1. Introduction

On July 29, 1998, The Central Nebraska Public Power and Irrigation District (Central) received a forty-year license from the Federal Energy Regulatory Commission (FERC) for operation of the hydroelectric facilities for FERC Project No. 1417 (Project). Article 425 of that license addresses cultural resources management, and states as follows:

*Article 425. The Licensee shall implement the "Programmatic Agreement Among the Federal Energy Regulatory Commission, the Advisory Council on Historic Preservation, And The Nebraska State Historic Preservation Officer For Managing Historic Properties That May Be Affected By A License Issuing To The Central Nebraska Public Power and Irrigation District For The Kingsley Dam Hydroelectric Power Project, Project No. 1417," executed on July 17, 1998, including but not limited to the Cultural Resources Management Plan for the project. In the event that the Programmatic Agreement is terminated, the Licensee shall continue to implement the provisions of its approved Cultural Resources Management Plan. The Commission reserves the authority to require changes to the*
Cultural Resources Management Plan at any time during the term of the license. If the Programmatic Agreement is terminated, the Licensee shall obtain approvals from or make notifications of the Commission or State Historic Preservation Officer where the Cultural Resources Management Plan calls upon the Licensee to do so.

This Cultural Resources Management Plan (CRMP) for FERC Project No. 1417 is the plan referenced in license Article 425 and the Programmatic Agreement.

2. 1991 Cultural Resource Inventory

As part of FERC's responsibility to comply with Section 106 of the National Historic Preservation Act, an archaeological and historic inventory of the Project area was done in 1991. This inventory was carried out by Larson-Tibesar Associates on behalf of Central. The August 1991 two-volume report, A Cultural Resource Inventory of Facilities Involved in the Federal Energy Regulatory Commission's Project No. 1417, Central Nebraska Public Power and Irrigation District, will be referred to as the "1991 Inventory Report" in the CRMP.

The 1991 Inventory Report was reviewed by the Nebraska Deputy State Historical Preservation Officer, and the Rocky Mountain Regional Office of the National Park Service. Copies of their reviews are in Appendix C.

Eighteen archaeological sites, one building, and an engineering system were recorded as a result of this inventory project. Some of these were found to be eligible for listing on the National Register of Historic Places. This management plan provides for:

1) further testing to evaluate the archaeological resources whose eligibility could not be
fully assessed during the 1991 inventory; 2) avoiding impacts to eligible archaeological sites; and 3) data recovery for mitigation of any impacts that cannot be avoided. The CRMP also provides for preserving the Jeffrey Lodge and, through a continuity-of-use management approach, the qualities of the historic engineering system. Included are provisions for future Project modifications and future discoveries of unrecorded resources.

3. Programmatic Agreement

This management plan was prepared pursuant to a Programmatic Agreement (PA), executed on July 17, 1998, among FERC, the Nebraska State Historical Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (Council). Central, which owns and operates the Project, is a concurring party to the PA. Appendix H contains a copy of the executed PA.

It is anticipated that during the forty-year FERC license period which commenced July 29, 1998, Central will engage in activities as part of the operation of the Project that may affect identified historic properties. The purpose of the PA and this CRMP is to address the management of historic cultural resources within the Project as efficiently and economically as possible.

PA section I.B. stipulates that Central will consult with SHPO and interested persons including Indian Tribes, if any, during development of the CRMP. Indian Tribes are addressed in Appendix D, Consultation Regarding Traditional Cultural or Religious Values. The responses of SHPO and others are in Appendix E, Comments on the Proposed Cultural Resources Management Plan.
4. Effective Date

This Cultural Resources Management Plan will become effective, and be implemented by Central, when SHPO, FERC, and the Council have approved/concurred with the CRMP submitted by Central or, if one or more parties does not concur, as specified in the PA’s Section II Review and Implementation of the CRMP.

5. Cultural Resource Administrator

For the purposes of the CRMP, Central will use "Cultural Resource Administrator" as its reference and contact position. Central does not have or plan to have a separate department or job position for historic preservation, but will assign these functions to a member or members of its staff with other duties as well. Telephone calls or correspondence for the Cultural Resource Administrator will be forwarded to the appropriate employee(s) for processing. As part of the implementation of the CRMP, SHPO and other appropriate parties will be kept informed of the employee that they need to contact. See Appendix G for the identity and contact information of the current Cultural Resource Administrator.

The Cultural Resource Administrator assigned by Central will have the following responsibilities:

(a) Participating in or reviewing early planning of projects which potentially may involve cultural resource issues;

(b) Conducting periodic training or workshops to assure that other Central personnel are aware of situations in which they must consult with the Cultural Resources Administrator;
(c) Developing plans or project modifications, through consultants as appropriate, to address cultural resource issues consistent with the CRMP;

(d) Taking cultural resource management training or retraining courses from time to time; and

(e) Coordinating consultation with SHPO.

Central shall provide the Cultural Resource Administrator with access to decision-makers such that measures to address cultural resource issues can be incorporated into overall planning in a meaningful way. In addition, Central will provide the resources needed for the Cultural Resources Administrator to accomplish the assigned responsibilities.

6. Archaeological Sites

This section begins by categorizing known archaeological sites as Eligible, Not Eligible, and Requiring Further Investigation based on the 1991 Inventory Report. It then describes additional survey work to be completed on existing and future Project lands which may add to the list of eligible or potentially eligible sites. Subsequent subsections describe the management of historic archeological properties identified through surveys or discovered later. Detailed descriptions of the archaeological sites are contained in the 1991 Inventory Report (CRMP Appendix I). Distribution of information identifying the locations of archaeological sites is restricted in the CRMP. See section 6.8 Confidentiality of Archaeological Sites.
6.1 Archaeological Sites Eligible for the National Register of Historic Places

In the 1991 Inventory Report (Chapter 3, and summarized on page 5-1 and in Table 5.1 on page 5-2), there are three archaeological sites that were believed to contain sufficient research potential and integrity to be considered eligible for nomination to the National Register of Historic Places (National Register). The reviews of the 1991 Inventory Report by the Nebraska State Historical Society (SHPO) and the National Park Service concur with this conclusion. (See Appendix C)

It should be noted that one of the sites (page 3-2 of the 1991 Inventory Report) is only eligible for its prehistoric associations (components) as its historic associations have been determined to be not eligible for the National Register.

6.2 Archaeological Sites Not Eligible for the National Register of Historic Places

The authors of the 1991 Inventory Report (chapter 3, and summarized on page 5-1 and in Table 5.1 on page 5-2) believed that eight of the eighteen recorded archaeological sites were not to be eligible for nomination to the National Register of Historic Places. However, the reviews of the 1991 Inventory Report by the Nebraska State Historical Society (SHPO) and the National Park Service concurred in this finding for only seven of these sites. These two reviews both concluded that one of these sites should have further archaeological testing to determine if it is eligible for nomination to the National Register of Historic Places. Accordingly, this site is one of the eight sites that this CRMP includes under section 6.3 Archaeological Sites for Further Investigation to Determine Eligibility for the National Register of Historic Places. See Appendix C for copies of the agency
reviews and the location of the disputed site that will receive further investigation.

6.3 Archaeological Sites for Further Investigation to Determine Eligibility for the National Register of Historic Places

In the 1991 Inventory Report (on page 5-1 and in Table 5.1 on page 5-2), seven sites were recommended for further archaeological testing to determine if they are eligible for nomination to the National Register of Historic Places. Their eligibility is related to the prehistoric settlement of the North Platte Valley. In addition to the seven sites recommended in the 1991 Inventory Report, an eighth site, (described briefly above in section 6.2 and on the bottom of page 3-2 in the 1991 Inventory Report), is recommended in the reviews by the Nebraska State Historical Society (SHPO) and the National Park Service.

Further archaeological investigation (such as subsurface testing) will be undertaken, in consultation with SHPO, on these eight sites. See Appendix C for copies of the agency reviews and the location of the sites.

6.4 Scheduling Archaeological Activities

6.4.1 Multi-Year Work Schedule

A multi-year work schedule will be developed in consultation with SHPO to carry out the follow-up archaeological activities described in sections 6.3 and 6.4.2. Planning of the work schedule will be completed within 18 months of the Effective Date of the CRMP. Archaeological activities such as sample survey work, subsurface testing, and
mitigation (such as data recovery) will be scheduled based on consultations among
Central, SHPO, and the principal investigator contracted to develop (and likely to carry
out) the plan. Because activities may be affected by local conditions such as reservoir
elevations and weather as discussed below, the schedule will not have a fixed date of
initiation, and the schedule may include several potential “hold” points to determine if
conditions might affect survey activities. Central will consult with SHPO each spring
regarding anticipated conditions until Central and SHPO determine together that the
schedule should be initiated. They will also consult prior to each potential “hold” point
as called for in the schedule.

6.4.2 Completion of the Archaeological Inventory Around
the Lake McConaughy Shoreline

The 1991 Inventory Report (page 5-5) recommends that the remainder of the
shoreline of Lake McConaughy be inventoried for archaeological resources. The
additional inventory sample areas will be limited to areas where there is a reasonable
possibility of the presence of significant cultural resources, and which possess sufficient
integrity. This survey would use the procedures described in the 1991 Inventory Report
(chapters 1 & 5). Lake McConaughy’s water elevation has been higher these past several
years than it was during the 1991 survey and may continue to be for years to come.
These higher water elevations do not provide much opportunity for investigation,
however, being under water does protect the sites from most types of degradation.
Accordingly, Central will conduct this survey when the lake elevation can be predicted
with a reasonable certainty to be low enough to allow a suitable survey while the lake
elevation and weather conditions are favorable.
6.4.3 Archaeological Planning and Investigation

From time to time, Central may plan major construction and/or groundbreaking activities. During the planning process, Central will consult with SHPO to determine whether there is a need for cultural resource surveys of the area to be impacted. If so, procedures will be established with SHPO on a case by case basis to develop and carry out cultural resource surveys and to address potential impacts.

Also refer to sections 9.2 Procedures for Consultation with SHPO and 9.3 Resource Discoveries.

6.5 Project Land Acquisitions After the 1991 Inventory Report

As part of its FERC license obligations, Central has or will acquire interests by purchase, lease or conservation easement in lands downstream along the North Platte and Platte Rivers for use as wildlife habitat. Ground disturbing activities on any lands leased, purchased or managed by Central to comply with conditions in its FERC license which were not addressed by the 1991 Inventory Report will be managed pursuant to the provisions in Appendices A and B for “Undisturbed Soil in Areas Not Determined Eligible for the National Register” until such time as they have been investigated and determined to be eligible.

Central will conduct a background literature search of its new wildlife habitat areas by a qualified researcher to identify any known historic properties. This background literature search is to begin within 12 months of the acquisition of the land or within 12 months of the effective date of the CRMP, whichever date is later, and is to be
completed within approximately six months. When the research results are available, Central will consult with SHPO as to the appropriate treatment for any identified historic properties.

Central plans to maintain these wildlife habitat areas with very few, if any, ground disturbing or other activities that might threaten potential historic properties. These areas will not be professionally inventoried/surveyed until such time as Central plans an action requiring consultation with SHPO pursuant to Appendices A and B.

6.6 Management Plan: Archaeological Sites

6.6.1 Avoidance

Central prefers to avoid further impacts to sites in all instances.

6.6.1.1 Avoiding Impacts of Actions by Central

Where ground-breaking activities or construction is anticipated, Central’s design and planning engineers will consult with the Cultural Resources Administrator early in the planning process to determine if the area has been inventoried and if any archeological sites are in the area of proposed disturbance. If archaeological sites are in the area, or if ground-disturbing activities beyond those in Appendix B are planned, Central will consult with SHPO to determine if a potential to impact archaeological sites exists. If avoidance is not feasible, Central will develop, in consultation with SHPO, a detailed Research Proposal and Scope of Work for data recovery before taking actions that will impact archaeological sites.
Also refer to sections 6.7 Personnel Qualifications and Guidelines for Archaeological Activities and 9.2 Procedures for Consultation with SHPO.

6.6.1.2 Avoiding Impacts of Actions by Lessees of Central’s Property

Central is ultimately responsible for compliance with its license on its Project land, including compliance with any plans developed and implemented pursuant to its license. Central binds lessees to the terms of FERC-approved plans through restrictions and conditions included as part of the lease. These lease restrictions are general in nature so that the lessee is bound by approved plans in whatever form they may take under the life of the lease. Under these restrictions and conditions, lessees of Central’s historic property that are not otherwise subject to Section 106 of the National Historic Preservation Act are committed to the provisions of the CRMP.

The Nebraska Game and Parks Commission ("NGPC" or "COMMISSION") leases Project land that includes recorded archaeological sites. NGPC’s leases have been or will be amended to include (with minor variations) the language below:

**LEASED PREMISES SUBJECT TO REGULATION.** It is understood and agreed that the lands owned by CENTRAL are subject to regulation by the United States Government, through the FERC, and by the State of Nebraska and local governments thereof. The leasehold herein demised, and use of the LEASED PREMISES by the COMMISSION, and all other rights hereto granted the COMMISSION, are expressly subject to any statute, law, rule, or regulation, now or hereinafter imposed by any governmental body having jurisdiction over the activity of CENTRAL, and may be altered or curtailed to the extent the same may affect the LEASED
PREMISES.

Central's Land and Shoreline Management Plan will address the processes for obtaining permission to plan and carry out ground disturbing activities and construction on leased lands. Compliance with the Land and Shoreline Management Plan is also addressed in the leases with NGPC:

PROTECTION OF SCENIC, RECREATIONAL AND ENVIRONMENTAL VALUES. The COMMISSION shall take all reasonable precautions to ensure that construction, operation and maintenance of structures or facilities on the LEASED PREMISES will occur in a manner that will protect the scenic, recreational, and environmental values of FERC Project No. 1417. The use of the LEASED PREMISES shall not endanger health, create a nuisance, or otherwise be incompatible with the overall recreational use of said Project, including particularly the Recreational Plan and the Land and Shoreline Management Plan as required by the FERC. CENTRAL retains the right to enforce these provisions by any reasonable means, including without limitation, entry upon the LEASED PREMISES to perform inspections, implementation of a permitting system, direction to cease inappropriate land use or to remove inappropriate structures, and termination of this Lease.

NGPC site managers will be given briefings and periodic updates by the Cultural Resources Administrator to assure that they are aware of their obligations.
to consult with the Cultural Resources Administrator early in planning any
ground-breaking activities to determine if the area has been inventoried and if any
archeological sites are in the area of proposed disturbance. Except where the
activities planned are covered under Appendix B of this document, Central will
consult with SHPO under the CRMP. NGPC may participate in the consultation
and will conduct its activities as agreed to in the consultation process, with
oversight by the Cultural Resources Administrator or Central's archeologist-
contractor.

Central leases portions of its lands to individuals and groups other than NGPC,
but no known archeological sites are located on these properties. These leases have been
or will be amended to include (with minor variations) the following provisions:

GOVERNMENT REGULATIONS. It is understood and agreed that the
lands owned by the District are subject to regulation by the United States
Government, through the Federal Energy Regulatory Commission
(FERC), and by the State of Nebraska and local governments thereof. The
Leased Premises, and use of said premises by Tenant, and all other rights
hereto granted Tenant, are expressly subject to any statute, law, rule,
regulation or order now or hereinafter imposed by any governmental body
having jurisdiction of the activity of the District, and may be altered or
curtailed to the extent the same may affect the real estate leased herein.

PROTECTION OF SCENIC, RECREATIONAL AND
ENVIRONMENTAL VALUES. Tenant shall take all reasonable
precautions to ensure that construction, operation and maintenance of
buildings, structures or improvements on the Leased Premises will occur in a manner that will protect the scenic, recreational, and environmental values of FERC Project No. 1417. The use of the Leased Premises shall not endanger health, create a nuisance, or otherwise be incompatible with the overall recreational use of said Project, as set forth in the FERC license for said Project and any amendments thereto. The District retains the right to enforce these provisions by any reasonable means, including without limitation, entry upon the Leased Premises to perform inspections, implementation of a permitting system, direction to cease inappropriate land use or to remove inappropriate structures, and termination of this Lease.

Lessees are currently required to submit all construction plans to Central for prior approval, and more detailed approval procedures will go into effect with the approval of the Land and Shoreline Management Plan. Lessees will be notified at the time that Central issues or renews their leases of their responsibilities under the CRMP.

6.6.1.3 Avoiding Other Impacts

The archeological sites identified as eligible for the Historic Register are under water throughout the year in most years. There they are effectively protected from vandalism, animal activity, damage by humans involved in shoreline recreation and erosion. Central will further address the potential for vandalism by posting signs indicating that unauthorized collecting of artifacts is forbidden, and by including similar
language in the brochures offered to visitors entering the recreation areas around the reservoir. Because the archeological sites are generally inconspicuous, Central will minimize calling attention to them by avoiding the use of fencing or near-site signs. In years when lake level is low enough to expose archeological sites, the personnel who patrol and monitor endangered species' nesting sites will also patrol and monitor the exposed archeological sites. Central’s patrol is experienced dealing with recreational visitors and with local authorities. If an archeological site appears to be experiencing prolonged exposure and significant shoreline erosion impacts, Central will consult with SHPO to determine on a case by case basis what measures, if any, might be taken to address these impacts.

6.6.2 Mitigation

Central may mitigate the effects of an activity that impacts archeological sites such that it is subject to consultation under section 9.1 Conditions and Activities for Future Consultation with SHPO. The principal mitigation measure will be data recovery under a Data Recovery Plan developed in consultation with SHPO.

Central's archeological sites that are eligible for the National Register are valuable for their potential contribution to archeological or historical research. Such value can be substantially preserved through appropriate research, in consultation with SHPO, that is conducted in accordance with applicable professional standards and guidelines. See section 6.7 Personnel Qualifications and Guidelines for Archaeological Activities.
6.6.3 Management of “Potentially Eligible” Archaeological Sites

Central will treat “potentially eligible” archaeological sites identified as such in the 1991 Inventory Report as if they were eligible for the National Register, until such time as they have been appropriately investigated. This treatment will be as described in section 6.6.1.1 above. Any sites similarly identified as “potentially eligible” in subsequent surveys will also be treated as if they were eligible until further investigation determines otherwise. It is also recognized that undisturbed soil in areas designated “not eligible” has some potential to conceal archaeological sites. These lands will be afforded protection from unrestricted ground disturbing activities by requiring consultation with SHPO, and potentially preliminary survey work, if activities are not listed in Appendix B of this document. See sections: 6.3 Archaeological Sites for Further Investigation to Determine Eligibility for the National Register of Historic Places, 6.4.2 Completion of the Archaeological Inventory Around the Lake McConaughy Shoreline, and 6.5 Project Land Acquisitions After the 1991 Inventory.

6.7 Personnel Qualifications and Guidelines for Archaeological Activities

Archaeological resource surveys, investigations, and data recovery will be conducted by or under the supervision of qualified professional personnel. The principal investigator responsible will meet the minimum professional requirements as specified in the most current edition (currently October 1989) of the Nebraska State Historic Preservation Office Guidelines for Protection of Archaeological Properties Under Section 106 of the National Historic Preservation Act. In the event these requirements are ever modified to no longer require it explicitly, the minimum professional
requirements of such an individual must also include meeting the Secretary of the Interior’s Qualification Standards for Archaeology.

The SHPO Guidelines described above will be a reference for conducting archaeological investigation, assessment, and reporting. Its procedures will be followed to the extent appropriate under the CRMP and the circumstances.

6.8 Confidentiality of Archaeological Sites

To protect archaeological sites that are eligible or potentially eligible for the National Register from unauthorized collectors, the identity and location of these archaeological sites will be kept confidential to the extent feasible. Therefore, distribution of those portions of the CRMP that identify the location of archaeological sites is to be limited to those with a legitimate need to know such as appropriate personnel from Central, SHPO, authorized investigators/researchers, etc. Accordingly, the locations of archaeological sites are limited to the following CRMP appendices: Appendix C Agency Comments on the 1991 Cultural Resource Inventory, Appendix H Programmatic Agreement (contained in the PA’s Appendix A), Appendix I 1991 Cultural Resource Inventory.

6.9 Disposition of Archaeological Collections

Archaeological items collected during Central's surveys and inventories may be removed from the site for research/education and/or for protection from damage or unauthorized collectors. These archaeological items will be donated to the Nebraska State Historical Society, except in the following situations:
(a) When subject to Federal or State laws, such as Nebraska's Unmarked Human Burial Sites and Skeletal Remains Protection Act, which require otherwise. For more information on this Act, see section 9.3 Resource Discoveries. (Also see Appendix F for the Council’s September 26, 1988 policy statement regarding the Treatment of Human Remains and Grave Goods. **Note:** Central is not subject to the Native American Graves Protection and Repatriation Act (NAGPRA) as it does not operate on Federal or tribal lands.)

(b) When written permission is given by SHPO and Central, and their conditions are met (such as supplying adequate documentation and research results for SHPO's and Central's files), archaeological items found by authorized investigators or researchers (such as the University of Nebraska), will become the property of the party (normally an educational institution or historical organization) specified in the written authorization.

(c) When Central exercises its reserved right to use, for public education purposes, any of its appropriate archaeological item(s) that will be, or have been, donated to the Nebraska State Historical Society, unless the item is needed immediately for research purposes. Central will take appropriate measures to safeguard these items.

7. **Historic Building: Jeffrey Lodge**

7.1 **Eligibility for the National Register of Historic Places**

Central's Jeffrey Lodge is located on the north side of Jeffrey Reservoir (also known as Jeffrey Lake) in Lincoln County, Nebraska. McAndrew McCall designed and obtained the materials to construct Jeffrey Lodge. McCall was Assistant to the Chief Engineer (George E. Johnson) of the Tri-County Project (Central) during the early
1940's. The Lodge originally provided office space and housing, particularly for the nearby Jeffrey Dam and Jeffrey Canyon Power Plant. Today it is used principally for meetings, training, tours of Central's system, and recreational use by employees and retirees.

The Jeffrey Lodge consists of a single building and does not include any nearby houses or structures, except the Jeffrey Lodge beacon. For more information and drawings of the Lodge, see the 1991 Inventory Report (starting on page 3-29) (Appendix I).

As discussed in Appendix I, much of the interior of the lodge has been modified to accommodate its transition in the last few decades from its original use as an office to a business and recreational retreat. Distinguishing architectural features described in the report are all exterior – the masonry and frame full height entry, the cupola, and the varied roof forms. The cultural resource survey form for Jeffrey Lodge (in volume II of the report) also noted ceilings in some areas that may be from concrete forms, extensive woodwork in the main portion of the building, and narrow hallways, stairs and alcoves. The 1991 Inventory Report identified Jeffrey Lodge as eligible for listing because corporate lodges of this size and complexity are unusual in this general area and because Jeffrey Lodge is closely related to Central's historic engineering system, and represents the human element behind the system. Jeffrey Lodge is eligible for the National Register of Historic Places under Criterion "A" (events) for its close association with The Central Nebraska Public Power and Irrigation District System. The review of the 1991 Inventory Report by the Nebraska State Historical Society (SHPO) concurs with this conclusion. (See Appendix C).
7.2 Management Approach

During the forty-year FERC license, major maintenance and possible renovations will be needed to allow the Jeffrey Lodge to continue to provide business benefits. In planning and carrying out maintenance and rehabilitation of the lodge, Central will maintain the Jeffrey Lodge as similar to the original building as is operationally and economically feasible, especially the exterior. At Jeffrey Lodge, the Secretary of the Interior’s Standards for Rehabilitation will be applied where appropriate to preserve the historic qualities identified in the 1991 Inventory Report. Central may use recordation techniques rather than repair or replacement in kind to the extent necessary to accommodate safety, the Americans with Disabilities Act (ADA), and environmental equipment modifications.

7.3 Management Plan: Jeffrey Lodge

7.3.1 Avoidance

It is believed the continued operation of the Project will have no effect on the Jeffrey Lodge. The property is well removed from both the lake shore and any operation areas. It is also actively maintained by Central and there are no plans to abandon the facility.
7.3.2 Mitigation

As long as the operation of Jeffrey Lodge provides sufficient business benefits, Central will be able to justify the expense of operating it, which should be the best option for the preservation of this historic building. Central may mitigate the effects of an activity that impacts Jeffrey Lodge such that it is subject to consultation under section 9.1 Conditions and Activities for Future Consultation with SHPO. Mitigation measures, in order of priority, are:

(a) Rehabilitation

Rehabilitation (renovation) of the Jeffrey Lodge conducted using the Secretary of Interior’s Standards for Rehabilitation to preserve the historical and architectural values of the building.

(b) Recordation

Implementing a recordation plan developed in consultation with SHPO that uses documentation procedures such as the ones listed below, as are appropriate for the circumstances, if demolition, removal, abandonment (discontinued use without "mothballing"), "mothballing" the Jeffrey Lodge, or a major interior or exterior alteration is undertaken:

(1) Recordation (including photography) that meets HABS/HAER standards (Historical American Buildings Survey and Historic American Engineering Record documentation);

(2) Gathering samples of rare or unique material or objects for archiving, alternative use, or appropriate display that would otherwise be junked or destroyed;

(3) Archiving Central's original drawings, maps, etc. as well as those for
appropriate renovations;

(4) Including any pertinent information or documentation concerning why or how the activity (demolition, removal, abandonment, mothballing, or major alteration) was performed, especially for the demolition or removal of the Jeffrey Lodge; and

(5) Storing the data at Central's archives or other appropriate archive, or displaying such data by Central, a museum, etc. as determined in consultation with SHPO.

8. Historic Structures: Engineering System

8.1 Eligibility for the National Register of Historic Places

Central's engineering system consists of the network of canals, dams, control structures, gates, siphons, power plants, and related structures and equipment of the Central System. (See the Appendix I, 1991 Inventory Report, chapter 4).

The principal elements of the engineering system are:

(a) Kingsley Dam (including the outlet structures)
(b) The south section of Central's Diversion Dam near North Platte
(c) Jeffrey Canyon Power Plant
(d) Johnson Canyon Power Plant No. 1
(e) Johnson Canyon Power Plant No. 2

The contributing properties of the engineering system include: three major reservoirs (Jeffrey Reservoir (also known as Jeffrey Lake), Johnson Reservoir (more commonly known as Johnson Lake) and Lake McConaughy), four major dams (Kingsley
Dam, Central’s Diversion Dam near North Platte, Jeffrey Dam and Johnson Dam), three hydroelectric powerplants (Jeffrey Hydro, Johnson No. 1 Hydro, and Johnson No. 2 Hydro), the network of canals, control structures, gates and siphons, and related equipment and components.

The 1991 Inventory Report found that the numerous separate elements of the system are “of questionable value” unless viewed as contributing to the significance of the overall system. The “primary element of significance” identified in the report is the understanding of the cultural atmosphere in which this Depression-era project was planned, financed and built, which “is derived from the physical and material aspects which still exist and continue to operate and perform as they were designed to over half a century ago.” The 1991 Inventory report noted the complex concrete work at Kingsley Dam, particularly the “morning glory” spillway and the Art Deco architectural features of the Jeffrey and Johnson powerhouses (exterior brickwork topped by a stone coping, interiors of glazed tile and brick with quarry tile flooring, and projected, galvanized steel windows. Gates, dams, hoists, turbines, penstocks, flumes, siphons and canals are also briefly described in the report. The 1991 Inventory Report concluded, however, that “[i]n spite of the fact that some of the major elements of the of the system have been described individually, the value of the resource is viewed primarily as a system.” Thus, the report concluded that Central’s engineering system as a whole, not individual components, is believed to be eligible for the National Register of Historic Places under Criterion "A" (events) within the historic context of hydroelectric development and irrigation in Nebraska prior to World War II. The review of the 1991 Inventory Report by the Nebraska State Historical Society (SHPO) concurs with this conclusion. (Appendix C).
8.2 Continuity-of-Use Management Approach

The 1991 Inventory Report recommends using a continuity-of-use approach to preserving the system’s historic integrity. This approach is essential to preserving the primary historic quality of the system – its long-term working character. In addition, as a practical matter, without the continuing operation of the Project there would be no apparent means of preserving the elements and structures that make up the engineering system. The nature of the Project requires continuous improvement in terms of considerations such as efficiency and material durability to maintain economic viability, safety modifications necessary for employees and the public, modifications for access by disabled persons, or modifications to protect environmental resources, as well as routine maintenance and repair. For these reasons, continuity-of-use takes precedence over preservation of historic features of component equipment and structures. When major Project elements or parts thereof require repair, replacement or upgrade, the Secretary of the Interior's Guidelines and Standards for Rehabilitation will be applied where compatible with continuity-of-use. Where changes to improve efficiency, including water conservation, are sought, after consultation with SHPO, standards of recordation will be applied rather than retaining or repairing in place, or “replacing in kind.” Central will also use recordation techniques rather than repair or replacement in kind to the extent necessary to accommodate safety, the Americans with Disabilities Act (ADA), and environmental equipment modifications.

In planning and carrying out repair or replacement activities, Central will consult with SHPO regarding applicable Standards and Guidelines consistent with Appendices A
and B of this document and the management plan described below for the engineering system.

8.3 Management Plan: Engineering System

8.3.1 Avoidance

Central prefers to avoid impacts to the engineering system and its components whenever feasible under a continuity-of-use management approach. However, a number of not-in-kind replacements may be needed within the engineering system in the future to enhance operational efficiency or monitoring, including achieving water conservation goals. Upgrading and modifying the engineering system could affect the historic qualities of key individual components of the system even as the overall integrity of the working historical system is preserved through a continuity-of-use management approach. Through consultation with SHPO, Central has identified the Jeffrey and Johnson powerhouses, long-lived equipment and components (such as the turbine-generators, gates and penstocks); the south section of Central’s diversion dam near North Platte, and the outlet structures at Kingsley Dam as key components with historical qualities to which impacts should be avoided if possible.

8.3.2 Mitigation

Central may mitigate the effects of an activity that impacts the historical qualities of key components of the engineering system such that it is subject to consultation under section 9.1 Conditions and Activities for Future Consultation with SHPO. Mitigation measures, in order of priority, are listed below.
(a) **Rehabilitation**

To the extent feasible with the approach described above, rehabilitation

(renovation) of an engineering system structure shall be conducted using appropriate

methods (such as replacement-in-kind) to preserve the historical and architectural value.

Types of activities expected to be carried out as “rehabilitation” will include, for

example, maintenance, repair and alterations to the Jeffrey and Johnson powerhouses and

repair/replacement-in-kind equipment maintenance.

(b) **Recordation**

Central will use new technology as appropriate to keep equipment running

properly or more efficiently. Routine replacement of relatively short-lived equipment –

even if replacement is not in kind – will not require documentation. Examples include

plumbing and electrical repairs. For major maintenance projects involving not-in-kind

replacement of key, long-lived equipment such as turbines, Central will develop a

recordation plan in consultation with SHPO that uses documentation procedures such as

the ones listed below, as appropriate for the circumstances. Such plans will also be

developed when one of the following types of activity is involved: demolition, removal,

abandonment (discontinued use without "mothballing"), "mothballing" a power plant or

other key structure/object, or an interior or exterior major alteration of any property that

contributes to the engineering system’s eligibility for the National Register of Historic

Places. Recordation will be used in activities related to safety, the ADA, environmental

items and, to the extent feasible, in addressing uncontrollable forces and emergency

situations. Techniques include:

(1) Recordation (including photography) that meets HABS/HAER
standards (Historical American Buildings Survey and Historic American Engineering Record documentation).

(2) Gathering samples of rare or unique material or objects for archiving, alternative use, or appropriate display that would otherwise be junked or destroyed.

(3) Archiving Central's original drawings, maps, etc. as well as appropriate renovations, etc.

(4) Including any pertinent information or documentation concerning why or how the activity (demolition, removal, abandonment, mothballing, or major alteration) was performed, especially for the demolition or removal of the building or structure.

(5) Storing the data at Central's archives or other appropriate archive, or displaying such data by Central, a museum, etc. as determined in consultation with SHPO.

9. Future Consultations

This section describes those issues which would require additional consultation with SHPO as a result of activities conducted by Central. Procedures are outlined detailing new discoveries of archaeological sites, discovery of human remains, emergency activities, and Project modifications.

9.1 Conditions and Activities for Future Consultation with SHPO

Future consultations are a key to the success of the proposed management plan. The basic conditions for future consultation are:

(a) Discovery of previously unrecorded archaeological resources and the conduct
of additional surveys when warranted.

(b) Identification of planned Project activities which might affect a property eligible for the National Register. See Appendix A for guidelines on determining which activities require consultation with SHPO.

(c) Discovery that a property eligible for the National Register is being affected in some unanticipated manner. This would include low water elevations at Lake McConaughy that expose artifacts that should be properly recovered before being lost to amateur collectors.

(d) The passage of time or changing perceptions of significance during the forty-year FERC license which may justify reevaluation of properties that were previously determined to be eligible or ineligible for the National Register, including properties contributing to the engineering system. Central will review the Project facilities approximately every ten years.

If the situation involves an effect on a site eligible for the National Register, or a newly discovered site that has not been evaluated for the National Register, SHPO will be consulted. If, in any circumstances, human remains are discovered, the appropriate law enforcement authorities will be notified and, the remains and grave goods will handled as required under Nebraska's Unmarked Human Burial Sites and Skeletal Remains Protection Act.

**Exempt Activities:** Appendix B identifies activities exempted from consultation.

**Emergency:** If immediate action is required because of some type of emergency, see section 9.6 *Uncontrollable Forces / Emergency Activities.*
9.2 Procedures for Consultation with SHPO

Central's personnel or lessees are to notify Central's Cultural Resource Administrator at the earliest opportunity in the planning of an activity and no less than 45 calendar days prior to performing any activity that is likely to require consultation with SHPO. The Cultural Resource Administrator will investigate whether or not this activity requires consultation with SHPO according to the CRMP and, if it does, the Cultural Resource Administrator will then make an initial contact with SHPO to discuss the situation.

If appropriate, Central will submit a formal notification to SHPO requesting its concurrence on the proposed activity and the specific actions, if any, that will be taken to avoid or mitigate an adverse effect. If SHPO does not object within fifteen (15) calendar days from the receipt of the formal notification, then Central will assume that SHPO concurs and will proceed with the activity as proposed. If interested persons or members of the public make their interest in a proposed activity known to Central, they will be given an opportunity to contribute timely comments to the consultation process.

If SHPO objects within fifteen (15) calendar days from the receipt of the formal notification of a proposed activity, and Central does not agree with SHPO's recommendation, then Central will consult with SHPO in an effort to resolve the objection. If Central determines that the objection cannot be resolved, the matter will be submitted to FERC under section IV. Dispute Resolution (page 5) of the Programmatic Agreement.
9.3 Resource Discoveries

Various circumstances may lead to the discovery of additional resources within Project boundaries. These could include, but are not necessarily limited to, materials found by Central employees in the course of their work activities, sites discovered by the Nebraska Game and Parks Commission, sites discovered by independent researchers, or materials discovered during a cultural resource survey conducted as part of a major construction project under section 6.4.3 Archaeological Planning and Investigations.

When any such new discovery is brought to the attention of Central, the CRMP stipulates that the resource will be recorded according to prevailing standards at the time. An evaluation of the significance will be conducted, but this will not necessarily include subsurface testing unless potential effects on the site require a finding of significance under the provisions of Section 106 of the National Historic Preservation Act. Appropriate management measures will be devised in consultation with SHPO.

Discovery does not mean that all work must stop. However, depending on the nature of the cultural resource and the activity's apparent effects on it, Central will make reasonable efforts to avoid or minimize harm to the resource until it has been processed under the CRMP's procedures. Following are the procedures for Central's employees, lessees, or their contractors when a discovery of what appears to be a cultural resource (historic property) has been made:

(a) Contact Central's supervisor in charge immediately. If human remains are discovered, also refer to section 9.4 Unmarked Human Burial Sites.

(b) The supervisor will contact Central's Cultural Resource Administrator immediately. If unavailable, the Division Manager or the General Manager should be
contacted for instructions. The supervisor will arrange for the site or the relevant portion of the site to be secured against further disturbance until a professional assessment of the potential finding can be made.

(c) The contractor, lessee or employees will consult with SHPO (through Central's Cultural Resources Administrator or other appropriate personnel) to safeguard the resource and note its location, depth, etc. for future report, and to determine what type of investigation (if any) is appropriate for the circumstances.

9.4 Unmarked Human Burial Sites

Human remains deserve respect and should be treated appropriately. The discovery of human remains involves legal as well as archaeological issues. The odds of discovering human remains are low, however, in 1989, a burial, probably a prehistoric Native American, was discovered eroding from the beach on the south side of Lake McConaughy. In addition to the archaeological sites around Lake McConaughy, there may be unmarked graves of pioneers, settlers, Native Americans, etc. on any of Central's land, particularly if the soil has not been previously excavated to an appropriate depth.

Discoveries of any unmarked human remains are subject to Nebraska's Unmarked Human Burial Sites and Skeletal Remains Protection Act. This Nebraska Act covers the discovery of unmarked human remains (bones, skulls, etc.) or grave goods (necklaces, bracelets, weapons, tools, etc.), including American Indian remains or goods. (Note: Central is not subject to the Native American Graves Protection and Repatriation Act (NAGPRA) as it does not operate on Federal or tribal lands.)
Immediately upon the discovery of buried human remains, the procedures listed below are to be followed:

(a) Stop the excavation, and using appropriate safety precautions, and with a minimum of further disturbance to the remains, verify that it appears to be human remains. Make note of what was found, its location and depth, etc.

(b) Contact Central’s supervisor in charge for instructions. If unavailable, call the Division Manager or the General Manager.

(c) If unable to contact a supervisor, or if instructed, call the Sheriff’s office in the county of the discovery and report the discovery within forty-eight (48) hours.

(d) Central’s Cultural Resource Administrator (or other designated position) is to be notified as soon as possible. This person will take appropriate actions for the circumstances, including the actions and instructions of the county attorney and the Sheriff’s office (or other law enforcement agency with jurisdiction). They will also take into consideration the Council’s September 26, 1988 policy statement regarding Treatment of Human Remains and Grave Goods (see Appendix F).

Disposition: Ownership/disposition of historic and prehistoric archaeological items, including Native American human remains or grave goods, will be as discussed in section 6.9 Disposition of Archaeological Collections.

9.5 Project Modifications

From time to time, Project modifications may be necessary. Some of these require license amendments, while others do not. Only the latter are of concern here, as license amendments will proceed under current legal requirements at the time.
CRMP will be used for any such Project modifications, such as boundary changes, with amendment to the CRMP if necessary. See section 6.5 Project Land Acquisitions After the 1991 Inventory Report.

Central's personnel and lessees will be notified that there are significant archaeological sites on Project lands, and that the structure and elements of the engineering system, and the Jeffrey Lodge are also cultural resources of the Project. They will be advised that ground disturbing activities and/or significant modifications to contributing structures and components must be preceded by consultation with Central's Cultural Resource Administrator. If the Cultural Resource Administrator believes the proposed activity requires SHPO consultation under the provisions of the CRMP, then SHPO will be consulted.

9.6 Uncontrollable Forces / Emergency Activities

9.6.1 Uncontrollable Forces

Central will not be considered to be in default in performance of any obligation under the CRMP if failure of performance is due to uncontrollable forces. The term "uncontrollable forces" means any cause beyond the control of Central, including, but not limited to, an act of God, flood, earthquake, storm, fire, lightning, epidemic, war, riot, civil disturbance, labor disturbance, sabotage, restraint by court order or public authority including court order, injunctions, and restraint by governmental agencies with proper jurisdiction prohibiting or failing to approve acts necessary to performance under the CRMP or permitting any such act only subject to unreasonable conditions, and failure of
equipment or inability to obtain materials or equipment because of the effect of similar
causes on suppliers or carriers, which by the exercise of due foresight Central could not
reasonably have been expected to avoid and which by exercise of due diligence it will be
unable to overcome. It is not necessary for the President of the United States to declare a
Disaster or an Emergency for these provisions to apply.

Nothing contained herein will be construed to require Central to prevent or settle
a strike or labor negotiations against its will.

9.6.2 Emergency Activities

An emergency situation does not have to be life threatening (such as a dam
failure), it can also arise where circumstances (such as weather, equipment or structure
failure, an accident, uncontrollable forces, etc.) have created a situation that requires
prompt and possibly adverse action to historical properties to minimize or prevent a
significant safety problem/liability, expense, or loss of revenue for Central. In
responding to emergency situations that affect the Project, Central may need to take
actions that will impact historical properties. If there is time to consult informally with
SHPO, Central will make a reasonable effort to do so, but situations may arise when there
is not sufficient time to consult with SHPO and/or to avoid or mitigate adverse effect. In
such instances, Central will endeavor to minimize impacts on historic property to the
extent feasible under the circumstances. Central will notify SHPO at the earliest
opportunity regarding emergency activities that may have affected a historic property.
9.6.3 Unexpected Discoveries During an Emergency Action

In the event of unexpected discoveries of historical properties during an emergency, how a discovery is handled will depend on the nature of the emergency and the type of discovery. To the extent feasible, Central will follow the routine procedures in section 9.3 Resource Discoveries. If it is not feasible to respond to the emergency situation without further disturbing the historic discoveries, Central will move these materials as little and as carefully as possible under the circumstances and note the location for future consideration. Central will notify SHPO at the earliest opportunity regarding such emergency activities.

10. Activities that Do Not Require Consultation with SHPO

See Appendix B for guidance on activities that do not require consultation with SHPO or the Council. Also, see Appendix A for guidance on activities that require consultation with SHPO.

Activities on Project land that are exempt from consultation pursuant to Appendix B may involve impacts to Central's historic buildings or structures, or discoveries of cultural resources by ground disturbance on Project land in previously undisturbed areas (including property leased from Central). If such impacts or discoveries occur, they must be reported by Central's personnel or lessees to Central's Cultural Resource Administrator who will notify or consult with SHPO if appropriate. Also see section 9.1 Conditions and Activities for Future Consultation with SHPO.
11. Public Education / Interpretation of the Project’s Historic and Archaeological Values

Listed below are the public education opportunities currently provided by Central along with the expected enhancements and new opportunities. Over the term of its forty-year license, Central will periodically reevaluate and modify its public education/interpretation offerings as new discoveries, changes in Central’s operations or facilities, and additional opportunities become known. Central will consult with SHPO and/or other qualified experts as is appropriate for guidance in developing and maintaining beneficial public education opportunities.

(a) Lake McConaughy Visitors Center

Construction of Nebraska Game & Parks Commission’s new Lake McConaughy Visitor Center should be complete by the end of 1999. This approximately $1-million facility will include a Water Interpretive Center which is expected to have permanent and rotating displays on a variety of subjects including aspects of Central’s engineering system (particularly Kingsley Dam and Hydro), the development of water resources in the Platte basin, and may include aspects of the cultural history of the river valley, including Native Americans, military, early fur trade, westward immigration, etc. Central has donated 22 acres for the Visitors Center site and has provided $100,000 towards construction in 1999.

(b) Kingsley Hydro Tours

As part of Central’s normal operations, Central offers tours of its Kingsley Hydro Plant at Lake McConaughy that includes information on the Kingsley Dam and the two lakes. Central’s Kingsley office (up the hill from the hydro) and Central’s eagle viewing facility at Lake Ogallala display historical pictures of the
construction of Kingsley Dam and other project works as well as paleontological and archaeological artifacts from the region. Some of these materials or similar items will be considered for display at the Visitors Center (see item (a) above).

**(c) Central System Tours**

Customized group tours of Central's engineering system are available upon request. Tours are varied depending on the desires and interests of the group. Most tours visit historic Jeffrey Lodge and two-day tours usually stay overnight at the Lodge. Included in the discussions during the tours are explanations of the history and development of Central as well as most of the prominent historical sites in the area that are not associated with Central.

**(d) Johnson Canyon Power Plant No. 2 (J-2)**

Eagle viewing at J-2 during the winter months draws many visitors. In addition to information on the eagles and wildlife, Central has displays on the operation of a hydro and on Central in general. Central plans to add additional displays of hydroelectric educational information. Central is planning, as part of its regular maintenance and rehabilitation of facilities, to replace the original hydro turbine runners (water wheels) at its three 1940's hydro plants. If it proves to be practical, one of the turbine runners will be publicly displayed, possibly at the Lake McConaughy Visitors Center.

**(e) Jeffrey Lodge**

Central plans to make available educational information at the historic Jeffery Lodge on its history and contribution to Central's engineering system. While the Jeffrey Lodge is not normally open to the general public, there are many visitors during
scheduled tours of Central’s system, special meetings or retreats, and use by employees and their guests.

12. Annual Report

As per item II. D. (page 4) of the Programmatic Agreement, Central will file an annual report with FERC and SHPO of activities conducted under the implemented CRMP. Central will file the report for the previous calendar year by March 1st of each year. If the CRMP is executed in 1999, the first report will be filed by March 1, 2000 for the period of January 1, 1999 through December 31, 1999.

13. Final Authority on Eligibility for the National Register of Historic Places

If SHPO and Central do not agree on the eligibility of an archaeological site or other historic property, the question shall be referred to FERC for resolution. If FERC and SHPO cannot agree on eligibility, or if the Council so requests, FERC will refer the matter for a formal determination from the Secretary of the Interior (the "Keeper of the National Register") pursuant to the applicable National Park Service regulations. Central may also request FERC to make a referral.

14. Termination

The CRMP is required by Article 425 of Central’s license for FERC Project No. 1417 and by the Programmatic Agreement referenced in that Article. See CRMP section 1. Introduction for a reprint of Article 425. In the event the Programmatic Agreement is
terminated by FERC, SHPO or the Council under section V.C of that agreement, Central will continue to implement its FERC approved CRMP as described in Article 425. Any administrative or other modifications to the CRMP necessary to continue its implementation under such circumstances will be submitted to FERC for approval. Under Article 425, even if the Programmatic Agreement is terminated, the CRMP cannot be terminated except by order of FERC.

15. Amendments

Central or SHPO may petition FERC to amend the CRMP, including the appendices, after consultation with the Council. Any petition filed will include evidence of consultation. Central will file with FERC the petition for approval of any amendment agreed to in consultation. Amendments become effective upon FERC approval.

16. Dispute Resolution

Dispute resolution shall be in accordance with the procedure set forth in section IV. of the Programmatic Agreement (Appendix H).