



State of Vermont
Division for Historic Preservation
One National Life Drive, Floor 6
Montpelier, VT 05620-0501
www.HistoricVermont.org

[phone] 802-828-3211
[division fax] 802-828-3206

*Agency of Commerce and
Community Development*

July 15, 2013

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Re: VT SHPO Comments on the July 8, 2013 Updated Proposed Study Plan for the Wilder (FERC No. 1892-026), Bellows Falls (FERC No. 1855-045), and Vernon (FERC No. 1904-073) Hydroelectric Projects, TransCanada Hydro Northeast, Inc.

Dear Secretary Bose:

Thank you for the opportunity to comment on the above referenced project.

The Vermont Division for Historic Preservation (Division) is providing the Federal Energy Regulatory Commission (FERC) with the following comments pursuant to 36 CFR 800.4, regulations established by the Advisory Council on Historic Preservation to implement Section 106 of the National Historic Preservation Act. Project review consists of assisting FERC in identifying the project's potential impacts to historic buildings, structures, historic districts, historic landscapes and settings, and known or potential archeological resources that are listed in or may be eligible for inclusion in the National Register of Historic Places (National Register).

The Division is pleased to note that the July 8, 2103 version of the Study Plan 33, the Cultural and Historic Resources Study, contained the majority of the revisions discussed and suggested at the June 7, 2013 study plan meeting and during the July 2, 2013 phone conference call. Specifically, the addition of Phase IB site identification and Phase II site evaluation components to the study plan clearly go a long way toward alleviating the gaps in the Section 106 site identification and evaluation process present in the Preliminary Application Documents (PADS) and original Study Plan 33. However, the Division also notes that TransCanada has still included language in the updated study plan that limits implementation of the Phase IB and Phase II studies pending final definition of the Project APEs by FERC in consultation with the SHPOs and Native American tribes.

From our standpoint, the Division believes that an APE determination to include 10 meters (33 feet) of land inland from the top of bank is the minimum acceptable APE limit. The Division accepts that the primary focus of any studies should be within areas of the APE that are actively eroding, but an APE limit of 10 meters around all Project margins for the purposes of historic property inventory and evaluation is appropriate. In fact, the recommended APEs in the updated study plan include this distance in association with actively eroding areas but some statements, such as the second paragraph on page 11 of the Study Plan, seem to imply that the APE definition to include the 10 meter extension is provisional on the results of hydraulic, operations, and erosion studies. As discussed at length in our March 1, 2013 comment letter on the PADS, and in the study plan meeting and conference call, the Division believes there is sufficient information at present to conclude that the Projects effects on bank destabilization, whether specifically determined to be direct or indirect, warrant Phase IB site identification and Phase II site evaluation studies on land adjacent to the impoundments and that such lands are contained within the APE.



K. Bose
 Page 2 of 3
 July 15, 2013

Aside from clarification of the APE boundary, the Division generally supports the procedures and methodologies presented in the updated Study Plan for evaluating the Projects effect on both archaeological and structural historic properties. This includes the review of the draft Phase IA reports for the Wilder and Bellows Falls projects and the update to the Vernon Project Phase IA report following the completion of 2013 monitoring program. In the latter case, it does appear that any modification to the APE in Vernon based on identification of erosion or other threats to sensitive areas or sites as outlined on page 12 of the Study Plan conflicts with the statement on page 10 that TransCanada that the APE for the Vernon Phase IA adequately addresses project effects.

Again aside from the final determination of the actual study area, the methodology and consultation procedures for the Phase IB site identification and Phase II site evaluations studies summarized in the Study Plan are adequate except that no provision is provided to address the potential presence of deeply buried cultural deposits. The final study plan should contain procedures to evaluate the potential for buried cultural deposits as well as proposed field techniques to address the need to sample at greater depths than can be generally attained by standard survey methods.

In summary, the Division believes that the completion of the following Study Plan components is necessary to adequately address the Projects effects on cultural resources:

Wilder, Bellows Falls and Vernon Projects

- Final determination of an APE that includes a minimum of 10 meters (33 feet) of land adjacent to the top of bank adjacent to the impoundments. Phase IB site identification studies will be focused on sections of the APE where active erosion or other project effect is occurring. Phase II site evaluation studies will also be focused on sites that are within actively eroding or otherwise effected sections of the APE but ultimately should include sites defined other portions of the APE to fully identify the number and location of the historic properties within the three project boundaries (see below project specific breakouts).
- Identification of Traditional Cultural Properties
- Survey and Evaluation of Historic Architectural Resources

Wilder and Bellows Falls Projects

- Phase IB site identification within all archeologically sensitive areas and potential site locations within the APE that are actively eroding.
- Phase II site evaluation of any archeological site identified in the Project APE as a result of the Phase IB survey or any known site that is located within a portion of the APE that is actively eroding to determine their boundaries and eligibility for inclusion on the National Register of Historic Places.
- A phased plan to complete Phase II site evaluation of all remaining currently recorded archeological sites in the Project APE to determine their boundaries and eligibility for inclusion the National Register of Historic Places.

K. Bose
Page 3 of 3
July 15, 2013

- Both Phase IB site identification and Phase II site evaluation studies must include strategies to address deeply buried cultural deposits.
- Development of a Historic Properties Management Plan for each project.

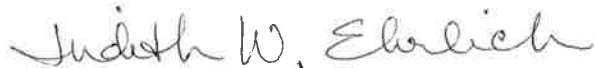
Vernon Project

- Phase IB site identification within the Project APE of all archeological sensitive areas and potential site locations that are actively eroding based on the 2013 Monitoring Report
- Phase II site evaluation of any archeological site identified in the Project APE as a result of the Phase IB survey or any known site that is located within a portion of the APE that is actively eroding to determine their boundaries and eligibility for inclusion on the National Register of Historic Places.
- A phased plan to complete Phase II site evaluations of all other known archeological sites in the Project APE to determine their boundaries and eligibility for inclusion in the National Register of Historic Places.
- Both Phase IB site identification and Phase II site evaluation studies must include strategies to address deeply buried cultural deposits.
- Development of a revised Historic Properties Management Plan.

The above studies and development/revision of the Project specific HPMP's will provide the basis for the development of any Mitigation Plans and Programmatic Agreements to address any adverse effects to historic properties. Completion of these actions will ensure that the Projects relicensing fully considers potential impacts to historic properties in compliance with the National Historic Preservation Act.

Thank you for your cooperation in protecting Vermont's irreplaceable historic and archeological heritage. R. Scott Dillon reviewed this project and prepared this letter. I concur with the findings and conclusions described above.

Sincerely:
VERMONT DIVISION FOR HISTORIC PRESERVATION



 Noelle MacKay
Acting State Historic Preservation Officer

Cc: John Ragonese, TransCanada
Elizabeth Muzzey, NH SHPO
Ed Bell, MA SHPO

Document Content(s)

VT SHPO Comment on Updated Proposed Study Plan 33.PDF.....1-3