



Herring Pond Wampanoag Tribe · 128 Herring Pond Road · Plymouth MA 02360

**Date:** May 21, 2021

**To:** Secretary Kathleen A. Theoharides  
Executive Office of Energy and Environmental Affairs

**Attn:** MEPA Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
Via email to [MEPA@mass.gov](mailto:MEPA@mass.gov)

**Re:** Expanded Environmental Notification Form, March 15, 2021 and Supplement  
ADM TMUD Wareham Solar Projects  
EEA No. 13940-ADM Tihonet Mixed Use Development  
Wareham, Plymouth, Carver, Massachusetts

Dear Secretary Theoharides,

These are the comments of Herring Pond Wampanoag Tribe on the three proposed Borrego Solar and AD Makepeace projects in Wareham, MA.

Our Tribal community continues the work of our ancestors: protecting land and water for our youth, and for future generations. Since time immemorial the Herring Pond Wampanoag Tribe members have resided in and around the Town of Wareham and many still live there today. Our Tribal community has fished, hunted, trapped, and gathered on these lands for thousands of years and we rely heavily not only on clean water to drink, but also the gifts and resources that the sea and the land provide our families for sustenance.

As I also know very well, Indigenous peoples in New England are often overlooked, or ignored, with respect to matters of “energy and resource development. Several of the projects currently being proposed in Wareham interfere with that inherent right. We have already witnessed the impacts of many solar projects in our Town. Three more projects will push the destruction to greater levels. They will cause more deforestation. There will be a sand and gravel strip mine operation to clear the land. These three parcels of land make up Wareham and Carver’s last

pristine and unfragmented expanses of rare Pine Barrens forest. Once converted to solar this ecosystem will be gone forever.

These sites are located on the ancestral lands of my people and on unceded Wampanoag territory and our rights to it should not be disregarded. The Herring Pond Wampanoag Tribe has sought to protect our homeland since the arrival of the English colonists, which was when assaults on the environment began -- including destruction of forested lands and the negative impacts these projects have.

The United Nations Declaration on the Rights of Indigenous Peoples, which was endorsed by the U.S. State Department in 2010 states that we as indigenous people have an inherent human right to prior and informed consent about projects such as these – (Article 32 #2 of the UNDRIP) states Indigenous people have a right to good faith consultation and cooperation prior to the approval of any project affecting their lands, territories, and other resources, particularly in connection with the development, utilization, or exploitation of mineral, water or other resources. The Herring Pond Wampanoag Tribe has not been adequately consulted or given a platform to inform the commission about the cultural, spiritual, historical, and physical importance of this land and the potential impacts from the proposed development.

The plans show that the land will be clear-cut, and that both the trees and the earth itself will be removed and sold commercially. I am concerned about the potential impacts of this activity on my cultural heritage and rights as an Indigenous person. The documentation about the impacts to Native American rights in the EENF is insufficient and does not fully appreciate the cultural and historical value of the land.

I request that you reject the EENF as inadequate and require a full, fair, meaningful, and thorough process for consultation with the Indigenous community before this project can proceed.

Thank you for your consideration of these comments.

Sincerely,

Melissa (Harding) Ferretti  
Chairlady/President

Herring Pond Wampanoag Tribe  
128 Herring Pond Road  
Plymouth, MA 02360