

Winooski Hydroelectric Company

26 State Street
Montpelier, Vermont 05602
(802) 229-4666

January 23, 2019

Don Stevens, Chief
Nulhegan Band of the Coosuk - Abenaki Nation
156 Bacon Drive
Shelburne, VT 05482

Sent Via Email to: chiefdonstevens@comcast.net

Re: Consent to Request to Gather Plants on Winooski Hydroelectric Company Lands

Dear Chief Stevens:

This letter authorizes the collection of plants by members of the Nulhegan Band of the Coosuk – Abenaki Nation (“Nulhegan Abenaki”) on Winooski Hydroelectric Company (“WHC”) Lands in Vermont for non-commercial purposes. As used herein, “WHC Lands” means land owned in fee by WHC in the vicinity of its Winooski 8 Hydroelectric Project in East Montpelier and Berlin, Vermont.

The intent of the Nulhegan Abenaki is to remove plants in minimal amounts that are considered important for traditional ceremonies and medicinal purposes. All collections shall occur within the following parameters:

1. All gathering shall occur in a sustainable manner that ensures populations are the same size or larger the year following each harvest.
2. Only hand tools will be used during gathering activities.
3. No trees greater than two inches in diameter at breast height (2 in. DBH) will be felled or otherwise mortally damaged during collection activities.
4. Amounts harvested shall be able to be carried out by the person(s) collecting, in bags or baskets. Wheelbarrows, wagons or other wheeled or non-wheeled carts or devices may not be used to transport harvests on and from WHC Lands.

Don Stevens, Chief

January 23, 2019

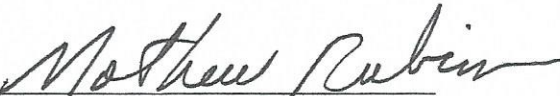
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5. Tribe members are responsible for insuring that no species listed on Federal or State endangered, threatened, or Species of Special Concern lists is collected on WHC Lands. Tribe members shall consult federal and state lists before each harvest to ensure that these species are not harvested.
6. WHC reserves the right to prevent collection from WHC Lands in specified locations where the safety of tribe members or WHC staff, or the WHC's operations could be impacted.
7. Collecting activity on WHC Lands must be consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the lands consistent with any of its applicable Federal Energy Regulatory Commission ("FERC") licenses, conservation easement or restrictions or internal land and forest management plans or policies. Notwithstanding any provision contained herein, WHC has the right to perform all acts required by an order of the FERC on project lands and waters.
8. Prior to any collection by tribe members, they are to notify WHC one week before any planned harvest. WHC may exercise the right to accompany tribe members in the field to mark places where plants are collected. If this marking occurs, then the tribe members and WHC will plan to revisit the area the following growing season to determine if the criteria above have been met.
9. A copy of this consent letter shall be carried by tribe members harvesting on WHC Land.
10. The terms and conditions of this consent will remain in effect for one year and shall renew automatically at the sole discretion of WHC; provided that WHC reserves the right to terminate this consent at any time if in its judgment, it determines that the permitted activities interfere with the operation of WHC's business, assets and/or property.

We look forward to establishing a mutually beneficial relationship that allows tribe members to collect from WHC Lands the foods and medicines that support your long history and cultural tradition.

Very truly yours,

Winooski Hydroelectric Company

By: 

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