



March 1, 2017

VIA CERTIFIED MAIL

Doug Harris
Deputy Tribal Historic Preservation Officer
Narragansett Indian Tribe
4425-A South County Trail
Charlestown, RI 02183

Re: Traditional Cultural Properties Study: Northfield Mountain Pumped Storage Project, FERC Project No. 2485 and Turners Falls Hydroelectric Project, FERC Project No. 1889

Dear Mr. Harris:

FirstLight Hydro Generating Company (FirstLight) is in receipt of your letter dated January 15, 2017 to the Federal Energy Regulatory Commission (FERC) in which the Narragansett Indian Tribe (NIT) requests mitigation in the form of compensation for alleged “inadequate NHPA section 106 compliance” in connection with the FERC relicensing process for the Northfield Mountain Pumped Storage Project and the Turners Falls Hydroelectric Project (Projects). The NIT’s letter also states that there was no Traditional Cultural Properties (TCP) study for the FirstLight Projects.

As you know, however, FirstLight did perform a TCP study for the relicensing of the Projects in accordance with the FERC approved TCP study plan. The TCP study report was first made available for public comment on March 31, 2015 on the Project’s relicensing website (http://www.northfieldrelicensing.com/Lists/Document/Attachments/289/Study_3.7.3_Traditional_Cultural_Property.pdf). The TCP report noted that the background research portion of the study did not identify any NRHP-eligible or –listed TCPs in the Projects’ Area of Potential Effect (APE). The TCP report also noted that those tasks that required field work and interviews with the NIT and Nolumbeka Project could not be completed by FirstLight. This was due solely to the fact that the NIT and the Nolumbeka Project never made themselves available to assist in conducting those tasks despite FirstLight’s numerous attempts to arrange meetings with them. The TCP report documented FirstLight’s attempts to schedule such meetings and its willingness to discuss compensating tribal members for their time and expenses associated with participating in the TCP study.

On June 9, 2015, following the release of the TCP report for comment, FirstLight responded to an offer from the Nolumbeka Project to walk the Wissatinnewag property, although the property is located outside of the APE and asked that the Nolumbeka Project contact FirstLight’s ethnographer to set up a mutually acceptable time. FirstLight also requested advice from the Nolumbeka Project regarding consultation with the NIT. Neither the NIT nor the Nolumbeka Project contacted the Licensee’s ethnographer. A copy of FirstLight’s letter and a related letter to FERC were sent to the NIT by certified mail.

The TCP report, as well as a number of other reports, were subsequently filed with FERC on September 14, 2015. In accordance with FERC’s relicensing Process Plan and Schedule for the Projects, a public meeting was held on September 29-30, 2015 to provide the NIT, other federally recognized Tribes, and stakeholders with an opportunity to discuss the study reports, including the TCP report, and proposed modifications to the study in light of the data collected.

The Nolumbeka Project was in attendance at the September 30th session in which the TCP was discussed.

Gus Bakas

Director – Massachusetts Hydro

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FirstLight reiterated that it had been unable to complete the field work and interview portions of the TCP study because of the lack of participation by the NIT and Nolumbeka Project. Pursuant to FERC's regulations, stakeholders were then given a 30-day period to comment on the study and request new or modified studies. Neither the NIT nor the Nolumbeka Project (nor any other party) filed comments or requests in connection with the TCP study report. On January 15, 2016, FERC issued its Study Plan Determination (SPD), which identified what FERC considered to be finalized studies. One of the finalized studies was the TCP study.

On March 7, 2016, FirstLight sent a letter by certified mail initiating consultation on the development of a Draft Historic Properties Management Plan (HPMP) to the NIT, the Nolumbeka Project, other federally recognized Tribes, Vermont recognized Tribes, and other interested stakeholders. The NIT and Nolumbeka Project did not respond to this outreach. Only the Montague Planning Department and Historical Commission provided comments.

On April 29, 2016, FirstLight filed its Final License Application with FERC, which included a Draft HPMP.¹ FirstLight also sent a hard copy of the HPMP by certified mail to the NIT, the Nolumbeka Project, other federally recognized Tribes, Vermont recognized Tribes, and other interested stakeholders. FirstLight requested comments on the Draft HPMP within 30 days. The only comments FirstLight received were from the Massachusetts Historical Commission, the Northfield Historical Commission, and the Gill Historical Commission.

Section 2.5.2.3 of the Draft HPMP discusses the TCP study report. Section 5.6 of the Draft HPMP discusses proposed management measures for TCPs, which includes the following: "In the event that the NIT and the Nolumbeka agree to meet with the Licensee's ethnographer and participate in tribal interviews and field reconnaissance for TCPs, the Licensee will conduct those portions of the TCP study, which it has been unable to conduct. In the event that eligible TCPs are ultimately identified within the APE, management measures will be developed at that time."

Please feel free to contact me if you would like to discuss the TCP study. Thank you.

Sincerely,



Gus Bakas

Cc: Bonney Hartley, Stockbridge-Munsee Community (certified mail)
Ramona Peters, Mashpee Wampanoag Tribe (certified mail)
Bettina Washington, Wampanoag Tribe of Gay Head (certified mail)
Joe Graveline, The Nolumbeka Project (certified mail)
Chief Roger Longtoe Sheehan, Elnu Tribe of the Abenaki (certified mail)
Chief Donald Stevens, Nulhegan Band of the Coosuk Abenaki Nation (certified mail)
Co-Chiefs Shirly Hook, Amy-Hook Therrien, and Carrie Gendreau, Koasek Traditional Band of the Koas Abenaki Nation (certified mail)
Peggy Fullerton, Koasek Traditional Abenaki Band (certified mail)
Chief Lawrence Moose Lampman, the Abenaki Nation of Missiquoi (certified mail)
Rich Holschuh, Elnu Tribe of the Abenaki
Frank Winchell, Federal Energy Regulatory Commission
Kimberly Bose, Federal Energy Regulatory Commission (filed electronically)

¹ Because the Draft HPMP contained confidential archaeological site location information, the draft HPMP was filed with FERC as "privileged."