

Advisory Council On Historic Preservation

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The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

Reply to: 12136 West Bayaud Avenue, #330
Lakewood, Colorado 80226

October 10, 1996

Nicki J. French
Assistant Administrator
U.S. Department of Energy
Alaska Power Administration
2770 Sherwood Lane
Juneau, AK 99801

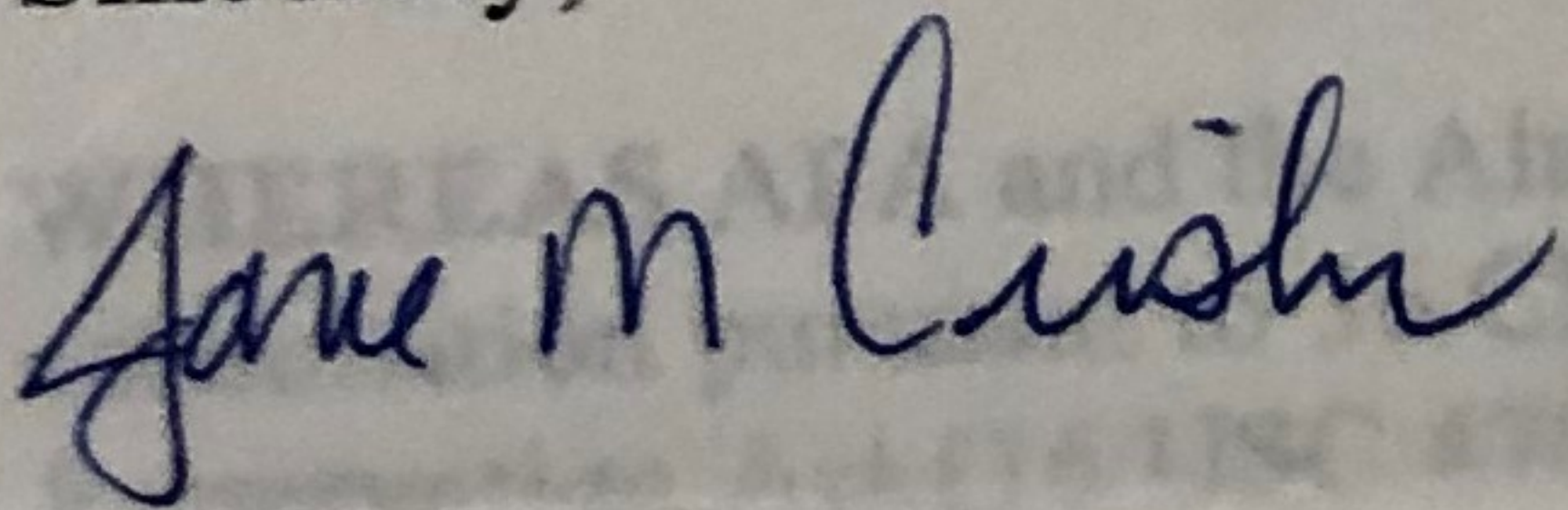
RE: *Memorandum of Agreement regarding the Transfer of Ownership of the Eklutna
Hydroelectric Project, AK*

Dear Ms. French:

The enclosed Memorandum of Agreement regarding the above referenced project has been executed by the Council. This action constitutes the comments of the Council required by Section 106 of the National Historic Preservation Act and the Council's regulations. Please send copies of the signed Agreement to the Alaska State Historic Preservation Officer and your Federal Preservation Officer.

The Council appreciates your cooperation in reaching a satisfactory resolution of this matter.

Sincerely,



Jane M. Crisler
Historic Preservation Specialist

Enclosure

STIPULATIONS

PRESERVATION AGREEMENT

APA shall encourage the parties purchasing the Eklutna Project to preserve the historic nature of the plant in any future development. APA, the Project, and the State

MEMORANDUM OF AGREEMENT

BETWEEN

ALASKA POWER ADMINISTRATION AND

THE ALASKA STATE HISTORIC PRESERVATION OFFICER

REGARDING

THE DIVESTITURE OF THE ALASKA POWER ADMINISTRATION

WHEREAS Congress authorized the sale of the Alaska Power Administration (APA), which includes the Eklutna and Snettisham hydroelectric projects within the state of Alaska, under Public Law 104-58; and

WHEREAS the Act requires that the sale (divestiture) be completed as quickly as is practicable, it is believed that it can be completed by the end of the current (1996) fiscal year, and the Act requires that APA cease to exist one year from the completion of the divestiture; and

WHEREAS the projects listed above are described in detail in the report dated May 1, 1996 and titled "*Eklutna and Snettisham Hydroelectric Projects National Register of Historic Places Evaluations*" prepared by Woodward-Clyde Consultants for APA; and

WHEREAS APA evaluated each project in terms of its eligibility for inclusion in the National Register of Historic Places and determined that the Eklutna Project was eligible under Criterion A (36 CFR 60.4), but that the Snettisham Project was not eligible; and

WHEREAS APA has determined that the divestiture will have an adverse effect on the Eklutna hydroelectric project; and

WHEREAS APA and the Alaska State Historic Preservation Officer (SHPO) participated in the consultation pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 USC 470f); and

WHEREAS the Matanuska-Susitna Borough, a Certified Local Government, has agreed to participate in consultation, and has been invited to concur in this Memorandum of Agreement;

NOW, THEREFORE, APA and the SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the undertaking on the Eklutna Project.

STIPULATIONS

I. PRESERVATION AGREEMENT

APA shall encourage the parties purchasing the Eklutna Powerplant (the Purchasers) to consider the historic nature of the plant in any future developments. APA, the Purchasers and the SHPO

will meet on-site prior to the transfer of the property so that the values that make the property eligible for the National Register can be discussed and explained. A non-binding agreement will be presented for signature by the SHPO and the Purchasers evidencing that these values will be considered in all future developments.

II. INTERPRETATION

- A. APA will prepare an ink-on-mylar drawing following HAER Level I standards documenting the process of changing Eklutna Lake water into electrical power. This drawing will be in a "schematic" format developed in consultation with the SHPO for general public interpretation.
- B. APA will develop for placement at Eklutna an interpretive sign providing a site history and statement of significance. At a minimum, the signage will incorporate an historic photograph of how the property appeared at its completion and the schematic of how the plant operated.
- C. APA will develop an interpretive brochure in communication with the SHPO on the Eklutna Project, presenting the history of the project, and make this available to the public at the plant, the SHPO and/or through a third party, such as the Matanuska-Susitna Borough.

III. DATA RECOVERY

- A. APA shall consult with the National Archives Anchorage Branch (Archives) to identify the appropriate records to be archived. Working with the Archives, APA shall ensure that the records relating to but not limited to project planning, construction, and maintenance and operations, and that include but not limited to engineering plans, drawings, photographs and other documents as identified in consultation with the Archives shall be provided to the Archives.
- B. APA shall consult with the SHPO to insure proper recordation of Eklutna and Snettisham hydroelectric projects on the Alaska Heritage Resources Survey (AHRS) forms.

IV. SUBMISSIONS

- A. APA shall submit to the SHPO an inventory of all materials submitted to the Archives no later than 15 days after the Archives accepts the collection.
- B. Drafts of the ink-on-mylar schematic, interpretive sign content and layout and the interpretive brochure shall be submitted to the SHPO for review and comment no later than February 15, 1997. SHPO shall provide review comments to APA within 30 days of receipt of the draft submittal. Final submittal, incorporating SHPO comments, shall be made within 30 days of receipt of SHPO comments.

- C. Final submittals to the SHPO shall consist of the original ink-on-mylar and one 8½"-X 11" mylar copy and two "blueline" copies of the "schematic" and the original and 1,000 copies of the public brochure. The SHPO shall distribute appropriate copies of these final submittals to the Archives and the Matanuska-Susitna Borough. Final approved interpretive sign will be placed on the property no later than June 30, 1997.

V. DISPUTE RESOLUTION

Should a consulting party to this agreement object within 15 days to any activities pursuant to this agreement, APA shall consult with the objecting party to resolve the objection. If APA determines that objection cannot be resolved, APA shall forward all documentation relevant to the dispute to the Council. Within 30 days after receipt of all pertinent documentation, the Council will either:

- A. provide APA with recommendations, which APA will take into account in reaching a final decision regarding the dispute; or
- B. notify APA that it will comment pursuant to 36 CFR 800.6(b), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by APA in accordance with 36 CFR 800.6(c)(2) with reference to the subject of the dispute.

Any recommendation or comment provided by the Council will be understood to pertain only to the subject of the dispute; APA's responsibility to carry out all actions under this agreement that are not subjects of the dispute will remain unchanged.

VI. AMENDMENTS

Any consulting party to this agreement may propose to the other consulting parties that it be amended, whereupon the parties will consult in accordance with 36 FR 800.5(e) to consider such an amendment.

VII. TERMINATION

Any party to this agreement may terminate it by providing thirty (30) days notice to the other parties, provided that the parties will consult during the period prior to termination to seek agreement on amendments or other actions that will avoid termination. In the event of termination, APA, in consultation with the Council and the SHPO, will determine how to carry out APA's responsibilities under Section 106 in a manner consistent with applicable provisions of 36 CFR Part 800.

VIII. REVIEW OF PUBLIC OBJECTIONS

At any time during implementation of the measures stipulated in this agreement, should an objection to any such measure or its manner of implementation be raised by a member of the public, APA shall take the objection into account and consult as needed with the objecting party, the SHPO and the Council to resolve the objection.

ALASKA POWER ADMINISTRATION

BY: Rodney L. Adelman DATE: 8/7/96

Title: Administrator

ALASKA STATE HISTORIC PRESERVATION OFFICER

BY: Judith E. Bittner DATE: Aug 12, 1996

Title: Alaska State Historic Preservation Officer

Concurring Party:

MATANUSKA-SUSITNA BOROUGH

BY: Don Siega-Boss DATE: 8-20-96

Title: Cultural Resource Specialist

ACCEPTED for the ADVISORY COUNCIL ON HISTORIC PRESERVATION

BY: John M. Fowler DATE: 10/9/96

Title: Acting Ex. Director