

Appendix O Finding of Adverse Effect for the Coastal Virginia Offshore Wind Commercial Construction and Operations Plan

The Bureau of Ocean Energy Management (BOEM) has made a Finding of Adverse Effect under Section 106 of the National Historic Preservation Act (NHPA) pursuant to 36 Code of Federal Regulations (CFR) 800.5 for the Coastal Virginia Offshore Wind Commercial Project (CVOW-C or Project) Construction and Operations Plan (COP) (Dominion Energy 2023b). BOEM finds that the undertaking would adversely affect the following historic properties:

- 24 historic aboveground resources, including the First Cape Henry Lighthouse National Historic Landmark (NHL) (Table O-7; Sections O.3.1.2.3, *Historic Aboveground Resources*, and O.3.1.3, *Assessment of Effects on Historic Properties in the Visual APE*).

The Project is considered to have the potential to have adverse effects on these cultural resources, which are historic properties presently listed or potentially eligible for listing in the National Register of Historic Places (NRHP). The adverse effects would occur as a result of either physical effects or the visual effects of introducing changes to the setting of historic properties whose importance is partially derived from having a maritime setting.

Construction of the Project would cause physical adverse effects on one historic aboveground resource that is a historic property listed in the NRHP: the Camp Pendleton/State Military Reservation Historic District, which is also one of 24 historic aboveground resources located within the visual APE for Offshore Project components anticipated to be visually adversely affected by the undertaking. This historic district would experience adverse effects due to the demolition of two contributing structures (Buildings 59 and 410) and removal of vegetation.

The Project would also cause visual and contribute to cumulative effects from Offshore Project component visibility on 24 historic aboveground resources, including one NHL (i.e., the First Cape Henry Lighthouse), for which ocean views are a character-defining feature that contributes to their NRHP eligibility. For compliance with NHPA Section 110(f) at 36 CFR 800.10, which applies specifically to NHLs, BOEM has determined the First Cape Henry Lighthouse NHL would be adversely affected by the undertaking and that the one other NHL located within the APE (i.e., Eyre Hall) would not be adversely affected by the undertaking (COP, Appendix H-1; Dominion Energy 2023b).

Since the publication of the Draft EIS, BOEM has determined certain historic properties identified in and adjacent to the APE, that had been anticipated to be adversely affected by the Project in the Draft EIS, would no longer be subject to effects or adverse effects based on avoidance commitments made by Dominion Energy (see Attachment A for the Memorandum of Agreement [MOA], which BOEM is using to codify avoidance, minimization, and mitigation measures for historic properties). The Project would avoid effects on all 31 identified marine archaeological resources and six (6) identified ancient submerged landform features (ASLFs) with potential archaeological or traditional cultural property (TCP) significance by implementing avoidance buffers around the defined spatial extent of each of these historic properties (Section O.3.1.1, *Assessment of Effects on Historic Properties in the Marine APE*). Additionally, BOEM has determined that no terrestrial archaeological resources that are historic properties are subject to adverse effects from the undertaking due to avoidance commitments made by Dominion Energy (Section O.3.1.2, *Assessment of Effects on Historic Properties in the Terrestrial APE*).

BOEM elected to use the National Environmental Policy Act (NEPA) substitution process for Section 106 purposes, as described in 36 CFR 800.8(c), during its review. The regulations at 36 CFR 800.8(c) provide for use of the NEPA process to fulfill a federal agency's NHPA Section 106 review obligations in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. NEPA substitution is described at http://www.achp.gov/integrating_nepa_106. Both NEPA and Section 106 allow participation of consulting parties. Consistent with use of the NEPA substitution process to fulfill Section 106 requirements, BOEM has decided to codify the resolution of adverse effects through a MOA pursuant to 36 CFR 800.6(c). See Attachment A.

O.1. Project Overview

On June 29, 2021, BOEM received a COP from Dominion Energy proposing an offshore wind energy project within Lease Area OCS-A-0483 offshore Virginia. In addition, Dominion Energy submitted updates to the COP on October 29, 2021, December 3, 2021, May 6, 2022, February 28, 2023, and July 31, 2023. In its COP, Dominion Energy proposes the construction, operation, and eventual decommissioning of an up-to 3,000 MW wind energy project consisting of offshore wind turbine generators (WTGs) and their foundations, 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 an onshore export cable system, onshore substations, and connections to the existing electrical grid in Virginia. At their nearest point, WTG and OSS components of the Project would be approximately 23.75 nautical miles (27 statute miles) east of Virginia Beach, Virginia. Offshore Project elements would be on the Outer Continental Shelf (OCS), with the exception of a portion of the offshore export cables within state waters. Dominion Energy is utilizing a Project Design Envelope (PDE) in its COP, which represents a reasonable range of design parameters that may be used for the Project. In reviewing the PDE, BOEM is analyzing the maximum-case scenario that could occur from any combination of the contemplated parameters. BOEM's analysis and review of the PDE may result in the approval of a project that is constructed within that range or a subset of design parameters within the proposed range. The Proposed Action is based on Dominion Energy's maximum-case design parameters, which are described in the COP and summarized in Appendix E, *Project Design Envelope and Maximum-Case Scenario*.

If approved by BOEM and other agencies with authority to approve Project components outside BOEM's jurisdiction, Dominion Energy would be allowed to construct and operate WTGs, export cables to shore, and associated facilities, including those outside BOEM's jurisdiction, for a specified term. BOEM is now conducting its environmental and technical reviews of the COP and, on December 16, 2022, published a Draft Environmental Impact Statement (EIS) under NEPA for its decision regarding approval of the plan (BOEM 2022a). A detailed description of the proposed Project can be found in Chapter 2 of the Final EIS. The Final EIS considers reasonably foreseeable impacts of the Project, including impacts on cultural resources, which include historic properties.

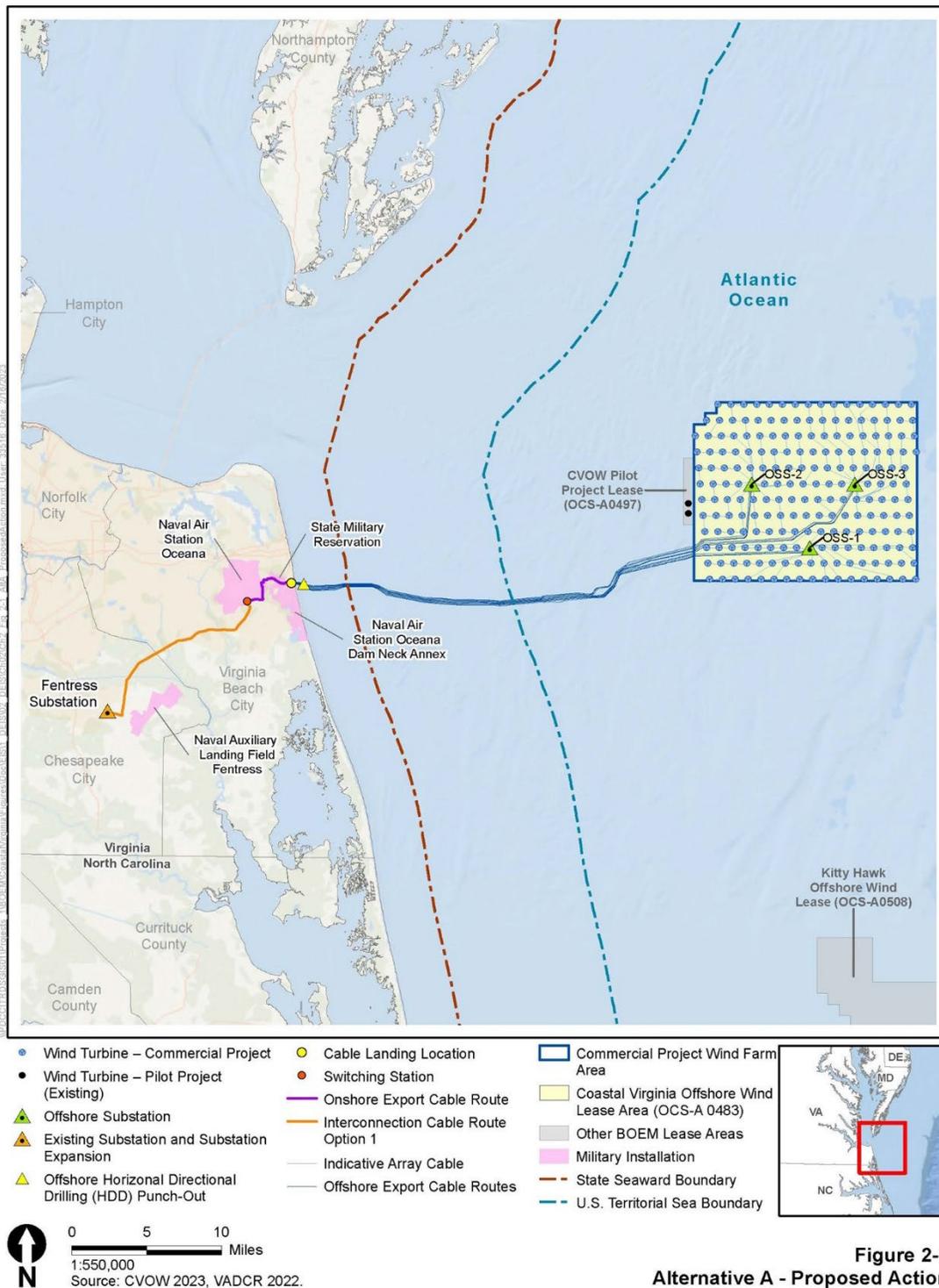


Figure O-1 CVOW-C Proposed Action

O.1.1 Background

The Project is within a commercial lease area that has received previous Section 106 review by BOEM regarding the issuance of the commercial lease and approval of site assessment activities and is subject to one prior Programmatic Agreement. In 2014, BOEM executed a Programmatic Agreement among the State Historic Preservation Office (SHPO) of North Carolina and the Advisory Council on Historic Preservation (ACHP) to consider renewable energy activities offshore North Carolina (refer to <https://www.boem.gov/sites/default/files/renewable-energy-program/State-Activities/HP/offshore-windfarm-development.pdf>).

On February 3, 2012, BOEM also published in the *Federal Register* a Notice of Availability for the final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for commercial wind lease issuance and site assessment activities on the Atlantic OCS offshore New Jersey, Delaware, Maryland, and Virginia. The commercial lease sale for Virginia was held on September 4, 2013. At the conclusion of the sale, BOEM announced that Virginia Electric and Power Company (Dominion Energy) was the provisional winner. On November 1, 2013, the commercial wind energy lease with Dominion Energy went into effect. On October 12, 2017, BOEM approved the Site Assessment Plan (SAP) for Lease OCS-A 0483.

Dominion Energy's COP (2023) proposed installing a maximum of 202 WTGs extending up to 869 feet (276 meters) above mean sea level (MSL). Dominion Energy would mount the WTGs on monopile foundations. The proposed facility includes up to three OSS, which would be built on pile jacket foundations. Where required, scour protection would be placed around foundations to stabilize the seabed near the foundations as well as the foundations themselves. Inter-array cables would transfer electrical energy generated by the WTGs to the OSSs. The OSSs would include transformers and other electrical equipment needed to connect the inter-array cables to the offshore export cables. The offshore export cables would be buried under the seabed floor within the offshore export cable route corridor (ECRC) to connect the proposed wind energy facility to the onshore electrical grid. The offshore export cables would make landfall at and deliver electrical power to the cable landing location, which is the proposed parking lot located west of the firing range associated with Camp Pendleton/State Military Reservation in Virginia Beach, Virginia.

From the cable landing location, the onshore export cables would transfer the electricity to a switching station. The switching station, which would either be at the Harpers Switching Station or Chicory Switching Station location, would collect power and transfer it to interconnection cables. There are two options for the interconnection cables and switching station locations in the PDE: Route Option 1, which would include use of the Harpers Switching Station, and Route Option 6, which would include use of the Chicory Switching Station. Only one of these two options would be selected in the final Project design, with Route Option 1 being Dominion Energy's preferred option as well as the option approved by the Virginia State Corporation Commission (SCC). The interconnection cables would transfer energy to the onshore substation, which is the existing Fentress Substation located northwest of the intersection at Centerville Turnpike and Etheridge Manor Boulevard in Chesapeake, Virginia. The onshore substation would be expanded and upgraded and serve as the final Point of Interconnection (POI) for power distribution to the Pennsylvania-New Jersey-Maryland Interconnection (PJM) grid.

Dominion Energy intends on leasing a portion of an existing facility to act as the operations and maintenance (O&M) facility. Dominion Energy is evaluating leasing options in Virginia Port Authority's (VPA's) Portsmouth Marine Terminal and Newport News Marine Terminal in the Hampton Roads area of Virginia. Generally, offshore O&M activities would include inspections of Offshore Project components, including WTG and offshore substation electrical components and equipment, for signs of corrosion, quality of coatings, and structural integrity of the WTG components; surveys of the offshore export cables

and inter-array cables routes to confirm the cables have not become exposed or that any cable protection measures have not worn away; sampling and testing (including of lubricating oils, etc.); replacement of consumable items; repair or replacement of worn, failed, or defective systems; updating or improving systems; and disposal of waste materials and parts. Dominion Energy would need to use vessels, vehicles, and aircraft during O&M activities described above.

The switching station and the onshore substation would be equipped with monitoring equipment. Onshore O&M activities would include regular inspections and routine maintenance activities, including the replacement of or update to electrical components and equipment. The onshore export cables and interconnection cables would require periodic testing, with readings taken from access chambers, but should not require maintenance, though occasional repair activities may be required should there be a fault or damage caused by a third party or unanticipated events. Overhead lines would be inspected prior to each line being energized and then inspected every 3 years after. Overhead lines would also be inspected following localized storm events. Right-of-way (ROW) vegetation management crews would inspect the overhead easement every 3 years for woody vegetation and hazard trees.

Although the proposed Project is anticipated to have an operational life of 33 years, it is possible that some installations and components may remain fit for continued service after this time. Dominion Energy would be required to remove or decommission all Project infrastructure and clear the seabed of all obstructions following termination of Project operational activities and the Lease. All Project components would be removed to 15 feet (4.6 meters) below the mudline (30 CFR 585.910(a)), unless other methods are deemed suitable through consultation with the regulatory authorities, including BOEM. Unless otherwise authorized by BOEM, Dominion Energy would complete decommissioning within 2 years of termination of the Lease and either reuse, recycle, or responsibly dispose of all materials removed. Offshore export cables and inter-array cables would be retired in place or removed in accordance with a decommissioning plan; Dominion Energy would need to obtain separate and subsequent approval from BOEM to retire any portion of the Project in place. Section 106 review would be conducted at the decommissioning stage.

O.1.2 Undertaking

BOEM has determined that the Project constitutes an undertaking subject to Section 106 of the NHPA as amended (54 USC 306108) and its implementing regulations (36 CFR 800), and the Project activities proposed under the COP have the potential to affect historic properties. Confidential appendices to the COP referenced in this document were sent electronically or by mail depending on expressed preference to all consulting parties on November 11, 2022, March 20, 2023, June 5, 2023, and July 14, 2023. The COP, as well as its public and confidential appendices, is hereby incorporated by reference.

The undertaking for this Section 106 review is the Proposed Action. As described in Chapter 2, Section 2.1.1 of the Final EIS, the Proposed Action would include the construction, O&M, and conceptual decommissioning of a 2,500 MW to 3,000 MW wind energy facility on the OCS offshore Virginia, occurring within the range of design parameters outlined in the CVOW-C COP (Dominion Energy 2023b), subject to applicable mitigation measures.

O.1.3 Area of Potential Effect

Per 36 CFR 800.16(d), the APE is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist.” BOEM defines the APE for the undertaking to include the following geographic areas:

- The depth and breadth of the seabed potentially impacted by any bottom-disturbing activities, constituting the marine portion of the APE.

- The depth and breadth of terrestrial areas potentially impacted by any ground-disturbing activities, constituting the terrestrial portion of the APE.
- The viewshed from which renewable energy structures, whether offshore or onshore, would be visible, constituting the visual portion of the APE.
- Any temporary or permanent construction or staging areas, both onshore and offshore, which may fall into any of the above portions of the APE.

These are described below in greater detail with respect to the proposed activities, consistent with BOEM’s *Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585* (BOEM 2020). Effects are assessed on only historic properties in the APE for the Project. This includes reasonably foreseeable effects caused by the Project that may occur later in time, be farther removed in distance, or be cumulative (36 CFR 800.5(a)(1)). An overview map of the Project APE is presented in Attachment B, Figure O.B-1.

On November 11, 2022, BOEM released a technical memorandum delineating the APE and demonstrating how the Preliminary APE (PAPE) developed in the CVOW-C technical studies sufficiently encompasses the scope and boundaries of the undertaking (ICF 2022). Additionally, on March 20, 2023, BOEM released another technical memorandum revising the terrestrial portion of the APE based on updates to Dominion Energy’s PDE (Dominion Energy 2023b).

O.1.3.1 Marine Portion of the APE

The marine portion of the APE (hereafter referred to as the *marine APE*) for the Project is the depth and breadth of the seabed potentially impacted by any bottom-disturbing activities and temporary or permanent offshore construction or staging areas (Attachment B, Figure O.B-2). It includes a conservative PDE that can accommodate a number of potential designs. The marine APE encompasses activities within the Lease Area (Attachment B, Figure O.B-3) and offshore ECRC (Attachment B, Figure O.B-4).

The Lease Area encompasses 112,799 acres (45,658 hectares) within which Dominion Energy proposes up to 202 WTGs, 3 OSSs, and inter-array cables within the extent of the PDE. In the maximum design scenario, the offshore ECRC would measure approximately 49.01 miles (79 kilometers) in length and would range in width from 1,970 feet (600 meters) to 9,400 feet (2,865 meters).

The approximate maximum horizontal area and vertical depth of seabed disturbance associated with the construction or installation of each of these aforementioned Offshore Project components and composing the marine APE are provided in Table O-1.

Table O-1 Approximate Maximum Horizontal and Vertical Extents of Seabed Disturbance for Construction of Offshore Project Components Composing the Marine APE

Project Component	Seabed Disturbance	
	Maximum Horizontal Area	Maximum Vertical Depth
Per WTG (monopile foundation)	984.3 ft (300.0 m) radius	197 ft (60 m)
Per OSS	497,092 sq ft (46,181 sq m)	69 ft (82 m)
Inter-array cables	48 ac (19 ha)	11.5 ft (3.5 m)
Offshore Export Cable Route Corridor	15,886 ac (6,429 ha)	18.5 ft (5.5 m)

Source: COP, Tables 3.3-3, 3.3-7, 3.4-1, 3.4-2; Dominion Energy 2023b.

ac = acres; ft = feet; ha = hectares; m = meters; OSS = offshore substation; sq = square; WTG = wind turbine generator.

O.1.3.2 Terrestrial Portion of the APE

The terrestrial portion of the APE (hereafter referred to as the *terrestrial APE*) includes the depth and breadth of terrestrial areas potentially impacted by any ground-disturbing activities and temporary or permanent onshore construction or staging areas (Attachment B, Figures O.B-5 to O.B-8). In the COP, Dominion Energy's conservative PDE of Onshore Project components includes the proposed cable landing location, nearshore trenchless installation area, Harpers Switching Station, Chicory Switching Station, upgrades at the onshore substation (existing Dominion Energy Fentress Substation), onshore export cable route, Interconnection Cable Route Options 1 and 6, and affiliated temporary workspaces or laydown yards. The depth and breadth of potential ground-disturbing activities are described below for each location.

The PDE includes the sea-to-shore transition cable landing location located at the proposed parking lot west of the firing range at the State Military Reservation (SMR) in Virginia Beach, Virginia. The cable landing location would utilize trenchless installation and entail use of the nearshore trenchless installation area. From the cable landing location, the approximately 4.41-mile (7.10-kilometer) long onshore export cable would be installed underground within vaults and duct banks with the onshore export cable route corridor. A switching station would then transfer energy from the onshore export cables to the interconnection cables. Construction of the switching station would involve site clearing and grading, foundation and equipment construction, and site mitigation and restoration. Interconnection Cable Route Options 1 and 6 would follow the same approximately 14.3-mile (22.9-kilometer) cable route; however, Route Option 1 would involve use of the Harpers Switching Station and overhead cabling only, and Route Option 6 would involve use of the Chicory Switching Station and a hybrid of overhead and underground cabling. The Interconnection Cable Route would transfer electricity to the onshore substation (the existing Fentress Substation and POI). Expansion or upgrading of the existing onshore substation would involve site clearing and grading, foundation and equipment installation, and site restoration.

Since the publication of the Draft EIS, Dominion Energy adjusted a portion of the overhead alignment for the proposed Interconnection Cable Route located south of the Princess Anne Athletic Complex in the City of Virginia Beach, Virginia, to accommodate landowner concerns. The alignment for this 2,365.77-foot (721.09-meter) segment of the Interconnection Cable Route has been rerouted approximately 200 feet (61 meters) to the north and onto land primarily consisting of developed, open space associated with the Princess Anne Athletic Complex. BOEM has adjusted the terrestrial APE to accommodate this Interconnection Cable Route shift as depicted in Figure O.B-8.

The approximate maximum horizontal area and vertical depth of ground disturbance associated with the construction or installation each of these aforementioned Onshore Project components and composing the terrestrial APE are provided in Table O-2.

Table O-2 Approximate Maximum Horizontal and Vertical Extents of Ground Disturbance for Construction of Onshore Project Components Composing the Terrestrial APE

Project Component		Ground Disturbance	
		Maximum Horizontal Area	Maximum Vertical Depth
Cable Landing Location		2.8 ac (1.1 ha)	125 ft (38 m)
Nearshore Trenchless Installation Area		0.36 ac (0.15 ha)	
Onshore Export Cable Route Corridor		26.6 ac (10.8 ha) temporary; 1.0 ac (0.4 ha) permanent	13 ft (4 m)
Switching Station	Harpers (Interconnection Cable Route Option 1)	465. (18.4 ha)	Static pole structures: 30 ft (9 m); Backbone structures: 50 ft (15 m)
	Chicory (Interconnection Cable Route Option 6)	35.5 ac (14.4 ha)	
Interconnection Cable Route Corridor	Route Option 1	0 ac (0 ha) temporary; 1.0 ac (0.4 ha) permanent	Single-circuit monopole structures: 60 ft (18 m); Double-circuit monopole structures: 80 ft (24 m); Open trench interconnect duct bank: 13 ft (4 m)
	Route Option 6	29.0 ac (11.7 ha) temporary; 4.2 ac (1.7 ha) permanent	
Onshore Substation (Dominion Energy Fentress Substation expansion)		15.2 (6.2 ha)	50 ft (15 m)

Source: COP, Tables 1.2-1 and 3.4-6, and Appendix DD, Table DD-3; Dominion Energy 2023b.
 ac = acres; ft = feet; ha = hectares; km = kilometers; m = meters.

O.1.3.3 Visual Portion of the APE

The visual portion of the APE (hereafter referred to as the *visual APE*) includes the viewshed from which renewable energy structures—whether offshore or onshore—would be visible (Attachment B, Figure O.B-9).

For the visual APE for Offshore Project components, geographic information system analysis was used to delineate the APE methodically through a series of steps, beginning with the maximum theoretical distance WTGs could be visible. This was determined by first considering the visibility of a WTG from the water level to the tip of an upright rotor blade at a height of 869 feet. The analysis then accounted for how distance and Earth curvature impede visibility as the distance increases between the viewer and WTGs (i.e., with a 40-mile [64-kilometer] distance, even blade tips would be below the sea-level horizon line). This area was refined through computer modeling with the addition of a land cover vegetation layer to account for large areas of tall vegetation that limit projected visibility to the Project. Data layers for building footprints and building heights were then added to account for existing development projected to screen views to the Project (COP, Appendices H-1 and I-1; Dominion Energy 2023b). Areas with unobstructed views of Offshore Project elements then constituted the APE.

For the visual APE for Onshore Project components, the APE includes the following components included in the PDE: the cable landing location at the Virginia SMR; the underground transmission line connecting it to a point north of Harpers Road in Virginia Beach, known as the Cable Landing to Harpers (CLH) Route; Fentress Substation; proposed Chicory Switching Station for the Hybrid Route; and one potential overhead transmission line route and one underground/overhead hybrid transmission route,

known as Interconnection Cable Route Options 1 and 6. For these route options, the APE was defined in accordance with the nature of the proposed construction for specific segments, as follows:

- For portions of the proposed routes to be constructed within the existing ROW where no new vegetation would be cleared outside of the maintained ROW and where there would be no substantial increase in tower height, the APE consists of resources adjacent to the ROW.
- For portions of the proposed routes to be constructed within the existing ROW and where there would be areas of new vegetation clearance, the APE consists of 0.5 mile on either side of the existing ROW.
- For portions of the routes to be constructed in the proposed new ROW where there is no existing ROW, the APE consists of 0.5 mile on either side of the proposed new ROW (see Attachment B, Figure O.B-14) (COP, Appendix H-3, page 11; Dominion Energy 2023b).

On August 5, 2022, Dominion Energy received approval from the Virginia SCC for use of the portion of the Offshore Export Cable from 3 miles (4.8 kilometers) offshore landward and other preferred Onshore Project components (i.e., Interconnection Cable Route Option 1) in the Commonwealth of Virginia. As a result, the Onshore Project components would exclude Interconnection Cable Route Options 2, 3, 4, and 5 and include only Route Options 1 and 6. Additionally, since publication of the Draft EIS, Dominion Energy adjusted a portion of the overhead alignment for the proposed Interconnection Cable Route located south of the Princess Anne Athletic Complex in the City of Virginia Beach, Virginia, to accommodate landowner concerns. The alignment for this 2,365.77-foot (721.09-meter) segment of the interconnection cable route has been rerouted approximately 200 feet (61 meters) to the north and onto land primarily consisting of developed open space associated with the Princess Anne Athletic Complex. Therefore, BOEM has adjusted the visual APE, which includes a 0.5-mile (0.8 kilometer) buffer around the cable route, to include only the remaining Route Options 1 and 6 in the PDE and to accommodate the shift of the cable route to the north (Figure O.B-17).

O.2. Steps Taken to Identify Historic Properties

O.2.1 Technical Studies and Reports

To support the identification of historic properties within the APE, Dominion Energy provided survey reports detailing the results of cultural resource investigations in the marine, terrestrial, and visual portions of a PAPE. Table O-3 provides a summary of these efforts to identify historic properties, including results and key findings of each investigation.

Collectively, BOEM finds that these reports represent a good-faith effort to identify historic properties in the Project APE. All documents summarized in Table O-3 have been shared with consulting parties and are hereby incorporated by reference.

Table O-3 Cultural Resources Studies Performed by Dominion Energy in the Project APE

Portion of APE	Report	Description	Key Findings/Recommendations
Marine	<i>Marine Archaeological Resources Assessment for the Coastal Virginia Offshore Wind Commercial Project Located on the Outer Continental Shelf Offshore Virginia (COP, Appendix F; Dominion Energy 2023b)</i>	MARA. Prepared by Tetra Tech, Inc. Assessment of the high-resolution geophysical survey data collected during non-intrusive survey campaigns and the geotechnical assessment in the marine PAPE representing the extent of anticipated seabed effects associated with the Project.	Tetra Tech identified 31 potential marine archaeological resources, 18 within or near the Lease Area and 13 within or near the offshore ECRC. For each marine archaeological resource, a resource-specific avoidance zone, entailing a minimum distance of 50 meters from the resource, was recommended. In addition, 5 ASLFs were identified within the Lease Area. One additional landform was identified outside of but near the Lease Area and considered for potential effects from the Proposed Action due to its proximity. No ASLFs were identified within the offshore ECRC. For each of the ASLFs, a resource-specific minimum area of avoidance was recommended.
Marine	<i>Marine Archaeological Resources Assessment for the Coastal Virginia Offshore Wind Commercial Project Located on the Outer Continental Shelf Offshore Virginia: Amendment 1 (COP, Appendix F; Dominion Energy 2023b)</i>	Amendment to MARA. Prepared by RCG&A.	Dominion Energy submitted this amendment to advance development of the Project. RCG&A, under subcontract to Tetra Tech and on behalf of Dominion Energy, conducted this archaeological assessment of marine HRG data and evaluated the marine PAPE for the presence of submerged cultural resources along the offshore ECRC affected by OEC alignment changes and some missing data. The additional data coverage has not altered previous interpretations presented in the MARA (COP, Appendix F; Dominion Energy 2023b).

Portion of APE	Report	Description	Key Findings/Recommendations
Terrestrial	<i>Terrestrial Archaeological Resources Assessment</i> (COP, Appendix G; Dominion Energy 2023b) ¹	TARA. Prepared by Tetra Tech, Inc. Background research, examination of historical maps, assessment of primary documents available at the VDHR, field reconnaissance of the proposed Onshore Project component locations, archaeological sensitivity assessment, preliminary findings from Phase IB cultural resource survey efforts, and proposed methodology for further cultural resources work.	Terrestrial archaeological background research and survey encompassed areas proposed for Onshore Project components. Investigations identified 24 terrestrial archaeological resources (i.e., 14 sites and 10 isolated finds [IFs]) and 1 mid-twentieth century cemetery with 1 grave in or near the terrestrial PAPE. Portions of the terrestrial APE that were unsurveyed as of May 2022 have since been surveyed in this version of the report.
Terrestrial	<i>Terrestrial Archaeological Resources Assessment of the Proposed Route Shift</i> (COP, Appendix G, Addendum; Dominion Energy 2023b)	Addendum to TARA. Prepared by Tetra Tech, Inc. Reporting on onshore route shift for Interconnection Cable Route Option 1 in Dominion Energy's PDE.	A total of 83 shovel tests (STs) were dug along the length of the proposed route shift as part of Survey Unit 0022, which also includes the original PAPE to the south. None of the 83 STs (106–188) contained artifacts. Numerous STs contained deflated soils or inverted stratigraphy with a layer of subsoil above topsoil indicating grading and/or filling. In some STs the topsoil contained modern plastic and Styrofoam, likely from food containers. ST 113 contained a packet of hot sauce. The subsurface disturbance and modern refuse are likely associated with the construction of the Princess Anne Athletic Complex in the early 21 century. No further survey along the proposed route shift is recommended.

Portion of APE	Report	Description	Key Findings/Recommendations
Terrestrial	<i>Section 106 Phased Identification Plan (COP, Appendix DD; Dominion Energy 2023b)</i>	PIP. Prepared by Tetra Tech, Inc. Overview of Project and PAPE. Plan for completion of phased historic property identification and completion of the TARA.	Dominion Energy used a process of phased identification and evaluation of historic properties to complete the TARA prior to preparation of the CVOW-C Final EIS. Preparation of the TARA had been phased because of the lack of private property access permission for the entirety of the Onshore Project components under consideration. This document details the steps Dominion Energy took to complete the required cultural resources surveys following Virginia SCC's approval and issuance of the CPCN. Dominion Energy completed the remainder of the TARA for parcels where access was not previously gained and provided the TARA report to BOEM in March 2023 (see previous rows in the table for the TARA).
Visual/ Terrestrial	<i>Phase I Historic Architectural Survey of Alternative Routes, Coastal Virginia Offshore Wind Commercial Project, City of Virginia Beach and City of Chesapeake, Virginia (COP, Appendix H-3; Dominion Energy 2023b)</i>	HRVEA for Onshore Project components. Desktop and field identification of previously recorded as well as newly identified aboveground historic resources within the PAPE for the electric transmission line alternative routes, extending from the cable landing location in Virginia Beach to the existing Fentress Substation in the city of Chesapeake.	A total of 322 resources were identified within the PAPE (see Table H-3.4.1-1), including 153 previously identified and 169 newly identified resources. All 169 newly recorded resources were recommended ineligible for the NRHP. Of the 153 previously recorded resources, 47 are no longer extant, 93 were recommended not eligible, 7 were recommended eligible, 4 are listed on the NRHP, and 2 are locally significant. This report also identified one archaeological resource (44VB0388) for consideration by the Project. A total of 13 aboveground historic resources were assessed for potential effects. The report found that one historic property, the Camp Pendleton/State Military Reservation Historic District, would be adversely affected by the Cable Landfall to Harpers Route. As described in the report, five additional historic properties could be adversely affected, depending on the Harpers to Fentress (HF) cable route chosen for construction. Among the alternative HF routes, HF Routes 2, 3, 4, and 5 would have adverse effects on historic properties—four in the case of HF Route 5, three in the case of HF Routes 2 or 3, and two in the case of HF Route 4.

Portion of APE	Report	Description	Key Findings/Recommendations
Visual	<i>Offshore Project Components Historic Properties Effects Analysis</i> (COP, Appendix H-1; Dominion Energy 2023b)	HRVEA for Offshore Project components. A study evaluating visual effects of Offshore Project components on historic properties.	This report identified 712 properties (see Attachment H-1-7 of the HRVEA) within the portion of the visual PAPE for Offshore Project components. The report assessed the maritime setting and important character-defining ocean views for each property. According to the report, 25 historic properties would be adversely affected, including the First Cape Henry Lighthouse National Historic Landmark and the Camp Pendleton/State Military Reservation Historic District (see Table O-7). ²

Sources: COP, Appendices DD, F, G, H-1, and H-3; Dominion Energy 2023b.

¹ Because of Dominion Energy's process of phased identification and evaluation of historic properties that occurred between the Draft and Final EISs, the PIP had been shared with consulting parties in lieu of the TARA report in November 2022 (COP, Appendix DD; Dominion Energy 2023b; Section O.5, *Phased Identification and Evaluation*). BOEM shared the completed TARA report with consulting parties on March 20, 2023.

CPCN = Certificate of Public Convenience and Necessity; HRG = high-resolution geophysical; HRVEA = Historic Resource Visual Effects Assessment; MARA = Marine Archaeological Resources Assessment; PIP = Phased Identification Plan; SCC = (Virginia) State Corporation Commission; TARA = Terrestrial Archaeological Resources Assessment; VDHR = Virginia Department of Historic Resources.

² 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. 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.

BOEM has reviewed the reports summarized in Table O-3, found them sufficient for proceeding with Section 106 consultations, and reached the following conclusions:

- The marine cultural resource investigations include surveys of areas of potential seafloor disturbance, following BOEM’s guidelines (BOEM 2020). BOEM has reviewed the final Marine Archaeological Resources Assessment (MARA) and determined that the data are sufficient for identifying historic properties in the marine APE.
- The terrestrial archaeological resource investigations include surveys of areas of potential ground disturbance, following BOEM’s guidelines (BOEM 2020). BOEM has reviewed the TARA and its addendum and determined that the investigations summarized in these reports are sufficient for identifying historic properties in the terrestrial APE.
- The aboveground historic resource investigations included an assessment of visual effects on historic properties within the entire PDE. Effects assessments also considered visual simulations prepared as part of the Visual Impact Analysis (VIA) (COP, Appendix I-1; Dominion Energy 2023b). BOEM has reviewed the Historic Resource Visual Effects Assessment (HRVEA) and determined that the completed investigations summarized in the documents are sufficient for identifying and assessing effects on historic properties in the visual APE. BOEM finds that the APE for potential visual effects is appropriate for the scale and scope of the undertaking.

In addition to the conclusions summarized above, BOEM has found that the assessment of effects on historic properties in the marine, terrestrial, and visual APes contained within these reports is sufficient for applying the criteria of adverse effects and continuing consultation with consulting parties to resolve adverse effects on historic properties.

Consequent to the reports prepared for the COP submittal, ICF prepared a technical report for BOEM to support BOEM’s cumulative effects analysis, the *Cumulative Historic Resources Visual Effects Assessment for Coastal Virginia Offshore Wind Commercial Project* (BOEM 2022b). The Cumulative Historic Resources Visual Effects Assessment (CHRVEA) presents the analysis of cumulative visual effects in which BOEM, in review of the HRVEA for offshore Project components (COP, Appendix H-1; Dominion Energy 2023b), determined that Offshore Project components would cause adverse visual effects on historic properties. The effects of other reasonably foreseeable wind energy development activities are additive to those adverse effects from the Project, resulting in cumulative effects. Twenty-five aboveground historic properties within the viewshed of WTGs for the Project and other reasonably foreseeable offshore wind energy development activities would be adversely affected by cumulative visual effects (offshore Virginia Beach, Virginia) (BOEM 2022b).

O.2.2 Consultation and Coordination with the Parties and Public

O.2.2.1 Early Coordination

Since 2009, BOEM has coordinated OCS renewable energy activities offshore Virginia with its federal, state, local, and tribal government partners through its Intergovernmental Renewable Energy Task Force. BOEM has met regularly with federally recognized tribes that may be affected by renewable energy activities in the area since 2009, specifically during planning for the issuance of leases and review of site assessment activities. BOEM also hosts public information meetings to help keep interested stakeholders updated on major renewable energy milestones. Information pertaining to BOEM’s Intergovernmental Renewable Energy Task Force meetings for offshore Virginia is available at <https://www.boem.gov/renewable-energy/state-activities/virginia-task-force-meetings-0>, and information pertaining to BOEM’s stakeholder engagement efforts in Virginia is available at <https://www.boem.gov/renewable-energy/state-activities/virginia-activities>.

O.2.2.2 NEPA Scoping and Public Hearings

On July 2, 2021, BOEM announced its Notice of Intent (NOI) to prepare an EIS for the COP. This purpose of the NOI was to solicit input on issues and potential alternatives for consideration in the EIS. Throughout the scoping process, federal agencies; state, tribal, and local governments; and the general public had the opportunity to help BOEM determine significant resources and issues, IPFs, reasonable alternatives, and potential mitigation measures to be analyzed in the EIS, as well as provide additional information. BOEM also used the NEPA commenting process to allow for public involvement in the NHPA Section 106 consultation process (54 USC 300101 et seq.), as permitted by 36 CFR 800.2(d)(3). Through this notice, BOEM announced its intention to inform its NHPA Section 106 consultation using the NEPA commenting process and invited public comment and input regarding the identification of historic properties or potential effects on historic properties from activities associated with approval of the COP. In addition, BOEM held virtual public scoping meetings, which included specific opportunities for engaging on issues relative to NHPA Section 106 for the COP, on July 12, 14, and 20, 2021. Virtual public scoping meeting materials and records are available at <https://www.boem.gov/CVOW-C-Scoping-Virtual-Meetings>.

Through this NEPA scoping process, BOEM received comments related to cultural, historic, archaeological, or tribal resources. These are presented in BOEM's EIS Scoping Report (BOEM 2021) and are summarized as follows:

- Commenters asked that BOEM ensure compliance with Section 106 of the NHPA including ensuring adequate consultation with SHPOs, tribes, and other stakeholders throughout the EIS process.
- Commenters stated that BOEM should recognize tribes' sovereign status and provide adequate government-to-government consultation with tribal governments throughout the EIS process.
- Commenters provided information sources from which BOEM could find data related to cultural, historical, and archaeological resources including the Virginia Department of Historic Resources data sharing system and the Virginia Department of Conservation and Recreation natural heritage search in Virginia.
- Commenters recommended that BOEM perform offshore and onshore archaeological and architectural surveys to identify historic properties that may be affected by the Project and coordinate these surveys with appropriate groups including SHPOs and tribes. Commenters noted that they expect adverse effects on historic properties to be addressed through the development of appropriate avoidance, minimization, and mitigation measures with these groups.
- Commenters noted that pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act, a permit would likely be required from the U.S. Army Corps of Engineers (USACE) for the Project, and USACE has designated BOEM as the lead federal agency to fulfill federal responsibilities under NHPA Section 106.
- Commenters felt that the COP VIA was not adequate and expressed concern over viewshed or visual impacts on historic properties from the proposed Project, including lighting in general and at specific locations such as the Bunder Overlook, Assateague Lighthouse, Colonial National Historic Park, the Cape Henry Memorial, as well as NHLs such as the First Cape Henry Lighthouse. These commenters asked that these areas be included within the APE.
- Commenters asked that the cultural reports associated with the Project be provided to consulting parties and tribes as soon as they are available.
- Commenters expressed concern over the methods presented in the COP for marine archaeological surveys in that the methods did not include significant reports related to Mid-Atlantic coastal shelf

archaeology in the past decade. These commenters also requested that BOEM request and receive expert input from the State Underwater Archaeologist at the Virginia Department of Historic Resources during the scoping process.

- Commenters expressed concern over the methods presented in the COP for terrestrial archaeological surveys in that the methods did not include an evaluation of historic properties that might have associations with tribal families. Commenters stated that the methods should include a review of literature from Frank Speck and James Mooney's visits with specific tribes in the late nineteenth and early twentieth centuries. They also provided names of authors who recently published accounts focused on specific tribes.
- Commenters asked that the EIS include public and stakeholder review of the methods for examining and evaluating cultural landscapes.
- Commenters asked for more information regarding the location of underground cable paths coming onshore as historical archaeological material from habitats of African American and Native American people.

On August 2, 2021, additional comments from the Nansemond Indian Nation (the Nation) were submitted by Cultural Heritage Partners (CHP) on behalf of the Nation to BOEM and the Virginia SCC. The comments are summarized below:

- The letter indicates concern that methods for identification were not clearly defined; that the federally recognized tribes should be invited to discuss the methods and preliminary survey and modeling data so that the Nation can provide meaningful input into Project scoping as well as avoidance, minimization, and mitigation measures.
- The letter inquired whether the scale of involvement by the Nation reaches the ACHP's threshold in the *Guidance on Assistance to Consulting Parties* in the Section 106 Review Process for providing compensation for tribal expertise and consultant services.
- The letter requested that cultural resources reports associated with the [Site Assessment Plan] be provided to the Nation as soon as they are available to assist with their review of this Project.
- The letter noted that the methods for marine archaeological survey appear to predominantly cite scholarship based on other areas of the United States, even though BOEM itself has produced several significant reports related to Mid-Atlantic coastal shelf archaeology and requested that BOEM base the marine archaeology approach for this Project on previous work in the Mid-Atlantic region.
- The letter requested that evaluation of historic properties include an evaluation of whether properties might have associations with Nansemond families and that it include review of certain literature.
- The letter expressed a concern for consideration of cultural landscapes and traditional communities along the transmission line and within the underwater portion of the Project in keeping with BOEM's 2015 *Guidance Document for Characterizing Tribal Cultural Landscapes*.
- The letter suggested that BOEM should reach out to existing stakeholder groups, such as the Great Dismal Swamp Stakeholders Collaborative, to identify any other communities that may identify the Project area as traditional cultural properties.
- The letter expressed that the Nation is particularly concerned about protection of wildlife, marine life, and water quality in rivers and streams in southeastern Virginia because of the tremendous environmental degradation of Nansemond traditional territory.
- The letter expressed concerns about the adequacy of visual effects analysis, with a request that

additional vantage points should include all historic districts, and should also include multiple assessments for the entirety of the Nation's ancestral lands, including areas planned to route cables over waterways. These areas include without limitation the Nation's historic hunting and fishing grounds throughout the Back Bay area, as well as the Nansemond River and Princess Anne County.

- The letter expressed concern about potential lighting impacts on the dark night sky both during and after construction, and urges BOEM to mandate Automatic Detection Lighting Systems (ADLS).

On December 16, 2022, BOEM published a Notice of Availability for the Draft EIS. As part of this process, BOEM held virtual public hearings on January 25, January 31, and February 2, 2023. The public comment periods closed on February 14, 2023. The input received via this process has been used to inform preparation of the Final EIS.

O.2.2.3 NHPA Section 106 Consultations

On June 28 and July 9, 2021, BOEM contacted ACHP, Virginia Department of Historic Resources (VDHR [the Virginia SHPO]), and North Carolina SHPO to provide Project information, to notify these organizations of BOEM's intention to use the NEPA process to fulfill Section 106 obligations in lieu of the procedures set forth in 36 CFR 800.3 through 800.6, and to invite these organizations to be consulting parties.

On June 28, 2021, BOEM corresponded with 59 points of contact from governments and organizations by mail and email, including information about the Project, an invitation to be a consulting party to the NHPA Section 106 review of the COP, and the NOI to prepare an EIS. BOEM also used this correspondence to notify of its intention to use the NEPA process for Section 106 purposes, as described in 36 CFR 800.©), during its review. To aid those consulting parties not familiar with the NEPA substitution process, BOEM developed a *National Environmental Policy Act (NEPA) Substitution for Section 106 Consulting Party Guide* (available at <https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/NEPA-Substitution-Consulting-Party-Guide.pdf>), which it attached to this correspondence.

On July 2, 2021, BOEM contacted the Eastern Shawnee Tribe of Oklahoma, Shawnee Tribe, Cherokee Nation, Eastern Band of Cherokee Indians, United Keetoowah Band of Cherokee Indians in Oklahoma, Absentee-Shawnee Tribe of Indians of Oklahoma, The Delaware Nation, Delaware Tribe of Indians, The Shinnecock Indian Nation, The Narragansett Indian Tribe, Pamunkey Indian Tribe, Chickahominy Indian Tribe, Chickahominy Indian Tribe – Eastern Division, Upper Mattaponi Indian Tribe, Rappahannock Tribe, Nansemond Indian Nation, Tuscarora Nation, and the Monacan Indian Nation by email and mail with information about the Project, an invitation to be a consulting party to the NHPA Section 106 review of the COP, and the NOI to prepare an EIS. BOEM also used this correspondence to notify of its intention to use the NEPA process for Section 106 purposes, as described in 36 CFR 800.8(c), during its review.

During the period of July 12–19, 2021, outreach was conducted by phone to confirm receipt of correspondence among the governments and organizations that had not responded to the invitation to consult. The list of the governments and organizations contacted is included in Attachment C. Entities that responded to BOEM's invitation or were subsequently made known to BOEM and added as consulting parties are listed in Attachment D.

On August 13, 2021, BOEM invited the Nansemond Indian Nation, Catawba Indian Nation, and Delaware Tribe of Indians to participate in a government-to-government consultation meeting during the week of September 6–10, 2021.

On September 27, 2021, BOEM hosted a single government-to-government consultation meeting for both the CVOW-C and Kitty Hawk Wind projects in accordance with a request for CHP on behalf of the Nansemond Indian Nation; the meeting was held with the Rappahannock Indian Tribe, Pamunkey Indian Tribe, Nansemond Indian Nation, Chickahominy Indian Tribe, Upper Mattaponi Indian Tribe, Monacan Indian Nation, Delaware Nation, Delaware Tribe of Indians, Mashpee Wampanoag Tribe, Eastern Band Cherokee Indians, Passamaquoddy Tribe, Mashantucket (Western) Pequot Tribal Nation, and Cultural Heritage Partners. During the meeting, BOEM presented information about both the CVOW-C and Kitty Hawk Wind projects and discussed scoping comments received from a Federally Recognized Tribe for both projects.

On August 10 and 19, 2022, BOEM conducted outreach to Tribes and consulting parties to request input regarding options for scheduling Consultation Meeting #1. BOEM collected date and time preferences via a Doodle poll. The meeting invitation with a meeting agenda was distributed to consulting parties on August 24, 2022.

On September 9, 2022, BOEM held virtual NHPA Section 106 Consultation Meeting #1. The presentation included a brief Project overview, review of NEPA substitution for the NHPA Section 106 process, overview of Section 106 consultation opportunities for the Project, NHPA Section 110(f) compliance requirements, and a question-and-answer session with discussion.

On November 1 and 7, 2022, BOEM conducted outreach to Tribes and consulting parties to request input regarding options for scheduling Consultation Meeting #2. BOEM collected date and time preferences via a Doodle poll. The meeting invitation with a meeting agenda was distributed to consulting parties on November 11, 2022.

On November 11, 2022, BOEM shared with consulting parties the complete marine archaeological resources report, complete historic resources visual effects assessment, complete cumulative historic resources visual effects analysis, and a phased identification plan for terrestrial archaeological resources. At that time, BOEM also shared with consulting parties a technical memorandum detailing the delineation of the APE for the Project and the CHRVEA for review and comment.

On December 15, 2022, BOEM held virtual NHPA Section 106 Consultation Meeting #2. The presentation included a discussion of the Section 106 technical reports and documents distributed for consulting party review in November and a question-and-answer session with discussion.

On December 16, 2022, BOEM distributed a Notice of Availability to notify the consulting parties that the Draft EIS was available for public review and comment until February 14, 2023.

On January 13, 2023, BOEM shared with consulting parties the Draft MOA for review and comment.

On March 9 and 13, 2023, BOEM conducted outreach to Tribes and consulting parties to request input regarding options for scheduling Consultation Meeting #3. BOEM collected date and time preferences via a Doodle poll. The meeting invitation with a meeting agenda was distributed to consulting parties on March 20, 2023.

On March 20, 2023, BOEM shared with consulting parties the TARA. BOEM also revised its delineation of the terrestrial APE based on revisions to Dominion Energy's February 2023 COP PDE; a memo with the revisions was provided with the TARA for review and comment.

On April 13, 2023, BOEM held virtual NHPA Section 106 Consultation Meeting #3. The presentation included a discussion of the TARA and APE memo distributed for consulting party review and a question-and-answer session with discussion.

On May 2, 2023, BOEM conducted outreach to Tribes and consulting parties to request input regarding options for scheduling Consultation Meeting #4. BOEM collected date and time preferences via a Doodle poll. The meeting invitation with a meeting agenda was distributed to consulting parties on May 15, 2023.

On June 5, 2023, BOEM shared with consulting parties a revised draft MOA and associated attachments, including draft Historic Property Treatment Plans (HPTPs) and Unanticipated Discoveries Plans, and revised MARA and Offshore HRVEA reports for review and comment.

BOEM held virtual NHPA Section 106 Consultation Meeting #4 on June 12, 2023. The presentation included a discussion on the resolution of adverse effects, an overview of the revisions to the MARA and Offshore HRVEA, updates on the terrestrial APE, a discussion of the revised MOA and HPTPs, and a question-and-answer session with discussion.

On June 30, 2023, BOEM shared with consulting parties a meeting summary for Consultation Meeting #4 and a Response to Comments matrix containing comments from the Draft EIS and Section 106 document review periods from November 2022 to April 2023.

On July 14, 2023, BOEM shared with consulting parties an addendum to the TARA, a memorandum describing changes to the Visual APE, and the Section 106 Finding of Effect (FOE; Appendix O) for review and comment.

BOEM held Consultation Meeting #5 on August 28, 2023, to discuss revisions to the MOA and HPTPs.

The list of the governments and organizations invited to participate as consulting parties is included in Attachment C. Entities that responded to BOEM's invitation with an acceptance to participate or were subsequently made known to BOEM and added as consulting parties are listed in Attachment D.

O.3. Application of the Criteria of Adverse Effect

The Criteria of Adverse Effect under NHPA Section 106 (36 CFR 800.5(a)(1)) states that an undertaking has an adverse effect on a historic property if the following occurs:

when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the NRHP in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association...Adverse Effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.

According to regulation, adverse effects on historic properties include, but are not limited to (36 CFR 800.5(a)(2)):

- i. Physical destruction of or damage to all or part of the property;
- ii. Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary of the Interior's standards for the treatment of historic properties (36 CFR part 68) and applicable guidelines;
- iii. Removal of the property from its historic location;
- iv. Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;

- v. Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features;
- vi. Neglect of a property, which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and
- vii. Transfer, lease, or sale of property out of federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

O.3.1 Assessment of Effects on Historic Properties

This section documents assessment of effects for the affected historic properties in the marine APE, terrestrial APE, and visual APE.

O.3.1.1 Assessment of Effects on Historic Properties in the Marine APE

This section assesses effects on marine cultural resources (i.e., marine archaeological resources and ASLFs) in the marine APE. The extent of marine cultural investigations performed for the Proposed Action does not enable conclusive determinations of eligibility for listing identified resources in the NRHP; as such, all identified marine archaeological resources and ASLFs are considered eligible and, therefore, historic properties at this time. Since the publication of the Draft EIS, Dominion Energy has committed to avoiding all historic properties in the marine APE (see Attachment A for the MOA). As such, BOEM finds the undertaking would have no effect on historic properties in the marine APE.

O.3.1.1.1 Marine Archaeological Resources

Marine geophysical archaeological surveys performed for the Proposed Action identified 42 potential marine archaeological resources (Table O-4; COP, Appendix F; Dominion Energy 2023b): 29 within or near the proposed offshore Lease Area and 13 within or near the offshore ECRC (COP, Appendix F; Dominion Energy 2023b). Of the 29 marine archaeological resources within the northern border of the Lease Area, 11 consist of large scuttled World War II-era ships, tires, cable spools, and other materials intentionally deposited since the 1970s to facilitate development of the Triangle Reef Fish Haven (COP, Sections 2.1.1 and 4.2.4.2; Dominion Energy 2023b). As such, BOEM has determined these 11 resources are not historic properties eligible for listing in the NRHP. Because the ages and NRHP eligibility of the other 31 marine archaeological resources cannot be confirmed through the current marine cultural investigations, these resources are all assumed to be archaeological and potentially eligible for listing in the NRHP; as such, they are considered historic properties. Additional archaeological surveys or analyses, if completed, may enable more refined assessments of integrity, significance, and eligibility for listing these resources in the NRHP. The majority of the potential marine archaeological resources likely relate to recent debris, industrial objects, and non-cultural geological features, although many may represent known and potential shipwrecks and related debris fields from the post-Contact period (COP, Appendix F; Dominion Energy 2023b). Of the 31 marine archaeological resources considered historic properties eligible for listing in the NRHP, a total of 27 marine archaeological resources were located in the marine APE (i.e., Targets 1, 2, 4–13, 15–18, 21–31): 16 within the Lease Area and another 11 within the offshore ECRC. An additional 4 marine archaeological resources (i.e., Targets 3, 14, 19, and 20) are located outside of but near the marine APE and have been considered for potential effects from the Proposed Action due to their proximity.

Table O-4 Marine Archaeological Resources In or Near the Marine APE

Resource ID	Potential Source	Location	Finding of Effect
WN 002a	Intentionally sunk <i>USNS Garrison</i>	Lease Area (TRFH)	N/A
WN 002b	Intentionally sunk <i>USNS Webster</i>	Lease Area (TRFH)	N/A
WN 003a	Intentionally sunk <i>USNS Haviland</i>	Lease Area (TRFH)	N/A
WN 003b	Intentionally sunk <i>USNS Clark</i>	Lease Area (TRFH)	N/A
WN 007	<i>USNS John Morgan</i>	Lease Area (TRFH)	N/A
WN 009	Unknown	Lease Area (TRFH)	N/A
WN 010	<i>Lillian Luckenback</i>	Lease Area (TRFH)	N/A
WN 011	Intentionally sunk <i>Kurn</i>	Lease Area (TRFH)	N/A
WN 013	Intentionally sunk <i>Tripca</i>	Lease Area (TRFH)	N/A
WN 014	Unknown	Lease Area (TRFH)	N/A
WN 015	Unknown	Lease Area (TRFH)	N/A
Target 1	Unknown	Lease Area	No effect
Target 2	Unknown	Lease Area	No effect
Target 3	Unknown	Adjacent to Lease Area	No effect
Target 4	Unknown	Lease Area	No effect
Target 5	Unknown	Lease Area	No effect
Target 6	Unknown	Lease Area	No effect
Target 7	Disintegrated section of an unknown shipwreck	Lease Area	No effect
Target 8	Unknown	Lease Area	No effect
Target 9	Unknown debris	Lease Area	No effect
Target 10	Known shipwrecks <i>Cuyahoga</i> , <i>Middle Ground</i> , or chartered NOAA #15064	Lease Area	No effect
Target 11	Unknown debris	Lease Area	No effect
Target 12	Unknown	Lease Area	No effect
Target 13	Unknown	Lease Area	No effect
Target 14	Known shipwreck <i>Francis E. Powell</i>	Adjacent to Lease Area	No effect
Target 15	Unknown shipwreck and debris	Lease Area	No effect
Target 16	Unknown	Lease Area	No effect
Target 17	Unknown	Lease Area	No effect
Target 18	Unknown	Lease Area	No effect
Target 19	Unknown debris	Adjacent to Offshore ECRC	No effect
Target 20	Unknown debris	Adjacent to Offshore ECRC	No effect
Target 21	Unknown debris	Offshore ECRC	No effect
Target 22	Unknown	Offshore ECRC	No effect
Target 23	Unknown	Offshore ECRC	No effect
Target 24	Chartered debris NOAA #14936	Offshore ECRC	No effect
Target 25	Unknown	Offshore ECRC	No effect
Target 26	Unknown	Offshore ECRC	No effect

Resource ID	Potential Source	Location	Finding of Effect
Target 27	Unknown debris	Offshore ECRC	No effect
Target 28	Unknown debris	Offshore ECRC	No effect
Target 29	Unknown object	Offshore ECRC	No effect
Target 30	Unknown object or debris	Offshore ECRC	No effect
Target 31	Unknown debris	Offshore ECRC	No effect

Source: COP, Appendix F, Table VI-2; Dominion Energy 2023b; MOA (Attachment A).

APE = area of potential effect; ECRC = Export Cable Route Corridor; ID = identification; NOAA = National Oceanic and Atmospheric Administration; TRFH = Triangle Reef Fish Haven; WN = Wreck Number.

The severity of Project effects would depend on the extent to which integral or significant components of an affected marine archaeological resource are disturbed, damaged, or destroyed, resulting in the loss of contributing elements to the historic property’s eligibility for listing in the NRHP. However, since the publication of the Draft EIS, Dominion Energy has committed to avoiding all 31 historic properties by implementing avoidance buffers around the defined spatial extent of each of these historic properties, as indicated in Table O-4. The avoidance buffers for the historic properties were determined using several factors in a process developed by Dominion Energy’s Qualified Marine Archaeologist (QMA) (COP, Appendix F; Dominion Energy 2023b). Avoidance of Targets 1–7, 9, 12, 13, 16–21, and 23–31 was recommended by a minimum distance of 164 feet (50 meters) from the known center point of each resource. Avoidance of Targets 8, 10, 11, 14, 15, and 22 was recommended by a minimum distance of 164 feet (50 meters) from the known visible extent of the resource.

Since Dominion Energy has committed to avoiding these resources and their associated avoidance buffers, BOEM finds that the undertaking would have no effect on the 31 marine archaeological resources that are historic properties. These measures have been included as stipulations in the Final MOA as conditions for approval of issuance of BOEM’s permit (see Attachment A for the MOA).

O.3.1.1.2 Ancient Submerged Landform Features

ASLFs may be individually eligible for listing in the NRHP or considered contributing elements to a TCP eligible for listing in the NRHP. ASLFs in the marine APE are considered archaeologically sensitive. Although the marine geophysical remote-sensing studies performed to identify historic properties did not find direct evidence of pre-Contact Native American cultural materials, they do represent a good-faith effort to identify submerged historic properties within the APE potentially affected by the undertaking, as defined at 36 CFR 800.4. If undiscovered archaeological resources are present within the identified ASLFs and they retain sufficient integrity, these resources could be eligible for listing in the NRHP under Criterion D. Furthermore, ASLFs are considered by Native American tribes in the region to be culturally significant resources as the lands where their ancestors lived and as locations where events described in tribal histories occurred prior to inundation. In addition, BOEM recognizes these landforms are similar to features previously determined to be TCPs and that are presumed to be eligible for listing in the NRHP under Criterion A.

Dominion Energy’s marine geophysical archaeological surveys identified a total of six geomorphic features, representing potential ASLFs (Table O-5). Four of these ASLFs (i.e., P-02, P-03, P-04-A, and P-04-B) are located in the horizontal extent of the marine APE and within the Lease Area. No ASLFs were identified within the offshore ECRC. A fifth ASLF (i.e., Target P-01) is located outside of the horizontal extent of the marine APE but is near the Lease Area. A sixth ASLF (i.e., P-05) is in the horizontal extent of the marine APE near the Lease Area but below the vertical extent of the marine APE

therefore outside of the marine APE. Regardless, these two ASLFs (i.e., P-01 and P-05) have been considered for potential effects from the Proposed Action due to proximity.

The extent of marine cultural investigations performed for the Proposed Action does not enable conclusive determinations of eligibility for listing identified resources in the NRHP; as such, all identified ASLFs are considered eligible for the purposes of this assessment and, therefore, historic properties.

Table O-5 ASLFs In or Near the Marine APE

Landform ID	Location	Finding of Effect	Minimum Avoidance Area
P-01	Adjacent to Lease Area (outside of marine APE)	No effect	10.71 ac (4.33 ha)
P-02	Lease Area	No effect	266.7 ac (107.9 ha)
P-03	Lease Area	No effect	9.91 ac (4.01 ha)
P-04-A	Lease Area	No effect	3.94 ac (1.59 ha)
P-04-B	Lease Area	No effect	22.05 ac (8.92 ha)
P-05	Below Lease Area (outside of marine APE)	No effect	5.45 ac (2.2 ha)

Source: COP, Appendix F, Table V-4; Dominion Energy 2023b.
 ac = acre; APE = area of potential effect; ha = hectare; ID = identification.

An archaeological geotechnical analysis of ASLFs assessed a total of 30 borehole samples in the Lease Area in an attempt to verify the high-resolution geophysical (HRG) data and develop a temporal framework across the APE. Dominion Energy collected 31 borehole samples in the Lease Area for geoarchaeological analysis. Of those 30 samples, 5 predated both the Last Glacial Maximum (LGM) and the arrival of humans in the Western Hemisphere. Three samples dated approximately 18,300–17,800 calibrated years before present (cal BP) during the Oldest Dryas climate episode. Thirteen of those samples dated from the Paleoindian period, and one dated from the Archaic period.

The severity of effects would depend on the extent to which integral or significant components of an affected ASLF are disturbed, damaged, or destroyed, resulting in the loss of contributing elements to the historic property’s eligibility for listing in the NRHP. However, since the publication of the Draft EIS, Dominion Energy has committed to avoiding all six identified ASLFs in or near the marine APE, as indicated in Table O-5. In general, the avoidance areas were developed based on a 164-foot (50-meter) buffer around the mapped extent of each landform (see Table O-5). The avoidance area for ASLF P-02 was moderately reduced based on QMA and BOEM analysis to accommodate the construction of a nearby WTG; however, BOEM anticipates this reduced avoidance area would still result in no effect to this ASLF.

Because Dominion Energy has committed to avoiding these resources and their associated avoidance buffers, BOEM finds that the undertaking would have no effect on the six identified ASLFs that are historic properties. These measures have been included as stipulations in the Final MOA as conditions for approval of issuance of BOEM’s permit (see Attachment A for the MOA).

O.3.1.2 Assessment of Effects on Historic Properties in the Terrestrial APE

Cultural resource investigations completed for the Proposed Action have identified historic properties in the terrestrial APE (COP, Appendices G and H-3; Dominion Energy 2023b). Based on the information presented below, BOEM finds historic properties would not be adversely affected in the terrestrial APE.

O.3.1.2.1 Terrestrial Archaeological Resources

Since the publication of the Draft EIS, Dominion Energy has provided BOEM with a TARA report that has refined the number and list of identified terrestrial archaeological resources in the terrestrial APE (COP, Appendix G; Dominion Energy 2023b). Based on updates in the COP PDE and BOEM’s subsequent revision of the terrestrial APE delineation, three terrestrial archaeological resources identified in the Draft EIS as being located in the terrestrial APE for the Project are no longer in the revised APE. These resources are 44VB0319, 44VB0388, and one resource that had not been assigned an identification number. An additional survey was conducted in May 2023 for a potential route shift for the onshore portion of the interconnection cable route. Dominion Energy submitted an addendum to the TARA report summarizing this additional survey in June 2023 (COP, Appendix G, Addendum; Dominion Energy 2023b).

Based on the TARA report and its addendum, BOEM has determined there are 24 terrestrial archaeological resources in or immediately adjacent to the terrestrial APE (Table O-6): 14 sites and 10 isolated finds (IFs). Sufficient data from Dominion Energy’s investigations have enabled BOEM to determine that the 10 IFs are without sufficient integrity or significance for NRHP eligibility and are therefore not historic properties. Since the publication of the Draft EIS, and in consultation with the Virginia SHPO, BOEM has determined that of the 14 terrestrial archaeological sites, three (i.e., [REDACTED]) are potentially eligible for listing in the NRHP and are therefore historic properties. One cemetery and one historic aboveground resource were identified in the terrestrial APE, which may or may not contain contributing archaeological elements that could be affected by the undertaking; further discussion of these resources is provided in the *Cemeteries and Historic Aboveground Resources* sections below.

Table O-6 Terrestrial Archaeological Resources identified in the Terrestrial APE

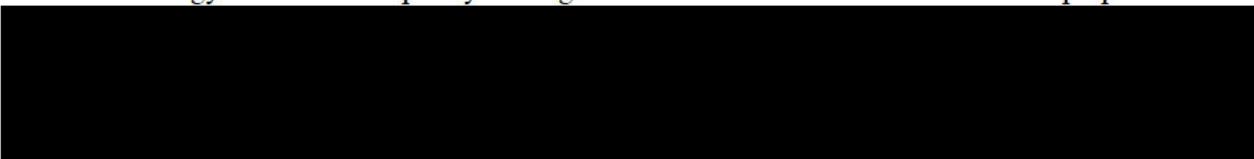
Resource ID	Cultural Component	Location	NRHP Status	Finding of Effect
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	No adverse effect
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	No adverse effect
44VB0175	Contact and Post-Contact	Chicory Switching Station	Not eligible	N/A
44VB0204	Post-Contact	Onshore Export CRC	Not eligible	N/A
44VB0274	Pre-Contact	Interconnection CRC	Not eligible	N/A
44VB0306	Post-Contact	Interconnection CRC	Not eligible	N/A
44VB0314	Post-Contact	Interconnection CRC	Not eligible	N/A
44VB0361	Post-Contact	Onshore Export CRC	Not eligible	N/A
44VB0389	Pre- and Post-Contact	Onshore Export CRC	Not eligible	N/A
44VB0395	Pre- and Post-Contact	Onshore Export CRC	Not eligible	N/A
44VB0396	Post-Contact	Onshore Export CRC	Not eligible	N/A
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	No adverse effect

Resource ID	Cultural Component	Location	NRHP Status	Finding of Effect
44VB0443 (previously "35-A")	Post-Contact	Onshore Export CRC	Not eligible	N/A
44VB0444 (previously "26-A")	Post-Contact	Interconnection CRC	Not eligible	N/A
11-56 (IF)	Post-Contact	Interconnection CRC	Not eligible	N/A
12-09 (IF)	Post-Contact	Interconnection CRC	Not eligible	N/A
26-21 (IF)	Post-Contact	Interconnection CRC	Not eligible	N/A
26-234 (IF)	Post-Contact	Interconnection CRC	Not eligible	N/A
28-08 (IF)	Post-Contact	Interconnection CRC	Not eligible	N/A
28-09 (IF)	Post-Contact	Interconnection CRC	Not eligible	N/A
31-46 (IF)	Post-Contact	Onshore Export CRC	Not eligible	N/A
33-08 (IF)	Post-Contact	Onshore Export CRC	Not eligible	N/A
34-02 (IF)	Post-Contact	Onshore Export CRC	Not eligible	N/A
37-27 (IF)	Post-Contact	Onshore Export CRC	Not eligible	N/A

Sources: COP, Appendices G and H-3; Dominion Energy 2023b.

APE = area of potential effect; CRC = cable route corridor; ID = identification; IF = isolated find.

The severity of Project effects on terrestrial archaeological resources that are historic properties would depend on the extent to which integral or significant components of the affected resource are disturbed, damaged, or destroyed, resulting in the loss of contributing elements to the historic property’s eligibility for listing in the NRHP. In addition, since the publication of the Draft EIS, Dominion Energy has committed to implementing measures (such as fencing) to avoid any potentially intact portions of all three terrestrial archaeological resources that are historic properties, as indicated in Table O-6. In general, Dominion Energy will install temporary fencing to avoid adverse effects on these historic properties. For



Because Dominion Energy has committed to avoiding any potentially intact portions of these resources and their associated avoidance buffers, BOEM finds that the undertaking would have no adverse effect on the three terrestrial archaeological resources that are historic properties. These measures have been included as stipulations in the Final MOA as conditions for approval of issuance of BOEM’s permit (see Attachment A for the MOA).

O.3.1.2.2 Cemeteries

One cemetery—an approximately mid-twentieth century cemetery with one known grave (34-5027-0050)]—was identified in the terrestrial APE near the proposed Harpers Switching Station (COP, Appendix G; Dominion Energy 2023b). Dominion Energy’s investigations included Ground Penetrating Radar and Phase IB shoveling testing surveys at the location of the grave marker to determine the subsurface extent of the cemetery; however, the results of the survey were inconclusive (COP, Appendix G; Dominion Energy 2023b). As such, Dominion Energy has committed to avoiding potential effects on this resource by implementing a fenced avoidance buffer of 10 feet (3 meters), beginning at the existing fencing of the

grave/memorial site identified on NAS Oceana/Aeropines Golf Course. Dominion Energy has also committed to having an archaeological monitor present during all construction activities near this resource location.

The severity of Project effects would depend on the extent to which the cemetery is disturbed, damaged, or destroyed. However, at this time, BOEM anticipates the avoidance and monitoring measures to which Dominion Energy has committed would result in the Project having no effect on this resource. These measures have been included as stipulations in the Final MOA as conditions for approval of issuance of BOEM's permit (see Attachment A for the MOA).

O.3.1.2.3 Historic Aboveground Resources

The Camp Pendleton/State Military Reservation Historic District, a historic aboveground resource in Virginia Beach, Virginia, is listed in the NRHP and identified in the terrestrial APE. The resource would be subject to adverse effects from the undertaking (COP, Appendix H-3; Dominion Energy 2023b). Two structures are contributing elements to the historic district and in the terrestrial APE: Buildings 59 and 410. Building 59 is a mess hall dating to 1939 and one of nine nearly identical buildings. Building 410 was constructed between 1940 and 1942 as a firehouse during expansion of the site. It has a more unique architectural design compared with other structures in the historic district.

The Project effects under the PDE would constitute physical destruction of Buildings 59 and 410 for the installation of the underground transmission lines associated with the cable landing location and onshore export cable route to the Harpers Switching Station. Demolition of these contributing elements to the Camp Pendleton/State Military Reservation Historic District would physically alter components of this historic property; as such, the undertaking is anticipated to have an adverse effect on the Camp Pendleton/State Military Reservation Historic District. For additional discussion of visual effects on this historic property, see Section O.3.1.3, *Assessment of Effects on Historic Properties in the Visual APE*, below.

BOEM will use an MOA to establish commitments for implementing measures to avoid, minimize, or mitigate effects on historic properties prior to construction. Minimization and mitigation treatment options may include detailed site documentation, historic research, and historic preservation studies; or contributions to historical preservation organizations or specific preservation projects. Additional mitigation options could be identified through consultation with BOEM, Virginia SHPO, North Carolina SHPO, and consulting parties.

O.3.1.3 Assessment of Effects on Historic Properties in the Visual APE

Cultural resource investigations completed for the Proposed Action have identified historic properties in the visual APE (COP, Appendices H-1, H-2, and H-3; Dominion Energy 2023b). Based on the information presented below, BOEM finds historic properties would be adversely affected in the visual APE.

As discussed in Section O.1.3.3, *Visual Portion of the APE*, Dominion Energy has eliminated certain Onshore Project components previously proposed in the May 2022 COP within the PDE. These now-eliminated Project components had been included in the delineation of the visual PAPE for Onshore Project components, and therefore, Dominion Energy's cultural resource investigations included historic property identification efforts in areas no longer located within the visual APE for the undertaking as currently proposed. However, BOEM has included resources identified within these eliminated areas for the purposes of facilitating Section 106 consultations but anticipates the undertaking to have no effect on these resources.

Dominion Energy's review of the visual APE for Offshore Project components identified 712 aboveground historic properties, including two NHLs (COP, Appendix H-1; Dominion Energy 2023b). The properties were assessed to identify those with maritime settings and character-defining ocean views. Of the properties, 25 were recommended to be adversely affected by visual effects of the proposed Offshore Project components, including the First Cape Henry Lighthouse NHL (Table O-7). These adversely affected historic properties retain a maritime setting that contributes to the properties' eligibility for listing in the NRHP. Each property continues to offer significant ocean views that support the integrity of its maritime setting. The seaward views include vantage points with the potential for an open view toward the Offshore Project components.

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. 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 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.

Where BOEM found adverse visual effects on the historic properties from Offshore Project components, BOEM determined that the undertaking would also cause cumulative visual effects (BOEM 2022b). Cumulative effects are additive effects; where BOEM has determined adverse effects would occur from Project actions on historic properties, BOEM assessed whether those effects would add to the potential adverse effects of other reasonably foreseeable actions and thereby result in cumulative effects. The cumulative effects descriptions are included for each aboveground historic property in the following sections.

Dominion Energy's review of the preliminary visual APE for Onshore Project components identified 322 historic aboveground resources; 13 of the resources have been determined to be historic properties that are listed or eligible for listing in the NRHP (COP, Appendices H-2 and H-3; Dominion Energy 2023b). BOEM has determined the undertaking would have an adverse effect on 1 of the 13 properties: the Camp Pendleton/State Military Reservation Historic District in Virginia Beach, Virginia, which is also within the visual APE for Offshore Project components (see Table O-7). With elimination of certain Onshore Project components from the PDE (i.e., Interconnection Cable Route Options 2, 3, 4, and 5), BOEM finds that the undertaking would have no effect on 5 of the 13 properties that would have otherwise been subject to visual adverse effects if Routes 2, 3, 4, or 5 were to be undertaken. The 5 historic properties are the Albemarle & Chesapeake Canal Historic District in Chesapeake, Virginia; Albemarle & Chesapeake Canal in Chesapeake, Virginia; a worker's house associated with Murray Farms in Chesapeake, Virginia; a residence at 2773 Salem Road in Virginia Beach, Virginia; and the Centreville-Fentress Historic District in Chesapeake, Virginia. These properties will not be affected by the construction of either Interconnection Cable Route Options 1 or 6 that remain in the PDE.

The shift in onshore cable route alignment near the Princess Anne Athletic Complex in the City of Virginia Beach resulted in a northern expansion of the visual APE (Figure O.B-17). Additional background research was conducted, including an additional review of the Virginia Cultural Resources Information System (V-CRIS) and historic topographic maps, to determine if any additional known or potential aboveground historic properties are located in this expanded section of the APE; no such properties were identified in this expanded APE (Dominion Energy 2023a).

Table O-7 Adversely Affected Aboveground Historic Properties in the Visual APE¹

Resource Name or Description	Resource ID	Location	Portion of Visual APE	Distance to Nearest WTG ²	NRHP Status
Atlantic Wildfowl Heritage Cottage/de Witt Cottage	134-0066	Virginia Beach, VA	Offshore Project Components	27.80 miles	Listed (also VLR Listed)
Camp Pendleton/State Military Reservation Historic District	134-0413	Virginia Beach, VA	Onshore and Offshore Project Components	27.70 miles	Listed
Cavalier Hotel and Beach Club	134-0503	Virginia Beach, VA	Offshore Project Components	28.80 miles	Listed (also VLR Listed)
Cavalier Shores Historic District	134-5379	Virginia Beach, VA	Offshore Project Components	28.05 miles	Listed (also VLR Listed)
Chesapeake Bay Bridge-Tunnel	065-0167	Northampton County and Virginia Beach, VA	Offshore Project Components	29.20 miles	Eligible
Chesapeake Light Tower	134-5301	Virginia Beach, VA	Offshore Project Components	13.03 miles	Potentially Eligible
Currituck Beach Lighthouse	CK0106	Corolla, NC	Offshore Project Components	36.86 miles	Listed
Cutty Sark Motel Efficiencies	134-5866	Virginia Beach, VA	Offshore Project Components	28.00 miles	Listed
Econo Lodge/Empress Motel	134-5869	Virginia Beach, VA	Offshore Project Components	27.92 miles	Potentially Eligible
First Cape Henry Lighthouse	134-0007	Fort Story, Virginia Beach, VA	Offshore Project Components	29.20 miles	Listed and NHL
Fort Story Historic District	134-0660	Fort Story, Virginia Beach, VA	Offshore Project Components	29.20 miles	Listed (also VLR Listed)
Hilton Washington Inn/Quality Inn and Suites	134-5863	Virginia Beach, VA	Offshore Project Components	27.70 miles	Potentially Eligible
House (100 54 th Street)	134-5660	Virginia Beach, VA	Offshore Project Components	28.15 miles	Potentially Eligible
House (4910 Ocean Front Avenue)	134-5399	Virginia Beach, VA	Offshore Project Components	28.10 miles	Potentially Eligible
House (5302 Ocean Front Avenue)	134-5665	Virginia Beach, VA	Offshore Project Components	28.17 miles	Potentially Eligible

Resource Name or Description	Resource ID	Location	Portion of Visual APE	Distance to Nearest WTG ²	NRHP Status
House (7900 Ocean Front Avenue)	134-0587	Virginia Beach, VA	Offshore Project Components	28.30 miles	Potentially Eligible
House (8304–8306 Ocean Front Avenue)	134-5089	Virginia Beach, VA	Offshore Project Components	28.37 miles	Eligible
House (8600 Ocean Front Avenue)	134-5493	Virginia Beach, VA	Offshore Project Components	28.52 miles	Potentially Eligible
Oceans II Condominiums/Aeolus Motel	134-5872	Virginia Beach, VA	Offshore Project Components	28.00 miles	Potentially Eligible
Sandbridge Historic District	Unassigned	Virginia Beach, VA	Offshore Project Components	26.90 miles	Potentially Eligible
Seahawk Motel	134-5857	Virginia Beach, VA	Offshore Project Components	27.97 miles	Potentially Eligible
Seatack Lifesaving Station/U.S. Coast Guard Station	134-0047	Virginia Beach, VA	Offshore Project Components	27.80 miles	Listed (also VLR Listed)
Second Cape Henry Lighthouse	134-0079/ 114-5250	Fort Story, Virginia Beach, VA	Offshore Project Components	29.08 miles	Listed
Virginia House	134-5865	Virginia Beach, VA	Offshore Project Components	27.92 miles	Potentially Eligible

Source: COP, Appendices H-1, H-2, and H-3; Dominion Energy 2023b.

¹ BOEM anticipates that all adverse effects have the potential to be alleviated through the adoption of AMM measures. BOEM anticipates that the number of adversely affected historic properties may be refined through ongoing Section 106 consultations.

² For the Proposed Action.

APE = area of potential effect; FOE = finding of effect; ID = identification; NHL = National Historic Landmark; NRHP = National Register of Historic Places; VLR = Virginia Landmarks Register; WTG = wind turbine generator.

O.3.1.3.1 Atlantic Wildfowl Heritage Museum/de Witt Cottage, Virginia Beach, Virginia

The Atlantic Wildfowl Heritage Museum/de Witt Cottage (DHR ID: 134-0066) is located within an urban setting on the waterfront on a 0.36-acre (0.15-hectare) lot in Virginia Beach, Virginia. The Atlantic Wildfowl Heritage Museum is housed within the de Witt Cottage. The property was listed in the NRHP under Criteria A and C as an example of resort development architecture (COP, Appendix H-1; Dominion Energy 2023b). The de Witt Cottage is the sole surviving example of an oceanfront dwelling constructed during the first development period in Virginia Beach from the late nineteenth to early twentieth century. The property was built near the ocean at a location where views would be clear and open and where beach access would be easy for visitors. Because it was designed as a resort for use by prosperous city-dwellers, the property's maritime setting and ocean views are character-defining and contribute to its significance (Newbill 1988).

The property, which is oriented toward the west and Atlantic Avenue, has unobstructed ocean views, particularly from the east elevation. The nearby Virginia Beach Boardwalk—Fishing Pier Key Observation Point (KOP) (KOP Field ID 24d in COP, Appendix I-1; Dominion Energy 2023b) represents views to the nearest Project component, located 27.6 miles (44.4 kilometers) east of the property. From the pier, views toward the Project would be unobstructed. The introduction of modern elements into the setting would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the property's integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting are character-defining features of the property that contribute to its historic significance. Historically, the property relied on these features to provide a beachside resort atmosphere and experience to guests; thus, they were integral considerations in the placement, design, and historic use of the property. The introduction of modern elements would interfere with the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect on the Atlantic Wildfowl Heritage Museum/de Witt Cottage.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 27.8 miles (44.7 kilometers) from the nearest WTG associated with the Project and 44.3 miles (71.3 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 221; 205 theoretically visible WTGs (92.8 percent) would be visible from the proposed Project.¹ As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.2 Camp Pendleton/State Military Reservation Historic District, Virginia Beach, Virginia

The Camp Pendleton/State Military Reservation Historic District (DHR ID: 134-0413) occupies 343 acres (139 hectares) of land along the coast of the Atlantic Ocean in Virginia Beach, Virginia. It was

¹ The CHRVEA was completed and distributed to consulting parties in November 2022. The analysis considered the maximum number of WTGs included in the PDE at that time. Revisions in the PDE have resulted in a revised maximum of 202 WTGs. Due to the anticipated minor changes in the analysis and expected similar nature and scale of the adverse effects, BOEM did not revise the CHRVEA to reflect the reduce maximum. Therefore, the references to the CHVREA analysis throughout this section reflect the previous maximum.

established in 1911 and consists of 130 contributing resources. The district is eligible for the NRHP under Criterion A as a military facility developed in response to the need for a dedicated range and training facility for all National Guard units in Virginia. It is also eligible under Criterion C due to its substantial and intact concentration of temporary World War II buildings. It includes examples of early twentieth century residential and military buildings dating from the 1910s through the 1930s, and it is representative of the evolution of a military post serving state and federal needs during peacetime and wartime (COP, Appendix H-3; Dominion Energy 2023b). The Historic District also includes a contributing Rifle Range edged by earthen berms, with targets on the eastern, beachfront side, and VDMA-VaARNG has determined that the beachfront of the District is a cultural landscape.

The Project would result in the removal of vegetation from the western edge of the district to north of the main entrance and demolition of two contributing structures—Buildings 59 and 410—for the installation of the underground transmission lines associated with the cable landing location and onshore export cable route to the Harpers Switching Station. Building 59 is a 1939 Mess Hall and is one of nine nearly identical buildings. Building 410 was a fire house constructed between 1940 and 1942 during the expansion of the site during World War II and has a more unique architectural design. The Project would also entail tree clearing within a workspace near the ruins of the YMCA, which is recorded as archaeological site 44VB0388 and a potential historic resource. Although tree clearing within the workspace would alter the current viewshed of the YMCA ruins, those woodlands are not integral to the site’s historical significance. Furthermore, after work is completed in the proposed workspace at the Rifle Range, the area would be restored to pre-construction condition (COP, Appendix H-3; Dominion Energy 2023b). See Section O.3.1.2.3, *Historic Aboveground Resources*, for additional details on the physical adverse effects the undertaking would have on the Camp Pendleton/State Military Reservation Historic District.

The boundary of the historic district stretches to the beach, which has a picnic area and open views of the ocean. The district has character-defining ocean views from this beach. The Croatan Beach C KOP (KOP Field ID 30c in COP, Appendix I-1; Dominion Energy 2023b) represents views to the nearest Project component, which is 27.7 miles (44.6 kilometers) east of the property. Although there is vegetation at the ground level near the shoreline of the district, views toward the Project would be unobstructed, particularly from the beach area. The introduction of modern elements into the setting of the district would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

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. The Project would diminish the design, materials, and workmanship of the district. However, because these buildings represent only a small percentage of the contributing features within the historic district, these Project effects would not render the district ineligible for the NRHP. The Project would also diminish the integrity of location, feeling, and association due to the introduction of modern elements. The introduction of the WTGs to the east would interfere with the historically and currently unadulterated ocean viewscape visible from the beach areas within the district.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 27.7 miles (44.6 kilometers) from the nearest WTG associated with the Project and 43.2 miles (69.5 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 216; 205 theoretically visible WTGs (94.9 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.3 Cavalier Hotel and Beach Club, Virginia Beach, Virginia

The Cavalier Hotel (DHR ID: 134-0503) 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 the development of Virginia Beach into 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), “[e]very 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.”

From the ground level in front of the hotel, views of the ocean are partially obscured by the tall Marriott to the northeast and Embassy Suites hotels to the southeast. However, the Cavalier Beach Club situated on the east side of Atlantic Avenue/Pacific Avenue offers views from the beach and club directly toward the ocean and Project. Additionally, the hotel itself rests atop a hill and the elevated stories would have views of the ocean and some of the WTGs associated with the Project. The Marriott Virginia Beach Oceanfront Hotel KOP (KOP Field ID 26 in COP, Appendix I-1; Dominion Energy 2023b) represents views from the approximate location of the Cavalier Hotel to the nearest Project component, 28 miles (45 kilometers) to the east. From here, views toward the Project would be unobstructed. The introduction of these modern elements into the setting would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

The Project would not affect the integrity of location, workmanship, design, and materials of the resource. 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 unadulterated 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 on the Cavalier Hotel.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 28.2 miles (45.4 kilometers) from the nearest WTG associated with the Project and 45.9 miles (73.9 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 224; 205 theoretically visible WTGs (91.5 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.4 Cavalier Shores Historic District, Virginia Beach, Virginia

The Cavalier Shores Historic District (DHR ID: 134-5379) is a suburban historic district occupying 31.5 acres (12.8 hectares) within a rectilinear street grid at the north end of Virginia Beach, along the oceanfront immediately north of the Cavalier Hotel to which the neighborhood is connected. The historic district was listed in the NRHP in 2019 under Criteria A and C in the areas of Community Planning and Development, Landscape Architecture, and Architecture. The district includes a line of oceanfront properties on the east side of Ocean Front Avenue. These properties were sold at higher prices initially due to their views of the ocean and immediate beach access. According to the NRHP nomination,

“Cavalier Shores began the trend of oceanfront private residence construction that would continue up the north shore of the beach over the ensuing decades” (Taylor 2018).

The district has a maritime setting. Its ocean views are a character-defining feature, particularly for the eastern properties, but views of the ocean from elevated points farther inland are also possible. The King Neptune Statue/Boardwalk KOP (KOP Field ID 22 in COP, Appendix I-1; Dominion Energy 2023b) represents unobstructed views to the nearest Project component, which is 27.9 miles (44.9 kilometers) east of the property. Another representative KOP is the North End Beach—Residential Beach 1 KOP (KOP Field ID 15a and 15b in COP, Appendix I-1; Dominion Energy 2023b), which represents views from a similar residential area to the nearest Project component, located 28.1 miles (45.2 kilometers) east of the KOP. From both of these KOPs, views toward the Project would be unobstructed. The introduction of these modern elements into the setting would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the district’s integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting are character-defining features of the district. They contribute to its significance because they were integral considerations in the community and landscape designs of the district. Specifically, for the oceanfront properties in the district, the unobstructed views toward the ocean and access to the beach immediately adjacent to the rear of the properties are significant parts of their design. This view increased their historic value. The introduction of modern elements would interfere with the historically and currently unadulterated ocean viewscape visible from the eastern edge of the district. Therefore, the Project would result in an adverse effect on the Cavalier Shores Historic District.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 28.1 miles (45.2 kilometers) from the nearest WTG associated with the Project and 27.2 miles (43.8 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 149; 147 theoretically visible WTGs (98.7 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.5 Chesapeake Bay Bridge-Tunnel, Northampton County and Virginia Beach, Virginia

The Chesapeake Bay Bridge-Tunnel (DHR ID: 065-0167) spans 17.6 miles (28.3 kilometers) across Chesapeake Bay, from Cape Charles, Northampton County to Virginia Beach. The bridge includes 12 miles (19 kilometers) with a low-level trestle, two tunnels, two bridges, causeways, and four human-made islands. The bridge is eligible for listing in the NRHP under Criteria A and C for significance in the areas of Transportation and Engineering (COP, Appendix H-1; Dominion Energy 2023b). By nature of its purpose and function, the Chesapeake Bay Bridge-Tunnel has a maritime setting and ocean views along much of the bridge. The ocean views create a scenic crossing, with the bridge as a tourist attraction. A scenic overlook on the north end of the structure faces toward the bay, but the open ocean surrounds the bridge and is part of its setting.

For the majority of the bridge crossing, ocean views are unobscured. The bridge landfall and tunnel access areas have more restricted views due to the presence of vegetation and structures, and the curve of land of Virginia Beach obstructs eastern ocean views at the southern end of the bridge. The Cape Henry Lighthouse/Fort Story Military Base KOP (KOP Field ID 13 in COP, Appendix I-1; Dominion Energy

2023b) represents views to the nearest Project component, which is 29.1 miles (46.8 kilometers) east of the property. This KOP represents a view from the southern portion of the bridge to the area northwest of the KOP, with more limited views of Offshore Project components due to the presence of land. The taller central sections of the bridge would have more expansive views toward the Project because there would be no intervening land masses. The introduction of modern elements into the setting of the bridge would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the bridge's integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. Wide ocean views from much of the bridge and a maritime setting are character-defining features of the bridge. The bridge, by design and purpose, requires a maritime setting and takes advantage of the views along the crossing to provide a unique scenic experience for those crossing and visiting. The introduction of modern elements would interfere with the historically and currently unadulterated ocean viewscape visible from the bridge. Therefore, the Project would result in an adverse effect on the Chesapeake Bay Bridge-Tunnel.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 29.2 miles (47.0 kilometers) from the nearest WTG associated with the Project and 56.5 miles (90.9 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 207; 205 theoretically visible WTGs (99.0 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.6 Chesapeake Light Tower, Virginia Beach, Virginia

The Chesapeake Light Tower (DHR ID: 134-5301) is considered eligible for listing in the NRHP by the Virginia SHPO under Criterion C as an example of a Texas Tower, a prefabricated light station utilized in open ocean conditions in water greater than 30 feet (9 meters). Because the Light Tower is situated offshore, it has clear views of the ocean in all directions. It is inexorably linked to its ocean setting and ocean views due to its historic function as a navigational aid associated with maritime and offshore transportation practices (COP, Appendix H-1; Dominion Energy 2023b).

Although there are no KOPs in the VIA that represent the views from the Light Tower toward the Project, the location of the property in open water would mean that views toward the Project would be unobstructed from sea-level and elevated viewpoints on the tower. The introduction of modern elements into the ocean setting, only 13 miles (21 kilometers) from the property, would draw the attention of viewers due to size of the WTGs at that distance, the movement of the blades, and the contrast of the WTGs along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

The Project would not affect the integrity of location, workmanship, design, and materials. However, the integrity of setting, feeling, and association of the Chesapeake Light Tower would be diminished. The unobstructed 360-degree views of open ocean water are character-defining features of the property that contribute to its significance because they were integral to the placement, design, and function. The introduction of modern elements would interfere with the historically and currently unadulterated ocean viewscape surrounding the property. Therefore, the Project would result in an adverse effect on the Chesapeake Light Tower.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 13 miles (21 kilometers) from the nearest WTG associated

with the Project and 37.2 miles (59.9 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 274; 205 theoretically visible WTGs (74.8 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.7 Currituck Beach Lighthouse, Corolla, North Carolina

The Currituck Beach Lighthouse and Lighthouse Complex (North Carolina SHPO ID: CK0001, CK0106) is listed in the NRHP in the areas of Commerce, Transportation, and Architecture (COP, Appendix H-1; Dominion Energy 2023b). The lighthouse was constructed between the Atlantic Ocean and Currituck Sound and provided guidance for ships navigating the region to prevent shipwrecks. Unobstructed ocean views within a maritime setting were required for the lighthouse's historic function. The lighthouse is reliant on its maritime setting and views of the ocean for its historic significance.

Although ground-level ocean views are obstructed by vegetation, the lighthouse has clear, wide views of the ocean from the top of the 162-foot (49-meter) tower. The Currituck Beach Lighthouse KOP (KOP Field ID 48 in COP, Appendix I-1; Dominion Energy 2023b) represents views to the nearest Project component, which is 36.8 miles (59.2 kilometers) northeast of the property. From this KOP, views toward the Project would be unobstructed from elevated viewpoints. The introduction of modern elements into the setting of the lighthouse would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the lighthouse's integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement, design, and historic function of the lighthouse. The introduction of modern elements would interfere with the historically and currently unobstructed ocean viewscape. Therefore, the Project would result in an adverse effect on the Currituck Beach Lighthouse.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 36.86 miles (59.32 kilometers) from the nearest WTG associated with the Project and 28.34 miles (45.61 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 264; 192 theoretically visible WTGs (72.7 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.8 Cutty Sark Motel Efficiencies, Virginia Beach, Virginia

During the post–World War II period of economic growth and development, the hotel and resort business grew to meet demand from increasing numbers of middle-class tourists. The boom altered the Atlantic shoreline in Virginia Beach as new hotels and motels were constructed during the mid-twentieth century. As documented in the *National Register of Historic Places Multiple Property Listing: Virginia Beach Oceanfront Resort Motels and Hotels* (McClane and Kirchen 2020), many of these new hotels reflected streamlined modern architecture. These were constructed within a period of significance from 1955 to 1970. Virginia Beach has approximately 3.5 miles (5.6 kilometers) of resort ocean frontage; buildings were constructed close to the ocean and beach to take advantage of the views, beach access, and Virginia

Beach Boardwalk. Therefore, the maritime setting was of primary consideration for these types of properties. Unobstructed ocean views were also character-defining features, particularly from the rooms facing east. Many hotels and motels were designed to take advantage of and maximize these views (McClane and Kirchen 2020). The Cutty Sark Motel Efficiencies property (DHR ID: 134-5866) is an example of one such property. It is oriented to the east, toward Atlantic Avenue, with private balconies that offered direct ocean views for visitors. In 1970, the hotel faced an empty lot between it and the beach, meaning it had direct ocean views during the period of significance (Nationwide Environmental Title Research [NETR] 1970). It is listed on the NRHP as an example of a small family-operated motel from this period. It still retains many of its character-defining features, including massing, Modern-inspired architectural details, and private balconies (COP, Appendix H-1; Dominion Energy 2023b).

Today, ocean views from the Cutty Sark are largely obscured by the taller Edgewater Condominiums building across from the motel on the west side of Atlantic Avenue. The condominium building is directly between the Cutty Sark and the ocean. Some ocean views may still be possible from the northwest corner balconies and rooms of the motel. The King Neptune Statue/Boardwalk KOP (KOP Field ID 22 in COP, Appendix I-1; Dominion Energy 2023b) represents unobstructed views to the nearest Project component, which is 27.9 miles (44.9 kilometers) east of the property. From the statue, which is inside Neptune's Park, views toward the Project would be unobstructed. Therefore, the introduction of modern elements into the setting of the boardwalk would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

Ocean views and a maritime setting are character-defining features of the Cutty Sark Motel Efficiencies that contribute to its significance because they were integral considerations in the placement, design, and historic function of the property. The integrity of location, workmanship, design, and materials for the Cutty Sark would not be affected by the Project. The setting is already somewhat diminished due to the large condominium building that now stands between the motel and ocean; however, quick access to the beach and boardwalk, as well as unobstructed ocean views, is still possible. With the Project, the motel's integrity of setting, feeling, and association would be further diminished due to the introduction of modern elements that would interfere with the historically and currently unobstructed ocean viewscape. Therefore, the Project would result in an adverse effect on the Cutty Sark Motel Efficiencies.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 28.0 miles (45.1 kilometers) from the nearest WTG associated with the Project and 45.12 miles (72.61 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 215; 205 theoretically visible WTGs (95.3 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.9 Econo Lodge/Empress Motel, Virginia Beach, Virginia

As described in the Section O.3.1.3.8, the Econo Lodge/Empress Motel (DHR ID: 134-5869) was constructed within the historic context documented and described in the *National Register of Historic Places Multiple Property Listing: Virginia Beach Oceanfront Resort Motels and Hotels* (McClane and Kirchen 2020). It is considered NRHP eligible as an intact example of a resort motel from the mid-twentieth century (McClane and Kirchen 2020). It retains many of its character-defining features, including massing and oceanfront balconies (COP, Appendix H-1; Dominion Energy 2023b). The lodge is oriented to the west, toward Atlantic Avenue, but enjoys unobstructed ocean views from the entire east elevation, which faces the Virginia Beach Boardwalk and ocean beyond.

Today, ocean views from the Econo Lodge/Empress Motel remain unobscured. The lodge has been surrounded by larger, newer hotels and commercial structures on the north, west, and south sides, but the east elevation still faces the ocean. The view from here does not include any modern structures. The King Neptune Statue/Boardwalk KOP (KOP Field ID 22 in COP, Appendix I-1; Dominion Energy 2023b) represents unobstructed views to the nearest Project component, which is 27.9 miles (44.9 kilometers) east of the property. From this KOP, views toward the Project would be unobstructed. The introduction of modern elements into the setting of the boardwalk would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

Ocean views and a maritime setting are character-defining features of the Econo Lodge/Empress Motel that contribute to its significance. The lodge was strategically placed and designed to take full advantage of these views within a beachside setting. The integrity of location, workmanship, design, and materials for the lodge would not be affected by the Project. However, the lodge's integrity of setting, feeling, and association would be diminished as a result of the Project due to the introduction of modern elements that would interfere with the historically and currently unobstructed ocean viewscape. Therefore, the Project would result in an adverse effect on the Econo Lodge/Empress Motel.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 27.9 miles (44.9 kilometers) from the nearest WTG associated with the Project and 45.12 miles (72.61 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 243; 205 theoretically visible WTGs (84.4 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.10 First Cape Henry Lighthouse (NHL), Fort Story, and Virginia Beach, Virginia

The First Cape Henry Lighthouse NHL (DHR ID: 134-0660) was listed as an NHL in 1964, in the NRHP in 1966, and in the Virginia Landmarks Register under Criteria A and C (COP, Appendix H-1; Dominion Energy 2023b). The lighthouse was built on a dune directly along the ocean coastline. Unobstructed ocean views were required for the lighthouse's historic function. It is reliant on its maritime setting and views to the ocean for its NRHP and NHL significance.

Currently, the lighthouse has full unobstructed views of the ocean from the top of the 72-foot (22-meter) tower. Ground-level ocean views are obstructed by vegetation that crowds the base of the lighthouse. The Cape Henry Lighthouse/Fort Story Military Base KOP (KOP Field ID 13 in COP, Appendix I-1; Dominion Energy 2023b) represents views to the nearest Project component, which is 29.1 miles (46.8 kilometers) east of the property. Although there is vegetation at the ground level along the shoreline of the district, views toward the Project would be unobstructed, particularly from elevated viewpoints. The introduction of modern elements into the setting of the NHL would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the NHL's integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting are character-defining features of the property that contribute to its significance. They were integral considerations in the placement, design, and historic function of the lighthouse. The introduction of modern elements would interfere with the historically and currently

unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect on the First Cape Henry Lighthouse NHL.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 29.12 miles (46.86 kilometers) from the nearest WTG associated with the Project and 49.43 miles (79.55 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 223; 205 theoretically visible WTGs (91.9 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.11 Fort Story Historic District, Fort Story, and Virginia Beach, Virginia

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 Fort Story Historic District is part of the Joint Expeditionary Base Little Creek-Fort Story. The fort was constructed along the ocean coastline, with unobstructed ocean views; it is bounded on the east and north by the Atlantic Ocean and Chesapeake Bay. The maritime setting and ocean views are character-defining features of the district that were part of its historic function and significance. An individually eligible historic property, Building 591/Old Fort Story Railroad Depot (DHR ID: 134-0660-0041/134-0082) is located within the Fort Story Historic District boundary, but it does not contribute to the district's NRHP eligibility (Dutton + Associates, LLC 2012).

Currently, there are multiple locations along the coastline within the district that have unobstructed ocean views. The Cape Henry Lighthouse/Fort Story Military Base KOP (KOP Field ID 13 in COP, Appendix I-1; Dominion Energy 2023b) represents views to the nearest Project component, which is 29.1 miles (46.8 kilometers) east of the property. Although there is vegetation at the ground level along portions of the district's shoreline, views toward the Project would be unobstructed, particularly from elevated viewpoints throughout the district. The introduction of modern elements into the setting of the district would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the district's integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting were integral considerations in the placement, design, and historic function of Fort Story. The introduction of modern elements would interfere with the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect on the Fort Story Historic District.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 29.12 miles (46.86 kilometers) from the nearest WTG associated with the Project and 49.43 miles (79.55 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 216; 205 theoretically visible WTGs (94.9 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.12 Hilton Washington Inn/Quality Inn and Suites, Virginia Beach, Virginia

As described in the Section O.3.1.3.8, the Hilton Washington Inn/Quality Inn and Suites (DHR ID: 134-5863) was constructed within the historic context documented and described in the *National Register of Historic Places Multiple Property Listing: Virginia Beach Oceanfront Resort Motels and Hotels* (McClane and Kirchen 2020). It is considered NRHP eligible in the Multiple Property Listing as an intact example of a resort motel from the mid-twentieth century—specifically, it represents the arrival of national hotel chains in Virginia Beach, circa 1970 (McClane and Kirchen 2020). It retains many of its character-defining features, including massing, architectural details, semi-circular oceanfront rooms, and private balconies (COP, Appendix H-1; Dominion Energy 2023b). The hotel sits on the west side of Atlantic Avenue. Its semi-circular design allowed rooms and balconies on three sides of the building to have direct ocean views, which are unobscured because the interior curve of the hotel faces the beach.

Today, ocean views from the Hilton Washington Inn/Quality Inn and Suites remain unobscured. The Marriott Virginia Beach Oceanfront Hotel KOP (KOP Field ID 26 in COP, Appendix I-1; Dominion Energy 2023b) represents elevated views to the nearest Project component, which is 28 miles (45 kilometers) to the east. The views may be similar to those from the upper floors of the inn. From the Marriott, views toward the Project would be unobstructed. The Grommet Island Park/Boardwalk KOP (KOP Field ID 29 in COP, Appendix I-1; Dominion Energy 2023b) is geographically closer to the inn than the Marriott KOP and represents views to the nearest Project component, which is 27.7 miles (44.6 kilometers) to the east. The introduction of modern elements into the maritime setting of the inn would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

Ocean views and a maritime setting are character-defining features of the Hilton Washington Inn/Quality Inn and Suites that contribute to its significance. The unique design of the inn enhances eastern ocean views from the private rooms and balconies. The inn was built on a lot where the views would be unobstructed and the beach would be readily accessible. The Project would not affect the integrity of location, workmanship, design, and materials for the inn. However, the integrity of setting, feeling, and association would be diminished due to the introduction of modern elements that would interfere with the historically and currently unobstructed ocean viewscape. Therefore, the Project would result in an adverse effect on the Hilton Washington Inn/Quality Inn and Suites.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 27.7 miles (44.6 kilometers) from the nearest WTG associated with the Project and 44.0 miles (70.8 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 229; 205 theoretically visible WTGs (89.5 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.13 House (100 54th Street), Virginia Beach, Virginia

The house at 100 54th Street in Virginia Beach, Virginia (DHR ID: 134-5660) is potentially eligible for the NRHP under Criterion A as an example of oceanfront urban development in Virginia Beach in the mid-twentieth century (COP, Appendix H-1; Dominion Energy 2023b). The property is oriented to the west, toward 54th Street, but has unobstructed ocean views from the rear elevation. The location of the property enables inhabitants to enjoy ocean views and have direct access to the beach; thus, the maritime setting is key to its significance.

Currently, the house has unobstructed views of the ocean from the rear elevation and yard. The North End Beach—Residential Beach 1 KOP (KOP Field ID 15a and 15b in COP, Appendix I-1; Dominion Energy 2023b) represents views from the approximate location of this property to the nearest Project component, which is 28.1 miles (45.2 kilometers) east of the KOP. From this KOP, views toward the Project would be unobstructed. The introduction of these modern elements into the setting would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the property's integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and the beachside or maritime setting are character-defining features of the property. They 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 the historically and currently unadulterated ocean viewscape visible from the house and the beach. Therefore, the Project would result in an adverse effect on the house at 100 54th Street.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 28.15 miles (45.30 kilometers) from the nearest WTG associated with the Project and 46.46 miles (74.77 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 207; 205 theoretically visible WTGs (99.0 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.14 House (4910 Ocean Front Avenue), Virginia Beach, Virginia

The house at 4910 Ocean Front Avenue in Virginia Beach, Virginia (DHR ID: 134-5399), is potentially eligible for the NRHP under Criterion A as an example of beachfront urban development in Virginia Beach in the early twentieth century. It is also eligible for the NRHP under Criterion C as an example of the Shingle style of architecture (COP, Appendix H-1; Dominion Energy 2023b). The property is oriented to the west, toward Ocean Front Avenue, but has unobstructed ocean views from the two-story porch on the rear elevation. The location of the property enables inhabitants to enjoy ocean views and have direct access to the beach; thus, the maritime setting is key to its significance.

Currently, the only obstruction between the house and the ocean is a low fence that borders the property. The North End Beach—Residential Beach 1 KOP (KOP Field ID 15a and 15b in COP, Appendix I-1; Dominion Energy 2023b) represents views from the approximate location of this property to the nearest Project component, which is 28.1 miles (45.2 kilometers) east of the KOP. From this KOP, views toward the Project would be unobstructed. The introduction of these modern elements into the setting would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the property's integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting are character-defining features of the property. They 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 the historically and currently unadulterated ocean viewscape visible from the house and the beach. Therefore, the Project would result in an adverse effect on the house at 4910 Ocean Front Avenue.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 28.1 miles (45.2 kilometers) from the nearest WTG associated with the Project and 46.28 miles (74.48 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 207; 205 theoretically visible WTGs (99.0 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.15 House (5302 Ocean Front Avenue), Virginia Beach, Virginia

The house at 5302 Ocean Front Avenue in Virginia Beach, Virginia (DHR ID: 134-5665), is potentially eligible for the NRHP under Criterion A as an example of early twentieth century oceanfront urban development in Virginia Beach (COP, Appendix H-1; Dominion Energy 2023b). The property is oriented to the west, toward Ocean Front Avenue, but has unobstructed ocean views from the rear elevation. The location of the property enables inhabitants to enjoy ocean views and have direct access to the beach; thus, the maritime setting is key to its significance.

Currently, the house has unobstructed views of the ocean from the rear elevation and yard. The North End Beach—Residential Beach 1 KOP (KOP Field ID 15a and 15b in COP, Appendix I-1; Dominion Energy 2023b) represents views from the approximate location of this property to the nearest Project component, which is 28.1 miles (45.2 kilometers) east of the KOP. From this KOP, views toward the Project would be unobstructed. The introduction of these modern elements into the setting would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the property’s integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting are character-defining features of the property. They 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 the historically and currently unadulterated ocean viewscape visible from the house and the beach. Therefore, the Project would result in an adverse effect on the house at 5302 Ocean Front Avenue.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 28.17 miles (45.34 kilometers) from the nearest WTG associated with the Project and 46.42 miles (74.71 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 207; 205 theoretically visible WTGs (99.0 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.16 House (7900 Ocean Front Avenue), Virginia Beach, Virginia

The house at 7900 Ocean Front Avenue in Virginia Beach, Virginia (DHR ID: 134-0587), is potentially eligible for the NRHP under Criterion A as an example of early twentieth century oceanfront urban development in Virginia Beach. It is also eligible for the NRHP under Criterion C under Architecture (COP, Appendix H-1; Dominion Energy 2023b). The property is oriented to the west, toward Ocean Front Avenue, at the cul-de-sac created by the perpendicular 79th Street. The property is surrounded by tall trees but has ocean views from the rear elevation. A second-story porch allows wide views toward the

ocean. The location of the property enables inhabitants to enjoy ocean views and have direct access to the beach; thus, the maritime setting is key to its significance.

Currently, the house has views of the ocean from the rear elevation and yard; the views may be partially obstructed by the tall vegetation that borders the eastern edge of the property. The property is located between the North End Beach—Residential Beach 1 KOP (KOP Field ID 15a and 15b in COP, Appendix I-1; Dominion Energy 2023b) and Cape Henry Lighthouse/Fort Story Military Base (KOP Field ID 13 in COP, Appendix I-1; Dominion Energy 2023b). The North End Beach KOP represents views to the nearest Project component, which is 28.1 miles (45.2 kilometers) east of the KOP. The Cape Henry Lighthouse/Fort Story Military Base KOP also represents views to the nearest Project component, which is 29.1 miles (46.8 kilometers) east of the KOP. Although there is vegetation at the ground level along the shoreline of the Cape Henry Lighthouse/Fort Story Military Base KOP, from both KOPs, views toward the Project would be unobstructed, particularly from elevated viewpoints, such as the lighthouses. The introduction of modern elements into the setting of this property would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the property’s integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting are character-defining features of the property. They 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 the historically and currently unadulterated ocean viewscape visible from the house. Therefore, the Project would result in an adverse effect on the house at 7900 Ocean Front Avenue.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 28.3 miles (45.5 kilometers) from the nearest WTG associated with the Project and 47.6 miles (76.6 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 207; 205 theoretically visible WTGs (99.0 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.17 House (8304–8306 Ocean Front Avenue), Virginia Beach, Virginia

This property consists of three lots at 8304–8306 Ocean Front Avenue in Virginia Beach, Virginia (DHR ID: 134-5089). The property is also referred to as “Sandswept” in the Virginia Beach Register and eligible for the NRHP under Criterion C as an example of mid-twentieth century International style architecture (COP, Appendix H-1; Dominion Energy 2023b). The property is oriented to the west between two cul-de-sacs created by Ocean Front Avenue. The property is surrounded by tall trees but has direct beach access and ocean views from the rear elevations and yard. Elevated porches on the buildings provide views toward the ocean over the sand dune that runs along the east boundary of the property. The location of the property enables inhabitants to enjoy ocean views and have direct access to the beach; thus, the maritime setting is key to its significance.

Currently, the property has views of the ocean from the rear elevation and yard; the views may be partially obstructed by tall vegetation and a low sand dune. The property is located between the North End Beach—Residential Beach 1 KOP (KOP Field ID 15a and 15b in COP, Appendix I-1; Dominion Energy 2023b) and Cape Henry Lighthouse/Fort Story Military Base (KOP Field ID 13 in COP, Appendix I-1; Dominion Energy 2023b). The North End Beach KOP represents views to the nearest

Project component, which is 28.1 miles (45.2 kilometers) east of the KOP. The Cape Henry Lighthouse/Fort Story Military Base KOP also represents views to the nearest Project component, which is 29.1 miles (46.8 kilometers) east of the KOP. Although there is vegetation at the ground level along the shoreline of the Cape Henry Lighthouse/Fort Story Military Base KOP, from both KOPs, views toward the Project would be unobstructed, particularly from elevated viewpoints, such as the lighthouses. The introduction of modern elements into the setting of this property would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the property's integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting are character-defining features of the property. They 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 the historically and currently unadulterated ocean viewscape visible from the house. Therefore, the Project would result in an adverse effect on the house at 8304–8306 Ocean Front Avenue.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 28.37 miles (45.66 kilometers) from the nearest WTG associated with the Project and 48 miles (77 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 207; 205 theoretically visible WTGs (99.0 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.18 House (8600 Ocean Front Avenue), Virginia Beach, Virginia

The house at 8600 Ocean Front Avenue in Virginia Beach, Virginia (DHR ID: 134-5493), is also referred to as the Faulkner House in the Virginia Beach Register. It is eligible for the NRHP under Criterion A as an example of early twentieth century oceanfront urban development in Virginia Beach (COP, Appendix H-1; Dominion Energy 2023b). The property is located at the eastern end of 86th Street but may be oriented toward Ocean Front Avenue; tall trees obscure the south and west elevations. The trees surround the property on all sides. The property has direct beach access and ocean views from the rear elevations and a beach walkway leading from 86th Street to the beach. Elevated views toward the ocean are possible from the rear elevation of the house. The location of the property enables inhabitants to enjoy ocean views and have direct access to the beach; thus, the maritime setting is key to its significance.

Currently, the property has partially obscured views of the ocean from the rear elevation; these views are very likely less obstructed during winter months. The property is located between the North End Beach—Residential Beach 1 KOP (KOP Field ID 15a and 15b in COP, Appendix I-1; Dominion Energy 2023b) and Cape Henry Lighthouse/Fort Story Military Base (KOP Field ID 13 in COP, Appendix I-1; Dominion Energy 2023b). The North End Beach KOP represents views to the nearest Project component, which is 28.1 miles (45.2 kilometers) east of the KOP. The Cape Henry Lighthouse/Fort Story Military Base KOP also represents views to the nearest Project component, which is 29.1 miles (46.8 kilometers) east of the KOP. Although there is vegetation at the ground level along the shoreline of the Cape Henry Lighthouse/Fort Story Military Base KOP, from both KOPs, views toward the Project would be unobstructed, particularly from elevated viewpoints, such as the lighthouses. The introduction of modern elements into the setting of this property would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the property's integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting are character-defining features of the property. They 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 the historically and currently unadulterated ocean viewscape visible from the house. Therefore, the Project would result in an adverse effect on the house at 8600 Ocean Front Avenue.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 28.52 miles (45.90 kilometers) from the nearest WTG associated with the Project and 48.15 miles (77.49 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 206; 204 theoretically visible WTGs (99.0 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.19 Oceans II Condominiums/Aeolus Motel, Virginia Beach, Virginia

As described in the Section O.3.1.3.8, the Oceans II Condominiums/Aeolus Motel (DHR ID: 134-5872) was constructed within the historic context documented and described in the *National Register of Historic Places Multiple Property Listing: Virginia Beach Oceanfront Resort Motels and Hotels* (McClane and Kirchen 2020). It is considered NRHP eligible in the Multiple Property Listing as the first Florida-style motel constructed in Virginia Beach in the mid-twentieth century (McClane and Kirchen 2020). It retains many of its character-defining features, including exterior walkways, flat roof, Modern-inspired architectural detailing, and balconies (COP, Appendix H-1; Dominion Energy 2023b). The hotel sits on the west side of Atlantic Avenue. A long row of rooms faces east and toward the ocean; there are no intervening structures to block these views. From the south elevation and pool area, views of the ocean are also available.

Today, ocean views from the Oceans II Condominiums/Aeolus Motel remain unobscured. The Marriott Virginia Beach Oceanfront Hotel KOP (KOP Field ID 26 in COP, Appendix I-1; Dominion Energy 2023b) represents elevated views to the nearest Project component, which is 28 miles (45 kilometers) to the east. From the Marriott, views toward the Project would be unobstructed; views from the Oceans II Condominiums/Aeolus Motel would be similar. The introduction of modern elements into the maritime setting of the property would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

Ocean views and a maritime setting are character-defining features of the Oceans II Condominiums/Aeolus Motel that contribute to its significance. The property was built on a lot where views would be unobstructed and the beach would be readily accessible, taking full advantage of the ocean views that would be available from the private rooms, balconies, and pool area. The Project would not affect the integrity of location, workmanship, design, and materials for the property. However, the integrity of setting, feeling, and association would be diminished due to the introduction of modern elements that would interfere with the historically and currently unobstructed ocean viewscape. Therefore, the Project would result in an adverse effect on the Oceans II Condominiums/Aeolus Motel.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 28 miles (45 kilometers) from the nearest WTG associated with the Project and 45.67 miles (73.49 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this

property is 215; 205 theoretically visible WTGs (95.3 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.20 Sandbridge Historic District, Virginia Beach, Virginia

A formal consideration of the district is planned for 2030. However, the proposed Sandbridge Historic District (DHR ID: Unassigned) is considered potentially eligible for the NRHP for the purposes of this Project. Specifically, it is considered eligible as one of Virginia Beach’s last planned communities with beachfront access and limited commercial development during the mid-twentieth century. According to the HRVEA, “Sandbridge is a physically isolated seaside residential community distinguished by its beach front and ocean orientation” (COP, Appendix H-1; Dominion Energy 2023b). It consists of single-family residential lots developed in a dense grid pattern and approximately 4.5 miles (7.2 kilometers) of oceanfront, according to the proposed delineation for this Project (COP, Appendix H-1; Dominion Energy 2023b).

Many of the residential structures associated with the Sandbridge Historic District are oriented toward the beach and ocean. A long stretch of lots on the eastern boundary have direct ocean views and beach access. Ocean views may also be possible from elevated stories on more inland structures. The Back Bay National Wildlife Refuge/Little Island Park (KOP Field ID 44 in COP, Appendix I-1; Dominion Energy 2023b) is near or within the southern portion of the district as currently proposed. This KOP represents unobstructed views to the nearest Project component, which is 26.8 miles (43.1 kilometers) to the east. From this KOP, inland views would be partially obscured by structures and vegetation, but views toward the Project from the beach area would be unobstructed. Therefore, the introduction of modern elements into the setting would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

Ocean views and a maritime setting are character-defining features of the proposed Sandbridge Historic District that contribute to its significance. The community was intentionally designed and located in an area where unobstructed ocean views could be enjoyed by residents. The Project would not affect the integrity of location, workmanship, design, and materials for the property. However, the integrity of setting, feeling, and association would be diminished due to the introduction of modern elements that would interfere with the historically and currently unobstructed ocean viewscape. Therefore, the Project would result in an adverse effect on the proposed Sandbridge Historic District.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 26.9 miles (43.3 kilometers) from the nearest WTG associated with the Project and 36.5 miles (58.7 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 249; 203 theoretically visible WTGs (81.5 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.21 Seahawk Motel, Virginia Beach, Virginia

As described in the Section O.3.1.3.8, the Seahawk Motel (DHR ID: 134-5857) was constructed within the historic context documented and described in the *National Register of Historic Places Multiple Property Listing: Virginia Beach Oceanfront Resort Motels and Hotels* (McClane and Kirchen 2020). It is considered NRHP eligible as a motel constructed in Virginia Beach in the mid-twentieth century

(McClane and Kirchen 2020). It retains many of its character-defining features, including oceanfront balconies, window wall, pool, and terrace. The hotel advertised 100 percent oceanfront rooms, confirming that ocean views were a significant amenity that attracted visitors (COP, Appendix H-1; Dominion Energy 2023b).

The motel is set on the west side of Atlantic Avenue. There are no intervening structures to block the ocean views from the rooms and balconies on the eastern elevation. The Naval Aviation Monument Park KOP (KOP Field ID 23 in COP, Appendix I-1; Dominion Energy 2023b) represents unobstructed views to the nearest Project component, which is 27.9 miles (44.9 kilometers) east of the property. From this KOP, views toward the Project would be unobstructed. Therefore, the introduction of modern elements into the setting here would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

Ocean views and a maritime setting are character-defining features of the Seahawk Motel that contribute to its significance. The property was built on lots where views would be unobstructed and where the beach would be readily accessible. The property takes full advantage of the ocean views from the rooms and balconies. The Project would not affect the integrity of location, workmanship, design, and materials for the property. However, the integrity of setting, feeling, and association would be diminished due to the introduction of modern elements that would interfere with the historically and currently unobstructed ocean viewscape. Therefore, the Project would result in an adverse effect on the Seahawk Motel.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 27.97 miles (45.01 kilometers) from the nearest WTG associated with the Project and 45.0 miles (72.4 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 225; 205 theoretically visible WTGs (91.1 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.22 Seatack Lifesaving Station/U.S. Coast Guard Station, Virginia Beach, Virginia

The Seatack Lifesaving Station/U.S. Coast Guard Station (DHR ID: 134-0047) was listed in the NRHP in 1979 under Criteria A and C in the areas of Maritime History and Architecture. As a lifesaving station and, later, a Coast Guard station, the property required a maritime setting for its construction and operation. The property was reliant on views of the ocean to function. Therefore, it is oriented toward the Atlantic Ocean and has unobstructed ocean views, which are enhanced by the height of the tower (COP, Appendix H-1; Dominion Energy 2023b).

Currently, the property retains its maritime setting, though this has been diminished by the commercial development surrounding it. It also retains ocean views because there are no structures between the property and beach. The Naval Aviation Monument Park KOP (KOP Field ID 23 in COP, Appendix I-1; Dominion Energy 2023b) represents views to the nearest Project component, which is 27.9 miles (44.9 kilometers) east of the property. From the slightly elevated park, views toward the Project would be unobstructed, particularly from elevated viewpoints. The introduction of modern elements into the setting of the lighthouse would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the station's integrity of setting, feeling, and association would be further diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed

ocean views and maritime setting are character-defining features of the property and were essential to the placement, design, and historic function of the station. The introduction of modern elements would interfere with the historic ocean viewscape. Therefore, the Project would result in an adverse effect on the Seatack Lifesaving Station/U.S. Coast Guard Station.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 27.8 miles (44.7 kilometers) from the nearest WTG associated with the Project and 44.9 miles (72.3 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 220; 205 theoretically visible WTGs (93.2 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.23 Second Cape Henry Lighthouse, Fort Story, and Virginia Beach, Virginia

The Second Cape Henry Lighthouse (DHR ID: 134-0079/114-5250) is listed in the NRHP under Criteria A and C in the areas of Maritime History, Transportation, and Architecture (COP, Appendix H-1; Dominion Energy 2023b). The lighthouse was built on a hill near the First Cape Henry Lighthouse, directly along the ocean coastline. Unobstructed ocean views were required for the lighthouse's historic function. The lighthouse is reliant on its maritime setting and views of the ocean for its historic significance.

Currently, the lighthouse has full, unobstructed views of the ocean from the top of the 163-foot (50-meter) tower. Ground-level ocean views are obstructed by vegetation and buildings. The Cape Henry Lighthouse/Fort Story Military Base KOP (KOP Field ID 13 in COP, Appendix I-1; Dominion Energy 2023b) represents views to the nearest Project component, which is 29.1 miles (46.8 kilometers) east of the property. Although there is vegetation at the ground level along the shoreline of the district, views toward the Project would be unobstructed, particularly from elevated viewpoints. The introduction of modern elements into the setting of the lighthouse property would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

With the Project, the lighthouse's integrity of setting, feeling, and association would be diminished. The integrity of location, workmanship, design, and materials would not be affected. The unobstructed ocean views and maritime setting are character-defining features of the property that contribute to its significance because they were integral considerations in the placement, design, and historic function of the lighthouse. The introduction of modern elements would interfere with the historically and currently unadulterated ocean viewscape. Therefore, the Project would result in an adverse effect on the Second Cape Henry Lighthouse.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 29.08 miles (45.80 kilometers) from the nearest WTG associated with the Project and 49.43 miles (79.55 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 228; 205 theoretically visible WTGs (89.9 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.3.24 Virginia House, Virginia Beach, Virginia

As described in the Section O.3.1.3.8, the Virginia House (DHR ID: 134-5865) was constructed within the historic context documented and described in the *National Register of Historic Places Multiple Property Listing: Virginia Beach Oceanfront Resort Motels and Hotels* (McClane and Kirchen 2020). However, it was not considered NRHP eligible in the Multiple Property Listing because it was not built originally or primarily to accommodate summer tourists (McClane and Kirchen 2020). It is considered potentially eligible for the purposes of this Project as a recreational lodging resource with a historic maritime setting; today the property is used for condominiums (COP, Appendix H-1; Dominion Energy 2023b). Virginia House is set on the west side of Atlantic Avenue. Its unique Y-shaped design mirrors that of the nearby Cavalier Hotel, which is only a few blocks to the north. This design maximized ocean views from the private rooms and balconies.

Ground-level and lower-story views toward the ocean from the Virginia House are obscured by the Holiday Inn Virginia Beach. Elevated views are very likely at least partially obscured by the Holiday Inn and the 3800 Oceanfront property, both of which sit on the east side of Atlantic Avenue between the Virginia House and the ocean. The Marriott Virginia Beach Oceanfront Hotel KOP (KOP Field ID 26 in COP, Appendix I-1; Dominion Energy 2023b) represents views from the approximate location of the Virginia House to the nearest Project component, which is 28 miles (45 kilometers) to the east. From here, views toward the Project would be unobstructed. The introduction of these modern elements into the setting would draw the attention of viewers due to the movement of the blades and the contrast of the thin white lines along the horizon (COP, Appendix I-1; Dominion Energy 2023b).

Ocean views and a maritime setting are character-defining features of the Virginia House that contribute to its significance. They were integral to the design, placement, and historic amenities associated with the property. The property takes full advantage of the ocean views from the rooms and balconies. The Project would not affect the integrity of location, workmanship, design, and materials for the property. However, the integrity of setting, feeling, and association would be diminished due to the introduction of modern elements that would interfere with the historically and currently unobstructed ocean viewscape. Therefore, the Project would result in an adverse effect on the Virginia House.

As described in the *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*, this property is 27.9 miles (44.9 kilometers) from the nearest WTG associated with the Project and 45.12 miles (72.61 kilometers) from the nearest potential WTG location for other offshore wind energy development activities. The total number of theoretically visible WTGs from this property is 249; 205 theoretically visible WTGs (82.3 percent) would be visible from the proposed Project. As such, BOEM determined the Proposed Action would add to the cumulative visual effects on this property when combined with the effects of other past, present, or reasonably foreseeable future actions (BOEM 2022b).

O.3.1.4 Summary of Adversely Affected Historic Properties

O.3.1.4.1 Adverse Effects on Historic Properties in the Marine APE

BOEM has determined the undertaking would have no effect on the 31 marine archaeological resources and 6 ASLFs identified in or near the marine APE due to Dominion Energy's commitments to avoid effects on these historic properties.

O.3.1.4.2 Adverse Effects on Historic Properties in the Terrestrial APE

BOEM has determined the undertaking would have no adverse effect on the three terrestrial archaeological resources that are historic properties and no effect on one cemetery in the terrestrial APE

due to Dominion Energy’s commitments to avoid effects on the potentially intact portion of these resources. Additionally, BOEM has determined the undertaking would have a physical adverse effect on one aboveground historic property (i.e., Camp Pendleton/State Military Reservation Historic District).

O.3.1.4.3 Adverse Effects on Historic Properties in the Visual APE

Based on the information BOEM has available from the studies conducted to identify historic properties in the visual APE of the Project and the assessment of effects upon those properties determined in consultation with the consulting parties, BOEM has found that the Proposed Action would have direct visual adverse effects on 24 aboveground historic properties, including 1 NHL: the First Cape Henry Lighthouse (see Table O-7). The undertaking would affect the character of the properties’ settings that contributes to their historic significance by introducing visual elements that are out of character with the historic setting of the properties. BOEM did, however, determine that, due to the distance and open viewshed, the integrity of the properties would not be so diminished as to disqualify any of them for NRHP eligibility. The adverse effects on the viewshed of the aboveground historic properties would occur for approximately 33 years and would be unavoidable for reasons discussed in Section O.3.1.3, *Assessment of Effects on Historic Properties in the Visual APE*. Both this application of the Criteria of Adverse Effect and the determination that the effects would be direct are based on pertinent NRHP bulletins, subsequent clarification, and guidance from the National Park Service (NPS) and ACHP, along with other documentation, including professionally prepared viewshed assessments and computer-simulated photographs.

Where BOEM found adverse visual effects on historic properties in the visual APE for Offshore Project components (see Table O-7), BOEM also determined that the undertaking would cause cumulative visual effects (BOEM 2022b). Cumulative effects are additive effects. Where BOEM has determined adverse effects would occur from Offshore Project actions on historic properties, BOEM then assessed if those effects would add to the potential adverse effects of other reasonably foreseeable actions and thereby result in cumulative effects.

O.4. National Historic Landmarks and the NHPA Section 106 Process

The implementing regulations for Section 106 of the NHPA at 36 CFR 800.10 provide special requirements for protecting NHLs and complying with the NHPA Section 110(f). NHPA Section 110(f) applies specifically to NHLs. NPS, which administers the NHL program for the Secretary of the Interior, describes NHLs and requirements for NHLs as follows:

National Historic Landmarks (NHL) are designated by the Secretary under the authority of the Historic Sites Act of 1935, which authorizes the Secretary to identify historic and archaeological sites, buildings, and objects which “possess exceptional value as commemorating or illustrating the history of the United States” Section 110(f) of the NHPA requires that Federal agencies exercise a higher standard of care when considering undertakings that may directly and adversely affect NHLs. The law requires that agencies, “to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to such landmark.” In those cases when an agency’s undertaking directly and adversely affects an NHL, or when Federal permits, licenses, grants, and other programs and projects under its jurisdiction or carried out by a state or local government pursuant to a Federal delegation or approval so affect an NHL, the agency should consider all prudent and feasible alternatives to avoid an adverse effect on the NHL.

BOEM is implementing the special set of requirements for protecting NHLs and for compliance with NHPA Section 110(f) at 36 CFR 800.10, which, in summary:

- Requires the agency official, to the maximum extent possible, to undertake such planning and actions as may be necessary to minimize harm to any NHL that may be directly and adversely affected by an undertaking;
- Requires the agency official to request the participation of ACHP in any consultation conducted under 36 CFR 800.6 to resolve adverse effects on NHLs; and
- Directs the agency to notify the Secretary of the Interior of any consultation involving an NHL and invite the Secretary of the Interior to participate in consultation where there may be an adverse effect.

BOEM has planned and is taking action to avoid adverse effects on NHLs in accordance with NHPA 110(f) and pursuant to *The Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to the National Historic Preservation Act* (NPS 2021). The HRVEA identified two NHLs in the visual APE for the Project: First Cape Henry Lighthouse and Eyre Hall (COP, Appendix H-1; Dominion Energy 2023b). BOEM has determined that only one of the two NHLs in the visual APE, the First Cape Henry Lighthouse, would be adversely affected by the Project.

Eyre Hall is located approximately 3.5 miles west of the Atlantic Ocean in a heavily wooded landscape. BOEM has determined that there is no visibility to the Project from this location. Additionally, the resource is neither oriented towards the ocean nor does it have views to the ocean, and ocean views are not a character-defining feature of the resource's setting and do not contribute to its significance. Therefore, BOEM has determined that the Project would not result in an adverse effect on the property.

BOEM has notified the NPS (as the delegate of the Secretary of the Interior) and the ACHP of this determination with distribution of this Finding. The ACHP and NPS have been active consulting parties on the Project since BOEM invited them to consult at the initiation of the NHPA Section 106 process on the Project in 2021. BOEM is fulfilling its responsibilities to give a higher level of consideration to minimizing harm to NHLs, as required by NHPA Section 110(f), through implementation of the special requirements outlined at 36 CFR 800.10.

BOEM considered prudent and feasible alternatives to avoid adverse effects on the Cape Henry Lighthouse NHL, applying *The Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to the National Historic Preservation Act* (NPS 2013), which is presented by the NPS Federal Preservation Institute under Standard 4; as such:

Where such alternatives appear to require undue cost or to compromise the undertaking's goals and objectives, the agency must balance those goals and objectives with the intent of section 110(f). In doing so, the agency should consider:

- (1) The magnitude of the undertaking's harm to the historical, archaeological and cultural qualities of the NHL;
- (2) The public interest in the NHL and in the undertaking as proposed; and
- (3) The effect a mitigation action would have on meeting the goals and objectives of the undertaking.

BOEM considered three alternatives to the Proposed Action. Among these, Alternative B would consider the construction of up to 176 WTGs and 3 OSSs. Alternative C would remove up to 5 WTGs, resulting in up to 172 WTGs and 3 OSSs being constructed. Although both alternatives could lessen the visual effect of the wind farm on First Cape Henry Lighthouse due to a reduced number of WTGs, the overall visual

effect of the wind farm would still result in an adverse effect on the NHL. Therefore, the only alternative that BOEM was able to identify that avoids any Project effects was the No Action Alternative.

BOEM is taking action to minimize harm, as required by NHPA Section 110(f) at 36 CFR 800.10, to the First Cape Henry Lighthouse NHL. Descriptions of the actions to minimize or mitigate adverse effects will be discussed in greater detail in the attached MOA. Actions to minimize the visual adverse effects on First Cape Henry Lighthouse include using light grey paint on offshore structures (i.e., WTGs and OSSs) and a navigational lighting system (e.g., ADLS) that minimizes the visibility of the WTGs and OSSs. Implementation of a mitigation measure to resolve the visual adverse effects on First Cape Henry Lighthouse would be compensatory and consistent with the nature, scope, size, and magnitude of visual effects, including cumulative visual effects, caused by the undertaking.

O.5. Actions to Avoid, Minimize, or Mitigate Adverse Effects

BOEM has consulted with federally recognized tribes, SHPOs, the ACHP, and consulting parties to develop measures to avoid, minimize, or mitigate adverse effects for certain historic properties identified in the APE as adversely affected by the Project. Specifically, BOEM's consultation has developed measures to avoid physical effects on known historic properties and minimize visual effects on aboveground historic properties. BOEM has also consulted to develop mitigation measures, which would be triggered in cases where avoidance of adverse effects on known historic properties is not feasible. The Project's post-review discovery plans will include a consultation process to determine appropriate mitigation in cases where there is unanticipated discovery of a previously unknown marine or terrestrial archaeological resource that is not currently found to be subject to adverse effects from the Project.

The NHPA Section 106 consultation process has culminated in an MOA detailing Avoidance, minimization, mitigation, and monitoring measures to resolve adverse effects on historic properties, including cumulative adverse visual effects caused by the Project. These measures are listed in the MOA (Attachment A) as well as Appendix H of this Final EIS.

O.6. References Cited

- Bureau of Ocean Energy Management (BOEM). 2020. *Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585*. May 27. Available: <https://www.boem.gov/sites/default/files/documents/about-boem/Archaeology%20and%20Historic%20Property%20Guidelines.pdf>.
- Bureau of Ocean Energy Management (BOEM). 2021. *Coastal Virginia Construction and Operations Plan Scoping Report*. June.
- Bureau of Ocean Energy Management (BOEM). 2022a. *Coastal Virginia Offshore Wind Commercial Project Draft Environmental Impact Statement*. December.
- Bureau of Ocean Energy Management (BOEM). 2022b. *Cumulative Historic Resources Visual Effects Analysis – Coastal Virginia Offshore Wind Commercial Project*. Prepared by ICF.
- Dominion Energy Services, Inc. (Dominion Energy). 2023a. *Coastal Virginia Offshore Wind Commercial Project Construction and Operations Plan Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf, OCS-A 0483 – Onshore Historic Resources Visual Effects Assessment Route Shift*. June 28.

Dominion Energy Services, Inc. (Dominion Energy). 2023b. *Construction and Operations Plan, Coastal Virginia Offshore Wind Commercial Project, Introduction, Project Siting and Design Development, Description of Proposed Activity*. July. Available: <https://www.boem.gov/renewable-energy/state-activities/cvow-construction-and-operations-plan>.

Dutton + Associates, LLC. 2012. *Phase I Reconnaissance Survey of Architectural Resources at Fort Story*. Prepared for the United State Navy, NAVFAC MIDLANT. October.

McClane, Debra A. and Kristin H. Kirchen. 2020. National Register of Historic Places Multiple Property Documentation Form: Virginia Beach Oceanfront Resort Motels and Hotels (1955-1970). Prepared for National Park Service, Washington, D.C.

National Park Service (NPS). 2021. Section 110 of the National Historic Preservation Act. Available: <https://www.nps.gov/fpi/Section110.html>. Accessed September 29, 2022.

Nationwide Environmental Title Research, LLC (NETR). 1970. Virginia Beach, Virginia, 23451, Aerial Photograph. Available: <https://www.historicaerials.com/viewer>.

Newbill, Michael B. 1988. National Register of Historic Places Nomination Form: de Witt Cottage. Prepared for National Park Service, Washington, D.C.

Pollard, Marcus R. 2013. National Register of Historic Places Nomination Form: Cavalier Hotel. Prepared for National Park Service, Washington, D.C.

Taylor, Robert J. 2018. National Register of Historic Places Nomination Form: Cavalier Shores Historic District. Prepared for National Park Service, Washington, D.C.

ATTACHMENT A MEMORANDUM OF AGREEMENT

Version sent to Section 106 Consulting Parties for review on August 15, 2023.

This page intentionally left blank.

DRAFT
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 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, planned for Lease Area OCS-A 0483 and to 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, one onshore switching station and one substation, has the potential to adversely affect historic properties as defined under 36 CFR 800.16(l); and

WHEREAS, BOEM is preparing an Environmental Impact Statement (EIS) for the Project pursuant to the National Environmental Policy Act (42 USC 4321 et seq.) (NEPA) and 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 (SHPO) and North Carolina 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 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 July 15, 2021, formally accepted on August 6, 2021, and specifically accepted to consult in development of this MOA on February 16, 2023; and

WHEREAS, the Project is within a commercial lease area that 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 (i.e., P-01) outside of but immediately adjacent to the horizontal extent of the marine APE and one (i.e., P-05) in the horizontal extent of the marine APE but below the vertical extent of the marine APE therefore outside of the marine APE; and

WHEREAS, BOEM identified two National Historic Landmarks (NHLs) in the visual APE for offshore Project components (i.e., First Cape Henry Lighthouse and Eyre Hall); 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 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 still 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 one (1) cemetery (i.e., 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 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 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 the following 22 historic aboveground resources in the visual APE in Virginia would be visually adversely affected by the Project: Atlantic Wildfowl Heritage Cottage/De Witt Cottage in Virginia Beach; Cavalier Hotel and Beach Club in Northampton County and 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 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 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 [Date of finalized Finding of Effect document]); and

WHEREAS, Virginia SHPO concurred with BOEM’s finding of adverse effect on [insert date of SHPO concurrence]; 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 BOEM invited these Tribes to sign this MOA as concurring parties; 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 NRHP eligibility of properties with tribal religious and cultural significance to the Tribe(s) 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 applicant 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), Section 14 of the Rivers and Harbors Act (33 USC 408); and Section 103 of the Marine Protection, Research, and Sanctuaries Act; 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, 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 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, BOEM has consulted with the signatories, invited signatories, and 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, BOEM invited , the Lessee, the City of Virginia Beach, Preservation Virginia, and Outer Banks Conservationists to sign as invited signatories; 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 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 version of the Draft MOA available to these parties for review and comment in June 2023.

NOW, THEREFORE, BOEM, Virginia SHPO, North Carolina SHPO, and ACHP agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

BOEM, with the assistance of the Lessee, shall 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 the following measures for avoiding adverse effects on historic properties located in the Project APE 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):
 - a. The Lessee will comply with 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) measure 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, 16–21, 23–31) measure 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) measures a distance of no less than 459 feet (140 meters) from the known center point of the resource.
 - b. The Lessee will comply with 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, measures 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, measures 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, measures 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, measures 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, measures 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, measures 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):

- 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 during all construction activities, and construction personnel will be instructed to stay outside of the fenced area; and
 - 2) For [REDACTED], the terrestrial APE will be delineated by fencing during all construction activities, and construction personnel will be instructed to stay within the fenced 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 [REDACTED], 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 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]).

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):
 - 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 Nansemond Indian Nation 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, that would add to the potential visual adverse effects of other reasonably foreseeable offshore wind energy developments. BOEM will include these minimization measures for adverse effects within the visual APE as conditions of approval of the CVOW-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 reserve the option to reduce the number of constructed WTGs from a maximum proposed number of 202 positions.
 - c. The Lessee will apply a paint color to the WTGs no lighter than RAL 9010 pure white and no darker than RAL 7035 light gray to help reduce potential visibility of the turbines against the horizon during daylight hours.
 - 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 and BSEE will ensure 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 and BSEE will ensure the following measures 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.
 2. Attachment 10 contains budgets for each mitigation measure in Stipulation III.A 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 \$X,XXX,XXX for the activities listed in Stipulation III.A.2.i-vi.

- i. Atlantic Wildfowl Heritage Cottage/De Witt Cottage; Cavalier Hotel and Beach Club; 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; Seahawk Motel; Seatack Lifesaving Station/U.S. Coast Guard Station; and Virginia House. The following mitigation measures would be implemented to resolve adverse effects 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 preparation of NRHP nominations for the Pocahontas Fowling Club and the Princess Anne County Gunning and Hunt Clubs Multiple Property Document (MPD). These funds will support scholarship on these historic resources and further the understanding of the properties by the public.
 - b. The Lessee will provide financial support to the City of Virginia Beach to develop preservation planning documents and educational programs. These documents and programs may include a Sea Level Rise Mitigation Plan, and 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.
 - c. These measures will commence within one year of the execution of the MOA and will be completed within five years after the MOA is executed.
- ii. 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 as described in *Historic Properties Treatment Plan Camp Pendleton State Military Reservation Historic District* (Attachment 7):
 - a. Historic American Buildings Survey (HABS) documentation, for the Camp Pendleton/State Military Reservation Historic District Buildings 410 and 59, which are contributing elements to the District and are planned to be demolished. The Lessee will document Building 410 to HABS Level I standards and Building 59 to HABS Level III standards to record the historic properties' significance for the Prints and Photographs Division of the Library of Congress, whose holdings illustrate achievements in architecture, engineering, and landscape design in the United States and its territories. This will include: collecting and reviewing materials related to the construction and history of the property; photographing the buildings using large-format photography; compiling draft HABS documentation for review and comment by the NPS and interested Consulting Parties; developing final HABS documentation, incorporating comments from the NPS and any Consulting Parties; delivery of HABS documentation to NPS; and upon acceptance of HABS documentation by NPS, distributing HABS documentation packages to the NPS for

transmittal to the Library of Congress and any other agreed-upon repositories, as appropriate.

- b. Documentation of the Camp Pendleton/State Military Reservation Historic District landscapes and contributing resources with digital photography, following NRHP guidelines, including pre- and post-construction digital photo documentation of the district where it is traversed by the Project.
 - c. This measure will commence within one year of the execution of the MOA and will be completed within five years after the MOA is executed.
- iii. Cavalier Shores Historic District and Sandbridge Historic District. The following mitigation measure would be implemented to resolve adverse effects 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 survey and documentation of Doyletown and Queen City. 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 a residential historic district and mitigate the adverse effects.
 - b. This measure will commence within one year of the execution of the MOA and will be completed within five years after the MOA is executed.
- iv. 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. This measure will commence within one year of the execution of the MOA and will be completed within five years after the MOA is executed.
- v. 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 Joint Expeditionary Base Little Creek-Fort Story, the Lessee will hire contractors to design and install up to five interpretive panels at the Fort Story Historic District.
 - b. This measure will commence within one year of the execution of the MOA and will be completed within five years after the MOA is executed.
- vi. First Cape Henry Lighthouse (NHL) and Second Cape Henry Lighthouse. The following mitigation measure would be implemented to resolve adverse effects under Section 106

on these historic properties as well as under Section 110(f) on the 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 the development of a renovation and expansion plan for the Cape Henry Lighthouse Visitor Services Center and Lessee to support the interpretation of the First and Second Cape Henry Lighthouses for the public good.
- b. This measure will commence within one year of the execution of the MOA and will be completed within five years after the MOA is executed.

IV. 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 APEs, or if the proposed modifications would change BOEM's final determinations and findings for this Project, the Lessee shall 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 and, thus, will require additional consultation with the signatories, invited signatories, and consulting parties. If BOEM determines additional consultation is required, the Lessee will provide the signatories, invited 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 shall take into account any comments from signatories, invited signatories, and consulting parties prior to agreeing to any proposed changes. Using the procedure below, BOEM will, as necessary, consult with the signatories, invited signatories, and consulting parties to identify and evaluate historic properties in any newly affected areas, assess the effects of the modification, and resolve any adverse effects. Any project modification allowed pursuant to Stipulation IV 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, invited signatories, and consulting parties following the consultation process set forth in this Stipulation IV.A.1.
 - i. The Lessee will notify all the signatories, invited signatories, and consulting parties about this 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, invited 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, invited signatories, and consulting parties regarding BOEM's finding and the proposed measures to resolve the adverse effect(s) including the development of a new HPTP(s) following the consultation process set forth in this Stipulation IV.A.2.
 - i. The Lessee will notify all signatories, invited signatories, and consulting parties about this proposed modification, BOEM's determination, and the proposed resolution measures for the adverse effect(s).
 - ii. The signatories, invited signatories, and consulting parties will have 30 calendar days to review and comment on the adverse effect finding and the proposed resolution of adverse 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, invited signatories, and consulting parties for review and comment during a 30-calendar-day review and comment period. With this same submittal of draft final documents, 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 all the signatories, invited 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, invited signatories, or consulting parties object to determinations, findings, or resolutions made pursuant to these measures (Stipulations IV.A.1 and 2), BOEM will resolve any such objections pursuant to the dispute resolution process set forth in the Dispute Resolution Stipulation (Stipulation XIV).

V. 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 and Bureau of Safety and Environmental Enforcement (BSEE) for technical review and approval.
 - a. BOEM and BSEE have 15 calendar days to complete their technical review.
 - b. If BOEM and BSEE do not provide approval, they will submit comments back to the Lessee, who will have 15 calendar days to address the comments.
 - ii. BOEM and BSEE, with the assistance of the Lessee, will provide the draft document to consulting parties, except the ACHP, for review and comment.
 - a. Consulting parties will have 30 calendar days to review and comment.
 - b. BOEM and BSEE, with the assistance of the Lessee, shall coordinate a meeting with consulting parties to facilitate comments on the document if requested by a consulting party.
 - c. BOEM and BSEE will consolidate comments received and provide them to the Lessee within 15 calendar days of receiving comments from consulting parties.
 - d. BOEM and BSEE, 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 and BSEE with the draft final document for technical review and approval.
 - a. BOEM and BSEE have 15 calendar days to complete their technical review.
 - b. If BOEM and BSEE do not provide approval, they will submit comments back to the Lessee, who will have 15 calendar days to address the comments.
 - ii. BOEM and BSEE, with the assistance of the Lessee, will provide the draft final document to consulting parties, except the ACHP, for review and comment. With this same submittal of draft final documents, BOEM and BSEE, with the assistance of the Lessee, will provide a summary of all the comments received on the documents and BOEM's responses.
 - a. Consulting parties will have 30 calendar days to review and comment.
 - b. BOEM and BSEE, with the assistance of the Lessee, will coordinate a meeting with consulting parties to facilitate comments on the document if requested by a consulting party.
 - c. BOEM and BSEE will consolidate comments received and provide them to the Lessee within 15 calendar days of receiving comments from consulting parties.

- d. BOEM and BSEE, 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 and BSEE with the final document for approval.
 - a. BOEM and BSEE have 15 calendar days to complete their technical review.
 - b. If BOEM and BSEE do not provide approval, they will submit comments back to the Lessee, who will have 15 calendar days to address the comments.
 - c. BOEM and BSEE, with the assistance of the Lessee, will provide the final document to 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 and BSEE's responses.

VI. SUBMISSION OF DOCUMENTS

- A. All submittals to federally recognized tribes, Virginia SHPO, North Carolina 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.

VII. CURATION

- A. Collections from federal lands or the OCS:
 1. Any archaeological materials removed from federal lands or the OCS as a result of the actions required by this MOA shall 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).
 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.
- B. Collections from state, local government, and private lands:
 1. Archaeological materials from state or local government lands in the APE and the records and documentation associated with these materials shall be curated within the state of their origin at a repository preferred by the 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. 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.
 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 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 VIIB.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, 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 shall be curated in accordance with 36 CFR 79. No excavation should be initiated before acceptance and approval of a curation plan.
 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.

VIII. 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 designer, 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 and BSEE, 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 Tribal Nations. BOEM recognizes that all tribal participants and knowledge need not conform to the SOI's standards, acknowledging that Tribal Nations possess special expertise in assessing the eligibility of historic properties that may possess religious and cultural significance to Tribal Nations, pursuant to 36 CFR 800.4(c)(1).

IX. DURATION

- A. This MOA will expire at (1) the decommissioning of the Project in the Lease Area, 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 and invited signatories to reconsider the terms of the MOA and amend it in accordance with Amendments Stipulation (Stipulation XV).

X. ARCHAEOLOGICAL MONITORING

- A. Implementation of Archaeological Monitoring Plans. The Lessee will implement the archaeological monitoring plan for terrestrial archaeological resources (Attachment 4) for the areas identified for archaeological monitoring.
- B. In the event of a post-review discovery during archaeological monitoring, the process identified under the Post-Review Discoveries Stipulation (Stipulation XI) will apply.

XI. 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, shall implement the post-review discovery plan (PRDPs) for marine archaeology (Attachment 8) and terrestrial archaeology (Attachment 9).
 - 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) and terrestrial archaeology (Attachment 9):
 - 1. Immediately halt all ground- or seafloor-disturbing activities within the area of discovery.
 - 2. Notify BOEM and BSEE in writing via report within 72 hours of the discovery.
 - i. In the case that the discovery is within an USACE permit area, BOEM and BSEE will notify USACE of the discovery.

- ii. In the case that HMS Kingston Ceylonite is identified, BOEM and BSEE will notify both the Naval History and Heritage Command (Underwater Archaeology Branch) and the U.S. State Department of the discovery.
 - iii. In the case that a discovery occurs on property owned by the U.S. Navy at NAS Oceana, BOEM and BSEE will notify the Commander, Navy Region Mid-Atlantic of the discovery.
3. Keep the location of the discovery confidential and take no action that may adversely affect the discovered property until BOEM, BSEE, or their designee has made an evaluation and instructs the Lessee on how to proceed.
4. Conduct any additional investigations as directed by BOEM, BSEE, 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 and BSEE will direct the Lessee to complete additional investigations, as BOEM and BSEE deem 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 and BSEE, with the assistance of the Lessee, will work with the other relevant signatories, invited signatories, and consulting parties to this MOA who have a demonstrated interest in the affected historic property and on the further avoidance, minimization, or mitigation of adverse effects.
6. If there is any evidence that the discovery is from an indigenous society or appears to be a burial site, the Lessee will contact, concurrently with BOEM and BSEE, 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 or BSEE incur costs in addressing the discovery, under Section 110(g) of the NHPA, BOEM or BSEE 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)).

XII. 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 APEs, 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. Should the consulting Tribes, SHPOs, or the ACHP desire to provide technical assistance to BOEM, they shall submit comments within seven calendar days from notification if the nature of the emergency or hazardous condition allows for such coordination.

XIII. 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 and BSEE's review and agreement to share this summary report, provide all signatories, invited signatories, and consulting parties to this MOA a summary report detailing work undertaken pursuant to the MOA. Such report shall include a description of how the stipulations relating to avoidance and minimization measures (Stipulations I and II) were implemented; any scheduling changes proposed; any problems encountered; and any disputes and objections received with respect to BOEM and BSEE'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 585.633. If requested by the signatories, BOEM and BSEE 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.

XIV. DISPUTE RESOLUTION

- A. Should any signatory, invited signatory, or consulting party to this MOA object 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 shall 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 shall 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 shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories, invited signatories, and/or consulting parties, and provide 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, invited 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, should a member of the public object 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 shall review the objection and may notify the other signatories as appropriate and respond to the objector.

XV. AMENDMENTS

- A. This MOA may be amended when such an amendment is agreed to in writing by all signatories and invited signatories. The amendment will be effective on the date a copy of the amendment signed by all of the signatories and invited signatories is filed with the ACHP.

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

XVI. TERMINATION

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

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 shall notify the signatories and invited signatories as to the course of action it will pursue.

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

XVIII. ANTI-DEFICIENCY ACT

Pursuant to 31 USC 1341(a)(1), nothing in this MOA will be construed as binding the United States to expend in any one fiscal year any sum in excess of appropriations made by Congress for this

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

purpose, or to involve the United States in any contract or obligation for the further expenditure of money in excess of such appropriations.

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]

DRAFT

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,
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: _____

DRAFT

**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:

Virginia State Historic Preservation Officer (SHPO)

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

Date: _____

DRAFT

**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:

North Carolina State Historic Preservation Officer (SHPO)

Ramona Bartos
Administrator and
Deputy State Historic Preservation Officer
North Carolina State Historic Preservation Officer

Date: _____

DRAFT

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,
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:

Advisory Council on Historic Preservation (ACHP)

Reid J. Nelson
Executive Director
Advisory Council on Historic Preservation

Date: _____

DRAFT

**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**

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: _____

DRAFT

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,
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**

Invited Signatory:

City of Virginia Beach, Virginia

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

Date: _____

DRAFT

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,
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**

Invited Signatory:

Outer Banks Conservationists

Ladd Bayliss
Executive Director
Outer Banks Conservationists

Date: _____

DRAFT

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,
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**

Invited Signatory:

Preservation Virginia

Elizabeth Kostelny
Chief Executive Officer
Preservation Virginia

Date: _____

DRAFT

**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**

Concurring Party:

Chickahominy Indian Tribe

Stephen Adkins
Chief and Tribal Administrator
Chickahominy Indian Tribe

Date: _____

DRAFT

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,
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**

Concurring Party:

Chickahominy Indian Tribe Eastern Division

Gerald A. Stewart
Chief
Chickahominy Indian Tribe Eastern Division

Date: _____

DRAFT

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,
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**

Concurring Party:

Delaware Tribe of Indians

Brad KillsCrow
Chief
Delaware Tribe of Indians

Date: _____

DRAFT

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,
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**

Concurring Party:

Monacan Indian Nation

Kenneth Branham
Chief
Monacan Indian Nation

Date: _____

DRAFT

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,
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**

Concurring Party:

Nansemond Indian Nation

Keith Anderson
Chief
Nansemond Indian Nation

Date: _____

DRAFT

**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**

Concurring Party:

Pamunkey Indian Tribe

Robert Gray
Chief
Pamunkey Indian Tribe

Date: _____

DRAFT

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,
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**

Concurring Party:

Rappahannock Tribe

Anne Richardson
Chief
Rappahannock Tribe

Date: _____

DRAFT

**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**

Concurring Party:

The Delaware Nation

Deborah Dotson
President of the Executive Committee
The Delaware Nation

Date: _____

DRAFT

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,
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**

Concurring Party:

Upper Mattaponi Indian Tribe

Frank Adams
Chief
Upper Mattaponi Indian Tribe

Date: _____

DRAFT

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,
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**

Concurring Party:

Navy Region Mid-Atlantic (NAS Oceana)

Rear Adm. Wesley R. McCall
Commander
Navy Region Mid-Atlantic

Date: _____

DRAFT

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,
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**

Concurring Party:

United States Army Corps of Engineers

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

Date: _____

DRAFT

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,
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**

Concurring Party:

United States National Park Service

[Name]
[Title]
United States National Park Service

Date: _____

DRAFT

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,
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**

Concurring Party:

[Organization]

[Name]
[Title]
[Organization]

Date: _____

DRAFT

**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**

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

ATTACHMENT 1 – APE MAPS

DRAFT

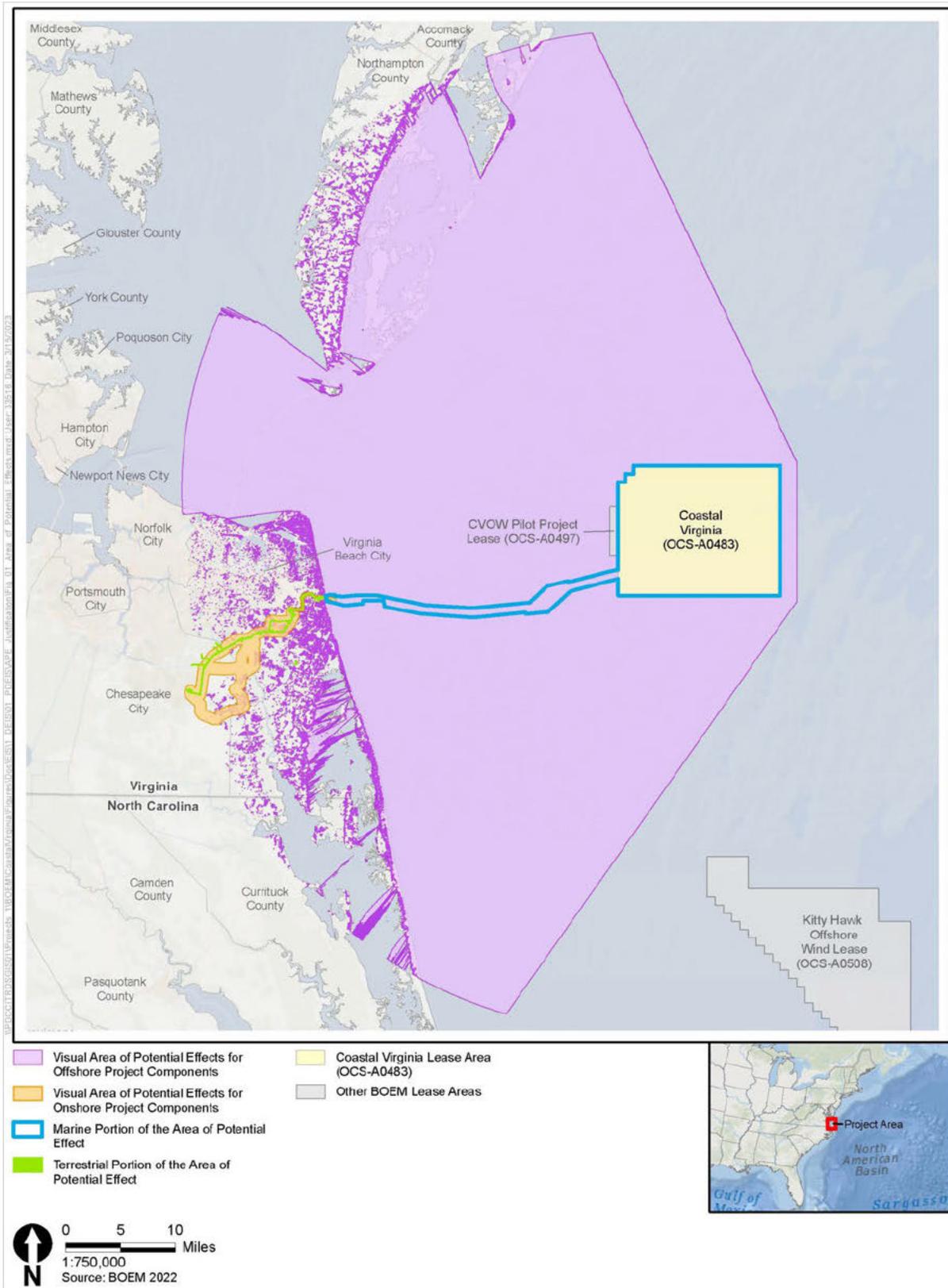
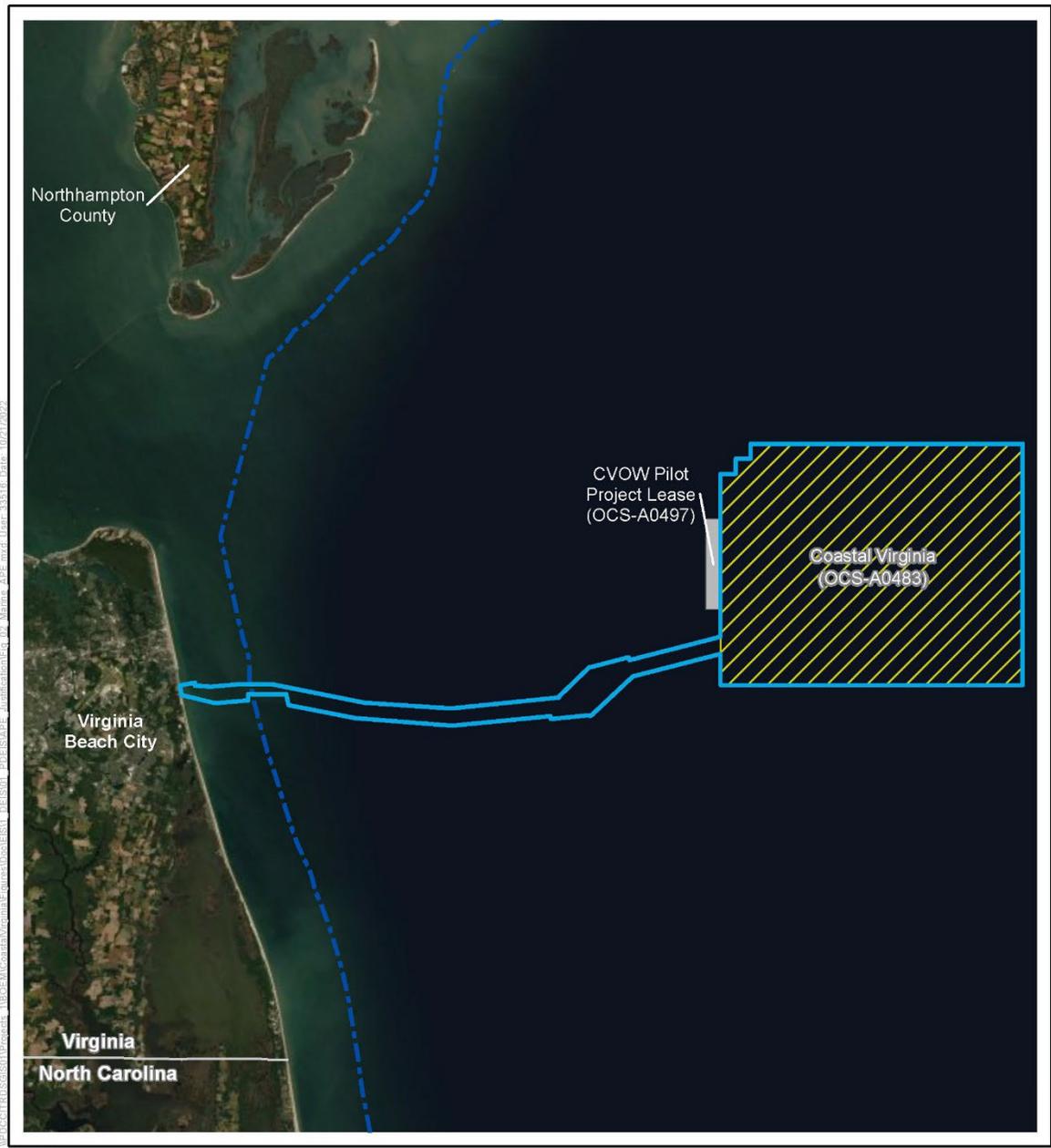


Figure 1 Project APE



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

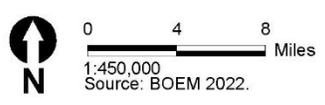
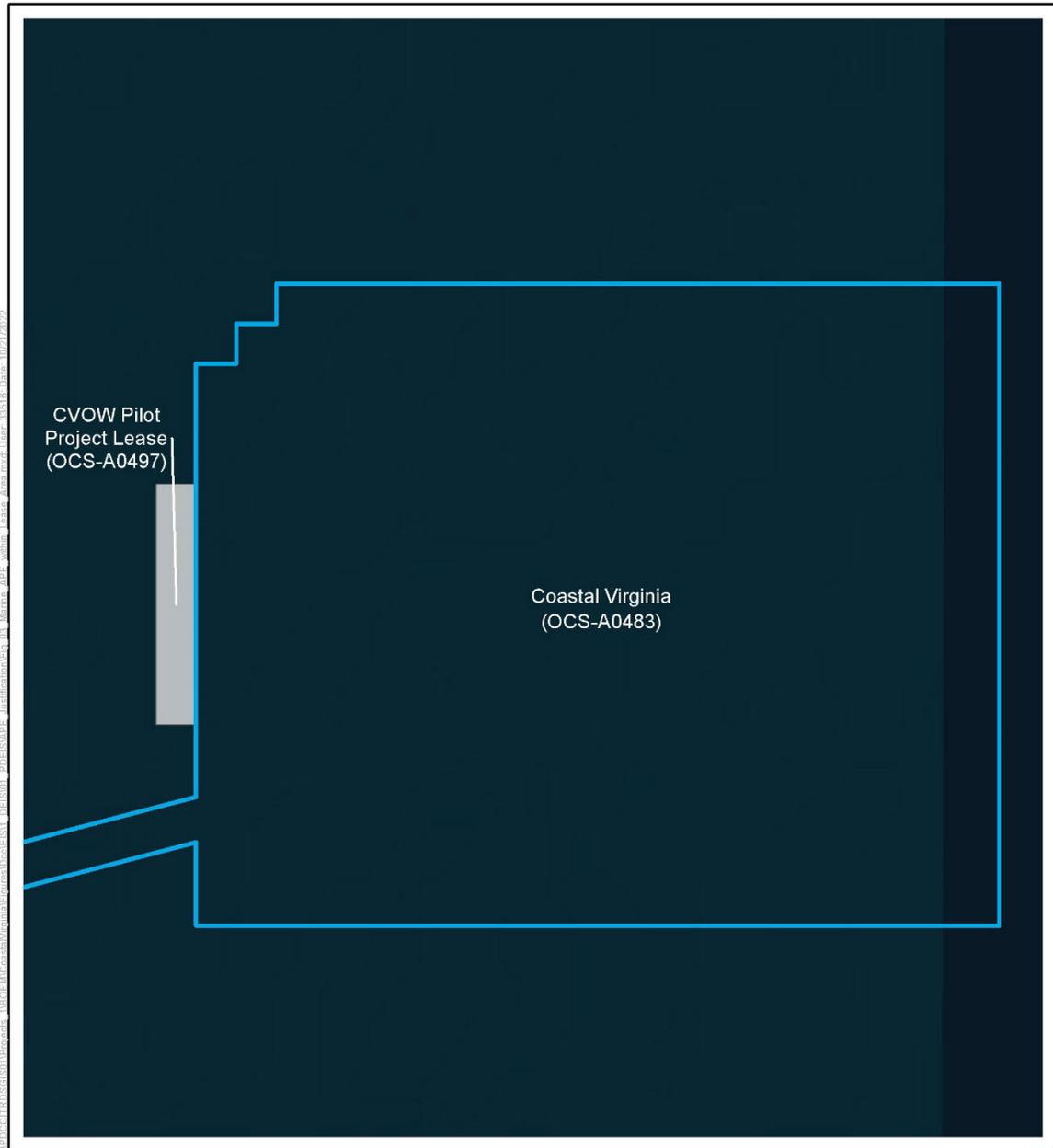


Figure 2 Marine APE



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

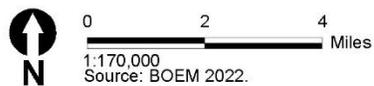
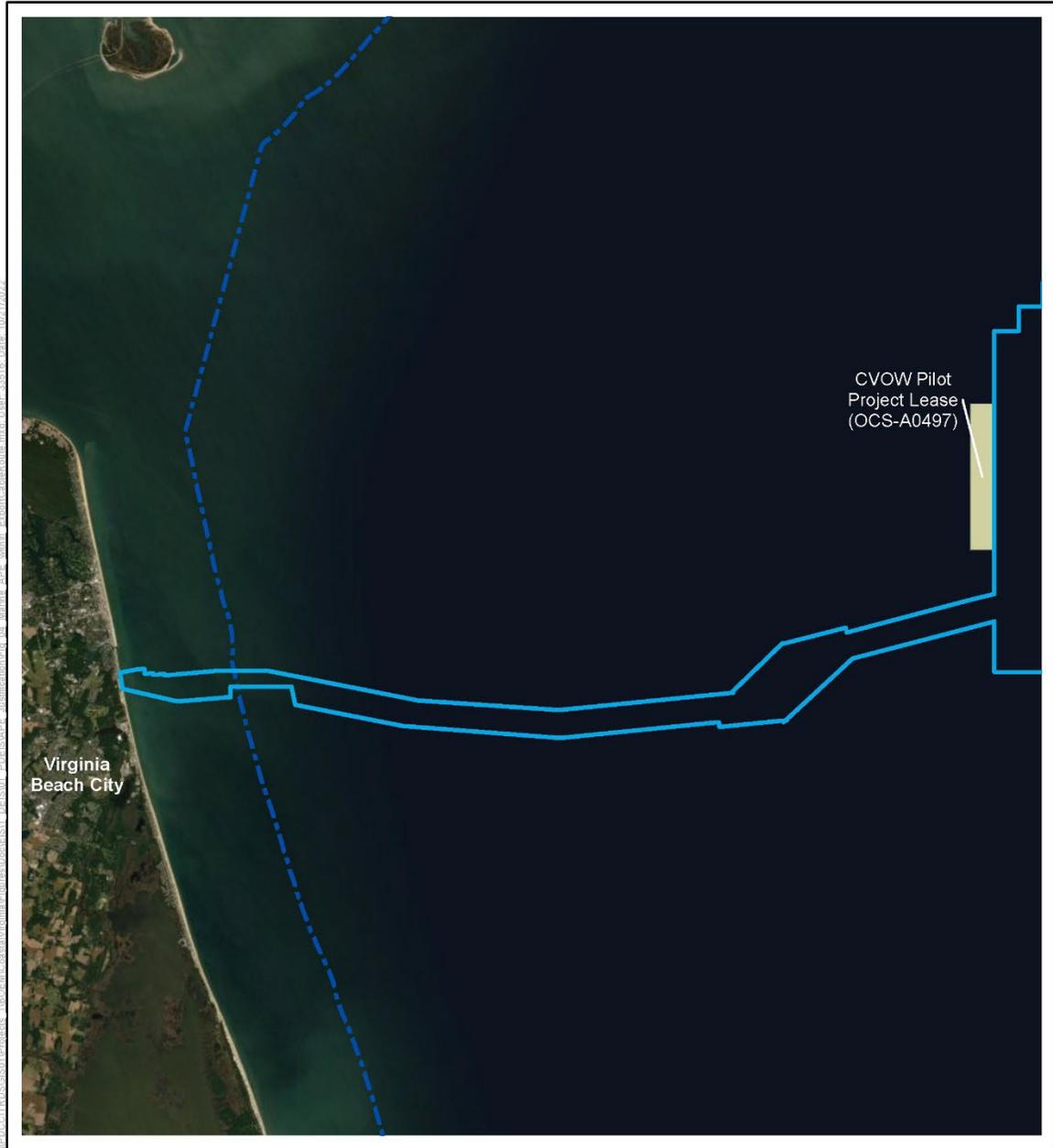


Figure 3 **Detail of Marine APE Within the Lease Area**



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

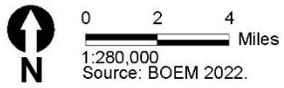
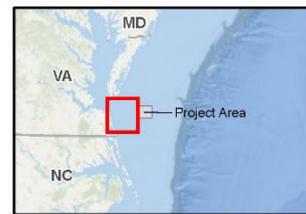
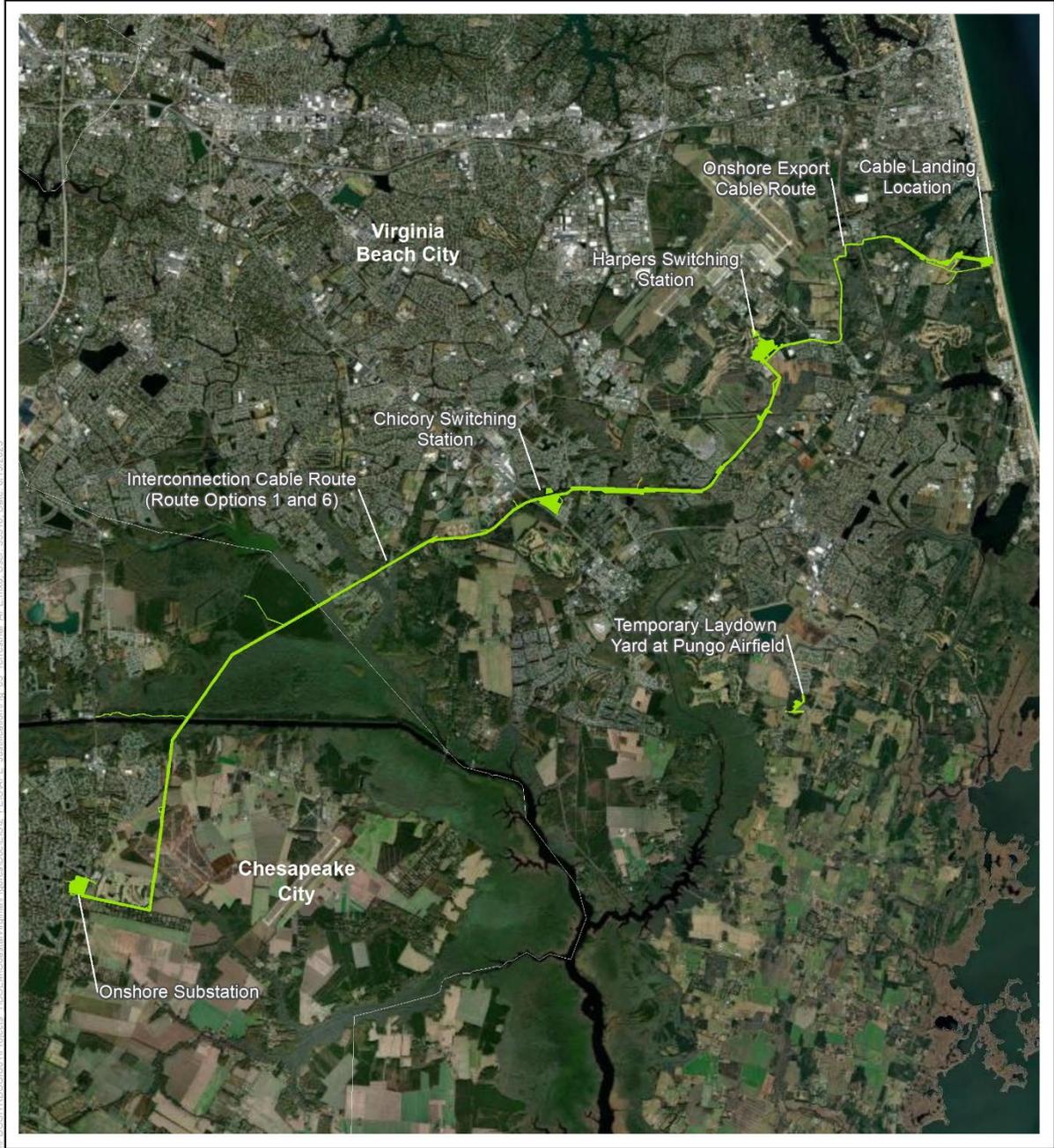


Figure 4 **Detail of Marine APE Within Export Cable Route Corridor**



 Terrestrial Portion of the Area of Potential Effect

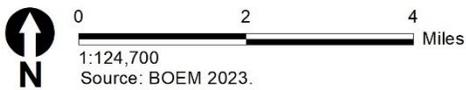
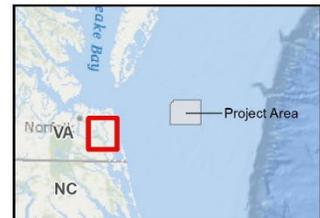
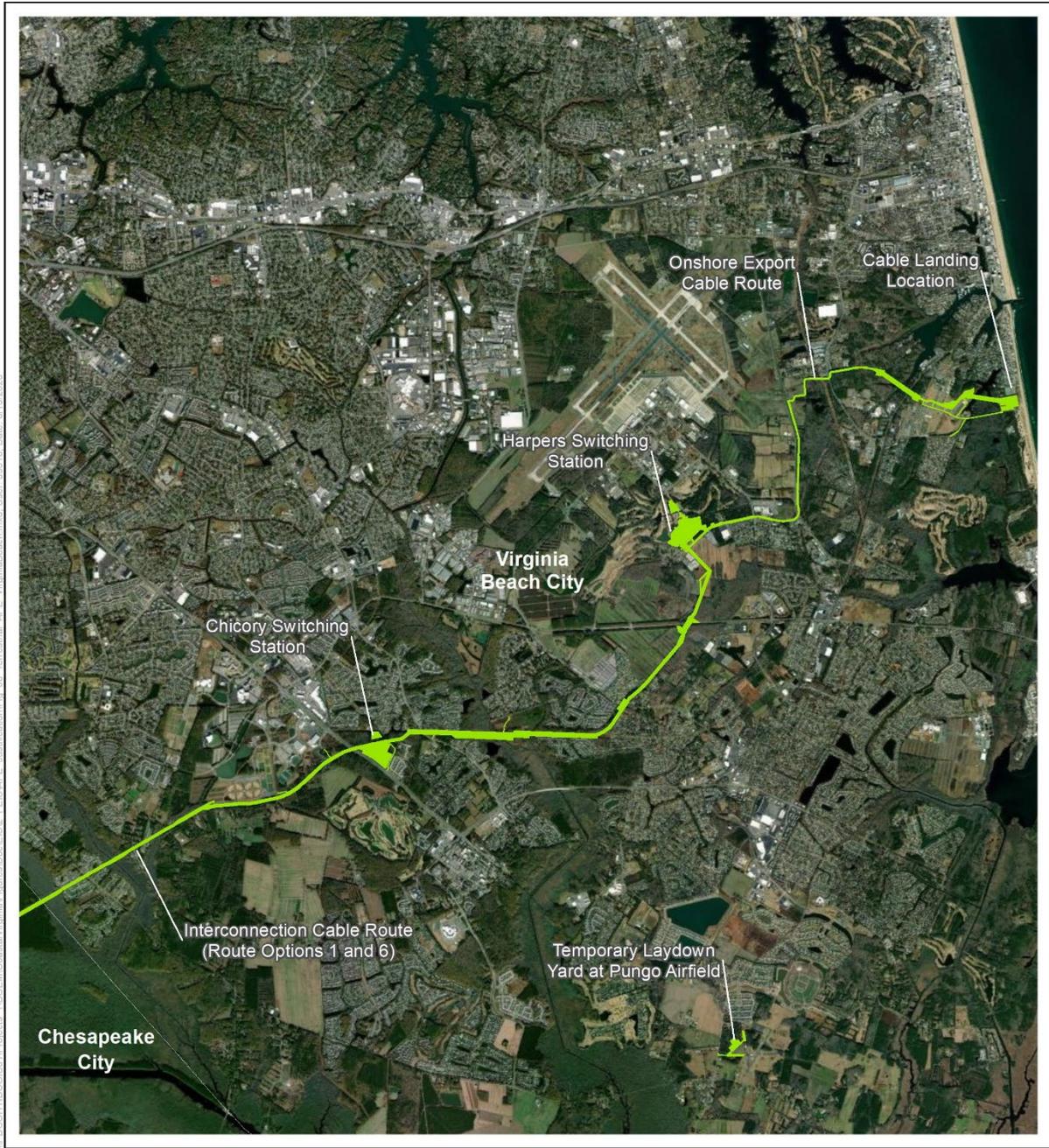


Figure 5 Terrestrial APE



 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

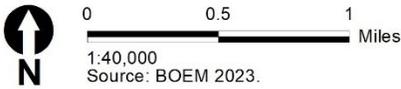


Figure 7 Detail of Westernmost Portion of the Terrestrial APE



I:\POC\ITD\GIS\01\Projects_1\BOEM\CostalVirginia\Figures\Doc\ES12_FEIS\APE_Justification\Fig_16_Cultural_Terrestrial_APE_CableRouteShift.mxd User: 33516 Date: 6/14/2023

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

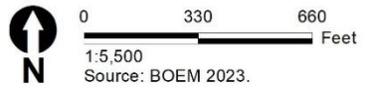
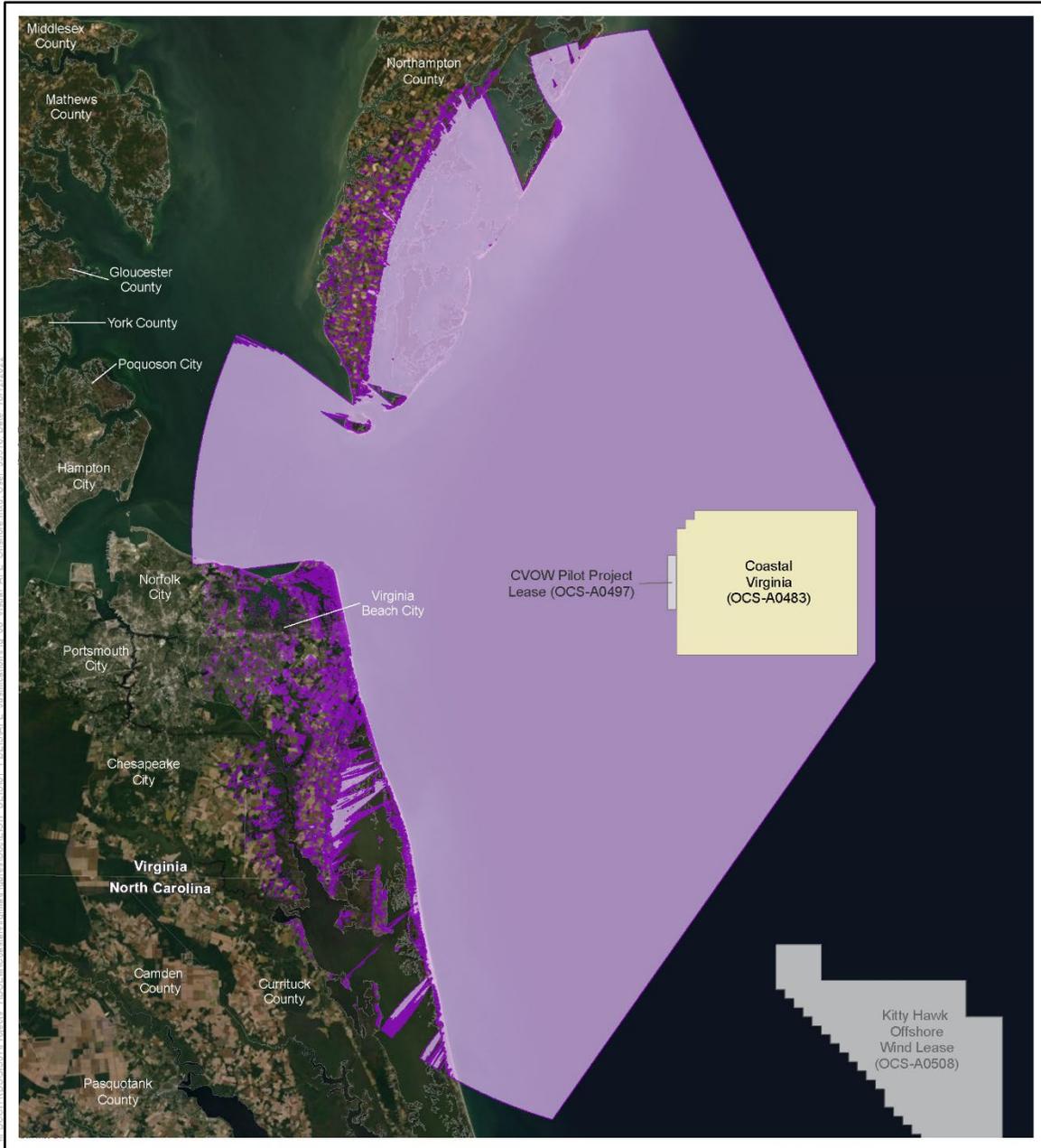


Figure 8 **Detail of Terrestrial APE at Interconnection Cable Route Shift in Virginia Beach, Virginia**



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

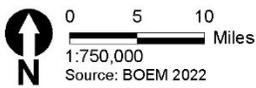
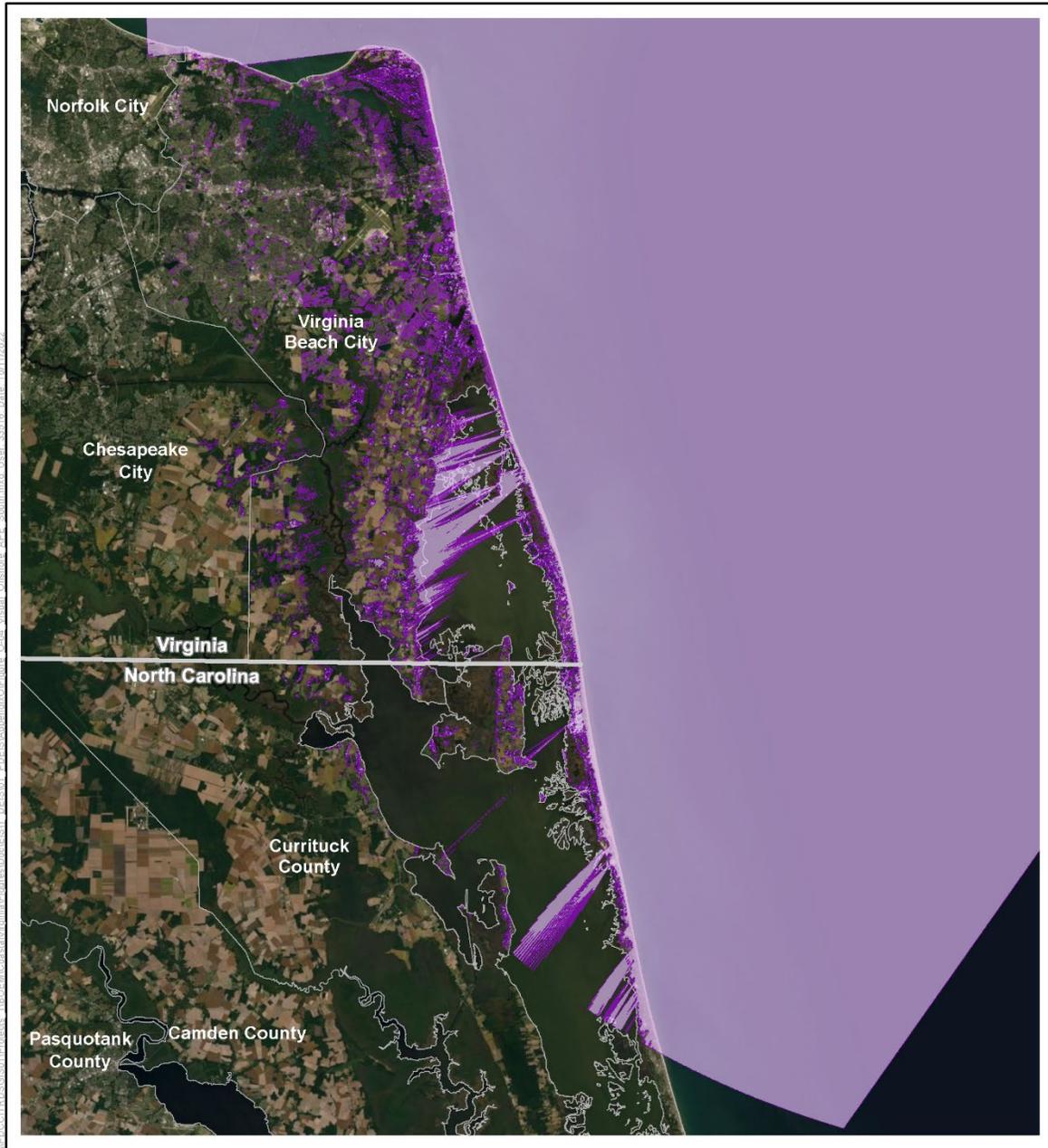


Figure 9 Visual APE for Offshore Project Components



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



Visual Area of Potential Effects for Offshore Project Components

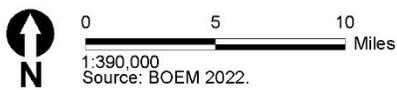
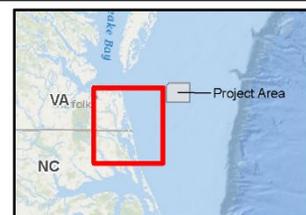


Figure 11 Detail of Southernmost Portion of Visual APE for Offshore Project Components



Visual Area of Potential Effects for Offshore Project Components

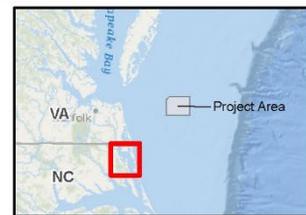


Figure 13 Detail of Visual APE for Offshore Project Components in North Carolina



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

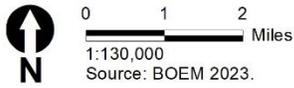


Figure 14 Visual APE for Onshore Project Components



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

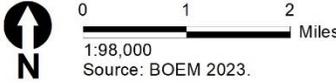


Figure 15 Detail of Northernmost Portion of Visual APE for Onshore Project Components



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

ATTACHMENT 2 – LISTS OF INVITED AND INTERESTED CONSULTING PARTIES

DRAFT

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 Army National Guard
	False Cape State Park
	First Landing State Park
	Kiptopeke State Park
Federal Agencies	Assateague Island National Seashore
	Captain John Smith Chesapeake National Historic Trail
	Colonial National Historic Park
	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. Naval Air Station Oceana
	U.S. Navy Region Mid-Atlantic
	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	Cheroenhaka Nottoway Indian 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
	The Mattaponi Nation
	The Sappony

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
	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
	Preservation Virginia
	Princess Anne County / Virginia Beach Historical Society

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
	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
	Virginia Army National Guard
	Federally Recognized Tribe
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)	
State Recognized Tribes	Lumbee Tribe of North Carolina
	Nottoway Indian Tribe of 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

Organization Type	Participating Organization Name
	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

DRAFT

ATTACHMENT 3 – AVOIDANCE PLAN FOR MARINE ARCHAEOLOGICAL RESOURCES

DRAFT

DRAFT

APPENDIX IX

SECTION 106 CULTURAL RESOURCES

**DRAFT 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 in federal waters. The Energy Policy Act of 2005, an OCSLA amendment, grants BOEM lead management authority for marine renewable energy projects in federal waters. 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 (federal waters) 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 within federal waters 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 29	-	ECRC	164 ft (50 m) radius from center point
Target 30	-	ECRC	164 ft (50 m) radius from center point

Target ID	Charted ID ¹	Location	Area of Recommended Minimum Avoidance
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. Dissemination of the avoidance areas 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.

DRAFT

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 draft UDP for marine archaeological resources is provided in Attachment A.

DRAFT

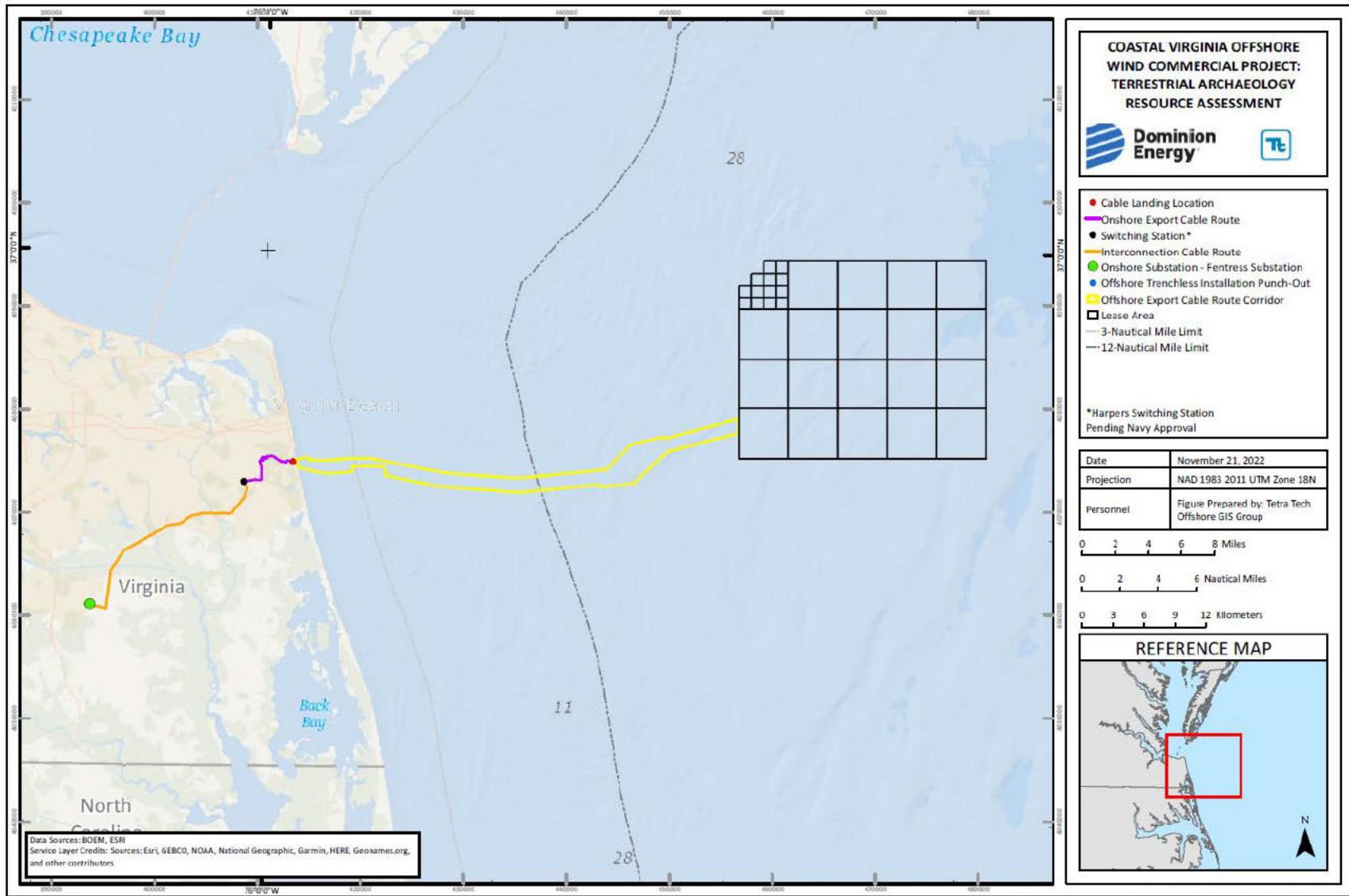


Figure 1. Project Overview

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

DRAFT

CONSTRUCTION AND OPERATIONS PLAN

Coastal Virginia Offshore Wind Commercial Project

Attachment G-9 Section 106 Cultural Resources Draft Avoidance, Minimization, and Monitoring Plan – Terrestrial Archaeological Resources

Prepared for:



600 East Canal Street
Richmond, VA 23219

Prepared by:



Tetra Tech, Inc.
4101 Cox Road, Suite 120
Glen Allen, VA 23060

www.tetrattech.com

Submitted January 2023, Revised March 2023

TABLE OF CONTENTS

- G.1 Introduction..... 1
 - G.1.1 Project Overview 1
 - G.1.2 Regulatory Context..... 1
- G.2 Terrestrial Archaeological Resources Avoidance, Minimization, and Mitigation Measures..... 3
 - G.2.1 Summary of Identified Resources 3
 - G.2.2 Recommended Avoidance and Minimization Measures..... 6
 - G.2.2.1 Monitoring Plan..... 7
- G.3 Consulting Party Engagement For Avoidance, Minimization, and Monitoring Planning 14
- G.4 References 15

TABLES

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

FIGURES

G-9-1 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).

DRAFT

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

G.2.1 Summary of Identified Resources

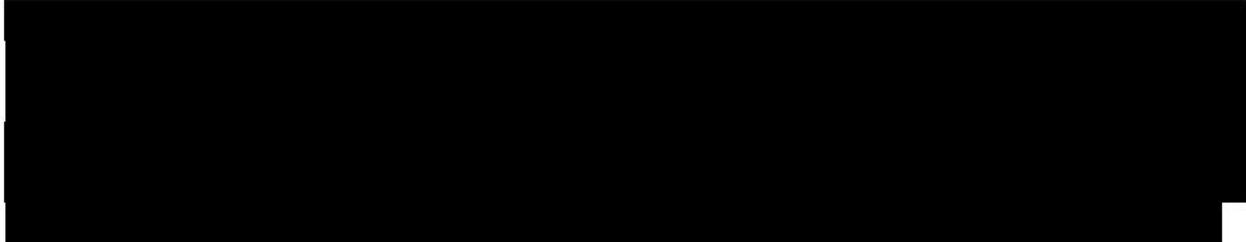


Table DD.2.1-1. Archaeological Sites within the PAPE

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				
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	No Adverse Effect with Recommended Avoidance

ID	Site Type	Time Period	NRHP Eligibility Status	Anticipated Effect
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]	[REDACTED]	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]	[REDACTED]	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 interment 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.”

- Where feasible, any portions of identified archaeological sites outside of the present APE will be delineated with temporary fencing during all construction activities (sites 44CS0250, 44VB0162, and 44VB0388). Otherwise, only the APE will be delineated by fencing. Construction personnel will be instructed to stay within the fenced area and avoid work outside of the APE (site 44VB0412).
- 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 meet the Secretary of the Interior’s (SOI’s) qualifications (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. It is the responsibility of the archaeological monitor to coordinate the logistics for tribal monitors.

G.2.2.1.5 Locations where Monitoring is Required

[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.

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.

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.

<p>Dominion Energy On-Site Project Manager (Name) (Title) (Address) (Address) (Phone) (email)</p>	<p>Contractor On-Site Manager/Foreman (Name) (Title) (Address) (Address) (Phone) (email)</p>
<p>Dominion Contact (Name) (Title) (Address) (Address) (Phone) (email)</p>	<p>Alternate Dominion Contact (Name) (Title) (Address) (Address) (Phone) (email)</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 Bonnie Houghton NEPA Coordinator 45600 Woodland Road Sterling, Virginia 20166 (703) 438-5108 bonnie.houghton@boem.gov</p>	<p>BOEM Archaeology Contact Laura Kate (LK) Schnitzer Archaeologist, Office of Renewable Energy Programs 45600 Woodland Road, VAM-OREP Sterling, Virginia 20166 (Phone) 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</p>
<p>Naval Criminal Investigative Service (Name) (Title) (Address) (Address) (Phone) (email)</p>	<p>U.S. Cultural Resource Management Catherine Lantzas-Olson NAS Oceana Cultural Resources Manager (Address) (Address) (Phone) catherine.lantzas-ol@navy.mil</p>
<p>State Military Reservation Camp Pendleton Susan Smead Cultural Resources Program Manager VDMA/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 (Name) (Title) (Address) (Address) (Phone) (email)</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 (Name) (Title) (Address) (Address) (Phone) (email)</p>

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 draft 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 that 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

- BOEM (Bureau of Ocean Energy Management). 2018. *Draft Guidance Regarding the Use of a Project Design Envelope in a Construction and Operations Plan*. Available online at: <https://www.boem.gov/sites/default/files/renewable-energy-program/Draft-Design-Envelope-Guidance.pdf>. Accessed January 14, 2021.
- BOEM. 2020. *Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585*. Available online at: <https://www.boem.gov/sites/default/files/documents/about-boem/Archaeology%20and%20Historic%20Property%20Guidelines.pdf>. Accessed June 7, 2021.
- Monroe, E. J., D. W. Lewes, and E. L. Chapman. 2017. Completion and Synthesis of Archaeological Survey, State Military Reservation Camp Pendleton, City of Virginia Beach, Virginia. William and Mary Center for Archaeological Research, The College of William and Mary.
- National Park Service (NPS). 2022. Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. Available online at: [Professional Qualifications Standards \(U.S. National Park Service\) \(nps.gov\)](https://www.nps.gov/standards). Accessed November 11, 2022.

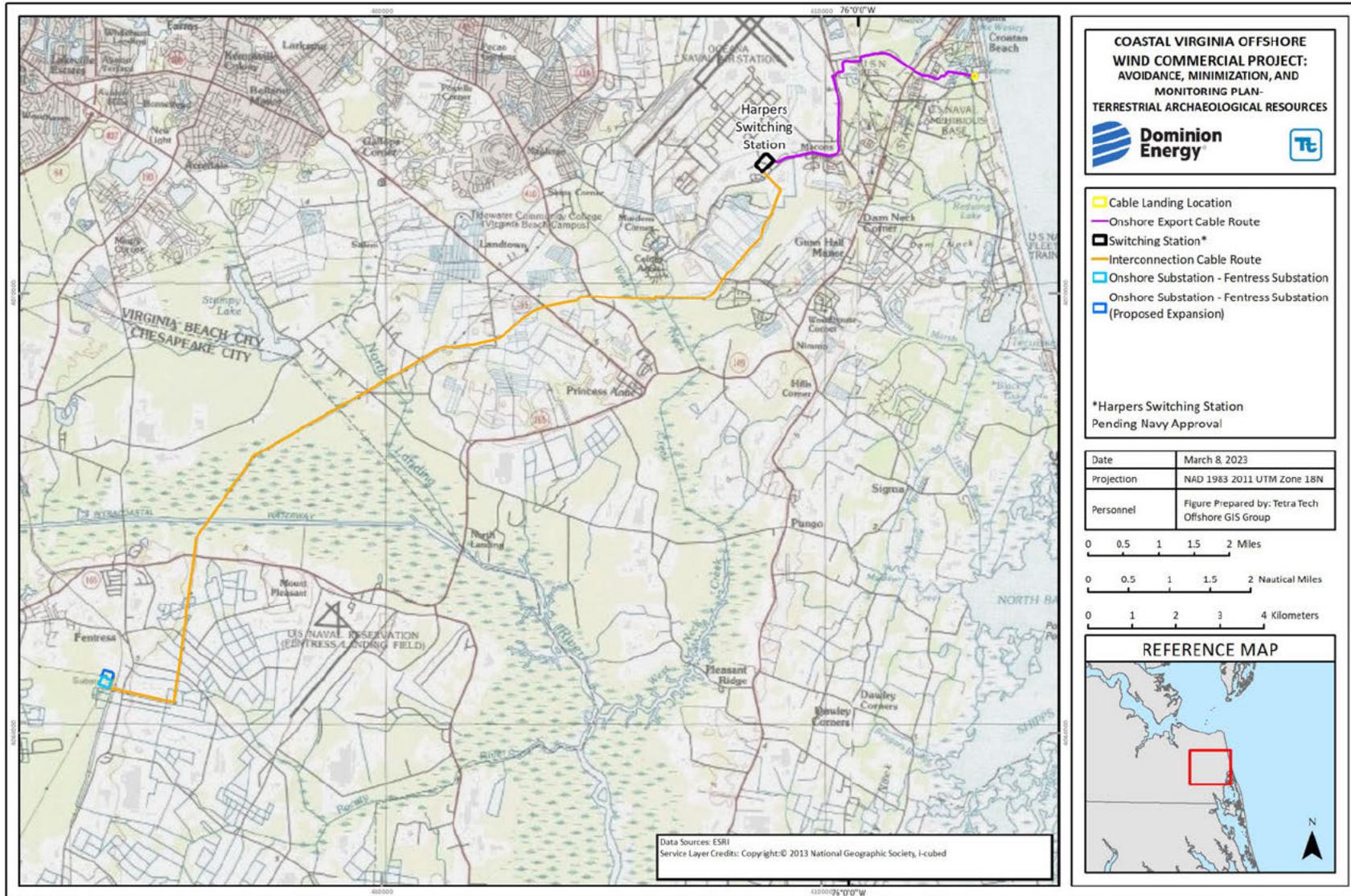


Figure G-9-1. Project Overview

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

DRAFT

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

Prepared for:



600 East Canal Street
Richmond, Virginia 23219

Prepared by:



Tetra Tech, Inc.
4101 Cox Road, Suite 120
Glen Allen, VA 23060

www.tetrattech.com

Submitted March 2023, Revised April, May, and August 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

TABLE OF CONTENTS

1 EXECUTIVE SUMMARY 1

2 BACKGROUND INFORMATION 1

2.1 Project Overview 1

2.1.1 Section 106 of the NHPA 2

3 HISTORIC SIGNIFICANCE AND EXISTING CONDITIONS OF THE HISTORIC PROPERTY 2

3.1 Historic Context and Significance 4

3.1.1 Virginia Beach, Virginia 4

3.1.2 Currituck County, North Carolina 5

3.2 NRHP Criteria and Aspects of Integrity Affected by the Undertaking 5

3.2.1 DHR ID: 134-0007, First Cape Henry Lighthouse, National Historic Landmark (NHL)..... 5

3.2.2 DHR ID: 134-0047, Seatack Lifesaving Station/United States Coast Guard Station (NRHP Listed) 6

3.2.3 DHR ID: 134-0066, Atlantic Wildfowl Heritage Cottage/De Witt Cottage (NRHP Eligible) 7

3.2.4 DHR ID: 134-0079, Second Cape Henry Lighthouse (NRHP Listed)..... 7

3.2.5 VDHR ID: 065-0167 Chesapeake Bay Bridge-Tunnel (NRHP Eligible)..... 8

3.2.6 DHR ID: 134-0413, Camp Pendleton/State Military Reservation Historic District (NRHP Listed) **Error! Bookmark not defined.**

3.2.7 VDHR ID: 134-0503, Cavalier Hotel and Beach Club (NRHP Listed) 9

3.2.8 DHR ID: 134-0587, House (7900 Ocean Front Avenue) (Eligible for the Purposes of the Project)..... 9

3.2.9 DHR ID: 134-5089, House (8304-8306 Ocean Front Avenue) (NRHP Eligible)..... 10

3.2.10 DHR ID: 134-5301, Chesapeake Light Tower (Eligible for the Purposes of the Project)..... 10

3.2.11 DHR ID: 134-5379, Cavalier Shores Historic District (NRHP Listed) 11

3.2.12 DHR ID: 134-5399, House (4910 Ocean Front Avenue) (Eligible for the Purposes of the Project)..... 11

3.2.13 DHR ID: 134-5493, House (8600 Ocean Front Avenue) (Eligible for the Purposes of the Project)..... 12

3.2.14 DHR ID: 134-5660, House (100 54th Street) (Eligible for the Purposes of the Project)..... 12

3.2.15 DHR ID: 134-5665, House (5302 Ocean Front Avenue) (Eligible for the Purposes of the Project)..... 13

3.2.16 DHR ID: 134-5857, Seahawk Motel (Associated with the Virginia Beach Oceanfront Resort Motels and Hotels Multiple Property Document)..... 13

3.2.17 DHR ID: 134-5863, Hilton Washington Inn/Quality Inn and Suites (Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD) 14

3.2.18 DHR ID: 134-5865, Virginia House (Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD)..... 15

- 3.2.19 DHR ID: 134-5866, Cutty Sark Motel Efficiencies (NRHP Listed)..... 15
- 3.2.20 DHR ID: 134-5869, Econo Lodge/Empress Motel (Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD)..... 16
- 3.2.21 DHR ID: 134-5872, Oceans II Condominiums/Aeolus Motel (Associated with the Virginia Beach Oceanfront Resort Motels and Hotels MPD)..... 17
- 3.2.22 Sandbridge Historic District (Eligible for the Purposes of the Project)..... 17
- 3.2.23 NC SHPO ID: CK0106, Currituck Beach Lighthouse (NRHP Listed) 19
- 4 MITIGATION MEASURES 19**
 - 4.1 Mitigation Measure—Support for survey and documentation of Doyletown or Queen City, Virginia Beach 20
 - 4.1.1 Purpose and Intended Outcomes..... 20
 - 4.1.2 Scope of Work and Methodology 20
 - 4.1.3 Deliverables 21
 - 4.1.4 Funds and Accounting 21
 - 4.2 Mitigation Measure—Support for planning for renovation of the Cape Henry Lighthouse Visitor Services Center 21
 - 4.2.1 Purpose and Intended Outcomes..... 21
 - 4.2.2 Scope of Work and Methodology 21
 - 4.2.3 Deliverables 22
 - 4.2.4 Funds and Accounting 22
 - 4.3 Mitigation Measure—Support for the preparation of a NRHP nomination for the Pocahontas Fowling Club and the Princess Anne County Gunning and Hunt Clubs MPD 22
 - 4.3.1 Scope of Work and Methodology 22
 - 4.3.2 Deliverables 23
 - 4.3.3 Funds and Accounting 23
 - 4.4 Mitigation Measure—Support for the development of a Sea Level Rise Mitigation Plan 23
 - 4.4.1 Purpose and Intended Outcomes..... 23
 - 4.4.2 Scope of Work and Methodology 23
 - 4.4.3 Deliverables 24
 - 4.4.4 Funds and Accounting 24
 - 4.5 Mitigation Measure—A donation prior to the completion of the Project to Outer Banks Conservationists 24
 - 4.5.1 Scope of Work and Methodology 24
 - 4.5.2 Deliverables 25
 - 4.5.3 Funds and Accounting 25
- 5 IMPLEMENTATION 25**
 - 5.1 Timeline 25
 - 5.2 Organizational Responsibilities 25
 - 5.2.1 BOEM..... 26
 - 5.2.2 Dominion..... 26
 - 5.2.3 VDHR and NCHPO 26
 - 5.2.4 ACHP 26

5.2.5 City of Virginia Beach.....26

5.2.6 Outer Banks Conservationists.....26

6 FINALIZATION.....27

6.1 Notification.....27

7 REFERENCES28

TABLES

Table 1. Participating Parties in Consultation2

Table 2. Table of Affected Properties.....3

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 Cottage/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 Cottage/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 Cottage 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 Cottage.

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 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, 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 survey and documentation of Doyletown and Queen City, Virginia Beach

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 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. 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.

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.
- 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 XIII of the MOA.

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

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 planning for renovation and expansion of the Cape Henry Lighthouse Visitor Services Center

4.2.1 Purpose and Intended Outcomes

Dominion Energy will provide financial support to either fully or partially fund 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 and second Cape Henry lighthouses for the public good. This measure serves to mitigate the adverse effects to the First and Second Cape Henry Lighthouses—both present on the site.

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 renovation and expansion plan in accordance with the funding amounts listed in Attachment 10 of the MOA.
- Preservation Virginia will oversee scheduling, hiring contractors, and executing the 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 XIII of the MOA.

4.2.3 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

4.2.4 Deliverables

Preservation Virginia will oversee the deliverables of this project resulting in 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.

4.2.5 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.

4.3 Mitigation Measure—Support for the preparation of a NRHP nomination for the Pocahontas Fowling Club and the Princess Anne County Gunning and Hunt Clubs MPD

Dominion Energy will provide financial support to either fully or partially fund the preparation of NRHP nominations for the Pocahontas Fowling Club and the Princess Anne County Gunning and Hunt Clubs MPD. 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 hunt clubs and serves to mitigate the adverse effects to various properties in 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 XIII 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 and educational programs

4.4.1 Purpose and Intended Outcomes

Dominion Energy will provide financial support to either fully or partially fund preservation planning priorities or educational programs for the City of Virginia Beach. Examples for use of these funds may include one or more of the following: hiring a contractor to develop a Sea Level Rise Mitigation Plan, 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 supporting educational programs and interpretation of the Atlantic Wildfowl Heritage Museum/De Witt Cottage. 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 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 priority projects or specified activities associated with the priority projects in accordance with the funding amounts listed in Attachment 10 of the MOA.
- The City of Virginia Beach will determine, and notify Dominion Energy and BOEM, which priority preservation projects will be funded, 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 XIII 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 (for applicable projects)
- Secretary of the Interior’s Professional Qualification Standards as applicable
- State and local laws, including zoning and building codes as applicable

4.4.4 Deliverables

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

4.4.5 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 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, 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. This measure serves to mitigate effects to the Currituck Beach Lighthouse.

4.5.1 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 will determine, and notify Dominion Energy and BOEM, which priority preservation projects will be funded, oversee scheduling, set standards, hire contractors, and review draft and final deliverables, as applicable.
- Outer Banks Conservationists will oversee scheduling, set standards for applicable projects, hire contractors, review final conditions assessments as applicable, and deliver final conditions assessments 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 XIII of the MOA.

4.5.2 Standards

The project will comply with the following standards:

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

4.5.3 Deliverables

Outer Banks Conservationists will oversee any deliverables associated with the funded projects, which may include a conditions assessment of the First Order Fresnel lens. Dominion Energy will provide notification to BOEM and all signatories, invited signatories, and consulting parties that the funding was provided.

4.5.4 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 XIII (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

- The Beacon. 1988. 25th Anniversary Supplement to The Beacon. The Virginian-Pilot and Ledger-Star. Norfolk, Virginia.
- Cultural Resource Analysts, Inc. and Debra A. McClane. 2018. Historic Architectural Resource Survey Update, City of Virginia Beach, Virginia: Northern Half. Prepared for the Historic Preservation Commission, Department of Planning and Community Development, City of Virginia Beach, Virginia.
- Malvasi, M. 2010. Historic and Architectural Resources of Currituck County, 1790-1958. Prepared for the National Park Service.
- Moffett, Simone M. 2003. Camp Pendleton/State Military Reservation Historic District: National Register Nomination. Washington, D.C., National Park Service.
- Pollard, Marcus R. 2013. Cavalier Hotel: National Register Nomination. Washington, D.C., National Park Service.
- Smith, Penne. 1999. Currituck Beach Lighthouse Complex: National Register Nomination. Washington, D.C., National Park Service.
- Virginia Department of Historic Resources. 1992 DHR ID: 134-0587. Accessed August 16, 2022. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.
- . 2005. DHR ID: 134-5089. Accessed August 17, 2022. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.
- . 2011. DHR ID: 134-0660. Accessed March 8, 2021. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.
- . 2013a. DHR ID: 134-0047. Accessed March 8, 2021. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.
- . 2013b. DHR ID: 134-0066. Accessed March 8, 2021. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.
- . 2014a. DHR ID: 065-0167. Accessed March 8, 2021. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.
- . 2014b. DHR ID: 134-0413. Accessed March 8, 2021. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.
- . 2018a. DHR ID: 134-5399. Accessed August 18, 2022. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.
- . 2018b. DHR ID: 134-5493. Accessed March 8, 2021. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.
- . 2018c. DHR ID: 134-5660. Accessed August 19, 2022. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.

----- 2018d. DHR ID: 134-5665. Accessed August 19, 2022.
<https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.

----- 2019. DHR ID: 134-5379. Accessed March 8, 2021.
<https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.

----- 2020a. DHR ID: 134-5857. Accessed August 19, 2022.
<https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.

----- 2020b. DHR ID: 134-5863. Accessed August 19, 2022.
<https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.

----- 2020c. DHR ID: 134-5865. Accessed August 19, 2022.
<https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.

----- 2020d. DHR ID: 134-5866. Accessed August 19, 2022.
<https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.

----- 2020e. DHR ID: 134-5869. Accessed August 19, 2022.
<https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.

----- 2020f. DHR ID: 134-5872. Accessed August 19, 2022.
<https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.

Watts, Gordon P., Jr. 2007. Archaeological Remote Sensing Survey of Offshore Borrow Areas near Sandbridge Beach, Virginia. Submitted to Environmental Resources Branch, U. S. Army Corps of Engineers, Wilmington District, Wilmington, NC. Tidewater Atlantic Research, Washington, NC.

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

DRAFT

Offshore Historic Properties Treatment Plan— Fort Story Historic District

Prepared for:



600 East Canal Street
Richmond, Virginia 23219

Prepared by:



Tetra Tech, Inc.
4101 Cox Road, Suite 120
Glen Allen, VA 23060

www.tetratech.com

Submitted August 2023

DOCUMENT REVISION LOG		
Revision Number	Date	Description
1	8/4/2023	Draft Submission

DRAFT

TABLE OF CONTENTS

1	EXECUTIVE SUMMARY	1
2	BACKGROUND INFORMATION	1
2.1	Project Overview	1
2.1.1	Section 106 of the NHPA	2
3	HISTORIC SIGNIFICANCE AND EXISTING CONDITIONS OF THE HISTORIC PROPERTY	3
3.1	Historic Context and Significance	3
3.1.1	Virginia Beach, Virginia	3
3.2	NRHP Criteria and Aspects of Integrity Affected by the Undertaking	3
3.2.1	DHR ID: 134-0660, Fort Story Historic District (NRHP Listed)	4
4	MITIGATION MEASURES	4
4.1	Mitigation Measure—Update and Replace up to 5 Interpretive Panels in the Fort Story Historic District	5
4.1.1	Purpose and Intended Outcomes	5
4.1.2	Scope of Work and Methodology	5
4.1.3	Standards	5
4.1.4	Deliverables	5
4.1.5	Funds and Accounting	5
5	IMPLEMENTATION	6
5.1	Timeline	6
5.2	Annual Reporting	6
5.3	Organizational Responsibilities	6
5.3.1	BOEM	6
5.3.2	Dominion Energy	6
5.3.3	VDHR	6
5.3.4	ACHP	6
5.3.5	United States Navy/Joint Expeditionary Base Little Creek-Fort Story	7
6	FINALIZATION	7
6.1	Notification	7
7	REFERENCES	8

TABLES

Table 1.	Participating Parties in Consultation	2
Table 2.	Table of Effected Properties	3

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
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
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
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

DRAFT

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, 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 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
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 by the Advisory Council on Historic Preservation.²

4.1 Mitigation Measure—Update and Replace up to 5 Interpretive Panels in the Fort Story Historic District

4.1.1 Purpose and Intended Outcomes

Dominion Energy will hire contractors to design and install up to five interpretive panels at the Fort Story Historic District. These funds will support scholarship on this historic property and further the understanding of the property by the public. 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 that Dominion Energy will hire contractors to design and install the interpretive panels at Fort Story in coordination with the Joint Expeditionary Base Little Creek-Fort Story.

4.1.3 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

4.1.4 Deliverables

Dominion Energy will oversee the deliverables of this project resulting in the installation of up to five interpretive panels at the Fort Story Historic District. Dominion Energy will provide notification to BOEM and all signatories and invited signatories that the mitigation measure has been completed.

4.1.5 Funds and Accounting

Dominion Energy will provide the funding for this project to contractors.

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

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 Joint Expeditionary Base Little Creek-Fort Story, shall prepare an annual summary report detailing work undertaken pursuant to the MOA consistent with MOA Stipulation XIII (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.

5.3 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;
- Review and approve the annual summary report;
- Oversee consultation with consulting parties;
- Oversee consultation related to dispute resolution.

5.3.2 Dominion Energy

- Fund mitigation measure;
- Hire contractor to design and install interpretive panels;
- 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 interpretive signs and provide access to site for installation of panels.

6 FINALIZATION

6.1 Notification

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

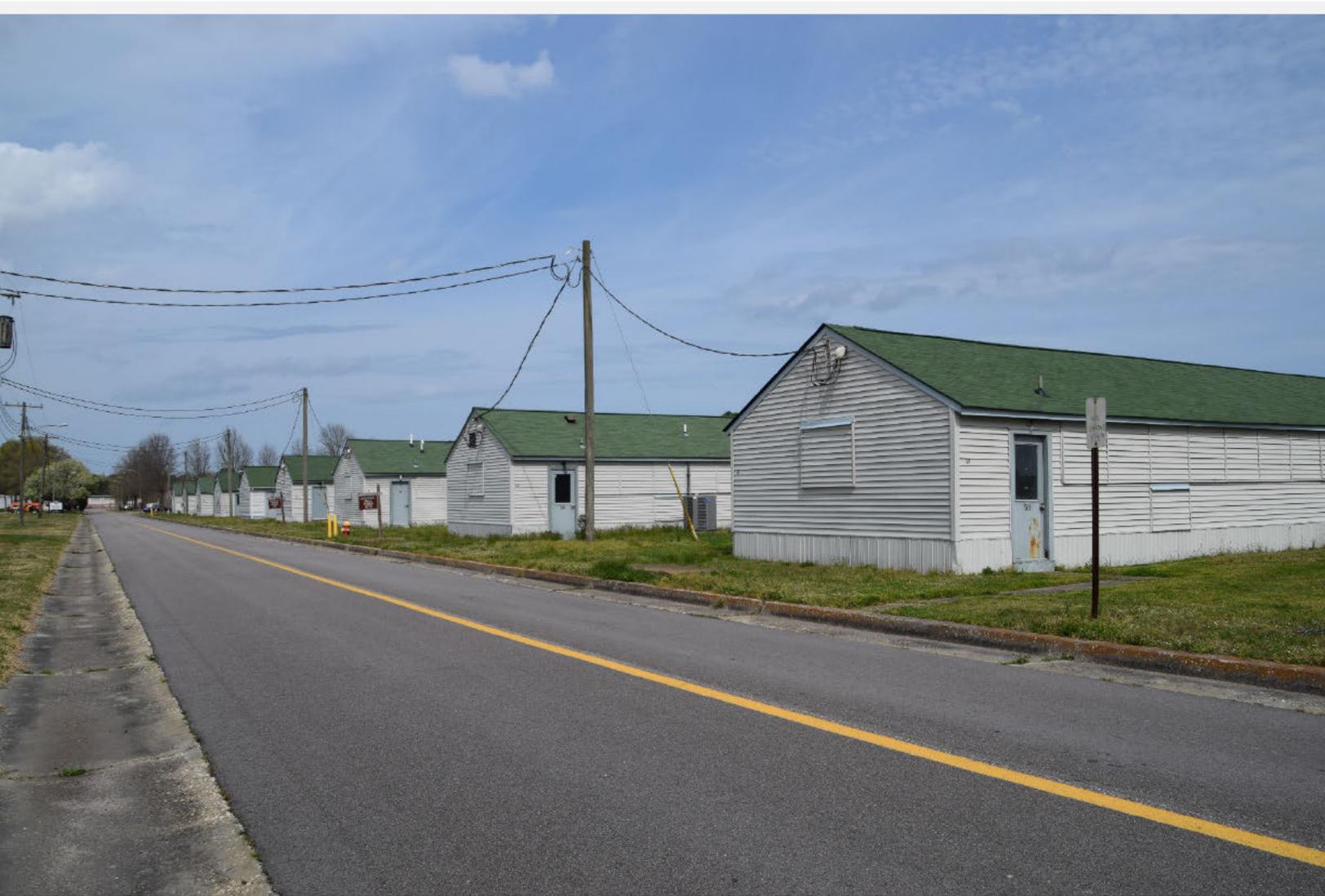
DRAFT

7 REFERENCES

- The Beacon. 1988. 25th Anniversary Supplement to The Beacon. The Virginian-Pilot and Ledger-Star. Norfolk, Virginia.
- Cultural Resource Analysts, Inc. and Debra A. McClane. 2018. Historic Architectural Resource Survey Update, City of Virginia Beach, Virginia: Northern Half. Prepared for the Historic Preservation Commission, Department of Planning and Community Development, City of Virginia Beach, Virginia.
- Dutton + Associates, LLC. 2012. Phase I Reconnaissance Survey of Architectural Resources at Fort Story. Prepared for the United State Navy, NAVFAC MIDLANT. October.
- Virginia Department of Historic Resources. 2011. DHR ID: 134-0660. Accessed March 8, 2021. <https://vcris.dhr.virginia.gov/VCRIS/Mapviewer/>.
- Watts, Gordon P., Jr. 2007. Archaeological Remote Sensing Survey of Offshore Borrow Areas near Sandbridge Beach, Virginia. Submitted to Environmental Resources Branch, U. S. Army Corps of Engineers, Wilmington District, Wilmington, NC. Tidewater Atlantic Research, Washington, NC.

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

DRAFT



**Dominion
Energy®**

Historic Properties Treatment Plan Camp Pendleton State Military Reservation Historic District

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

14 April 2023 14 August 2023

Project No.: 0522898

Document details	The details entered below are automatically shown on the cover and the main page footer. PLEASE NOTE: This table must NOT be removed from this document.
Document title	Historic Properties Treatment Plan Camp Pendleton State Military Reservation Historic District
Document subtitle	Coastal Virginia Offshore Wind Commercial Project, City of Virginia Beach, Virginia
Project No.	0522898
Date	14 August 2023
Version	2.0
Author	
Client Name	Dominion Energy Virginia

Document history

Version	Revision	Author	Reviewed by	ERM approval to issue		Comments
				Name	Date	
Draft	00	Name		Larissa Thomas	2-23-22	
	01	Sonja Lengel	Danna Allen	Larissa Thomas	3-14-23	
	02	BOEM	BOEM	N/A	N/A	

Signature page

14 April 2023

Historic Properties Treatment Plan Camp Pendleton State Military Reservation Historic District

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



Emily Tucker-Laird
Principal Cultural Resource



Mary Beth Derrick
Architectural Historian



Jeffrey L. Holland
Senior Historian

ERM
3300 Breckinridge Boulevard
Suite 300
Duluth, GA 30096

© Copyright 2023 by The ERM International Group Limited and/or its affiliates ('ERM'). All Rights Reserved. No part of this work may be reproduced or transmitted in any form or by any means, without prior written permission of ERM.

CONTENTS

1. EXECUTIVE SUMMARY 1

2. BACKGROUND INFORMATION 2

2.1 Project Overview.....2

2.2 Section 106 of the NHPA.....4

2.2.1 Municipal Regulations.....4

2.2.2 Preservation Easements and Restrictions4

2.2.3 Resolution of Adverse Effects Measures in MOA4

2.3 Historic Significance and Existing Conditions4

2.3.1 Historic Context and Significance4

2.3.2 NRHP Criteria and Aspects of Integrity Affected by the Undertaking.....6

2.4 Physical Description and Existing Conditions7

3. MITIGATION MEASURES 8

3.1 HPTP Purpose and Components.....8

3.2 Intended Outcomes9

3.3 Scope of Work9

3.4 Methodology9

3.5 Applicable Standards.....10

3.6 Documentation.....10

3.7 The final HABS documentation will be provided to the NPS and agreed-upon repositories.
Annual Summary Report.....10

3.8 Funds and Accounting10

4. IMPLEMENTATION..... 11

4.1 Timeline11

4.2 Organizational Responsibilities.....11

4.2.1 BOEM11

4.2.2 Dominion Energy Virginia (Lessee).....11

4.2.3 VDHR.....12

4.2.4 SMR.....12

4.2.5 National Park Service12

5. FINALIZATION 13

REFERENCES..... 14

APPENDIX A CORRESPONDENCE

**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 D CAMP PENDLETON SMR HISTORIC DISTRICT PHOTO SIMULATIONS

List of Figures

Figure 1.1-1: CLH Route Project Overview and Location of the Camp Pendleton SMR Historic District..... 3

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
HABS	Historic American Buildings Survey
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
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 24 historic properties will be adversely affected by this project. These adverse effects will be resolved through mitigation as stipulated in 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) and its associated HPTPs. This HPTP addresses one historic property, the Camp Pendleton State Military Reservation, which requires mitigation of adverse effects. This HPTP document will be used to support the fulfillment of Stipulation III of 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 and continued 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 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 Virginia 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 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 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.

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

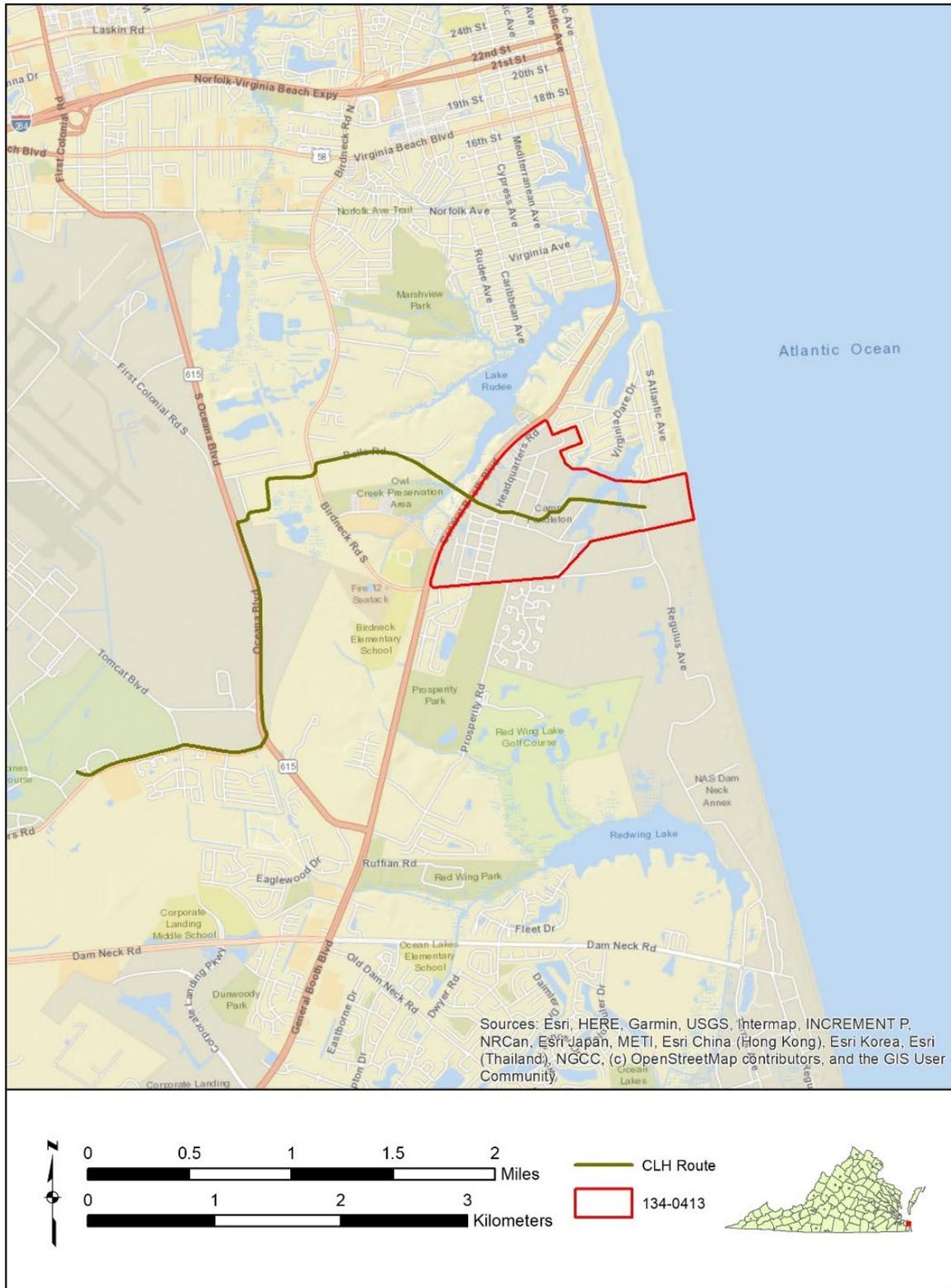


Figure 1.1-1: CLH Route Project Overview and Location of the Camp Pendleton SMR Historic District

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.

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.

Municipal Regulations

Before the implementation of mitigation plans for the Camp Pendleton SMR, 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, SMR, 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

BOEM prepared an MOA detailing avoidance, minimization, and mitigation measures to resolve adverse effects on historic properties, including the State Military Reservation, 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.

Camp Pendleton 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 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 SMR 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 Camp Pendleton 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 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. 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.

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

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. None of the contributing resources of the historic district are listed in or have been determined eligible for the NRHP individually, but collectively they 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 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 ruins of the YMCA that once was along Headquarters Road. The ruins, recorded as archaeological site 44VB0388, are 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 ruins, 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 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 Camp Pendleton SMR Historic District includes 130 contributing resources, consisting of 113 buildings, eight structures, eight sites, and one object. The buildings 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. Contributing structures 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.

Camp Pendleton 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 (see Section 3.1.1) 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 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 Section 2.3.2. The content of this section 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 describes the 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 mitigation measures include documentation and public educational materials. This plan has been developed to support Dominion Energy Virginia, BOEM, VDHR, and the VDMA'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.

- Documentation of the SMR landscapes and contributing resources will include large-format photography, as well as photogrammetry that will capture the resources in three dimensions using modern digital techniques. This will include pre- and post-construction digital photo documentation of the district where it is traversed by the Project. The technology uses hundreds of photos to create a model of the resources that can be viewed from any angle, as well as interior views. This would permit digital users to do a virtual tour of the resources to experience them as they existed before the Project. The virtual tour could be integrated with other information on the history of Camp Pendleton/SMR that would provide context for the virtual experience, and be housed in the history section of the Virginia National Guard (State Military Reservation (ng.mil)). These digital "twins" would only include the buildings that will be demolished; however, the goal is to create them in such a format that other components of the base could be added onto the digital experience should SMR ever wish to do so.
- The appropriate level of documentation for the buildings will require further consultation, and will be driven in part by available records. It is anticipated that Historic American Buildings Survey (HABS) Level I documentation of Building 410 would be appropriate as this is a unique building whose loss would constitute a greater impact to the Camp Pendleton SMR Historic District, and would include measured drawings, photographs, and written data (history and description). HABS Level III documentation of Building 59, including a sketch plan, photographs, and written data (short form for historical reports), is anticipated to be appropriate because Building 59 is one of nine nearly identical buildings, of which eight will not be impacted by the Project.

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, NPS, and SMR.
- Collection and review of materials relating to the construction and history of the property;
- Photography of the property using large-format photography (or agreed upon equivalent);
- Development of draft HABS documentation appropriate to each resource for review and comment by Participating Parties;
- Development of the final HABS level documentation, incorporating comments from Participating Parties,
- Delivery of HABS Level documentation to NPS;
- Delivery of Final HABS documentation to NPS and agreed-upon repositories.

Methodology

- Coordination: The area subject to investigation will be coordinated with VDHR and Camp Pendleton. The investigation will occur by a SOI Qualified Architectural Historian and/or Historian.
- Research: Background information specific to Camp Pendleton 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 Camp Pendleton. 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:
 - This could include the preparation of HABS Level I documentation for building 410 (measured drawings, large format photography, and a historical report) by an SOI Qualified Architect and/or Architectural Historian and/or Historian who has demonstrated experience in this type of documentation.
 - This could include the preparation of HABS Level III documentation for building 59 (including a sketch plan, large format photography, and written data; short form) by an SOI Qualified Architect and/or Architectural Historian and/or or Historian who has demonstrated experience in this type of documentation.

Applicable Standards

The documentation measures will follow the following standards:

- Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation, including:
 - HABS Guideline Recording Structures and Sites with HABS Measured Drawings (2008);
 - HABS Guide to Field Documentation (2011);
 - Heritage Documentation Programs Photography Guidelines (updated 2015);
 - Historic American Buildings Guidelines for Historical Reports (updated 2020);
 - Preparing HABS/HAER/HALS Documentation for Transmittal (updated 2021);
- Secretary of the Interior's Standards for Archaeology and Historic Preservation (1983); and
- 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 HABS documentation will be provided to the NPS and 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 XIII (Monitoring and Reporting), including the mitigation measures outlined in the final HPTP. This report will be prepared, reviewed and distributed by [TBD], and summarize the work undertaken during the previous year. As per MOA Stipulation XIII 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 and will work with SMR to ensure implementation and reporting of annual activities to Dominion Energy Virginia.

IMPLEMENTATION

Timeline

Following the execution of the MOA, the measured drawings and 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. Mitigation measures within this HPTP are to be completed within five years of its initiation, unless a different timeline is agreed upon by Participating Parties and accepted by BOEM and may be completed simultaneously, as applicable. The proposed timeline presumes the MOA will be executed in October 2023.

- Field survey for measured drawings and photography ~Fall 2023
- Archival research ~Fall/Winter 2023
- Draft drawings and photography ~Winter 2024
- Draft written data ~Spring 2024
- Final HABS documentation ~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 in Stipulation III of the MOA and described in Section 3.8 of this HPTP.
- Execution of the HPTP.
- Examining and reviewing comments made from Participating Parties involved and identified in the HPTP.
- Reporting annually to BOEM on the progress of the HPTP and distribution of said reporting to consulting parties.

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

- Completing the mitigation measures necessary outlined in Section 3.
- Meeting correct standards.
- Providing correct documentation to all necessary Participating Parties involved for them to review and comment.

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.

SMR

- Consult, when necessary, on implementation of this HPTP.
- Coordinate to start onsite documentation and research.
- Send copies of final documentation, signage, and brochure, as appropriate.

National Park Service

- Consult, when necessary, on implementation of this HPTP.
- Serve as a Participating Party in the review process.
- Send copies of final HABS documentation.

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.

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

REFERENCES

- Andrus, Patrick W. (and edited by Rebecca H. Shrimpton)
2002 *How to Apply the National Register Criteria for Evaluation*. National Register Bulletin 15, U.S. Department of the Interior, National Park Service, Washington D.C. Located online at: <http://www.cr.nps.gov/nr/publications/bulletins/nrb15/>. Accessed April 17, 2014.
- Boyko, Wayne C. J., and Beverly A. Boyko
2008 Phase I Archaeological Survey of the State Military Reservation, 83.81 ha (207 acres) at Camp Pendleton, Virginia Beach, Virginia. Fort Pickett Cultural Resource Management Project 2007.15. Conservation Management Institute, Virginia Polytechnic Institute and State University Cultural Resources Program, Blackstone, Virginia. Prepared for Virginia Department of Military Affairs and Fort Pickett Maneuver Training Center, Blackstone, Virginia.
- Cartellone, Chris, and Charles Darden
2019 Archaeological Monitoring Report, Coastal Virginia Offshore Wind (CVOW) Interconnection Facilities Project, Camp Pendleton, Virginia Beach, Virginia. AECOM, Germantown, Maryland. Prepared for Dominion Energy, Glen Allen, Virginia.
- Derrick, Mary Beth, Jeffrey L. Holland, Larissa A. Thomas, Ph.D., and Emily Tucker-Laird
2021a Pre-Application Analysis of Cultural Resources for the Coastal Virginia Offshore Wind Commercial Project in the City of Virginia Beach and the City of Chesapeake, Virginia. Prepared by Environmental Resources Management, Duluth, Georgia.
- Derrick, Mary Beth, Jeffrey L. Holland, Larissa A. Thomas, Ph.D., Emily Tucker-Laird, MacKenzie Carroll, Emily Dodson, Dominique Segura
2021b Phase I Historic Architectural Survey of Alternative Routes: Coastal Virginia Offshore Wind Commercial Project, City of Virginia Beach and City of Chesapeake, Virginia. Prepared by Environmental Resources Management, Duluth, Georgia.
- Laird, Matthew R., and Anthony W. Smith
2017 Archaeological Monitoring for the Installation of Subsea Cable at State Military Reservation Camp Pendleton, Virginia Beach, Virginia. James River Institute for Archaeology, Inc., Williamsburg, Virginia. Prepared for Virginia Department of Military Affairs and Maneuver Training Center Fort Pickett, Blackstone, Virginia.
- National Park Service
2008 HABS Guideline, Recording Historic Structures and Sites with HABS Measured Drawings. Accessed 13 March 2023. <https://www.nps.gov/hdp/standards/HABS/HABSDrawings.pdf>
- 2011 Historic American Buildings Survey Guide to Field Documentation. Accessed 13 March 2023. <https://www.nps.gov/hdp/standards/HABSGuideFieldDoc.pdf>
- 2015 Heritage Documentation Programs, HABS/HAER/HALS Photography Guidelines. Accessed 13 March 2023. <https://www.nps.gov/hdp/standards/PhotoGuidelines.pdf>
- 2020 Historic American Buildings Survey. Guidelines for Historical Reports. Accessed 13 March 2023. <https://www.nps.gov/hdp/standards/HABS/HABSHistoryGuidelines.pdf>
- 2021 Preparing HABS/HAER/HALS Documentation for Transmittal. Accessed 13 March 2023; <https://www.nps.gov/hdp/standards/Transmittal.pdf>

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

Malvasi, Meg Greene

2013 Camp Pendleton/State Military Reservation Historic District: National Register of Historic Places Evaluation/Return Sheet, Additional Documentation. On file, Virginia Department of Historic Resources, Richmond, Virginia.

Markell, Ann, et al.

2007 Survey of the Architectural and Archaeological Cultural Resources at the Virginia Air National Guard Installations at the Richmond International Airport, Henrico County, and the State Military Reservation, Camp Pendleton, City of Virginia Beach, Virginia. R. Christopher Goodwin and Associates. Prepared for Air National Guard Readiness Center, Andrews AFB, Maryland.

Moffett, Simone Monteleone

2003 Camp Pendleton/State Military Reservation Historic District: National Register of Historic Places Registration Form. On file, Virginia Department of Historic Resources, Richmond, Virginia.

Monroe, Elizabeth, David W. Lewes, and Ellen L. Chapman

2017 Completion and Synthesis of Archaeological Survey, State Military Reservation Camp Pendleton, City of Virginia Beach, Virginia. William and Mary Center for Archaeological Research, College of William and Mary, Williamsburg, Virginia.

Virginia Department of Historic Resources (VDHR)

2008 Guidelines for Assessing Impacts of Proposed Electric Transmission Lines and Associated Facilities on Historic Resources in the Commonwealth of Virginia.
https://www.dhr.virginia.gov/wp-content/uploads/2018/08/DHR_Guidelines_for_Transmission_Line_Assessment.pdf. Accessed June 2021.

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**

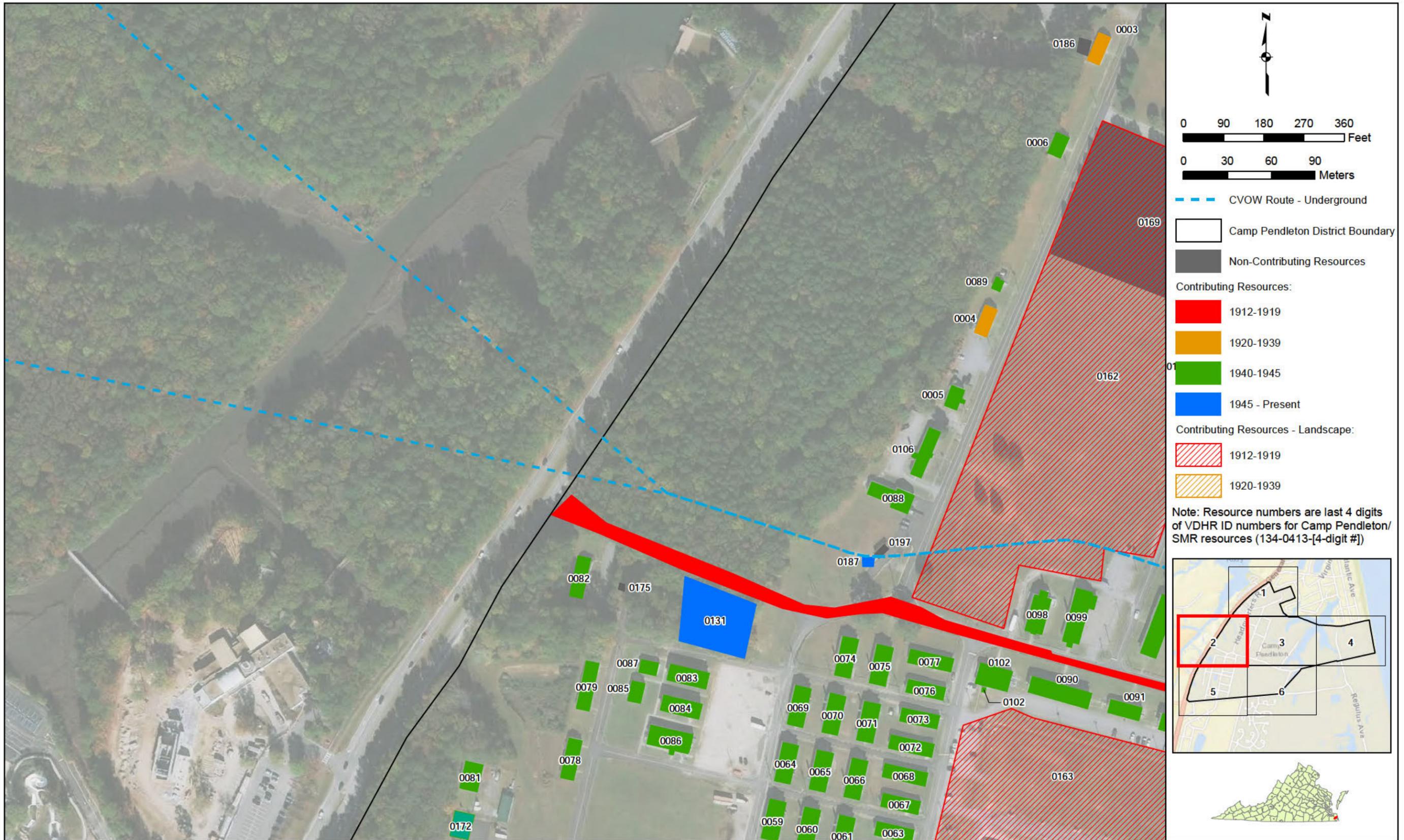


Appendix B. Overview of Camp Pendleton/SMR Historic District Showing Contributing Resources from Four Periods of Development.

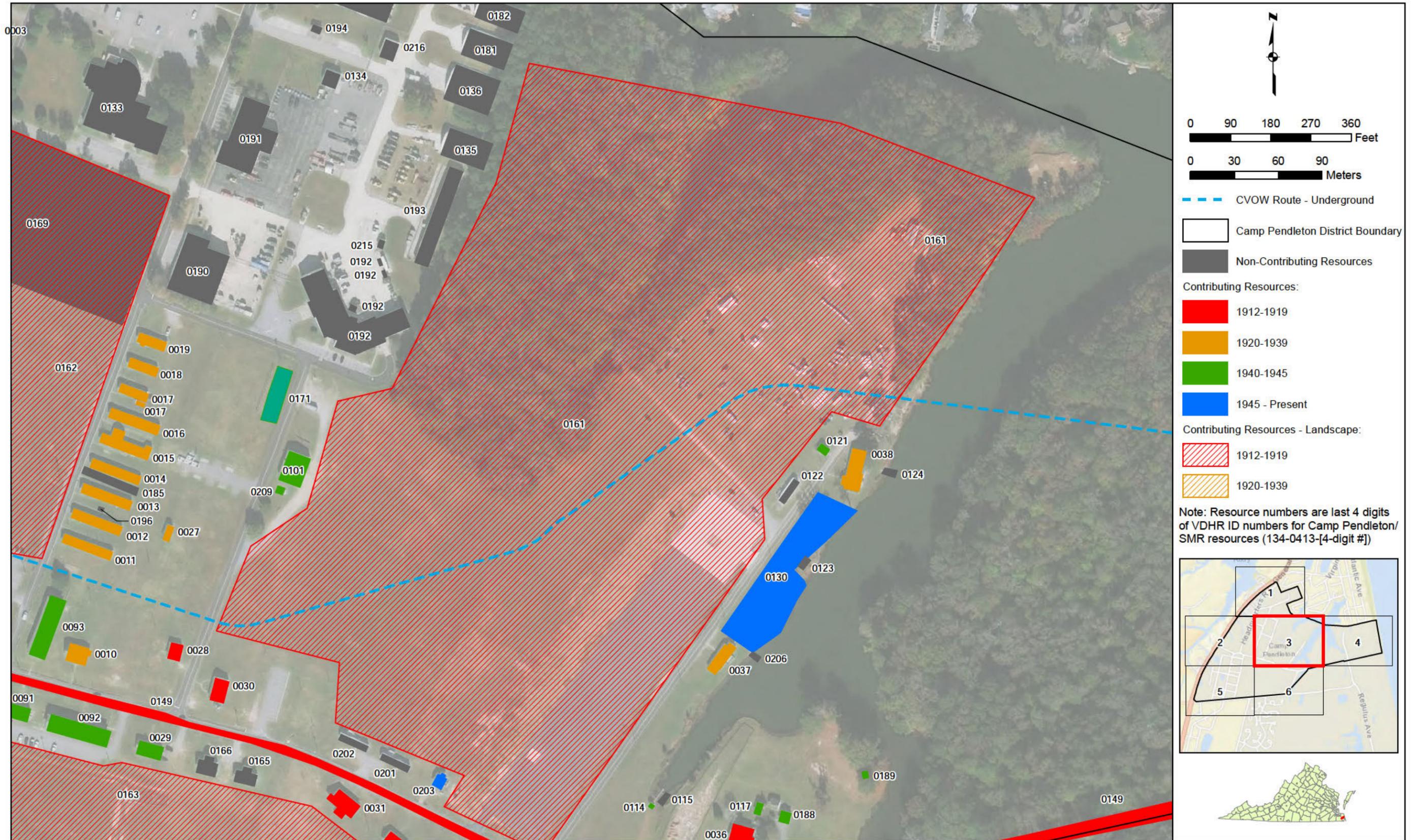
**APPENDIX C DETAILED MAP OF CONTRIBUTING RESOURCES SHOWING
VDHR RESOURCE NUMBERS AND ASSOCIATED
DEVELOPMENT PERIOD**



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



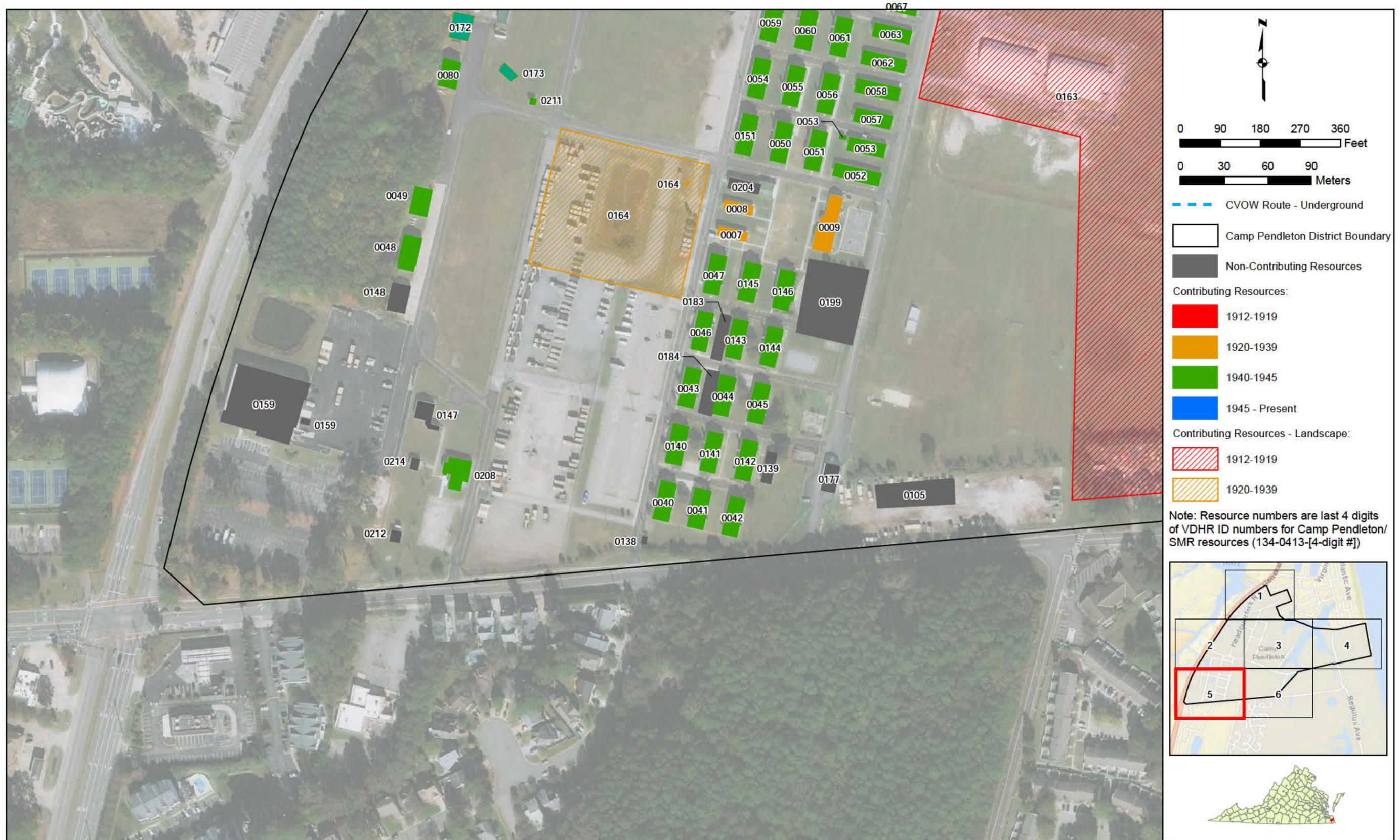
Appendix C: Detailed Map of Contributing Resources Showing VDHR Resource Numbers and Associated Development Period (Sheet 2 of 6).



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**

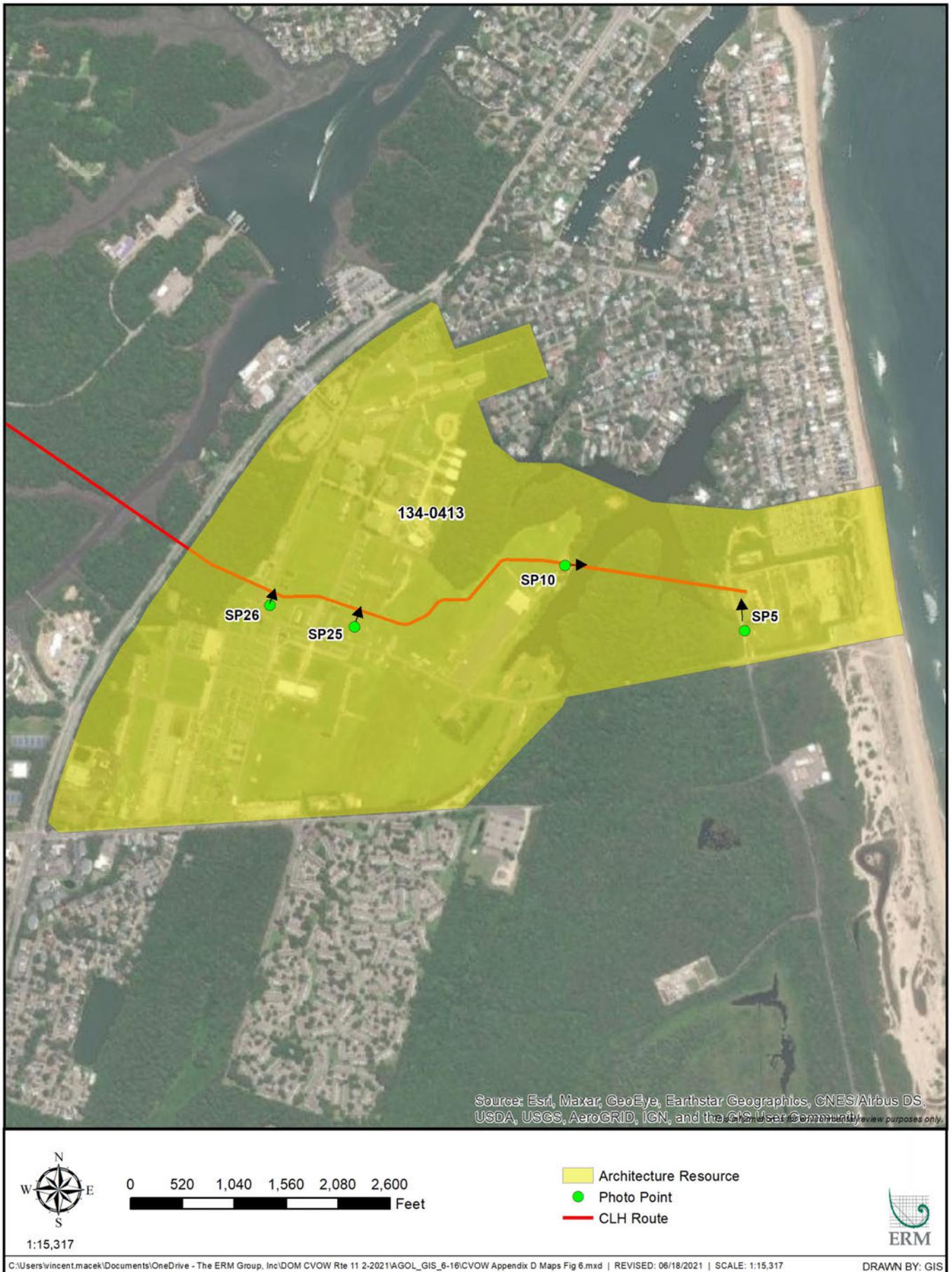


Figure 1: Aerial photograph depicting land use and photo view for 134-0413.



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

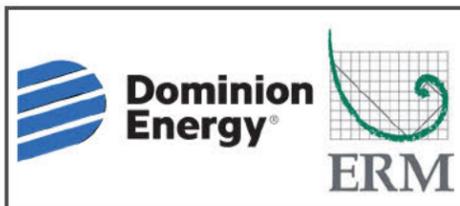


Figure 2:
Viewpoint SP5 - CLH Route
 On Regulus Road northwest of 134-0413
Treatment Plan for 134-0413
Coastal Virginia Offshore Wind
Commercial Project



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
 Lens: Nikkor 50mm 1.4
 Camera Height: 5 feet

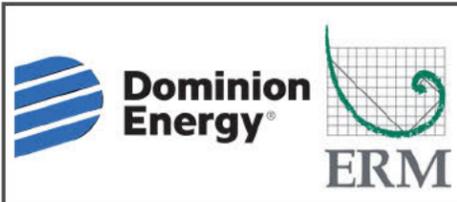


Figure 3:
Viewpoint SP5 - CLH Route
 On Regulus Road northwest of 134-0413
Treatment Plan for 134-0413
Coastal Virginia Offshore Wind
Commercial Project



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

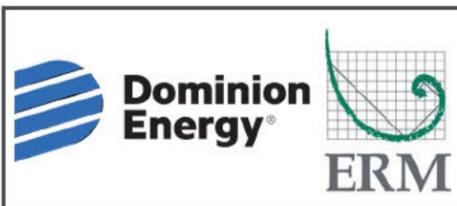


Figure 4:
Viewpoint SP10 - CLH Route
 Parking lot on end of Lake Road 134-0413
 Treatment Plan for 134-0413
 Coastal Virginia Offshore Wind
 Commercial Project



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

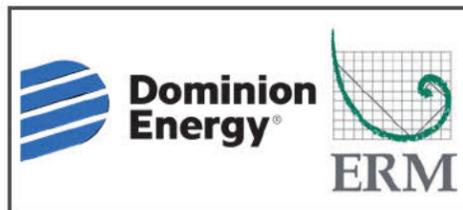


Figure 5:
Viewpoint SP10 - CLH Route
 Parking lot on end of Lake Road 134-0413
 Treatment Plan for 134-0413
 Coastal Virginia Offshore Wind
 Commercial Project



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



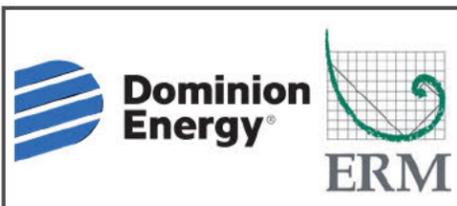
Figure 6:
Viewpoint SP25 - CLH Route
 Jefferson Avenue between buildings 57 and 83
 134-0413

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



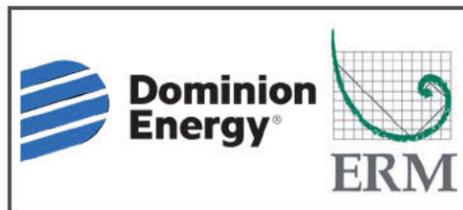
Figure 7:
Viewpoint SP25 - CLH Route
 Jefferson Avenue between buildings 57 and 83
 134-0413

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

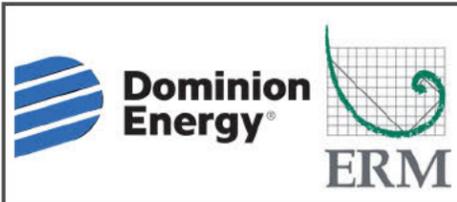


Figure 8:
Viewpoint SP26 - CLH Route
 In field to west of church 134-0413
Treatment Plan for 134-0413
Coastal Virginia Offshore Wind
Commercial Project



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

ERM has over 160 offices across the following countries and territories worldwide

Argentina	New Zealand
Australia	Norway
Belgium	Panama
Brazil	Peru
Canada	Poland
Chile	Portugal
China	Puerto Rico
Colombia	Romania
France	Russia
Germany	Singapore
Hong Kong	South Africa
India	South Korea
Indonesia	Spain
Ireland	Sweden
Italy	Switzerland
Japan	Taiwan
Kazakhstan	Thailand
Kenya	UAE
Malaysia	UK
Mexico	US
The Netherlands	Vietnam

ERM

3300 Breckinridge Boulevard
Suite 300
Duluth, Georgia, USA 30096

T: 678-781-1370

www.erm.com

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

DRAFT

Appendix X
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**

PREPARED FOR:

**TETRA TECH, INC.
10 POST OFFICE SQ., STE. 1100
BOSTON, MA 02109**

**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

DRAFT

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

February 2023

Prepared for:

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

DRAFT

TABLE OF CONTENTS

1.0	INTRODUCTION	1
2.0	POTENTIALLY SIGNIFICANT CULTURAL RESOURCES	2
3.0	ARCHAEOLOGICAL RESOURCE IDENTIFICATION/TRAINING.....	3
4.0	PROCEDURES FOR THE DISCOVERY OF A POTENTIAL CULTURAL RESOURCE	3
	For Discoveries in Federal Waters	4
	For Discoveries in Virginia State Waters.....	5
5.0	UNANTICIPATED DISCOVERY OF HUMAN REMAINS	6
	For Discoveries in Federal Waters	6
	For Discoveries in Virginia State Waters.....	7
6.0	GUIDANCE FOR SUPPLEMENTAL ARHCAEOLOGICAL INVESTIGATIONS OF POST- REVIEW DISCOVERIES	8
7.0	NOTIFICATION LIST	10
8.0	COMMUNICATIONS AND NOTIFICATIONS PLAN FOR UNANTICIPATED DISCOVERIES	12

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 IN FEDERAL 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 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 IN FEDERAL WATERS

If suspected human remains are encountered in federal waters, the below procedures, which comply with the Advisory Council on Historic Preservation's (ACHP) *Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects*, 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

Dominion Energy Services, Inc.

Mitchell M. Jabs, Environmental Manager
120 Tredegar Street
Richmond, VA 23219
M: (804) 297-8154
Mitchell.M.Jabs@dominionenergy.com

Tetra Tech, Inc.

Nathalie Schils, Director of Offshore Energy
Tetra Tech, Inc.
10 Post Office Square, 11th Floor,
Boston, MA 02109
Direct: 617.443.7579
Cell: 216.469.4288
Nathalie.Schils@tetrattech.com

Principle Investigator

James Schmidt
R. Christopher Goodwin & Associates, Inc.
241 East 4th Street, Suite 100
Frederick, MD 21701
(Work) 301-694-0428, ext. 226
(Cell) 301-514-9014
sschmidt@rcgoodwin.com

Project Archaeologists

Olivia Ayers, Ghavin Deonarain and Ashley
Himmelstein
R. Christopher Goodwin & Associates, Inc.
241 East 4th Street, Suite 100
Frederick, MD 21701
(Work) 301-694-0428
Ayers@rcgoodwin.com
GDeonarain@rcgoodwin.com
AHimmelstein@rcgoodwin.com

BOEM

Christopher Horrell
Marine Archaeologist
Bureau of Ocean Energy Management
Office of Renewable Energy Programs
45600 Woodland Road (VAM-OREP)
Sterling, VA 20166
703-787-1577
Christopher.Horrell@boem.gov

Department of Historic Resources

Ms. Julie Langan, SHPO
2801 Kensington Avenue
Richmond, VA 23221
Phone: 804-482-6087
julie.langan@dhr.virginia.gov

BSEE

W. Shawn Arnold
Federal Preservation Officer, Archaeologist
1201 Elmwood Park Blvd
New Orleans, LA 70123-2394
504-736-2416
William.Arnold@bsee.gov

Barry Bleichner
Archaeologist
1201 Elmwood Park Blvd
New Orleans, LA 70123-2394
504-736-2947
Barry.Bleichner@bsee.gov

Chickahominy Tribe

Chief Steve Adkins
8200 Lott Cary Road
Pamunkey Reservation
Providence Forge, VA 23140
804-829-5548
stephenradkins@aol.com

Chickahominy Indians Eastern Division

First Assistant Chief Gerald Stewart
2895 Mt. Pleasant Road
Providence Forge, VA 23140
804-966-7815

Monacan Indian Nation

Chief Dean Branham
104 Walnut Place
Lynchburg, VA 24502
434-907-2600
MNation538@aol.com

Nansemond Tribe
Chief Keith F. Anderson
1001 Pembroke Lane
Suffolk, VA 23434
757-619-0670
chief@nansemond.org
chief@nansemond.gov

Pamunkey Tribe
Chief Robert Gray
191 Lay Landing Road
King William, Virginia 23086
804-339-1629
rgray58@hughes.net

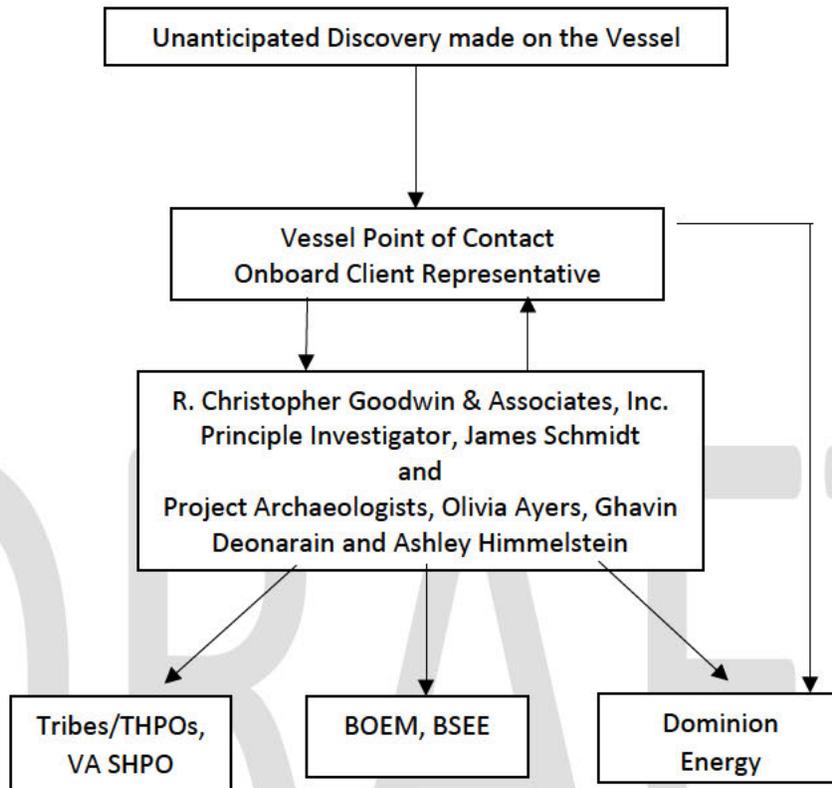
Rappahannock Indian Tribe
Chief Anne Richardson
5036 Indian Neck Road/HCR 1, Box 402
Indian Neck, VA 23148
804-769-0260
chiefannerich@aol.com

Upper Mattaponi Tribe
Chief Frank Adams
5932 Easts River Road
King William, VA 23086
804-690-1694
wfrankadams@verizon.net

Virginia Beach Sheriff's Office
Sheriff Ken Stolle
2501 James Madison Blvd.
Virginia Beach, VA 23456
757-385-4555

Tidewater District, Virginia Department of
Health, Medical Examiner
830 Southampton Ave., Suite 100
Norfolk, VA 23510
Phone: (757) 683-8366
Fax: (757) 683-2589
OCME_TIDE@vdh.virginia.gov

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**

DRAFT

Attachment G-1 Plan for Unanticipated Discoveries of Cultural Resources and Human Remains – Terrestrial Archaeological Resources

TABLE OF CONTENTS

G-1.1	Introduction	G-1-3
	G-1.1.1 Project Description.....	G-1-3
	G-1.1.2 Purpose of the Unanticipated Discoveries Plan—Terrestrial.....	G-1-6
G-1.2	Guidelines, Regulations, and Legislation for Unanticipated Cultural Resources and Human Remains	G-1-6
	G-1.2.1 Federal.....	G-1-7
	G-1.2.2 Commonwealth of Virginia.....	G-1-8
	G-1.2.3 Local.....	G-1-9
	G-1.2.4 Archaeological Permits Checklist.....	G-1-9
G-1.3	Training and Orientation	G-1-10
	G-1.3.1 Procedure When Potential Cultural Materials Are Observed.....	G-1-10
	G-1.3.2 Procedure When Human Remains and/or Potentially Human Skeletal Materials Are Observed.....	G-1-14
G-1.4	References	G-1-16
G-1.5	Contact List	G-1-17

FIGURES

Figure G-1-1.	CVOW Commercial Project.....	G-1-4
Figure G-1-2.	Onshore Project Components.....	G-1-5

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 National Guard 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.

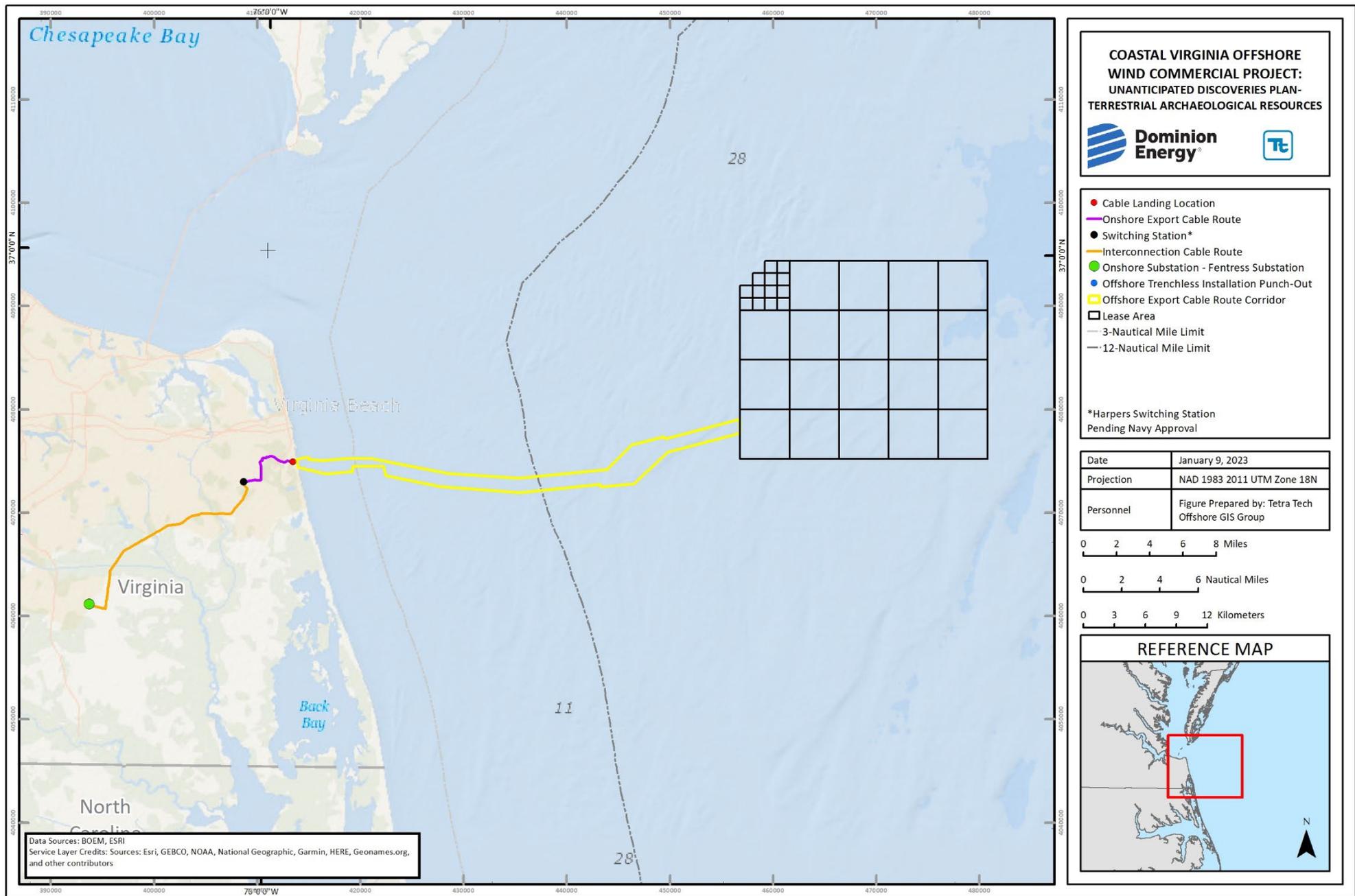
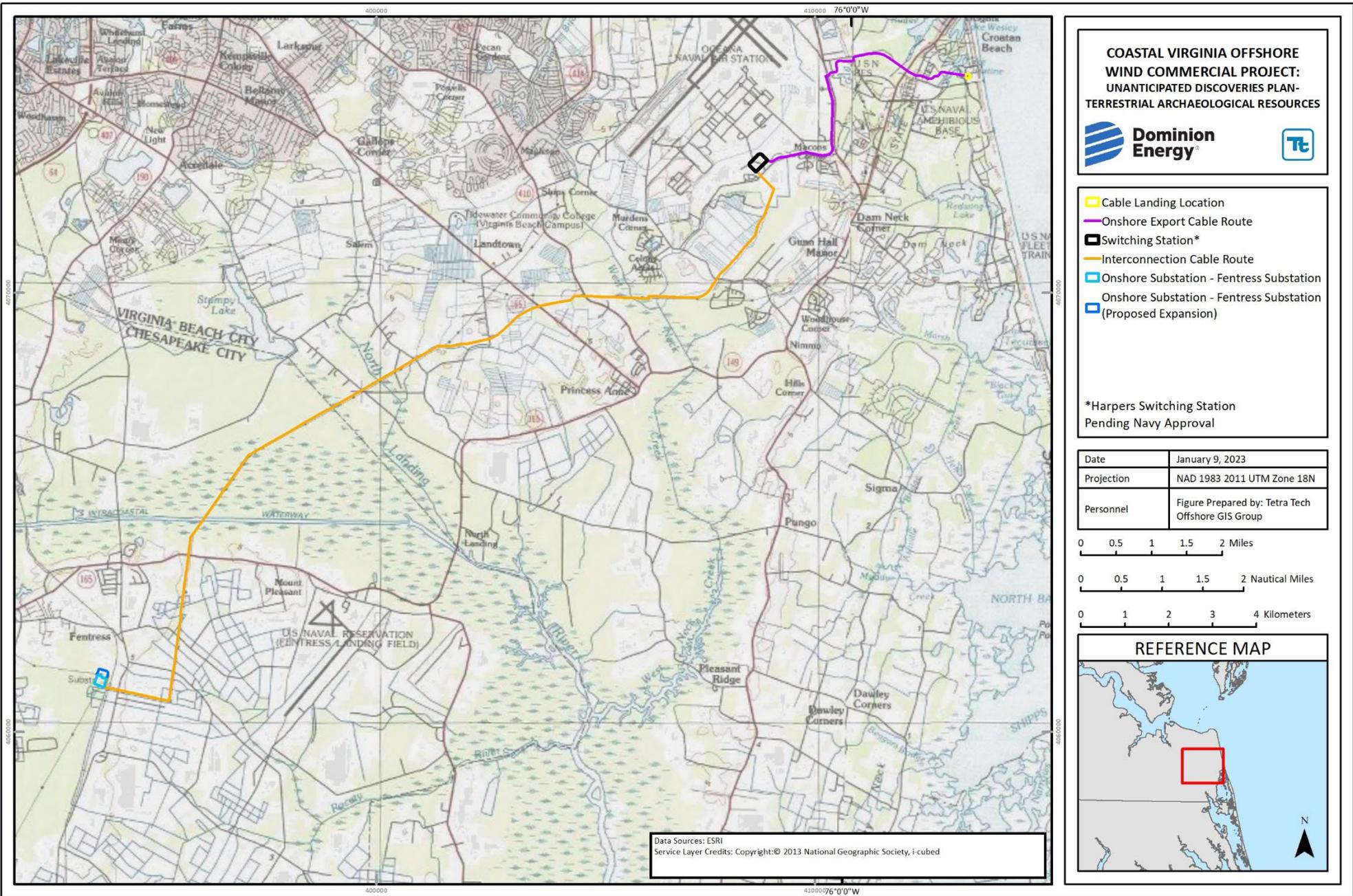


Figure G-1-1. CVOW Commercial Project



NOT FOR CONSTRUCTION
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 SMR 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 Treatment of Burial Sites, Human Remains, and Funerary Objects (February 23, 2007)
- 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
- Virginia Army National Guard 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 plan is in the process of being revised, as of October 8, 2021, Draft 4 of the plan was released (Commonwealth Preservation Group 2021; City of Virginia Beach 1994). 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 to the PM, Dominion Energy, and Tetra Tech contacts within 14 business days.
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 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 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.

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).

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, 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 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 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
- SMR, if the unanticipated discovery falls within Camp Pendleton/State Military Reservation
- Virginia Department of Military Affairs - Virginia Army National Guard, 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

- Blondino, J. R., M. Klein, and C. McCoy. 2018. *Archaeological Assessment of the Northern Portion of the City of Virginia Beach, Virginia*. Prepared for the Commonwealth of Virginia, Department of Historic Resources, Richmond, by Dovetail Cultural Resource Group I, Inc., Fredericksburg, VA. Redacted version available online at <https://www.vbgov.com/government/departments/planning/boards-commissions-committees/Documents/VA%20Historical%20Preservation/VB%20Archaeological%20Assessment%20Northern%20Half%202018.pdf>.
- Blondino, Joseph R. and Curtis McCoy. 2020. *Archaeological Assessment of the Southern Portion of the City of Virginia Beach, Virginia* On File at VDHR. Accessed May 2022.
- BOEM (Bureau of Ocean Energy Management). 2020. *Guidelines for Providing Archaeological and Historic Property Information Pursuant to 30 CFR Part 585*, May 27, 2020. Office of Renewable Energy Programs, BOEM. Available online at <https://www.boem.gov/sites/default/files/documents/about-boem/Archaeology%20and%20Historic%20Property%20Guidelines.pdf>.
- City of Virginia Beach. 1994. *Virginia Beach Historic Resources Management Plan*. Available online at https://www.vbgov.com/government/departments/planning/boards-commissions-committees/Documents/VA%20Historical%20Preservation/Update%202015%20HR%20Related%20Documents/HistoricResourcesManagmentPlan_web.pdf.
- Commonwealth Preservation Group. 2021. *Virginia Beach Historic Preservation Strategic Plan, Draft 3: June 8, 2021*. Prepared for the City of Virginia Beach and the Virginia Department of Historic Resources. Available at <https://www.vbgov.com/government/departments/planning/boards-commissions-committees/Documents/VA%20Historical%20Preservation/VB%20Preservation%20Plan%20Update%20-%20Draft%206.8.2021-%20By%20pages%20-%20reduced.pdf>.
- NOAA (National Oceanic and Atmospheric Administration). 2021. Tides & Currents: Datums for 8639207, Rudee Inlet VA. Available online at: <https://tidesandcurrents.noaa.gov/datums.html?id=8639207>. Accessed September 13, 2021.
- Underwood, J. R., and D. B. Blanton. 1999. *Preserving Our Past, Protecting Our Future: An Assessment of Archaeological Resources in the City of Chesapeake, Virginia*. Prepared for the Virginia Department of Historic Resources, Richmond, and the City of Chesapeake Planning Department, by the William and Mary Center for Archaeological Research, Department of Anthropology, the College of William and Mary, Williamsburg, VA. Available online at https://www.cityofchesapeake.net/Assets/documents/departments/planning/preserving_out_past_protecting_our_future.pdf.
- 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.

<p>Dominion Energy On-Site Project Manager (Name) (Title) (Address) (Address) (Phone) (email)</p>	<p>Contractor On-Site Manager/Foreman (Name) (Title) (Address) (Address) (Phone) (email)</p>
<p>Dominion Contact (Name) (Title) (Address) (Address) (Phone) (email)</p>	<p>Alternate Dominion Contact (Name) (Title) (Address) (Address) (Phone) (email)</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 Division 2801 Kensington Avenue Richmond, Virginia 23221 Phone: (804) 482-6091 roger.kirchen@dhvirginia.gov</p>	<p>Alternate VDHR Contact (Name) (Title) (Address) (Address) (Phone) (Email)</p>
<p>BOEM Project Contact Bonnie Houghton NEPA Coordinator 45600 Woodland Road Sterling, Virginia 20166 (703) 438-5108 bonnie.houghton@boem.gov</p>	<p>BOEM Archaeology Contact Laura Kate (LK) Schnitzer Archaeologist, Office of Renewable Energy Programs 45600 Woodland Road, VAM-OREP Sterling, Virginia 20166 (Phone) 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</p>
<p>Naval Criminal Investigative Service (Name) (Title) (Address) (Address) (Phone) (email)</p>	<p>U.S. Cultural Resource Management Catherine Lantzas-Olson NAS Oceana Cultural Resources Manager (Address) (Address) (Phone) catherine.lantzas-ol@navy.mil</p>
<p>State Military Reservation Camp Pendleton Susan Smead Cultural Resources Program Manager VDMA/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 (Name) (Title) (Address) (Address) (Phone) (email)</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 (Name) (Title) (Address) (Address) (Phone) (email)</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 Cottage/De Witt Cottage; Cavalier Hotel and Beach Club; 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; Seahawk Motel; Seatack Lifesaving Station/U.S. Coast Guard Station; Virginia House; the Cavalier Shores Historic District and Sandbridge Historic District; Currituck Beach Lighthouse; First Cape Henry Lighthouse and Second Cape Henry Lighthouse 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) in consultation with the consulting parties.

- \$70,000 for mitigation of adverse effects to various historic properties in the City of Virginia Beach through:
 - Contribution to support the preparation of NRHP nominations or Multiple Property Document (MPD) for the Pocahontas Fowling Club and the Princess Anne County Gunning and Hunt Clubs
- \$110,000 for mitigation of adverse effects at the Seatack Lifesaving Station/U.S. Coast Guard Station and the Atlantic Wildfowl Heritage Museum/De Witt Cottage and other adversely affected historic properties in the City of Virginia Beach through:
 - Contribution to support hiring a contractor to develop a Sea Level Rise Mitigation Plan; and
 - to support educational programs and interpretation of the Virginia Beach Surf and Rescue Museum.
- \$110,000 for mitigation of adverse effects at the Cavalier Shores Historic District and Sandbridge Historic District through:
 - Contribution to support the survey and documentation of Doyletown and Queen City, which will support scholarship on these historic resources and further the understanding of the properties by the public.
- \$50,000 for mitigation of adverse effects at the Currituck Beach Lighthouse through:
 - Contribution to support operational expenses and/or restoration.

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

- \$125,000 for mitigation of adverse effects at the First Cape Henry Lighthouse (NHL) and Second Cape Henry Lighthouse through:
 - Contribution to support the development of a renovation and expansion plan for the Cape Henry Lighthouse Visitor Services Center; and
 - to support the interpretation of the lighthouses for the public good.

The total amount of mitigation funding will be \$X,XXX,XXX.

DRAFT

ATTACHMENT B FIGURES

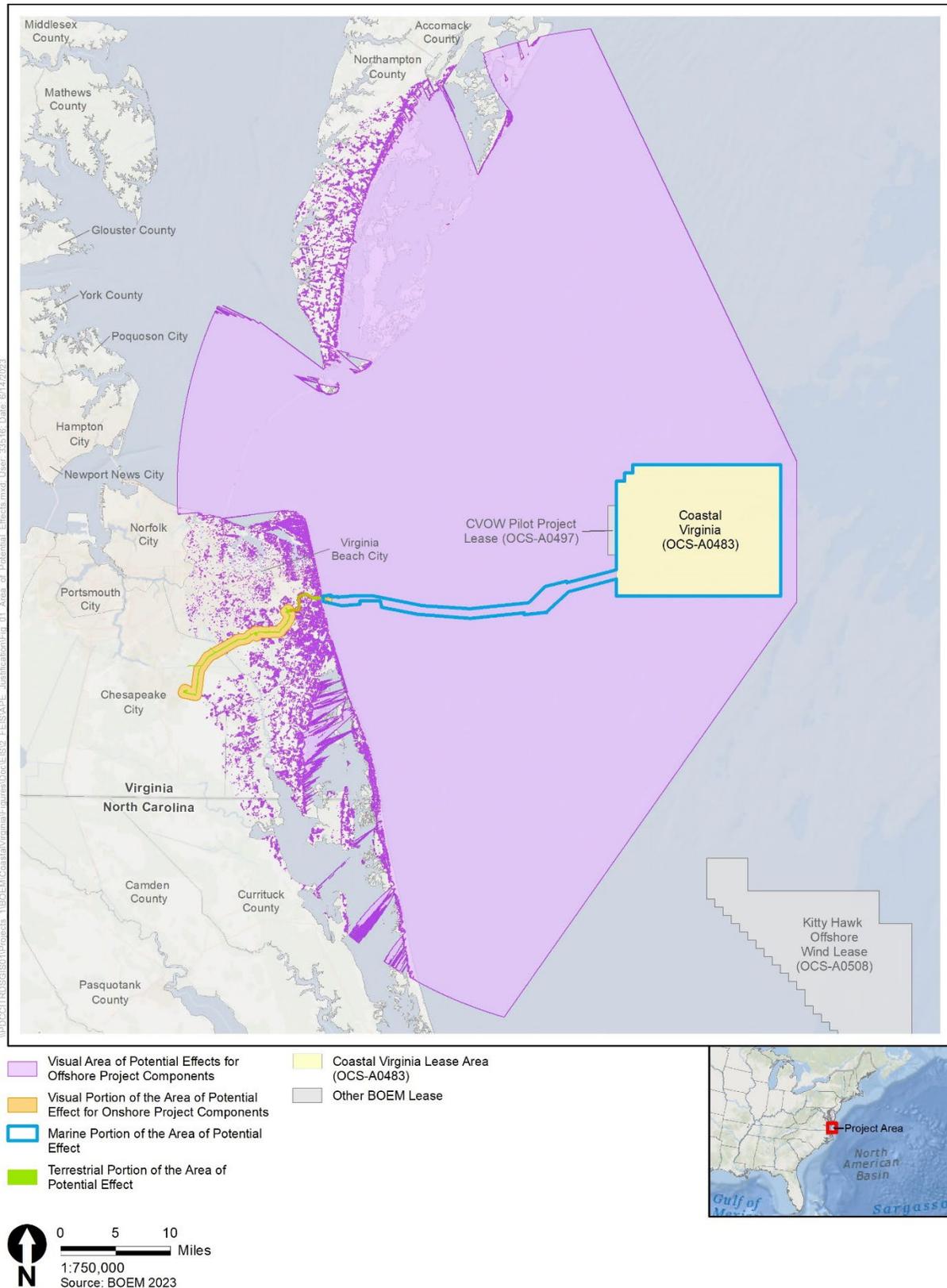


Figure O.B-1 Project APE

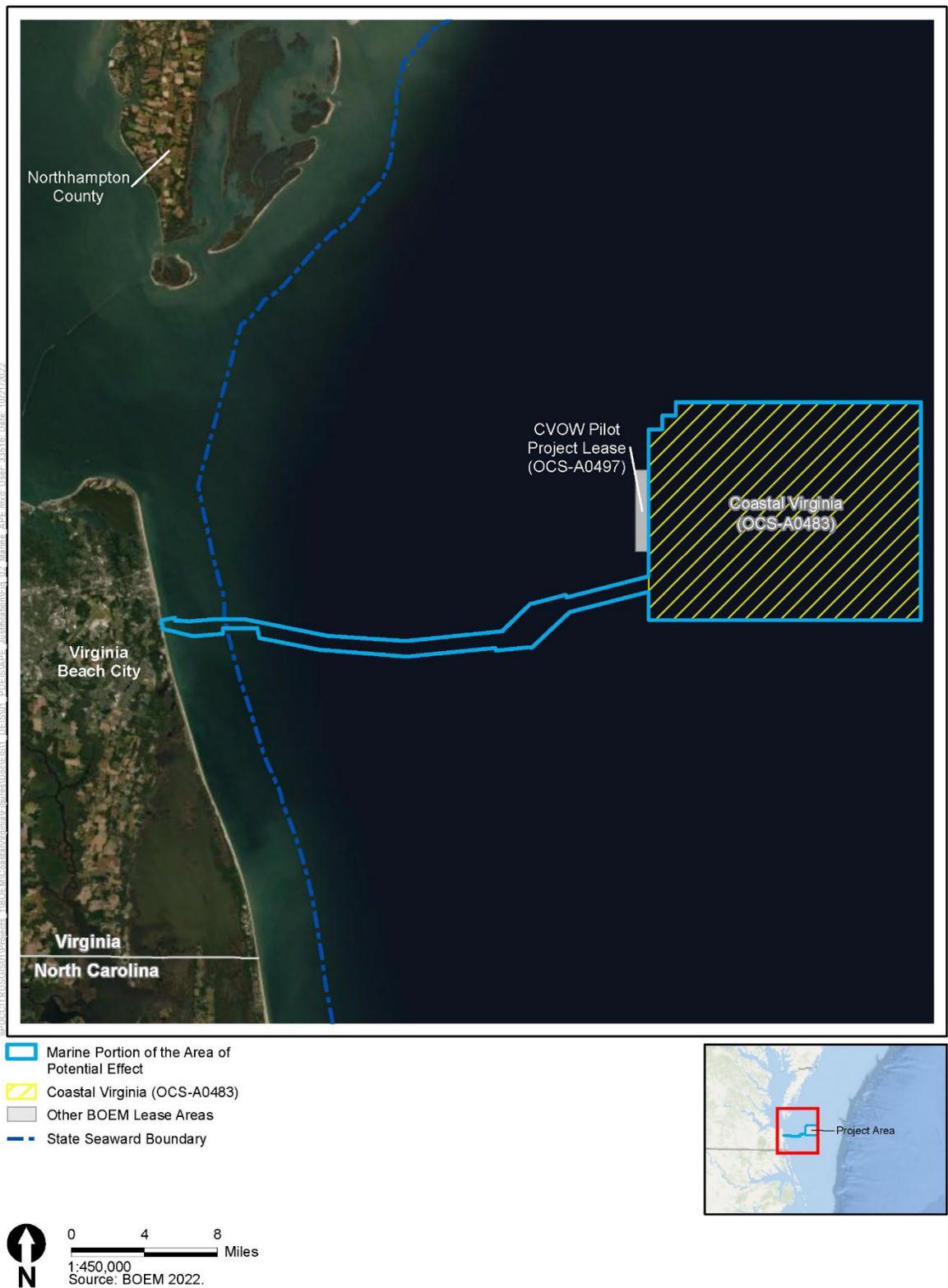


Figure O.B-2 Marine APE

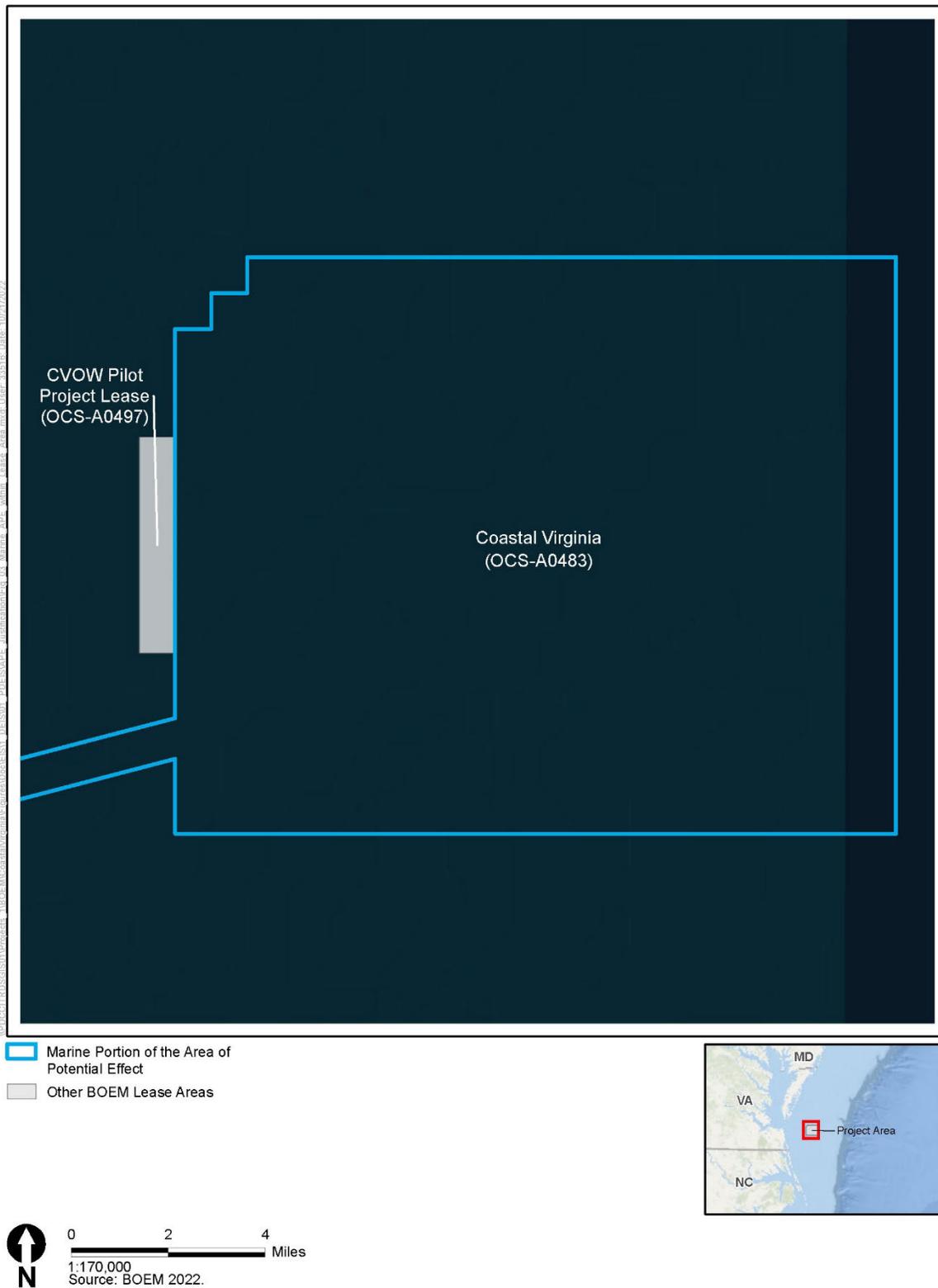
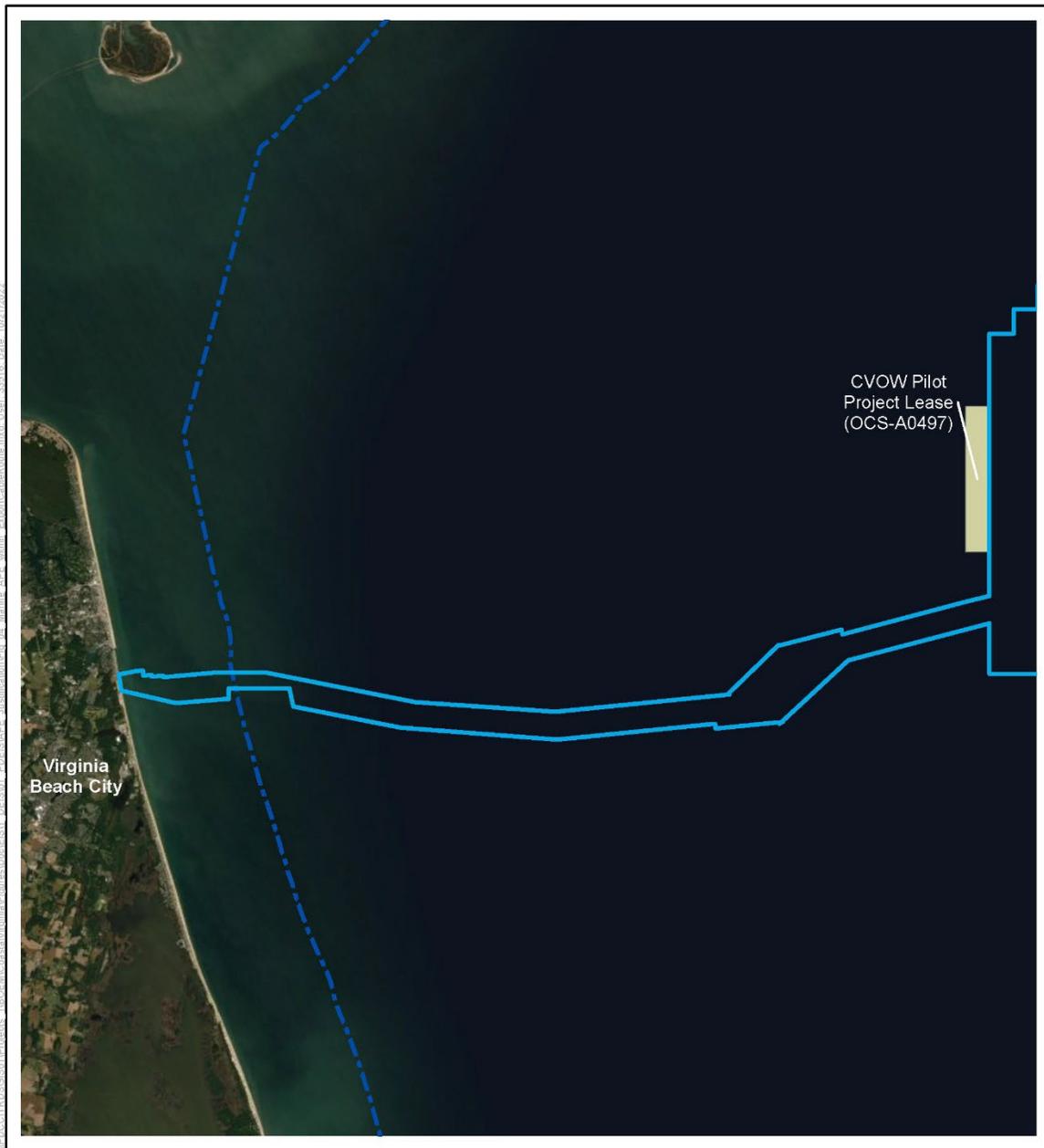


Figure O.B-3 Detail of Marine APE Within the Lease Area



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

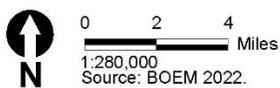
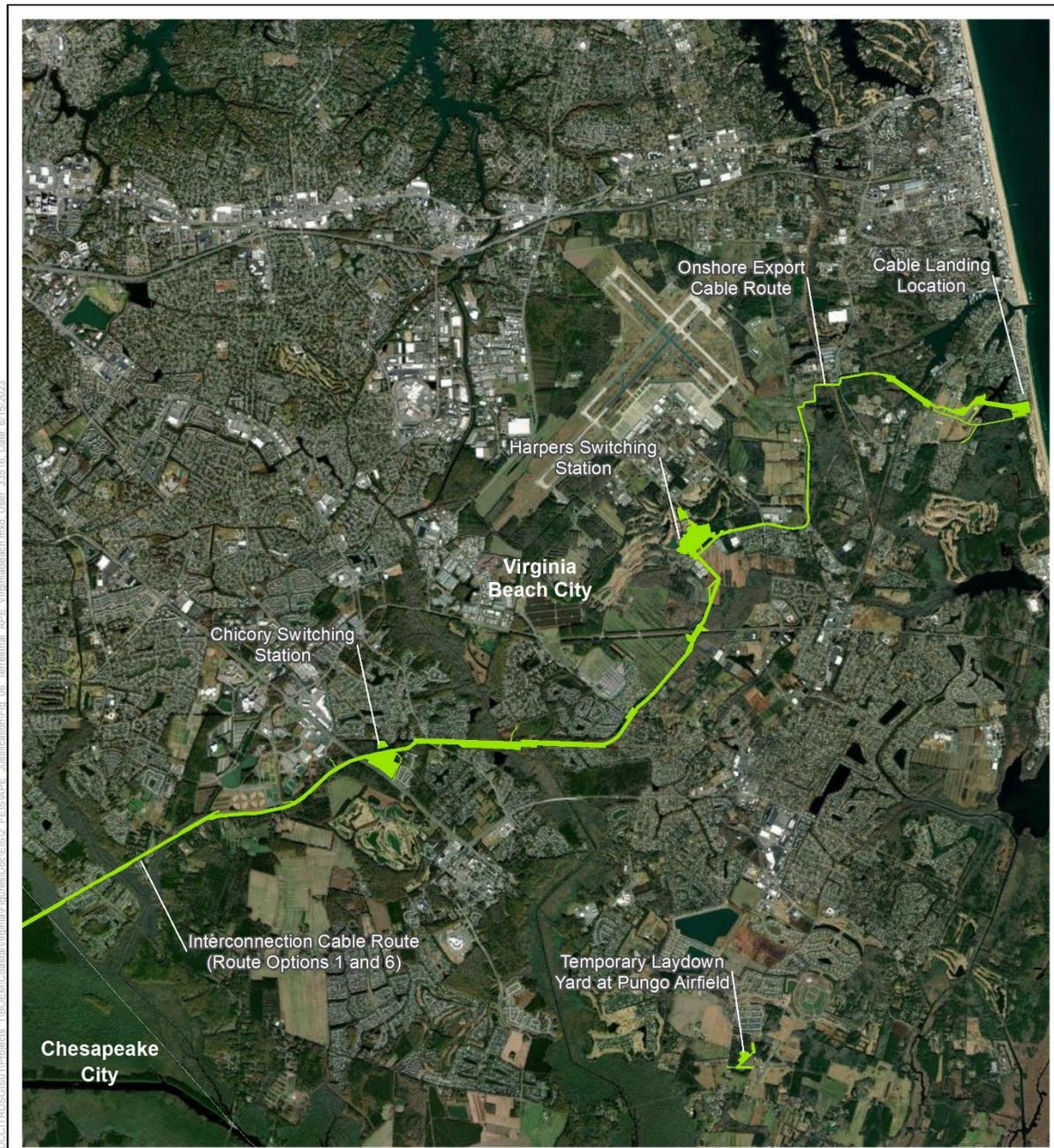


Figure O.B-4 Detail of Marine APE Within Export Cable Route Corridor



Figure O.B-5 Terrestrial APE



 Terrestrial Portion of the Area of Potential Effect

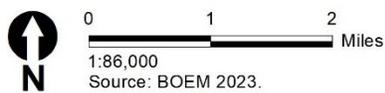
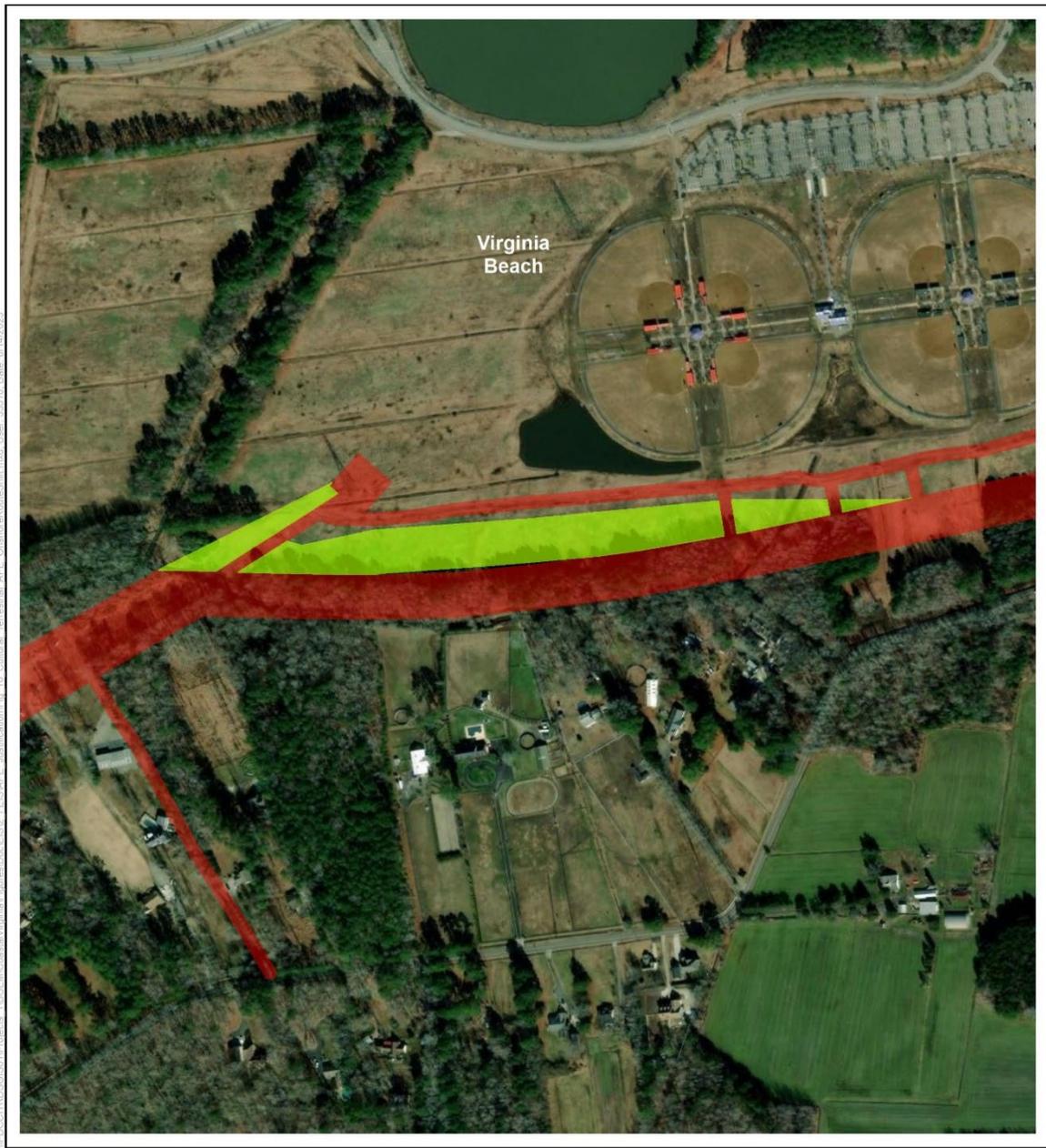


Figure O.B-6 Detail of Easternmost Portion of the Terrestrial APE



Figure O.B-7 Detail of Westernmost Portion of the Terrestrial APE



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

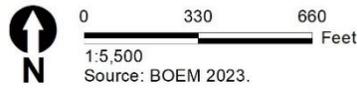


Figure O.B-8 Detail of Terrestrial APE at Interconnection Cable Route Shift in Virginia Beach, Virginia

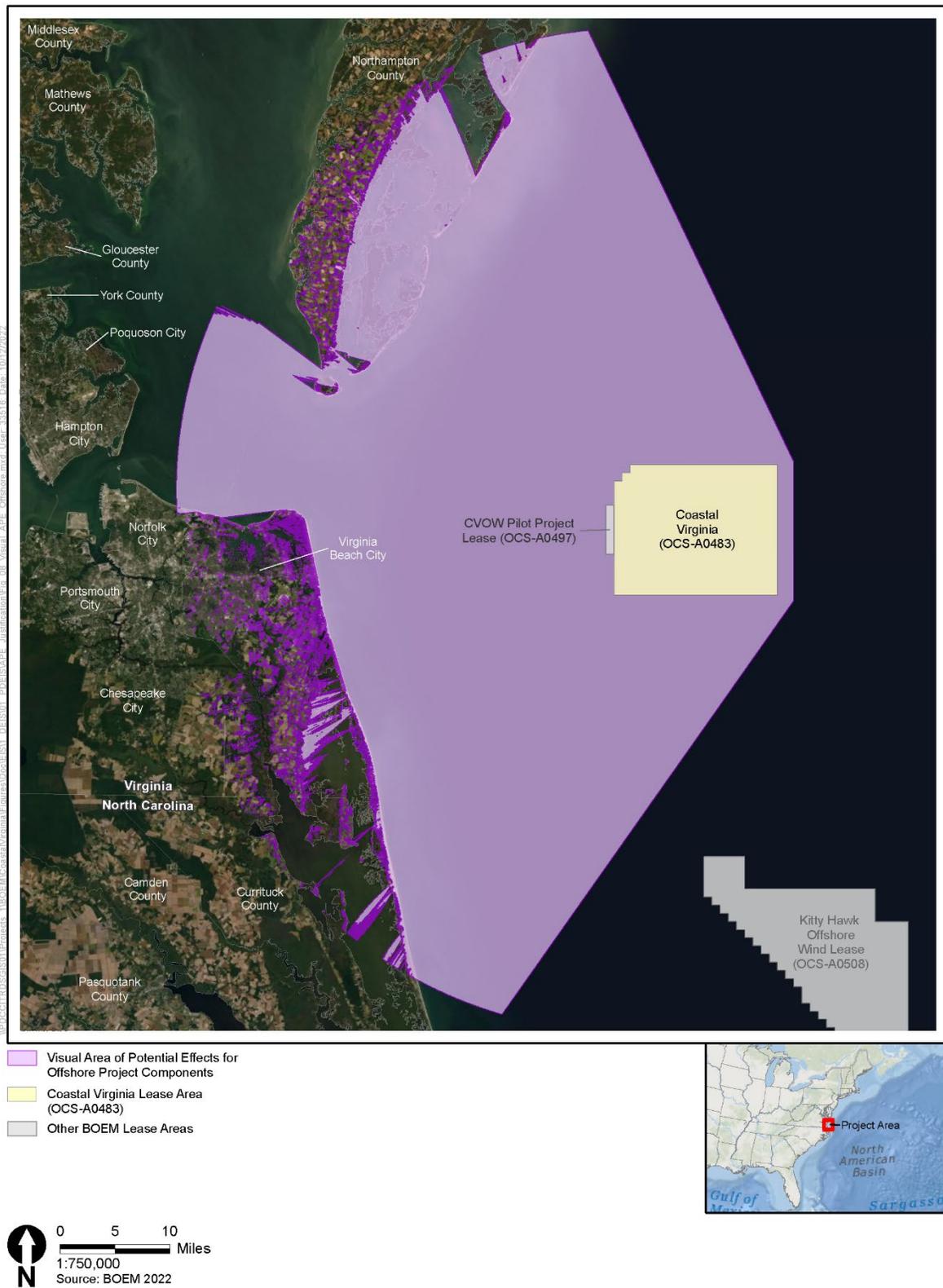


Figure O.B-9 Visual APE for Offshore Project Components



Figure O.B-10 Detail of Northernmost Portion of Visual APE for Offshore Project Components

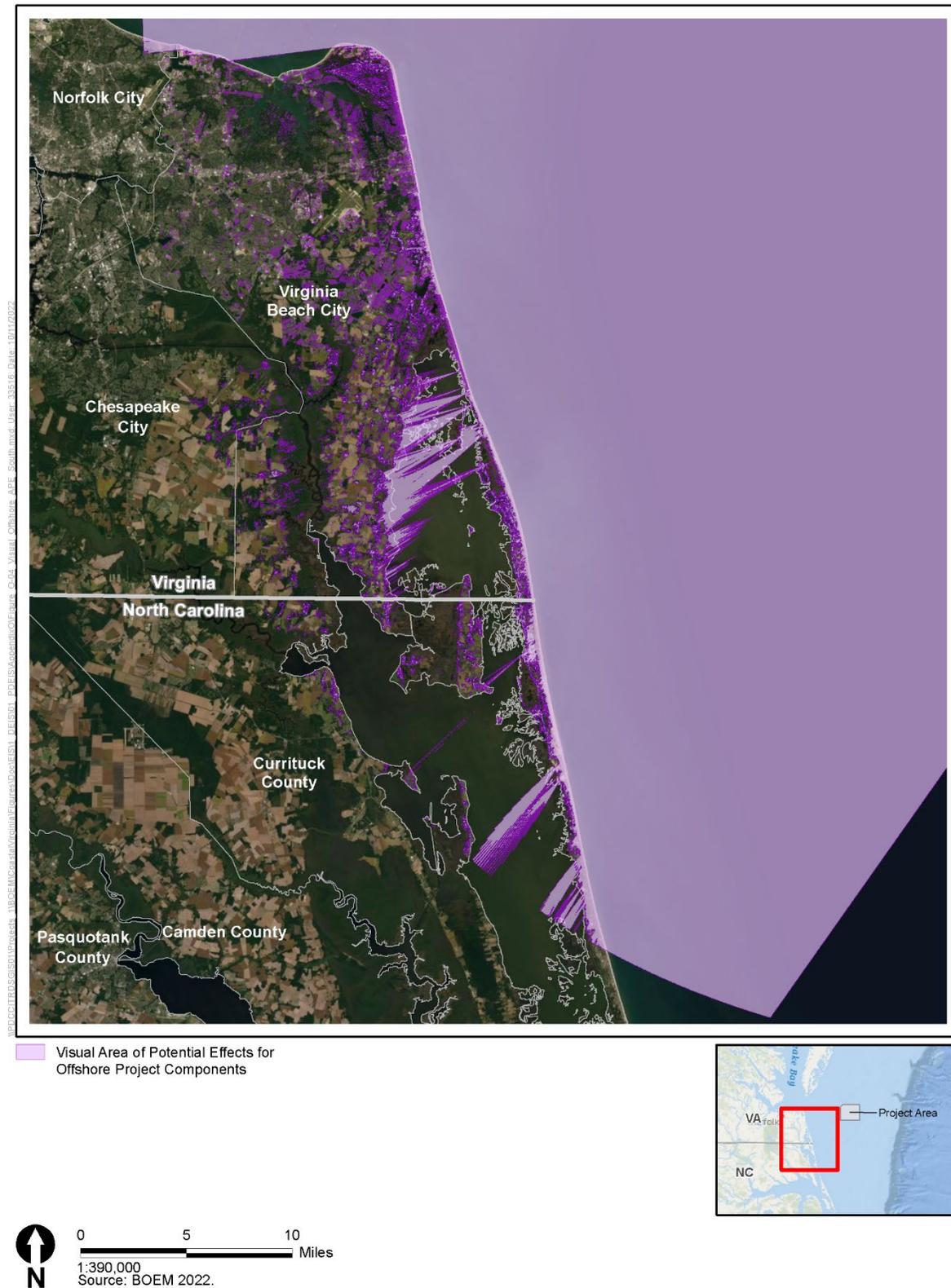


Figure O.B-11 Detail of Southernmost Portion of Visual APE for Offshore Project Components

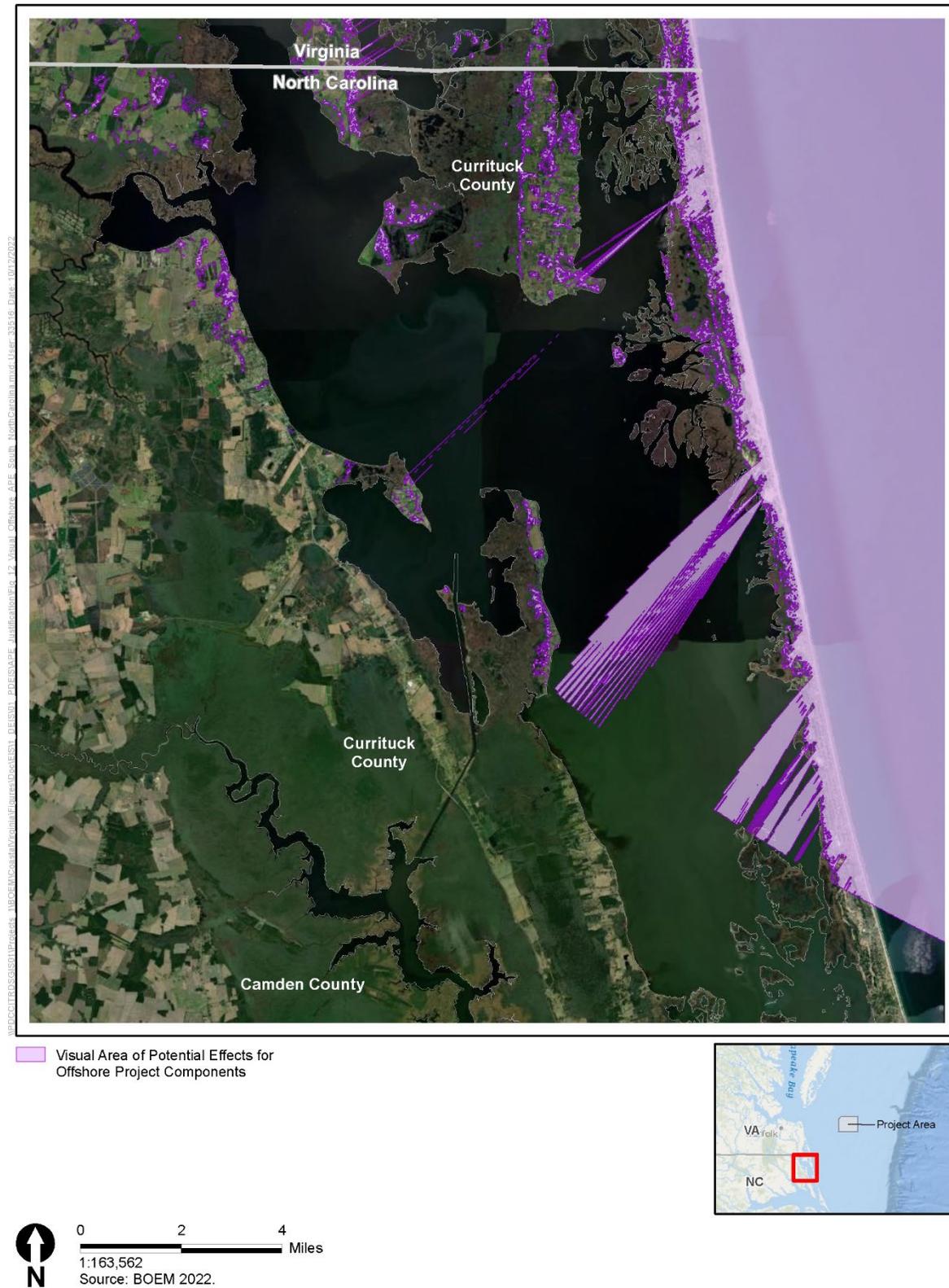
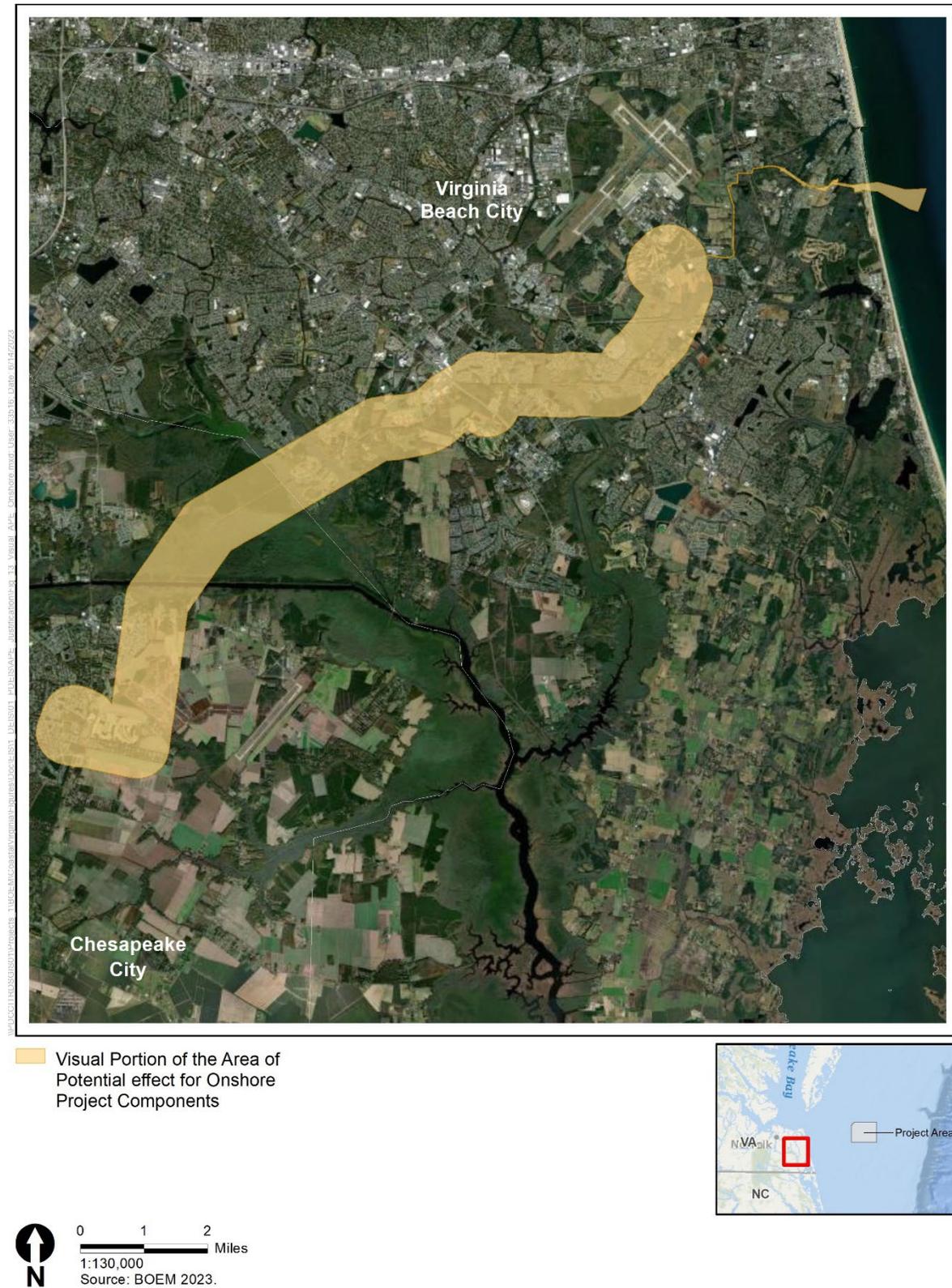


Figure O.B-13 Detail of Visual APE for Offshore Project Components in North Carolina



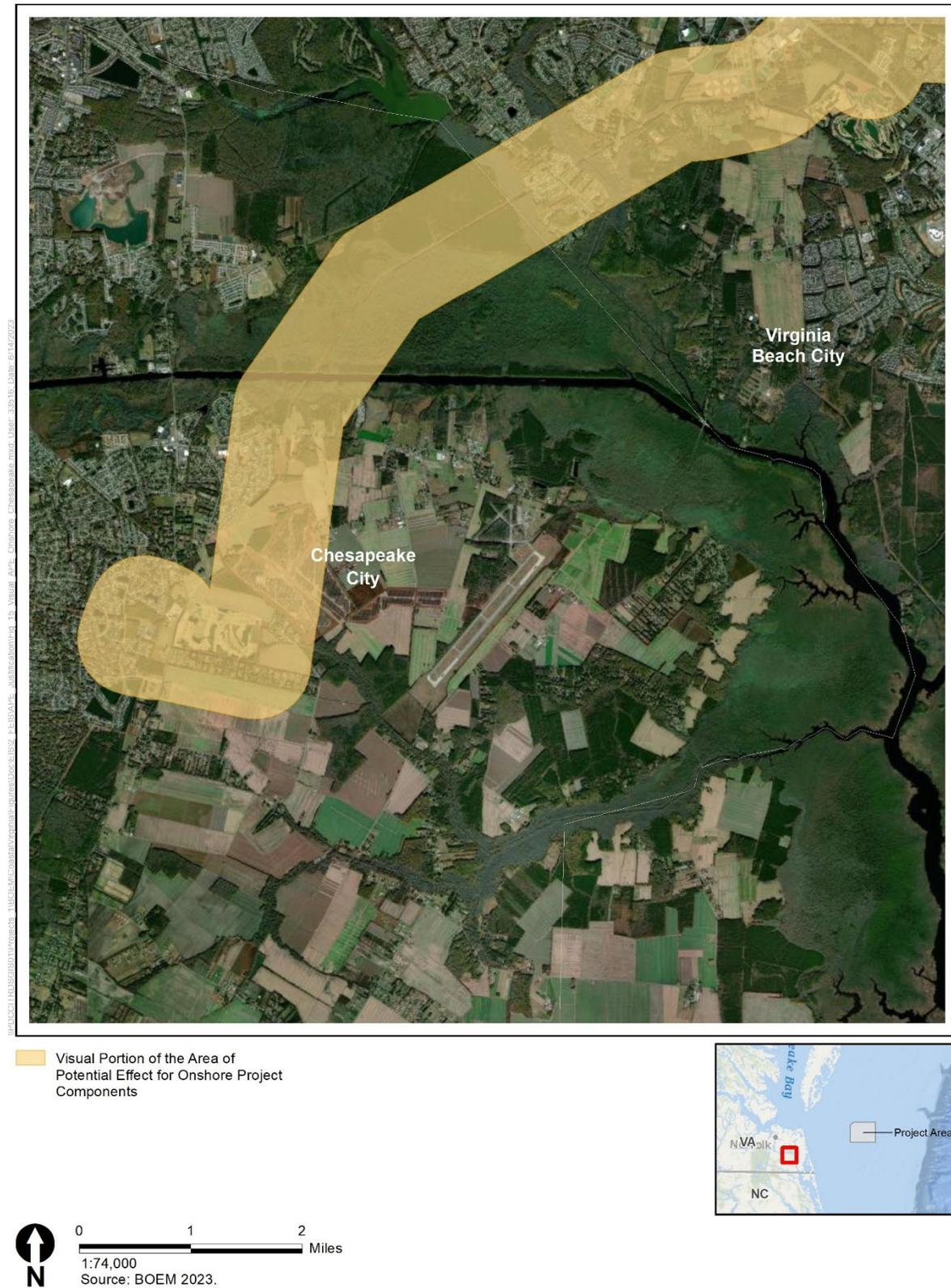


Figure O.B-16 Detail of Southernmost Portion of Visual APE for Onshore Project Components

ATTACHMENT C ENTITIES INVITED TO BE CONSULTING PARTIES

The following is a list of governments and organizations that BOEM contacted and invited to be a consulting party to the NHPA Section 106 review of the CVOW-C Project in July and August 2021 and May 2023. Throughout the consultations, additional parties were made known to BOEM and were added as they were identified.

Organization Type	Organization Name
SHPOs and State Agencies	North Carolina Department of Natural and Cultural Resources, Division of Historical Resources
	Virginia Department of Historic Resources
	Virginia Army National Guard
	False Cape State Park
	First Landing State Park
	Kiptopeke State Park
Federal Agencies	Assateague Island National Seashore
	Captain John Smith Chesapeake National Historic Trail
	Colonial National Historic Park
	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. Naval Air Station Oceana
	U.S. Navy Region Mid-Atlantic
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	Cheroenhaka Nottoway Indian Tribe
	Haliwa-Saponi Indian Tribe

Organization Type	Organization Name
	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 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

Organization Type	Organization Name
	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
	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.
	Urban League of Hampton Roads Virginia African American Cultural Center
	VAB 435 Oceanfront LLC
	Virginia House Beach Corporation

ATTACHMENT D CONSULTING PARTIES TO THE CVOW-C PROJECT

The following is a current list of consulting parties to the NHPA Section 106 review of the CVOW-C Project, as of July 2023.

Organization Type	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
	Virginia Army National Guard
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)
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
	Council of Virginia Archaeologists
	Eastern Shore of Virginia Historical Society
	Nansemond River Preservation Alliance
	Outer Banks Conservationists
	Preservation Virginia
	Property owner for House at 4910 Ocean Front Avenue
	Ruffin 86, LLC
Sandbridge Beach Civic League	

Organization Type	Organization Name
	Sandswept, LLC
	The Historic Cavalier Shores Civic League
	Virginia African American Cultural Center
Lessee	Dominion Energy