

Riverhead Solar 2

Case No. 17-F-0655

1001.20 Exhibit 20

Cultural Resources

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EXHIBIT 20 CULTURAL RESOURCES

The Applicant has consulted with the New York State Historic Preservation Office (SHPO) to develop the scope and methodology for cultural resources studies for the Riverhead Solar 2 Facility¹. To date, formal consultation with SHPO has included initiating Facility review and consultation through SHPO's Cultural Resources Information System (CRIS) website,² submission of technical reports/work plans, completion of cultural resource survey reports, and review correspondence from SHPO staff (see Appendix 20-A).

Cultural resources studies typically define an Area of Potential Effect (or, APE), which defines the potential impacts and appropriate study area for a given project. For Riverhead Solar 2, the APE includes an APE for Direct Effects, defined as the area containing all proposed soil disturbance associated with the Facility. The APE for Indirect Effects includes those areas where the Facility may result in indirect effects on historic resources, such as visual or auditory effects. These potential effects, and the studies undertaken to evaluate the Facility's potential effects on cultural resources, are described in greater detail below.

(a) Archaeological Resources

(1) Summary of Impacts and Avoidance Measures

Solar facilities result in minimal soil disturbance relative to other types of development projects, and therefore have a lower relative potential to affect archaeological resources. The Applicant has sited the Facility on approximately 283 acres of private land in a mixed agricultural and commercial region in an effort to reduce the need for land clearing, and minimize the need for typical construction processes such as surface grading, and soil compaction. The areas proposed for development consist primarily of flat to gently undulating commercial sod fields, a former golf course, commercial paint-ball facilities and abandoned successional areas. Due to the flat relief, minimal grading (if any) will be necessary for the Facility and, in general, no large areas of excavation or soil removal/disturbance are anticipated. Construction of the Facility will be accomplished with machines that are consistent in terms of size, weight, and tread with the commercial equipment that are currently used on these properties or were used in the past. Therefore, the existing conditions within the Facility Site, coupled with the specific construction/installation measures discussed below serve to avoid and minimize potential impacts to archaeological resources.

¹ As defined throughout this Application, the Facility refers to all components of the proposed project, including PV panels and support structures, inverters, access roads, buried and above ground collection lines, a generation tie line (or "gen-tie"), a substation, a switching station, fences, and staging areas.

² SHPO's Cultural Resources Information System is accessible at: <http://www.nysparks.com/shpo/online-tools/>.

To identify potential archaeological sites within the Facility Site, the Applicant has completed a Phase IA Cultural Resources Survey (EDR, 2018a) and Phase IB archaeological survey (EDR, 2020; Appendix 20-B), which was conducted in accordance with a research design presented in the Phase IA cultural resources survey and reviewed/approved by the SHPO. The Phase IB archaeological survey identified a total of 3 archaeological resources, none of which were recommended potentially significant (i.e., potentially eligible for listing on the State and/or National Registers of Historic Places, or S/NRHP).

Based on the results of the Phase IB archaeological survey described below, three isolated pre-contact Native American archaeological resources were recorded within the Limits of Significant Ground Disturbance for the Riverhead Solar 2. As described in the Phase IB report, these three isolated finds do not meet the eligibility criteria for the S/NRHP. Therefore, the Facility will not result in an adverse effect to significant resources, and no additional archaeological investigations are warranted for the project.

As described below in 20(a)(6), in the event that unanticipated archaeological resources are encountered during construction, the Facility's Unanticipated Discovery Plan (Appendix 20-C) will include provisions to stop all work in the vicinity of the archaeological finds until those resources can be evaluated and documented by an archaeologist. With the adoption of these measures and based on continued consultation with the SHPO, the proposed Riverhead Solar 2 project is not anticipated to affect any significant archaeological resources.

(2) Phase IA Cultural Resources Study

The Applicant prepared a Phase IA Cultural Resources Survey³ (EDR, 2018a), which was submitted through the CRIS website on September 10, 2018, approved by SHPO on September 17, 2018 (Lloyd, 2018), and is summarized below. With respect to archaeological resources, the purpose of the Phase IA survey was to: 1) define the Facility's APE relative to archaeological resources based on the anticipated area of disturbance for Facility components; 2) determine whether previously identified archaeological resources are located in the APE; 3) document the extent of prior ground disturbance within the Facility Site; and, 4) propose a methodology to identify additional archaeological resources within the APE. The Phase IA report was prepared by professionals who satisfy the qualification criteria per the Secretary of the Interior's Standards for archaeology and historic preservation (36 Code of Federal Regulations [CFR] 61) and in accordance with applicable portions of SHPO's *Phase I Archaeological Report Format Requirements* (NYSOPRHP, 2005).

³ The Phase IA Survey for the Riverhead Solar 2 Facility (EDR, 2018a) was included as Appendix D of the Preliminary Scoping Statement (or, PSS) for the project and is not reproduced herein as an Appendix to the Article 10 Application.

Relative to the potential for archaeological sites to be located in the Facility, the results of the Phase IA survey for the proposed Facility are summarized as follows:

- Approximately 184 acres (63%) of the Facility Site are significantly disturbed by commercial sod farming, golf course construction, paved roadways, commercial development, residential development, parking lots, an existing electrical substation, and disturbed soil stockpiles. These areas are not considered to be sensitive for archaeological resources due to the extent of prior ground disturbance associated with past/current land uses. The extent of soil disturbance resulting from these past and current land uses within the Facility Site is described in the Phase IA survey report.
- Twelve previously recorded archaeological sites are located within 1-mile of the Facility Site, although none of the sites are located within the limits of the Facility Site.
- Based on topography, setting, soil, and proximity to water sources, as well as the presence of previously recorded archaeological sites near the Facility Site, there was a potential for archaeological resources to be located within portions of the proposed Facility Site.
- The Phase IA noted that there was also a potential for historic-period (i.e., nineteenth- and/or twentieth-century) archaeological resources to be located within the Facility Site. This potential was generally considered to be low throughout the Facility Site, except in areas located in close proximity to the former locations of structures identified on historical maps. Archaeological resources associated with these sites could include foundations, structural remains, artifact scatters, and/or other features.

In addition, the Phase IA survey (EDR, 2018a) proposed a methodology to conduct a Phase IB archaeological survey for the Facility, which was reviewed and approved by the SHPO (Lloyd, 2018). The results of the Phase IB archaeological survey are described below.

(3) Phase IB Cultural Resources Study

The Applicant conducted a Phase IB Archaeological Survey which was submitted to SHPO on May 15, 2020⁴ (EDR, 2020; Appendix 20-B) to identify archaeological sites within the Facility Site. The Phase IB survey was conducted under the supervision of Registered Professional Archaeologists (RPAs) who satisfy the qualification criteria per the Secretary of the Interior's Standards for archaeology (36 CFR 61) and in a manner consistent

⁴ The Phase IB Archaeological Survey report for the Riverhead Solar 2 Facility (EDR, 2020) is included as a confidential Appendix (20-B) to the Article 10 Application. Per Section 14.09 of the New York State Historic Preservation Act, archaeological site location information is considered sensitive and appropriate to be treated confidentially: "... Information on archaeological sites that may be damaged by unauthorized investigators if their location be generally known may be withheld from the public at the discretion of the commissioner in consultation with the commissioner of Education, and will be released, where appropriate, in a format approved by such commissioners" (also summarized within NYSDOT, 2015). Therefore, Phase IB Archaeological Survey Report is a confidential report. The results of the Phase IB survey are summarized herein.

with the New York Archaeological Council (NYAC) *Standards for Cultural Resource Investigations and Curation of Archaeological Collections in New York State* (the NYAC Standards) (NYAC, 1994) and SHPO's *Phase I Archeological Report Format Requirements* (NYSOPRHP, 2005).

The scope and methodology for the Phase IB Archaeological Survey was proposed in the Phase IA Archaeological Resources Survey (EDR, 2018a), which was submitted to SHPO in September 2018 and approved by SHPO on September 17, 2018 (Lloyd, 2018). The Phase IB methodology proposed in the Phase IA report was based on consultation with SHPO and is responsive to the relatively minimal ground disturbance necessary to construct the Facility.

The Facility's APE for Direct Effects is defined as those areas where soil disturbance is proposed to occur during construction. The APE for Direct Effects includes the extent of potential temporary soil disturbance anticipated to occur during Facility construction and is 283 acres in size. This represents the total area that could be temporarily disturbed by construction. However, as described in the Phase IA report, approximately 184 acres (63%) of the Facility Site are significantly disturbed by commercial sod farming, golf course construction, paved roadways, commercial development, residential development, parking lots, an existing electrical substation, and disturbed soil stockpiles. These areas are not considered to be sensitive for archaeological resources due to the extent of prior ground disturbance associated with past/current land uses. In addition, most proposed construction activities are unlikely to impact archaeological resources (such as the mounting of PV panel arrays on small pile-driven posts). Therefore, a smaller area, the "Limits of Significant Ground Disturbance", which totals 18 acres, has been defined in consultation with SHPO. As described in the Preliminary Scoping Statement (EDR, 2018b:72) the Limits of Significant Ground Disturbance were defined as:

"All areas where Facility-related impacts involving *significant* ground disturbance (i.e., trenching wider than 1 foot (0.3 meter), or any excavation, grading, and/or paving) will be subjected to Phase IB archaeological survey in the form of either shovel testing or pedestrian surface survey (following the methods outlined above), depending on the ground surface visibility. Areas of *significant* ground disturbance are anticipated to include:

- o All proposed inverter pads;
- o All proposed access roads;
- o All impacts associated with the proposed substations;
- o Any buried collection lines installed in a trench greater than 1 foot (0.3 meter) wide;
- o Any construction staging areas that require grading, and/or paving; and,
- o Any other areas where Facility-related impacts include earth disturbance beyond the installation of small posts or I-beams or the excavation of a less than 1-foot (0.3-meter) wide trench."

In review correspondence dated September 17, 2018, SHPO staff indicated their concurrence with the definition of the Limits of Significant Ground Disturbance as described in the Phase IA report (Lloyd, 2018).

The Phase IB archaeological survey fieldwork was conducted between October 8 to October 17, 2019 in accordance with the Phase IA research design previously reviewed and approved by SHPO (EDR, 2018a; Lloyd, 2018). The archaeological survey fieldwork was conducted in a manner concurrent with the Facility design. In several instances, the Facility layout was intentionally revised to avoid impacts to archaeological resources identified during the survey.

The archaeological survey involved the excavation of 262 shovel tests. As summarized below in Table 20-1 and further described in the Phase IB Archaeological Survey report for the Facility (EDR, 2020; see Appendix 20-B), the archaeological survey resulted in the identification of three pre-contact Native American isolated finds. In addition, EDR archaeologists identified a low-density, highly fragmented, and disarticulated scatter of twentieth century and modern debris within one shovel test, E1.18. Artifacts consisted of highly fragmented twentieth century architectural debris and are not affiliated with any historically map-documented structures. The materials are most likely associated with disturbance of the construction cut and fill access roads to the west and to the south of E1.18. Therefore, these finds were not treated as archaeological sites.

Table 20-1. Summary of Archaeological Resources Identified During the Phase IB Survey

Site Name	Description	Location	Potential Impacts	Avoidance Measures
RH-Isolate-001	Pre-Contact Isolate	Shovel test E1.23	Impacted by Facility layout	None (does not meet S/NRHP Criteria)
RH-Isolate-002	Lithic Scatter in Isolated Location	Shovel test B2.34	Impacted by Facility layout	None (does not meet S/NRHP Criteria)
RH-Isolate-003	Pre-Contact Isolate	Shovel test B2.25	Impacted by Facility layout	None (does not meet S/NRHP Criteria)

As seen above, three isolated pre-contact Native American archaeological resources were recorded within the Limits of Significant Ground Disturbance for the Riverhead Solar 2. As described in the Phase IB report, these three isolated finds do not meet the eligibility criteria for inclusion in the S/NRHP. Therefore, the Facility will not result in an adverse effect to significant archaeological resources.

(4) Phase II Study

Based on the results of the Phase IB archaeological survey described above, the three isolated finds identified with the Facility Site do not have the potential to meet the eligibility criteria for the S/NRHP. Therefore, no Phase II archaeological investigations are warranted or necessary for the Facility.

(5) Archaeological Material Recovered During Cultural Resources Studies

A total of 43 artifacts were recovered during of Phase IB fieldwork. These artifacts consisted of 36 historic-period artifacts and 7 pre-contact Native American artifacts collected from shovel tests. These collected artifacts were cleaned, catalogued, inventoried and curated in a manner consistent with professional standards, such as the New York Archaeological Council's (NYAC) *Standards for Cultural Resource Investigations and Curation of Archaeological Collections in New York State* (NYAC, 1994; the "NYAC Standards"). When the artifacts were collected in the field, archaeologists recorded standard provenience information and collected each artifact in sealed plastic bags per standard archaeological field practices. All recovered materials were washed, dried, and cataloged per standard archaeological laboratory procedures. Following processing and analysis, artifacts were curated in 4-mil polyethylene bags. Recovered artifacts were described to a level of detail sufficient to prepare an artifact inventory for inclusion in the Phase IB Archaeological Survey report (EDR, 2020a), which includes descriptions of each artifact's material, temporal or cultural/chronological associations (when possible to ascertain), style, and function. In addition, a selection of representative artifacts was photographed for inclusion in the report. Complete photographic documentation of all collected artifacts was not conducted. The Applicant understands that all artifacts recovered are the property of the landowner from which the artifacts were recovered. If appropriate, the consultant may identify local repositories (such as local historical societies or archaeological museums) for disposition of recovered artifacts.

(6) Unanticipated Discovery Plan

An Unanticipated Discovery Plan is included as Appendix 20-C of this Application. The Unanticipated Discovery Plan identifies the actions to be taken in the unexpected event that resources of cultural, historical, or archaeological importance are encountered during Facility construction. The plan includes a provision for work stoppage upon the discovery of possible archaeological or human remains. Evaluation of such discoveries, if warranted, will be conducted by a professional archaeologist, qualified according to the NYAC *Standards* (NYAC, 1994)

(b) Historic Resources

Historically significant resources are defined herein to include buildings, districts, objects, structures, and/or sites that have been listed on the S/NRHP, as well as those properties that SHPO has formally determined are eligible for listing on the S/NRHP.

(1) A Complete Historic Resources Survey

The Applicant has engaged in consultation with SHPO in order to evaluate the Facility's potential effect on historic resources listed or eligible for listing in the S/NRHP. The Applicant conducted a Phase IA Cultural Resources Survey⁵ for the Facility, which included an evaluation of potential impacts to previously identified historic properties (EDR, 2018a) in 2018. The Phase IA Cultural Resources Survey included the identification of previously inventoried historic properties within the 2-Mile Study Area, a site visits to evaluate previously identified historic resources within the 2-Mile Study Area, and a summary of the setting and potential visual effect on previously identified historic resources and survey districts within the Study Area, including representative photographs of historic properties and their visual setting, was provided as part of the Phase IA. The applicable portions of the Phase IA Cultural Resources Survey were prepared by a qualified architectural historian who meet the Secretary of Interior's Standards for Historic Preservation Projects (36 CFR Part 61).

Area of Potential Effect Relative to Aboveground Historic Resources

The Facility will have no direct physical impacts to historic resources (i.e., no historic structures will be damaged or removed). The Facility's potential effect on a given historic property would be a change (resulting from the introduction of photovoltaic (PV) panel arrays or other Facility components) in the property's visual setting. Therefore, the APE for Indirect Effects on historic resources includes those areas where Facility components (including PV panel arrays) will be visible or audible.

Indirect effects to historic properties could theoretically consist of auditory and/or visual effects; however, solar facilities produce minimal sound, so auditory effects resulting from the proposed Facility are not considered a significant type of impact to the setting of historic resources. Any possible concerns about the sound emissions from a solar project are largely confined to the new step-up transformer in the new substation, electrical inverters within the various solar panel fields and some short-lived activities during construction. There are no vibration issues associated with the operation of such a facility. Therefore, potential visual effects associated with the proposed Facility are the most significant consideration for defining an APE for Indirect Effects. Potential noise impacts are discussed in Exhibit 19 of the Article 10 Application.

The APE for Indirect Effects, as described herein, consists of all areas within a 2-mile radius of the Facility from which Facility components are predicted to be visible. The tallest components of the generating portion of the proposed Facility are associated with the existing collection substation. The PV panels and inverter equipment are not expected to be more than 11 feet above grade (less than a single-story residence). However, it should be

⁵ The Phase IA Survey for the Riverhead Solar 2 Facility (EDR, 2018a) was included as Appendix D of the Preliminary Scoping Statement (or, PSS) for the project and is not reproduced herein as an Appendix to the Article 10 Application.

noted that constituent PV panels are typically concentrated in large arrays, and as a whole, these arrays could result in adverse effects on the visual character or setting of an historic or cultural landscape.

Based on a review of SHPO's CRIS database, a total of 17 previously identified historic resources (three properties previously determined to be eligible for the S/NRHP and 14 properties whose S/NRHP eligibility had not been formally determined) are located within the 2-Mile Study Area for the Facility. In addition, two SHPO survey districts (the Baiting Hollow Historic District and Middle Road Vicinage) are located within the 2-mile Study Area. It is worth noting one of these survey districts includes a 0.5-mile segment of a state-designated historic corridor (the Sound Avenue Historic Corridor) that is located within the 2-Mile Study Area.

Of the 17 previously identified historic properties and two survey districts within the 2-Mile Study Area, the viewshed analysis indicated that only one previously identified property (4195 Middle Country Road [Satur Farms, LLC] SHPO USN 10306.000886) is anticipated to have potential views of the Facility; however, due to its age (approximately 40-50 years old) and lack of documented historic significance or architectural integrity, the Facility is not likely to impact any characteristics of the property that may make it eligible for listing in the S/NRHP (the property was subsequently determined by SHPO to be not eligible for listing in the S/NRHP).

Field review of potential Facility visibility from historic properties conducted as part of the Phase IA Cultural Resources Survey confirmed the results of the viewshed, and potential views of the Facility are only likely to be available from within or immediately adjacent to the Facility Site. However, field review also indicated that views toward the Facility Site from the closest historic property (the Smith-Okula farm, NYSOPRHP USN 10306.000424) would be screened by existing vegetation. Therefore, it can be concluded that visibility within the Study Area is variable, and no historic properties will be visually impacted by the Facility. In addition, the field review conducted as part of the Phase IA Cultural Resources Survey noted that no additional historic properties are located within the APE for Indirect effects for the Facility.

Based on field review and preliminary viewshed analysis prepared as part of the Phase IA Cultural Resources Survey, it is anticipated that the Riverhead Solar 2 Project will not have a significant adverse visual impact on aboveground historic resources listed in or eligible for listing in the S/NRHP, and the Applicant recommended that no further historic resources surveys should be necessary for review or the proposed Facility.

On November 15, 2018, SHPO issued review correspondence indicating their concurrence with the conclusions of the Phase IA Cultural Resources Survey:

We note that the Cultural Resources Survey indications there is a potential facility visibility at 4195 Middle Country Road. We have determined that 4195 Middle Country Road is not an historic building and thus we have no concerns regarding potential facility visual impacts to this property. As represented in the studies, there will be no facility visual impacts upon historic above ground resources. Assuming this remains true as your studies are finalized, our office will have no above ground concerns (Cumming, 2018).

In addition, SHPO determined that of the 17 resources identified in the Phase IA Cultural Resources Survey:

- Three properties previously determined S/NRHP-eligible have no change in status
- One property with no previous formal eligibility determination (Wells Cemetery, no USN) has been determined S/NRHP-eligible
- Eight properties with no previous formal eligibility determination are not S/NRHP-eligible
- Five properties with no previous formal eligibility determination have no change in status.

(2) A Summary of the Nature of the Probable Impact of Facility Construction and Operation on any Historic Resources.

Potential Direct Effects

Subsequent to the submittal of the Phase IA Cultural Resources Survey, the Applicant determined that a house and two barns located on the property at 407 Edwards Avenue in the Town of Riverhead would need to be removed to accommodate construction and operation of the Facility. On November 11, 2019 the Applicant submitted a memorandum to SHPO that provided a summary of the history of the property at 407 Edwards Avenue (EDR, 2019; see Appendix 20-D) in order to assess whether the property met eligibility criteria for listing on the S/NRHP, and to confirm that the Facility would have no direct impacts to historic properties. The memorandum concluded that the property at 407 Edwards Avenue does not appear to satisfy the criteria for listing in the S/NRHP. Although a review of historic maps and aerial photographs determined that buildings have been located in the same arrangement for over a century, none appear to be architecturally significant. Research did not reveal any significant associations with persons or that have made a significant contribution to the broad patterns of our history and the property has lost its associations with its historical agricultural use. SHPO responded via email on December 30, 2019 concurring that the property at 407 Edwards Avenue does not satisfy the criteria for listing in the S/NRHP (Bonafide, 2019; see Appendix 20-A).

Construction of the Facility will not require the demolition or physical alteration of any historic resources. No direct physical impacts to historic resources listed in or determined eligible for the S/NRHP will occur as a result of construction of the Facility. Therefore, the Facility will have no direct impacts to historic properties.

Potential Indirect Effects (Visual)

The Facility's potential effect on a given historic property would be a change (resulting from the introduction of PV panels) in the property's setting. As it pertains to historic properties, *setting* is defined as "the physical environment of a historic property" and is one of seven aspects of a property's *integrity*, which refers to the "ability of a property to convey its significance" (NPS, 1990:44-45). The other aspects of integrity include location, design, materials, workmanship, feeling, and association (NPS, 1990). The Federal Regulations entitled "Protection of Historic Resources" (36 CFR 800) include in Section 800.5(2) a discussion of potential adverse effects on historic resources. The following types of effects apply to Riverhead Solar 2:

Adverse effects on historic properties include but are not limited to: [items i-iii do not apply]; (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; [items vi-vii do not apply] (CFR, 2004).

The implementing regulations for New York State Parks, Recreation and Historic Preservation Law, Section 14.09 (9 NYCRR §428.7) state:

- a. In determining whether an undertaking will have an adverse impact on eligible or register property, the commissioner shall consider whether the undertaking is likely to cause:
 1. destruction or alteration of all or part of the property;
 2. isolation or alteration of the property's environment;
 3. introduction of visual, audible or atmospheric elements which are out of character with the property or alter its setting;
 4. neglect of the property resulting in its deterioration or destruction.

In defining aesthetic impacts to visually sensitive resources (such as historic buildings or other properties), the New York State Department of Environmental Conservation's (NYSDEC) Visual Policy states:

Aesthetic impact occurs when there is a detrimental effect on the perceived beauty of a place or structure. Significant aesthetic effects are those that may cause a diminishment of the public enjoyment and appreciation of an inventoried resource, or one that impairs the character or quality of such a place...In this regard, staff must consider 'magnitude' and 'importance' in determining the significance of a visual impact. Magnitude assesses factors such as severity, size or extent of an action. Importance relates to how many people are going to be affected by the project; the geographic scope of the project; and any additional social or environmental consequences if the project proceeds (or doesn't proceed). Each impact of an action must be judged by these two characteristics. (NYSDEC, 2019:9)

Under this approach, the mere fact that the Facility may be visible from a particular historic resource does not, in itself, constitute a significant impact to that resource. Instead, the significance and magnitude of the impact as defined in the NYSDEC Visual Policy must be considered.

A thorough analysis of potential visual impacts from the Facility including the potential visual effect on visually sensitive resources is included as part of Exhibit 24 (Visual Impacts) of the Article 10 Application.

As noted above, SHPO indicated in correspondence issued November 15, 2018 (Cumming, 2018; see Appendix 20-A) that they had no concerns regarding potential visual impacts to aboveground historic properties resulting from the Facility.

Potential Indirect Effects (Noise)

The assessment of potential noise-related impacts from the Facility is discussed in detail in Exhibit 19. The Federal Regulations entitled "Protection of Historic Resources" (36 CFR 800) include in Section 800.5(2) a discussion of potential adverse effects on historic resources. The following types of effects apply to Riverhead Solar 2:

Adverse effects on historic properties include but are not limited to: [items i-iii do not apply]; (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; [items vi-vii do not apply] (CFR, 2004).

The implementing regulations for New York State Parks, Recreation and Historic Preservation Law, Section 14.09 (9 NYCRR §428.7) state:

- a. In determining whether an undertaking will have an adverse impact on eligible or register property, the commissioner shall consider whether the undertaking is likely to cause:
 1. destruction or alteration of all or part of the property;
 2. isolation or alteration of the property's environment;
 3. introduction of visual, audible or atmospheric elements which are out of character with the property or alter its setting;
 4. neglect of the property resulting in its deterioration or destruction.

Compared to all other types of power generation facilities, the potential for any kind of adverse auditory effect from a PV solar energy facility is minimal to non-existent. Moreover, such facilities have the unique characteristic of only operating during daylight hours when ambient noise is higher. Any possible concerns about the sound emissions from a solar project are largely confined to the step-up transformer in the new substation, electrical inverters within the various solar panel fields and some short-lived activities during construction. There are no vibration issues associated with the operation of such a facility.

The Applicant has sited PV panels and related infrastructure in areas away from population centers, such as villages and town centers, in order to minimize potential auditory impacts to area residences and historic properties, which, in general, are clustered in developed areas within the 2-Mile Study Area. Moreover, because

existing ambient noise levels are expected to be slightly higher in these more developed areas (due to increased vehicle traffic and other noises associated with greater population density), any potential noise impacts to historic properties from the proposed Facility would not be significant.

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