



DRAFT

## Native American Tribes Communications Plan

December 2024

Version 1.0

*Submitted to:*

Bureau of Ocean Energy Management  
1849 C Street NW  
Washington, D. C. 20240

*Submitted by:*

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# Maine Research Array

DRAFT

## **Native American Tribes Communications Plan**

BOEM Lease OCS-A 0553

Version 1.0

Pine Tree Offshore Wind  
1 International Place  
Boston, MA 02110

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## Abbreviations

ACP	Agency Communications Plan
BOEM	Bureau of Ocean Energy Management
DMR	Maine Department of Marine Resources
DoD	U. S. Department of Defense
DOE	U. S. Department of Energy
DGC	Diamond Generating Corporation
DGE	Diamond Generating Europe
DOW	Diamond Offshore Wind
FAA	Federal Aviation Administration
FCP	Fisheries Communications Plan
ft	feet
GOM	Gulf of Maine
GW	gigawatt
IFW	Maine Department of Inland Fisheries and Wildlife
km	kilometers
FLiDAR	Floating (buoy-based) light imaging, detection, and ranging
MeRA	Maine Research Array
MESA	Maine Endangered Species Act
mi	miles
MMPA	Marine Mammal Protection Act
MW	megawatt
MSFCMA	Magnuson-Stevens Fishery Conservation and Management Act
NATCP	Native American Tribes Communication Plan
NEPA	National Environmental Policy Act
NERACOOS	Northeast Regional Association of Coastal Ocean Observing Systems
NOAA	National Oceanic and Atmospheric Administration
NOAA Fisheries	National Marine Fisheries Service
nm	nautical miles
NREL	National Renewable Energy Laboratory
OCS	Outer Continental Shelf
PDE	Project Design Envelope
PTOW	Pine Tree Offshore Wind
RAP	Research Activities Plan
USFWS	U.S. Fish and Wildlife Service
UMaine	University of Maine
U.S.	United States
USCG	United States Coast Guard
WTG	wind turbine generator

## 1.0 INTRODUCTION

The State of Maine (State) was awarded a Research Lease for Lease Area OCS-A 0553 (Lease Area) in the Gulf of Maine by the Bureau of Ocean Energy Management (BOEM) for the purpose of developing and operating the Maine Research Array project (MeRA or Project). Maine has designated Pine Tree Offshore Wind (PTOW) as the Operator and local agent (Designated Operator) for the Project with full authority to act on the State's behalf to perform activities to comply with the OCS Lands Act, terms of the lease, and applicable regulations. Ongoing information about the Project including notices to mariners, updates of survey and pre-construction activities can be found on the MeRA website, <https://www.maineresearcharray.com>.

This Native American Tribes Communications Plan (NATCP or Plan) is prepared in fulfillment of Condition 4.1.3.2 of the Research Lease Agreement (Lease). The NATCP describes the strategies PTOW will use for communicating with the Tribes specified in Condition 6.8.3 of the Lease and outlines specific methods for engaging with and disseminating information to these Tribes. The purpose of the NATCP is to work with the Tribes to ensure early and active information sharing, focused discussion of potential issues, collaborative identification of solutions to improve the quality and efficiency of decision-making processes, and to promote the sustainable development of offshore wind energy projects.

This NATCP is a living document that will be in effect for the life of the Project, from design and planning, construction, operations and maintenance, through decommissioning. The NATCP will be periodically updated as the siting and engineering design of the Project progress, and to reflect ongoing feedback from the Tribes.

Additional communications plans include an Agency Communications Plan (ACP) and a Fisheries Communications Plan (FCP) that details outreach and engagement with the commercial and recreational fishing industries.

### 1.1 ABOUT PINE TREE OFFSHORE WIND

PTOW is a project company established by Diamond Offshore Wind (DOW) specifically to develop and operate the Project. DOW is a wholly owned subsidiary of Diamond Generating Corporation (DGC), which is wholly owned by the Mitsubishi Corporation. DGC, based in Los Angeles, California, has been in the independent power producer business in North America since its inception in 1999, and before that as Diamond Energy since 1988.

As part of DGC, DOW brings significant capabilities in commercial renewable energy development and wholesale energy market services. DGC's development approach is founded in a long-term ownership philosophy that is evident throughout DGC's project development, construction, and

operations strategies. DGC's multi-decade track record in the U.S. market has proven it to be a good neighbor and corporate citizen, with a history of safety and reliability.

Mitsubishi Corporation, DGC's parent company, was an early pioneer in the offshore wind sector, and was the first Japanese company to enter the offshore wind transmission market in Germany and the UK. Diamond Generating Europe (DGE), a sister company of DGC, also wholly owned by the Mitsubishi Corporation, has been involved in offshore wind power generation in Europe since 2013 with over 5 gigawatts (GW) of installed capacity in over 11 countries. The Dutch utility company Eneco, also active in offshore wind development, was acquired by Mitsubishi Corporation in 2020.

## 1.2 TRIBAL LIAISON

Coordination and engagement with the Tribes will be led by a designated Tribal Liaison. Because the Project is at an early planning stage, the specific individual that will fill this role has not yet been retained, although PTOW has identified several qualified candidates. This role will be filled as the Project makes further commercial progress, and in advance of any outreach activities. Until the Project retains a Tribal Liaison, DOW's Director of Development will serve in an acting capacity to oversee development of the NATCP and other pre-outreach efforts. Her contact information is as follows:

Kelly O'Brien  
Director, Development  
Diamond Offshore Wind  
1 International Place  
Boston, MA 02110  
Email: kobrien@dowind.com  
Cell: 713-516-1980

The Tribal Liaison will lead the engagement and communications efforts for the Project and serve as the main point of contact responsible for communicating Project-related information to the Tribes from the PTOW development team. The Tribal Liaison is responsible for implementing all aspects of the NATCP including:

- Preparing meeting materials (agendas, presentations, meeting summaries, etc.);
- Coordinating and leading in-person and virtual engagement meetings;
- Tracking action items and follow-up engagements and activities;
- Providing regular updates to the Tribes;
- Answering questions from the Tribes regarding the Project and its activities;
- Coordinating the involvement of PTOW subject matter experts to address questions and comments; and
- Conveying Tribal concerns, recommendations, and perspectives to the PTOW development team.

## 1.3 AUTHORITY, REGULATIONS AND GUIDANCE

Development of the NATCP was informed by BOEM guidance and recommended best practices, including:

- BOEM Tribal Consultation Guidance (BOEM):  
[https://www.boem.gov/sites/default/files/documents/about-boem/Tribal-Consultation-Guidance\\_0.pdf](https://www.boem.gov/sites/default/files/documents/about-boem/Tribal-Consultation-Guidance_0.pdf)
- Draft Guidelines and Instructions for Native American Tribes Communications Plan Development Required by BOEM New York Bight Leases (OCS-A 0537-0544) and Carolina Long Bay Leases (OCS-A 0545-0546) (Draft Guidelines; BOEM 2023a):  
[https://www.boem.gov/sites/default/files/documents/renewable-energy/DRAFT%20NATCP%20Guidance%20for%20NYB%20and%20CLB%20Lessees\\_Feb2023.pdf](https://www.boem.gov/sites/default/files/documents/renewable-energy/DRAFT%20NATCP%20Guidance%20for%20NYB%20and%20CLB%20Lessees_Feb2023.pdf)
- Procedures for Consultation with Indian Tribes, (U.S. Department of the Interior):  
<https://www.doi.gov/sites/doi.gov/files/elips/documents/512-dm-5.pdf>
- Early Coordination with Indian Tribes during Pre-Application Processes, A Handbook (Advisory Council on Historic Preservation):  
[https://www.achp.gov/sites/default/files/documents/2019-10/EarlyCoordinationHandbook\\_102819\\_HighRes.pdf](https://www.achp.gov/sites/default/files/documents/2019-10/EarlyCoordinationHandbook_102819_HighRes.pdf)

## 2.0 PROJECT OVERVIEW

### 2.1 BACKGROUND

The objective of the Project is to create a set of informed best practices and standards for commercial-scale floating offshore wind projects in the Gulf of Maine to utilize in planning, permitting, constructing and operating commercial-scale projects in a fashion that optimizes co-existence with traditional marine users and the ecosystem. Research conducted at the Project will also support the advancement of Maine's floating offshore wind supply chain and workforce.

The execution of the Lease reflects a priority of the Maine Offshore Wind Roadmap, a stakeholder-driven comprehensive plan that offers detailed strategies for Maine to realize economic, energy, and climate benefits from offshore wind, in harmony with communities, fisheries, and wildlife of the Gulf of Maine.

The Project will allow the State, Tribes, the fishing community, wildlife experts, and many others to learn about the potential impacts of floating offshore wind and inform commercial development that capitalizes on innovative technology and abundant resources while protecting the State's interests, industries, environment, and values.

In 2021, with bipartisan support the Maine Legislature passed LD 336, "An Act to Encourage Research to Support the Maine Offshore Wind Industry," which declared the research array in the public interest and authorized the Maine Public Utilities Commission to negotiate a contract for up to 144 MW of energy from the proposed floating offshore wind research array in the Gulf of Maine.

Maximizing research opportunities is a key component of the Lease between the State, the developer, and BOEM. The Maine Offshore Wind Research Consortium (Consortium) will play an important role in identifying research priorities. The Consortium is tasked with creating a common understanding of the local and regional impacts – both positive and negative – of floating offshore wind in the Gulf of Maine. The Consortium is led by a diverse Advisory Board with representatives from Maine's Tribes, the fishing community, research institutions, environmental groups, and the offshore wind industry, among others.

More information about the State's Offshore Wind initiative can be found on the website of the Governor's Energy Office: <https://www.maine.gov/energy/initiatives/offshorewind>.

## **2.2 PROJECT DESCRIPTION**

The Project is intended to be a small-scale array of wind turbines that is large enough to evaluate many of the issues associated with commercial-scale floating wind turbine arrays built and operated in the Gulf of Maine. The Project is anticipated to consist of 12 or fewer wind turbines, producing no more than 144 MWs of electricity. The Lease Area is located approximately 35 miles (mi) from shore, in water depths of approximately 150-200 m (Figure 1).

The total acreage of the initial Lease Area is approximately 14,945 acres, which allows room for considering layout alternatives and micro-siting of the floating turbines and anchor systems to avoid and buffer any sensitive resources that may be discovered during surveys. The Lease allows an area of no more than 9,700 acres to be proposed for development in the Project's Research Activities Plan (RAP). Following approval by BOEM of the RAP, the State will relinquish those portions of the Lease Area that are not included in the proposed development. For comparison, BOEM's proposed commercial-scale leases are in the range of 100,000 acres.

As proposed, the Project will use floating offshore wind platform technology designed by the University of Maine (UMaine). The Advanced Structures and Composites Center at UMaine has been a pioneer in the development of floating offshore wind platforms and holds over 70 floating turbine patents.

## MAINE RESEARCH ARRAY

### DRAFT NATIVE AMERICAN TRIBES COMMUNICATIONS PLAN V.1

The objectives of the Project are to:

- Prudently advance offshore wind off the coast of Maine in a manner that fully considers the State's coastal communities and heritage industries while proactively taking steps to seek new opportunities to support clean energy innovation;
- Provide real-world experience with a multi-turbine array to investigate science-based avenues to maximize co-existence with the fishing industry;
- Advance technical and commercial considerations related to floating offshore wind development that will result in more efficient, cost effective, energy production that can be integrated into full-scale deployment;
- Evaluate interactions and seek to minimize potential impacts of the floating wind turbine array on marine environment and protected wildlife species;
- Undertake a data-driven, science-based, inclusive and transparent approach that will produce learnings and research that will benefit the State, federal agencies, researchers, and offshore wind developers; and
- Create a set of real-world tested best practices and standards that can foster more prudent development of commercial-scale projects in the future.

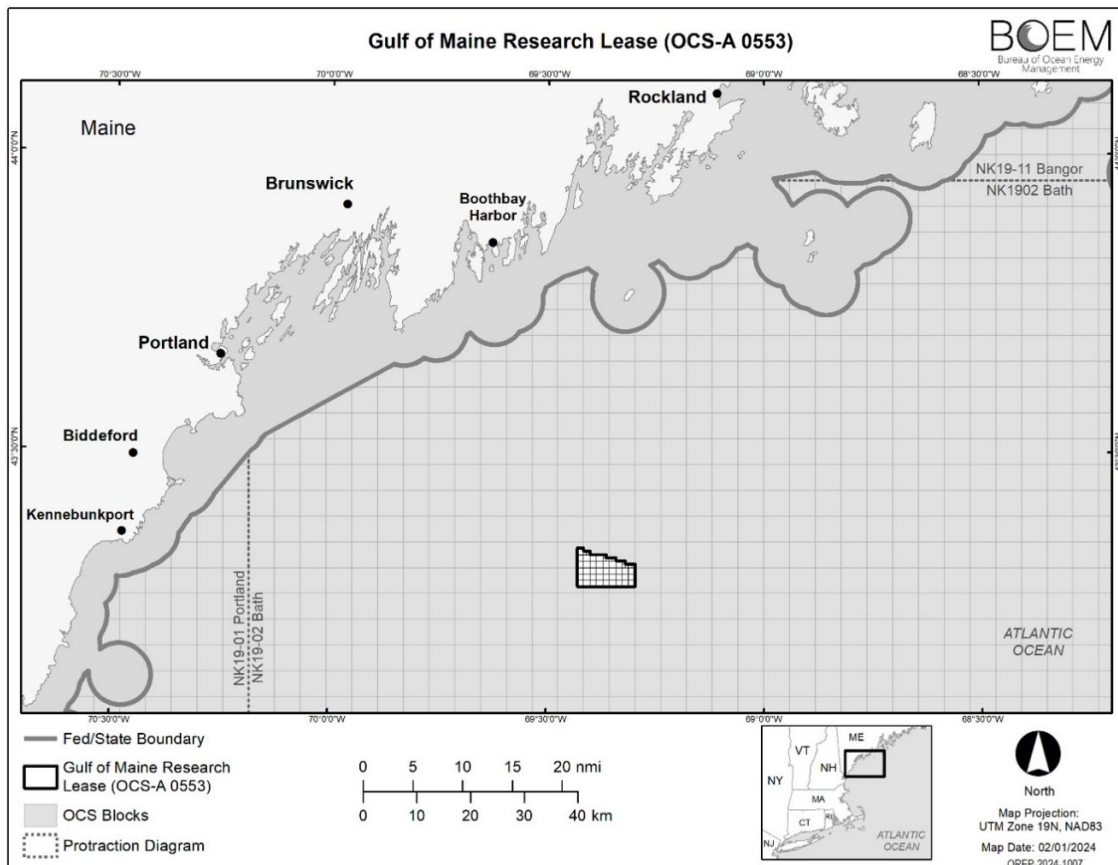


Figure 1. Gulf of Maine Research Lease Area

### 3.0 COMMUNICATIONS AND ENGAGEMENT GOALS

The purpose of this NATCP is to help foster a respectful and collaborative relationship between PTOW and the Tribes. PTOW believes that early, often, and meaningful engagement is critical to developing a working relationship based on mutual trust and understanding.

#### Goals:

- **Identify and understand who should be engaged** – PTOW seeks to tailor communication and engagement to each Tribe’s needs, identify key information about project activities that may impact specific Tribes, understand what the Tribes interests are, their capacity for engagement, and their preferred method of communication.
- **Share information and build understanding** – PTOW will communicate with the Tribes in a timely manner about project activities to allow the Tribes to provide informed input, and to share information about the technical and regulatory aspects of offshore wind.
- **Collaborate on ways to avoid, minimize, and mitigate impacts before they arise** – PTOW will seek to optimize opportunities to jointly find solutions on how to avoid, minimize, or mitigate potential impacts, and will seek to understand Tribal concerns and engage in two-way dialogue and problem solving.
- **Monitor, evaluate, and adjust** – Throughout the Project lifecycle, PTOW will assess how effective the communications have been and, if needed, find ways to improve engagement performance by gathering feedback from Tribes and utilizing that feedback to adapt processes and communications.

#### Best Practices:

- **Early and often** – Engaging early and often allows the parties the opportunity to address emerging issues before they become fixed and allows the Tribes to have input when the project is still being designed and refined.
- **Open and transparent** – Effective engagement includes frankness of discussion; acknowledgement of knowns and unknowns; tracking and reporting of commitments and progress or impediments to progress; sharing of truthful, timely, and relevant information; and clear communication of decisions made and why.
- **Inclusive** – Make a deliberate effort to involve Tribes with an interest in the subject or action. Seek broad representation across impacted geographies, cultures, races, socioeconomic groups, and organizations.
- **Collaborative** – Listen to understand. Be responsive to inquiries and interests. Strive to understand concerns and find solutions that generate mutual benefits. Identify opportunities for partnering.
- **Accessible** – Commit to provide a variety of methods and opportunities for all to participate.

Consider accessibility factors such as convenience of meeting times and accessibility of locations, and language and interpretation needs.

- **Equitable** – When deliberating or making decisions, account for the differing needs, circumstances, and resources of all Tribes. Seek to understand the structural and systemic causes of energy and environmental injustice and inequity and address barriers. Acknowledge the knowledge and expertise Tribes bring to solving problems.
- **Flexible and sustained** – Adapt approaches to address emerging issues in different ways as needed. Allocate the resources needed to support sustained engagement with an understanding of the importance of a long-term commitment to building trusting relationships.
- **Safety** – Promote the safety of ocean users, stakeholders, and project crews, from project design through implementation.
- **Coordinated** – Ensure engagement efforts maximize efficiency and opportunities to coordinate with other Lessees and are appropriate to the capacity and cadence of all stakeholder groups.

## 4.0 COMMUNICATIONS STRATEGY

In all communications with the Tribes, PTOW aims to foster effective communication, coordination, and collaboration while avoiding unnecessary demands on the Tribes' points of contact. PTOW also recognizes that the level of engagement will need to vary over time according to the activities that occur during each stage of Project development. PTOW will endeavor to tailor the types and frequency of engagement activities to meet the specific requirements of each Project phase.

As a general framework, PTOW envisions three ongoing levels of Tribal engagement:

1. PTOW will aim to organize more-or-less bi-annual meetings, to include an overall update on the Project along with an opportunity for Tribes to ask questions and provide feedback.
2. In addition, PTOW will schedule meetings with Tribes to discuss particular surveys, methods, resources, types of impacts, or mitigation.
3. Finally, meetings will be scheduled at the request of Tribes to allow discussions or working sessions aimed at resolving any conflicts or issues that may arise.

Different Project stages may require differing levels of engagement with some stages requiring more engagement activities and some less. The NATCP is to be a guide for PTOW and the Tribes to further effective communication. Should the NATCP structure require modification to better address the needs of a Tribe, the PTOW Tribal Liaison will modify the NATCP accordingly based upon feedback from the Tribe. Outreach to the Tribes will continue even if no response is received, unless the Tribes request otherwise.

PTOW is committed to maintaining an NATCP that is a living document which can be responsive to the changing conditions of Project activities and to an individual Tribe's needs. Revised versions will be provided to the Tribes when available and posted on the PTOW website.

Engagement activities anticipated to occur during each phase of Project development are summarized below.

#### 4.1 SITE CHARACTERIZATION AND PROJECT DEVELOPMENT

During this phase, PTOW will develop strategies and plans for site assessment and characterization activities, such as geophysical and geotechnical surveys (aka G&G surveys), benthic surveys, surveys of marine biota, and terrestrial surveys. PTOW will communicate the findings of the various site characterization surveys and studies to the Tribes. PTOW will use the data gathered from surveys to design and develop the Project, including identifying prospective location(s) of export cable corridors, landfall, and onshore facilities. PTOW will ask each Tribe for their preferred method and cadence of communication and provide regular updates to discuss development activities and design plans that may be relevant to them, solicit their feedback, and assess any potential alternatives proposed that could reduce impacts to and/or avoid conflicts.

Pre-Archeological Survey Meeting: As specified in Section 6.8.3 of the Lease, PTOW will coordinate a meeting with Tribes specifically to discuss the Archeological Survey Plan. Invitations to participate will be sent by letter through certified mail and followed up with email or by phone as needed. Unless a written response is received that a Tribe prefers not to participate, PTOW will engage with the following Tribes:

- Houlton Band of Maliseet Indians
- Mashantucket (Western) Pequot Tribal Nation
- Mashpee Wampanoag Tribe
- Mi'kmaq Nation
- Mohegan Tribe of Indians of Connecticut
- Narragansett Indian Tribe
- Passamaquoddy Tribe of Indians- Indian Township
- Passamaquoddy Tribe of Indians- Pleasant Point
- Penobscot Indian Nation
- Shinnecock Indian Nation
- Wampanoag Tribe of Gay Head (Aquinnah)

The purpose of this meeting will be for PTOW and PTOW's Qualified Marine Archaeologist to discuss the Archeological Survey Plan and consider Tribes' requests to monitor portions of the archaeological survey and the geotechnical exploration activities. Notification of the meeting will be sent at least 15 calendar days prior to the date of the proposed meeting. The meeting will be

scheduled for a date at least 30 calendar days prior to commencement of survey activities, and at a location and time that affords participants a reasonable opportunity to participate. The anticipated date for the meeting will be identified in the timeline of activities described in the survey plan.

## **4.2 RESEARCH ACTIVITIES PLAN (RAP) DEVELOPMENT**

Information collected during the previous phase will be analyzed and summarized in the RAP. The RAP describes how PTOW will construct and operate its Project on Lease Area OCS-A 0553. The RAP will include a description of all planned facilities, as well as a description of proposed construction activities, the Project Design Envelope (PDE), commercial operations, and conceptual decommissioning plans. The RAP also summarizes the results of biological, geotechnical, socioeconomic, and cultural resources studies; provides an assessment of the Project's potential impacts; and PTOW's proposed measures for avoiding, minimizing, mitigating, and monitoring impacts. During the development of the RAP, PTOW will provide regular updates to the Tribes on the data upon which the RAP is being prepared, solicit their feedback, and assess any potential alternatives proposed that could reduce impacts to and/or avoid conflicts.

## **4.3 ENVIRONMENTAL AND TECHNICAL REVIEW**

This phase begins when PTOW submits the RAP to BOEM. Once the RAP is deemed sufficient and complete, BOEM will issue a Notice of Intent to prepare an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). BOEM typically allows about two (2) years to complete the NEPA process. Upon completion of the NEPA review, BOEM will determine whether to approve, approve with modifications, or disapprove the RAP, and will summarize their decision in a Record of Decision, completing the NEPA review.

During this phase, as with the two pre-construction phases listed above, PTOW will provide regular updates to the Tribes to keep them informed of developments related to the BOEM process and solicit any feedback they may have.

## **4.4 CONSTRUCTION**

During this phase, PTOW will construct the proposed offshore wind farm within the Lease Area. Construction activities will comply with the requirements and conditions of the Lease and all permits. PTOW anticipates it will take approximately two (2) years to construct the Project.

Engagement with the Tribes during the construction phase will include providing regular updates on Project construction activities as well as results of construction phase environmental, social, and cultural resource monitoring programs.

## **4.5 OPERATION AND MAINTENANCE (O&M)**

During the O&M phase, PTOW will operate and perform routine maintenance on the operating wind farm. The initial operations term for the Lease Area is 20-25 years. PTOW will continue to engage

with the Tribes to provide updates on O&M phase environmental, socio-economic, and cultural resources monitoring. Meeting frequency is anticipated to fall to once a year unless otherwise warranted.

## 4.6 DECOMMISSIONING

At the end of the Project's life, PTOW will submit a decommissioning application to BOEM and other state and federal agencies as applicable. PTOW will seek feedback from the Tribes in order to develop a decommissioning plan that minimizes environmental, social, and/or cultural impacts to the extent practicable. Once approved, PTOW will decommission the Project. PTOW anticipates decommissioning would take about two (2) years to complete. During decommissioning, PTOW will update the Tribes on the status/progress of decommissioning works and any required environmental, social, and/or cultural resources monitoring programs.

## 5.0 IDENTIFICATION OF FEDERALLY RECOGNIZED TRIBES

BOEM has identified eleven Tribes that may have an interest in participating in the engagement process for the Project, and that may have ancestral ties to the Project area, which encompasses the PTOW wind lease site and possible cable corridors and interconnections to shore, as well as the broader Gulf of Maine area. Of these Tribes, the Mi'kmaq Nation, the Houlton Band of the Maliseet, two branches of the Passamaquoddy Tribe, and the Penobscot Tribe, are members of the Wabanaki Confederacy and have reservations within the State. The remaining six Tribes are located in New York, Rhode Island, Connecticut and Massachusetts.

PTOW has reached out to each of these Tribe to inquire whether the contact information below is accurate. Contact information for the Tribes will be updated in the NATCP as necessary throughout the life of the Project.

### **Tribe Points of Contact for NATCP:**

Houlton Band of Maliseet Indians  
Isaac St. John (awaiting confirmation)  
Tribal Historic Preservation Officer  
88 Bell Road  
Littleton, Maine 04730  
(207) 532-4273, x215  
(207) 532-6883 (fax)  
[istjohn@maliseets.com](mailto:istjohn@maliseets.com)

**MAINE RESEARCH ARRAY**

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Mashantucket Pequot Tribal Nation  
Michael Kickingbear Johnson (awaiting confirmation)  
Tribal Historic Preservation Officer  
2 Matt's Path / P.O. Box 3060  
Mashantucket, CT 06338-3060  
860-396-6572  
[mejohanson@mptn-nsn.gov](mailto:mejohanson@mptn-nsn.gov)

Mashpee Wampanoag Tribe  
David Weeden (awaiting confirmation)  
Tribal Historic Preservation Officer  
483 Great Neck Road South  
Mashpee, MA 02649  
(508) 477-0208  
(508) 477-1218 (fax)  
[David.Weeden@mwtribe-NSN.gov](mailto:David.Weeden@mwtribe-NSN.gov)

Mi'kmaq Nation  
Jenny Gaenzle (confirmed)  
Tribal Historic Preservation Officer  
Cultural Department  
7 Northern Road  
Presque Isle, ME 04769  
(207) 764-1972 ext. 161  
(207) 764-7667 (fax)  
[jgaenzle@micmac-nsn.gov](mailto:jgaenzle@micmac-nsn.gov)

Mohegan Tribe of Indians of Connecticut  
James Quinn (awaiting confirmation)  
Tribal Historic Preservation Officer  
13 Crow Hill Road  
Uncasville, CT 06382  
1-800-MOHEGAN  
[jquinn@moheganmail.com](mailto:jquinn@moheganmail.com)

Narragansett Indian Tribe  
John Brown (awaiting confirmation)  
Tribal Preservation Officer  
N.I.T. Historic Preservation Office  
4425 South County Trail, Charlestown, RI 02813  
Post Office Box 268, Charlestown, RI 02813 (mailing address)

**MAINE RESEARCH ARRAY**

**DRAFT NATIVE AMERICAN TRIBES COMMUNICATIONS PLAN V.1**

(401) 364-1100  
(401) 364-1104 (fax)  
[tashtesook@aol.com](mailto:tashtesook@aol.com)

Passamaquoddy Tribe of Indians - Pleasant Point Reservation  
Michael-Corey F. Hinton, Attorney, Drummond Woodsum (confirmed)  
Stacey L. Caulk, Attorney, Drummond Woodsum (confirmed)  
84 Marginal Way, Suite 600  
Portland, ME 04101-2480  
(207) 772-1941  
[mchinton@dwmlaw.com](mailto:mchinton@dwmlaw.com)  
[scaulk@dwmlaw.com](mailto:scaulk@dwmlaw.com)

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Michael-Corey F. Hinton, Attorney, Drummond Woodsum (confirmed)  
Stacey L. Caulk, Attorney, Drummond Woodsum (confirmed)  
84 Marginal Way, Suite 600  
Portland, ME 04101-2480  
(207) 772-1941  
[mchinton@dwmlaw.com](mailto:mchinton@dwmlaw.com)  
[scaulk@dwmlaw.com](mailto:scaulk@dwmlaw.com)

Penobscot Nation  
Chris Sockalexis (awaiting confirmation)  
Tribal Historic Preservation Officer  
Cultural and Historic Preservation Dept.  
12 Wabanaki Way  
Indian Island, Maine 04468  
(207) 817-7471  
[chris.sockalexis@penobscotnation.org](mailto:chris.sockalexis@penobscotnation.org)

Shinnecock Indian Nation  
Rainbow Chavis (awaiting confirmation)  
Director, Cultural Resources  
P.O. Box 5006  
100 Church St  
Southampton, NY 11969  
(631) 283-6143 ext 5  
[culturalresources@shinnecock.org](mailto:culturalresources@shinnecock.org)

Wampanoag Tribe of Gay Head (Aquinnah)  
Bettina Washington (awaiting confirmation)  
Tribal Historic Preservation Officer  
20 Black Brook Rd.  
Aquinnah, MA 02535  
(508) 645-9265  
(508) 645-3790 (fax)  
[thpo@wampanoagtribe-nsn.gov](mailto:thpo@wampanoagtribe-nsn.gov)

## 5.1 TRIBAL FISHERIES

The right to fish is part of the cultural identity and traditions of some Tribes. Fishing can be a recreational, subsistence, ceremonial, and, in some cases, a commercial enterprise. Tribal fisheries may be ocean based and/or river based depending on the Tribe. In addition, Tribal members from some Tribes may be employed in the non-tribal commercial fishing industry or in the recreational fishing industry. PTOW will address issues related directly to Tribal fishing rights, commercial and otherwise, in the NATCP while issues related to non-Tribal fisheries are addressed by the Fisheries Communications Plan.

However, in addition to the communications methods described in the NATCP, the communications systems that are described in the Fisheries Communications Plan to communicate with non-Tribal fisherman will be used to communicate directly with Tribal fisherman as well. Methods to communicate with Tribal license holders in Maine will be the same as with the state-licensed commercial fishing fleet, which include, but are not limited to: USCG notices to mariners; digital communication to fisheries participants via appropriate state agency communication lists; distribution of paper notices to fisheries participants via direct mail; distribution of email notices for print to shoreside businesses and municipalities; posting of paper notices at appropriate locations; and providing content opportunities to fishing industry newsletters and publications to print information as they deem appropriate.

Tribal fishermen will receive communication using the contact information provided by the Tribal authority to the Maine Department of Marine Resources. This will include distribution of paper notices via direct mail, and digital notices via publicly available contact information provided to state agencies for the purpose of recording licensure.

PTOW will engage with the Tribes to solicit information on their fishing activities and traditions and seek feedback on how those activities and traditions may relate to the Project. PTOW will also work with the Tribes to identify Tribal fisheries representatives and the appropriate engagement methods for each.

The NATCP will be updated as additional information is provided by the Tribes on their fishing activities and cultural practices surrounding those activities. Contact information for Tribal fisheries representatives will also be included in revised versions of the NATCP if provided by a Tribe.

## 6.0 COMMUNICATION AND ENGAGEMENT STRATEGIES AND TOOLS

The approach to engagement with the Tribes will be developed in coordination with the Tribes. PTOW expects that regular Project meetings, methods to provide updates outside of meetings and a centralized information repository will be the key components of the engagement process. Project meetings may be in-person or virtual depending on the individual Tribe's preference. Additionally, Project meetings may also be held jointly with multiple Tribes in attendance and/or meetings with individual Tribes based on feedback from the Tribes.

PTOW will request that each Tribe designate a Tribal Representative to serve as the Tribe's primary point of contact for communicating regarding the Project and will inquire if there are existing venues or regular meetings that we can use to reduce meeting burdens.

PTOW's proposed methods of engagement are summarized below:

- **Meetings with Individual Tribes**  
PTOW will host in-person, virtual, or hybrid in-person and virtual meetings with individual Tribes. Prior to these meetings, the agendas will be developed in consultation with Tribes.
- **Joint Meetings with Multiple Tribes**  
PTOW will host in-person, virtual, or hybrid in-person and virtual meetings with multiple Tribes attending the same meeting. Prior to these meetings, the agendas will be developed in consultation with the Tribes.
- **Electronic Newsletter/Email Updates**  
PTOW will prepare and send out a Project specific newsletter and/or email updates to the Tribes to provide them with Project updates, major developments, and regulatory activities on topics of interest to the Tribes. Updates may be mailed rather than sent electronically if requested by a Tribe.
- **Website Updates**  
PTOW will regularly update its Project website with information and news about the Project. When website updates occur, PTOW will notify the Tribes via the regular Electronic Newsletter/Email Updates referenced above.

As noted above, PTOW recognizes that various phases of the Project lifecycle will require different levels of engagement with Tribes. Fewer engagement activities will occur during periods of relatively low activity and more frequent engagement during more active phases or when important Project decisions are being undertaken. The expected frequency and type of engagement activity is shown below. These activities have been tailored to address the needs of each phase of the Project lifecycle. Important Project updates will be relayed to Tribes as they occur, regardless of planned engagement frequency.

- **Preconstruction/Development Phase**  
Meetings, newsletter/email and website updates are expected to occur quarterly or more frequently as warranted.
- **Construction Phase**  
Meetings and newsletter/email updates are expected to occur semiannually. The website is expected to be updated quarterly or more frequently as warranted.
- **Operations and Maintenance and Decommissioning Phases**  
Meetings and newsletter/email updates are expected to occur annually. The website is expected to be updated quarterly or more frequently as warranted.

## 7.0 COORDINATION OF ENGAGEMENT ACROSS LEASES

To the extent possible, PTOW will coordinate with the other Gulf of Maine leaseholders on engagement activities with the Tribes. At the time of the initial draft of this NATCP, BOEM had recently awarded four new leases in the Gulf of Maine and the relevance of those lease areas, if any, to the Tribes identified herein has yet to be determined by PTOW. PTOW will revise this section as necessary as information becomes available regarding other leaseholders who may be engaging with the same Tribes.

## 8.0 CONFLICT PREVENTION AND RESOLUTION

The intent of this NATCP is for PTOW to maintain open lines of communication with the Tribes and to ensure an “early and often” approach to outreach. Conflicts can be avoided or reduced by reflecting outcomes back to Tribes to ensure clear communications and to close each loop. Through this engagement, PTOW hopes to work with Tribes to identify potential impacts from the Project, and where those impacts cannot be avoided, collaboratively develop approaches to avoid, minimize, and mitigate impacts to the extent practicable.

In recognition that it may not be possible to avoid all conflicts, PTOW will develop a conflict resolution process. The intent is to provide the Tribes opportunities to notify the PTOW of previously unknown conflicts and concerns and provide suggestions for resolution.

## 9.0 INDICATORS OF SUCCESS

Indicators of Success are a set of quantifiable measurements or metrics used to gauge overall, long-term performance in implementing a plan or program. In the context of this NATCP, Indicators of Success will be used to track PTOW's performance in conducting the engagement activities described in the NATCP and documenting the outcomes of each engagement activity. For each phase of the Project, PTOW will track the number of engagement activities completed, issues addressed, and significant outcomes from each engagement.

## 10.0 SECTION 508 COMPLIANCE

All documents prepared by PTOW will be compliant with Section 508 of the Rehabilitation Act of 1973, codified at section 29 United States Code section 794d, as amended. This ensures that anyone with a disability has equal access to government information on their communications devices. Section 508 compliance allows BOEM to easily post documents on its website for accessibility. Information on accessible digital products can be found at [www.section508.gov/create](http://www.section508.gov/create).

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