attachment 10 of the MOA.
- Preservation Virginia will oversee scheduling, hiring contractors, and executing the restoration projects, educational programming, or renovation and expansion plan.
- Preservation Virginia will make good faith efforts to ensure the funded activities are implemented by professionals who meet the Secretary of the Interior’s Professional Qualifications Standards, as applicable.

- Preservation Virginia will ensure the draft plans, final plans, and any construction associated with the funded activities meet the Secretary of the Interior’s Standards for the Treatment of Historic Properties.
- Preservation Virginia will ensure the draft plans associated with the funded activities are submitted to VDHR for their review and comment.
- Dominion Energy will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV of the MOA.

4.6.3 Standards

The project will comply with the following standards:

- Secretary of the Interior’s Standards for the Treatment of Historic Properties
- State and local laws, including zoning and building codes as applicable

4.6.4 Deliverables

Preservation Virginia will oversee the deliverables of this project, including, as appropriate, restoration documentation, education programs, or a renovation and expansion plan. Dominion Energy will provide notification to BOEM and all signatories, invited signatories, and consulting parties that the funding was provided.

4.6.5 Funds and Accounting

Dominion Energy will provide the funding for this project to Preservation Virginia in accordance with the funding amounts identified in Attachment 10 of the MOA.

4.7 Mitigation Measure—Support for the restoration and maintenance of Currituck Beach Lighthouse

Dominion Energy will provide financial support to either fully or partially fund priority preservation projects as determined by the Outer Banks Conservationists—the organization that maintains the Currituck Beach Lighthouse. The funds may be used for preservation activities including but not limited to exterior masonry repairs, interior masonry and ironwork, a conditions assessment of the original First Order Fresnel lens, and other annual lighthouse restoration maintenance. Additional information about specific activities that will be funded may be developed in consultation with Outer Banks Conservationists, NC SHPO, Dominion Energy, and BOEM. This measure serves to mitigate effects to the Currituck Beach Lighthouse.

4.7.1 Scope of Work and Methodology

- Dominion Energy will fund the agreed upon priority projects in accordance with the funding amounts listed in Attachment 10 of the MOA.
- Outer Banks Conservationists, with NC SHPO, will determine which priority preservation projects will be funded and will notify Dominion Energy and BOEM.

- Outer Banks Conservationists will oversee scheduling, set standards for applicable projects, hire contractors, review draft and final deliverables as applicable, and provide final deliverables to NC SHPO, as applicable.
- Outer Banks Conservationists will make good faith efforts to ensure the funded activities are implemented by professionals who meet the Secretary of the Interior’s Professional Qualifications Standards, as applicable.
- Dominion Energy will provide notification of compliance with this scope of work in the annual report pursuant to Stipulation XIV of the MOA.

4.7.2 Standards

The project will comply with the following standards:

- Secretary of the Interior’s Standards for the Treatment of Historic Properties (for applicable projects)
- Secretary of the Interior’s Professional Qualification Standards, as applicable
- State and local laws, including zoning and building codes as applicable

4.7.3 Deliverables

Outer Banks Conservationists will oversee any deliverables associated with the funded projects. Dominion Energy will provide notification to BOEM and all signatories, invited signatories, and consulting parties that the funding was provided.

4.7.4 Funds and Accounting

Dominion Energy will provide the funding for this project to Outer Banks Conservationists in accordance with the funding amounts identified in Attachment 10 of the MOA.

5 IMPLEMENTATION

5.1 Timeline

Within one year of the MOA being executed, Dominion Energy will fund the mitigation measures described above. Tasks associated with all measures can occur during and/or after construction. Mitigation measures within this HPTP are to be completed within five years of funding, unless a different timeline is agreed upon by Participating Parties and accepted by BOEM and may be completed simultaneously, as applicable.

5.2 Annual Reporting

Following the execution of the MOA and until BOEM determines that these mitigation measures have been completed, Dominion Energy, with the cooperation of the City of Virginia Beach, Outer Banks Conservationists, and Preservation Virginia, shall prepare an annual summary report detailing work undertaken pursuant to the MOA consistent with MOA Stipulation XIV (Monitoring and Reporting), including the mitigation measures outlined in the final HPTP. Following BOEM review and approval,

Dominion Energy will distribute the summary report to all signatories, invited signatories, and consulting parties to the MOA by January 31, and summarize the work undertaken during the previous year.

5.2 Organizational Responsibilities

5.2.1 BOEM

- Act as the lead federal agency and oversee Section 106 compliance;
- Ensure that the mitigation measures adequately resolve adverse effects, consistent with the NHPA, and in consultation with interested consulting parties;
- Consult with Dominion Energy, VDHR, NCHPO, ACHP, Tribes, and other consulting parties;
- Review and approve the annual summary report;
- Oversee consultation with consulting parties;
- Oversee consultation related to dispute resolution.

5.2.2 Dominion Energy

- Fund mitigation measures.
- Prepare Annual Report, submit reporting to BOEM for review and approval, and distribute to consulting parties per the Mitigation Measures section of this HPTP

5.2.3 VDHR and NCHPO

- Consult as appropriate on the implementation of the HPTP.

5.2.4 ACHP

- Consult as appropriate on the implementation of the HPTP.

5.2.5 City of Virginia Beach

- Implement the scope of work and ensure compliance with the standards as identified in the Mitigation Measures section of this HPTP
- Communicate progress of implementation of mitigation measures to Dominion Energy for inclusion in Dominion Energy's Annual Report

5.2.6 Outer Banks Conservationists

- Implement the scope of work and ensure compliance with the standards as identified in the Mitigation Measures section of this HPTP
- Communicate progress of implementation of mitigation measures to Dominion Energy for inclusion in Dominion Energy's Annual Report

5.2.7 Preservation Virginia

- Implement the scope of work and ensure compliance with the standards as identified in the Mitigation Measures section of this HPTP

- Communicate progress of implementation of mitigation measures to Dominion Energy for inclusion in Dominion Energy's Annual Report

6 FINALIZATION

6.1 Notification

Upon completion of the selected mitigation measures, Dominion will notify BOEM and the signatories of the MOA.

7 REFERENCES

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Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

**ATTACHMENT 6 – OFFSHORE HISTORIC PROPERTIES TREATMENT PLAN – FORT
STORY HISTORIC DISTRICT**

Offshore Historic Properties Treatment Plan— Fort Story Historic District

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LIST OF ACRONYMS

ac	acre
ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effect
BOEM	Bureau of Ocean Energy Management
ca.	circa
CFR	Code of Federal Regulations
CLG	Certified Local Government
COP	Construction Operation Plan
CVOW	Coastal Virginia Offshore Wind
Dominion Energy	Virginia Electric and Power Company, d/b/a Dominion Energy Virginia
ft	foot
GIS	Geographic Information System
ha	hectare
HPTP	Historic Preservation Treatment Plan
HRVEA	Historic Resources Visual Effects Analysis
km	kilometer
KOP	Key Observation Point
Lease Area	the OCS-A 0483 Lease, located approximately 27 mi (23.75 nautical miles, 43.99 kilometers) off the coast of Virginia and includes approximately 112,799 acres (45,658 hectares) of submerged lands
Lessee	Dominion Energy
m	meter
mi	mile
MW	megawatt
NEPA	National Environmental Policy Act
NHL	National Historic Landmark
NHPA	National Historic Preservation Act of 1966
nm	nautical mile
NPS	National Park Service
NRHP	National Register of Historic Places
OCS	Outer Continental Shelf
PAPE	Preliminary Area of Potential Effects
RCG&A	R. Christopher Goodwin & Associates, Inc.
SHPO	State Historic Preservation Office
Undertaking	Coastal Virginia Offshore Wind Commercial Project
VCRIS	Virginia Cultural Resource Information System
VDHR	Virginia Department of Historic Resources
VLR	Virginia Landmark Register
WEA	Wind Energy Area
WTG	Wind Turbine Generator

1 EXECUTIVE SUMMARY

This Historic Preservation Treatment Plan (HPTP) was developed to support fulfillment of Stipulation III of the MEMORANDUM OF AGREEMENT (MOA) AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, THE STATE HISTORIC PRESERVATION OFFICERS OF VIRGINIA AND NORTH CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT. This document was prepared to provide background data, information on historic properties, and detailed implementation steps for mitigation measures developed to resolve adverse visual effects to one of the 24 historic properties identified by the Bureau of Ocean Energy Management (BOEM) through Section 106 consultation for the Coastal Virginia Offshore Wind Commercial Project (Undertaking), as identified by the Offshore Historic Resources Visual Effects Analysis (HRVEA), dated October 2022, and submitted to BOEM on October 21, 2022, and as amended by the Finding of Effect (Appendix O of the Final Environmental Impact Statement for the Coastal Virginia Offshore Wind Commercial Project) dated August 2023. The Offshore HRVEA summarized effects from Offshore Project Components to historic properties. The mitigation measures within this document, and their implementation if selected, were developed in consultation with federally and state recognized tribes, the Virginia Department of Historic Resources (VDHR), the Advisory Council on Historic Preservation (ACHP), and other consulting parties.

2 BACKGROUND INFORMATION

2.1 Project Overview

BOEM has determined that the CVOW Commercial Project (Undertaking) constitutes an undertaking subject to Section 106 of the National Historic Preservation Act (NHPA; 54 U.S.C. § 306108) and its implementing regulations (36 CFR §800). The proposed activities to support the Project, as detailed in the CVOW Commercial Project Construction and Operations Plan (COP), have the potential to affect historic properties. The work of the Project detailed in the COP will be performed for the Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion Energy). The Project is located in the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) Offshore Virginia (Lease No. OCS-A-0483, Lease Area), which was awarded to Dominion Energy (Lessee) through the Bureau of Ocean Energy Management (BOEM) competitive renewable energy lease auction of the Wind Energy Area (WEA) offshore of Virginia in 2013. The Lease Area covers approximately 112,799 acres (ac; 45,658 hectares [ha]) and is approximately 27 statute miles (mi) (23 nautical miles [nm], 43 kilometers [km]) off the Virginia Beach coastline. The Offshore Export Cable Route Corridor will connect the Lease Area to a Cable Landing Location at the State Military Reservation (SMR) in Virginia Beach, VA.

The Offshore HRVEA (Appendix H-1) that was prepared as part of the CVOW Commercial Project COP evaluated effects to historic properties from Offshore Project Components. Based on the results of the Offshore HRVEA and through Section 106 consultation, BOEM determined that the Undertaking will result in an adverse visual effect to 24 properties that are either listed or treated as eligible for listing for purposes

of this analysis.¹ This HPTP details the proposed mitigation measures for one of these properties, the Fort Story Historic District, which is owned by the Navy. The proposed mitigation measures for the other 23 properties are included in two separate HPTPs: *Offshore Historic Properties Treatment Plan – Offshore Project Components in Virginia Beach, VA and Currituck, NC* and *Historic Properties Treatment Plan Camp Pendleton State Military Reservation Historic District*. Consultation will be undertaken between federally and state recognized Native American Tribes, VDHR, the Navy, and other consulting parties to develop manners in which to avoid, minimize, and mitigate adverse effects to this historic property. The resolution of adverse effects is recorded in the Section 106 MOA currently in draft titled MEMORANDUM OF AGREEMENT (MOA) AMONG THE BUREAU OF OCEAN ENERGY MANAGEMENT, THE STATE HISTORIC PRESERVATION OFFICERS OF VIRGINIA AND NORTH CAROLINA, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION REGARDING THE COASTAL VIRGINIA OFFSHORE WIND COMMERCIAL PROJECT (MOA). This HPTP was developed in support of the MOA.

2.1.1 Section 106 of the NHPA

This plan was developed to address the items proposed in the MOA intended to help mitigate the visual adverse effects from the Undertaking.

2.1.1.1 Resolution of Adverse Effects Measures in the MOA

Prior to implementation of the MOA, local governments, planning boards, historic review commissions, and zoning and code enforcement authorities may require coordination to obtain approvals for mitigation measures. All mitigation work selected and completed as outlined in this HPTP will follow applicable historic preservation laws.

Participating parties are defined as consulting parties that have a critical and functional role in fulfilling the mitigation stipulations of the MOA. The roles of participating parties are outlined in Section 4.0 of the HPTP. A list of participating parties is provided in Table 1.

Table 1. Participating Parties in Consultation

Name	Relationship to Historic Property	Address
Joint Expeditionary Base Little Creek-Fort Story	Governing Entity	Solomons Road, Virginia Beach, VA

¹ Through Section 106 consultation with the U.S. Navy and NAS Oceana, it was determined that the Dam Neck Annex was misidentified as an NRHP-eligible property in the HRVEA. The only eligible property associated with NAS Oceana is the Surface-Launched Guided Missile School Historic District. Through a review of the historic significance of the property and consultation with NAS Oceana, BOEM determined that this property, though within the visual APE, would not be adversely affected by the Project. Therefore, BOEM determined that 24 historic properties within the visual APE for Offshore Project components would be adversely affected.

3 HISTORIC SIGNIFICANCE AND EXISTING CONDITIONS OF THE HISTORIC PROPERTY

One historic property is included in this HPTP based on analysis of visual effects to properties as outlined in the HRVEA (Appendix H-1 of the COP); this property is listed in Table 2. This property is located in Virginia Beach, Virginia.

Table 2. Table of Effected Properties

SHPO ID Number	Name	City	State	Eligibility
134-0660	Fort Story Historic District	Virginia Beach	VA	NRHP, VLR Listing, NHL lighthouse

3.1 Historic Context and Significance

3.1.1 Virginia Beach, Virginia

Virginia Beach emerged as a resort town during the second half of the nineteenth century. Travelers came to visit what was called “Virginia Beach” during the late nineteenth and early twentieth centuries by rail and car. A rail line connecting Virginia Beach and Norfolk was opened in 1883 by Colonel Marshall Parks, a developer, who constructed beachside amenities to attract Norfolk residents. The area was incorporated in 1906.

Military activity in Virginia Beach increased during World War I to protect Cape Henry (Cultural Resource Analysts, Inc. and Debra A. McClane 2018). State Military Reservation (SMR), formerly known as Camp Pendleton, was established as a summer training camp for the Virginia National Guard; it subsequently became an Army rifle range (The Beacon 1988; Watts 2007; and Moffett 2003).

Along with military construction, the oceanfront resort area continued to grow. Development accelerated during and after World War II, a conflict that permanently changed the character of the region. Early twentieth century military installations were enlarged, and the region’s population soared as military personnel were transferred into the area. Three of the region’s present military installations originated during World War II: Oceana Naval Air Station (1940); the Fleet Combat Training Center at Dam Neck (1941); and, Little Creek Amphibious Base (1945) (Watts 2007). The resort function of Virginia Beach also continued to expand through the twentieth century. In 1963, Princess Anne County merged with the resort town of Virginia Beach to form the City of Virginia Beach. This merger signaled a burst of rapid urban growth and industrial development that continues to encroach upon the open farmlands and barrier beaches south of Virginia Beach. Development remained concentrated along the beachfront until the 1960s when inland suburban communities began to form. In 1977, Virginia Beach was ranked as the fourth fastest growing city in the country (The Beacon 1988).

3.2 NRHP Criteria and Aspects of Integrity Affected by the Undertaking

This section details the historic and physical context of the affected properties and their character defining views to the ocean.

3.2.1 DHR ID: 134-0660, Fort Story Historic District (NRHP Listed)

Fort Story is located on 1,458 acres of government-owned land on Cape Henry, on the south side of the opening to the Chesapeake Bay in Virginia Beach, Virginia. The installation is bounded roughly by the Atlantic Ocean and Chesapeake Bay to the north, 89th Street and First Landing State Park to the east, Kwajalein Road and Atlantic Avenue to the west, and Shore Drive (US-60) to the south. Cape Henry is located in Virginia's Lower Tidewater area, at the interface between the mouth of the Chesapeake Bay and the Atlantic Ocean. Located between the urban centers of Norfolk to the northwest and Virginia Beach to the south, Fort Story remains relatively isolated from these areas of development as a result of the security measures put in place by the Army during its tenure there. The landscape adjacent to the waterfront consists of large swaths of sand dunes and scrub vegetation. Behind the shoreline is a large area known historically as "the Desert," which is covered by a primeval forest of cypress and other trees intermixed with freshwater springs. The area currently displays a distinctly military appearance due to the strictly military nature of Fort Story and the secure entrance areas. The Fort Story Historic District (DHR ID: 134-0660) is eligible for the NRHP under Criterion A for its association with Military History and Government (Dutton + Associates, LLC 2012). The district is of exceptional historical importance for its role in the defense of the Tidewater area of Virginia during the Cold War. The individually eligible Building 591/Old Fort Story Railroad Depot (DHR ID: 134-0660-0041/134-0082), the First Cape Henry Lighthouse National Historic Landmark (DHR ID: 134-0007), and the NRHP-listed Second Cape Henry Lighthouse (DHR ID: 134-0079/114-5250) are located within the Fort Story Historic District boundary, but they do not contribute to the district's NRHP eligibility (Dutton + Associates, LLC 2012).

Fort Story is coastal fortification that has been significant to the country's defense for two centuries. Strategic coastal location with viewsheds to the ocean were important factors in site selection, design, and operation. The integrity of setting assumes greater importance to the significance of the property due to its functional imperative.

As a result of the Project, the integrity of location, workmanship, design, and materials would not be affected. However, the integrity of setting, feeling, and association of the historic district would be diminished. Unobstructed ocean views and a beachside or maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement and design of the property. The introduction of modern elements would interfere with how visitors experience the historic and current ocean viewscape. Therefore, the Project would result in an adverse effect to the historic district.

4 MITIGATION MEASURES

This section details the mitigation measures to resolve adverse effects to historic properties stipulated in the MOA, and describes the purpose and intended outcome, scope of work, methodology, standards, deliverables and funds and accounting for each measure. The content of this section was developed on behalf of Dominion Energy by individuals who meet Secretary of the Interior (SOI) Qualifications Standards for History, Architectural History and/or Architecture (62 FR 33708) and is consistent with fulfilling the mitigation measures such that they fully address the nature, scope, size, and magnitude of the

visual adverse effect. Fulfillment of the mitigation measures will be led by individuals who meet SOI Professional Qualifications Standards for History, Architectural History and/or Architecture.

These mitigation options were developed to further preservation, preservation education, and preservation scholarship in the public interest. The mitigations that have been developed are classified as “alternative” or “creative” mitigation—mitigation that does not prescribe the traditional documentation of the affected resources, but, rather, chooses to further the preservation needs of the community as a whole. Guidance on alternative mitigation can be found, provided by the Advisory Council on Historic Preservation.²

4.1 Mitigation Measure—Development of a Brochure on the Architectural Heritage of the Fort Story Historic District

4.1.1 Purpose and Intended Outcomes

Dominion Energy will hire contractors to design, write, and produce a 10-to-15-page brochure on the architectural heritage of the Fort Story Historic District. These funds will support scholarship on this historic property and further the understanding of the property by the public and by occupants of historic housing in the Fort Story Historic District. This measure serves to educate the public on the historic district and serves to mitigate the adverse effects to the Fort Story Historic District.

4.1.2 Scope of Work and Methodology

The scope of work for this mitigation is to hire contractors to design, write, and produce a 10-to-15-page brochure on the architectural heritage of the Fort Story Historic District. The brochure will include a combination of text and photographs providing insight into the history and significance of the historic district. Key historic buildings will be highlighted with historic and contemporary photography, construction date information, and interesting facts regarding the buildings. Dominion Energy, with the selected contractor, will coordinate with the United States Navy/Joint Expeditionary Base Little Creek-Fort Story on research, design, and content for the brochure.

4.1.3 Standards

The project will comply with the following standards:

- Secretary of the Interior’s professional qualification standards, as applicable

4.1.4 Deliverables

Dominion Energy will oversee the deliverables of this project resulting in a 10-to-15-page brochure on the architectural heritage of the Fort Story Historic District. Dominion Energy will provide draft and final versions of the brochure in pdf format or other digital format acceptable to the United States Navy/Joint Expeditionary Base Little Creek-Fort Story. The Lessee will print two hundred copies of the final brochure and will deliver the copies to locations specified by the United States Navy/Joint Expeditionary Base Little

² https://www.achp.gov/Section_106_Archaeology_Guidance/Questions%20and%20Answers/Reaching%20agreement%20on%20Appropriate%20Treatment

Creek-Fort Story. The digital copy of the final brochure will be compliant with Section 508 of the Rehabilitation Act of 1973.

4.1.5 Funds and Accounting

Dominion Energy will provide the funding for this project to contractors and will implement the project with the assistance of the contractor.

5 IMPLEMENTATION

5.1 Timeline

Within one year of the MOA being executed, Dominion Energy will select and engage a contractor to begin implementation of the mitigation measure described above. Tasks associated with all measures can occur during and/or after construction. Mitigation measures within this HPTP are to be completed within five years of the execution of the MOA, unless a different timeline is agreed upon by Participating Parties and accepted by BOEM, as applicable.

5.2 Annual Reporting

Following the execution of the MOA and until BOEM determines that these mitigation measures have been completed, Dominion Energy will prepare an annual summary report detailing work undertaken pursuant to the MOA consistent with MOA Stipulation XIV (Monitoring and Reporting), including the mitigation measures outlined in the final HPTP and including progress updates from the Joint Expeditionary Base Little Creek-Fort Story. Following BOEM review and approval, Dominion Energy will distribute the summary report to all signatories, invited signatories, and consulting parties to the MOA by January 31, and summarize the work undertaken during the previous year.

5.3 Organizational Responsibilities

5.3.1 BOEM

- Act as the federal agency and oversee Section 106 compliance;
- Ensure that the mitigation measures adequately resolve adverse effects, consistent with the NHPA, and in consultation with interested consulting parties;
- Consult with Dominion Energy, VDHR, NCHPO, ACHP, Tribes, and other consulting parties, as applicable;
- Review and approve the annual summary report;
- Oversee consultation with consulting parties;
- Oversee consultation related to dispute resolution.

5.3.2 Dominion Energy

- Fund and implement the mitigation measure described in the HPTP;
- Hire contractor to design, publish, and print brochure;

- Coordinate with the United States Navy/Joint Expeditionary Base Little Creek-Fort Story on the content and design of the brochure as described in Section 5.3.5 below;
- Provide the draft brochure for review and comment;
- Provide the final brochure in the formats specified in the Deliverables section of the HPTP;
- Prepare Annual Report, submit reporting to BOEM for review and approval, and distribute to consulting parties per the Mitigation Measures section of this HPTP.

5.3.3 VDHR

- Consult as appropriate, on the implementation of the HPTP.

5.3.4 ACHP

- Consult as appropriate, on the implementation of the HPTP.

5.3.5 United States Navy/Joint Expeditionary Base Little Creek-Fort Story

- Provide direction on design and content of brochure;
- Provide additional information and/or photographs available for public release not already available in VCRIS, other research, and/or site access for additional photographs, as needed; and
- Review and provide comments on the draft and final brochures provided by Dominion Energy, including through internal reviews of the draft content and design by Navy stakeholders in order to finalize the brochure.

6 FINALIZATION

6.1 Notification

Upon completion of the selected mitigation measures, Dominion will notify BOEM and the signatories of the MOA.

7 REFERENCES

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Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

**ATTACHMENT 7 – HISTORIC PROPERTIES TREATMENT PLAN CAMP
PENDLETON/STATE MILITARY PRESERVATION HISTORIC DISTRICT**



**Dominion
Energy®**

Historic Properties Treatment Plan Camp Pendleton/State Military Reservation Historic District

Coastal Virginia Offshore Wind Commercial
Project, City of Virginia Beach, Virginia

29 September 2023

Project No.: 0522898

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18 September 2023

Historic Properties Treatment Plan Camp Pendleton/State Military Reservation Historic District

Coastal Virginia Offshore Wind Commercial Project, City of Virginia
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Coastal Virginia Offshore Wind Commercial Project, City of Virginia Beach, Virginia

Acronyms and Abbreviations

Name	Description
ACHP	Advisory Council on Historic Preservation
ANGRC	Air National Guard Readiness Center
APE	Area of Potential Effects
BOEM	Bureau of Ocean Energy Management
CFR	Code of Federal Regulations
CLH	Cable Landing to Harpers
CVOW	Coastal Virginia Offshore Wind Commercial Project
COP	Construction and Operations Plan
CWA	Civil Works Administration
DEIS	Draft Environmental Impact Statement
ERM	Environmental Resources Management
GNSS	Global Navigation Satellite System
HDD	Horizontal Directional Drill
HDP	Heritage Documentation Programs
HPTP	Historic Properties Treatment Plan
ICRMP	Integrated Cultural Resources Management Plan
MOA	Memorandum of Agreement
NAS	Naval Air Station
NPS	National Park Service
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
ROW	Right-of-Way
SCC	State Corporation Commission
SMR	State Military Reservation
SOI	Secretary of the Interior
TL	Transmission Line
USACE	U.S. Army Corps of Engineers
USN	U.S. Navy
V-CRIS	Virginia Cultural Resource Information System
VaARNG	Virginia Army National Guard
VaNG	Virginia National Guard
VDHR	Virginia Department of Historic Resources
VDMA	Virginia Department of Military Affairs
VLR	Virginia Landmarks Register

EXECUTIVE SUMMARY

This document presents an Historic Properties Treatment Plan (HPTP) to mitigate adverse effects on historic resource 134-0413, the Camp Pendleton/State Military Reservation (SMR) Historic District, prepared by Environmental Resources Management, Inc. (ERM) on behalf of Dominion Energy Virginia (Virginia Electric and Power Company or Company) for an onshore electric transmission line associated with the proposed Coastal Virginia Offshore Wind (CVOW) Commercial Project (Project). Because the overall Project is regulated by the Bureau of Ocean Energy Management (BOEM), it is subject to the provisions of Section 106 of the National Historic Preservation Act (NHPA).

BOEM's Finding of Adverse Effect for the Coastal Virginia Wind Construction and Operations Plan determines that one historic property, the Camp Pendleton State Military Reservation, requires mitigation of adverse effects. This HPTP document will be used to support the fulfillment of Stipulation III of the *Memorandum of Agreement Among The Bureau Of Ocean Energy Management, The State Historic Preservation Officers of Virginia and North Carolina, and The Advisory Council On Historic Preservation Regarding The Coastal Virginia Offshore Wind Commercial Project* (MOA). Concurring parties will be invited to sign the MOA. Following further consultation, a signatory agreement will be provided with the MOA.

The onshore transmission line component of the Project is subject to a state-level permitting process by the Virginia State Corporation Commission (SCC). To accommodate both the federal and state-level review processes, ERM conducted a pre-application analysis in accordance with the VDHR's *Guidelines for Assessing Impacts of Proposed Electric Transmission Lines and Associated Facilities on Historic Resources in the Commonwealth of Virginia* (Guidelines), followed by a full historic resource survey for all alternative routes under consideration, which served as the Phase I historic resource survey for the purpose of Section 106 compliance and the survey of approved alternatives for the purpose of the SCC review in accordance with the VDHR *Guidelines* (VDHR 2008; Derrick et al. 2021a, 2021b). Both associated reports have been submitted to VDHR and BOEM to facilitate the SCC review and the Section 106 consultation process. These reports are incorporated into Dominion Energy Virginia's Construction and Operations Plan (COP), Section 4.3.3, Aboveground Resources and Appendix H-2 and H-3: Onshore Historic Resources Visual Effects Analysis.

Dominion Energy Virginia has initiated consultation among relevant agencies and stakeholders for how to mitigate adverse effects to the resource as there is no feasible alternative for avoiding adverse impacts on the Camp Pendleton/SMR Historic District.

BACKGROUND INFORMATION

Project Overview

The Project will encompass an offshore wind generating facility as well as onshore electrical transmission infrastructure, the latter of which is the focus of the current report. The proposed onshore transmission line includes an underground segment extending from the Cable Landing Location at the SMR to the switching station site north of Harpers Road in the City of Virginia Beach. This route segment is referred to as the Cable Landing to Harpers (CLH) Route. The onshore electric transmission line in its entirety would extend from the Cable Landing Location at SMR in the City of Virginia Beach to the Company's existing Fentress Substation in the City of Chesapeake, with an overhead transmission line extending between the Harpers Road switching station and the Company's existing Fentress Substation. This report is only concerned with the CLH Route, the Project segment that will pose adverse effects to the Camp Pendleton/SMR Historic District, a resource listed in the National Register of Historic Places (NRHP) (Figure 1.1-1).

The CLH Route for the Onshore Export Circuits would include both horizontal directional drill (HDD) and surface trench installation of the proposed underground circuits between the Cable Landing Location and the switching station north of Harpers Road. After exiting transition joint bays at the Cable Landing Location, nine concrete-encased, underground duct banks would transition to five HDDs for crossing under Lake Christine. The HDDs would extend west for approximately 0.3 mile (1,540 feet), passing beneath two branches of the lake separated by a peninsula of U.S. Navy (USN) land at Dam Neck Annex. The HDDs would terminate on the west side of the lake just north of a helicopter landing pad at the north end of Lake Road on the SMR. From here, the underground circuits would be installed by surface trenching in a typical, three-wide, nine-circuit, duct bank configuration. The route would head generally west for about 0.6 mile, mostly crossing parade and training grounds within the SMR.

At a point just east of General Booth Boulevard, the typical, three-wide, duct bank configuration would diverge into five HDDs for crossing General Booth Boulevard, Owl Creek, and associated wetlands. The HDDs would extend approximately 0.4 mile (2,200 feet) to the northwest, leaving the SMR, crossing a city-owned parcel along the creek, and exiting onto USN land at Naval Air Station (NAS) Oceana near Bells Road. The underground circuits would then converge into the typical, three-wide, duct bank configuration and continue west and south on USN land for about 1.0 mile, paralleling Bells Road for 0.6 mile and crossing Birdneck Road and the transmission line corridor for Dominion Energy Virginia's existing Lines #2118/78. The CLH route would then turn south to parallel the east side of Oceana Boulevard for about 1.1 miles, all on USN land. At the intersection of Oceana Boulevard and Harpers Road, the route for the underground circuits would head west to parallel the north side of Harpers Road for about 1.0 mile and terminate at the Harpers Switching Station site on the north side of Harpers Road.

The right-of-way (ROW) for the underground segment to be installed by surface trenching would measure 65 feet wide with duct banks for each circuit installed within three parallel trenches excavated within the corridor. Where manholes/splicing vaults are installed, the width of the ROW would expand to 86 feet. The CLH underground route is approximately 4.4 miles in length.

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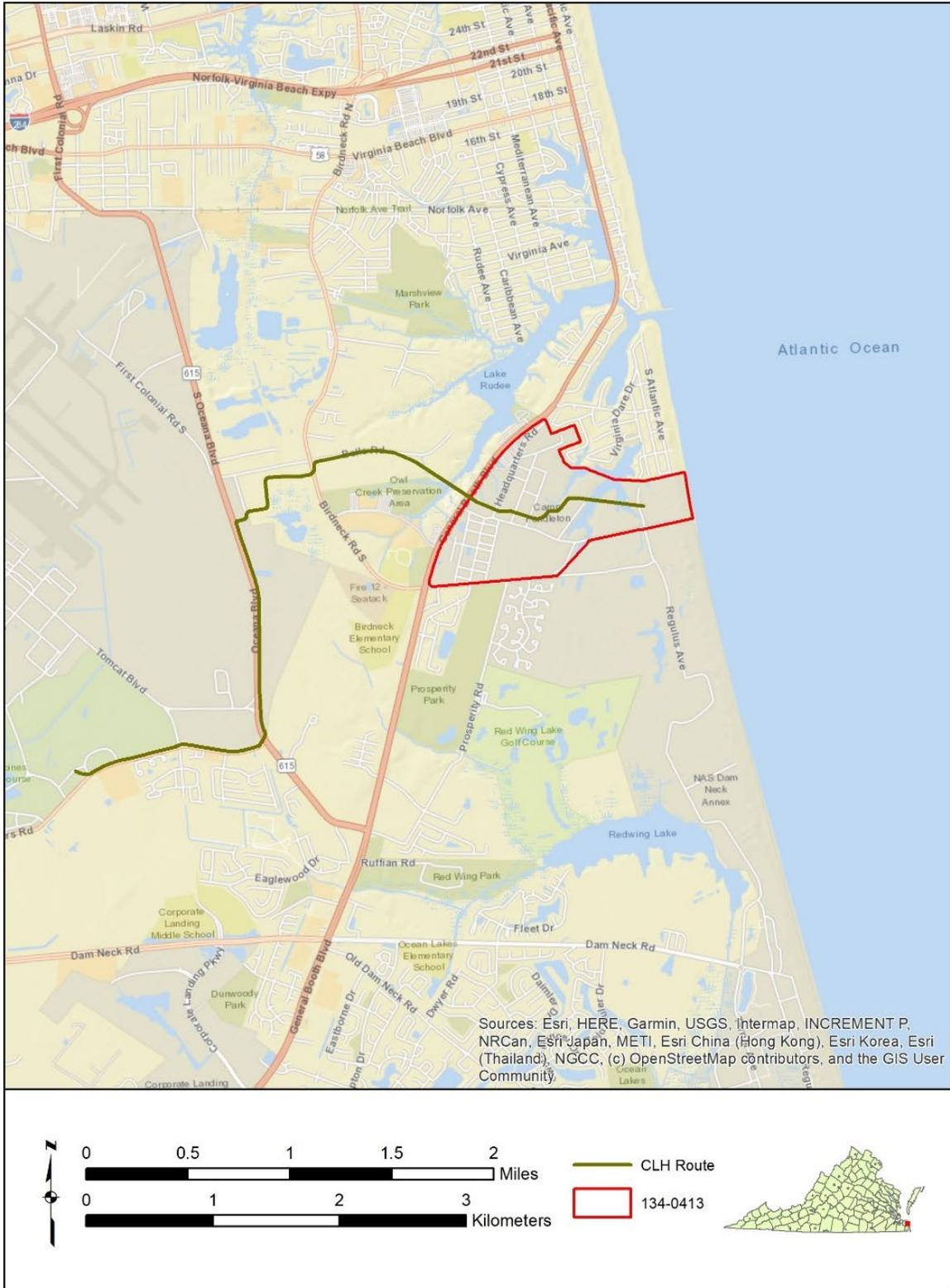


Figure 1.1-1: CLH Route Project Overview and Location of the Camp Pendleton/SMR Historic District

Section 106 of the NHPA

The BOEM determined that the proposed Project constitutes an undertaking subject to Section 106 of the National Historic Preservation Act, as amended (54 U.S. Code §306108), and its implementing regulations (36 Code of Federal Regulations [CFR] Part 800). In its review of the proposed Project, BOEM determined that the activities included in the proposed Project's COP have the potential to affect historic properties, and that the Project would have an adverse effect on the Camp Pendleton/SMR Historic District.

This HPTP is designed to comply with Section 106 of the National Historic Preservation Act (36 CFR 800.3), whose provisions include a requirement that federal agencies must produce documentation to Heritage Documentation Programs (HDP) standards for buildings, structures, and cultural landscapes that are listed or eligible for listing, in the NRHP, to mitigate the adverse effects of federal actions such as demolition or substantial alteration. This plan provides background data, historic property information, and information on how to proceed with mitigation plans arrived at in consultation with BOEM and other relevant Participating Parties. Participating Parties are defined as consulting parties that have a critical and functional role in fulfilling the mitigation stipulations of the MOA. The roles of Participating Parties are outlined in the *Organizational Responsibilities* section below.

Municipal Regulations

Before the implementation of mitigation plans for the Camp Pendleton/SMR Historic District, any on-site mitigation measure will be coordinated to obtain approvals as appropriate. Such measures may include building permits, zoning, land use, historic commissions, and design review boards. Coordination with the SCC, VDHR, VDMA-VaARNG/VDMA-VaNG, and the City of Virginia Beach Historic Preservation Commission may also be warranted. The Virginia Army National Guard Integrated Cultural Resources Management Plan (ICRMP) will be consulted, as applicable. Required permits are addressed in the Coastal Virginia Offshore Wind Commercial (CVOW-C) Draft Environmental Impact Statement (DEIS) for Commercial Wind Lease OSC-A-0483; Appendix A: Required Environmental Permits and Consultations.

Preservation Easements and Restrictions

Currently, there are no known Preservation Easements or Restrictions with regards to the SMR property.

Resolution of Adverse Effects Measures in MOA

An MOA will be prepared by BOEM detailing avoidance, minimization, and mitigation measures to resolve adverse effects on historic properties, including the Camp Pendleton/SMR Historic District, pursuant to 36 CFR 800.6(c). The final version of this HPTP will be an attachment to the executed MOA.

Historic Significance and Existing Conditions

Historic Context and Significance

The NRHP-listed Camp Pendleton/SMR Historic District occupies 343 acres on the Atlantic Ocean in the City of Virginia Beach. The facility was established in 1911 as the State Rifle Range and has served as a training facility for the Virginia National Guard, as well as for the U.S. Navy during World War I, and the U.S. Army during World War II and at other times since then.

The Camp Pendleton/SMR Historic District was listed in the NRHP in 2005, and the nomination was updated in 2013 (Malvasi 2013; Moffett 2003). The district encompasses 343 acres adjacent to the Atlantic Ocean, just south of the resort area of Virginia Beach. As of the 2013 update, the district contained 121 contributing buildings and structures, as well as eight contributing sites and one object.

The eight sites include historic landscape features such as the circulation system (roads), parade grounds, camp areas, and firing ranges that have been identified as contributing elements to the historic district. There are 55 non-contributing buildings and structures within the boundaries of the historic district.

The SMR was established in 1911 as the State Rifle Range, and since that time has served in a variety of military capacities at both the state and federal level. The SMR is listed in the NRHP as the Camp Pendleton/SMR Historic District for its significance under the themes of architecture and military/defense. It meets Criterion A for its significance as the site of the first state-owned airfield during the 1920s and as representative of an intact World War II training facility for the Virginia National Guard under the auspices of the U.S. Army. The District also meets NRHP Criterion C for its substantial and intact concentration of World War II temporary buildings and for its examples of early twentieth century residential and military buildings from the 1910s to the 1930s. The district represents a well-preserved example of a twentieth century military training facility that includes a large number of historical buildings, structures, and landscapes. In particular, ERM noted that the district meets Criterion A of the NRHP as a well-preserved twentieth century military training facility that adapted to state and federal defense needs. It also meets Criterion C for its representative examples of twentieth century military architectural styles from different periods of the early and mid-twentieth century.

A cultural landscape approach to the management of historic resources at the District was instituted as part of the ICRMP for the Virginia Army National Guard (Virginia Army National Guard Facilities Management-Environmental 2014). The pertinent landscapes within the Camp Pendleton/SMR Historic District were outlined in a revised NRHP nomination for the historic district prepared in 2013 (Malvasi 2013). The revised nomination identified six historic landscapes dating to different periods of the camp's history, which clearly reflect the purposes of the facility and the evolution of military cantonments during the first half of the twentieth century. The landscapes are the Beachfront, the Beachfront Rifle Range (1927–1928), the Original Rifle Range/Training Field A (1912), the Parade Field Tent Area/Regimental Camp Area No. 1 (1912), the Drill Field and Airfield (1912–1920s), and Regimental Camp Area No. 2 (1921).

Four distinct development periods are evident in the historic built environment of SMR. More information about the development periods can be found in the NRHP nominations (Malvasi 2013; Moffett 2003). The first period is the original layout and buildings constructed in 1912. Most of these buildings were demolished by the end of World War II, but the circulation system represented by the camp roads, the parade field/camp area, and the original rifle range remain, and these features influenced the development of the facility as it grew and evolved. Buildings from that era that remain include a former Residential Quarters (Building 85), Officer's Quarters (Building 88), a former Residence (Building 89), the original Governor's Cottage (Building 90), and the original Post Superintendent's House (Building 94). The second development period was carried out after World War I and included the expansion of the rifle ranges and the construction of barracks and mess halls. A number of buildings were constructed during this period as part of the Civil Works Administration (CWA) of the New Deal, and as part of a rebuilding effort after the Hurricane of 1933. Many of these buildings were also replaced during World War II, but a few remain around the center of the camp, along with the beachfront rifle range. The third period of development dates to the period from 1940, when the SMR was transferred to the U.S. Army, until the end of World War II in 1945. During this period, over 100 new buildings were constructed, including barracks, mess halls, service buildings, and training facilities. These buildings were intended to be temporary, but have continued to be used, and make up the bulk of the contributing resources of the district. Of the 121 contributing buildings and structures, 32 (26 percent) date to before 1940, while 88 (73 percent) were constructed between 1940 and 1945. The fourth development period is the post-war period to the present. One building, two sites, one structure, and one object dating after 1945 are considered contributing resources to the historic district. The largest post-World War II building program is that

associated with the 203rd Red Horse Air National Guard complex, located north of the Parade Field and south of Warehouse Road. These buildings are considered non-contributing resources to the historic district.

The Camp Pendleton/SMR Historic District as a whole has attained significance as representative of the National Guard's evolution during the first half of the twentieth century, which is reflected in the layout, landscape, and diverse collection of buildings from different periods of development. The layout and landscape features of the facility include open fields, firing ranges, wooded areas, and access to the ocean to provide a range of environments for training, as well as residential, recreational, and service buildings arranged in a way that serves the needs of a military training camp. Some of the contributing resources of the historic district are potentially eligible for the NRHP individually. Collectively these resources achieve significance as an intact example of a multi-purpose, long-term military facility in use during both world wars.

NRHP Criteria and Aspects of Integrity Affected by the Undertaking

The Camp Pendleton/SMR Historic District was originally listed in the Virginia Landmarks Register (VLR) in 2004 and the NRHP in 2005 (Moffett 2003). Additional documentation was conducted in 2013 (Malvasi 2013). The updated NRHP registration form added a number of contributing resources and defined six contributing historical landscapes. The district meets Criterion A of the NRHP as a well-preserved twentieth century military training facility that adapted to state and federal defense needs. It also meets Criterion C for its representative examples of twentieth century military architectural styles from different periods of the early and mid-twentieth century.

The cable landing would be located at the proposed parking lot west of the firing range at SMR. Dominion Energy plans to use trenchless installation to install the offshore export cables under the beach and dune at the SMR and bring them to shore through a series of high-density polyethylene casings. Upon exiting the casings, the nine offshore export cables would be spliced to a series of nine separate single circuit transition joint bays and would transition to the onshore export cables to be installed via horizontal directional drilling (HDD) vaults laid in a single right-of-way and transition to the onshore export cables at the cable landing location. The beachfront is a cultural landscape feature that contributes to the Camp Pendleton/SMR Historic District, and the beachfront Rifle Range is a contributing resource to the District and is considered potentially individually eligible by VDMA-VaARNG/VDMA-VaNG. Stipulations I and II of the MOA describe the plans for avoidance and minimization for resources contributing to the Camp Pendleton/SMR Historic District. While the Magnolia Memorial tree is not a historic property and is not a contributing feature to the historic district, BOEM and Dominion Energy have agreed to avoid the tree during construction activities within the historic district, as described in the construction plans.

The underground transmission line associated with CLH Route would run east to west, through the entire district, for 0.93 mile (Appendix D, Sheet 1). The district's eastern portion would not be impacted by the underground route because the circuits in this area would be installed by HDD, a trenchless installation method, and the HDD operation would not require the removal of any existing vegetation. The area around Lake Christine would be bored and no tree cut would occur, as shown through photosimulation SP 5 and SP10 (Appendix D, Sheets 2 through 5). However, the proposed route would remove trees and vegetation near the western edge of the district to the north of the main entrance. In addition to the tree cut, this portion of the route would also result in the demolition of two contributing structures to the district, Building 410 and Building 59, as shown in SP25 and SP26 (Appendix D, Sheets 6 through 9).

Building 410 is a fire house constructed between 1940 and 1942. Building 59 is a mess hall constructed in 1934, during the period in which the State Rifle Range was expanded between the world wars; it is one of nine nearly identical buildings. Building 410 is a unique structure, constructed for a specific purpose during the World War II expansion of the base. The loss of this building would have a greater impact on

the overall integrity of the district, since it represents a specific activity that took place at the facility. While the vegetation to be removed is part of the district's historic landscape, it is not as integral to the resource's historic setting and feeling as the built environment. In addition to effects to those buildings, the Project will entail use of workspace near the foundation of the YMCA that once was along Headquarters Road. The historic YMCA foundation, recorded as archaeological site 44VB0388, is of interest to SMR resource managers as a potential historic resource. Project plans call for avoidance of the ruins with a buffer of at least 10 feet, and while tree clearing within the workspace will alter the current viewshed of the YMCA foundation, those woodlands are not integral to the site's historical significance. Furthermore, the HDD or direct pipe work in the proposed workspace at the Rifle Range will be restored to pre-construction activities.

BOEM determined that the Project effects would constitute physical destruction of contributing elements of the historic district as well as the introduction of visual elements that affect the setting. Through the demolition of the buildings, the Project would diminish the aspects of the district's integrity including design, materials, and workmanship important to its NRHP eligibility. Additionally, with the introduction of modern elements, i.e. the offshore WTGs, into the historically and currently unaltered ocean viewscape visible from the beach areas within the district, the Project would diminish the integrity of location, feeling, and association.

Physical Description and Existing Conditions

The buildings at the SMR are primarily utilitarian-type military buildings, including barracks, mess halls, classroom buildings, administration buildings, and maintenance and storage facilities, but they also include residential cottages, a firehouse, a chapel, an officers' club, an armory, and a service station. The Camp Pendleton/SMR Historic District includes 130 contributing resources, consisting of 113 buildings, eight structures, eight sites, and one object. Contributing structures to the District include building foundations, loading docks, an observation deck, a water tower, and the road network. Six of the eight contributing sites are historic landscapes that include the parade ground, camp area, drill field, two rifle ranges, and the beachfront.

The SMR was laid out in a linear pattern that was common during World War I and up until World War II. During World War II, the design of cantonments, or temporary camps, shifted to more triangular and quadrangular layouts. Although many of the buildings date to World War II, the layout of the camp was dictated by the earlier plans. Groups of barracks, mess halls, and storage buildings were arranged on side streets, while motor pools, administration buildings, churches, and recreational buildings were placed on main streets, defining functional use areas. The open areas used for drills, parades, and training activities are interspersed with these functional areas, providing open vistas to different areas of the camp that afford the viewer a wide view of the activities of the camp. Trees and landscaping elements within the activity areas around the buildings and open spaces are minimal, reflecting the functional nature of the spaces. However, mature trees are located along Headquarters Road, framing the Parade Field/Regimental Camp Area No. 1; the Governor's Cottage (Building 90) and Superintendent's House (Building 94) also both have significant landscaping and screening trees. Forested areas to the west of Headquarters Road and around Lake Christine have remained intact, and views around the beachfront rifle range are more restricted due to vegetation on the perimeter of the range. Although the landscapes at SMR have changed as needs have changed, the overall organization of the camp and the spatial relationships of the different elements of barracks areas, maintenance areas, open fields, and service areas have remained largely intact (Malvasi 2013).

The six landscape areas that correspond with specific historic periods are represented in the figure provided in Appendix B. The circulation networks at the SMR are also considered a historical resource. They consist of roads, parking areas, and the remnants of an old airplane runway. The roads are

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arranged in a hierarchical order of primary and secondary roads, which serve ordinary vehicular traffic as well as training activities.

The majority of the buildings in the district date to the period of expansion during World War II. They were constructed in the style of temporary military structures but have continued to serve the needs of the Virginia National Guard and its tenants. A handful of buildings from the original State Rifle Range remain, along with those from the period between the world wars. The majority of the buildings in the district are of frame construction and reflect function over form. No changes have occurred since the 2013 survey (Malvasi 2013).

MITIGATION MEASURES

This section details the mitigation measures planned to resolve adverse effects to the historic property as described in the sections below. This content was developed on behalf of Dominion Energy Virginia by individuals who meet the Secretary of the Interior (SOI) Qualifications Standards for Archaeology, Architectural History, and/or History and is consistent with fulfilling the mitigation measures such that they fully address the nature, scope, size, and magnitude of the adverse effect. Fulfillment of the mitigation measures will be led by personnel with demonstrated experience working in historic preservation, in coordination with individuals who meet SOI Qualifications.

HPTP Purpose and Components

The HPTP presented here for the Camp Pendleton/SMR Historic District is a proposed approach to mitigating adverse effects from the Project. The plan includes measures tailored to the conditions and characteristics of the district, its management context, and its place within the community. The proposed mitigation measures include documentation and public educational materials. This plan has been developed to support Dominion Energy Virginia, BOEM, VDHR, and the VDMA-VaARNG's Cultural Resource Program, which is responsible for cultural resource stewardship at SMR, as well as other consulting parties in negotiating an MOA pertaining to mitigating adverse effects on this resource. The work will meet the Secretary of the Interior's Standards for Archaeology and Historic Preservation and will be done by or under the supervision of an individual meeting that agency's professional qualification standards. In developing components of the HPTP, several objectives were pursued. These include an interest in highlighting the NRHP significance of the resource, ensuring the public benefit of the plan, considering the needs of all stakeholders in the process, and arriving at a plan for mitigation that will enhance our knowledge of the resource and ensure its protection. The HPTP specifies the general measures that will be implemented prior to, during, and after construction; it will also include a research and public outreach element. Specific details on the plan's execution will be provided once the consulting parties have reviewed the document and the signatories have agreed to its content.

- Additional documentation of Building 410 and Building 59 will follow the VDHR *Guidelines for Conducting Historic Resources Survey in Virginia* (2017) for Intensive (Level II) survey. Documentation of the buildings will be completed prior to demolition. Specific attention will be paid to the history of the buildings in the overall context of the development of SMR to gain an understanding of the importance of the buildings. Additionally, the documentation will interpret the Building 410 in the context of this building type found outside of the District, including Fort Barfoot. Both the exterior and interior of the buildings will be described in detail, and site plans will be included, both placing each building in its surrounding context, and will also include floor plans of the internal structure. Prior to conducting the survey, Dominion Energy will contact VDMA-VaARNG/VDMA-VaNG to determine if site plans are available from which any modifications can be made. Further, consultation with VDMA-VaARNG/VDMA-VaNG will strive to obtain information on the history, people, and events that are significant to these buildings, inclusive of obtaining any historic photographs that are available.
 - In accordance with the guidelines, digital photographs for each resource will include sufficient photography detailing the exterior of the primary resource (including front, rear, sides, architectural and/or construction details, close-up views, and setting) and one to two photos of any significant associated landscape features.
 - Documentation of the Camp Pendleton/SMR Historic District landscapes and contributing resources will be coordinated with VDMA-VaARNG/VDMA-VaNG. This documentation would include pre- and post-construction digital photos of the district where it is traversed

by the Project. Photogrammetry is preferred; deliverables will be provided in digital formats adaptable to use on websites, in presentations, and for printed graphics materials.

- For interior documentation, photographs of the principal rooms will be taken to show as much of the volume of space in the rooms as possible. Close-up photos of architectural elements, such as mantels, built-in cabinets, windows, doors, trim, and stairs, will also be taken to complement photos showing the volume of each principal room. To avoid overexposing or underexposing the subject of the photo, the photographer will use the correct level of flash. Raking light is often ideal for illuminating architectural features.
- Drawing on the research, two interpretive kiosks or panels will be erected near the current location of each resource, or in a location selected by SMR to best serve visitors to the kiosk/panel. The kiosks/panels will be at a scale that is easily legible for visitors and will augment information provided in existing panels. The kiosks/panels will include photos and a discussion of the history of the contributing resources. The size of the kiosks/panels will be tailored to display the material, and each is expected to be at least six feet by six feet in size. Placement of these kiosks/panels in the vicinity of the Project would inform people on or visiting the facility about the historical landscape, highlighting what has changed and what remains intact, and framing the discussion in the context of the facility's history and significance.

Intended Outcomes

The purpose of the mitigation will be to offset adverse effects from the Project on the Camp Pendleton SMR Historic District. The mitigation will provide documentation of the buildings prior to demolition.

Scope of Work

The scope of work will consist of the following:

- Consultation with BOEM, VDHR, and VDMA-VaARNG/VDMA-VaNG.
- Collection and review of materials relating to the construction and history of the property;
- Photography of the property using digital photography and provided to VDMA-VaARNG/VDMA-VaNG in a format or formats of their choosing;
- Development of VDHR Intensive (Level II) documentation appropriate to each resource for review and comment by Participating Parties;
- Delivery of final documentation to VDHR, VDMA-VaARNG/VDMA-VaNG, and agreed-upon repositories;
- Design and installation of a minimum of two kiosks or panels providing information the history of the District and related information about local history. The quantity and content of the kiosks/panels will be determined through consultation with VDHR and VDMA-VaARNG/VDMA-VaNG.

Methodology

- Coordination: The area subject to investigation will be coordinated with VDHR and VDMA-VaARNG/VDMA-VaNG. The investigation will occur by a SOI Qualified Architectural Historian and/or Historian.

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- Research: Background information specific to SMR will be reviewed on site. A comprehensive review of primary and secondary sources of data, as well as previous architectural survey reports will be reviewed.
- Fieldwork: All field investigations will be coordinated with VDMA-VaARNG/VDMA-VaNG. The principal investigator will take detailed field notes on the exterior and interior of the buildings, as well as the overall integrity, condition, and setting. Photographs will include the interior and exterior views as well as views of the setting.
- Preparing of Documentation:
 - VDHR Intensive (Level II) documentation of building 410 and 59 (history, architectural description, plans, interior and exterior photographs) by a SOI Qualified Architect and/or Architectural Historian and/or Historian.
- Consultation with VDMA-VaARNG/VDMA-VaNG on placement and information to be included on interpretive kiosks/panels:
 - Provide research data and content to kiosk/panel designer and consult on layout.
 - Work with VDMA-VaARNG/VDMA-VaNG and kiosk/panel contractor on appropriate placement.

Applicable Standards

The documentation measures will follow the following standards:

- Virginia Department of Historic Resources *Guidelines for Conducting Historic Resources Survey in Virginia* (2017).
- Secretary of the Interior Professional Qualification Standards.

Documentation

Participating Parties will be provided a 30-day review and comment period for the draft documentation. The final VDHR documentation will be provided to agreed-upon repositories.

Annual Summary Report

Following execution of the MOA, Dominion Energy Virginia shall prepare, and following BOEM review and approval, provide all signatories and consulting parties to the MOA a summary report detailing work undertaken pursuant to the MOA consistent with MOA Stipulation XIV (Monitoring and Reporting), including the mitigation measures outlined in the final HPTP. This report will be prepared, reviewed, and distributed by Dominion Energy, and summarize the work undertaken during the previous year. As per MOA Stipulation XIV this reporting is required yearly after the execution of the MOA until it expires or is terminated.

Funds and Accounting

Dominion Energy Virginia will be responsible for funding the mitigation measures, as documented in Attachment 10 of the MOA, and will work with VDMA-VaARNG/VDMA-VaNG to ensure implementation and reporting of annual activities to Dominion Energy Virginia.

IMPLEMENTATION

Timeline

Following the execution of the MOA, the photography for both Buildings 59 and 410 must be completed prior to the demolition of the buildings, or Project related viewshed changes that affect the resources. The other mitigation tasks can occur during and/or after construction.

It is anticipated that the mitigation measures will commence within 1 year of the execution of the MOA, unless otherwise agreed by the Participating Parties and accepted by BOEM. The proposed timeline presumes the MOA will be executed by October 2023. Dominion Energy Virginia may begin fieldwork for photo documentation, in coordination with VDMA-VaARNG/VDMA-VaNG, in October 2023.

- Field survey for photography ~Fall 2023
- Archival research ~Fall/Winter 2023
- Draft outline of documentation, kiosk/panel content, and photography ~Winter 2024
- Draft written data ~Spring 2024
- Final documentation ~Fall 2024
- Construction and installation of chosen interpretive kiosks/panels ~Fall 2024

Organizational Responsibilities

BOEM

BOEM is responsible for the following during the construction and completion of the Project:

- Serving as the lead agency.
- Making federal decision and determine compliance with Section 106.
- Ensuring that the mitigation measures adequately resolve adverse effects, consistent with the NHPA, and in consultation with the Participating Parties.
- Consulting with Dominion Energy Virginia, VDHR, ACHP, relevant federally recognized tribes, and other Participating Parties with demonstrated interest in the affected historic property.
- Review and approve the annual summary report.

Dominion Energy Virginia (Lessee)

Dominion Energy Virginia is responsible for the following during the construction and completion of the Project:

- Fund and oversee implementation of the mitigation measures stipulated in Stipulation III of the MOA, including overseeing scheduling and hiring contractors to implement the measures.
- Execution of the HPTP.
- Providing correct documentation to all necessary Participating Parties involved for them to review and comment.
- Examining and reviewing comments made from Participating Parties involved and identified in the HPTP.

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- Reporting annually to BOEM on the progress of the HPTP and distribution of said reporting to consulting parties.
- Completing the mitigation measures necessary outlined in this HPTP.
- Meeting correct standards.

VDHR

- Consult, when necessary, on implementation of this HPTP.
- Ensure compliance with applicable state laws, regulations, and guidelines.
- Confirm that proper mitigation measures are being undertaken in conformance with state permitting requirements.
- Serve as a Participating Party in the review process.

VDMA-VaARNG/VDMA-VaNG

- Consult, when necessary, on implementation of this HPTP, including reviewing and commenting on draft mitigation materials, including documentation and kiosk/panel designs and content.
- Coordinate with Dominion Energy Virginia to start onsite documentation and research.
- Coordinate installation of kiosk/panels with Dominion Energy Virginia
- Receive copies of final documentation, as appropriate.

FINALIZATION

The HPTP will be finalized with the execution of the MOA. Mitigation measures within this HPTP will be completed within five years of execution of the MOA, unless a different timeline is agreed upon by Participating Parties and accepted by BOEM. Mitigation measures may be completed simultaneously as applicable.

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Virginia Research Center for Archaeology

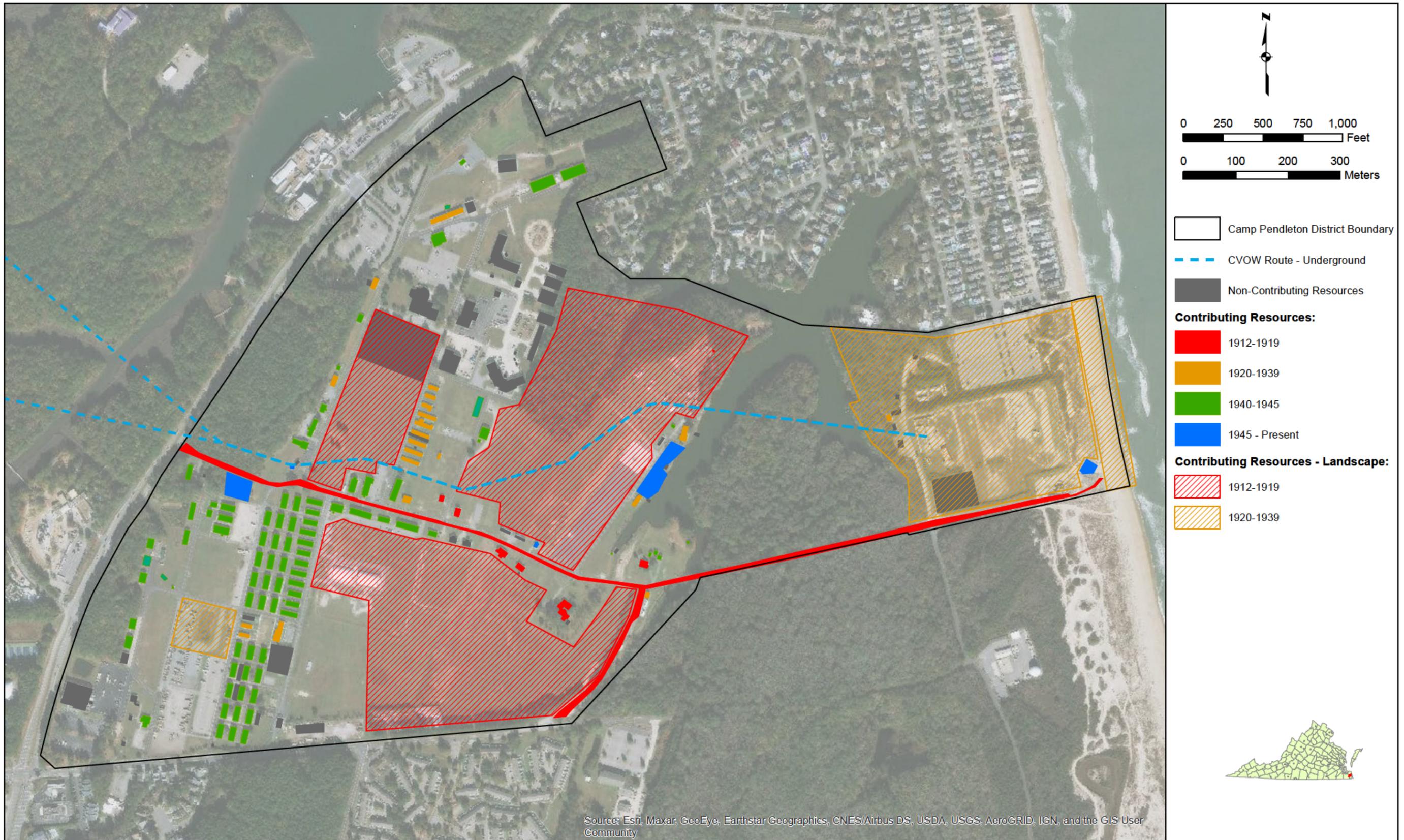
1987 *An Archaeological Survey of the Virginia National Guard Camp Pendleton Training Site, City of Virginia Beach, Virginia*. Prepared for U.S. Army National guard, Operations Activity, Aberdeen Proving Ground, Maryland, and Virginia Department of Military Affairs, Richmond.

Virginia Army National Guard Facilities Management-Environmental

2014 Integrated Cultural Resources Management Plan Revision for Facilities of the Virginia Army National Guard, Fiscal Years 2014–2018. Prepared for Virginia Department of Military Affairs.

APPENDIX A CORRESPONDENCE - REDACTED

**APPENDIX B OVERVIEW OF CAMP PENDLETON SMR HISTORIC DISTRICT
SHOWING CONTRIBUTING RESOURCES FROM FOUR
PERIODS OF DEVELOPMENT**

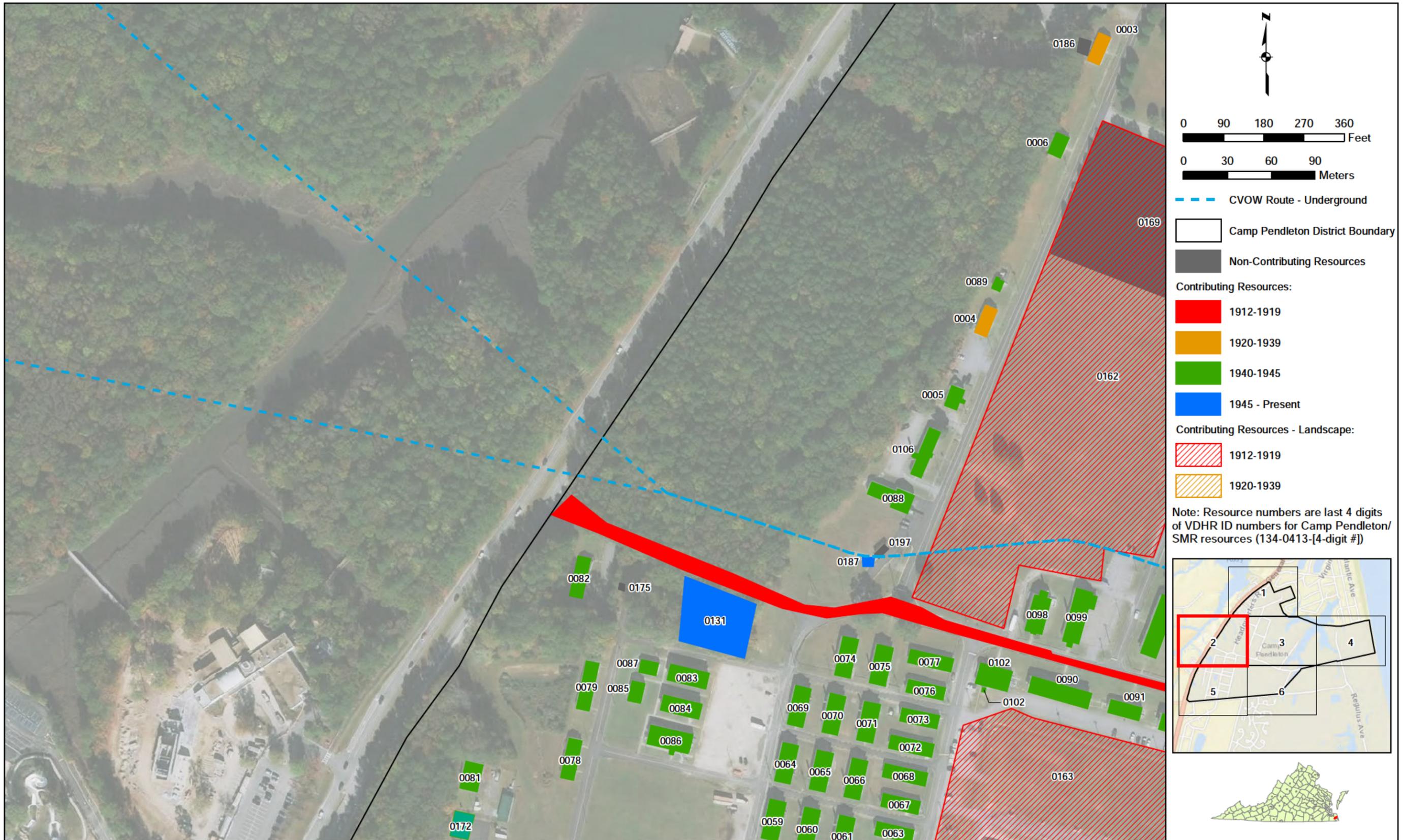


Appendix B. Overview of Camp Pendleton/SMR Historic District Showing Contributing Resources from Four Periods of Development.

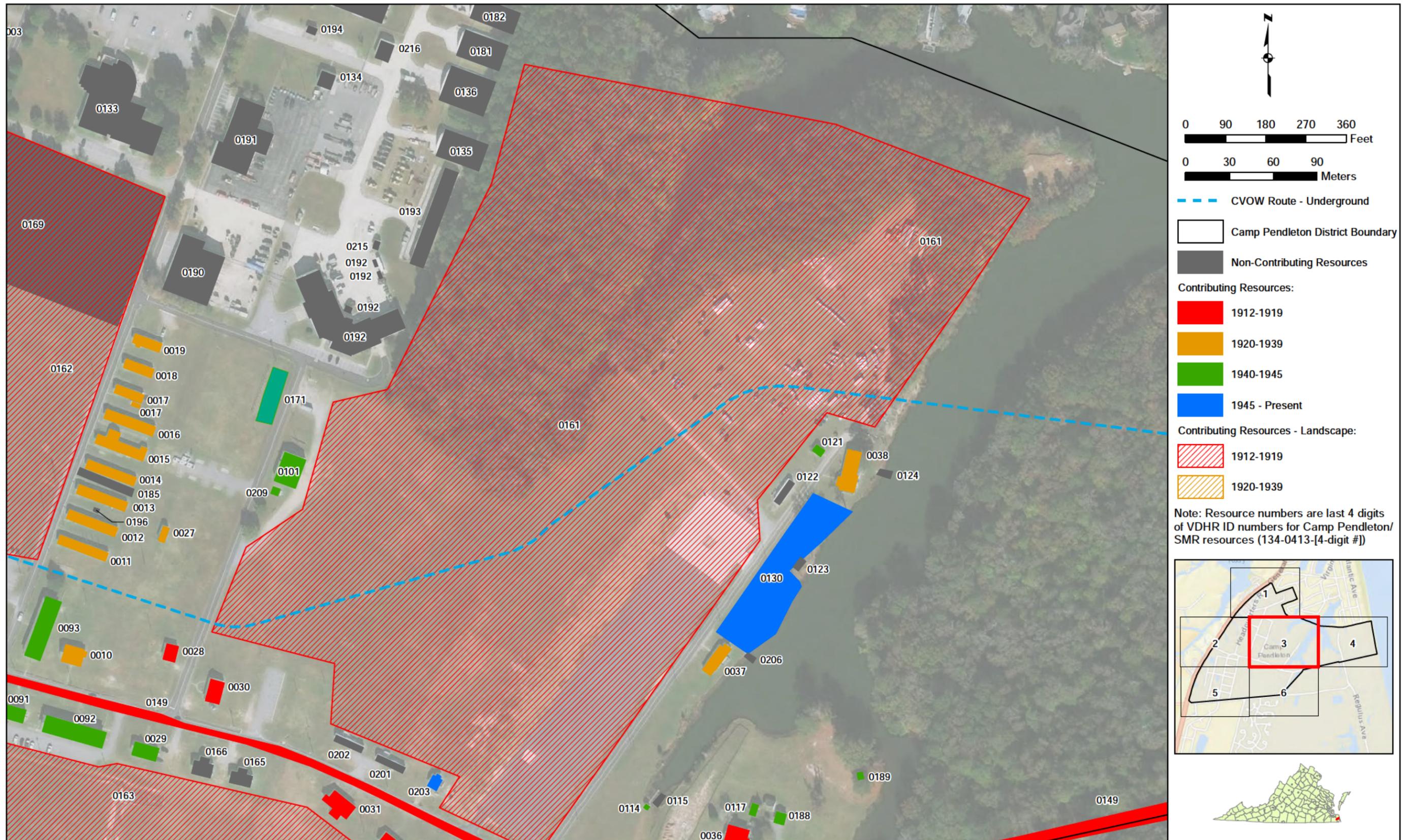
**APPENDIX C DETAILED MAP OF CONTRIBUTING RESOURCES SHOWING
VDHR RESOURCE NUMBERS AND ASSOCIATED
DEVELOPMENT PERIOD**



Appendix C: Detailed Map of Contributing Resources Showing VDHR Resource Numbers and Associated Development Period (Sheet 1 of 6).



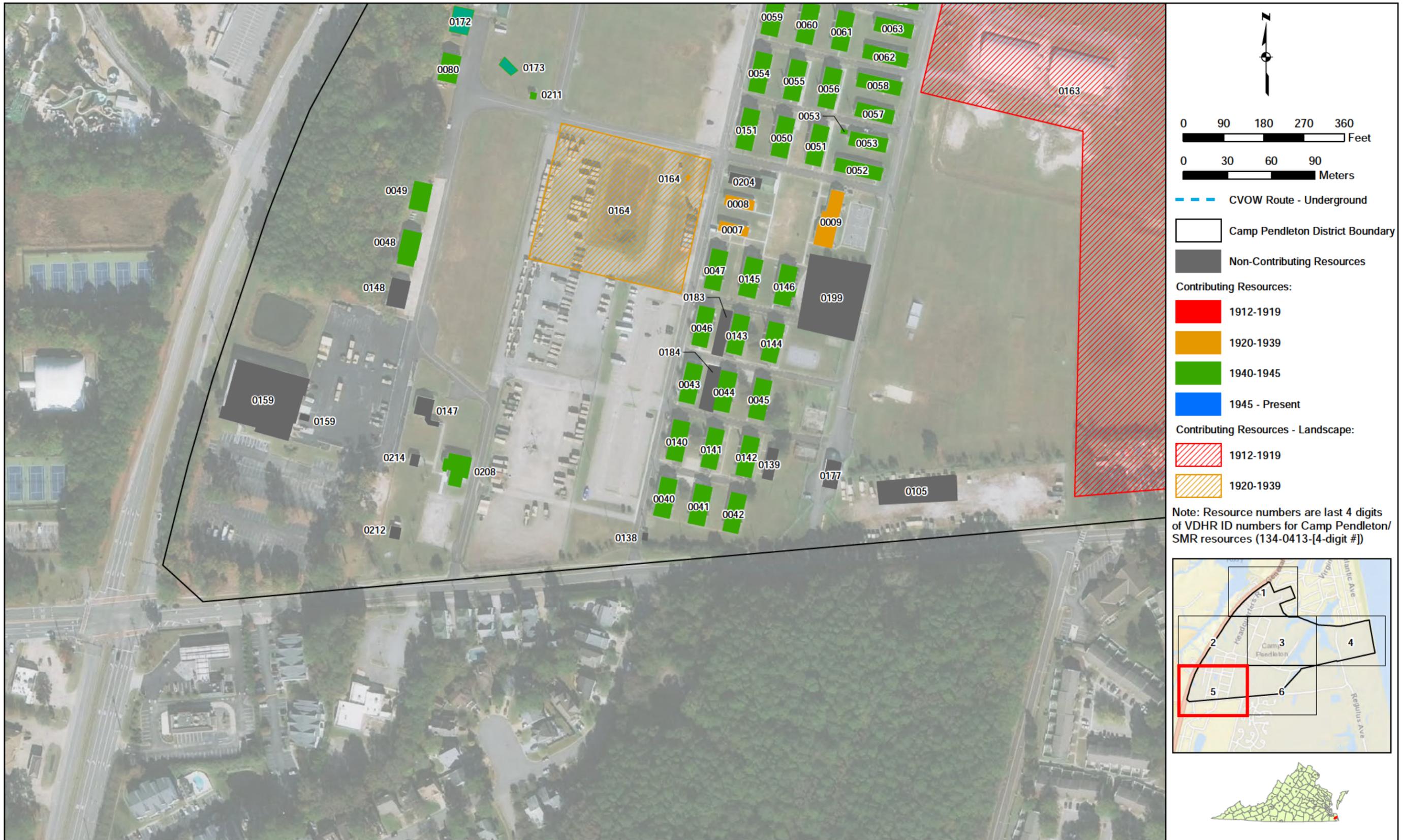
Appendix C: Detailed Map of Contributing Resources Showing VDHR Resource Numbers and Associated Development Period (Sheet 2 of 6).



Appendix C: Detailed Map of Contributing Resources Showing VDHR Resource Numbers and Associated Development Period (Sheet 3 of 6).



Appendix C: Detailed Map of Contributing Resources Showing VDHR Resource Numbers and Associated Development Period (Sheet 4 of 6).



Appendix C: Detailed Map of Contributing Resources Showing VDHR Resource Numbers and Associated Development Period (Sheet 5 of 6).



Appendix C: Detailed Map of Contributing Resources Showing VDHR Resource Numbers and Associated Development Period (Sheet 6 of 6).

**APPENDIX D CAMP PENDLETON SMR HISTORIC DISTRICT
PHOTO SIMULATIONS**

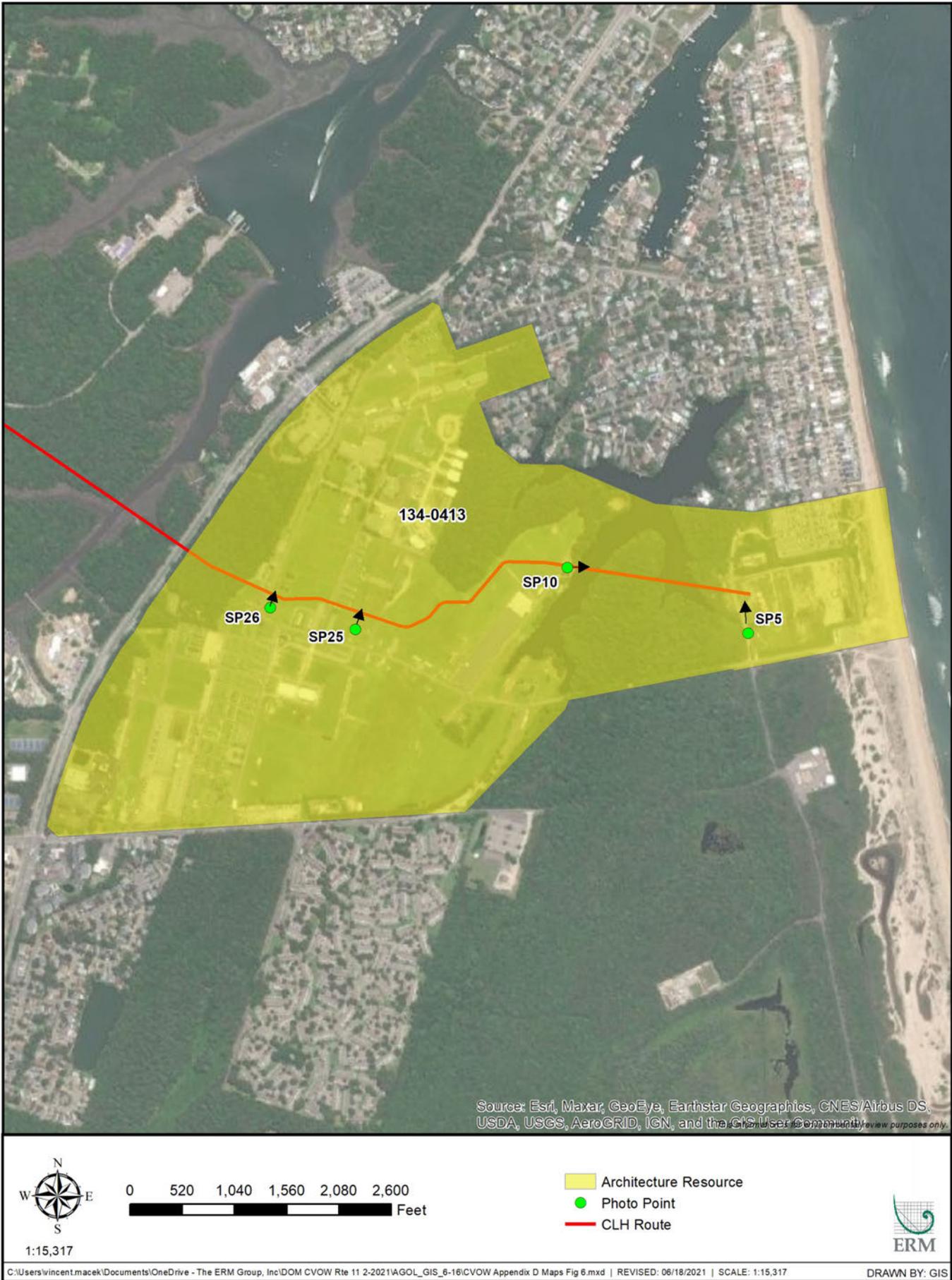


Figure 1: Aerial photograph depicting land use and photo view for 134-0413.



Appendix D: Photosimulations

Existing view



Viewpoint Location UTM Zone 18N: 413436E 4074902N
 View Direction: 318 degrees
 Viewpoint Elevation: 13 feet
 Distance to Route: 136 feet
 Horizontal Field of View: 90 degrees

Date of Photography: 31st March 2021 11:56
 Camera: Nikon D800
 Lens: Nikkor 50mm 1.4
 Camera Height: 5 feet



Figure 2:
Viewpoint SP5 - CLH Route
 On Regulus Road northwest of 134-0413
Treatment Plan for 134-0413
Coastal Virginia Offshore Wind
Commercial Project



Appendix D: Photosimulations

Yellow line shows approximate position of proposed underground cable route (a dashed line means its location is behind foreground features)



Viewpoint Location UTM Zone 18N: 413436E 4074902N
 View Direction: 318 degrees
 Viewpoint Elevation: 13 feet
 Distance to Route: 136 feet
 Horizontal Field of View: 90 degrees

Date of Photography: 31st March 2021 11:56
 Camera: Nikon D800
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 Camera Height: 5 feet

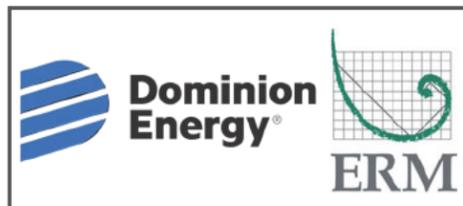


Figure 3:
Viewpoint SP5 - CLH Route
 On Regulus Road northwest of 134-0413
Treatment Plan for 134-0413
Coastal Virginia Offshore Wind
Commercial Project



Appendix D: Photosimulations

Existing View



Viewpoint Location UTM Zone 18N: 413028E 4075014N
 View Direction: 110 degrees
 Viewpoint Elevation: 10 feet
 Distance to Route: 35 feet
 Horizontal Field of View:

Date of Photography: 30th March 2021 10:59
 Camera: Nikon D800
 Lens: Nikkor 50mm 1.4
 Camera Height: 5 feet

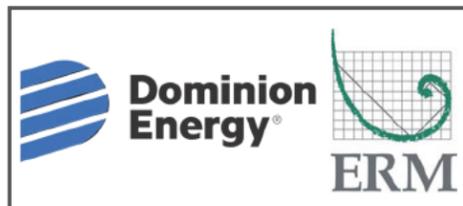


Figure 4:
Viewpoint SP10 - CLH Route
 Parking lot on end of Lake Road 134-0413
 Treatment Plan for 134-0413
 Coastal Virginia Offshore Wind
 Commercial Project



Appendix D: Photosimulations

Yellow line shows approximate position of proposed underground cable route (a dashed line means its location is behind foreground features)



Viewpoint Location UTM Zone 18N: 413028E 4075014N
 View Direction: 110 degrees
 Viewpoint Elevation: 10 feet
 Distance to Route: 35 feet
 Horizontal Field of View:

Date of Photography: 30th March 2021 10:59
 Camera: Nikon D800
 Lens: Nikkor 50mm 1.4
 Camera Height: 5 feet

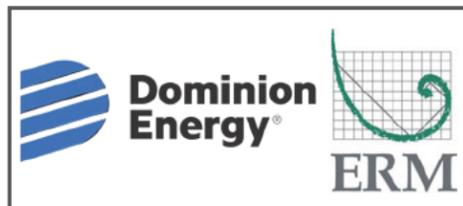


Figure 5:
Viewpoint SP10 - CLH Route
 Parking lot on end of Lake Road 134-0413
 Treatment Plan for 134-0413
 Coastal Virginia Offshore Wind
 Commercial Project



Appendix D: Photosimulations

Existing view



Viewpoint Location UTM Zone 18N: 412495E 4074861N
 View Direction: 335 degrees
 Viewpoint Elevation: 16 feet
 Distance to Route: 140 feet
 Horizontal Field of View:

Date of Photography: 31st March 2021 14:25
 Camera: Nikon D800
 Lens: Nikkor 50mm 1.4
 Camera Height: 5 feet



Figure 6:
Viewpoint SP25 - CLH Route
 Jefferson Avenue between buildings 57 and 83
 134-0413

Treatment Plan for 134-0413
Coastal Virginia Offshore Wind
Commercial Project



Appendix D: Photosimulations

Yellow line shows approximate position of proposed underground cable route (a dashed line means its location is behind foreground features)



Viewpoint Location UTM Zone 18N: 412495E 4074861N
 View Direction: 335 degrees
 Viewpoint Elevation: 16 feet
 Distance to Route: 140 feet
 Horizontal Field of View:

Date of Photography: 31st March 2021 14:25
 Camera: Nikon D800
 Lens: Nikkor 50mm 1.4
 Camera Height: 5 feet



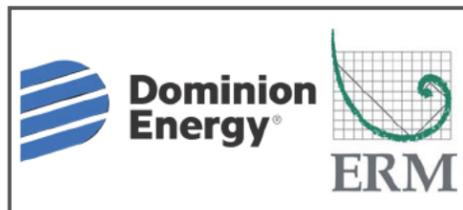
Figure 7:
Viewpoint SP25 - CLH Route
 Jefferson Avenue between buildings 57 and 83
 134-0413

Treatment Plan for 134-0413
Coastal Virginia Offshore Wind
Commercial Project



Appendix D: Photosimulations

Existing View



Viewpoint Location UTM Zone 18N: 412495E 4074861N
 View Direction: 347 degrees
 Viewpoint Elevation: 13 feet
 Distance to Route: 116 feet
 Horizontal Field of View:

Date of Photography: 31st March 2021 15:03
 Camera: Nikon D800
 Lens: Nikkor 50mm 1.4
 Camera Height: 5 feet



Figure 8:
Viewpoint SP26 - CLH Route
 In field to west of church 134-0413
Treatment Plan for 134-0413
Coastal Virginia Offshore Wind
Commercial Project



Appendix D: Photosimulations

Yellow line shows approximate position of proposed underground cable route (a dashed line means its location is behind foreground features)



Viewpoint Location UTM Zone 18N: 412495E 4074861N
 View Direction: 347 degrees
 Viewpoint Elevation: 13 feet
 Distance to Route: 116 feet
 Horizontal Field of View:

Date of Photography: 31st March 2021 15:03
 Camera: Nikon D800
 Lens: Nikkor 50mm 1.4
 Camera Height: 5 feet



Figure 9:
Viewpoint SP26 - CLH Route
 In field to west of church 134-0413
Treatment Plan for 134-0413
Coastal Virginia Offshore Wind
Commercial Project

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Ireland	Sweden
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Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

**ATTACHMENT 8 – UNANTICIPATED DISCOVERIES PLAN – PLANS AND PROCEDURES
ADDRESSING UNANTICIPATED DISCOVERIES OF CULTURAL RESOURCES AND
HUMAN REMAINS, IN SUPPORT OF THE COASTAL VIRGINIA OFFSHORE WIND
COMMERCIAL PROJECT LOCATED ON THE OUTER CONTINENTAL SHELF OFFSHORE
VIRGINIA**

Coastal Virginia Offshore Wind
Commercial Project
Section 106 Memorandum of
Agreement: Attachment 8
Unanticipated Discoveries Plan

SEPTEMBER 2023

**PLANS AND PROCEDURES ADDRESSING
UNANTICIPATED DISCOVERIES OF CULTURAL
RESOURCES AND HUMAN REMAINS,
IN SUPPORT OF THE COASTAL VIRGINIA OFFSHORE
WIND COMMERCIAL PROJECT
LOCATED ON THE OUTER CONTINENTAL SHELF
OFFSHORE VIRGINIA**

PREPARED FOR:

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**R. CHRISTOPHER GOODWIN & ASSOCIATES, INC.
241 EAST FOURTH STREET, SUITE 100 FREDERICK, MD 21701**

**Plans and Procedures Addressing
Unanticipated Discoveries of Cultural Resources
and Human Remains, in Support of the
Coastal Virginia Offshore Wind Commercial Project
Located on the Outer Continental Shelf
Offshore Virginia**

by

**R. Christopher Goodwin & Associates, Inc.
241 East Fourth Street, Suite 100
Frederick, MD 21701**

September 2023

Prepared for:

**Tetra Tech, Inc.
10 Post Office SQ., Ste. 1100
Boston, MA 02109**

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1.0 INTRODUCTION

The Coastal Virginia Offshore Wind (CVOW) Commercial Project (Project) is located in the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) Offshore Virginia (Lease No. OCS-A-0483, Lease Area), which was awarded to Virginia Electric and Power Company d/b/a Dominion Energy Virginia (Dominion Energy) through the Bureau of Ocean Energy Management (BOEM) competitive renewable energy lease auction of the Wind Energy Area offshore of Virginia in 2013. The Lease Area covers approximately 112,799 acres (45,658 hectares) and is approximately 27 statute miles (23 nautical miles, 43 kilometers) off the Virginia Beach coastline. The Project's Offshore Export Cable Route Corridor will connect the Lease Area to a Cable Landing Location at the State Military Reservation in Virginia Beach, Virginia.

From 2020 to 2021, Dominion Energy conducted high resolution geophysical (HRG) and geotechnical survey campaigns to inform the Project. The HRG surveys applied a remote sensing array consisting of multi-channel ultrahigh-resolution seismic, single-channel ultra-high-resolution seismic, multi-beam echo sounder, side scan sonar, magnetometer (transverse gradiometer configuration), and sub-bottom profiler during surveys conducted in 2020 and 2021. The Qualified Marine Archaeologist (QMA) conducted an analyses and interpretation of the HRG and geotechnical datasets, which were integrated into the Marine Archaeological Resources Assessment (MARA) report.

The QMA identified 31 potential cultural resources; 18 in the Lease Area, and 13 in the Offshore Export Cable Route Corridor. These potential cultural resources were recommended for avoidance of any potential or inadvertent effects. Within the Lease Area, six buried paleolandscape features were identified from the seismic data sets. These features were delineated based on spatial extent and recommendations for avoidance incorporated larger areas beyond their mapped spatial extents. No paleolandscape features were identified within the Offshore Export Cable Route Corridor.

Dominion Energy recognizes that although there has been intensive background research and HRG surveys, there is still a potential to encounter submerged cultural resources, including shipwrecks and archaeological sites, during construction or bottom-disturbing activities. Consequently, this Unanticipated Discoveries Plan (UDP) is prepared in support of the Project.

To minimize the potential for the accidental discovery of cultural resources, a systematic review of remote sensing data was conducted for the Project. This UDP has been developed to support Dominion Energy in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations (36 CFR 800) entitled "Protection of Historic Properties, the Archaeological and Historic Preservation Act of 1974; the Abandoned Shipwreck Act of 1987; Title 36 of

the CFR, Parts 60-66 and 800, as appropriate; standards set forth in the *Secretary of the Interior's Guidelines for Archaeology and Historic Preservation*; the Native American Graves Protection and Repatriation Act (NAGPRA); the Guidelines for Providing Geophysical, Geotechnical, and Geohazard Information Pursuant to 30 CFR Part 585 (May 27, 2020); Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585 (May 27, 2020), as set forth by BOEM; and with relevant laws of the Commonwealth of Virginia including the Virginia Antiquities Act (§10.1-2300).

2.0 POTENTIALLY SIGNIFICANT CULTURAL RESOURCES

The archaeological potential to discover precontact period resources within the Lease Area is considered high, due to the rapid sea level rise between 16,000 and 12,000 cal BP. This period is well within the Paleoindian and Early Archaic cultural periods, when the first human occupants of the region could have settled along this coastal plain environment. Rapid sea level rise also occurred sometime between 10,000 and 8,000 cal BP, which again increased the probability for coastal occupations from the early Holocene to have been preserved. The preservation potential for the precontact period is lower along the Offshore Export Cable Route Corridor due to a slower rate of submergence and intertidal, shoreface conditions, which would have led to a greater degree of erosion in any potential archaeological deposits. The abundance of maritime activity in this region can be correlated to a high potential for post-contact period maritime cultural resources.

Any of the following would be considered potentially significant submerged cultural resources:

- Prehistoric shell middens;
- Lithics (projectile points, stone tools) and ceramic artifacts;
- Human remains;
- Animal bone;
- Wooden ship timbers or sections of iron or steel hulls;
- Scattered cargo remains, such as ceramics, glass, wooden barrels or barrel staves;
- Any distinct mound of stones indicative of a ballast pile;
- Cannon and swivel guns and/or ammunition;
- Debris comprised of ship rigging, gear and fittings;
- Groups of anchors or other objects that indicate the presence of a shipwreck.

3.0 ARCHAEOLOGICAL RESOURCE IDENTIFICATION/TRAINING

The identification of cultural resources requires basic training in order to recognize potential archaeological resources. Training will be provided by the QMA for resident engineers and contractor field supervisors prior to the implementation of the Project. The purpose of this training will be to review state and federal regulations concerning archaeological resource compliance and to provide an overview of the Project-specific resources so that both Dominion and contract personnel will be aware of the kinds of unanticipated archaeological resources that may be encountered in the field. The training program will present the procedures to be followed and notification required if an unanticipated discovery is identified during Project implementation. The training will be designed to ensure that Project personnel and contractors understand the archaeological survey program that has been performed for the Project and are fully informed on the resources and the avoidance areas that have previously been demarcated for Project implementation activities and new discoveries which would constitute unanticipated finds during the Project implementation process.

4.0 PROCEDURES FOR THE DISCOVERY OF A POTENTIAL CULTURAL RESOURCE

Dominion Energy's designated on-vessel representatives have the responsibility to monitor construction sites for potential cultural resources throughout construction. The approved QMA will inspect the discovery and provide a verbal or written notification within 24-hours of suspected discovery. The UDP includes a stop-work order and requires coordination with the Project, the QMA, BOEM and BSEE, Tribes, and relevant stakeholders on the manner to proceed.

When a potential cultural resource is encountered during construction and/or bottom disturbing activities, the following steps should be taken:

- Consistent with OCS-A-0497 Lease stipulation 4.2.7.1, all bottom disturbing activities in the area of discovery will cease and every effort will be made to avoid or minimize damage to the potential submerged cultural resource(s).
- The field/construction crew that identifies an unanticipated find will immediately notify Dominion Energy or Dominion Energy's designated on-vessel representative of the discovery.
- Dominion Energy will issue an order to stop work within a safe distance of the discovery pending its identification as a potential historic property or non-historic property, as determined by the QMA.
- Dominion Energy will notify BOEM and BSEE of the discovery of a potential submerged cultural resource within 24 hours of such discovery. Dominion Energy will also notify DHR and the Tribal

Historic Preservation Offices (THPOs) or other designated representatives of federally recognized Native American Tribes. Dominion Energy will immediately notify the QMA concerning the potential find(s). The QMA will initiate an assessment of the find's (finds') potential to qualify as a historic property. Information shared with the QMA will include, but not be limited to, coordinates, discernable characteristics, photographs, and survey data. If necessary to support an initial assessment, the QMA may request to visit the site to inspect the find. If the QMA determines the find(s) represent a potential historic property, the QMA will immediately advise Dominion Energy of the QMA's preliminary determination.

- If upon further consideration of available information, the QMA determines that the find (i.e., site, feature, or potential cultural resource) is not cultural or not associated with a potential historic property, the QMA will notify Dominion Energy's on-site representative that the find is not a potential historic property.
- If the QMA determines that the find is associated with a potential historic property, the QMA will notify Dominion Energy and work may not resume at the given location until the field/construction crew is notified accordingly in writing by Dominion Energy.

FOR DISCOVERIES ON THE U.S. OUTER CONTINENTAL SHELF

- Within 72 hours of the discovery of a potential submerged cultural resource, the QMA will prepare, and Dominion Energy will submit to BOEM and BSEE, a report summarizing the available information concerning the nature and characteristics of the resource and observed attributes relevant to the resource's potential eligibility for listing in the National Register of Historic Places (NRHP). Dominion Energy and the QMA will consult, as feasible, with BOEM during the preparation of the report and preliminary assessment of the resource's significance.
- If BOEM determines the affected resource is eligible for listing in the NRHP, Dominion Energy will prepare a mitigation plan and submit that plan to BOEM. The mitigation plan will prioritize avoidance and minimization measures to the extent practicable based on the specific location and circumstances of the discovery. Dominion Energy will address any BOEM comments in a revised draft mitigation plan before submitting the document to DHR and THPOs. DHR and the THPOs will provide Dominion Energy, BOEM any comments or suggestions within one week of receipt of the mitigation plan.
- Dominion Energy will respond to all timely comments received on the mitigation plan in preparing the final mitigation plan for submittal to BOEM. Work in the vicinity of the discovery

may not resume until Dominion Energy receives written authorization from BOEM. Dominion Energy will be responsible for implementing the final mitigation plan in such circumstances.

- If BOEM determines the potential submerged cultural resource is not eligible for listing in the NRHP, Dominion Energy may proceed with construction activities in the vicinity of the find upon receipt of BOEM's written authorization.

FOR DISCOVERIES IN VIRGINIA STATE WATERS

- Within 72 hours of the discovery of a potential submerged cultural resource, the QMA will prepare, and Dominion Energy will submit to BOEM and DHR, a report summarizing the available information regarding the nature and characteristics of the resource and observed attributes relevant to the resource's potential eligibility for listing in the NRHP. Dominion Energy and the QMA will consult, as feasible, with BOEM and DHR during the preparation of the report and preliminary assessment of the resource's significance.
- If BOEM, in consultation with DHR, determines the affected resource is eligible for listing in the NRHP, Dominion Energy will prepare a mitigation plan and submit that plan to BOEM and DHR. The mitigation plan will prioritize avoidance and minimization measures to the extent practicable based on the specific location and circumstances of the discovery. Dominion Energy will address any BOEM comments in a revised draft mitigation plan before submitting the document to the DHR and THPOs. The DHR and THPOs will provide Dominion Energy and BOEM any comments or suggestions within one week of receipt of the mitigation plan.
- Dominion Energy will respond to all timely comments on the mitigation plan in preparing the final mitigation plan for submittal to BOEM and DHR. Work in the vicinity of the discovery may not resume until Dominion Energy receives written authorization from BOEM. Dominion Energy will be responsible for implementing the final mitigation plan in such circumstances.
- If BOEM determines the potential submerged cultural resource is not eligible for listing in the NRHP, Dominion Energy may proceed with construction activities in the vicinity of the find upon receipt of BOEM's written authorization and DHR's written approval of the final mitigation plan.
- The location of any unanticipated discovery will be kept confidential, and the findings will be reported within the Marine Archaeological Resource Assessment (MARA), which will be attached to the Construction and Operations Plan (COP) and submitted to the relevant federal and state agencies.

5.0 UNANTICIPATED DISCOVERY OF HUMAN REMAINS

If potential human remains are encountered during Project construction activities, different procedures are to be followed depending on whether the remains were located in federal or Virginia state waters.

FOR DISCOVERIES ON THE U.S. OUTER CONTINENTAL SHELF

If suspected human remains are encountered on the U.S. Outer Continental Shelf, the below procedures, which comply with the Advisory Council on Historic Preservation's (ACHP) *Policy Statement Regarding Burial Sites, Human Remains and Funerary Objects*, dated March 1, 2023, should be followed.

- All work in the near vicinity of the human remains will cease and reasonable efforts will be made to avoid and protect the remains from further damage. Potential remains shall be protected, which may include keeping the remains submerged in an onboard tank of sea water or other appropriate material.
- The vessel crew or authorized Project Representative will immediately notify Dominion Energy of the discovery of potential human remains. Dominion Energy will immediately notify BOEM and BSEE and the QMA of the discovery.
- 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.
- 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 BOEM, DHR, and THPOs 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 by Dominion Energy. Dominion Energy will not proceed with construction activities in the vicinity of the discovery until it has received written authorization from BOEM.

FOR DISCOVERIES IN VIRGINIA STATE WATERS

In the event human remains are encountered during construction activities, DHR recommends implementing the following protocol:

- At all times human remains must be treated with the utmost dignity and respect. Should human remains be encountered, work in the general area of the discovery will stop immediately and the location will be immediately secured and protected from damage and disturbance.
- Human remains or associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place and a plan of action has been developed. The archaeological recovery of human remains may require a permit from the Director of the Department of Historic Resources (DHR) (§10.1-2305).
- The county coroner/medical examiner, local law enforcement, DHR, the appropriate Indian Nations, and the involved agency will be notified immediately. The coroner and local law enforcement will make the official ruling on the nature of the remains, being either forensic or archaeological.
- If human remains are determined to be Native American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. Please note that avoidance is the preferred choice of DHR and the Indian Nations. The involved agency will consult DHR and appropriate Indian Nations to develop a plan of action that is consistent with NAGPRA guidance.
- If human remains are determined to be non-Native American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. Please note that avoidance is the preferred choice of DHR. Consultation with DHR and other appropriate parties will be required to determine a plan of action.
- Immediate notice regarding the discovery should be made to the appropriate local law enforcement agency, BOEM, BSEE, and DHR.
- Within 24-hours of the notification, DHR shall notify any Native American Tribe that has indicated interest in the area of the discovery. The local law enforcement officials shall assess the nature and age of the human skeletal remains. If the coroner determines that the human skeletal remains are not a crime scene and are older than 50 years of age, DHR has jurisdiction over the remains and will work out appropriate plans with appropriate Tribes, living descendants, and other

interested parties to ensure compliance with existing state laws. No remains will be removed until jurisdiction is established, and the appropriate permits obtained from the Department of the Army.

6.0 GUIDANCE FOR SUPPLEMENTAL ARCHAEOLOGICAL INVESTIGATIONS OF POST-REVIEW DISCOVERIES

Targeted geophysical survey, Remotely Operated Vehicle (ROV) inspection, and/or archaeological diver-assisted observation and inspection may be necessary to evaluate and characterize a discovery and to gather sufficient information to support BOEM's determination of a find's eligibility to the NRHP. The following procedures were developed to provide for informed decision-making in the event of a post-review discovery during construction of Offshore Project Components. The procedures account for appropriate decisions at each step in the event of a post-review discovery. Appropriate resolution of a post-review discovery may not require completion of all the steps described below.

1. *Review available geophysical data in the vicinity of the discovery and determine if supplemental HRG survey or ROV inspection is needed and appropriate.*
 - a. Conduct HRG survey or ROV inspection.
 - i. QMA to evaluate potential significance of find in consultation with BOEM.
 - ii. May result in BOEM's determination that the find is not associated with a NRHP-eligible resource and no further consideration or protective measures are required.
 - iii. May result in a recommendation for avoidance and/or further evaluations

1. *Determine appropriate avoidance area based on supplemental HRG survey or ROV inspections.*
 - a. No seabed disturbance may occur within any avoidance area recommended by the QMA or determined by BOEM, until such time as BOEM provides Dominion Energy written authorization to proceed with construction.
 - b. Dominion Energy should assess potential micro-siting of activities to avoid seabed disturbances within the avoidance area. If so, Dominion Energy will submit to BOEM revised design parameters and/or construction methods demonstrating the feasibility of avoiding the find.

2. *Identify the source of the find, delineate any associated elements of a potential submerged historic property, and assess potential damage or disturbance to the resource.*
 - a. May be accomplished by ROV inspections or archaeological diver observations and inspections.
 - i. ROV inspections would be accomplished using an ROV and payload system designed to achieve the Project objectives.
 - ii. Diving operations would only occur if following a formal operational risk assessment and management process, it's determined that diving operations can be safely conducted to achieve the desired objectives.
 - iii. Operations will not commence until BOEM provides Dominion Energy written approval of ROV and Diving Operations Plans.
 - b. May result in BOEM's determination that no further conservation/preservation actions are warranted.

3. *NRHP-eligibility evaluation*
 - a. Where feasible, would be supported by archaeological diving.
 - b. May require intrusive excavations.
 - c. May require supplemental archival research.
 - d. Will require consultations among BOEM, Dominion Energy, DHR, and THPOs.

4. *Mitigation Plan development*
 - a. Will draw upon data collected from all previous, relevant investigations and comments shared by the consulting parties to resolve adverse effects to a submerged historic property.
 - b. Will prioritize feasible and practicable avoidance and minimization measures.
 - c. May include on-site monitoring of seabed disturbing activities to avoid further damage to a submerged historic property.

7.0 NOTIFICATION LIST

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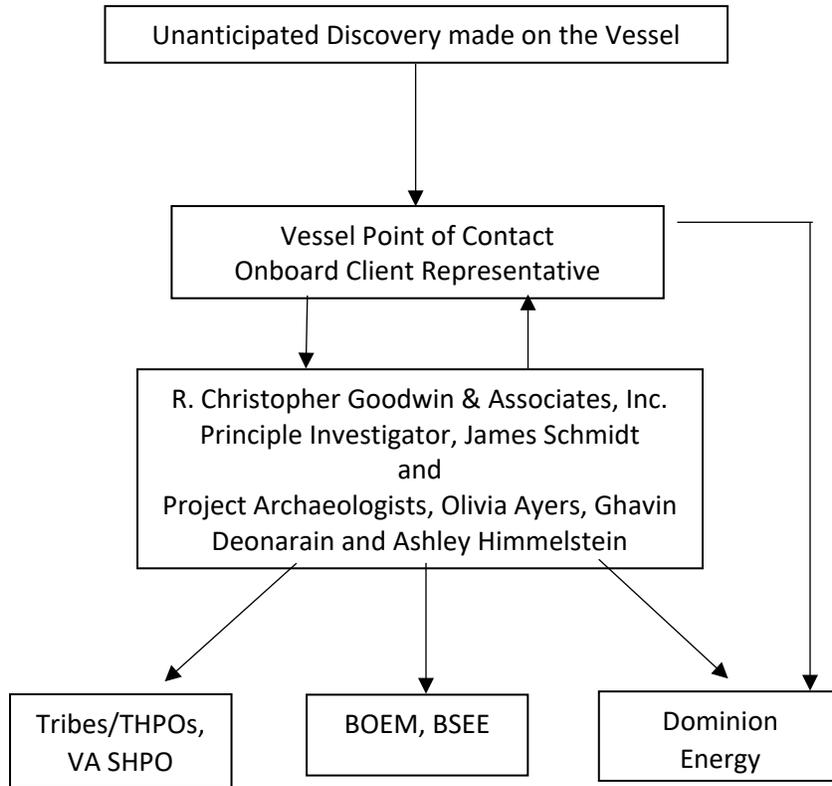
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8.0 COMMUNICATIONS AND NOTIFICATIONS PLAN FOR UNANTICIPATED DISCOVERIES



Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

**ATTACHMENT 9 – UNANTICIPATED DISCOVERIES PLAN – PLAN FOR UNANTICIPATED
DISCOVERIES OF CULTURAL RESOURCES AND HUMAN REMAINS – TERRESTRIAL
ARCHAEOLOGICAL RESOURCES**

**Coastal Virginia Offshore Wind Commercial Project
Section 106 Memorandum of Agreement: Attachment 9
Plan for Unanticipated Discoveries of Cultural Resources and Human
Remains – Terrestrial Archaeological Resources**

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G-1.1 Introduction

Virginia Electric and Power Company, d/b/a Dominion Energy Virginia (Dominion Energy), is proposing the Coastal Virginia Offshore Wind (CVOW) Commercial Project (the Project), an offshore wind energy project located within the area leased by Dominion Energy in the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf offshore Virginia (Lease No. OCS-A 0483), as well as in federal and state territorial waters of Virginia and onshore in the independent cities of Virginia Beach and Chesapeake, Virginia (Figure DD-1-1).

In consultation with the Bureau of Ocean Energy Management (BOEM) and the Virginia Department of Historic Resources (VDHR), Dominion Energy has developed this Unanticipated Discoveries Plan—Terrestrial Archaeological Resources (UDP-T) to provide a protocol for responding to the unplanned discovery of cultural resources, including archaeological deposits, human remains, and other evidence of past human activities, during the construction and operation of the onshore portion of the Project between the Cable Landing Location on the Atlantic Ocean shoreline of the City of Virginia Beach and Dominion Energy’s existing Fentress substation in the City of Chesapeake, including portions located within Naval Air Station (NAS) Oceana and the Virginia Department of Military Affairs – Virginia Army National Guard (VDMA-VaARNG) State Military Reservation (SMR [formerly Camp Pendleton]).

G-1.1.1 Project Description

The proposed CVOW Commercial Project will erect up to 202 wind turbine generators over an area of 112,799 acres (45,658 hectares) situated approximately 27 statute miles (23.75 nautical miles, or 43.99 kilometers) off the Virginia Beach coastline. It will have a nameplate generating capacity of approximately 2.6 gigawatts of electrical energy. Energy generated by the Project will be collected via Inter-Array Cables from the individual wind turbine generators to three Offshore Substations, and then transmitted to onshore consumers via nine Offshore Export Cables laid along the Offshore Export Cable Route Corridor within federal and state waters of the Commonwealth of Virginia. To bring the energy onshore at the Cable Landing Location, the Offshore Export Cables will be installed under the beach and dunes using a trenchless installation method (Direct Steerable Pipe Thrusting).

The Onshore Project Components will include, in addition to the Cable Landing Location, an Onshore Export Cable Route, a Switching Station, an Interconnection Cable Route, and an Onshore Substation (Figure DD-1-2).¹ Dominion Energy’s Preferred onshore route option, which was approved by the Virginia State Corporation Commission on August 5, 2022, situates the Cable Landing Location within a Proposed Parking Lot west of the Firing Range at the SMR. At the Cable Landing Location, the nine Offshore Export Cables will interconnect with 27 single-phase 230-kilovolt transmission lines that comprise the Onshore Export Cable that continues to a Common Location north of Harpers Road.

¹ Note that while onshore electrical interconnections are commonly referred to as “circuits,” for consistency with terminology commonly associated with offshore wind projects, “cables” is used throughout.

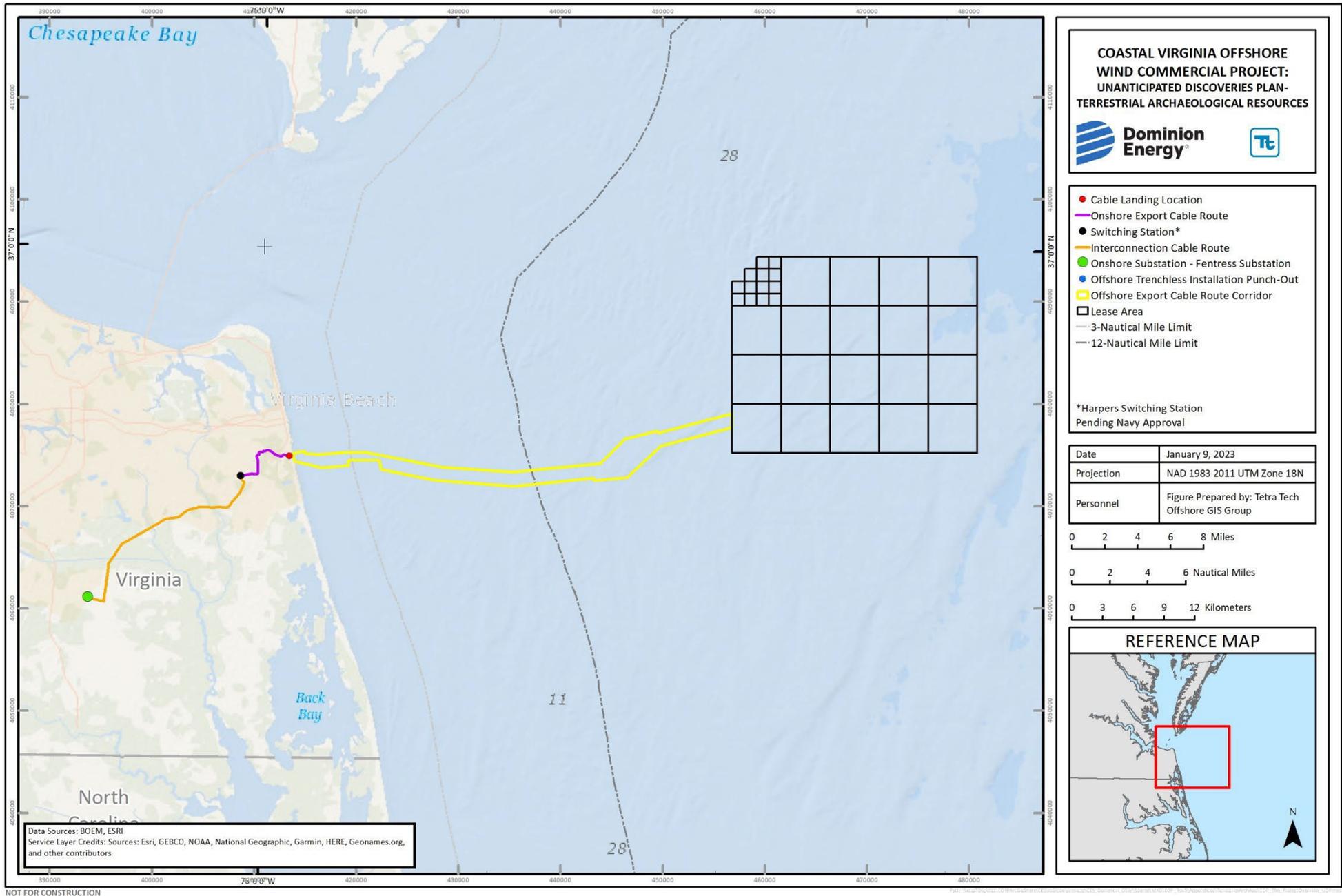


Figure G-1-1. CVOW Commercial Project

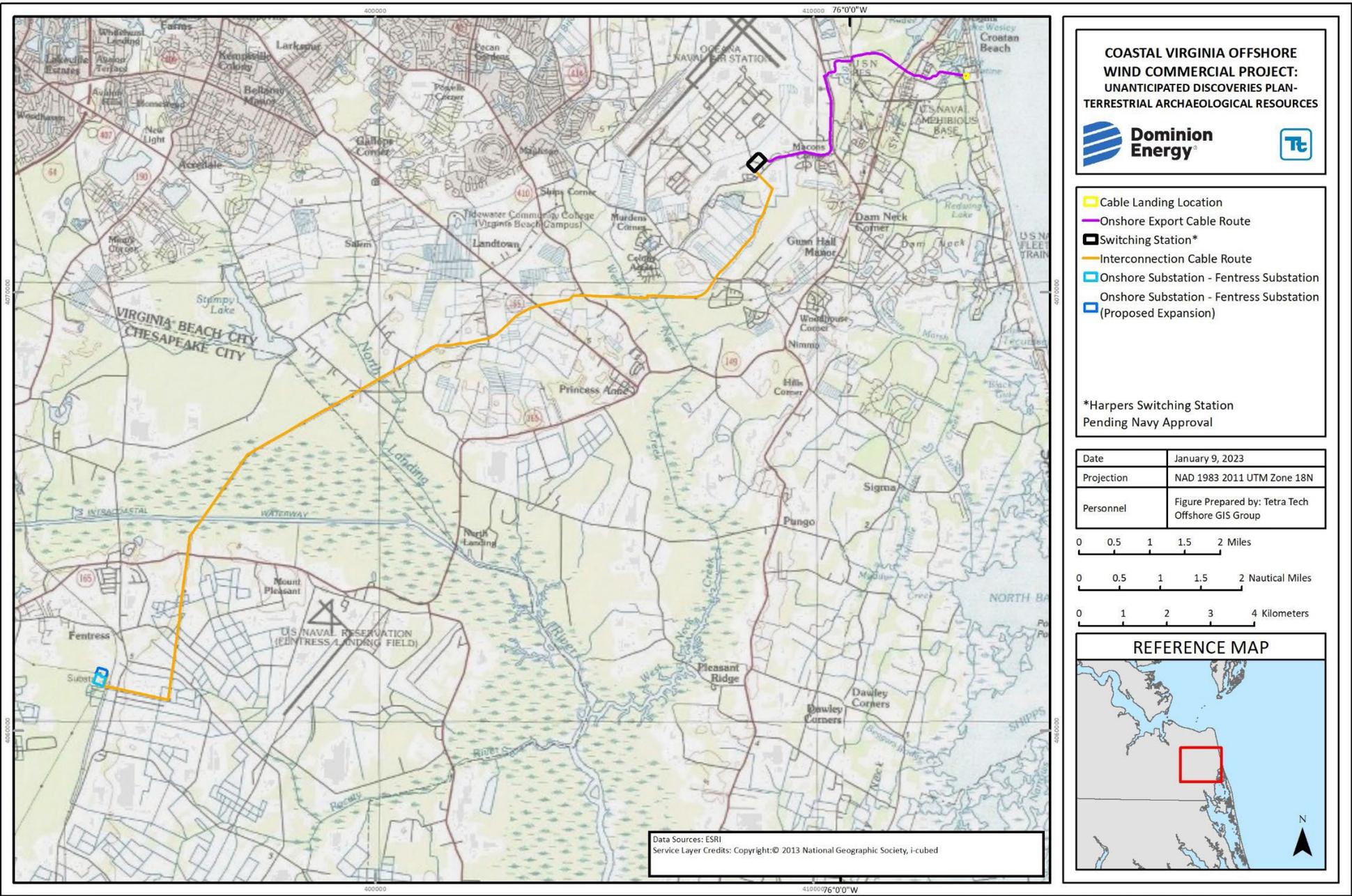


Figure G-1-2. Onshore Project Components

From the Common Location north of Harpers Road the Interconnection Cable Route will continue to the planned Onshore Substation, an expansion of the existing Fentress Substation in the City of Chesapeake, approximately 15 miles (24 kilometers) to the southwest of the Cable Landing Location. According to current planning, the Onshore Export Cable Route will traverse several miles underground beneath existing roads or through previously disturbed ground to the preferred location for the new Switching Station that will be located north of Harpers Road. The Onshore Project Components include portions located within NAS Oceana and VDMA-VaARNG properties.

The Switching Station will serve as the transition point where power transmitted by the Onshore Export Cable from the Cable Landing Location will be collected to the Interconnection Cable. The Interconnection Cable will connect the Switching Station with the Onshore Substation at Fentress, where the electricity from the offshore wind energy facility will be connected into the PJM power grid for distribution to consumers. The Interconnection Cable will consist of three 230-kilovolt circuits installed as overhead transmission facilities.

G-1.1.2 Purpose of the Unanticipated Discoveries Plan—Terrestrial

The purpose of the UDP-T is to provide a step-by-step guide for all field personnel in the event that unanticipated cultural material or human remains are encountered during the course of Project construction activities. This UDP-T is to be used in conjunction with the Avoidance, Minimization, and Monitoring Plan – Terrestrial Archaeology (Attachment G-9) to ensure the proper protection of cultural resources within the Project Area of Potential Effects.

The UDP-T applies to all Project construction and maintenance activities inshore of the mean high tide line. Under federal law, the mean high tide line marks the marine boundary of the lands beneath navigable waters of the United States (Submerged Lands Act of 1953, as amended, 43 United States Code [U.S.C.] § 1301(a)(2)), and from a practical point of view, it approximates the point at which terrestrial methods of archaeological investigation predominate over marine methods. The elevation of Mean High Water Datum is taken to be a convenient approximation of the “mean high tide line.” As of September 2021, the National Oceanic and Atmospheric Administration, National Ocean Service, Center for Operational Oceanographic Products and Services lists the elevation of Mean High Water at Rudee Inlet, Virginia Beach, Virginia (Tidal Station 8639208), a location approximately 0.8 mile (1.3 kilometers) north of the Project’s proposed Cable Landing Location, as +0.92 foot (+0.281 meter) North American Vertical Datum of 1988, based on the current National Tidal Datum Epoch, 1983-2001, now under revision (NOAA 2021).

G-1.2 Guidelines, Regulations, and Legislation for Unanticipated Cultural Resources and Human Remains

The UDP-T will be followed if cultural resources and/or human remains are encountered during construction of the Onshore Project Components. The stipulations of the Plan as set forth below are in accordance with the current guidelines detailed in the following federal and state guidelines, regulations, and legislation, as well as BOEM’s recommendation:

G-1.2.1 Federal

- Sections 106 and 110 of the National Historic Preservation Act, as amended (54 U.S.C. §§ 306108 and 306101 *et seq.*)
- Archaeological Resources Protection Act, as amended (16 U.S.C. §§ 470aa *et seq.*)
- Archaeology and Historic Preservation: Secretary of the Interior’s Standards and Guidelines (September 29, 1983, 48 Federal Register 44716-42)
- Advisory Council for Historic Preservation: Policy Statement Regarding Burial Sites, Human Remains, and Funerary Objects (March 1, 2023)
- Native American Graves Protection and Repatriation Act (25 U.S.C. §§ 3001 *et seq.*)
- As of October 2021, BOEM has not issued specific regulations or guidance for completing Section 106 compliance archaeological investigations in terrestrial areas; marine archaeological investigations are covered by BOEM’s *Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585* (BOEM 2020)
- BOEM Project recommendation for an on-site Archaeological Monitor (AM) during construction activities
- U.S. Department of the Navy guidelines and requirements for portions of the Project located on NAS Oceana property
 - NAVFAC P-73 Real Estate Manual, Chapter 12
 - Regional Integrated Cultural Resources Management Plan for Navy Installations in Hampton Roads (2013, which includes NAS Oceana)
 - OPNAV 5090.1E and the Environmental Readiness Program Manual, Chapter 14 Cultural Resources

G-1.2.2 Commonwealth of Virginia

- *Guidelines for Conducting Historic Resources Survey in Virginia*, revised (VDHR 2017)
- Section 2305 of the Virginia Antiquities Act (Virginia Code Annotated [VCA] § 10.1-2305) “Permit required for the archaeological excavation of human remains” —provides a permit process for archaeological field investigations involving the removal of human remains and artifacts from graves. These permits are issued through VDHR’s Office of Review and Compliance. The following state statutes pertain to human remains, graves, and cemeteries:
 - VCA § 8.01-44.6, action for injury to cemetery property
 - VCA § 15.2-2258, plat of proposed subdivision and site plans to be submitted for approval
 - VCA § 18.2-125, trespass at night upon any cemetery
 - VCA § 18.2-126, violation of sepulture; defilement of dead human body
 - VCA § 18.2-127, injuries to churches, church property, cemeteries, burial grounds, etc.
 - VCA § 33.1-241, roads not to be established through a cemetery or seminary of learning without owners’ consent

- VCA § 45.1-252, designating areas unsuitable for coal surface mining
- VCA § 57-27.1, access to cemeteries located on private property; cause of action for injunctive relief
- VCA § 57-36, abandoned cemeteries may be condemned; removal of bodies
- VCA § 57-38.1, proceedings by landowner for removal of remains from abandoned family graveyard
- VCA § 57-38.2, proceedings by heir at law or descendant for removal of ancestor’s remains from abandoned family cemetery
- VCA § 57-39, proceedings for removal of remains and sale of land vacated
- VCA § 57-39.1, improvement of abandoned and neglected graveyards
- VDMA-VaARNG guidelines and requirements for portions of the Project located on SMR property

G-1.2.3 Local

Both the City of Virginia Beach and the City of Chesapeake have active historic preservation commissions. Virginia Beach is a Certified Local Government under the National Park Service program; Chesapeake is not. Neither city has a local ordinance specifically addressing archaeological resources. Virginia Beach has a local historic preservation plan that serves to establish the vision, goals, and actions for the City of Virginia Beach historic preservation program for the next 10 years and to identify strategic areas for partnerships with internal and external stakeholders. The Virginia Beach Historic Preservation Plan was finalized in March 2023. On September 13, 2023, the Virginia Beach Planning Commission voted to recommend approval to adopt and incorporate the 2023 Historic Preservation Plan into the 2016 City of Virginia Beach Comprehensive Plan; City Council action is anticipated in October 2023. Chesapeake does not have a local historic preservation plan. An archaeological survey for historic preservation planning purposes was completed in Virginia Beach in the northern part of the city in 2018 (Blondino et al. 2018) and in the southern portion in 2020 (Blondino and McCoy 2020). An archaeological survey of Chesapeake was completed in 1999 (Underwood and Blanton 1999).

G-1.2.4 Archaeological Permits Checklist

If an unanticipated archaeological find is made or if human remains are found, one or more of the following permits may be required if archaeological excavation is necessary:

- Archaeological Resources Protection Act Permit (federal land, issued by federal agency responsible for land management)
 - Required for monitoring on NAS Oceana property
- Permit for Archaeological Field Investigation on State-Controlled Land (Virginia’s state and state-controlled land;² issued by VDHR)

² State-controlled land “means any land owned by the Commonwealth or under the primary administrative jurisdiction of any state agency. ‘State agency’ shall not mean any locality or any board or authority organized under state law to perform local or regional functions. ‘State-controlled land’ includes state parks, state wildlife areas, state recreation areas, highway rights-of-way, and state-owned easements” (VCA § 10.1-2300).

- Permit for the Archaeological Excavation of Human Remains (removal of human remains from a grave in Virginia requires a court order or a permit issued by VDHR)
- Additional permits may be required, depending on circumstances

G-1.3 Training and Orientation

Dominion Energy’s on-site Project Manager (PM), in coordination with the AM will be responsible for advising construction-contractor personnel on the procedures to follow in the event of an unanticipated discovery. Training will occur as part of the pre-construction on-site training program for all construction personnel. The PM will advise all personnel, including operators of equipment involved in grading, stripping, or drilling activities, to:

1. Stop work immediately if they observe indications of the presence of cultural artifacts, animal bones, or human remains.
2. Contact the AM and PM immediately.
3. Comply with unanticipated discovery procedures.
4. Treat human remains with dignity and respect.

G-1.3.1 Procedure When Potential Cultural Materials Are Observed

Cultural materials include man-made historic objects (precontact pottery or chipped stone tools and waste flakes) and historic period items (items that are approximately 50 years old or greater such as architectural debris, fragments of dishes, bottle glass, old farm equipment, etc.) and features (e.g., alignments, walls, floors, including those that are constructed of cobbles, rough or quarry-dressed masonry, brick, concrete, or other materials), or other remnants of cultural activity.

If artifacts are found on **federal lands**, including NAS Oceana, procedural regulations for permitted excavations and inadvertent discoveries as outlined in the Archaeological Resources Protection Act (ARPA) and the Native American Graves Protection and Repatriation Act (NAGPRA) will be followed. Both of these regulations mandate consultation with Tribal communities and the development of recovery, and disposition plans.

If artifacts are found on **state lands**, procedures for the removal of archaeological materials stipulated in the Virginia Antiquities Act (§ 10.1-2300 Code of Virginia) Code will be followed.

If potential cultural material is encountered during the course of construction activities:

1. **Stop work in the immediate vicinity of the observed potential cultural materials.**
2. **Notify the AM and PM of the discovery.**
3. **If the AM determines that the materials are not human made and historic, features, or other remnants of cultural activity that constitute an anticipated discovery, work will resume.**
4. **If the AM determines that an unanticipated discovery may have been made:**
 - a. **The AM directs all ground-disturbing activities that may affect area of discovery to stop.**

- b. The AM will protect and secure the evidence in place by delineating the find with flagging or fencing.**
- c. Project activities can continue outside of the delineated unanticipated find area.**

Make Immediate Notifications

The PM will notify the designated Dominion Energy contacts as soon as practicable by telephone with written confirmation via email, fax, or overnight mail. If the primary contact cannot be reached, the PM will notify the indicated alternate. Written notifications should be accompanied by photographs and maps or geographic coordinates of the find.

The **CONTACTS LIST** is at the end of this document.

Professional Archaeologist Will Assess the Find

As soon as practicable, a professional archeologist (PA)³, likely the same individual acting as the AM, will examine the location of the discovery.

1. If the PA determines that the discovery is not a cultural resource, the PA will promptly communicate the basis for this professional judgment to the PM. The PM will be allowed to remove the stop work order with concurrence from the PM's management at Dominion Energy. This concurrence may be provided initially by telephone and will be followed by a concurrence email from Dominion Energy. The PA will document the communication with the PM by a letter report including photographs of the discovery, as appropriate, to the PM, Dominion Energy, and Tetra Tech contacts within 14 business days. Note that in accordance with section G-1.3.2 of this Plan, it is prohibited to photograph human remains or provide public access to view human remains regardless of affiliation. The only photography of human remains allowed will be field documentation by the AM and PA.
2. If the PA determines that the discovery is a potentially significant cultural resource, the PA will immediately advise the PM who will make the appropriate notifications to Dominion Energy and Tetra Tech. Together the PA and the PM will then notify VDHR, BOEM and BSEE, and Tribes as applicable, by telephone and written confirmation by email, fax, or overnight mail. In consultation with Dominion Energy, VDHR, and BOEM, the PA will develop a scope of work for evaluating the significance of the resource and evaluating potential Project effects on the resource. The written, draft scope of work will be prepared by the PA and submitted to the PM and Dominion Energy within 2 business days of notifying the PM of the cultural resource determination. The PM will provide the scope of work to VDHR, Tribes, and BOEM following Dominion Energy review. Once approved by VDHR, work may commence immediately on the cultural resource investigations.
3. In accordance with construction or other permits or applicable regulations, additional parties such

³ A professional archaeologist, also called a Secretary of the Interior-qualified archaeologist, is one who meets the Secretary's qualifications to serve as a principal investigator of an archaeological study for purposes of federally sanctioned historic preservation (48 Federal Register 44739, September 29, 1983).

as federal or state land managers, may need to be notified, provided with copies of evaluative letter reports and/or field investigation plans, or afforded the opportunity to issue archaeological excavation permits.

Initiate Consultation with VDHR

4. Within 10 days of the notification of the cultural resource determination, the PM and PA will consult with Dominion Energy, VDHR, Tribes, and BOEM by telephone and discuss the PA's results from the evaluation and opinion concerning the potential significance of the resource and possible eligibility of the resource for the National Register of Historic Places or Virginia Landmarks Register. As directed by Dominion Energy, the PM or PA will notify other interested parties about the unanticipated discovery who may include local historical commissions (Chesapeake City Historic Preservation Commission; Virginia Beach Historic Preservation Commission) and other interested Native American Tribes.

In consultation with BOEM, a list of Tribes who wish to participate in the consultation process for the UDP will be developed. Tribes will be invited to express their interest in participating in the UDP consultation process at meetings organized by BOEM. When a list of interested Tribes has been developed the contact information either for Tribal Historic Preservation Offices (THPOs) or tribal contact persons will be verified. Tribes who have expressed interest will be consulted in the event of the discovery of unanticipated cultural material of indigenous creation and on avoidance and data recovery proposals.

Potentially Interested Native American Tribes may include:

- Absentee-Shawnee Tribe of Oklahoma
 - Cheroenhaka Nottoway Nation
 - Chickahominy Tribe
 - Delaware Nation
 - Delaware Tribe of Indians
 - Eastern Chickahominy Tribe
 - Eastern Shawnee Tribe of Oklahoma
 - Lenape Tribe of Delaware
 - Mattaponi Tribe
 - Meherrin Tribe
 - Monacan Indian Nation
 - Nansemond Tribe
 - Narragansett Indian Tribe
 - Nottoway Indian Tribe of Virginia
 - Pamunkey Tribe
 - Patawomeck Tribe of Virginia
 - Rappahannock Indian Tribe
 - Shinnecock Indian Nation
 - Upper Mattaponi Tribe
5. Once the scope of work is approved by VDHR, work may commence immediately on the cultural resource investigations. Dominion Energy assumes the VDHR and other consulting parties will provide an expedited 10-day review of scopes-of-work.

6. As soon as possible following the field investigation, the PA will provide the PM and Dominion Energy contacts with a written report describing the results of the fieldwork.
7. If the resource is believed to be significant and cannot be avoided by construction activities, the PA will prepare a proposal for data recovery for submission to the PM, Dominion Energy, VDHR, BOEM, and potentially other interested parties such as federally recognized Native American tribes with a historical interest in the municipality or county in which the find is located. The data recovery proposal will be approved by the PM, Dominion Energy, VDHR, and BOEM. Following completion of the data recovery effort, work in the delineated area will be allowed to re-commence.
8. If the resource is believed to be significant and can be avoided by construction activities, the PA will prepare a proposal for avoidance measures (avoidance plan) for submission to the PM and Dominion Energy. The avoidance plan may specify ongoing monitoring of construction activity by a PA in an area of sensitivity in the vicinity of the unanticipated find. Following review, the PM will provide the avoidance plan to VDHR and BOEM. Once VDHR and BOEM approve the avoidance plan, the Project work will be allowed to re-commence with implementation of the avoidance plan.
9. Dominion Energy will be responsible for all costs associated with the discovery, investigation, reporting, and curation of any unanticipated finds encountered during Project construction.

G-1.3.2 Procedure When Human Remains and/or Potentially Human Skeletal Materials Are Observed

Human remains are physical remains of a human body or bodies including, but not limited to, bones, teeth, hair, and preserved soft tissues (mummified or otherwise preserved) of an individual. Remains may be articulated or disarticulated bones or teeth. Disturbance of human remains, burial places, or burial offerings and other grave furnishings without authorization is a felony.

ESSENTIAL INSTRUCTIONS

Workers shall treat all human remains with dignity and respect.

In Virginia, it is a felony to remove human remains from a grave without a court order or appropriate permit.

It is prohibited to photograph human remains or provide public access to view human remains regardless of affiliation. The only photography of human remains allowed will be field documentation by the AM and PA.

Stop Immediately and Establish a Buffer Zone

IMMEDIATELY STOP all ground-disturbing activities in the vicinity of a discovery of human remains or suspected human remains.

An initial buffer of at least 50 feet (15 meters) around the find location shall immediately be established, within which no construction or other ground-disturbing activities shall take place pending evaluation of the find. Be aware that additional discoveries of possible human remains could be made outside the initial buffer, so the boundary of buffer of no construction activities may need to be expanded pending further evaluation of the finds.

Immediately Notify the Archaeological Monitor and Project Manager

Immediately notify the AM and PM about the find.

The Archaeological Monitor and Project Manager Ensure that the Find(s) are Secured from Disturbance and Notifies Additional Personnel

If the AM believes that potentially human skeletal remains have been found, they will:

1. Protect and secure the evidence of the discovery.
2. Delineate the location of the find and the surrounding initial buffer area with flagging or safety fencing.
3. Screen from view both suspected and identified unmarked burials for the duration of their exposure.
4. Immediately notify the designated contacts:

Always

- Dominion Energy
- Local Law Enforcement (for discoveries on Navy property see below)
- Virginia Medical Examiner Tidewater District
- Tribes
- VDHR
- BOEM
- BSEE

As applicable by location of discovery

- U.S. Army Corps of Engineers (USACE), if the unanticipated discovery falls within USACE permit areas
- NCIS in place of local law enforcement if the unanticipated discovery falls within NAS Oceana
- Navy, if the unanticipated discovery falls within NAS Oceana, Dam Neck, or Joint Expeditionary Base Little Creek-Fort Story
- VDMA-VaARNG, if the unanticipated discovery falls within Camp Pendleton/State Military Reservation

As directed by Dominion Energy, the PM or PA may notify other interested parties about the unanticipated discovery.

Local Law Enforcement will Assess the Find

Local law enforcement will visit the discovery and evaluate whether it represents a crime scene. If determined to be a crime scene, no work will be undertaken in the area until written permission to resume is provided by the investigating agency.

The Professional Archaeologist Assesses the Find, if Not of Concern to Law Enforcement

If law enforcement determines that the find is not of concern, the PA will examine the discovery as soon as practicable to determine if the remains are likely human and make a determination on its archeological association as to aboriginal, non-aboriginal, or indeterminate affiliation.

Tribes who have expressed interest will be notified whether or not the remains uncovered are deemed to be a crime scene or non-human remains.

The Professional Archaeologist Determines the Find is Non-human

Non-human find with no significant archaeological association

If skeletal remains are determined to be non-human and there is no archeological association, the PA making the determination will promptly advise the PM. The PM will advise Dominion Energy of the PA's assessment and with their concurrence, the PM will give an order for construction to resume in the

delineated area. The PA will submit a letter report including photographs of the discovery site to the PM and Dominion Energy contacts within 14 business days of the determination.

Non-human find with an archaeological association

If the skeletal remains are non-human, but are associated with an archeological site, follow the steps described in Section G-1.3.2

The Professional Archaeologist Determines the Find Represents Human Remains

If the skeletal remains are human and not of interest to law enforcement, the PA will notify the PM, Dominion Energy, VDHR, and BOEM and BSEE contacts.

If human remains are found on **federal lands**, procedural regulations for permitted excavations and inadvertent discoveries as outlined in the Archaeological Resources Protection Act (ARPA) and the Native American Graves Protection and Repatriation Act (NAGPRA) will be followed. Both of these regulations mandate consultation with Tribal communities and the development of recovery, and disposition plans.

If artifacts are found on **state lands**, procedures for the removal of archaeological materials and human remains stipulated in the Virginia Antiquities Act (§ 10.1-2300 Code of Virginia) Code will be followed and a *Permit Application for Archaeological Removal of Human Burials* will be obtained from VDHR.

The disposition of unmarked burial sites, human skeletal remains, or burial artifacts shall proceed as follows:

1. Reasonable efforts will be made to restore the unmarked burial site, avoid disturbance to the human skeletal remains or burial artifacts, and preserve the remains in place;
2. Dominion Energy shall be responsible for prompt notification of the owner of any leased property on which an unmarked cemetery or grave or human remains are discovered during construction;
3. BOEM in coordination with VDHR and Dominion Energy will notify and consult with appropriate tribal leaders;
4. If the human skeletal remains must be removed, Dominion Energy and the PA shall obtain a court order from the County Circuit Court and a Permit for Archaeological Removal of Human Burials from VDHR;
5. If the human skeletal are discovered on the NAS Oceana parcel, BOEM, in coordination with Dominion Energy and NAS Oceana, will follow the real estate manual for non-Native American human remains/cemetery especially if relocation is needed.
6. All artifacts found in association with an unmarked burial site shall be considered grave goods and will not be separated from the human remains. The disposition of the burial artifacts shall be made by VDHR in accordance with its regulations;
7. If disturbance to human remains or a burial place cannot be avoided, Dominion Energy and the PA will prepare a treatment plan, in consultation with VDHR, BOEM, and interested tribes or related descendants, as appropriate, outlining measures for excavation, disinterment, study, and re-interment. The treatment plan will discuss the curation of any artifacts recovered in the process of

excavation and provide for appropriate final disposition of the remains in accordance with applicable laws. If human remains and associated funerary objects are uncovered on federal lands and they are deemed to be Native American, their disposition will be regulated under NAGPRA; and

8. Dominion Energy will be responsible for all costs associated with the discovery, evaluation and agency consultation, excavation, investigation and study, disinterment, re-interment, reporting, and curation of any human remains and associated funerary items encountered during Project construction.

G-1.4 References

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- VDHR (Virginia Department of Historic Resources). 2017. *Guidelines for Conducting Historic Resources Survey in Virginia*. Revised edition. Available online at https://www.dhr.virginia.gov/wp-content/uploads/2018/06/SurveyManual_2017.pdf.

G-1.5 Contact List

The Contact List will be updated prior to construction and implementation of the UDP-T. The Contact List will be periodically updated while being implemented to ensure contacts are up to date. Contacts for tribes who have expressed interest in consulting on the UDP-T will be added once a list is developed in coordination with BOEM.

Underground Transmission (SMR to Harpers Switching Station)	
Dominion Energy On-Site Project Manager David “Trip” Poore Strategic Project Advisor 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 804-627-3017 David.Poore@dominionenergy.com	Contractor On-Site Manager/Foreman Ajay Joshi Project Manager 1011 Brookside Road, Suite 155E Allentown, PA 18106 503-313-3460 ajoshi@wilsonconst.com
Dominion Contact Jared Williams Director – ET Strategic Projects 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 804-240-9881 jared.r.williams@dominionenergy.com	Alternate Dominion Contact Jason Emigh Manager – Environmental Compliance 5000 Dominion Blvd Glen Allen, VA 23060 804-310-5416 Jason.emigh@dominionenergy.com
Harpers Switching Station and Fentress Substation	
Dominion Energy On-Site Project Manager Robert Greg Dodds Strategic Project Advisor 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 703-258-5781 robert.g.dodds@dominionenergy.com	Contractor On-Site Manager/Foreman TBD
Dominion Contact Jared Williams Director – ET Strategic Projects 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 804-240-9881 jared.r.williams@dominionenergy.com	Alternate Dominion Contact Jason Emigh Manager – Environmental Compliance 5000 Dominion Blvd Glen Allen, VA 23060 804-310-5416 Jason.emigh@dominionenergy.com
Overhead Transmission (Harpers Switching Station to Fentress Substation)	
Dominion Energy On-Site Project Manager Kyle Keno Strategic Project Advisor 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 804-385-2517 kyle.A.keno@dominionenergy.com	Contractor On-Site Manager/Foreman TBD

<p>Dominion Contact Jared Williams Director – ET Strategic Projects 5000 Dominion Blvd, 2nd Fl Glen Allen, VA 23060 804-240-9881 jared.r.williams@dominionenergy.com</p>	<p>Alternate Dominion Contact Jason Emigh Manager – Environmental Compliance 5000 Dominion Blvd Glen Allen, VA 23060 804-310-5416 Jason.emigh@dominionenergy.com</p>
<p>Tetra Tech Contact Nathalie Schils Project Manager 10 Post Office Square, Suite 1100 Boston, Massachusetts 02109 (617) 443-7579 Nathalie.schils@tetrattech.com</p>	<p>Alternate Tetra Tech Contact Adam Maskevich Cultural Resources Lead, Archaeologist 6 Century Drive, Suite 300 Parsippany, New Jersey 07054 (908) 451-9838 adam.maskevich@tetrattech.com</p>
<p>VDHR Contact Roger W. Kirchen Director, Review & Compliance Division2801 Kensington Avenue Richmond, Virginia 23221 Phone: (804) 482-6091 roger.kirchen@dhr.virginia.gov</p>	<p>Alternate VDHR Contact (Name) (Title) (Address) (Address) (Phone) (Email)</p>
<p>BOEM Project Contact Lisa Landers NEPA Coordinator 45600 Woodland Road Sterling, Virginia 20166 (703) 787-1520 lisa.landiers@boem.gov</p>	<p>BOEM Archaeology Contact Laura Kate (LK) Schnitzer Archaeologist 45600 Woodland Road, VAM-OREP Sterling, Virginia 20166 laura.schnitzer@boem.gov</p>
<p>BSEE Contact W. Shawn Arnold Federal Preservation Officer, Archaeologist 1201 Elmwood Park Blvd New Orleans, LA 70123-2394 504-736-2416 William.Arnold@bsee.gov</p>	<p>BSEE Contact Barry Bleichner Archaeologist 1201 Elmwood Park Blvd New Orleans, LA 70123-2394 504-736-2947 Barry.Bleichner@bsee.gov</p>
<p>Virginia Beach Police Department 2509 Princess Anne Road Virginia Beach, Virginia 23456 (757) 385-4141</p>	<p>Chesapeake City Police Department 304 Albemarle Drive Chesapeake, Virginia 23322 (757) 382-6161</p>
<p>Naval Air Station Oceana Police Department (U.S. Navy Property) Oceana Naval Air Station 1750 Tomcat Boulevard Virginia Beach, Virginia 23460 (757) 433-3713</p>	<p>U.S. Navy Contact John Lauterbach Planning Liaison 1750 Tomcat Boulevard Virginia Beach, Virginia 23460 (757) 647-6777 john.lauterbach1@navy.mil Jackie Parashar (757) 770-6158</p>

<p>Naval Criminal Investigative Service John Sweeney NASO NCIS Special Agent (757) 433-8005 (desk) (442) 288-9029 (cell)</p>	<p>U.S. Cultural Resource Management Catherine Lantzas-Olson NAS Oceana Cultural Resources Manager catherine.lantzas-ol@navy.mil</p> <p>Jessica Bittner Cultural Resources/NEPA Manager, JEB Little Creek- Fort Story PWD jessica.c.bittner.civ@us.navy.mil</p> <p>Heather Robbins Cultural Resources Supervisor (757) 341-0925 heather.l.robbins5.civ@us.navy.mil</p> <p>Clay Swindell (757) 341-2027 edward.c.swindell.civ@us.navy.mil</p>
<p>State Military Reservation Camp Pendleton Susan Smead Cultural Resources Program Manager VDM/NGVA-FMO-ENV Bldg. 1340 (Curation Facility), Fort Pickett Blackstone, Virginia 23824-63 (434) 298-6411 susan.e.smead.nfg@mail.mil</p>	<p>U.S. Army Corps of Engineers Contact Nicole Woodward Environmental Scientist 803 Front Street Norfolk, VA 23510 (757) 201-7122 Nicole.L.Woodward@usace.army.mil</p>
<p>City of Chesapeake, Virginia Historic Preservation Commission Jessica Cosmas Parks, Recreation and Tourism Historical Services Manager 1224 Progressive Drive Chesapeake, Virginia 23320 (757) 382-6411 jcosmas@cityofchesapeake.net</p>	<p>City of Virginia Beach, Virginia Historic Preservation Commission Mark Reed Historic Preservation Planner 2875 Sabre Street Virginia Beach, Virginia 23452 (757) 385-8573 mreed@vbgov.com</p>
<p>Virginia Medical Examiner Tidewater District 830 Southampton Avenue, Suite 100 Norfolk, Virginia 23510 (757) 683-8366 OCME_TIDE@vdh.virginia.gov</p>	<p>Virginia Department of Military Affairs-Virginia Army National Guard Lisa Jordan Historic Preservation Specialist and Collections Manager Building 316, Fort Pickett Blackstone, Virginia 23824 (804) 605-0034 lisa.v.jordan.nfg@army.mil</p>

ATTACHMENT 10 – MITIGATION FUNDING AMOUNTS

The mitigation measures proposed in Stipulation III have been developed by individuals who meet the qualifications specified in the SOI'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 following funding amounts were considered by signatories, invited signatories, and consulting parties for historic properties mitigation measures based on budgets proposed by Lessee for each mitigation effort. 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 the Lessee is required to spend to fund these activities.

The mitigation measures outlined in the MOA for the Atlantic Wildfowl Heritage Museum/De Witt Cottage; Camp Pendleton/State Military Reservation Historic District; Cavalier Hotel and Beach Club; Cavalier Shores Historic District; Chesapeake Bay Bridge-Tunnel; Chesapeake Light Tower; Currituck Beach Lighthouse; Cutty Sark Motel Efficiencies; Econo Lodge/Empress Motel; First Cape Henry Lighthouse NHL; Fort Story Historic District; Hilton Washington Inn/Quality Inn and Suites; House (100 54th Street); House (4910 Ocean Front Avenue); House (5302 Ocean Front Avenue); House (7900 Ocean Front Avenue); House (8304–8306 Ocean Front Avenue); House (8600 Ocean Front Avenue); Oceans II Condominiums/Aeolus Motel; Sandbridge Historic District; Seahawk Motel; Seatack Lifesaving Station/U.S. Coast Guard Station; Second Cape Henry Lighthouse; and Virginia House and have been developed by individuals who meet the qualifications specified in the SOI's Qualifications Standards for Archeology, History, Architectural History, and/or Architecture (36 CFR 61) and in consultation with the consulting parties.

- \$90,000 total toward mitigation of adverse effects at the Cavalier Shores Historic District, Cutty Sark Motel Efficiencies, Econo Lodge/Empress Motel, Hilton Washington Inn/Quality Inn and Suites, Oceans II Condominiums/Aeolus Motel, Sandbridge Historic District, and Seahawk Motel, through:
 - \$35,000 contribution to support the production of a pattern book for the Cavalier Shores Historic District; and
 - \$55,000 contribution to support the survey and documentation of Doyletown and Queen City, depending on the needs and participation of these communities, or to support the production of NRHP nominations for historic hotels in Virginia Beach.
 - \$70,000 toward mitigation of adverse effects to various historic properties in or near the City of Virginia Beach through:
 - Contribution to support the preparation of NRHP nominations for gunning and hunting clubs in Virginia Beach, Virginia.
 - \$130,000 total toward mitigation of adverse effects to various historic properties in the City of Virginia Beach, including but not limited to the Seatack Lifesaving Station/U.S. Coast Guard Station and the Atlantic Wildfowl Heritage Museum/De Witt Cottage, through:
 - \$100,000 contribution to support hiring a contractor to develop a Sea Level Rise Mitigation Plan; and
-

Memorandum of Agreement Among the Bureau of Ocean Energy Management, the State Historic Preservation Officers of Virginia and North Carolina, and the Advisory Council on Historic Preservation Regarding the Coastal Virginia Offshore Wind Commercial Project

- \$30,000 contribution to support educational programs and interpretation of the Virginia Beach Surf and Rescue Museum and the Atlantic Wildfowl Heritage Museum/De Witt Cottage.
- \$550,000 toward mitigation of adverse effects at the Currituck Beach Lighthouse through:
 - Contribution to support operational expenses and/or restoration.
- \$650,000 toward mitigation of adverse effects at the First Cape Henry Lighthouse (NHL) through:
 - Contribution to fund priority preservation projects, including restoration projects, educational programming, or the development of a renovation and expansion plan for the Cape Henry Lighthouse Visitor Services Center.
- \$100,000 toward mitigation of adverse effects at the Fort Story Historic District through:
 - Production of an informational brochure about the architectural heritage of the Fort Story Historic District.
- \$300,000 toward mitigation of adverse effects at the Camp Pendleton/State Military Reservation Historic District through:
 - Documentation, including photographs, of the exterior and interiors of Buildings 410 and 59;
 - Digital photo documentation of the Camp Pendleton/SMR Historic District landscapes and contributing resources, and
 - Production and installation of two kiosks with interpretive kiosks or panels that will discuss the history of the historic district and related local history.

The total amount of mitigation funding for the measures proposed in Stipulation III will be \$1,890,000. Notwithstanding the forgoing, if mitigation activities are required as a result of the process set forth in Stipulation IV, the Lessee is required to fund such activities. Based on the results of the phased and deferred identification, evaluation, and assessment of effects, BOEM will consult with the Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee on mitigation measures. If any mitigation activities are required to resolve adverse effects to a historic property within the Refuge, BOEM, the Nansemond Indian Nation, the USFWS, VA SHPO, other interested Tribes, and the Lessee anticipate such activities would be similar in scope to those identified for the historic properties listed above.
