

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

December 1, 2009

Dr. Andrew D. Krueger
Alternative Energy Programs
U.S. Dept. of the Interior
Minerals Management Service
381 Elden Street, MS 4090
Herndon, VA 20170

Re: Cape Wind Energy Project

Dear Dr. Krueger:

As we have discussed, your signature below will confirm that the Mineral Management Service (MMS) will assume lead Federal agency status for the purpose of National Historic Preservation Act (NHPA) section 106 compliance for the Cape Wind Energy Project. Under the Advisory Council on Historic Preservation (ACHP) regulations at 36 CFR Part 800, the Cape Wind Energy Project is a Federal undertaking. More than one Federal agency is involved in this undertaking.

In accordance with 36 CFR § 800.2(a)(2), as the United States Environmental Protection Agency's (EPA) designee, MMS will identify the appropriate official to serve as the agency official to fulfill the collective responsibilities of EPA and the MMS under section 106. In addition, although EPA recognizes that as the lead Federal agency, MMS will take the lead on drafting relevant agreements as part of the NHPA section 106 process, EPA would appreciate the opportunity to review and, if appropriate, be a signatory to these documents.

We request that you sign this letter in the signature block provided below. By signing this letter, MMS acknowledges and accepts EPA's designation of MMS as the lead Federal agency for NHPA compliance in connection with the Cape Wind Energy Project. In addition, please return a signed copy of this letter to EPA.

Should you have any questions or concerns about this letter, please feel free to contact Ida McDonnell in my office at 617-918-1653, or LeAnn Jensen in the EPA Region 1 Office of Regional Counsel at 617-918-1072.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Perkins", is written over a horizontal line.

Stephen Perkins, Director
Office of Ecosystem Protection

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cc: John Eddins, Advisory Council on Historic Preservation
Brona Simon, Massachusetts Historical Commission
Karen Adams, Army Corps of Engineers
Bruce Bozum, Mohegan Indian Tribe
John Brown, Narragansett Indian Tribe
Michael Thomas, Mashantucket Pequot Tribe
Bettina Washington, Wampanoag Tribe of Gay Head (Aquinnah)
George Green, Mashpee Wampanoag Tribe
Brendan McCahill, EPA Region 1
LeAnn Jensen, EPA Region 1

Acknowledgement by the Mineral Management Service

Name:
Title:

Date