

UNITED STATES OF AMERICA 85 FERC 62,110  
FEDERAL ENERGY REGULATORY COMMISSION

Western Massachusetts ) Project No. 2334-012  
Elec. Co. )

ORDER APPROVING CULTURAL RESOURCES MANAGEMENT PLAN  
(Issued November 17, 1998)

On April 3, 1998, Western Massachusetts Elec. Co. (licensee) filed a Cultural Resources Management Plan (CRMP) for the Gardners Falls Project, FERC No. 2334. The Gardners Falls Project is located on the Deerfield River in Franklin County, Massachusetts. The CRMP is required by article 408 of the project license issued April 4, 1997. Subsequent to comments by the State Historic Preservation Office (SHPO), the licensee filed a final CRMP on June 2, 1998.

Article 408 requires the licensee to implement the Programmatic Agreement (PA) executed on September 4, 1996, 1/ and file a CRMP for mitigating the project's effects on historic properties. The licensee's CRMP states the Gardners Falls Project dam, power canal, and powerhouse and its appurtenant buildings and structures are eligible for listing in the National Register of Historic Places. The CRMP also identified within the Area of Potential Effect a possible prehistoric rockshelter site and one historic stone foundation site.

The CRMP lists the types of activities that could have an impact on archaeological resources and require consultation with the SHPO. The CRMP also lists the activities which could not have an impact on cultural resources and would not require SHPO consultation. The CRMP also sets forth the guidelines for dealing with the discovery of new properties during routine project operation and maintenance.

The CRMP also contains procedures for public interpretation and shoreline monitoring. For properties discovered along the shoreline, the licensee will give priority to in-place preservation through shoreline stabilization. If data recovery is found to be necessary, the licensee will develop a recovery plan which is consistent with the Advisory Council on Historic Preservation's (ACHP) principles and procedures. The CRMP proposes to follow the ACHP's policy statement and relevant state laws and guidelines for the treatment and disposition of human remains. The CRMP was developed according to the requirements

set forth in Archaeology and Historic Preservation: Secretary of

- 1/ Signatories to the PA include the Federal Energy Regulatory Commission, State Historic Preservation Officer, and the Advisory Council On Historic Preservation. The licensee was a concurring party.

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The Interior's Standards and Guidelines and addresses the professional qualification standards.

The licensee consulted with the SHPO during the development of the CRMP and adequately incorporated all their comments into the final plan. Commission staff forwarded the proposed CRMP to ACHP for their comment pursuant to section II, B of the PA. In a letter dated November 2, 1998, the ACHP had no objection to the CRMP's implementation. The licensee is reminded of the requirement in section II, D of the PA that on every anniversary of the license issuing, the licensee is required to file a report with the Commission and the SHPO of activities conducted under the implemented CRMP.

Commission staff believes the final CRMP sets the appropriate standards and guidelines to protect unknown sites if found in the future and are consistent with the requirement of article 408 and the approved PA. Upon approval of this order, the licensee should implement the CRMP.

The Director orders:

(A) The Cultural Resources Management Plan for the Gardners Falls Hydroelectric Project, filed on June 2, 1998, is approved and made part of the license.

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. 385.713.

Carol L. Sampson  
Director  
Office of Hydropower Licensing

