

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Gary Moran
Acting Commissioner

Matthew Watsky and Rachel Watsky
Watsky Law
30 Eastbrook Road, Suite 301
Dedham, Massachusetts 02026

RE: Wareham--Wetlands
File No. SE76-2684
Compliance with M.G.L. c.9,
§§ 26-27c and 950 CMR 71

Dear Attorneys Matthew and Rachel Watsky:

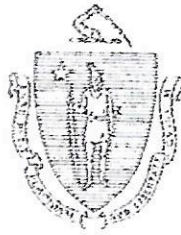
On March 1, 2023, the Massachusetts Department of Environmental Protection received a letter from Edward L. Bell, Deputy State Historic Preservation Officer indicating that the project locus may contain historic and/or archaeological resources (copy enclosed). Therefore, the project is subject to review by the Massachusetts Historical Commission pursuant to Massachusetts General Laws, Chapter 9, Sections 26-27C, and 950 CMR 71. Prior to the Department completing its review of the project and issuing an appropriate Superseding Order of Conditions, a Project Notification Form (PNF) must be filed with the Massachusetts Historical Commission. Blank PNF's may be obtained from:

Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, Massachusetts 02125

If you have any questions regarding this letter, please do not hesitate to contact me at (508) 946-2807.

Very truly yours,

Gary J. Makuch
Wetlands Program
Bureau of Water Resources



March 1, 2023

The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

Gary Makuch
Division of Wetlands and Waterways
Massachusetts Department of Environmental Protection
20 Riverside Drive
Lakeville MA 02347

RE: Fearing Hill Solar Project, 91 & 101 Fearing Hill Road, Wareham, MA. MHC #RC.72907.

Dear Mr. Makuch:

Thank you for contacting the Massachusetts Historical Commission (MHC) regarding the project referenced above, and for providing the information sent to the Massachusetts Department of Environmental Protection (MassDEP) pertaining to municipal, tribal, and citizen concerns about effects of the project to historic and archaeological resources.

The information that you provided indicates that MassDEP is reviewing an applicant's appeal of a denial of a wetlands permit by the Wareham Conservation Commission. The project may also require a National Pollution Discharge Elimination System General Construction Permit from the US Environmental Protection Agency. Other state and/or federal agency permitting or funding may be required or sought by the project proponent.

Review of the MHC's files indicates that the MHC has not received a Project Notification Form (PNF) for the project. The MHC's review and comment is required prior to the issuance of a state or federal agency license or funding, in compliance with state and federal historic preservation law and regulations.

The MHC requests that MassDEP direct the applicant to complete and submit to the MHC a PNF, a USGS quadrangle based topographic map with the boundaries of the project clearly indicated, and scaled project plans showing existing and proposed conditions. Any oversize material such as plans should be sized no larger than 11" x 17". The PNF is available at the MHC website under Most Requested: MHC Forms. The project information should be mailed or delivered to the MHC's office.

Thank you once again. These comments are offered to assist in compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (36 CFR 800) and M.G.L. c. 9, ss. 26-27C (950 CMR 71).

Sincerely,

A handwritten signature in dark ink, appearing to read "E. Bell".

Edward L. Bell
Deputy State Historic Preservation Officer
Senior Archaeologist
Massachusetts Historical Commission

cc: Wareham Conservation Commission

Edward L. Bell
Deputy State Historic Preservation Officer
MHC
220 Morrissey Boulevard
Boston, Massachusetts 02125