

FEDERAL ENERGY REGULATORY COMMISSION  
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 11175-025 – Minnesota  
Crown Mill Hydroelectric Project  
Crown Hydro, LLC

February 25, 2016

Mr. Stephen Elliot  
Minnesota State Historic Preservation Officer  
Minnesota Historical Society  
345 Kellogg Boulevard West  
St. Paul, MN 55102

Subject: Designation of non-federal representative for section 106 consultation  
under the National Historic Preservation Act

Dear Mr. Elliot:

By letter dated February 2, 2016, Duncan, Weinberg, Genzer & Pembroke, P.C, on behalf of the Crown Hydro, LLC (Crown Hydro), requested designation as our non-federal representative for the purpose of consultation with your office pursuant to section 106 of the National Historic Preservation Act (NHPA)<sup>1</sup> for the Crown Mill Hydroelectric Project (Crown Mill Project or project). Crown Hydro proposes to move the project site about 250 feet north to a property owned by the U.S. Army Corps of Engineers (“Corps”) within the campus of the Upper St. Anthony Falls Lock and Dam that is adjacent to the as-licensed site. The Crown Mill Project would be located on the Mississippi River, in the City of Minneapolis, Hennepin County.

As indicated in Crown Hydro’s application, the licensee proposes to move the location of the Crown Mill Project because it is unable to obtain the necessary property rights to break ground at the licensed site. The most significant difference will be that the Crown Hydro will move the location of the powerhouse and will be using a new tunnel tailrace as opposed to connecting to an existing tunnel. The proposed amendment to the license requires initiating consultation for compliance with NHPA.

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<sup>1</sup> The licensee’s designation request can be accessed by following this link:  
[http://elibrary.ferc.gov:0/idmws/file\\_list.asp?document\\_id=14425264](http://elibrary.ferc.gov:0/idmws/file_list.asp?document_id=14425264)

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On September 8, 2015, you notified the Commission that a Programmatic Agreement between the Commission, Minnesota State Historic Preservation Office (Minnesota SHPO) and the Advisory Council on Historic Preservation (ACHP) and other consulting parties was developed in compliance with Section 106 of the NHPA. The signed PA would apply the project as approved in the license. As this is a new undertaking, it would be subject to a new section 106 review and may need a new agreement addressing the possible adverse effects.

By this letter, we designate Crown Hydro as our non-federal representative for the purpose of conducting consultation with your office, appropriate Indian tribes, and other consulting parties, pursuant to the regulations at 36 C.F.R. Part 800.2(c)(4) implementing section 106 of the NHPA.

As our non-federal representative, Crown Hydro can perform tasks in support of our compliance with section 106. Such tasks may include, for example: performing cultural resource surveys and studies, determining areas of potential effect, identifying eligible properties, determining any adverse effects to those properties, proposing mitigation to address adverse effects if needed, and developing a draft Memorandum of Agreement in order to memorialize any proposed mitigation. However, the Commission remains ultimately responsible for all findings and determinations made pursuant to section 106.

We appreciate your assistance with section 106 consultation regarding the work that is being planned at the Crown Hydro Project. If you have any questions regarding this matter, please contact me at (202) 502-6437 or [jennifer.polardino@ferc.gov](mailto:jennifer.polardino@ferc.gov).

Sincerely,

Jennifer Polardino  
Environmental and Project Review Branch  
Division of Hydropower Administration  
and Compliance

cc:

Mr. Thomas R. Griffin  
President, Crown Hydro, LLC  
2432 East First Street  
Duluth, MN 55812

Document Content(s)

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