

DATE: JANUARY 18, 2007
TO: SKIP BRENNAN
IBERDROLA/COMMUNITY ENERGY, INC.
FROM: JOEL KLEIN; PATRICK HEATON; SARAH TRAUM
RE: JORDANVILLE WIND FARM PROJECT
HERITAGE LANDSCAPES DEIS REVIEW

John Milner Associates, Inc. (JMA) reviewed the comments prepared by Heritage Landscapes on behalf of Otsego 2000 and Advocates for Stark dated August 2, 2006 regarding the Jordanville Wind Farm DEIS Appendices F (Visual Impact Assessment) and H (Phase 1A Cultural Resources Survey and Phase 1B Archeological and Historic Architectural Survey Work Plan). The information presented below is intended as a response to both general and specific concerns raised in the Heritage Landscapes document.

All cultural resources work associated with the project has been conducted in accordance with the *New York State Historic Preservation Office Guidelines for Wind Farm Development Cultural Resources Survey Work* (the SHPO *Guidelines*) issued by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) in January of 2006. All of the reports prepared by JMA for the project have been subject to review and comment by OPRHP.

Throughout the Heritage Landscapes document, the five-mile historic-architectural survey area for the project is repeatedly questioned and critiqued as insufficient. The SHPO *Guidelines* are explicit in defining the Area of Potential Effect (APE) and study area for historic resources as a five-mile area around the project site within the topographic viewshed for the project. OPRHP Staff have continued to reassert the five-mile limits of the APE in every meeting and consultation regarding the project.

Section D2 of the Heritage Landscapes document includes a selective critique of the *Phase 1A Cultural Resources Survey* report (JMA 2005), which comprises a portion of Appendix H of the DEIS. In general, Heritage Landscapes characterizes the Phase 1A study as incomplete and proceeds to critique the document as if the Phase 1A was intended to serve as the only and final cultural resources assessment for the project. Heritage Landscape seems to ignore the explicit statement that the Phase 1A study identified only “previously recorded cultural resources” (JMA 2005:1). The Phase 1A report also clearly states that “no comprehensive architectural survey of the vicinity of the project area has ever been completed ... [and] that a Phase 1B archeological survey will be necessary prior to the construction of the proposed Project” (JMA 2005:12).

In our opinion, the *Historic Architectural Resources Survey* report (JMA 2006) prepared for the project explicitly addresses most of the concerns raised by Heritage Landscapes. Specific issues addressed and/or resolved in the *Historic Architectural Resources Survey* include:

- All properties listed on or determined eligible for listing on the State and/or National Registers of Historic Places (S/NRHP) identified within five miles of the project are included in the *Historic Architectural Resources Survey*. The impacts analysis for each of these properties presented in the *Historic Architectural Resources Survey* report supersedes the preliminary analysis and conclusions presented in the *Phase 1A Cultural Resources Survey*.
- It is not unusual in New York for Phase 1B surveys to be completed after the submission of the DEIS and prior to the preparation of the FEIS. Both the *Historic Architectural Resources Survey* and *Phase 1B Archeological Resources Survey* are included in Appendix H of the SDEIS.
- The Heritage Landscapes document (Section B) expresses the opinion that the “majority of the land around the Jordanville Wind Power Project can be categorized as a historic vernacular landscape” and that the project area itself may be “potentially eligible for historic district designation” (page 4). Heritage Landscapes asserts that the potential visual impacts to this landscape need to be appropriately considered. Section 3.5 of the *Historic Architectural Resources Survey* provides a definition and criteria for evaluating the project area as a cultural landscape and concludes: “portions of the study area include significant, intact historic vernacular landscapes, but in other areas of the study area, the historic character of [the] cultural landscape has been altered through modern changes and the loss of fabric” (JMA 2006:11).
- The proposed Waggoner Patent Historic District (located in the Town of Springfield in Otsego County) has not been formally determined eligible for listing on the NRHP. A draft NRHP nomination has been submitted to OPRHP. The draft nomination is not complete (e.g., final boundaries have not been determined), no formal determination of NRHP/SRHP eligibility has been rendered by OPRHP, and the New York State Board for Historic Preservation has not nominated the district to the National Park Service for listing on the NRHP.
- Section 4.1 of the *Historic Architectural Resources Survey* concludes by acknowledging that “portions of the [proposed] Waggoner Patent historic district may incur an adverse visual impact” but also notes that “in other areas the impact will be moderated or eliminated by the presence of intervening vegetation, the orientation of the observer, and distance from the project” (JMA 2006:16).
- The *Historic Architectural Resources Survey* explicitly acknowledges that the project will have a significant adverse impact to NRHP-listed and eligible properties. The proposed mitigation measures are intended to offset these adverse impacts.