

1 **WHEREAS**, the FTUs will incorporate principles from the “[Advisory Council on Historic Preservation](#)
2 [Policy Statement on Indigenous Knowledge and Historic Preservation](#)” consistent with the procedures
3 described in the NPA; and
4

5 **WHEREAS**, the FTUs invited the National Association of Tribal Historic Preservation Officers, the
6 National Trust for Historic Preservation, and the National Alliance of Preservation Commissions to consult
7 on the development of this NPA; and
8

9 **WHEREAS**, the FTUs consulted with Indian Tribes and THPOs on the draft outline of the proposed NPA
10 and invited Tribes and THPOs to four consultation meetings in July and August 2024, followed by a
11 subsequent review period; an additional four consultation meetings were held to discuss the proposed draft
12 NPA in August 2025, followed by a subsequent review of an updated draft NPA in fall of 2025; and
13

14 **WHEREAS**, the FTUs invited State Historic Preservation Officers to two consultation meetings on the
15 draft outline of the proposed NPA in July and August 2024, followed by a subsequent review period; an
16 additional two consultation meetings were held to discuss the proposed draft NPA in August 2025, followed
17 by a subsequent review period of an updated draft NPA in fall 2025; and
18

19 **WHEREAS**, the FTUs sought public input by creating a webpage specifically for the NPA initiative and
20 updating the webpage with drafts and requesting public comment; and
21

22 **WHEREAS**, the definitions at 36 CFR § 800.16 as well as in the attached Appendix D are applicable to this
23 NPA;
24

25 **NOW, THEREFORE**, The FTUs (BPA, SWPA, WAPA, TVA), NCSHPO, and ACHP agree that all FTU
26 undertakings to which the NPA applies will be implemented in accordance with the following stipulations to
27 take into account the effects of the undertaking on historic properties.
28

29 **STIPULATIONS**

30
31 The FTUs will ensure that the following measures are implemented for any undertakings for which this NPA
32 is used to comply with Section 106:
33

34 **I. SCOPE AND APPLICABILITY**

- 35 A. Transmission operations and maintenance undertakings: The NPA only applies to FTU
36 operations and maintenance undertakings on existing transmission infrastructure, which include
37 but are not limited to, efforts focused on maintaining or improving the safe and reliable
38 operation of transmission related infrastructure including transmission lines, substations,
39 communications facilities, and access roads within each FTU’s service area. The most common
40 undertakings are further defined in Appendix E.
- 41 B. No applicability on Tribal lands
- 42 1. For undertakings that would be located on or affect historic properties located on Tribal
43 lands (36 CFR § 800.16(x)), each FTU will comply with Section 106 by following the
44 process at 36 CFR § 800, Subpart B for their respective undertakings.
- 45 C. Lead federal agency
- 46 1. Each FTU is the lead federal agency with respect to its own undertakings. In instances
47 where a proposed FTU undertaking would result in another federal agency undertaking, the
48 FTU would be the lead federal agency unless the other federal agency decides to comply
49 separately with Section 106 for their own undertaking. Where an FTU is the lead federal
50 agency, the processes described in the NPA would be followed to comply with Section

106.

2 D. The NPA's relationship to other FTU Programmatic Agreements (PAs) as listed in Appendix B

3 1. TVA PA

4 a. TVA will continue to review undertakings using the process described in its
5 systemwide programmatic agreement. TVA will then apply the process described in
6 this NPA when undertakings are not applicable to TVA's systemwide programmatic
7 agreement.

8 2. WAPA PAs

9 a. WAPA will continue to utilize applicable WAPA PAs for operation and maintenance
10 activities until each PA's termination or expiration.

11 3. FTU historic built environment PAs

12 a. When an FTU has an existing, or creates a new applicable PA that addresses
13 undertakings affecting historic properties associated with historic transmission
14 infrastructure, that PA will be used for applicable portions of an undertaking's effects
15 on historic transmission infrastructure as described in the PA. Effects to other
16 properties not addressed by the applicable historic transmission infrastructure PA will
17 be addressed under the terms of this NPA. An FTU may propose additional PAs to
18 address the historic built environment, and such PAs may be able to be drafted in such
19 a way as to function in concert with this NPA. Any such additional PAs would be
20 added to Appendix B using the process described in Stipulation XII. At the time of
21 execution of this NPA three such PAs had been executed, two by BPA, and one by
22 TVA (Appendix B).

23 E. National Historic Landmarks (NHLs)

24 1. This NPA does not apply to undertakings that could potentially affect NHLs. The FTUs will
25 follow 36 CFR § 800, Subpart B for undertakings that could potentially affect an NHL.

26 II. ROLES AND QUALIFICATIONS

27 A. The FTUs

28 1. Agency Official: Each FTU's agency official bears responsibility for fulfilling their agency's
29 Section 106 requirements consistent with 36 CFR § 800.2(a).

30 2. Agency Federal Preservation Officer (FPO): Where applicable, each FTU's FPO or for the
31 SWPA, the Environmental Health, Safety & Security (EHSS) Division Director, has
32 oversight over the application of the NPA. For the purposes of this NPA, each FTU FPO
33 and the SWPA EHSS Division Director will be the point of contact for their respective
34 agency and responsible for overall oversight for carrying out the terms of the NPA. When a
35 new point of contact is assigned, that FTU will notify all Signatories.

36 3. Agency Cultural Resources Specialist (CRS): The CRSs at each FTU will be responsible
37 for implementing the stipulations of the NPA for applicable undertakings and must meet
38 the relevant Secretary of the Interior's Professional Qualification Standards (36 CFR § 61).

39 B. The ACHP

40 1. The ACHP will participate in consultation to resolve adverse effects when determined
41 appropriate by the ACHP (Stipulation III.F.1.a.) and administrative stipulations including
42 annual reporting (Stipulation IX), monitoring implementation of the NPA (Stipulation X),
43 dispute resolution (Stipulation XI), amendments (Stipulation XII), and termination
44 (Stipulation XIII).

45 C. The NCSHPO

46 1. The NCSHPO will distribute annual reports provided by the FTUs to the SHPOs
47 (Stipulation IX), participate in the monitoring of the NPA (Stipulation X); and the
48 processes of dispute resolution (Stipulation XI), amendments (Stipulation XII), termination
49 (XIII), and potentially extending the duration of the NPA (XIV).

50 III. REVIEW AND CONSULTATION PROCESS

- 1 A. Each FTU's CRS shall review all transmission operations and maintenance undertakings for
2 consideration under this NPA unless being reviewed under a different program alternative.
- 3 B. Historic Property Identification and Review
- 4 1. Define the APE. The CRS will define the APE to include the horizontal and vertical limits
5 (footprint) of the undertaking.
- 6 a. For undertakings involving the replacement of existing transmission related
7 infrastructure, the APE will include the horizontal and vertical physical limits of the
8 undertaking.
- 9 b. Consultation will follow 36 CFR § 800, Subpart B when undertakings involve
10 upgrading or adding additional transmission equipment/infrastructure that would
11 increase the height of the current infrastructure by greater than 25% in order to take
12 into account potential visual effects on historic properties within the APE.
- 13 2. Identify historic properties. The CRS will determine the level of effort necessary to
14 identify historic properties by considering past planning, research and studies, the
15 magnitude and nature of the undertaking, the degree of federal involvement, the nature and
16 extent of potential effects on historic properties, and the likely nature and location of
17 historic properties within the APE pursuant to 36 CFR § 800.4(b)(1).
- 18 a. Conduct background research/literature review.
- 19 i. The CRS will review appropriate existing cultural resources databases for any
20 information regarding prior cultural resources identification efforts and the
21 presence of known cultural resources, that may be affected by the undertaking.
22 Information will also be reviewed with the goal of determining the presence of
23 potential historic properties and the need for additional identification.
- 24 ii. Prior efforts to identify historic properties. If prior efforts to identify historic
25 properties have been conducted in the APE, the CRS will review the existing
26 report(s) to determine if the prior effort(s) constitutes a reasonable and good
27 faith effort to identify historic properties pursuant to 36 CFR § 800.4(b)(1)
28 and is sufficient for the current undertaking, including the potential need to
29 re-evaluate or identify historic properties that may have surpassed 50 years of
30 age subsequent to any prior identification effort. No further identification
31 effort, such as survey or inventory, would be conducted when the following
32 criteria are met:
- 33 (a) The prior report(s) is on file with the applicable SHPO and was accepted
34 as meeting archaeological and/or historic preservation standards by the
35 SHPO and federal land manager (if applicable) at the time it was
36 submitted, and
- 37 (b) The prior report(s) adequately describes the identification methods and
38 results so the CRS can determine if the efforts to identify historic
39 properties demonstrate a reasonable and good faith effort (36 CFR §
40 800.4(b)(1)) for the current undertaking, and
- 41 (c) The environmental conditions of the APE have not significantly changed
42 since the prior identification effort was conducted.
- 43 iii. No prior efforts to identify historic properties. The CRS will either proceed to
44 Stipulation III.B.2.b. (Efforts to identify historic properties) or proceed to
45 Stipulation III.E.1. or Stipulation III.E.2.. if conditions could be applied.
- 46 b. Efforts to identify historic properties. The CRS will ensure that a reasonable
47 and good faith effort is made consistent with 36 CFR § 800.4(b)(1) to identify
48 historic properties.
- 49 i. Areas within an APE where sufficient identification efforts have not
50 occurred will be inventoried for cultural resources. However, the CRS
51 would review areas that have been heavily disturbed (i.e. mechanically

- 1 modified by cut or fill or severe erosion); areas where steep slopes could
2 preclude the presence of such resources; and areas where surface conditions
3 would preclude physically accessing the APE (e.g. such as inundated,
4 unstable, or steep ground surface conditions, or extremely dense brush), to
5 determine if inventory is necessary; or do not meet the criteria outlined in
6 Stipulation III.B.2.a.ii.
- 7 ii. When assessing the viewshed of an APE is necessary, examination of existing
8 records and aerial imagery (if available) will occur for historic properties
9 potentially eligible under criteria A or C, and where setting and/or feeling are
10 critical to eligibility. Potential field investigation or reconnaissance may be
11 warranted.
- 12 c. Properties of Traditional Religious and Cultural Significance (PTRCS) to Indian
13 Tribes.
- 14 i. Special expertise and Indigenous Knowledge: Pursuant to 36 CFR §
15 800.4(c)(1) the FTUs recognize that Indian Tribes possess special expertise in
16 identifying and evaluating properties for the National Register of Historic
17 Places (NRHP) that have religious and cultural significance to them and that
18 application of Indigenous Knowledge.
- 19 ii. PTRCS Consultation: Each FTU will be responsible for Tribal consultation for
20 its undertakings. Each FTU will maintain information regarding PTRCS
21 within its respective database for purposes of consulting on future
22 undertakings consistent with Stipulations III.B.2.c.iv. and VIII
23 (Confidentiality).
- 24 (a) At least annually, each FTU will consult with Tribes in its service area to
25 identify PTRCS on an ongoing basis.
- 26 iii. Process for consideration of PTRCS:
- 27 (a) The CRS would consult with Tribes to identify PTRCS when:
- 28 (i) The undertaking would not be limited to the same, or similar,
29 physical footprint (see Stipulation III.B.1) as existing transmission
30 related infrastructure, and
- 31 (ii) The undertaking would increase the size of the existing
32 infrastructure by 25 percent or more in height, and
- 33 (iii) The undertaking would include new transmission-related
34 infrastructure outside of a developed substation.
- 35 iv. Confidentiality. Each FTU will maintain any information regarding PTRCS
36 within its respective service area and will not share information with other
37 FTUs to the extent of applicable law. Information will be protected, pursuant
38 to Section 304 of the NHPA (54 USC § 307103) and Section 9 of the
39 Archaeological Resources Protection Act (16 USC § 470hh) when applicable
40 (see Stipulation VIII).
- 41 d. Cultural resources identified within the APE
- 42 i. When results of background research and/or identification efforts identify
43 cultural resources within the APE, the CRS would follow the process outlined
44 in Stipulation III.C. below.
- 45 C. Assess NRHP Eligibility
- 46 1. The CRS may assume unevaluated cultural resources within the APE are eligible for the
47 NRHP, for the purposes of the Section 106 review for the undertaking, when they can be
48 avoided or other conditions to avoid or minimize effects as described in Appendix F can be
49 applied. When unevaluated cultural resources cannot be avoided or other conditions applied
50 to avoid or minimize effects (Appendix F), then the CRS would proceed to assess eligibility
51 following Stipulation III.C.2. below.

- 1 2. When assessments of NRHP eligibility are made, the CRS will consult with appropriate
2 land managers, SHPO, Tribes, and consulting parties regarding the NHRP eligibility of all
3 cultural resources in the APE.
4 a. Whenever appropriate, the FTUs will utilize Indigenous Knowledge in the process of
5 assessing NRHP eligibility.

6 D. Reporting

- 7 1. Documentation of identification efforts will be transmitted to the SHPO, Tribes, and other
8 consulting parties upon completion. Reports and forms will provide documentation that
9 the FTU made a reasonable and good faith effort to identify historic properties consistent
10 with 36 CFR § 800.4(b)(1).

11 E. Findings of Effect

12 The FTUs' preference is to avoid adverse effects to historic properties. Whenever possible, the
13 FTU will make every effort to avoid effects on historic properties. Undertakings reviewed under
14 the terms of this NPA and their resulting findings of effects will be summarized in the annual
15 report prepared pursuant to Stipulation IX. When appropriately applied to specific undertakings,
16 the conditions described in Appendix F will allow the CRS to make findings of no historic
17 properties affected or no adverse effect. These findings will be summarized in annual reports
18 (Stipulation IX).

- 19 1. *No historic properties affected.* The CRS may make a finding of no historic properties
20 affected for the administrative record and proceed with the undertaking without
21 consultation when the applicable conditions apply per Appendix F.
22 a. If in the opinion of the CRS a finding of no historic properties affected is
23 appropriate for any undertaking where an Appendix F condition could not be
24 applied, the CRS would consult pursuant to 36 CFR 800 § 500.5(d)(1).
25 2. *No adverse effect.* The CRS would make a finding of no adverse effect for the
26 administrative record when historic properties would be affected by a proposed
27 undertaking, but the effects of the undertaking would not alter the characteristics of the
28 property that make it eligible for the NRHP in a manner that would diminish the integrity
29 of the property (36 CFR § 800.5(a)(1)). For any known PTRCS that may be affected by an
30 undertaking, the CRS will consult with the applicable Tribe(s) to apply the conditions in
31 Appendix F. The FTU would proceed with the undertaking without consultation only if
32 conditions in Appendix F would be used to avoid or minimize adverse effects to historic
33 properties.
34 a. If in the opinion of the CRS a finding of no adverse effect is appropriate for any
35 undertaking where a Appendix F condition could not be applied, the CRS would
36 consult pursuant to 36 CFR § 800.5(c).
37 3. *Adverse effect.* The CRS will make a finding of adverse effect if an undertaking would
38 alter directly or indirectly any of the characteristics of a historic property that make it
39 eligible for the NRHP listing in a manner that would diminish the integrity of the property
40 consistent with 36 CFR § 800.5(a)(1).
41 a. The CRS shall consult with the SHPO, Tribes, and other consulting parties, to
42 endeavor to minimize effects and to develop a historic property treatment plan
43 (HPTP) or a memorandum of agreement (MOA) to resolve adverse effects
44 (Stipulation III.F.).

45 F. Resolution of adverse effects

- 46 1. Following a finding of adverse effect (Stipulation III.E.3.) the CRS will propose resolving
47 adverse effects through a HPTP unless an MOA is warranted due to a complex
48 undertaking or effect. The CRS may also propose an MOA in instances where the
49 responsibility of implementing treatment measures would be fulfilled by an organization
50 other than the FTU. Prior to moving forward with the undertaking, the CRS will consult
51 with the SHPO, Tribes, and other consulting parties on appropriate treatment measures

1 commensurate with the effects caused by the undertaking, and to lessen potential
2 cumulative effects. Indigenous knowledge, if shared with the CRS, should inform
3 potential options to avoid and/or minimize adverse effects and guide potential options to
4 resolve adverse effects whenever applicable. Appropriate treatment measures could
5 include onsite or offsite mitigation as well as incorporating Indigenous Knowledge
6 whenever appropriate.

- 7 a. Prior to developing a HPTP or MOA, the FTU, SHPO, Tribe, or other consulting
8 party may request the ACHP be invited to participate in the development of a HPTP
9 or MOA. Unless requested, the ACHP's non-participation will be assumed in the
10 development of a HPTP or MOA. If requested, the FTU shall notify the ACHP of
11 the adverse effect finding by providing the documentation specified at 36 CFR §
12 800.11(e). The ACHP shall advise the FTU and all consulting parties whether it
13 will participate within 15 days' of receiving the request to participate and adequate
14 documentation.
- 15 2. A HPTP will describe each historic property that would be subject to adverse effects from
16 the undertaking, identify specific treatment or treatment strategies for each historic
17 property, and/or specific types of historic properties (e.g., archaeological sites, built
18 resources, trails, etc.).
- 19 a. Each HPTP will include the following information at a minimum:
20 i. Name of property or site number
21 ii. Locational information
22 iii. A brief description of the property
23 iv. Land ownership
24 v. Description of the undertaking and summary of adverse effects
25 vi. Description of treatment and/or mitigation proposed for each property where
26 adverse effects would occur.
27 vii. Statement describing NRHP significance and integrity
- 28 b. The CRS will send the HPTP to the consulting parties for a 30-calendar-day review
29 and comment period. The CRS will consider all comments and revise the HPTP as
30 necessary. The CRS will then submit the revised HPTP to the consulting parties for
31 a 14-calendar-day review period, along with a matrix of the comments and how they
32 were addressed.
33 i. A HPTP will be considered final if no objections are received within the 14-
34 calendar day review period.
- 35 3. The procedures at 36 CFR § 800.6(b) will be followed if the CRS elects to prepare a
36 MOA.
37 a. Comment periods for reviewing any draft MOA will be 30-calendar-days.
- 38 4. If the FTU and SHPO are unable to reach agreement on the proposed treatment in an
39 HPTP, the FTU will first invite the ACHP to participate (if not already participating) and
40 consider developing a MOA. If the FTU and SHPO cannot reach agreement on an MOA
41 and the ACHP has been invited to participate, then the FTU will follow the procedures at
42 36 CFR § 800.7.

43 IV. EMERGENCY SITUATIONS

- 44 A. Emergencies for the purposes of the NPA are defined in Appendix D.
45 B. During emergencies at the FTUs, immediate rescue and salvage actions necessary to protect
46 human health or property are not subject to Section 106 requirements consistent with 36 CFR §
47 800.12(d). For other emergency response undertakings, an FTU will notify the SHPO(s) and
48 Tribes, and appropriate land managing agencies of the emergency, and staff will work with
49 emergency responders, whenever possible, to minimize the overall effect of such activities on
50 historic properties, should they be present. The CRS will assess any effects to historic properties
51 and allow consulting parties seven business days to comment, if circumstances permit. The FTU

1 will provide the consulting parties a letter report of actions taken after completion and will
2 include these activities in the annual report (Stipulation IX).

3 V. POST REVIEW DISCOVERIES

- 4 A. Each FTU will ensure that discoveries made or unanticipated effects found during the
5 implementation of an undertaking are subject to the following measures:
- 6 1. The CRS will consult with the ACHP, the relevant SHPO(s) and Tribes, and appropriate
7 land managing agencies, pursuant to 36 CFR § 800.13(b).
 - 8 2. All work within a minimum 50-foot buffer of the discovery will be immediately stopped
9 and the discovery location secured against further disturbance, pending completion of the
10 consultation.
 - 11 3. If the CRS determines that the discovery is an isolate (Appendix D) that is not eligible for
12 the NRHP, it will be documented according to applicable state standards, and the
13 undertaking will proceed without consultation.
 - 14 4. If the post review discovery includes human remains, burials, or funerary objects, the FTU
15 will follow Stipulation VI.

16 VI. TREATMENT OF HUMAN REMAINS, BURIALS, AND FUNERARY OBJECTS

- 17 A. In any instance of FTU transmission activities disturbing or affecting human remains, burial
18 sites, or funerary objects, the FTU will proceed consistent with the 13 principles described in the
19 “[ACHP Policy Statement on Burial Sites, Human Remains, and Funerary Objects](#)” dated March
20 1, 2023. Due to the geographic diversity of the FTUs, a variety of statutes can have jurisdiction
21 if human remains, burials, or funerary objects are encountered during the implementation of an
22 undertaking. The FTUs will notify Tribes consistent with the Native American Graves
23 Protection and Repatriation Act (NAGPRA) or an applicable state burial statute.
- 24 1. When FTU undertakings are not located on federal land the applicable state burial statute
25 and corresponding implementation process would have jurisdiction.
 - 26 2. For FTU undertakings on federal land, NAGPRA and its implementing regulations will be
27 followed. The federal land manager will have responsibility for compliance with
28 NAGPRA in the instance of a discovery (43 CFR § 10.5). However, each FTU would
29 have responsibility to cease work and notify the appropriate land manager.

30 VII. TRAINING

- 31 A. The FTUs will work together to develop initial training regarding the use and applicability of the
32 NPA that will be provided to current and new staff collectively. Staff receiving the training will
33 include the agency officials, agency FPOs, relevant supervisors, and CRS.
- 34 1. Topics addressed by the training will include the procedures described in Stipulation III as
35 well as the administrative stipulations and will incorporate Indigenous Knowledge and
36 confidentiality.
 - 37 2. The training will be conducted within 120 days of execution of the NPA and will be
38 recorded for use in training new FTU personnel.
 - 39 3. The FTUs will each conduct training for maintenance staff on an annual basis. Additional
40 project-specific training may be held in the field for larger maintenance projects.
- 41 B. FTU requirements
- 42 1. New FTU personnel responsible for transmission-related Section 106 compliance will
43 receive training on the requirements and processes of the NPA within 90 days of their start
44 date.

45 VIII. CONFIDENTIALITY

- 46 A. Cultural resources information utilized or developed for the NPA will be treated as confidential
47 by each FTU. Information regarding the location, character, and ownership of historic properties
48 will be protected from disclosure in consultation with the Secretary of the Interior pursuant to
49 Section 304 of the NHPA (54 USC § 307103) as applicable; and Section 9 of the Archaeological
50 Resources Protection Act (ARPA) (16 USC § 470hh) when applicable. The respective FTU
51 would coordinate with the applicable Tribe in the event a request made pursuant to the Freedom

1 of Information Act (5 USC § 552) could result in the release of Tribal information not protected
2 by Section 304 of the NHPA or Section 9 of ARPA.

3 IX. ANNUAL REPORTING

4 A. The FTUs will collectively provide a letter report, coordinated by BPA, to the ACHP, NCSHPO,
5 NATHPO, and Tribes by April 1 of each year following the first full fiscal year after the
6 execution of the NPA. The letter report will summarize statistics for undertakings reviewed
7 using the NPA during the prior fiscal year (October 1 to September 30), descriptions of any
8 emergency situations (Stipulation IV), post review discoveries (Stipulation V), current FTU
9 contacts, and a summary of training conducted (Stipulation VII). A table will be appended to the
10 letter report summarizing each undertaking reviewed under the provisions of the NPA and its
11 corresponding finding of effect and applicable stipulation. Additional information will include
12 the location (state, county, and geographic coordinates) of the undertaking, applicable
13 stipulations from the NPA, any consultation that was conducted, and references for any reports
14 prepared or utilized (Stipulation III.B.2.a.ii.).

15 X. MONITORING IMPLEMENTATION OF THE NPA

- 16 A. For the first two years following execution of the NPA, the FTUs will solicit input regarding
17 implementation of the NPA. Input will be sought annually from the ACHP, NCSHPO,
18 NATHPO, and Tribes through electronic correspondence. NCSHPO would in turn solicit
19 feedback from individual SHPOs regarding implementation of the NPA.
20 B. Signatories will hold one annual meeting (hybrid) to discuss any input received (Stipulation
21 X.A.), the implementation of the NPA during the previous year, and any issues identified by the
22 Signatories or through the process described in Stipulation X.A. A second meeting may be held
23 if requested by a Signatory.
24 C. Staff from FTUs with responsibility for implementing the NPA will meet annually for the
25 duration of the NPA to discuss the implementation of the NPA, to ensure overall consistency in
26 implementation, and to review training implementation.

27 XI. DISPUTE RESOLUTION

- 28 A. Should any Signatory to this NPA object at any time to any actions proposed or the manner in
29 which the terms of this NPA are implemented, the FTUs shall consult with such party to resolve
30 the objection. If the FTUs determine that such objection cannot be resolved, the FTUs will:
31 1. Forward all documentation relevant to the dispute, including the FTU's proposed
32 resolution, to the ACHP. The ACHP shall provide the FTUs with its advice on the
33 resolution of the objection within thirty (30) days of receiving adequate documentation.
34 Prior to reaching a final decision on the dispute, the FTUs shall prepare a written response
35 that takes into account any timely advice or comments regarding the dispute from the
36 ACHP, signatories and concurring parties, and provide them with a copy of this written
37 response. The FTUs will then proceed according to its final decision.
38 2. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day
39 time period, the FTUs may make a final decision on the dispute and proceed accordingly.
40 Prior to reaching such a final decision, the FTUs shall prepare a written response that takes
41 into account any timely comments regarding the dispute from a Signatory to the NPA, and
42 provide them and the ACHP with a copy of such written response.
43 3. The FTU's responsibility to carry out all other actions subject to the terms of the
44 NPA that are not the subject of the dispute remain unchanged.

45 XII. AMENDMENTS AND UPDATES

46 A. Signatories to this NPA may request that it be amended by submitting the request to the FTU
47 points of contact (Stipulation II.A.2.). All Signatories will consult to consider such amendment.
48 The FTUs will facilitate consultation, including notification of consulting parties and request for
49 comment, within 60 calendar days of the request. The amendment will be effective on the date a
50 copy of the amendment is signed by all Signatories. Any amendment will be filed with the

1 ACHP.

- 2 B. The FTUs may also choose to update Appendix B or F at any time without a formal amendment.
3 The FTUs in consultation with NCSHPO and ACHP shall agree via email for any proposed
4 update to Appendix B or F to take effect.

5 XIII. TERMINATION

- 6 A. If a FTU, NCSHPO, or the ACHP find that the terms of the NPA cannot or will not be carried
7 out, that Signatory shall immediately consult with the other Signatories to attempt to develop an
8 amendment per Stipulation XII or other actions that would avoid termination. If within 90
9 calendar days an amendment cannot be reached, any FTU, NCSHPO, or ACHP may terminate
10 the NPA upon written notification to the other Signatories. If the NPA is terminated, prior to
11 work continuing on any undertaking that would otherwise be covered by this NPA, the FTU
12 must either:

- 13 1. Comply with 36 CFR § 800, Subpart B for each undertaking, or
14 2. Execute a new NPA or FTU-specific PA pursuant to 36 CFR § 800.14(b).

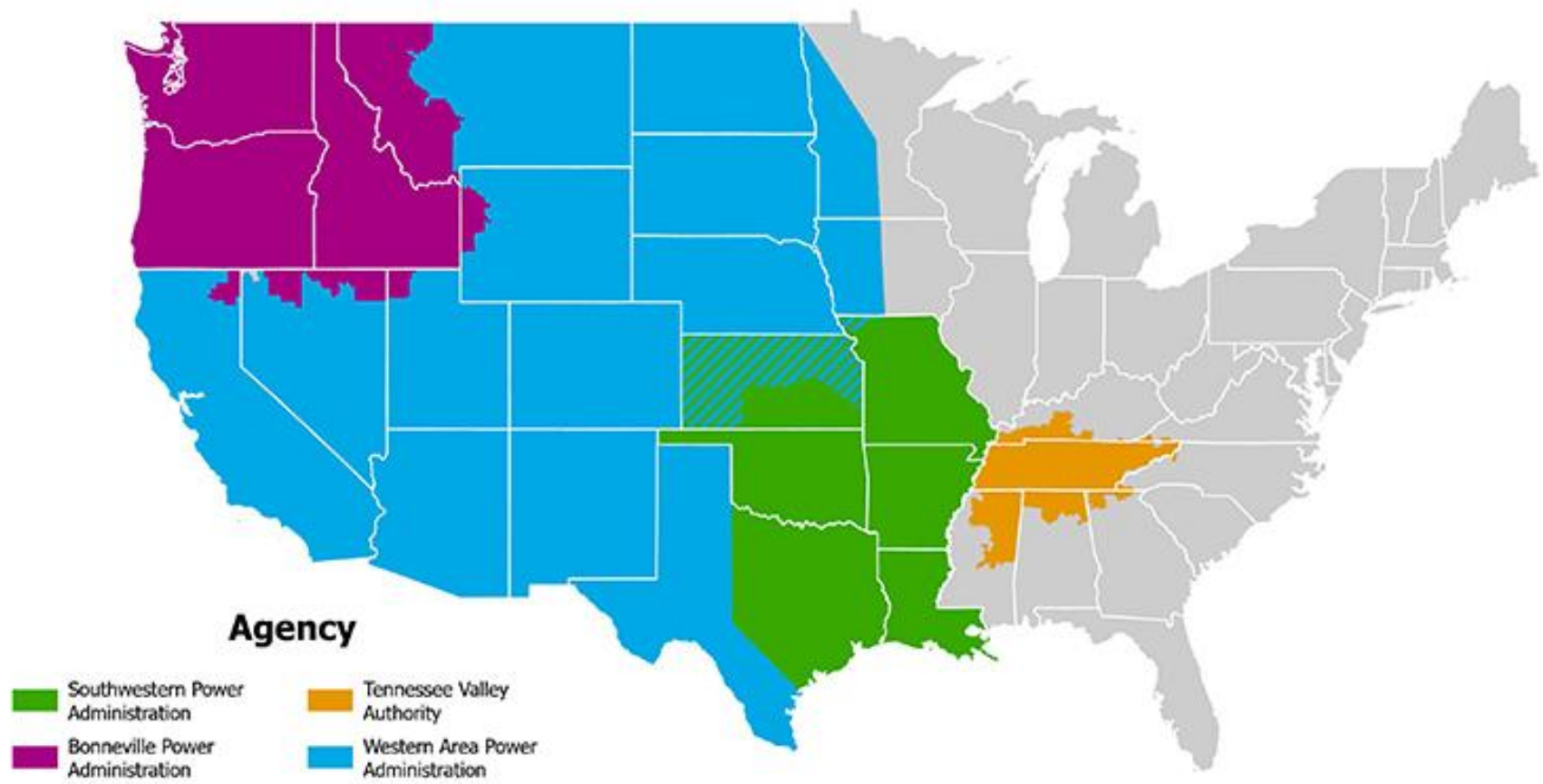
- 15 B. An FTU Signatory may terminate its participation in the NPA with respect to its applicability in
16 its respective service area (Appendix A). Termination by one FTU would not terminate the NPA
17 with respect to the other FTUs' service areas.

18 XIV. DURATION AND EXECUTION

- 19 A. This NPA shall take effect on the last date of signature by the FTUs, NCSHPO, and ACHP.
20 This NPA shall continue to be in effect until 10 years after the last date of signature unless
21 amended or terminated prior to that date. Prior to such time, the FTUs, NCSHPO, and ACHP
22 may agree in writing to extend the duration of the NPA in 5 year increments up to a maximum of
23 20 total years.
24 B. This NPA may be executed in counterparts, each of which shall be deemed an original, but all of
25 which together shall constitute one and the same NPA.

26
27 Execution of the NPA by the FTUs, the ACHP, and the NCSHPO and implementation of its terms evidence
28 that the FTUs have taken into account the effects of transmission operations and maintenance undertakings
29 on historic properties and afforded the ACHP an opportunity to comment.
30

Appendix A: Map of FTU Service Areas



Appendix B: Other FTU PAs*

Bonneville Power Administration:

- 2025 Programmatic Agreement Among the Bonneville Power Administration, the Idaho State Historic Preservation Office, the Montana State Historic Preservation Office, the Oregon State Historic Preservation Office, the Washington State Historic Preservation Office, and the Advisory Council on Historic Preservation to Implement the Bonneville Power Administration Manual for Built Resources.
- 2024 Programmatic Agreement Among the Bonneville Power Administration, the Oregon State Historic Preservation Office, the Washington State Historic Preservation Office, the Idaho State Historic Preservation Office, the Montana State Historic Preservation Office, and the Advisory Council on Historic Preservation to Address Effects to BPA Transmission Lines

Tennessee Valley Authority:

- 2023 Programmatic Agreement Among the Tennessee Valley Authority, the Tennessee State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Operation of Existing Transmission Assets Throughout the State of Tennessee
- 2019 Programmatic Agreement Among the Tennessee Valley Authority, the Advisory Council on Historic Preservation, and the State Historic Preservation Officers of Alabama, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia, and Federally Recognized Indian Tribes, Regarding Undertakings Subject to Section 106 of the National Historic Preservation Act of 1966

Western Area Power Administration:

- 2025 Programmatic Agreement Among The Western Area Power Administration; The Colorado, Montana, Nebraska, New Mexico, Utah, and Wyoming State Historic Preservation Officers; The Crow Tribe Of Montana; The Eastern Shoshone Tribe Of The Wind River Reservation, Wyoming; The Navajo Nation, Arizona, New Mexico, & Utah; The Northern Arapaho Tribe Of The Wind River Reservation, Wyoming; And The Ute Mountain Ute Tribe Regarding National Historic Preservation Act Section 106 Compliance For Maintenance Of Existing Western Area Power Administration Facilities And Associated Access Roads In Colorado, Montana, Nebraska, New Mexico, Utah, and Wyoming
- 2021 Programmatic Agreement Among the U.S. Department of Energy – Western Area Power Administration, Arizona State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Maintenance and Minor Construction Activities at Existing WAPA Transmission Facilities and Access Roads in Arizona
- 2018 Programmatic Agreement Among the U.S. Department of Energy – Western Area Power Administration – Desert Southwest Region, Bureau of Land Management, and California State Historic Preservation Regarding Maintenance and Minor Construction Activities at Existing WAPA Transmission Lines, Facilities and Properties in California, Imperial, Riverside, and San Bernardino Counties

1 2010 Programmatic Agreement Among Western Area Power Administration, the Advisory Council on
2 Historic Preservation, and the California State Historic Preservation Officer Concerning
3 Emergency and Routine Operation and Maintenance Activities and Other Routine Activities at
4 Western Facilities in California
5

6 *Note: Only applicable FTU PAs are listed.

DRAFT

Appendix C: List of tribes invited to consult

Absentee Shawnee Tribe	Confederated Tribes and Bands of the Yakama Nation
Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California	Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians
Ak-Chin Indian Community	Confederated Tribes of Siletz
Alabama-Coushatta Tribe of Texas	Confederated Tribes of the Colville Reservation
Alabama Quassarte Tribal Town	Confederated Tribes of the Goshute Reservation, Nevada and Utah
Alturas Rancheria of Pit River Indians	Confederated Tribes of the Umatilla Indian Reservation
Apache Tribe of Oklahoma	Confederated Tribes of the Warm Springs Reservation of Oregon
Assiniboine & Sioux Tribes of the Fort Peck Indian Reservation, Montana	Coquille Indian Tribe
Augustine Band of Cahuilla Indians, California	Coushatta Tribe of LA
Big Pine Paiute Tribe of the Owens Valley	Cow Creek Band of Umpqua Tribe of Indians
Bishop Paiute Tribe	Cowlitz Indian Tribe
Blackfeet Nation	Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota
Bridgeport Indian Colony	Crow Tribe
Burns Paiute Tribe	
Cabazon Band of Mission Indians, California	
Caddo Nation of Oklahoma	
Cahuilla Band of Indians	Delaware Nation
Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California	Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada
Capitan Grande Band of Diegueno Mission Indians of California (Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California)	Eastern Band of Cherokee Indians
Cedarville Rancheria Northern Paiute Tribe	Eastern Shawnee Tribe of Oklahoma
Chemehuevi Indian Tribe of the Chemehuevi Reservation, California	
Cherokee Nation	Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
Cheyenne and Arapaho Tribes, Oklahoma	Ely Shoshone Tribe of Nevada
Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota	Ewiiapaayp Band of Kumeyaay Indians, California
	Flandreau Santee Sioux Tribe of South Dakota
Chinook Indian Nation	Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
Chippewa Cree Tribe of the Rocky Boy Reservation	Fort Bidwell Indian Community of the Fort Bidwell Reservation of California
	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California
Cocopah Tribe of Arizona	Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon
Coeur d'Alene Tribe	Fort McDowell Yavapai Nation, Arizona
Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California	Fort Mojave Indian Tribe of Arizona, California & Nevada
Comanche Nation, Oklahoma	Fort Peck Assiniboine & Sioux Tribes
Confederated Salish and Kootenai Tribes	

Fort Sill Apache Tribe of Oklahoma
Gila River Indian Community of the Gila River Indian
Reservation, Arizona
Havasupai Tribe of the Havasupai Reservation,
Arizona
Ho-Chunk Nation of Wisconsin
Hoh Indian Tribe
Hoopa Valley Tribe
Hopi Tribe of Arizona
Hualapai Indian Tribe of the Hualapai Indian
Reservation, Arizona
Iipay Nation of Santa Ysabel, California
Inaja Band of Diegueno Mission Indians of the Inaja
and Cosmit Reservation, California
Ione Band of Miwok Indians of California
Iowa Tribe of Kansas and Nebraska
Iowa Tribe of Oklahoma
Jamestown S'Klallam Tribe
Jamul Indian Village of California
Jena Band of Choctaw Indians
Jicarilla Apache Nation, New Mexico
Kaibab Band of Paiute Indians of the Kaibab Indian
Reservation, Arizona
Kalispel Tribe of Indians
Kaw Nation
Keweenaw Bay Indian Community, Michigan
Kialegee Tribe of Oklahoma
Kickapoo Tribe of Indians, Kansas
Kootenai Tribe of Idaho
La Jolla Band of Luiseno Indians, California
La Posta Band of Diegueno Mission Indians of the La
Posta Indian Reservation, California
Lac Vieux Desert Band of Lake Superior Chippewa
Indians of Michigan
Las Vegas Tribe of Paiute Indians of the Las Vegas
Indian Colony, Nevada
Lone Pine Paiute-Shoshone Tribe
Los Coyotes Band of Cahuilla & Cupeno Indians,
California
Lovelock Paiute Tribe of the Lovelock Indian Colony,
Nevada
Lower Brule Sioux Tribe of the Lower Brule
Reservation, South Dakota
Lower Elwha Klallam Tribe

Lower Sioux Indian Community in the State of
Minnesota
Lummi Nation
Makah Nation
Manzanita Band of Diegueno Mission Indians of the
Manzanita Reservation, California
Menominee Indian Tribe of Wisconsin
Mesa Grande Band of Diegueno Mission Indians of
the Mesa Grande Reservation, California
Mescalero Apache Tribe of the Mescalero
Reservation, New Mexico
Miami Tribe of Oklahoma
Minnesota Chippewa Tribe - Leech Lake Band
Minnesota Chippewa Tribe - Mille Lacs Band
Minnesota Chippewa Tribe - White Earth Band
Mississippi Band of Choctaw Indians
Moapa Band of Paiute Indians of the Moapa River
Indian Reservation, Nevada
Monacan Indian Nation
Morongo Band of Mission Indians, California
Muckleshoot Indian Tribe
Navajo Nation, Arizona, New Mexico & Utah
Nez Perce Tribe
Nisqually Indian Tribe
Nooksack Indian Tribe
Northern Arapaho Tribe of the Wind River
Reservation, Wyoming
Northern Cheyenne Tribe of the Northern Cheyenne
Indian Reservation, Montana
Northwestern Band of the Shoshone Nation
Oglala Sioux Tribe
Omaha Tribe of Nebraska
Otoe-Missouria Tribe of Indians
Paiute Indian Tribe of Utah (Cedar Band of Paiutes,
Kanosh Band of Paiutes, Koosharem Band of Paiutes,
Indian Peaks Band of Paiutes, and Shivwits Band of
Paiutes)
Paiute - Shoshone Tribe of the Fallon Reservation and
Colony, Nevada
Pala Band of Mission Indians
Pascua Yaqui Tribe of Arizona

Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California	Ramona Band of Cahuilla, California
Pawnee Nation of Oklahoma	Red Lake Band of Chippewa Indians, Minnesota
Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California	Reno-Sparks Indian Colony, Nevada
Peoria Tribe of Indians of Oklahoma	Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California
Pit River Tribe	Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota
Poarch Band of Creek Indians	
Ponca Tribe of Nebraska	Sac and Fox Nation Oklahoma
Ponca Tribe of Oklahoma	Sac and Fox Tribe of the Mississippi in Iowa
Prairie Band Potawatomi Nation	Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona
Prairie Island Indian Community in the State of Minnesota	Samish Indian Nation
Pueblo of Acoma, New Mexico	San Carlos Apache Tribe of the San Carlos Reservation, Arizona
Pueblo of Cochiti, New Mexico	San Juan Southern Paiute Tribe of Arizona
Pueblo of Isleta, New Mexico	San Manuel Band of Mission Indians, California
Pueblo of Jemez, New Mexico	San Pasqual Band of Diegueno Mission Indians of California
Pueblo of Laguna, New Mexico	Santa Rosa Band of Cahuilla Indians, California
Pueblo of Nambe, New Mexico	Santee Sioux Nation, Nebraska
Pueblo of Ohkay Owingeh, New Mexico	Sauk-Suiattle Indian Tribe
Pueblo of Picuris, New Mexico	
Pueblo of Pojoaque, New Mexico	Seneca - Cayuga Tribe
Pueblo of San Felipe, New Mexico	Shakopee Mdewakanton Sioux Community of Minnesota
Pueblo of San Ildefonso, New Mexico	
Pueblo of Sandia, New Mexico	Shawnee Tribe of Oklahoma
Pueblo of Santa Ana, New Mexico	Shoalwater Bay Tribe
Pueblo of Santa Clara, New Mexico	Shoshone - Bannock Tribes of the Fort Hall Reservation
Pueblo of Santo Domingo Pueblo	Shoshone - Paiute Tribes of the Duck Valley Reservation
Pueblo of Taos, New Mexico	Sisseton - Wahpeton Oyate of the Lake Traverse Reservation, South Dakota
Pueblo of Tesuque, New Mexico	Skokomish Tribal Nation
Pueblo of Zia, New Mexico	Skull Valley Band of Goshute Indians of Utah
Pueblo of Zuni Tribe of the Zuni Reservation, New Mexico	Snoqualmie Indian Tribe
Puyallup Tribe of Indians	Soboba Band of Luiseno Indians, California
	Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado
Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada	Spirit Lake Tribe, North Dakota
Quapaw Nation	Spokane Tribe of Indians
Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona	
Quileute Nation	Squaxin Island Tribe
Quinault Indian Nation	

Standing Rock Sioux Tribe of North & South Dakota
Stillaguamish Tribe of Indians
Summit Lake Paiute Tribe
Susanville Indian Rancheria
Swinomish Indian Tribal Community
Sycuan Band of the Kumeyaay Nation
Te-Moak Tribe of Western Shoshone Indians of Nevada (Four constituent bands: Battle Mountain Band; Elko Band; South Fork Band and Wells Band)
The Chickasaw Nation
The Choctaw Nation of Oklahoma
The Confederated Tribes of the Chehalis Reservation
The Confederated Tribes of the Grand Ronde
The Klamath Tribes
The Muscogee (Creek) Nation
The Osage Nation
The Port Gamble S'Klallam Tribe
The Seminole Nation of Oklahoma
The Suquamish Tribe
Thlopthlocco Tribal Town

Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota
Timbisha Shoshone Tribe
Tohono O'odham Nation of Arizona
Tolowa Dee-ni' Nation (Smith River Rancheria)
Tonto Apache Tribe of Arizona
Torres Martinez Desert Cahuilla Indians, California
Tulalip Tribes
Tunica Biloxi Tribe of Louisiana
Turtle Mountain Band of Chippewa Indians of North Dakota
Twenty-Nine Palms Band of Mission Indians of California
United Keetoowah Band of Cherokee Indians

Upper Sioux Community, Minnesota
Upper Skagit Indian Tribe
Ute Indian Tribe of the Uintah & Ouray Reservation, Utah
Ute Mountain Ute Tribe
Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California

Walker River Paiute Tribe of the Walker River Reservation, Nevada
Wanapum Band
Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)
White Mountain Apache Tribe of the Fort Apache Reservation, Arizona
Wichita and Affiliated Tribes
Winnebago Tribe of Nebraska
Winnemucca Indian Colony of Nevada
Yankton Sioux Tribe of South Dakota
Yavapai - Apache Nation of the Camp Verde Indian Reservation, Arizona
Yavapai-Prescott Indian Tribe
Yerington Paiute Tribe of the Yerington Colony and Campbell Ranch, Nevada
Yomba Shoshone Tribe of the Yomba Reservation, Nevada

Appendix D: Definitions

Access roads – Graveled or dirt roads maintained by an FTU for the purpose of accessing a transmission ROW or as a route of travel within a ROW. Can sometimes consist of an unimproved route designated for vehicular traffic.

Beam path – The area in which obstructions, typically trees, need to be removed to allow unobstructed transmission of a communication facility’s microwave radio communications.

Construction matting – Thick (8-12 inches) wooden mats deployed to lessen ground pressure exerted by heavy equipment. Mats need to be in good condition to ensure proper installation, use, and removal. Mats are typically placed one at a time such that vehicle treads do not disturb the ground surface within environmentally sensitive areas. In some cases, mats could be placed along the travel area so that the individual boards are resting perpendicular to the direction of traffic.

Counterpoise – Method of grounding transmission structures in areas of higher ground resistivity to lessen effects from lightning. Can consist of small trenches at the base of a transmission structure where wires are laid to more efficiently conduct lightning to the ground.

Cultural resources specialist (CRS) – Individuals at each FTU responsible for day-to-day Section 106 compliance including use of the NPA to screen undertakings and reach findings of effect. These individuals meet the Secretary of the Interior’s (SOI) standards for professionals in the applicable field or rely upon SOI qualified personnel contracted by their respective agency.

Emergencies – According to the regulations (36 CFR § 800.12(b)(1)) agencies are “encouraged to develop procedures for taking historic properties into account during operations which respond to a disaster or emergency declared by the President, a Tribal government, or the Governor of a State or which respond to other immediate threats to life or property.” The FTUs also define the following as emergencies for the purposes of the NPA: hazardous materials spills; fires; unplanned/unscheduled power outages; imminent power outages that potentially threaten human life or property; and other immediate threats to life or property.

Federal preservation officer (FPO) – The FPO is the individual designated by the head of a federal agency to coordinate that agency’s activities under the National Historic Preservation Act (36 CFR § 65.3(f)).

Federal transmission utility (FTU) – One of the four federal agencies that owns, operates, and is responsible for maintaining transmission related infrastructure. These agencies include the Bonneville Power Administration, Southwestern Power Administration, Tennessee Valley Authority, and the Western Area Power Administration. Except for the Tennessee Valley Authority, which is a federal corporation, the other three agencies are all components of the United States Department of Energy.

Historic property – “Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe ... and that meet the National Register criteria” (36 CFR § 800.16(l)(1)).

Historic property treatment plan (HPTP) – A document drafted to define methods to resolve adverse effects to specific properties that would result from implementing a specific undertaking in lieu of a MOA.

1 HVAC – Heating, ventilation, and air conditioning. Refers to systems used to control the temperature,
2 humidity, and air quality within buildings.

3
4 Ice bridge – A support structure designed to protect transmission lines or other electronic components
5 from ice loading.

6
7 Isolate (Isolated Occurrence or Isolated Find) – is a cultural manifestation that does not meet the
8 definition of a site according to the respective land manager or SHPO, and not eligible for listing in the
9 NRHP as it lacks integrity of association at a minimum.

10
11 Latchways – A safety system designed for fall protection attached to transmission structures or other
12 structures where maintenance activities could pose a risk of falling.

13
14 Low ground pressure equipment – Construction equipment designed with the purpose of distributing
15 weight over a larger ground area to minimize ground disturbance.

16
17 Properties of traditional cultural and religious significance (PTCRS) – Cultural resources that are eligible
18 for inclusion on the NRHP due to their traditional religious and cultural importance to a Tribe (54 USC §
19 302706(a)).

20
21 SCADA – Supervisory control and data acquisition. These systems are used to monitor and control
22 industrial processes and infrastructure.

23
24 Signatories – The Advisory Council on Historic Preservation, National Conference of State Historic
25 Preservation Officers, Bonneville Power Administration, Southwestern Power Administration, Tennessee
26 Valley Authority, and Western Area Power Administration are the agencies and organizations with
27 responsibility for agreeing to and executing the NPA consistent with 36 CFR § 800.14(b)(2)(iii).

28
29 Transmission Structure – Transmission structures are broadly grouped as either steel lattice or pole
30 structures designed to support the conductor and other transmission infrastructure (insulators, overhead
31 ground wire, fiber optic cable, etc.). Pole structures are typically wood or steel but can occasionally be
32 concrete. Pole structures can vary between 1 and 3 pole structures. The number of poles refers to the
33 vertical supports necessary to support the cross arms.

34

Appendix E: Transmission Operations and Maintenance Activities

The following is a list of transmission operations and maintenance activities which are associated with operating, maintaining, or improving the safe, reliable, and efficient function of existing transmission infrastructure. Transmission infrastructure is typically associated with substations, transmission lines, communication sites, and access roads.

Substations

Activities associated with substations may include installation, modification, replacement; or removal of paving or curbs; wood pole, steel lattice, or steel monopole transmission structures and components; fencing, gates, or signage; lighting; security cameras; catch basins, drainage systems, or sumps; water, power, communication or ground electrical lines; ground mats; retaining walls; equipment associated with the operation or upgrade of a substation; heating, ventilation, and air conditioning systems (HVAC); or supervisory control and data acquisition (SCADA) systems. Activities including geotechnical investigations; planting, maintenance, or removal of vegetation; ground water testing; and environmental remediation may also be proposed.

Transmission Lines

Activities associated with transmission lines may include maintenance, repair, removal, or replacement of transmission line infrastructure including paint, coatings, preservatives, fire resistant wrap, cross arms, insulators, lightning arrestors, lightning systems, spacers, vibration dampers, marker balls, guy anchors, wildlife diverters, reflectors, navigation/aircraft warning lights/markings, counterpoise, fiber optic cable, fiber optic vaults, ground wires, markings, signage, structural knee braces, or other transmission structure components; wood pole, steel lattice, or steel monopole transmission structures and components and installation of counterpoise; overhead ground wire, conductor, armor rod, conductor sleeves, or fiber optic cable; structure footings, grillage, or anchors. Activities including use of and improving staging, stockpiling, work areas, pulling/tensioning sites, or helicopter landing areas; utilizing herbicides; brush hogs, mulchers, mowers, helicopter saws, hand tools (chainsaws), and other equipment to control or remove vegetation and establish or maintain right of way width and conductor clearance; stubbing, or removing and filling a transmission structure; constructing or repairing shoo flies; cutting corridor or danger trees; and geotechnical investigations may also be proposed. Transmission line impairments may be addressed by removal or by raising or modifying transmission structures to avoid impairments.

Communication Sites

Activities associated with communication sites may include maintenance, repair, removal, or replacement of communication site infrastructure including facilities, ice bridges, latchways, antennae/dishes, fences/gates, structures, beam paths, monopoles, HVAC, or SCADA systems. In addition, geotechnical investigations may also be proposed. Planting, maintenance, or removal of vegetation (including trees) may also be proposed.

Access Roads

Activities associated with communication sites may include installation, maintenance, repair, or replacement of ditches, culverts, and other water control features associated with access roads; construction, maintenance, or removal of pads and landings around transmission structures; utilization and improvement of gravel pits and staging areas; installation, maintenance, or replacement of cattle guards; improvement/maintenance of road surface; underground installation/trenching of water, power, communication, or ground electrical line; and planting, maintenance, or removal of vegetation (including trees) along and within access roads.

Appendix F: Conditions to Avoid/Minimize Effects

A. The CRS will take into account the physical nature of the APE and the manner in which the undertaking could result in effects on historic properties when considering the applicability of the following conditions. When one or more of the following conditions is applicable and would result in avoiding effects from the undertaking on any historic properties that may be present, the FTU will make a finding of **no historic properties affected** per Stipulation III.E.1.

1. The APE has been surveyed, and no historic properties are within the APE or historic properties will be avoided within the APE.
2. The CRS confirmed during a field survey or reconnaissance that a previously mapped site did not intersect the APE.
3. Transmission structures being replaced (no greater than 25% taller) are not within any known historic property or unevaluated cultural resource and will be replaced within a 5-foot disturbance area around the existing structure, and/or replaced on hillsides with slopes greater than 20%.
4. Archaeological historic properties and unevaluated cultural resources within 50 feet of work areas will be flagged for avoidance by a qualified archaeologist.
5. Maintenance equipment or materials will not be stored within a historic property, unless the property is a historic in-use maintenance facility.
6. Cultural resources monitoring will be conducted to ensure avoidance of historic properties.
7. Vegetation removal within historic properties will be conducted with hand tools (i.e. chainsaws, clippers) and brush will be lopped and scattered or inserted into a chipper or mulcher located on an existing access road or hand carried off site (not piled or dragged).
8. The APE or portions has/have been significantly disturbed and is unlikely to retain significant intact cultural deposits. Disturbance would include the horizontal and vertical extent of previously graded or bladed areas, locations of demonstrated direct impacts from previous construction including prior pole installation and replacements, extensive access road construction and maintenance, strip mining, trenching, heavy recreational use, or severe erosion, and areas that are washed out/undercut from erosion.
9. Existing documentation of geological context and soil data within the APE indicate little potential for buried intact cultural deposits.

B. The CRS will take into account the physical nature of the APE and the manner in which the undertaking could result in effects on historic properties when considering the applicability of the following conditions. When one or more of the following conditions is applicable and would result in avoiding adverse effects from the undertaking on any historic properties that may be present, the FTU will make a finding of **no adverse effect** per Stipulation III.E.2.

1. Transmission structures being replaced (no greater than 25% taller) are not within any known historic property or unevaluated cultural resource except for any historic transmission line and will be replaced within a 5-foot disturbance area around the existing structure, and/or replaced on hillsides with slopes of greater than 20%.
2. Work is restricted to completely disturbed areas within historic properties. Disturbance would include the horizontal and vertical extent of previously graded or bladed areas, locations of demonstrated direct impacts from previous construction including prior pole installation and replacements, extensive access road construction and maintenance, strip mining, trenching, heavy recreational use, or severe erosion, and areas that are washed out/undercut from erosion.
3. Work within a historic property will be flagged (using a buffer when feasible) by a qualified archaeologist for avoidance to include significant features and artifact concentrations and the property will be photographed before work is initiated and after work is completed.

- 1 4. Work within a historic property or unevaluated cultural resources, will be monitored by a qualified
2 archaeologist during the undertaking.
- 3 5. Construction matting within historic properties will be utilized without grading to cover work areas
4 prior to conducting work to limit subsurface disturbance.
- 5 6. Geotextile fabric and culturally sterile fill (capping) will be utilized to cover an archaeological
6 historic property to provide a buffer between expected impacts and cultural deposits.
- 7 7. Modifications, repairs, and maintenance undertakings to historic properties will be “in-kind” (e.g., same
8 material, design, appearance, texture) and consistent with the Secretary of the Interior’s Standards for the
9 Treatment of Historic Properties.
- 10 8. Restrict heavy vehicle use within a historic property to only when the ground surface is completely
11 dry or frozen.
- 12 9. Low ground pressure equipment will be utilized when rutting could otherwise occur.
- 13 10. Abandoned wood poles within historic properties will be cut and removed without heavy equipment
- 14 11. Herbicide use is limited to spot treatment using handheld equipment on invasive species or cut stumps
15 of woody vegetation to prevent regrowth.

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