



## ! Assist two state-recognized tribes and a Native nonprofit organization in connection with the federal relicensing process for two hydropower projects in New England

Available

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### Project Title

Assisting Tribes and Native Non Profit with Federal Relicensing Process

### Scope of Work

The projects requires providing the tribes and nonprofit with assistance with the renewal of its FERC license.

### Timing

None

### Jurisdiction

Federal

### Contact Information

Please contact Marc Migliazzo ([marc.migliazzo@ropesgray.com](mailto:marc.migliazzo@ropesgray.com)) or Lindsay Dofelmier ([lindsay.dofelmier@hoganlovells.com](mailto:lindsay.dofelmier@hoganlovells.com)) if you would like to claim this project.

### Description

The tribal groups (prospective clients) are the Chaubunagungamaug Band of Nipmuck Indians, the Elnu Abenaki Tribe and the Nolumbeka Project.

FirstLight Power, as the operator of the Turners Falls Hydroelectric Project and Northfield Mountain Pumped Storage Project (the “**hydropower projects**”), is seeking a 50-year license renewal to operate the hydropower projects.

The licensing authority is the Federal Energy Regulatory Commission (“**FERC**”).


FirstLight and the tribal groups have been negotiating a Memorandum of Understanding in Principle (“**MOUIP**”), which is expected to be a framework for developing a final settlement that is contemplated to either be incorporated into a new FERC license to operate the two hydropower projects or serve as an off-license agreement. The draft MOUIP addresses various topics including traditional cultural properties, modifications to the Historic Properties Management Plan, historical/cultural/ ceremonial site access, a flooded cultural resources remediation plan, and signage and educational programming.

There are also additional concerns that apparently haven't been addressed such as the effect of erosion caused by impound fluctuations and low river flows below the dam on the preservation of historical artifacts. Some of these topics have been the subject to coordination among the tribal groups and other, non-Native nonprofit entities that have been involved the licensing process.

FERC has established a March 31, 2023 deadline for FirstLight to finalize terms with participating stakeholders (including the tribal groups) before FERC begins its National Environmental Policy Act (NEPA) review process.

## **Subtasks (0)**

## **Reminders(1)**

 1 day(s) before