October 22, 2014

Nick Wildman
Massachusetts Division of Ecological Restoration
251 Causeway Street, Suite 400
Boston, MA 02114

RE: Rattlesnake Brook Restoration/Dam Removal, South Main Street and Narrows Road, Freetown, MA.
MHC # RC.54851.

Dear Mr. Wildman:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the technical archaeological report, *Intensive Historic Properties Survey and Archaeological Walkover/Mapping, Rattlesnake brook Restoration Project, Freetown, Massachusetts*, prepared by the PAL, Inc., received October 10, 2014, for the project referenced above.

Results of the intensive survey indicate that the project impact area includes no areas undisturbed by historical period industrial activities; unlikely to contain intact, significant artifacts, features and soil deposits associated with ancient and early historical period Native American occupation and land use. The PAL indicates that the Crystal Spring(s) Bleachery Complex, including the Dam, do not possess sufficient research value, and therefore does not meet the Criteria of Evaluation (36 CFR 60) for listing in the National Register of Historic Places.

The report indicates that in the PAL’s opinion, the Crystal Spring Bleachery Village historic area also does not meet the Criteria for Evaluation (36 CFR 60) because it lacks integrity. However, the PAL notes three historic properties that retain integrity based on their architectural characteristics (Criteria C) and associations (Criteria A) within the Crystal Spring Bleachery Village, described on pages 63, 71 and 93 of the technical report. In the MHC’s opinion, the project as proposed is unlikely to affect the historic characteristics of these three properties.

The MHC agrees with the PAL’s opinions of eligibility and ineligibility and suggests that the survey has adequately documented the historic architectural and archaeological resources within the Crystal Spring Bleachery complex (MHC # FRE.934/B; FRE.HA.20), including the dam and the above-ground foundation remains, and Crystal Spring Village historic area.

The MHC recommends no further historic or archaeological survey for the project as proposed. After review of the information provided and our files, in MHC’s opinion, no historic properties will be affected (36 CFR 800.4(d)(1)) by the project as proposed. If project plans change, then current project information should be provided to the MHC for review and comment.
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 Chapter 9, Sections 26-27C (950 CMR 70-71). If you have any questions or require additional information, please contact Jonathan K. Patton at this office.

Sincerely,

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

xc: Mike Labossiere, City of Fall River, Department of Public Utilities
Cathy Bozek, The Nature Conservancy
Karen Kirk Adams, USACOE-New England District
Kate Atwood, USACOE-New England District
Bettina Washington, WTGH(A)
Ramona Peters, Mashpee Wampanoag Tribe
Kenny Alves, Assonet Wampanoag
Victor T. Mastone, Massachusetts Board of Underwater Archaeological Resources
DEP-SERO, Wetlands & Waterways
DCR-Office of Dam Safety
Patrice Kish, DCR
Freetown Conservation Commission
Freetown Historical Commission
October 1, 2013  The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Nick Wildman  Massachusetts Historical Commission
Massachusetts Division of Ecological Restoration
251 Causeway Street, Suite 400
Boston, MA 02114

RE: Rattlesnake Brook Dam Removal, South Main Street and Narrows Road, Freetown, MA.
   MHC # RC.54851.

Dear Mr. Wildman:

Staff of the Massachusetts Historical Commission have reviewed a Project Notification Form (PNF), received September 18, 2013, for the project referenced above and have the following comments. The proposed project includes partial demolition of the Rattlesnake Brook dam in Freetown.

The PNF indicates that the project requires a permit from the US Army Corps of Engineers. The MHC notes that project information has been provided to the Freetown Historical Commission (FHC) and other potentially interested or consulting parties for their review and comment. Copies of any written comments about historic resources should be provided to Corps and the MHC.

The dam and the above-ground foundation remains are associated with multiple historic industrial operations on Rattlesnake Brook throughout the 18th and 19th century, including as part of the Crystal Spring Bleachery complex (MHC # FRE.934/B; FRE.HA.20) beginning in 1882, and lasting into the mid-20th century, and the Crystal Spring Site (19-BR-240). The Crystal Spring Site was first identified by an avocational archaeologist and the boundaries of the site have not been verified through professional archaeological survey. Portions of the project impact area undisturbed by historical period industrial activities may contain intact, significant artifacts, features and soil deposits associated with ancient and early historical period Native American occupation and land use.

The MHC requests that an intensive (locational) archaeological survey be conducted for the project. The purpose of the survey is to locate and identify any significant historical or archaeological resources that may be affected by the project. The results of the survey will provide information to assist in consultation to avoid, minimize or mitigate any adverse effects to significant historic and archaeological resources. A State Archaeologist’s Permit (950 CMR 70) should be submitted to the MHC by a qualified professional archaeologist to ensure the investigation meets professional standards.

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. Chapter 9, Sections 26-27C

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 Chapter 9, Sections 26-27C (950 CMR 70-71). If you have any questions or require additional information, please contact Jonathan K. Patton at this office.

Sincerely,

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

xc: Mike Labossiere, City of Fall River, Department of Public Utilities
    Karen Kirk Adams, USACOE-New England District
    Kate Atwood, USACOE-New England District
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Mashpee Wampanoag Tribe
Section 106 Review
Consultation Response Form

<table>
<thead>
<tr>
<th>Project Docket Number:</th>
<th>Rattlesnake Brook Dam Removal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultant/Environmental Firm:</td>
<td>US DOI Fish and Wildlife Service</td>
</tr>
<tr>
<td>Address or Location Description:</td>
<td>South Main St. and Narrows Rd.,</td>
</tr>
<tr>
<td>City, State:</td>
<td>Freetown, MA</td>
</tr>
<tr>
<td>Point of Contact</td>
<td>Thomas Chapman</td>
</tr>
</tbody>
</table>

Response:

☐ We have no concerns related to the proposed project. MWT anticipates no adverse affects to our sites of cultural significance, by you or your client.

☐ The MWT considers this project in compliance with the MWT’s section 106 review process with agreed upon mitigations.

☐ This site will require the on-site presence of a Tribal Cultural Resource Monitor during ground disturbing activities. Contact the Compliance Review Supervisor with construction schedule.

☐ This project has the potential to have “adverse effects” to historic or cultural resources important to our tribe. We recommend the following actions:

- Our office has reviewed the submitted documents and anticipates “no adverse affects” associated with your project as presently designed.

- Wampanoag habitation and occupation of the area is well documented, so if unanticipated finds are discovered during construction we expect the project to halt and expect notification immediately.

This consultation process is in compliance to the National Historic Preservation Act of 1966 and all relevant amendments including but not limited to section 106 and 36 CFR 800.

**Condition:** In the case that archeological resources or human remains are found during construction, you must immediately stop construction and notify our office. We agree to be at the site within 24 hrs. in order to discuss and observe what has been discovered.

Ramona Peters, Compliance Review Supervisor
Tribal Historic Preservation Officer

March 31, 2016

Mashpee Wampanoag Indian Tribal Council
Historic Preservation Department
483 Great Neck Rd South, Mashpee, MA 02649 | Phone: 508-477-0208*101 | Email: 106review@mwtribe.com
The U.S. Fish and Wildlife Service (Service) and its project partners, the Massachusetts Division of Ecological Restoration (DER), City of Fall River, and The Nature Conservancy, have proposed completion of the Rattlesnake Brook Restoration/Dam Removal (Project) in Freetown, Massachusetts. As the lead Federal agency for the cultural resource assessment of the Project, we are inviting you to participate as a consulting party in the section 106 review of the Project, in accordance with 36 CFR 800.2 of the National Historic Preservation Act. As background information, the Massachusetts Historical Commission (MHC) made a previous determination (October 22, 2014) that the Project is unlikely to affect significant historic or archaeological resources (see enclosure).

The Rattlesnake Brook Dam currently blocks all fish passage, impedes natural stream processes, and is a public safety hazard. The proposed Project would breach 100 linear feet of the Dam and restore 460 feet of stream between the Dam and the downstream Narrows Road (see enclosed drawings). In addition, an existing 200-foot diversion culvert will be filled. The Project is expected to have a net ecological benefit by restoring natural stream processes to the watershed, rainbow smelt (*Osmerus mordax*) spawning habitat, and reconnecting 7 miles of high quality habitat for native blueback herring (*Alosa aestivalis*) and alewife (*Alosa pseudoharengus*). Public safety will also be enhanced by removing the risk of a potential catastrophic failure of the Dam. The Project is currently in the design and permitting phase, with construction expected to occur in October of 2016.
Public Archeology Laboratory, Inc. (PAL) conducted an intensive survey for the Project in which a member of the Mashpee Wampanoag took part in March of 2014. PAL describes the results of the survey in a September 2014 technical archaeological report titled *Intensive Historic Properties Survey and Archaeological Walkover/Mapping, Rattlesnake Brook Restoration Project, Freetown, MA*. The report indicates that the Project impact area includes no areas undisturbed by historical period industrial activities and is unlikely to contain intact, significant artifacts associated with ancient and early historical period Native American occupation and land use. The report also finds that the Crystal Spring(s) Bleachery Complex, including the Dam, does not possess sufficient research value, and therefore does not meet the Criteria of Evaluation (36 CFR 60) for listing in the National Register of Historic Places. The MHC concurs with these findings as noted in the enclosed letter.

Your timely response will assist us in incorporating your comments and concerns into Project planning. Should you wish to provide us with any additional information, or want to review any of the Project documents, please feel free to contact Bill Bennett of this office at 603-227-6422 or by email at william_bennett@fws.gov. If you are interested in participating in the section 106 review process, please respond in writing or by email within 30 days of receiving this letter.

Sincerely yours,

[Signature]

Thomas R. Chapman
Supervisor
New England Field Office

Enclosures
cc: (without enclosure)
Brona Simon, MHC
Nick Wildman, MA Division of Ecological Restoration
Mike Labossiere, City of Fall River, Department of Public Utilities
D.J. Monette, USFWS, Hadley, MA
ES: WBennett:1-20-16:603-223-2541
United States Department of the Interior
FISH AND WILDLIFE SERVICE
New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
http://www.fws.gov/newengland

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Ref:  Rattlesnake Brook Restoration/Dam Removal
South Main Street and Narrows Road, Freetown, MA
Cultural Resource Investigations MHC # RC.54851

Ramona Peters
Tribal Historic Preservation Officer
Mashpee Wampanoag Indian Tribal Council, Inc.
483 Great Neck Road South
Mashpee, Massachusetts 02649

Dear Dr. Peters:

The U.S. Fish and Wildlife Service (Service) and its project partners, the Massachusetts Division of Ecological Restoration (DER), City of Fall River, and The Nature Conservancy, have proposed completion of the Rattlesnake Brook Restoration/Dam Removal (Project) in Freetown, Massachusetts. As the lead Federal agency for the cultural resource assessment of the Project, we are inviting you to participate as a consulting party in the section 106 review of the Project, in accordance with 36 CFR 800.2 of the National Historic Preservation Act. As background information, the Massachusetts Historical Commission (MHC) made a previous determination (October 22, 2014) that the Project is unlikely to affect significant historic or archaeological resources (see enclosure).

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Thomas R. Chapman
Supervisor
New England Field Office

Enclosures
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Mike Labossiere, City of Fall River, Department of Public Utilities
D.J. Monette, USFWS, Hadley, MA
ES: WBennett:1-20-16:603-223-2341
Ref: Rattlesnake Brook Restoration/Dam Removal
South Main Street and Narrows Road, Freetown, MA
Cultural Resource Investigations MHC # RC.54851

Tribal Historic Preservation Office
Narragansett Indian Tribe
4375-B South County Trail
Charlestown, RI 02813

Dear Sir or Madam:

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