



128 Herring Pond Road, Plymouth, MA 02360

Date: July 5, 2022

TO: Wareham Planning Board

RE: Fearing hill Solar Project 12-22.

Dear Wareham Planning Board,

My name is Melissa (Harding) Ferretti. I am the current Chairwoman of the Herring Pond Wampanoag Tribe of Plymouth Massachusetts. -- and today, our Tribal community continues the work of our ancestors: protecting land and water for our youth, and for future generations. I write to you today on behalf of my Tribal community to share our concerns about the proposed Industrial Solar Project sited at Fearing Hill in Wareham and the potentially very destructive impacts on the environment and to our indigenous lands and ancient trails. The Herring Pond Wampanoag Tribe has sought to protect our homeland since the arrival of the English colonists, which was when assaults on the environment began -- including destruction of forested lands and the negative impacts these projects have. We are gravely concerned that there is a lack of oversight and respect of the cultural, historic, and archaeological significance of this site and to our rights as Indigenous people. These projects also appear to be proceeding without proper consultation with our Tribal community and or other Tribal Historic Preservation Officers in our region and the evidence presented is insufficient and does not fully appreciate the cultural and historical value of the land. We know that we, and our history as a Tribe, are directly connected to decisions that the Town of Wareham makes about projects such as this.

The Herring Pond Wampanoag Tribe has submitted several comments/statements to local and state officials sharing our concerns about the impacts of deforestation and the direct and immediate destructive impacts they have not only on the environment, but to the historic and cultural effects to the ancestral homelands of indigenous people. For our Tribe, and for all other tribal nations, our self-determination as a people depends upon fulfilling our responsibility to protect our youth, elders AND all our other relatives -- human and non-human.

Since time immemorial the Herring Pond Wampanoag Tribe members have resided in and around the Town of Wareham, and many of us still live and walk amongst you today. Our Tribal community has fished, hunted, trapped, and gathered on these lands for thousands of years and we rely heavily not only on clean water to drink, but also the resources that the land and sea provide to our families for sustenance. We are very concerned about the potential impacts of this activity on our cultural heritage and to our rights as an Indigenous people.

The Fearing Hill plan shows that the forested land will be clear-cut, all vegetation removed, and ground-mounted solar projects are slated for installation. This project will destroy the habitat for some of our more sacred plant and animal species that should be protected. Under these state, federal, and international law, such sites cannot be disturbed unless a consultation I'd made with the Indigenous communities. These sites are located on the ancestral lands of my people and on unceded Wampanoag territory and our rights to it should not be disregarded.

Laws and police protect us as indigenous peoples. For instance the United Nations Declaration on the Rights of Indigenous Peoples UNDRIP, which was endorsed by the U.S. State Department in 2010 states that we as indigenous people have an inherent human right to prior and informed consent about projects such as these – of the 46 Articles written in the UNDRIP --

article 11. 1. Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature. 2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

article 32.2. states Indigenous people have a right to good faith consultation and cooperation prior to the approval of any project affecting their lands, territories, and other resources, particularly in connection with the development, utilization, or exploitation of mineral, water or other resources. To the best of my knowledge this activity is being done without having consulted the local Tribes or having conducted a technical report.

There is a potential that this project will have adverse effects to historic and cultural resources that are important to all the local Tribes. Fearing Hill is a watershed whose distribution of water has evolved in channels and courses over thousands of years - nurturing the surrounding lands, wells, and water bodies. Surely, used and cherished by the Wampanoag as it fed the Weweantic and thus the sea. If we are to destroy that topography and the forest that holds and filters our water, it will change all the

surrounding land including the abutting Fearing Hill Conservation and the Westgate Lands Trust's undeveloped land. One trail continues to East Freetown and one branch ends. That branch remains across all maps is evidence that it was never made a cart trail and has the most potential for a site where people may have camped or settled temporarily at the well-drained peak of the Hill, which would offer a highpoint over all the land that was rich with edible/medicinal vegetation, and land and water animals for sustenance. Surely, the spring from the inland, gathering and hunting were plenty, then returning to this off the beaten path spur on the peak of Fearing Hill watershed.

A report namely "Historic & Archaeological Resources of Southeast Massachusetts A Framework for Preservation Decisions" from the Massachusetts Historical Commission which included a "Contact Period Native Trails" map that identified four trails running north and south and two running east-west. When overlayed with a present-day map of Wareham these trails/ancient ways are clearly shown on Fearing Hill certainly, considered archeologically sensitive for Wampanoag historical and cultural resources. There are several other report's written that support this evidence.

We know that land, water, and wildlife are our relatives, to whom we have a responsibility. Most importantly, we know that we have a primary responsibility to our tribal youth to ensure that they, and their children, inherit a planet that has been nurtured by us. We ask for your assistance in raising this issue at the highest levels of archaeological and environmental review and to ensure that you are also respect our rights.

Sincerely,



Melissa (Harding) Ferretti
Chairwoman/President
Herring Pond Wampanoag Tribe, Inc.

CC:
Town of Wareham
Historical Commission, Conservation Commission

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