



| Appendices

A p p e n d i c e s

Special Resource Study | Great Falls Historic District | Paterson, New Jersey

Appendices

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Appendix One

Legislation

77

A p p e n d i c e s

110 STAT. 4158

PUBLIC LAW 104-333—NOV. 12, 1996

16 USC 461 note. **SEC. 510. GREAT FALLS HISTORIC DISTRICT, NEW JERSEY.**

(a) **PURPOSES.**—The purposes of this section are—

(1) to preserve and interpret, for the educational and inspirational benefit of the public, the contribution of our national heritage of certain historic and cultural lands and edifices of the Great Falls Historic District, with emphasis on harnessing this unique urban environment for its educational and recreational value; and

(2) to enhance economic and cultural redevelopment within the District.

(b) **DEFINITIONS.**—In this section:

(1) **DISTRICT.**—The term “District” means the Great Falls Historic District established by subsection (c).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(3) **HISTORIC INFRASTRUCTURE.**—The term “historic infrastructure” means the District’s historic raceway system, all four stories of the original Colt Gun Mill, including belltower, and any other structure that the Secretary determines to be eligible for the National Register of Historic Places.

(c) **GREAT FALLS HISTORIC DISTRICT.**—

(1) **ESTABLISHMENT.**—There is established the Great Falls Historic District in the city of Paterson, in Passaic County, New Jersey.

(2) **BOUNDARIES.**—The boundaries of the District shall be the boundaries specified by the Great Falls Historic District listed on the National Register of Historic Places.

(d) **DEVELOPMENT PLAN.**—The Secretary may make grants and enter into cooperative agreements with the State of New Jersey, local governments, and private nonprofit entities under which the Secretary agrees to pay not more than 50 percent of the costs of—

(1) preparation of a plan for the development of historic, architectural, natural, cultural, and interpretive resources within the District;

(2) implementation of projects approved by the Secretary under the development plan; and

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4159

(3) a market analysis assessing the economic development potential of the District and recommending steps to be taken to encourage economic development and revitalization in a manner consistent with the District's historic character.

(e) RESTORATION, PRESERVATION, AND INTERPRETATION OF PROPERTIES.—

(1) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the State of New Jersey, local governments and nonprofit entities owning property within the District under which the Secretary may—

(A) pay not more than 50 percent of the cost of restoring, repairing, rehabilitating, and improving historic infrastructure within the District;

(B) provide technical assistance with respect to the preservation and interpretation of properties within the District; and

(C) mark and provide interpretation of properties within the District.

(2) PROVISIONS.—A cooperative agreement under paragraph (1) shall provide that—

(A) the Secretary shall have the right of access at reasonable times to public portions of the property for interpretive and other purposes;

(B) no change or alteration may be made in the property except with the agreement of the property owner, the Secretary, and any Federal agency that may have regulatory jurisdiction over the property; and

(C) any construction grant made under this section shall be subject to an agreement that provides that conversion, use, or disposal of the project so assisted for purposes contrary to the purposes of this section shall result in a right of the United States to compensation from the beneficiary of the grant, and that provides for a schedule for such compensation based on the level of Federal investment and the anticipated useful life of the project.

(3) APPLICATIONS.—

(A) IN GENERAL.—A property owner that desires to enter into a cooperative agreement under paragraph (1) shall submit to the Secretary an application describing how the project proposed to be funded will further the purposes of the District.

(B) CONSIDERATION.—In making such funds available under this subsection, the Secretary shall give consideration to projects that provide a greater leverage of Federal funds.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Historic Preservation Fund authorized under the National Historic Preservation Act to the Secretary to carry out this section—

(1) \$250,000 for grants and cooperative agreements for the development plan under subsection (d); and

(2) \$50,000 for the provision of technical assistance and \$3,000,000 for the provision of other assistance under cooperative agreements under subsection (e).

PUBLIC LAW 107-59—NOV. 5, 2001

115 STAT. 407

Public Law 107-59
107th Congress

An Act

To authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes.

Nov. 5, 2001

[H.R. 146]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Great Falls
Historic District
Study Act of
2001.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Great Falls Historic District Study Act of 2001”.

SEC. 2. NATIONAL PARK SERVICE STUDY REGARDING GREAT FALLS HISTORIC DISTRICT, PATERSON, NEW JERSEY.

(a) DEFINITIONS.—In this section:

(1) GREAT FALLS HISTORIC DISTRICT.—The term “Great Falls Historic District” means the Great Falls Historic District in the city of Paterson, New Jersey, established as an historic district by section 510 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4158; 16 U.S.C. 461 note).

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) STUDY.—As soon as practicable after funds are made available to carry out this section, the Secretary shall commence a study regarding the suitability and feasibility of further recognizing the historic and cultural significance of the lands and structures of the Great Falls Historic District through the designation of the Great Falls Historic District as a unit of the National Park System.

(c) STUDY PROCESS AND COMPLETION.—Section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)) shall apply to the study required by this section.

Applicability.

(d) SUBMISSION.—The Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study.

Reports.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

Approved November 5, 2001.

LEGISLATIVE HISTORY—H.R. 146:

HOUSE REPORTS: No. 107-47 (Comm. on Resources).

SENATE REPORTS: No. 107-74 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 147 (2001):

May 9, considered and passed House.

Oct. 17, considered and passed Senate.

○

Appendix Two

Consultation Correspondence

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A p p e n d i c e s



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106-2878

D18(NER/PP-PP&SS)

October 8, 2003

Mr. Clifford G. Day
U.S. Fish & Wildlife Service
New Jersey Field Office
927 North Main Street
Heritage Square, Building D
Pleasantville, New Jersey 08232

Dear Mr. Day:

The National Park Service is initiating a Special Resource Study and Environmental Impact Statement in Paterson, NJ as required by the Great Falls Historic District Study Act of 2001, to determine if the Great Falls Historic District should be designated as a unit of the national park system. The study area is inside the City of Paterson, NJ and includes the Great Falls and the portion of the Passaic River immediately down stream from the falls.

In accordance with the National Environmental Policy Act requirements, public meetings will held to identify the concerns, resources, and interests of individuals, organizations, elected officials, and public agencies in the study area. A Draft Environmental Impact Statement (DEIS) will be developed to address the issues that are raised during the study.

Pursuant to Section 7 of the Endangered Species Act of 1973 (87 Statute 884, as amended, 16 U.S.C. 1531 et seq.) between the National Park Service and the Fish and Wildlife Service and the National Environmental Policy Act requirements, we are initiating consultation regarding potential impacts of the proposed federal actions in this study. At this point, we are still involved with scoping and would like to know if you have any concerns that should be addressed in the DEIS. If it would be helpful, we would be willing to meet with you to further discuss the project area, the goals and process of the study, and the preliminary resource assessment that has been completed to date. We look forward to working on this project. If you have any questions or would like to set up a meeting, please contact me at (215) 597-2284 or at patricia_iolavera@nps.gov if you have any questions or comments.

Sincerely,

Patricia Iolavera, AICP
Community Planner



In Reply Refer to:

ES-03/584

United States Department of the Interior

FISH AND WILDLIFE SERVICE

New Jersey Field Office
Ecological Services
927 North Main Street, Building D
Pleasantville, New Jersey 08232
Tel: 609/646 9310
Fax: 609/646 0352
<http://njfieldoffice.fws.gov>

NOV 3 2003



Patricia Iolavera, Community Planner
National Park Service, Northeast Region
200 Chestnut Street
Philadelphia, Pennsylvania 19106-2878

Dear Ms. Iolavera:

This responds to your October 8, 2003 request to the U.S. Fish and Wildlife Service (Service) for information on the presence of federally listed endangered and threatened species within the vicinity of the Great Falls Historic District located in Paterson, Passaic County, New Jersey. The National Park Service (NPS) is conducting a study to determine if the Great Falls Historic District should be designated as a unit of the National Park System. Pursuant to the National Environmental Policy Act (83 Stat. 852; 42 U.S.C. 4321 *et seq.*) (NEPA), the NPS will prepare a Draft Environmental Impact Statement to address issues raised during the study. The Service understands that the study area has a radius of approximately 5 city blocks from the falls.

AUTHORITY

This response is provided pursuant to NEPA, and to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) (ESA) to ensure the protection of endangered and threatened species and does not address all Service concerns for fish and wildlife resources. These comments do not preclude separate review and comments by the Service as afforded by the Fish and Wildlife Coordination Act (48 Stat. 401; 16 U.S.C. 661 *et seq.*) (FWCA), if project implementation requires a permit from the U.S. Army Corps of Engineers pursuant to the Clean Water Act (33 U.S.C. 1344 *et seq.*); nor do they preclude comments on any forthcoming environmental documents pursuant to NEPA.

FEDERALLY LISTED SPECIES

Except for an occasional transient bald eagle (*Haliaeetus leucocephalus*), no other federally listed or proposed endangered or threatened flora or fauna under Service jurisdiction are known to occur within the vicinity of the proposed project site. Therefore, no further consultation pursuant to Section 7 of the ESA is required by the Service. If additional information on federally listed species becomes available, or if project plans change, this determination may be reconsidered.

Current information regarding federally listed and candidate species occurring in New Jersey is enclosed, as well as addresses of State agencies that may be contacted for current site-specific information regarding federal candidate and State-listed species. The Service encourages federal agencies and other planners to consider federal candidate species in project planning.

OTHER SERVICE CONCERNS

The Service participated in the design of a downstream fish bypass facility during the rehabilitation of the Great Falls electric generating station during the 1980s. The Service's primary concerns for this site are maintenance of downstream fish passage, and of adequate dissolved oxygen levels, to avoid adverse effects to aquatic species. Both are required in the Federal Energy Regulatory Commission (FERC) license articles for this facility, which is now operated by Algonquin Power Systems, Inc. The Service requests to be notified if any changes to the FERC license are proposed during the course of the NPS study.

Please contact Wendy Walsh of my staff at (609) 646-9310, extension 48 if you have any questions regarding federally listed endangered or threatened species, or about the above Service comments.

Sincerely,


for John C. Staples
Assistant Supervisor

Enclosures



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106-2878

D18(NER/PP-PP&SS)

October 8, 2003

Ms. Dorothy Guzzo
New Jersey State Historic Preservation Office
PO Box 404
Trenton, NJ 08625

Dear Ms. Guzzo:

The National Park Service is initiating a Special Resource Study and Environmental Impact Statement in Paterson, NJ as required by the Great Falls Historic District Study Act of 2001, to determine if the Great Falls Historic District should be designated as a unit of the national park system. I recently had a brief conversation with Dan Saunders of your office to apprise him of this effort.

Because the studies related to the Historic Landmark designation established the national significance of the district, our study will primarily focus on criteria related to suitability, feasibility, and management options. I've enclosed a one page summary sheet that we frequently use to acquaint people with this process to give you a more specific idea of the required criteria. It is our hope that we can work closely with your office during the performance of the study.

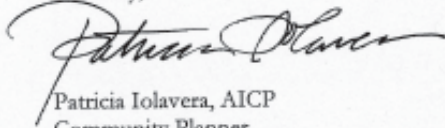
In accordance with the National Environmental Policy Act requirements and the National Historic Preservation Act, scoping efforts and public meetings will be held to identify the concerns, resources, and interests of individuals, organizations, elected officials, and public agencies in the study area. We will notify you as these are scheduled. A Draft Environmental Impact Statement (DEIS) will be developed to address the issues that have been raised during this phase of the study.

It would be helpful to meet with you or your staff to identify concerns of the New Jersey State Historic Preservation Office and discuss the preliminary resource assessment. Please let me know when this would be possible. In the next six months, the alternatives and their impacts will be roughed out in enough detail to present them to our state partners. At that time, it would be good to have a meeting to present the proposals and get your ideas and comments prior to writing the draft document. I will contact you as this project develops.

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I look forward to our collaboration on this project. If you have any questions or would like to set up a meeting, please contact me at (215) 597-2284 or at patricia_iolavera@nps.gov.

Sincerely,



Patricia Iolavera, AICP
Community Planner

Enclosure: Special Resource Study Information Sheet



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106-2878

D18(NER/PP-PP&SS)

November 6, 2003

Ms. Phyllis Wahahrock-Tasi
Delaware Nation
P.O. Box 825
Anadarko, OK 73004

Dear Ms. Wahahrock-Tasi:

We recently sent the enclosed letter to Tribal President Gonzales, and unfortunately neglected to send you a courtesy copy. Please accept our apologies. Contact information for our agency is at the end of the enclosed letter, along with descriptions of the project. If you have other questions, you are welcome to contact me as well at (215) 597-2284.

Sincerely,

Patricia Iolavera, AICP
Park Planning and Special Studies
NER, National Park Service
200 Chestnut Street, 3rd Floor
Philadelphia, PA 19106

Enclosures: Letter to Tribal President Gonzales
Location Map for Paterson, NJ
Special Resource Study Fact Sheet
Copy of Notice of Intent from Federal Register



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106-2878

D18(NER/PP-PP&SS)

November 6, 2003

Ms. Sherry White
Stockbridge-Munsee Community of Wisconsin
N8476 Mo He Con Nuck Rd.
Bowler, WI 54416

Dear Ms. White:

We recently sent the enclosed letter to Tribal President Robert Chicks and unfortunately neglected to send you a courtesy copy. Please accept our apologies. Contact information for our agency is at the end of the enclosed letter, along with descriptions of the project. If you have other questions, you are welcome to contact me as well at (215) 597-2284.

Sincerely,

Patricia Iolavera, AICP
Park Planning and Special Studies
NER, National Park Service
200 Chestnut Street, 3rd Floor
Philadelphia, PA 19106

Enclosures: Letter to Tribal President Chicks
Location Map for Paterson, NJ
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Copy of Notice of Intent from Federal Register



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106-2878

D18(NER/PP-PP&SS)

November 6, 2003

Brice Obermeyer, NAGPRA Director
Delaware Tribe of Indians
220 NW Virginia Avenue
Bartlesville, OK 74003

Dear Mr Obermeyer:

We recently sent the enclosed letter to Chief Brooks and unfortunately neglected to send you a courtesy copy. Please accept our apologies. Contact information for our agency is at the end of the enclosed letter, along with descriptions of the project.

Sincerely,

Patricia Iolavera, AICP
Park Planning and Special Studies
NER, National Park Service
200 Chestnut Street, 3rd Floor
Philadelphia, PA 19106

Enclosures: Location Map for Paterson, NJ
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IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106-2878

D18(NER/PP-PP&SS)

October 8, 2003

Chief Joe Brooks
Delaware Tribe of Indians
220 NW Virginia Avenue
Bartlesville, OK 74003

Dear Chief Brooks:

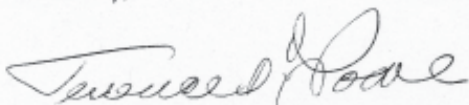
The Northeast Region of the National Park Service is initiating a Special Resource Study and Environmental Impact Statement in Paterson, NJ as required by the Great Falls Historic District Study Act of 2001. The purpose of the study is to determine if the Great Falls Historic District should be designated as a unit of the national park system. The study area is inside the city of Paterson, NJ and includes the historic district near the Great Falls and the Passaic River immediately downstream from the falls. The Great Falls Historic district is on the national register and is associated with Alexander Hamilton and the earliest efforts of the United States in relation to industry, engineering and transportation. A map of the study area and a copy of the Notice of Intent from the Federal Register have been enclosed for your convenience. We believe the proposed site is located in the aboriginal territory of your tribe.

The National Park Service (NPS) wishes to consult with the designated representative of your tribe about this study, especially if it involves an area that contains historical properties to which your tribe attaches religious and cultural significance. We welcome your comments on the scope of the project. We are especially interested in any comments or information you may be able to provide us regarding important tribal history events and places associated with the site, cultural resources that we should include in our evaluation of the suitability of this area becoming a unit of the NPS, or land areas of special concern to your tribal members. The NPS will hold discussions on management alternatives by mid-February, so it would be particularly helpful to have your comments by then. Once management alternatives are drafted, there will be opportunities to provide feedback on specific

alternatives for preserving and interpreting the Great Falls Historic District. Both a newsletter and website are under development that will help us to disseminate information and news about the project, including the dates of future public meetings. We have taken the liberty of adding your name to our newsletter mailing list.

We would welcome the opportunity to discuss this project further with you. If you have any questions about this project or would like to discuss it further, please contact me at (215) 597-6412 or Terrence_Moore@nps.gov.

Sincerely,



Terrence D. Moore
Chief of Park Planning and Special Studies
NER, National Park Service
Philadelphia, PA 19106

Enclosures: Location Map for Paterson, NJ
 Special Resource Study Fact Sheet
 Copy of Notice of Intent from Federal Register



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106-2878

D18(NER/PP-PP&SS)

October 8, 2003

Robert Chicks, President
Stockbridge-Munsee Community of Wisconsin
N8476 Mo He Con Nuck Rd.
Bowler, WI 54416

Dear President Chicks:

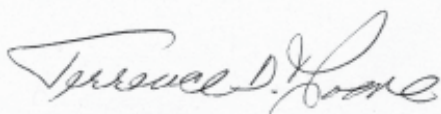
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and news about the project, including the dates of future public meetings. We have taken the liberty of adding your name to our newsletter mailing list.

We would welcome the opportunity to discuss this project further with you. If you have any questions about this project or would like to discuss it further, please contact me at (215) 597-6412 or Terrence_Moore@nps.gov.

Sincerely,



Terrence D. Moore
Chief of Park Planning and Special Studies
NER, National Park Service
Philadelphia, PA 19106

Enclosures: Location Map for Paterson, NJ
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IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106-2878

D18(NER/PP-PP&SS)

October 8, 2003

Bruce Gonzales, Tribal President
Delaware Nation
P.O. Box 825
Anadarko, OK 73004

Dear President Gonzales:

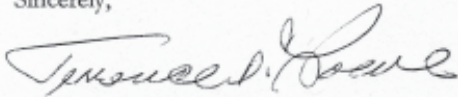
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The National Park Service (NPS) wishes to consult with the designated representative of your tribe about this study, especially if it involves an area that contains historical properties to which your tribe attaches religious and cultural significance. We welcome your comments on the scope of the project. We are especially interested in any comments or information you may be able to provide us regarding important tribal history events and places associated with the site, cultural resources that we should include in our evaluation of the suitability of this area becoming a unit of the NPS, or land areas of special concern to your tribal members. The NPS will hold discussions on management alternatives by mid-February, so it would be particularly helpful to have your comments by then. Once management alternatives are drafted, there will be opportunities to provide feedback on specific alternatives for preserving and interpreting the Great Falls Historic District. Both a

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We would welcome the opportunity to discuss this project further with you. If you have any questions about this project or would like to discuss it further, please contact me at (215) 597-6412 or Terrence_Moore@nps.gov.

Sincerely,



Terrence D. Moore
Chief of Park Planning and Special Studies
NER, National Park Service
Philadelphia, PA 19106

Enclosures: Location Map for Paterson, NJ
 Special Resource Study Fact Sheet
 Copy of Notice of Intent from Federal Register



DELAWARE TRIBE OF INDIANS

220 N.W. VIRGINIA • BARTLESVILLE, OKLAHOMA 74003
TELEPHONE: (918) 336-5272 • FAX: (918) 336-5513

October 20, 2003

Terrence Moore
National Park Service
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106-2878

Re: Special Resource Study and Environmental Impact Statement for the Great Falls Historic District, Patterson, NJ. D18 (NER/PP-PP&SS).

Dear Mr. Moore:

Thank you for informing the Delaware Tribe regarding the above referenced project. The Delaware Tribe is committed to protecting archaeological sites that are important to our tribal heritage, culture, religion and in particular locations that may contain human burial remains and associated funerary objects.

Although we are unaware of any locations with cultural or religious significance within the Great Falls Historic District, given the project's location, we are interested in the results of the study and would like to continue as a consulting party. We appreciate your cooperation and look forward to working together on our shared interests in protecting and preserving Delaware cultural heritage in the state of New Jersey.

Sincerely,

Brice Obermeyer, Ph.D.
NAGPRA Director
Delaware Tribe of Indians

Appendix Three

Bibliography

Bibliography

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Department of the Interior

As the nation's principal conservation agency, the Department of the Interior has the responsibility for most of our nationally-owned public lands and natural resources. Its duties include fostering sound use of our land and water resources; protecting our fish, wildlife and biological diversity; preserving the environmental and cultural values of our national parks and historic places; and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to ensure that their development is in the best interest of all our people by encouraging stewardship and citizen participation in their care. The Department also has major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.



National Park Service

The National Park Service is a bureau within the Department of the Interior. Its mission is to preserve unimpaired the natural and cultural resources and values of the National Park system for the enjoyment, education and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resources conservation and outdoor recreation throughout this country and the world.



National Park Service Special Resource Study
Great Falls Historic District
Paterson, New Jersey