

Shutesbury Historical Commission
Pratt Corner South/Parcel ZU-2
AMP Solar Project Preliminary Findings and Recommendations

July 21, 2021

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INTRODUCTION

This report represents the Historical Commission's response to Project Notification Form (PNF) sent to the Massachusetts Historical Commission (MHC) by TRC Environmental Corporation (TRC) on behalf of AMP Solar Development, Inc (ASD). The Historical Commission received copies of this Project Notification on June 21, 2021.

Section 8.10-4.A.3 of Shutesbury Solar Zoning Bylaw requires Special Permit applicants to submit to the Planning Board the following:

"Locations of all known, mapped or suspected Native American archaeological sites or sites of Native American ceremonial activity. Identification of such sites shall be based on responses, if any, to written inquiries with a requirement to respond within 35 days, to the following parties: all federally or state recognized Tribal Historic Preservation Officers with any cultural or land affiliation to the Shutesbury area; the Massachusetts State Historical Preservation Officer; tribes or associations of tribes not recognized by the federal or state government with any cultural or land affiliation to the Shutesbury area; and the Shutesbury Historical Commission (emphasis added). Such inquiries shall serve as a notice to the aforesaid parties and shall contain a plan of the project, specific identification of the location of the project, and a statement that permitting for the project is forthcoming. Accompanying the site plan shall be a report documenting such inquiries, the responses from the parties, a description of the location and characteristics, including photographs, of any Native American sites and the outcomes of any additional inquiries made based on information obtained from or recommendations made by the aforesaid parties. A failure of parties to respond within 35 days shall allow the applicant to submit the site plans.

Pursuant to the above section of the Shutesbury Solar Zoning Bylaw, this report aims to provide ASD and the Shutesbury Planning Board with preliminary recommendations for further investigation and mitigation plan development. See Appendix A for a table of project names and identifiers.

The Shutesbury Historical Commission upholds the National Historic Preservation Act finding that only official representatives of the Indigenous Tribes have the right to identify cultural resources that are of interest to their communities. This report includes comments about historic properties and suspected Indigenous Traditional Cultural Properties within the proposed solar site. Recommendations for further investigations follow.

As the Historical Commission's other recent publications demonstrate, emerging research confirms a high incidence of anomalous stone groupings throughout Shutesbury.¹ This data, in combination with the 2008 Department of the Interior findings of a Ceremonial Landscape district in Franklin County and cultural knowledge shared by Indigenous traditional communities, create a strong presumption that forested tracts in town may contain Indigenous cultural resource areas.

In January 2021, the Historical Commission learned that the Wampanoag Tribe of Gay Head (Aquinnah) had reviewed some preliminary data about the project area and expressed an interest in conducting its own field research to determine if the site contains Traditional Cultural

Properties. For a discussion of Traditional Cultural Properties, see the Historical Commission's report, *Introduction to Indigenous Cultural Sites in Shutesbury* ([https://shutesbury.org/sites/default/files/offices_committees/historical/Introduction to Indigenous Cultural Sites in Shutesbury.pdf](https://shutesbury.org/sites/default/files/offices_committees/historical/Introduction%20to%20Indigenous%20Cultural%20Sites%20in%20Shutesbury.pdf)).

In April 2021, the Historical Commission learned that ASD and the landowner Cowls, Inc. plan to authorize a stone landscape survey with Ceremonial Landscapes Research, LLC (CLR) and the Tribal Historic Preservation Office of the Wampanoag Tribe of Gay Head (Aquinnah) (WTGHA THPO). CLR is a research team with many years of experience surveying and mapping Ceremonial Stone Landscapes for Tribes. The WTGHA is a federally recognized Tribe with historical, cultural, and kinship ties to this area. Bettina Washington, the WTGHA THPO, has been a national leader in the preservation of Ceremonial Stone Landscapes in the Northeast. We further understand that project notifications have been sent to a number of other federally recognized and state-recognized Tribal governments. **The Historical Commission commends ASD and the landowner for seeking the guidance of these experts. We look forward to reviewing the results of these proposed investigations.**

This report includes comments based upon available data collected about the project area. These comments are not by any means complete—they are a sampling of features that require follow-up investigations. Since no reports of comprehensive surveys or consultation with Tribal Historic Preservation Officers have been presented to date, the Shutesbury Historical Commission cannot comment on the sufficiency of ASD's final efforts, nor can we determine whether the reviewed site contains Traditional Cultural Properties without Tribal input. The Commission expects to provide additional feedback and recommendations once all necessary evaluations have been completed by ASD.

DATA REVIEWED

The Historical Commission relied on the following sources of information for this report:

1. Site description of topography, hydrology, evidence of settlement/logging, photographic data and LIDAR Data (if any available).
2. MHC Project Notifications, received 6/21/21
3. ASD Abutters Meetings PowerPoint Presentations, April 2021
4. MHC Correspondence to AMP Solar Development, Inc.
5. MHC Reconnaissance Survey of Shutesbury, 1983
6. Massachusetts Cultural Resource Information System (MACRIS)
7. Consultations with local researchers
8. Literature Review
 - a. *Introduction to Indigenous Cultural Sites in Shutesbury, Massachusetts*, SHC, March 2021

- b. *Historical Preservation and Solar Development in Shutesbury, Massachusetts*, SHC, March 2021
- c. Historic Maps, Town of Shutesbury Website

SITE DESCRIPTION

The PNF describes the site as undeveloped woodland, including approximately 90 acres of the 120-acre parcel. An electrical transmission line traverses the property. See Appendix B for the most recent ANRAD Wetlands Delineation Map.² The upland project area, which includes part of Poverty Mountain, is bisected by wetlands along Fales Road, the proposed access road. Dean Brook transects the site. Preliminary site map shows access from Pratt Corner, requiring work within wetlands/stream buffer zones. Figure 1 is a slide excerpted from a recent ASD abutter presentation showing the project boundaries. Figure 2 shows abutters, documented historic sites and wetlands. Blue circles indicate inventoried historic sites in the MHC database.

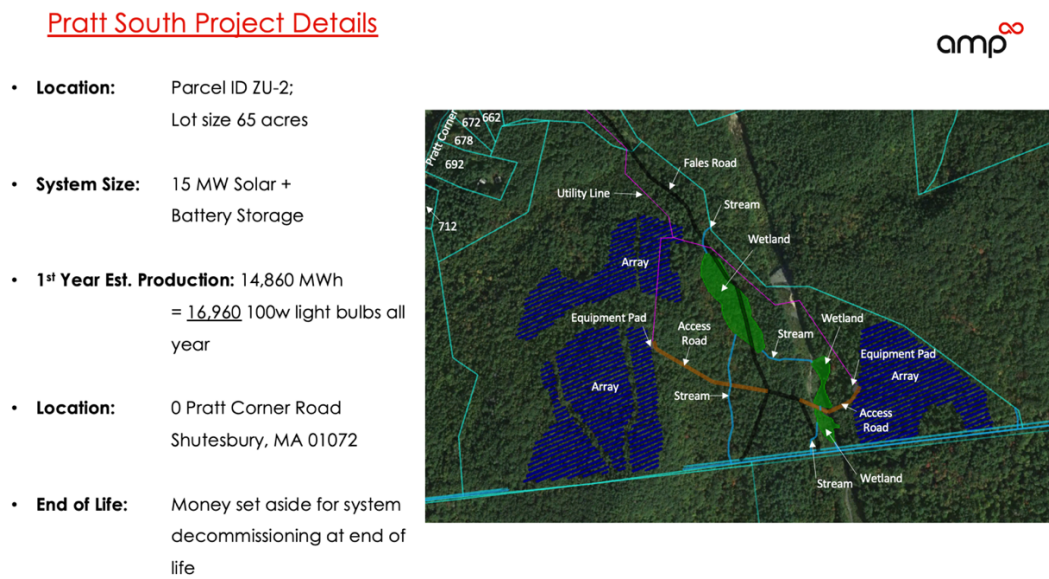


Figure 1. ASD Pratt Corner South Project

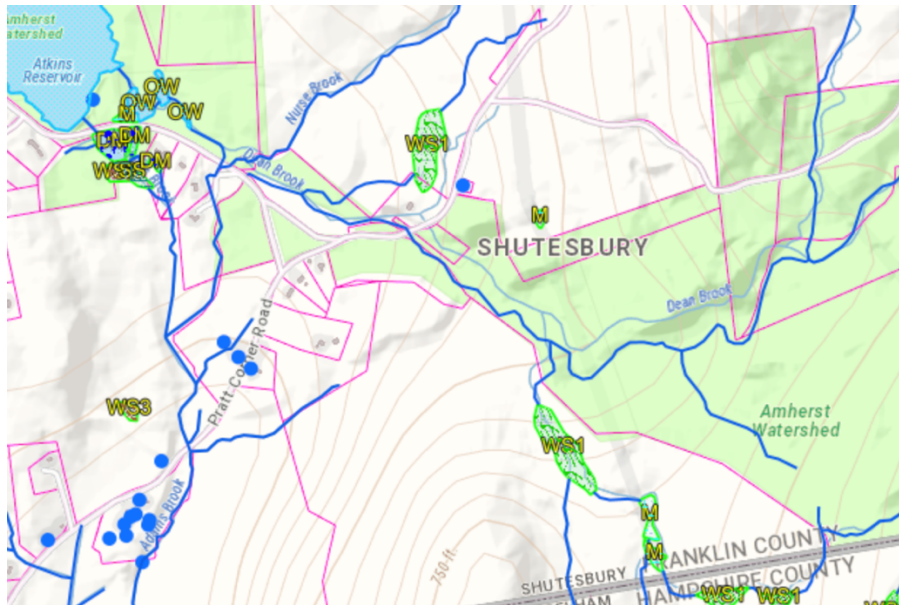


Figure 2. Parcel ZU-2 with Associated Historic Properties and Wetlands
(Source: Massachusetts GIS Mapping System)

Note: Wetland delineations on this map are not as accurate as the ANRAD delineations in Appendix B

Euroamerican Historical Resource Areas: The PNF lists 16 historic properties within one mile of the site based upon the MACRIS database. The applicant indicates the site contains no historic properties. **Based upon the data gleaned from local residents, the MHC survey reports and correspondence, this statement may be incorrect.** Appendix C includes a recent letter to ASD from MHC regarding this property. In a May 20, 2021, letter to ASD, the MHC wrote:

“Review of the Inventory of Historic and Archaeological Assets of the Commonwealth indicates that the project property adjoins the Pratt Corner Road Farms historical area (MHC #SHU.E). Portions of the project area are archaeologically sensitive for having small, special purpose ancient sites and for historical period sites associated with the Pratt Corner Farms. Evidence of agricultural and early industrial activities may also be expected. Areas that are generally flat, well-drained, and close to fresh water and wetlands may have archaeological deposits and features.”

Figure 3 shows a segment of an 1871 Beers Atlas map of Shutesbury showing a concentration of homesteads and farms within the Pratt Corner Farms historic district. The map suggests there may be historically important, unmapped properties such as cellar holes or other features near or within the project area.

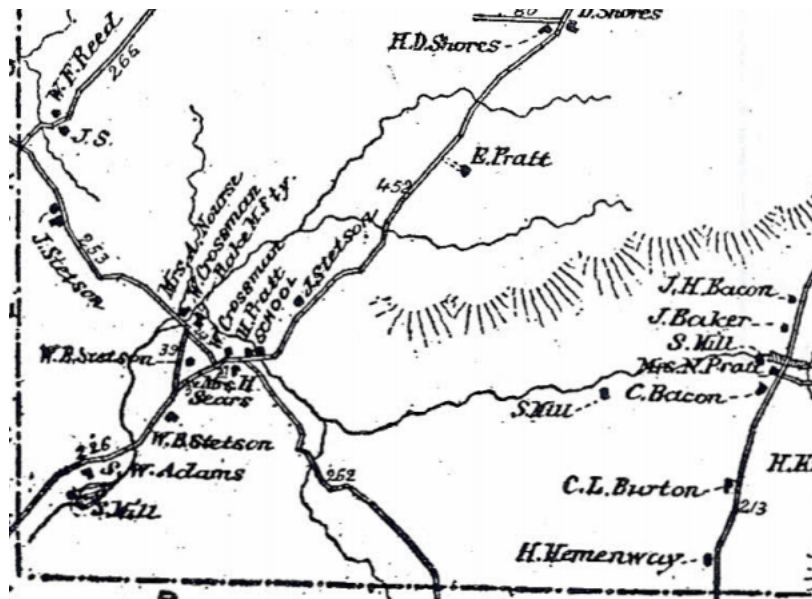


Figure 3. Segment of 1871 Beers Atlas Map of Shutesbury³

In 1738, Thomas Adams acquired 110 acres in the southwest corner of the new Roadtown. The Pratt Corner Farms historic district includes several inventoried historic properties that abut the project area, including the historic Pratt Corner Road Cemetery, the Joseph Adams House (712 Pratt Corner Road), the Dr. Douglas Stern Horse Barn (712 Pratt Corner Road), the Joseph Adams Field and Pasture (712 Pratt Corner Road), the Asa Adams, Jr. House with associated outbuildings (760 Pratt Corner Road), and the Rufus Fitts House (789 Pratt Corner Road). In addition to agricultural activities, the district includes stonework for a former sawmill and dam dating back to the 1790s. Outbuildings associated with these farms included a sugarhouse and cider mill. The MHC archives indicate that existing historic structures date back to as early as circa 1795 in an area covering at least 165 acres. The surrounding area was used for logging and sugaring operations.

The MHC survey notes that this area is the most intact agricultural landscape in Shutesbury. The MHC has recommended that this district be nominated to the National Register of Historic Places as a historic district.

Scenic Road Resource Area: Pratt Corner Road is one of the town's scenic dirt roads. The Town of Shutesbury's 2004 Master Plan identified preservation of scenic landscapes and roads as a high priority.

Pre-European Contact Indigenous Cultural Resources: The proximity of this tract to Adams and Dean Brooks and Indigenous pathways makes it a likely location for hunting, fishing, and possibly horticultural activities. Significant wetlands areas make it a likely location for Indigenous ceremonial sites. The abundance of stone groupings in the general area suggests that this tract may have significant cultural resources. A general discussion of Indigenous cultural sites in Shutesbury can be found in the SHC's publications.

SUMMARY AND RECOMMENDATIONS

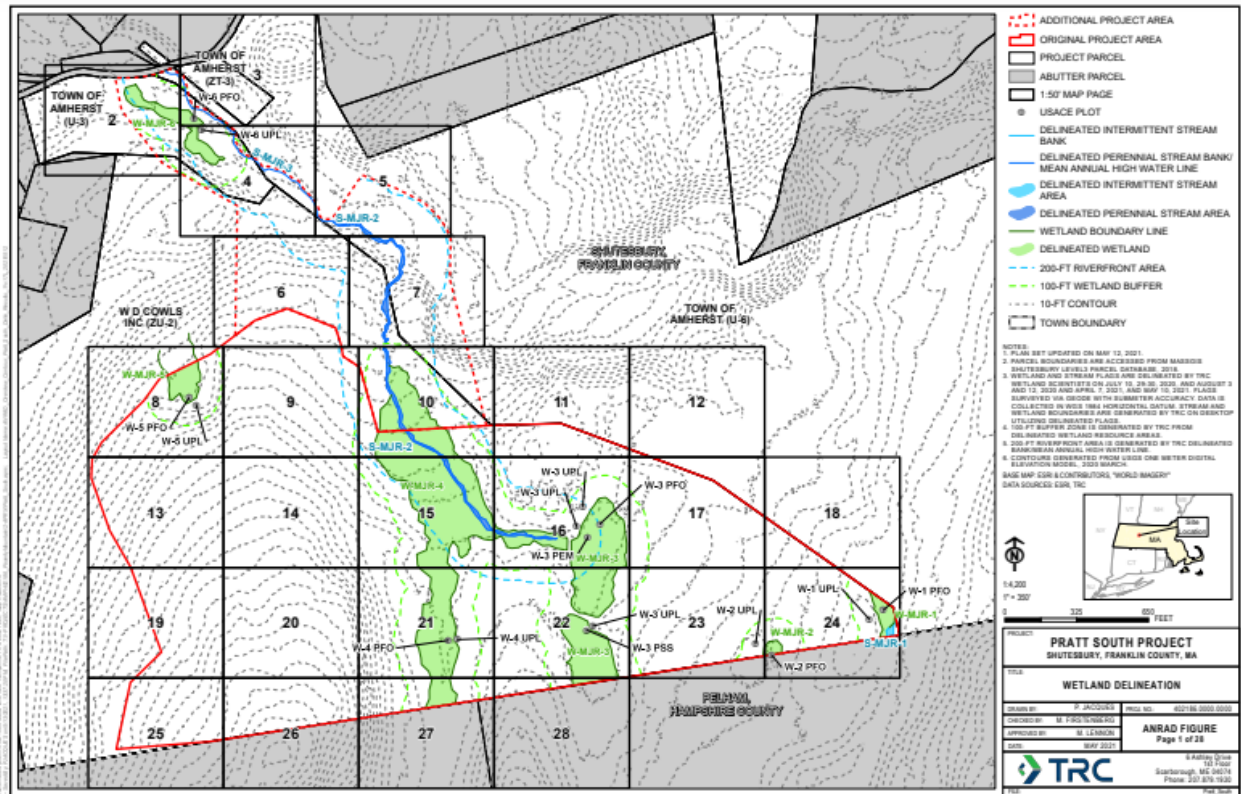
1. Available historic records and field data suggest evidence of Indigenous and Euroamerican sites in or near the ASD project area.
2. The Historical Commission concurs with the Massachusetts Historical Commission and State Archaeologist that there is a need for further investigations due to the scope of the proposed project.
3. The proposed site borders already-surveyed historic properties that have been deemed eligible for the National Register of Historic Places. Viewed within this context, historic structures related to these properties may survive in the form of cellar foundations, walls, millworks, wells, etc. Some portions of this tract may be eligible for inclusion in Historic Districts on National Register. A thorough investigation is recommended to discern whether the forested tract contains additional structures related to these inventoried properties. Identified structures should be mapped and photographed. The Historical Commission recommends that the applicants share findings with the Planning Board, the Historical Commission, and the MHC. The Historical Commission recommends that historical structures be avoided during construction.
4. In February 2021, the Historical Commission received feedback from Bettina Washington, WTHGA THPO, about the likelihood of Indigenous stone structures on forested tracts in Shutesbury. Ms. Washington advised the Commission that her Tribe wishes to conduct its own investigations of the solar sites. The landowner for the solar projects has informed the Historical Commission of the intent to work with Ceremonial Landscapes Research, LLC and the WTHGA THPO for further investigations. **The Historical Commission commends ASD and the landowner for seeking out Ms. Washington's input on this tract.**
5. The Historical Commission recommends that ASD provide documentation to the Planning Board and the Historical Commission regarding any consultation with the Tribal Historic Preservation Officer(s) about Traditional Cultural Properties. As a minimum, we recommend the following documentation: copies of project notifications, notices to Tribal representatives, written responses from Tribal representatives, and a timeline of consultation steps and outcomes. The Historical Commission recommends that identified archaeological sites and Traditional Cultural Properties be avoided during construction.
6. The Historical Commission recommends that the applicants comply with all requirements for Section 106 of the National Historic Preservation Act. In communicating with any federal agencies about possible Section 106 processes, we recommend the applicants include this report, recent MHC correspondence, and the results of any investigations that may be conducted. The Commission recommends the involved federal agencies receive information about sites that may be eligible for the National Register of Historic Places.
7. The applicants identify U.S. EPA National Pollutant Discharge Elimination System (NPDES) Permits as the only federal undertakings. The Historical Commission recommends that the applicants submit to the Planning Board and the Historical Commission documentation demonstrating that it has completed the US EPA screening process for Section 106.

8. Ground disturbance within wetlands buffer zones and wetlands/stream crossings may fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE), per the Clean Water Act, and require a Massachusetts General Permit. According to the USACE, "In cases where the Corps determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places (NRHP), the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied." The Historical Commission recommends that the applicants provide the Planning Board and Historical Commission with documentation of a completed USACE Preconstruction Notification (PCN) application if the project requires work within or near wetlands resource areas.
9. In a 6/11/21 letter to ASD, the MHC informed the applicant that, due to the cumulative impacts generated by this project, an archaeological reconnaissance survey was required as well as consultation with the Massachusetts Environmental Policy Act (MEPA) office to determine whether MEPA review was required. The Historical Commission recommends that the applicants provide the Planning Board and Historical Commission with the results of this archaeological survey and documentation of its consultation with MEPA officials.
10. Archaeology and the study of Traditional Cultural Properties are not synonymous. Should the Planning Board decide to retain third-party reviewers using its MGL Chapter 44 Section 53G authority, the Commission recommends that the Planning Board retain an archaeologist knowledgeable about New England archaeology and Section 106 process. In addition, if Traditional Cultural Properties are identified on these sites, the Commission recommends that the Planning Board retain a Ceremonial Stone Landscape expert, preferably Indigenous, to review the data and mitigation plan. The Historical Commission is happy to recommend suitable consultants.
11. The Historical Commission recommends that any data or reports about archaeological sites or Traditional Cultural Properties remain non-public in a manner consistent with the policies of the Massachusetts Historical Commission and the Shutesbury Historical Commission.
12. Once all necessary investigations have been completed, the Commission recommends the following:
 - a. Submit all reports and documentation to the Planning Board and Historical Commission.
 - b. Hold joint site visits with the Planning Board and Historical Commission.
 - c. Review results of investigations and mitigation plans with Planning Board and Historical Commission. If any investigations reveal sensitive archaeological or Indigenous cultural sites, the reports and data should be reviewed in Executive Session and the reports maintained as non-public.
13. Upon reviewing the results of further investigations, the Commission may provide further recommendations.

APPENDIX A PROJECT SITE IDENTIFIERS

| Assessor Parcel ID | Project Name | MHC ID Number |
|-------------------------------|---|----------------------|
| ZF-15 | ASD Leverett Road West | #RC.69745 |
| ZD-37 | ASD Montague Road/Montague Road South Annex | #RC.69746/#RC.69747 |
| ZG-2 | ASD Pratt Corner Road East | #RC.69688 |
| ZU-2 | ASD Pratt Corner Road South | #RC.69744 |
| ZW-6 | ASD Pratt Corner Road West | #RC.69689 |

APPENDIX B ANRAD WETLANDS MAP⁴



APPENDIX C MHC CORRESPONDENCE



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

May 20, 2021

Lee Morrison
AMP Solar Development
1550 Wewatta Street, Floor 4 C/O
Denver, CO 80202

RE: AMP Solar Development, ASD Pratt Corner Road South MA Solar, LLC, Pratt Corner Road (Parcel ZU-2),
Shutesbury, MA. MHC #RC.69744.

Dear Mr. Morrison:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the Project Notification Form (PNF) submitted for the project referenced above and the MHC's files.

As you know, the project referenced above is one of six solar development projects (Parcel ZW-6, RC.69689; Parcel ZG-2, RC.69688; Parcel ZF-15, RC.69745; Parcel ZD-17 North of Carver Road, RC.69646; and Parcel ZD-37 South, RC.69747) proposed by AMP Solar Development in Shutesbury. Because of the cumulative impacts generated by these projects, they may require review under the Massachusetts Environmental Policy Act (MEPA). The MHC recommends that project planners consult with staff at the MEPA office to ascertain whether or not MEPA review is required. The PNF also indicates that the project requires a NPDES General Construction Permit from the US Environmental Protection Agency (EPA).

Review of the Inventory of Historic and Archaeological Assets of the Commonwealth indicates that the project property adjoins the Pratt Corner Road Farms historical area (MHC #SHUJE). Portions of the project area are archaeologically sensitive for having small, special purpose ancient sites and for historical period sites associated with the Pratt Corner Farms. Evidence of agricultural and other types of early industrial activities may also be expected. Areas that are generally flat, well-drained, and close to fresh water and wetlands may have archaeological deposits and features.

When scaled project plans are developed showing existing and proposed conditions, including access routes and construction staging areas, please provide the information to the MHC for review and comment. Plans should be sized to be no larger than 11" x 17".

These comments are offered to assist in compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (36 CFR 800). Please contact me if you have any questions or require any information.

Sincerely,


Jonathan K. Patton
Archaeologist/Preservation Planner
Massachusetts Historical Commission

cc:
Jeff Brandt, TRC Environmental Corporation
Page Czerniga, EEA, Attn: MEPA Unit
Shutesbury Historical Commission

220 Morrissey Boulevard, Boston, Massachusetts 02125
(617) 727-8470 • Fax: (617) 727-5128
www.sec.state.ma.us/mhc



The Commonwealth of Massachusetts

June 11, 2021

William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

Rec'd
6/21/21
md

Lee Morrison
AMP Solar Development
1550 Wewatta Street, Floor 4 C/O
Denver, CO 80202

RE: AMP Solar Development in Amherst, Shutesbury, and Pelham, MA:
ASD Shutesbury MA Solar LLC, 0 Shutesbury Road, Parcels 9B-11, 9B-12, and 9D-27, Amherst, MA, MHC #RC.69691;
ASD Pratt Corner East Solar LLC, 0 Pratt Corner Road, Parcel ZW-6, Shutesbury, MHC #RC.69689;
ASD Pratt Corner East Solar LLC, 0 Pratt Corner Road, Parcel ZG-2, Shutesbury, MHC #RC.69688;
ASD Leverett West MA Solar LLC, Leverett Road, Parcel ZF-15, Shutesbury, MHC #RC.69745;
ASD Pratt Corner Road South MA Solar LLC, Pratt Corner Road, Parcel ZU-2, Shutesbury, MHC #RC.69644;
ASD Montague MA Solar LLC, South Annex, South of Carver Road, Parcel ZD-37 South, Shutesbury, MHC #RC.69747;
ASD Montague Road MA Solar LLC, Montague Road and North of Carver Road, Parcel ZD-37 North, Shutesbury, MHC #RC.69746; and
ASD Tower MA Solar LLC, off Tower Road, Parcel 41-1, Pelham, MHC #RC.69690.

Dear Mr. Morrison:

Staff of the Massachusetts Historical Commission (MHC) have reviewed Project Notification Forms (PNFs) submitted for the projects referenced above. The MHC has received scaled project plans submitted by TRC for the solar project proposed in Amherst (RC.69691).

Because of the cumulative impacts generated by these projects, they may require review under the Massachusetts Environmental Policy Act (MEPA). The MHC recommends that project planners consult with staff at the MEPA office to ascertain whether or not MEPA review is required. The PNFs also indicated that the projects require a NPDES General Construction Permit from the US Environmental Protection Agency (EPA).

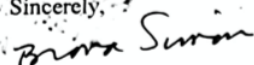
To assist in the comprehensive historic and archaeological resource identification efforts for the proposed solar projects, the MHC requests that an archaeological reconnaissance survey (950 CMR 70) be conducted for the solar projects referenced above in Amherst, Shutesbury, and Pelham. The purpose of the survey is primarily to develop archaeologically sensitivity assessments for each of the project impact areas, and to provide recommendations for intensive (locational) archaeological survey, if any, within archaeologically sensitive project impact areas.

The results of the survey will provide information, and recommendations for further intensive (locational) archaeological survey, if any, to assist in consultation to consider alternatives to avoid, minimize, or mitigate any adverse effects to significant historic and archaeological resources. A State Archaeologist's Permit (950 CMR 70.03) is required to be obtained for the investigations. The surveys should be conducted by a qualified professional archaeological team with experience in the Connecticut River Valley region of Massachusetts.

220 Morrissey Boulevard, Boston, Massachusetts 02125
(617) 727-8470 • Fax: (617) 727-5128
www.sec.state.ma.us/mhc

These comments are offered to assist in compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (36 CFR 800) and M.G.L. c. 9, ss. 26-27C (950 CMR 70-71). If you have any questions or require any information, please contact Jonathan K. Patton at this office.

Sincerely,


Brona Simon
State Historic Preservation Officer
Executive Director
State Archaeologist
Massachusetts Historical Commission

cc: Deborah Szabo, Acting Regional Administrator, EPA Region 1, Attn: Thelma Murphy
Mike Stover, EPA, Region 1
Amherst Historical Commission
Shutesbury Historical Commission
Pelham Historical Commission
Jeff Brandt, TRC Environmental Corporation

END NOTES

¹ See <https://shutesbury.org/historical-commission>.

² Abbreviated Notice of Resource Area Determination (ANRAD): The ANRAD process is used to determine the wetland boundaries, the riverfront area or other resource areas on a parcel of land. Once an ANRAD is filed with the Shutesbury Conservation Commission (SCC) and the Massachusetts Department of Environmental Protection (DEP), the SCC must hold a Public Hearing to review the wetlands delineations. For large projects, such as the ASD project, the SCC used the services of a wetlands consultant at the expense of the applicants to confirm the wetlands delineations in the field. After the SCC has received all of the information which it needs to make a decision, the SCC issues an Order of Resource Area Determination (ORAD) which establishes the wetlands delineations for a 3-year period. ANRAD documents for the ASD projects can be found online on the SCC's town homepage.

³ [https://www.shutesbury.org/sites/default/files/offices_committees/town_clerk/misc/1871 Beers Atlas - Shutesbury.pdf](https://www.shutesbury.org/sites/default/files/offices_committees/town_clerk/misc/1871%20Beers%20Atlas%20-%20Shutesbury.pdf)

⁴ See <https://shutesbury.org/solar-ANRADs>.