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June 2, 2016

**VIA ELECTRONIC FILING**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

**Re: TransCanada Hydro Northeast Inc.'s March 1, 2016 Updated Study Report – Response to Comments - Addendum  
Project Nos. 1892-026, 1855-045, and 1904-073**

Dear Secretary Bose:

TransCanada Hydro Northeast Inc. (“TransCanada”) is the owner and licensee of the Wilder Hydroelectric Project (FERC No. 1892), the Bellows Falls Hydroelectric Project (FERC No. 1855), and the Vernon Hydroelectric Project (FERC No. 1904). The current licenses for these projects each expire on April 30, 2019. On October 31, 2012, TransCanada initiated the Integrated Licensing Process by filing with the Federal Energy Regulatory Commission (“FERC” or “Commission”) its Notice of Intent to seek new licenses for each project, along with a separate Pre-Application Document for each project.

On May 31, 2016 TransCanada submitted responses to various comments and specifically to Disagreements and Requests to Amend Study Plans regarding the Study Reports filed on March 1, 2016 USR for the three projects, as required by 18 C.F.R. §5.15(c)(5). It has come to our attention that responses to comments received for Study 33 – Cultural and Historic Resources Study were not included in that filing. Therefore, with this filing, TransCanada submits responses to comments and specifically to Disagreements and Requests to Amend Study Plans regarding the Study 33 Study Report in a table attached and entitled “TransCanada Addendum to Response to March 1, 2016 USR Comments – Study 33”.

Kimberly D. Bose, Secretary

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If there are any questions regarding the information provided in this filing or the process, please contact John Ragonese at 603-498-2851 or by emailing [john\\_ragonese@transcanada.com](mailto:john_ragonese@transcanada.com).

Sincerely,



John L. Ragonese  
FERC License Manager

Attachment: Addendum to Response to March 1, 2016 USR Comments – Study 33

cc: Interested Parties List (distribution through email notification of availability and download from TransCanada's relicensing web site [www.transcanada-relicensing.com](http://www.transcanada-relicensing.com)).

**TransCanada Addendum to Response to March 1, 2016 USR Comments – Study 33**

<b>Comment #</b>	<b>Study #</b>	<b>Source</b>	<b>Comment</b>	<b>Response</b>
1	33	Brattleboro Historical Society	Fort Dummer [in Brattleboro VT] is not even included in the Summary of Pre-Contact and Historic Resources located within the Project APE (table 3.12-1) found on page 182 of their [Vernon] pre-application document... This seems like a tremendous oversight and we believe FERC would want to pursue this shortcoming. The Society believes this site is worthy of recognition and we would like to establish a way to know exactly where the site is located for any future historic preservation opportunities, (most of the site has been under water since 1909 when the Vernon Dam was first built). [comment letter includes extensive background information on Fort Dummer].	The Fort Dummer Site is included in Table 3.12-1 on p. 3-184 of the Vernon PAD – the first entry at the top of the page. The site is indicated by its Vermont Archaeological Inventory Number – VT-WD-13 but not also by its site name of Fort Dummer. The Phase IA report (March 2008) does include the site by number and name with other descriptive information in Table 5-3 and the site is described in narrative on pp. 77-79.
2	33	Brattleboro Historical Society	A colleague of the Brattleboro Historical Society, Addison Minott, contacted TransCanada (owners of the site) as the Society is organizing a remembrance of the dig and was hoping to gain a more public access to the Fort Dummer location. A representative of TransCanada said the company was not interested in creating a more public access to the area.	Comment Noted. Company representatives and TransCanada’s cultural resource consultant, PAL , Inc. held a teleconference with Addison Minott and attempted to convey the fact that we were very aware of the site, its importance both historical and educational. We discussed operational constraints that would preclude a reservoir drawdown he was seeking, but that we would keep their interests in mind if future drawdowns were planned. We did generally discuss the threats to important archaeological sites by publicizing exact locations (amateur archaeology/treasure hunters) and how seriously we take our responsibility to protect it. We also discussed that the site is covered under the current Vernon Historic Resource Management Plan (HPMP) and that any further investigation, if ever project operations would allow, would need to be done by professional archaeologists. Further consideration for this site, if any, should be within the sphere of a new Programmatic Agreement and revised HPMP.
3	33	Mr. John Mudge	The study may be incomplete, what about Phase II?  As a result of the findings in July 2015, PAL and others determined that a "Phase II" archaeological study was	The Phase IB survey for the NH side of the Wilder, Bellows Falls, and Vernon study areas was completed on September 18, 2015 and the survey report findings for the NH side of the Wilder, Bellows Falls, and Vernon study areas was

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			<p>warranted. In his letter of October 14, 2015, Brandon Kibbe of TransCanada requested permission for a "Phase II" study, "very similar to the work previously conducted on your property, this time focused in the area where artifacts were previously discovered." Permission for "Phase II" work was given on October 19, 2015. The above Phase II work had not yet begun when, on October 29, 2015, PAL sent a "draft" report of its findings to the NH Division of Historical Resources. How could a report that was delivered in October 2015 include any discussion of work that was done in November 2015?</p> <p>Did that draft report indicate that there was to be a Phase II project?...</p> <p>Furthermore, regarding Phase II, Olausen's letter of March 14, 2016, to the State of Vermont Division for Historic Preservation reads: "We would like to begin the Phase II field investigations as soon as possible." Obviously there is still work to be done on sites in Vermont. Therefore, the study report of historic and archaeological sites that has recently been filed may be incomplete if it does not include the following:</p> <ol style="list-style-type: none"> <li>1) Findings from the Phase II work, that was requested by Kibbe in October 2015 and performed by PAL in November 2015, on the Mudge property in New Hampshire,</li> <li>2) Findings from Phase II work not yet begun, as indicated in Olausen's letter, on unspecified sites in Vermont.</li> </ol>	<p>submitted to NHDHR/SHPO on October 29, 2015. On October 30, 2015, the NHDHR/SHPO concurred with the Phase IB report's recommendation for a Phase II investigation of the Lampshire Meadow Site (27-GR-232) on Mr. Mudge's property in Lyme NH to evaluate its eligibility for listing in the National Register.</p> <p>The Phase II fieldwork was completed on November 13, 2015. A draft report presenting the Phase II findings has been completed and is currently being reviewed by TransCanada.</p> <p>Upon completion of TransCanada's review, the report will be submitted to the FERC, NHDHR, and Native American Tribes for Section 106 review.</p>
4	33	Mr. John Mudge	<p>The Study/ Survey is Classified as "Privileged": The March 23, 2016, letter to FERC indicates that the cover letters are "public," but that the "surveys" are "privileged," and only the five letters listed above were released on March 23, 2016. There is no mention of</p>	<p>The public dissemination of reports that contain locational information for significant archaeological sites is restricted by federal and state laws that are designed to protect the sites from potential damage or destruction.</p>

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			<p>anything being "privileged" in any of the other correspondence.</p> <p>None of the cover letters to the Naragansett Indian Tribe, the Nolumbeka Project, the Vermont Division of Historic Preservation, or the New Hampshire Division of Historical Resources uses the word "privileged."</p> <p>The 2014 and 2015 letters from Kibbe (TransCanada) requesting permission for the work on the Mudge property never suggested that the findings would be "privileged." The letters from Boisvert and McIntyre never suggest that the work should be or would be "privileged." Lastly, the landowner, the Mudge family, never requested that this work be "privileged."</p> <p>Why is it that I or any other landowner who grants permission for such work on their property is not provided unrestricted access to the findings? What is the purpose of a "comment period" if nobody has access to the material on which they might want to comment?</p>	<p>Specifically, Section 304 of the National Historic Preservation Act of 1966 (36 CFR Part 800.11(c)(1) restricts disclosure of certain types of sensitive information regarding cultural resources, which may result in information developed under these acts being withheld from public disclosure under the FOIA exemption. The sensitive information most often pertains to archaeological site locations and contents.</p> <p>State law in NH (RSA 227 C:11) and VT (VSA Chapter 5, Section 317(20) also exempt archaeological site locations from the "right-to-know" law, which includes the confidentiality of archaeological site reports and their restriction from public distribution.</p> <p>As the owner of the property on which the Lampshire Meadow Site (27-GR-232) is located, however, Mr. Mudge is entitled to receive a copy of sections of the Phase IB report that pertain to investigations on his property and the Phase II site evaluation report. The NHDHR/SHPO agrees with that approach and recommends the release of those reports to Mr. Mudge upon the completion of review by the consulting parties. The NHDHR/SHPO stated, however, that release of the reports be coordinated through the FERC in its role as the lead Federal agency for complying with Section 106 of the NHPA.</p>