

### **BACKGROUND:**

The Federal Energy Regulatory Commission (FERC) is required to follow certain regulations that are designed to identify and address the potential effects that a hydroelectric project may have on cultural resources. These regulations are contained in Title 36 of the Code of Federal Regulations (CFR), Part 800 (36 CFR 800), and provide direction to federal agencies regarding the implementation of Section 106 of the National Historic Preservation Act (NHPA). Placer County Water Agency (PCWA) will be required by FERC to carry out studies that are consistent with these regulations. Consequently, the Cultural Resources Technical Study Plan outlined below follows the steps defined in the regulations and is applicable to all types of cultural resources that may be associated with the Middle Fork American River Project (MFP or Project).

PCWA recognized the need to gather existing information to better inform the design of technical studies and to ensure that these studies would be completed within the limited schedule provided for in the FERC relicensing process. In 2005, PCWA developed a 2005-2006 Cultural Resources Inventory Study Plan (May 27, 2005). The Study Plan was developed in consultation with the USDA Forest Service (USDA-FS) and the Native American Tribes. The 2005-2006 Cultural Resources Study Plan involves two phases.

Phase 1, completed in 2005, focused on retrieving, compiling, and reviewing existing information on cultural resources in a defined Study area. For the purposes of the 2005-2006 Cultural Resources Inventory Study, the Study Area is defined as the area within the FERC Project boundary and a 200-foot area surrounding any Project-related facility or feature that lies outside the FERC Project boundary. The Study area does not include the land areas that overlie subsurface features such as tunnels. The results of the Phase 1 effort are reported in the Final 2005 Cultural Resources Inventory Study Report (August 23, 2006). The report is available on PCWA's relicensing website located at <http://relicensing.pcwa.net/techdocs.htm>.

Phase 2 of the 2005-2006 Cultural Resources Inventory Study, to be completed in 2006 or 2007, focuses on verifying the location and condition of known cultural resources and identifying previously unidentified and/or unreported cultural resources in the Study Area. The information developed as part of the 2005 - 2006 Cultural Resources Inventory Study will serve the following purposes:

- form a basis for future technical studies conducted as part of the formal relicensing process;
- support discussions with the resource agencies and the tribes regarding the Area of Potential Effects (APE);
- support permit applications required from the USDA-FS;
- help ensure timely completion of other regulatory processes, for example Section 106 of the NHPA;
- help facilitate early consultation efforts with the Tribes.

The following outlines the additional steps PCWA proposes to develop additional information to supplement the cultural resources inventory. As previously noted, the study process follows the regulatory process required by FERC. All of the steps in the "Section 106" process can be accomplished in a single Study Plan that begins with the collection of existing information regarding cultural resources and then moves through the steps discussed below. The format of the Study Plan follows the format being used in the other Technical Working Groups (TWGs).

### **POTENTIAL RESOURCE ISSUE:**

Preservation of properties listed or eligible for listing in the National Register of Historic Places (NRHP).

### **PROJECT NEXUS:**

Project operations and maintenance activities may affect objects, sites, buildings, structures, or districts that comprise archaeological and historical resources and traditional cultural properties/places that may qualify for listing in the NRHP (i.e., historic properties).

### **POTENTIAL LICENSE CONDITION:**

- Historic Properties Management Plan
  - Treatment (mitigation) of unavoidable adverse effects (impacts) to historic properties
  - Facility modifications
  - Public education and interpretation of historic properties

### **STUDY OBJECTIVES:**

- Develop information about the occurrence of cultural resources with respect to Project operation and maintenance activities.
- Define an Area of Potential Effects (APE) for the Project that incorporates all potential NRHP eligible properties that may sustain direct or indirect Project-related effects.
- Evaluate eligibility of cultural resources for listing in the National Register of Historic Places.

### **EXTENT OF STUDY AREA:**

The Study Area includes all public and PCWA owned lands in the area within the FERC Project boundary, and a 200-foot area surrounding any Project related facility or feature that lies outside the FERC Project boundary. Lands above tunnels and other subterranean facilities are not included in the Study Area.

### STUDY APPROACH:

- Characterize cultural resources in locations where Project operation and maintenance activities occur based on information developed during Phase 1 of the Cultural Resources Inventory conducted in 2005 (*Cultural Resources Inventory Study Report*, PCWA 2006) and Phase 2 cultural resources inventory field studies conducted in 2006 or 2007.
- In consultation with USFS, FERC, Native Americans, other stakeholders, and the State Historic Preservation Officer, initially define an Area of Potential Effects (APE) as the contiguous geographical area or discontinuous geographical areas within which cultural resources eligible for NRHP listing could be affected by the Project. Revise APE as appropriate to address changes in Project facilities or boundaries that could result from new license conditions or potential Project betterments. [Note: A final APE will be determined by FERC].
- Conduct studies to evaluate the National Register of Historic Places eligibility of cultural resources in the APE, including, as appropriate, consulting with stakeholders and others regarding the historical significance of affected cultural resources, conducting archaeological test excavations, analyzing recovered archaeological materials and reporting analytical results, conducting focused historical research pertaining to specific resources, and consulting with Native Americans regarding traditional cultural properties/places.
- Evaluate the National Register of Historic Places eligibility of cultural resources in the APE consistent with federal regulations and in consultation with FERC, USFS, other Project stakeholders, and the State Historic Preservation Officer and define an inventory of historic properties eligible for listing in the National Register.

### SCHEDULE:

To be developed in early 2007.

### REFERENCES:

Placer County Water Agency (PCWA). 2005-2006 Cultural Resources Inventory Study Plan. May 27, 2005.

PCWA. Final 2005 Cultural Resources Inventory Study Report. August 23, 2006.