

Organization	Comment	Stipulation	Page	Line	Response
ACHP	Consider including expiration dates/duration	Appendix B	12		Updated to add expiration dates/duration of each programmatic agreement
ACHP	What about Tribal monitoring?	Appendix F.B.3.	22	47	Edited to note that flagging would be conducted by or under the oversight of an SOI qualified archaeologist. (now Appendix G)
ACHP	Example? Of "physical nature"	Appendix F.A.	22	3	Edited to change "physical nature" to "environmental setting". (now Appendix G)
ACHP	Meaning a site was assumed present but survey confirms it was not actually present?	Appendix F.A.2.	22	11	Yes, correct. (now Appendix G)
ACHP	Is this a defined property type?	Appendix F.A.5.	22	19	No, but the agencies believe the description is sufficiently descriptive. (now Appendix G)
ACHP	I think the monitoring and flagging conditions should be implemented along with another condition to minimize the potential impact of the activity-- or some other step to ensure that the monitoring is prospective for avoidance, not reactive.	Appendix F.A.6.	22	20	In many cases another condition would be used as well. Please note the heading in A. states that "one or more of the following conditions." (now Appendix G)
ACHP	What if this is a disturbed portion of a site? Direct to Section B?	Appendix F.A.8.	22	24	Yes, the CRS would proceed directly to Section B. (now Appendix G)
ACHP	Consider including a process for designating transmission operations and maintenance undertakings not listed in Appendix E as undertakings that fall within the scope of this NPA.	I.A.	2	39	The agencies meant for Appendix E to be a non-exhaustive list so added language to the appendix to reflect that.
ACHP	What happens if the undertaking spans multiple land types to include Tribal lands? Would entire undertaking be reviewed under subpart B?	I.B.1.	2	42	Generally O&M actions would consist of discrete undertakings so it would be unlikely to have an undertaking located both on and off Tribal lands. However, if it did, would not be able to utilize the NPA on Tribal lands.
ACHP	Maybe specify that the terms of this PA only apply IF the FTU serves as lead agency, or to FTU review alone if agencies conduct independent reviews?  Also recommend that the other federal agencies may designate the FTU in writing; still need that written designation for the other non-lead agency's record.	I.C.1.	2	48	Yes, the stipulation was edited to clearly word the intent and note the written designation of lead federal agency.
ACHP	For consistency, abbreviate as PA?	I.D.1.a.	3	5	The agencies updated the document to abbreviate as PA.
ACHP	Will WAPA have the option of entering into new or extending existing WAPA PAs for operation and maintenance, if necessary? (See comment below).	I.D.2.a.	3	9	Yes. Generally WAPA intends to utilize the NPA in the absence of another PA and as current PAs expire. However, at some future point WAPA may identify a need to execute another PA.
ACHP	And then this NPA would then apply?	I.D.2.a.	3	10	Yes, WAPA intends to utilize the NPA as other PAs expire. However, at some future point WAPA may identify a need to execute another PA.
ACHP	This should be revised to clarify. The NPA is binding on all undertakings falling within its scope, except that it cannot unilaterally modify existing MOAs or PAs. If an FTU wants to develop a new PA, there should be a set process to allow that PA to be developed and applied in coordination with the implementation of this NPA (e.g., a process in this NPA for developing a project-specific MOA or PA)	I.D.3.a.	3	12	Worked with ACHP staff to edit wording.
ACHP	Need another verb here: and carry out its assigned responsibilities in administrative stipulations including....?	II.B.1.	3	41	Adjusted language - "carry out its applicable administrative"
ACHP	Just a note-- this reads as if NCSHPO is involved in extending the NPA but ACHP is not...?	II.C.1.	3	49	Revised language in B.1. abate to match C.1.
ACHP	Recommend the FTU's develop a review flowchart to be appended to the NPA that can be used to explain the process to consulting parties.	III	4	1	The agencies have drafted a process diagram and incorporated it as an appendix
ACHP	Consider cross-referencing Stip I(D) here.	III.A.	4	4	Edited to reference Stipulation I.D.
ACHP	Unilaterally? Or with consultation with SHPO? Same question below for identification. Might want to clarify intent.	III.B.1.	4	6	Yes, unilaterally, unless undertaking would upgrade/add additional infrastructure that would increase the height more than 25%. Edited III.B.1. and III.B.2. to better reflect intent.
ACHP	Check to see if this was defined previously	III.B.1.	4	6	Yes, on page 1 under the recitals.
ACHP	What about if reports have been reviewed by Tribes?	III.B.2.a.ii.(a)	4	35	The agencies discussed this comment with the ACHP and consensus was to leave the section as drafted.

ACHP	Recognizing that section (c) speaks to properties of religious and cultural significance to Tribes, the absence of considering existing information regarding those properties in this section seems an oversight.	III.B.2.a.ii.(a)	4	35	Section (c) was drafted to describe when those properties would be considered . However, language was edited to reference incorporation of information through annual Tribal outreach/consultation following Stipulation III.B.2.c.
ACHP	Do all these criteria need to be met in order to conduct no further identification effort (AND or OR)?	III.B.2.a.ii.(a-c)	4	35	Yes. The language in leading sentence added to clarify "all of".
ACHP	Consider including situations where the CRS determines prior efforts to identify historic properties do not meet the criteria in Stip III(B)(2)(a)(ii) here. That way it is clear that if the criteria in Stip III(B)(2)(a)(ii) are not met the CRS will either proceed to Stip III(B)(2)(b) or proceed to Stip III(E)(1) or (E)(2) if conditions listed in App F could be applied.	III.B.2.a.iii.	4	45	Edited the stipulations to address the comment.
ACHP	How could they make this finding (no adverse) with no sense of whether an HP is present?  If conditions could be applied to avoid adverse effects to HPs if any were (hypothetically) present?	III.B.2.a.iii.	4	47	In certain limited circumstances a condition from Appendix F could be used when either the location of an historic property is known for some reason without a prior survey or the CRS was able to assume an historic property while applying an Appendix F condition (now Appendix G).
ACHP	Consider cross referencing Appendix F here.	III.B.2.a.iii.	4	47	Edited to cross reference Appendix F (now Appendix G).
ACHP	Note switching in this section between cultural resources and historic properties terms. Is that deliberate? If so, shouldn't this be HPs since we're talking things to be afforded 106 consideration?	III.B.2.b.i.	5	1	Language amended to address comment.
ACHP	This is confusing here. Recommend instead including in Stip III(B)(2)(a)(iii). See comment above.	III.B.2.b.i.	5	7	After discussing with ACHP, decided to leave the text as written.
ACHP	I thought the APE was the footprint--the horizontal and vertical limits of the undertaking per III. B.1. HPs have viewsheds, not APEs.	III.B.2.b.ii.	5	9	Language amended to address comment.
ACHP	The CRS will examine?	III.B.2.b.ii.	5	10	Accepted proposed edit
ACHP	As determined by the CRS?	III.B.2.b.ii.	5	10	Yes, but didn't add CRS since it was mentioned in the preceding sentence. Instead added some other clarifying language to address.
ACHP	Is this missing language to conclude this clause?	III.B.2.c.i.	5	20	Language edited to address comment.
ACHP	This seems more relevant for all steps and not just identification. Should this first line be under II.A?	III.B.2.c.ii.	5	21	Moved to II.A.1.
ACHP	Same comment as above. This could be read to only incorporate Tribes that currently reside in the service area.	III.B.2.c.ii.a.	5	26	Language edited to address comment.
ACHP	Aren't some of these conditions kick-outs from this NPA?  Who makes these determinations? Do all these conditions need to exist in order to consult with Tribes (AND or OR)?	III.B.2.c.iii.(a).	5	29	If an undertaking met all three criteria then the CRS would consult with Tribes to identify PTRCS as part of the effort to identify historic properties before moving on to assessing eligibility and effects. The CRS would be responsible for applying the criteria to the undertaking consistent with Stipulation II.A.3..
ACHP	What's the threshold for similar?	III.B.2.c.iii.(a).(i)	5	30	Slightly edited the wording.
ACHP	Meaning, proposed undertakings that meet the criteria below kick out of this NPA to Part 800? Or with the CRS consult on the APE and then revert to the NPA at a later step?	III.B.b.	4	11	CRS would consult on APE and then revert to the NPA at a later step. Modified language to be more specific. Added 800."4(a)(1)", Deleted "Subpart B"
ACHP	Does the CRS make the determination that an undertaking will increase the height of the current infrastructure by greater than 25%?	III.B.b.	4	13	Yes, consistent with Stipulation II.A.3. the CRS would be responsible for determining if an undertaking would increase the height by greater than 25%.
ACHP	Minimize will still result in an AE	III.C.1.	5	50	The ACHP edit was accepted.
ACHP	other conditions cannot be applied to avoid . . .	III.C.1.	6	1	Edited wording to address the comment.
ACHP	Consider putting some guardrails on consultation, e.g., a reference to 36 CFR § 800.4(c)(2). What happens if CRS and land managers, SHPO, Tribes, or consulting parties do not agree on NRHP eligibility?	III.C.2.	6	3	Edited to address comment by adding regulatory reference.
ACHP	Suggest deleting "all"-- not wanting to confuse folks that all cultural resources in the APE will be evaluated (only the affected ones would be, correct?)	III.C.2.	6	4	Edited wording to address the comment.
ACHP	Nebulous. What's the threshold for appropriate?	III.C.2.a.	6	6	Edited the stipulation to address the comment.
ACHP	Active voice: the CRS will transmit?	III.D.1.	6	9	Accepted the edit. Also moved renamed Reporting stipulation to III.E.

ACHP	But prior to the undertaking being carried out, correct? This is still following the process for a proposed undertaking review.  And subsequently, the CRS may unilaterally make a finding of NHP or NAE if implement conditions in Appendix F? (meaning potentially no more consultation after this report)	III.D.1.	6	9	Not necessarily, depending on whether Appendix F (now Appendix G) conditions could be applied, most notably Condition A.1. Shifted Stipulation III.D. to III.E. and renamed it "Documentation" to clarify process.
ACHP	This is transmitting for notification or for comment? How will that transmission occur?	III.D.1.	6	9	The CRS will transmit the documentation of identification efforts. The placement of the stipulation within the document was made in order to clarify the intent of transmitting the documentation of the results of identification.
ACHP	Completion of the identification effort? More detail needed.	III.D.1.	6	10	Language adjusted to address comment. Added language to note documentation would be provided within 6 months.
ACHP	First statement is aspirational and the second is somewhat committal, would it be better to state that FTUs will evaluate undertakings for modifications and	III.E.	6	14	Edited the language to address the comment.
ACHP	Revise to active voice-- the CRS will apply the conditions described in Appendix F to reach a finding of no historic properties or no adverse effect; when the CRS is not able to implement the conditions, then.	III.E.	6	17	Edited the language to address the comment.
ACHP	Mean to refer to 800.4(d)(1)?	III.E.1.a.	6	26	Edit accepted.
ACHP	Only if follow conditions in Appendix F? Or just generally, whether or not Appendix F applies?	III.E.2.	6	27	The agencies added a sentence to III.D. to state that "The CRS will use the conditions set out in Appendix F (now Appendix G) to reach findings as follows:"
ACHP	For undertakings that would NOT affect PTRCS? To clarify, any undertaking that would affect a PTRCS would require Tribal consultation?	III.E.2.	6	31	Correct.
ACHP	Recommend revising this to more clearly state that if Appendix F can be applied, result is NAE. OR the CRS may make a finding of NAE, even if Appendix F does not apply, based on the circumstances of the undertaking. (If that is correct?)	III.E.2.a.	6	36	Correct. However, the agencies believe the wording is sufficiently clear.
ACHP	Should be more specific as to when an MOA would be required vs. not.	III.F.1.	6	49	Edited to more clearly note when the CRS would consider developing an MOA versus a HPTP.
ACHP	ADD: an MOA or HPTP would be executed or finalized per the below process	III.F.1.	7	1	Edited the wording.
ACHP	Note- this is not in the procedures at 800.6(b). Recommend making clearer that this timeline would modify the process otherwise provided in 800.6(b).	III.F.3.a.	7	39	Edited the wording to note that the regulatory process would be followed except with respect the 30 day and 14 day review periods.
ACHP	Will the FTU, to the extent possible, take any received comments into account in implementing its proposed emergency response actions?	IV.B.	8	1	Wording edited to reflect comment.- "To the extent possible, the FTUs will take any comments into account in implementing proposed emergency response actions."
ACHP	Is NCSHPO expected to distribute this to SHPO or could FTUs distribute the report to SHPOs concurrently	IX.	9	8	Yes, NCSHPO would distribute to SHPOs.
ACHP	Request FTUs make the training available on its website for SHPOs, Tribes, THPOs, and other consulting parties.	VII.	8	34	The wording was edited to note that the training would be made available online.
ACHP	This should be more specific. Tribes with historical ties to their respective service areas?	Whereas	1	31	Edited the clause to add "with historical ties".
ACHP	Incorporate where? It may be better to say that they will implement the policy.	Whereas	2	1	Edited to add suggested wording.
ACHP	Consider specifying the nature of these consultation meetings (e.g., virtual, in person), as well as the recorded attendance.	Whereas	2	10	The clause was updated to add more specificity about consultation meetings.
ACHP	Consider specifying the nature of these consultation meetings, as well as the recorded attendance.	Whereas	2	14	The clause was updated to add more specificity about consultation meetings.
ACHP	How will disagreements or concerns related to be reviews under the NPA be handled by the FTUs related to a specific undertaking. This could be an inquiry from a CP regarding an undertaking underway. Recommend the NPA provide a mechanism for processing individual requests like these.	XI.	9	31	Added Stipulation XI.B. to address disagreements or concerns regarding specific undertakings.

ACHP	Is there any chance other FTUs (if they even exist) or federal agencies would want to join this PA? Is there any chance that the interests of one of the FTUs could be replaced by a successor or assignee?	XII.	9	49	While other federal agencies have a permitting responsibility with respect to transmission infrastructure, other than TVA, no other agencies appear to own and operate transmission related infrastructure. This is a key difference in terms of how undertakings are defined as well as how undertakings proceed through the process described in the NPA. The agencies did incorporate a recital that could allow TVA to join the NPA as a signatory at a later date.
ACHP	Also Appendix E? Will updates be filed with the ACHP?	XII.B.	10	6	The agencies find that the list in Appendix E provides enough flexibility that it wouldn't need to be amended. Edited wording to reflect that "any updates will be filed with the ACHP".
Confederated Tribes of the Colville Reservation	Should these potential environmental conditions be defined to some degree so future users will understand what is meant here? i.e. wildfires, floods, tornados, etc. . .	III.B.2.a.ii.(c)	4	41	The CRS would adequately note the environmental conditions at the time of the review.
Confederated Tribes of the Colville Reservation	This should probably be formatted similar to (a) above for consistency.	III.B.2.b.	4	46	Thank you for your comment.
Confederated Tribes of the Colville Reservation	This reads very awkward, like it is an incomplete thought with the end hanging.	III.B.2.c.i.	5	16	Edited the wording to clarify.
Confederated Tribes of the Colville Reservation	I think this is what was meant to go here, otherwise this sentence is very awkward to read.	XIV.B.	10	27	The agencies utilized standard ACHP template language.
Confederated Tribes of the Umatilla Indian Reservation	How does the "Energy Emergency" EO apply here, or work with this PA?	Appendix D			The Executive Order is separate and not addressed by this PA.
Confederated Tribes of the Umatilla Indian Reservation	Not included in the aforementioned "replacement" that would qualify the undertaking for review?	Appendix E		28	This is a non-exhaustive list.
Confederated Tribes of the Umatilla Indian Reservation	This may not matter to tribes. Such heavy disturbances can often be less drastic than you may think, and may still retain significant deposits. Subsurface testing is the only way to determine this.	Appendix F.A.8.		24	The CRS would verify disturbance with respect to horizontal and vertical extent. In the event of a post review discovery the FTU would follow Stipulation XI. (now Appendix G)
Confederated Tribes of the Umatilla Indian Reservation	When does the survey have to have been conducted by? Field conditions and erosion can change the exposure of a site since the previous recording. Always check the boundaries of a previously recorded site with a field visit prior to clearance.	Appendix F.A.2.		11	The question on timing isn't applicable to the condition; survey would have been conducted prior to the undertaking in any case. The CRS would take environmental factors into consideration which may necessitate checking a site boundary prior to utilizing the condition. APEs would never be "cleared" because Stipulation V (post review discoveries) would continue to apply. Section 106 would always apply for any additional undertaking at the location. (now Appendix G)
Confederated Tribes of the Umatilla Indian Reservation	Several problems here: 1. the percentage taller allows for significant height increases that affect the visual character of many types of sites, including but not limited to the lines themselves, any PTRCS', 2. many of these lines were constructed prior to Section 106 being in place, and the lack of "known" historic properties does not preclude the presence of such properties, 3. nor does it preclude the changes in exposure or condition of any known sites. 4. This also does not consider the visual character of historic properties not within the APE as defined by the NPA, but within the viewshed of a resource or PTRCS.	Appendix F.A.3.		13	This condition applies to existing infrastructure already in the viewshed. The condition was drafted to address situations where there would be a very low likelihood of encountering intact cultural material. In most instances, the area within 5 feet of an existing structure was previously disturbed during initial construction. In addition, Stipulation V (post review discoveries) would also apply. (now Appendix G)
Confederated Tribes of the Umatilla Indian Reservation	This is appropriate with some historic site types, but not in others (read: cabins or other perishable sites)	Appendix F.A.7.		22	Vegetation has historically been cleared for decades from many transmission line corridors. Cabins or other such structures are unlikely to be present within transmission line corridors. (now Appendix G)
Confederated Tribes of the Umatilla Indian Reservation	This should be defined and submitted for review, or at least in reports justifying the interpretation.	Appendix F.A.9.		30	Submitting the materials that would be utilized is impractical as they could vary depending on circumstances. However, the wording was edited to incorporate some potential examples in order to clarify the intent. (now Appendix G)
Confederated Tribes of the Umatilla Indian Reservation	Again, a survey should still be required when a replacement occurs, especially on older lines. A lack of "known" resources does not mean there is an absence of sites.	Appendix F.B.1.		38	The wording was edited to further clarify that an area no greater than 5 feet radius. This would be a typical area that would have been disturbed when the transmission structure was initially constructed (typically by a backhoe or other excavator). However, conducting a survey is not always necessary given the amount of typical prior disturbance associated. (now Appendix G)

Confederated Tribes of the Umatilla Indian Reservation	Consultation with tribes that may use an area for traditional practices to evaluate appropriate treatments is curtail in preserving PTRCS'.	Appendix F.B.11.		14	The wording of the condition was edited to clarify the intent and usage of herbicide. The usage would be limited to actively managed transmission corridors. For known PTRCS the agency would consult with the applicable Tribe to apply the condition. (now Appendix G)
Confederated Tribes of the Umatilla Indian Reservation	I would exclude the latter 4: trenching, heavy recreation use, severe erosion, and areas washed out/undercut. Important resources may still be present in these situations. Examples of ancestors present in existing utility trenches, for example, are well known.	Appendix F.B.2.		42	The CRS would verify the previous disturbance with respect to horizontal and vertical extent. In addition, the CRS may also need to apply other conditions and Stipulation V (Post Review Discoveries) would also apply. (now Appendix G)
Confederated Tribes of the Umatilla Indian Reservation	Do the "undertakings involving the replacement of existing transmission related infrastructure include impairments?	III.B.1.a.	4	6	Yes
Confederated Tribes of the Umatilla Indian Reservation	only by "greater than 25%"? That is rare, considering the height of these all are already. An increase of 10% is more common, and contributes additional visual impacts, especially where additional lines or bulkier equipment are included.	III.B.1.b.	4	13	The agencies believe 25% is a reasonable threshold for when a CRS would consult on an APE potentially larger than the horizontal and vertical limits of the undertaking given that height is associated with existing infrastructure and a 25% threshold would in most cases mean 15-20 feet of additional height, as opposed to 10% likely being 6-16 feet.  Undertakings that would consist of new construction or rebuilds would not be considered using the NPA and would instead follow the typical Section 106 process and necessitate an APE derived through consultation.
Confederated Tribes of the Umatilla Indian Reservation	And B.1.b. "...to take into account potential visual effects on historic properties within the APE' discounts historic properties that are impacted by the increase in height that the undertaking is within the viewshed for. This has major implications on HPRCSITs and TCPs for Tribes, especially since the largely linear undertakings have a fairly narrow footprint, and do not include or consider the landscape in which it sits. This is worsened by this PA. Such serious increases in height are significant and should be assessed for impacts on the surrounding visual landscape."	III.B.1.b.	4	24	The agencies believe incorporating a 25% threshold is reasonable given that any effect is a result of the increase in height as part of a new undertaking as opposed to the current height of existing infrastructure.
Confederated Tribes of the Umatilla Indian Reservation	When assessing the viewshed of APEs, we would recommend bare earth analyses are an important option, and depending on the historic place, may be the best option, sometimes in conjunction with sites visits and photographs.	III.B.2.b.ii.	5	7	The language in the NPA is a starting point to explain what information sources would be consulted and recognizes that site visits may also be necessary, depending on the ability to access areas outside the ROW.
Confederated Tribes of the Umatilla Indian Reservation	PTRCS data maintenance violates Tribes' rights to data sovereignty. Data maintained by any FTU should be only done under a separate data sharing agreement with each individual tribe, and not required by this PA.	III.B.2.c.ii.	5	19	Nothing in the NPA requires that Tribes share data with the agencies. However, once data is shared it becomes a Federal record subject to the Federal Records Act.
Confederated Tribes of the Umatilla Indian Reservation	consultation with Tribes to identify PTRCS' should occur at any time an undertaking is to be conducted within existing infrastructure at least whenever CR reviews are conducted, when it predates the requirements of Section-106, and the presence of ground crews have the potential to disrupt traditional cultural practices of an area.	III.B.2.c.iii.a.	5	27	Each FTU would consult with Tribes on an annual basis following Stipulation III.B.2.c.ii.(a). to identify PTRCS that could be affected by transmission O&M undertakings. Any PTRCS identified would then be incorporated into the provisions of applying the NPA. Certain undertakings that met the criteria defined at Stipulation III.B.2.c.iii.(a). would also be subject to individual consultation with Tribes to identify PTRCS. In addition, Stipulation III.D.2. requires the FTU to consult with applicable Tribes to apply the Appendix F conditions prior to reaching a finding of no adverse effect where there are known PTRCS'.
Confederated Tribes of the Umatilla Indian Reservation	C.2.a. in the utilization of Indigenous Knowledge in the assessment of NRHP eligibility, how is this knowledge protected?	III.C.2.a.	6	4	Information provided by Tribes related to Indigenous Knowledge could be protected under the provisions of Section 304 of the National Historic Preservation Act and/or Section 9 of the Archaeological Resources Protection Act as applicable consistent with Stipulation VIII.A.
Confederated Tribes of the Umatilla Indian Reservation	An accountability mechanism should be included in the case SHPOs or Tribes can object should they feel a sufficient reasonable and good faith effort has not been completed.	III.D.1.	6	7	A section was added to Stipulation XI.B. for consulting parties to raise issues specific to the application of the NPA to a specific undertaking.

Confederated Tribes of the Umatilla Indian Reservation	This is too short a window for Tribal review. If anything shorter than 30 days is deemed necessary, include a way to flag it and notify the Tribes of the shortened deadline.	III.F.2.b.	7	31	The 14 day review period is a second review period following an initial 30 day review period and was added so consulting parties could see how an HPTP was updated to reflect comments received during the initial 30 day review period.
Confederated Tribes of the Umatilla Indian Reservation	A complete evaluation should be completed for such a determination, and presented to the SHPO(s), Tribes, and consulting parties to align with "Reporting" in section III.D. above.	V.A.3.	8	11	The default consideration of isolates as not eligible in this section of the NPA is only with respect to post review discoveries after implementation of the undertaking has begun. A complete evaluation in these circumstances is not feasible for these types of resources.
Confederated Tribes of the Umatilla Indian Reservation	Again, please keep in mind the restrictive nature of the protections offered under Section 304, and be specific about what this confidentiality treatment really means.	VIII.A.	8	49	The agencies are aware of the restrictive nature of both Section 304 of the NHPA and Section 9 of ARPA. Nothing in the NPA requires Tribes to share sensitive information with the agencies. However, when information is shared, it will be protected to the fullest extent of the law.
Confederated Tribes of the Umatilla Indian Reservation	This should be resolved for prior to the FTU storing any confidential information belonging to any given Tribe.	VIII.A.	9	1	The agencies recognize the limitations and would work to explain the limitations prior to a Tribe providing sensitive information.
Confederated Tribes of the Umatilla Indian Reservation	I assume the stipulations of the FOE come AFTER documentation of identification efforts are transmitted to SHPO, Tribes, etc. Tribes and SHPOs should have the opportunity to object to whether a reasonable good faith effort has been made.	III.D.1.			The intent of the NPA is for the finding of effect to be made without submitting documentation to consulting parties in certain circumstances and/or if conditions from Appendix F can be applied. However, the order of the stipulations was shifted to clarify the order of operations.
Confederated Tribes of the Umatilla Indian Reservation	Tribes are involved in review of documentation of identification efforts to ensure a reasonable and good faith effort.	III.D.1.			The intent of the NPA is for the finding of effect to be made without submitting documentation to consulting parties in certain circumstances and/or if conditions from Appendix F can be applied. However, the order of the stipulations was shifted to clarify the order of operations.
Confederated Tribes of the Umatilla Indian Reservation	NHRP = NRHP		6		Thank you, the typo was corrected.
Confederated Tribes of the Umatilla Indian Reservation	the introduction of "unevaluated" and treated as eligible negates the protections provided by section 304 of the NHPA, as those only cover resources determined "eligible" and is not automatic. Protections only occur after consultation with the secretary of the interior.	III.C.1.	6	10	The ACHP website has some information regarding Section 304 that would likely be the same or similar to how the agencies would address eligibility of unevaluated resources with respect to confidentiality under Section 304: <a href="https://www.achp.gov/digital-library-section-106-landing/frequently-asked-questions-protecting-sensitive-information">https://www.achp.gov/digital-library-section-106-landing/frequently-asked-questions-protecting-sensitive-information</a>
Confederated Tribes of the Umatilla Indian Reservation	"An accountability mechanism should be included in the case SHPOs or Tribes can object should they feel sufficient reasonable and good faith effort has not been completed"	III.E.1.			The agencies updated Stipulation XI (Dispute Resolution) to retitle it "Dispute Resolution, Concerns, and Inquiries" and added a new stipulation (XI.B.) to address concerns regarding the application of the NPA to a specific undertaking.
Duwamish Tribe	There are locations of interest - one in Renton, including the substation and transmission lines and the other are the lines that run along the Cedar River, then northward through Issaquah and into Union Hill Novelty Hill. Screen grabs from the BPA's ArcGIS online map are included below. If ground disturbing work or activity that occurs below fill, topsoil or other impervious surfaces along or near these locations, the Duwamish Tribe would request that an archaeological or cultural resource assessment be performed.				BPA would identify historic properties consistent with either the NPA or 36 CFR 800 depending on the nature of the undertaking.
Duwamish Tribe	The Duwamish Tribe requests that if any archaeological work or monitoring is performed, we would like notification. Cultural and archaeological resources are non-renewable and are best discovered prior to ground disturbance. The Tribe would also like the opportunity to be present if or when an archaeologist is on site.				Understood. BPA would consult consistent with either the NPA or 36 CFR 800 depending on the nature of the undertaking.

Duwamish Tribe	The Tribe strongly recommends only native vegetation be used for any proposed landscaping to enhance habitat for fish and wildlife, and native avian life and native pollinators. The Tribe supports observing critical area tracts and stream buffers to preserve any remaining wetlands and stream buffers. Loss of wetland habitat is known to affect the viability of fish, water quality and increase the effects of seasonal urban flooding.				BPA would comply with other applicable laws and regulations to address vegetation and buffers when warranted.
Duwamish Tribe	We also strongly recommend that native trees in the APE, particularly culturally modified trees (CMTs) are preserved. Mature trees can be of profound cultural significance to the Duwamish Tribe and provide innumerable benefits for people, climate, and wildlife. If a tree is suspected to be culturally modified, the Duwamish Tribe would like to be notified and would like the opportunity to come to the site to ensure its protection.				BPA would consult consistent with the NPA or 36 CFR 800 depending on the nature of the undertaking.
Duwamish Tribe	The Duwamish Tribe understands emergency situations may arise along or near assets on our ancestral lands. The Tribe requests that we be contacted if such an occasion occurs to assist in protecting cultural resources including ancestral human remains.				BPA would notify the Duwamish Tribe consistent with Stipulation IV.B.
Duwamish Tribe	We would like to receive annual reporting, especially any activities that relate to archaeological monitoring.				Tribes will receive annual reports (please see Stipulation IX.A.).
Georgia SHPO	We strongly urge reconsidering the 25% height increase exemption standard. Our recommendation would be to limit the height increase exempted from further review at 10%. It's been our experience that height increases for utility infrastructure that exceed 10% can potentially be a significant visual intrusion, depending on the location of the taller structure(s). Georgia has varied topography ranging from coastal plains to mountainous areas, however most of TVA's infrastructure in Georgia is located in the northern portion of the state, within which mountains and hilly terrain are located. Because of the potential for increased visual impacts when a structure's height increases over 10% in these areas, we recommend those increases be reviewed by qualified cultural resource staff to discern appropriate effects.	III.B.1.b.			The agencies believe 25% is a reasonable threshold for when a CRS would consult on an APE potentially larger than the horizontal and vertical limits of the undertaking given that height is associated with existing infrastructure and a 25% threshold would in most cases mean 15-20 feet of additional height, as opposed to 10% likely being 6-16 feet.  Undertakings that would consist of new construction or rebuilds would not be considered using the NPA and would instead follow the typical Section 106 process and necessitate an APE derived through consultation.
Georgia SHPO	We concur with the proposed evaluation outlined in this stipulation under NRHP Criteria A and C, however, we'd like to point out there are other instances where setting and feeling are key. For example, under Criterion B for a property associated with a painter who painted views from their house, setting and feeling would be key. Therefore, we recommend against limiting evaluation only to Criteria A and C as the limitation might not allow full evaluation in all areas of the country covered by this NPA.	III.B.2.b.ii.			The agencies believe criteria A and C are most applicable. The proposed scenario is highly unlikely because as presented, the significance of the property would more likely be associated with the painter (person) themselves, rather than what they painted. Additional modern infrastructure, including the existing transmission infrastructure may have also been added to the viewshed.
Iowa SHPO	Does this include new installation of ditches, culverts, roads, etc.? If so, such new infrastructure could affect historic properties.	Appendix E: Access Roads	Appendix E: Access Roads	37	The purpose of Appendix E is to present a list of activities/undertakings that are common which would be screened using the process described by the NPA. Many of the activities/undertakings described in Appendix E could affect historic properties.
Iowa SHPO	If flagging is needed within the APE to limit or avoid effects to historic properties, then our office would consider this to be no adverse effect versus no historic properties affected.	Appendix F.A.4.		16	Depending on the specific circumstances of the undertaking, the use of flagging and potentially application of other conditions could result in a finding of no historic properties affected or no adverse effect depending on whether or not an effect would result. (now Appendix G)

Iowa SHPO	Monitoring to avoid affects to historic properties would not be a situation where there are "no historic properties affected". Typically, use of monitors to ensure preservation of a property within an APE would constitute "no adverse effect".	Appendix F.A.6.		20	Monitoring would be applied along with another condition, for example A.1., to reach a finding of no historic properties affected. In other instances, monitoring would be applied as condition B.4. along with another condition to reach a finding of no adverse effect. (now Appendix G)
Iowa SHPO	Presence of dense brush does not eliminate potential for significant archaeological sites. In powerline corridors, vegetation is often dense. We recommend density of vegetation be removed.	III.B.2.b.i.	5	4	The qualifying statements in the stipulation are meant to describe areas where a physical inventory would not likely to be able to be performed. The stipulation was edited to note that it would be up to the professional judgement of the CRS to determine if inventory is reasonable or safe.
Montana SHPO	Will this be monitored? What will happen after the project? Will the capping remain or will it be removed? If it's removed will that be monitored?	Appendix F:B.6.	22	5	Yes, condition B.4. (monitoring) would also be applied. Capping would remain in place. (now Appendix G)
Montana SHPO	Add this under the ACHP (II.B) as well since as written currently, they are also involved in this process.	II.C.1.	3	49	Edited language accordingly.
Montana SHPO	This only applies to the parts of the APE that is covered by past survey - if a portion of the APE is not covered by past survey than it needs to be looked at.	III.B.2.a.ii.	4	30	The prior effort to identify historic properties would need to constitute a reasonable and good faith effort with respect to the current undertaking's APE.
Montana SHPO	I still think changing this to say "and would be accepted as meeting the archaeological and/or historic preservation standards of today" would be more clear and just as encompassing. Just because reports are in our database and were "accepted" does not mean they were good reports.	III.B.2.a.ii.(a)	4	34	The language in Stipulation III.B.2.a.ii.(a) and III.B.2.a.ii.(b). was slightly edited to reflect that a report would need to have met standards at the time it was submitted and that the CRS would use their professional judgement to determine if a reasonable and good faith effort was made. The agencies would prefer to rely on the reasonable and good faith effort standard from the regulations which is more encompassing (36 CFR 800.4(b)(1)) and includes consideration of "other applicable professional, State, tribal and local laws, standards, and guidelines".
Montana SHPO	Can we add, "and timeline for completing said treatment and/or mitigation"?	III.F.2.a.vi.	7	25	Yes. Added Stipulation III.F.2.a.vii. "HPTP duration".
Montana SHPO	State antiquities laws also need to be followed when work is occurring on state lands. This should be referenced somewhere in this document.	Whereas	1	36	The NPA is focused on compliance with Section 106. Other than treatment of human remains, other potential cultural resources compliance that could apply to a particular undertaking are not referenced (the Archaeological Resources Protection Act for example). However, there are other cultural resources complinace actions that could apply to specific undertakings, including state permitting.
Montana SHPO	Appendix F should go through consultation similar to a regular amendment to the agreement. All of the other appendices can fall under the no formal amendment process.	XII.B.	10	2	NCSHPO would solicit feedback from SHPOs prior to agreeing to update Appendix F (now Appendix G).
Montana SHPO	Would the FTUs be amenable to having a meeting prior to extending this agreement rather than just having agreement in writing? This would still allow extension without a full amendment, but would require a check-in at the end of 10 years, 15 years, 20 years, etc. until the maximum time was used.	XIV.A.	10	21	Yes, edited the stipulation to note that a meeting would occur before agreeing to extend the duration of the NPA.
Montana SHPO	Just to clarify do all three of these need to be met for the CRS to consult with Tribes to identify PTRCS? If not, each "and" should be changed to "or"	III.B.2.c.iii.(a)	5	27	Yes, all three would need to be met.
Osage Nation	"Cultural Resources" needs defined, as informed by S106/NPS, as it's use in this draft is not consistent with better usage elsewhere.	Appendix D		17	Added a cultural resource definition.
Osage Nation	Such poles are usually soaked in creosote; a toxic substance that can adversely affect soil/ground water. Removal is preferable, but if removal requires subsurface ground disturbance it should be monitored by an SOI-qualified archaeologist.	Appendix F. B.10.		13	Edited the condition for clarity. (now Appendix G)
Osage Nation	The Osage Nation requests an avoidance area of a 100m buffer around Osage Nation concerns identified through consultation efforts.	Appendix F.A.4.		17	The condition was edited to add "at least" regarding distance to recognize that the CRS may need to establish a buffer greater than 50 feet in some instances. A distance of 100 meters would be unmanageable given that most FTU right of ways are narrower. (now Appendix G)

Osage Nation	While this is appropriate for "archaeological historic properties" and precontact archaeological sites it's not necessary for the most common types of "unevaluated cultural [sites]" which tend to be mid-20th century trash scatters. No avoidance or consulting with the Osage Nation needed for historical sites unlikely to have a precontact component or where such is unlikely to be disturbed if present.	Appendix F.A.4.		17	Thank you for the clarification. (now Appendix G)
Osage Nation	By an SOI qualified archaeologist.	Appendix F.A.6.		20	The condition was edited to note that monitoring would be conducted under the oversight of an SOI qualified archaeologist. (now Appendix G)
Osage Nation	Vegetation in close proximity to graves may be features of such sites and merit special consideration and/or avoidance.	Appendix F.A.7.		23	When these locations are known the FTU would consult with Tribes. (now Appendix G)
Osage Nation	Ancestral remains have been exhumed via travel on access roads through and via the erosion of significant sites. Focus on "intact cultural deposits" does not address that potentiality; that focus reflects archaeological rather than tribal values.	Appendix F.A.7.		27	For a specific undertaking, additional conditions may need to be applied in order to reach a finding of no historic properties affected. In addition, Stipulation V (Post Review Discoveries) would also apply. (now Appendix G)
Osage Nation	Again, the focus on "intact cultural deposits" reflects an archaeological value on research potential rather than the tribal value placed on human remains. Land-leveling of historically cultivated fields has exhumed ancestors; prior disturbance may have diminished the archaeological value of such places but not the importance of preserving ancestral remains to tribes.	Appendix F.A.9.		31	For a specific undertaking, additional conditions may need to be applied in order to reach a finding of no historic properties affected. In addition, Stipulation V (Post Review Discoveries) would also apply. (now Appendix G)
Osage Nation	What about increased depth necessary to support a structure of increased height?	Appendix F.B.1.		38	If the height were increased by more than 25% then the condition would not be able to be applied. If the structure were increased less than 25% the increase in depth would be less, and the probability of encountering cultural material less as well since the necessary depth wouldn't increase as much. Additional conditions may need to be applied as well in order to reach a finding of no adverse effect and Stipulation V (Post Review Discoveries) would apply. (now Appendix G)
Osage Nation	Slopes of 20+% do not preclude potential for cultural sites of concern to tribes (cairns, etc.).	Appendix F.B.1.		41	The condition was edited to note that an existing disturbed area consisting of a landing as well as the 20% slope would also need to be present in order to utilize the condition. (now Appendix G)
Osage Nation	Prior disturbance doesn't diminish the significance of ancestral remains to tribes.	Appendix F.B.2.		46	The level of disturbance would need to be sufficient for the CRS to reach a finding of no adverse effect which could necessitate applying additional conditions (monitoring for example). In addition, Stipulation V (Post Review Discoveries) would also apply. (now Appendix G)
Osage Nation	SOI	Appendix F.B.3.		47	The condition was edited to note that flagging would be conducted under the oversight of an SOI qualified individual. (now Appendix G)
Osage Nation	SOI-	Appendix F.B.4.		1	The condition was edited to note that monitoring would be conducted under the oversight of an SOI qualified individual. (now Appendix G)
Osage Nation	Erosion of non-paved access roads is common, to be expected, and often reveals potentially significant archaeology. However, inexperienced CRS may not, from a desk, be aware of this variable such that they are able to reasonably determine the level of change that has occurred since initial survey, blading, or last maintenance. Training with respect to the environmental variables likely to have increased the potential for site discovery and/or adverse affects to sites revealed by access roads would be appropriate prior to assigning this task to potentially inexperienced CRS. A training component for CRS would be appropriate prior to and during implementation of the NPA.	III.B.2.a.ii.(c)	4	42	The NPA describes the requirements that will be met by FTU CRSs and the NPA has a training component.
Osage Nation	Consult with tribes to define "heavily disturbed," many significant cultural resources are still located in areas that have been mechanically modified or have experienced erosion.	III.B.2.b.i.	4	50	This assessment would be made during the course of conducting a field survey or examination of aerial imagery, soil records, geological studies, etc. Amended language to add "using professional judgement".
Osage Nation	Define steep slopes	III.B.2.b.i.	5	1	Edited the language to note that these areas would be steep enough to be a safety concern.

Osage Nation	Steep slopes do not "preclude" the potential for cultural concerns. Many significant Osage Nation cultural features are located on fairly steep slopes. While these may not be ideal conditions to shovel test, a walkover or careful inspection of LIDAR imagery, rather than writing off such slopes, is requested.	III.B.2.b.i.	5	2	Edited the language to use the word "limit" instead of "preclude" to recognize that cultural resources could be present.
Osage Nation	And undertakings that include ground disturbing activities	III.B.2.c.iii.(a)	5	27	This stipulation is focused on when the FTUs would consult to identify PTRCS, consultation on ground disturbing activities may occur depending on specific conditions.
Osage Nation	What identification efforts are being taken, does this include consultation with tribes in identifying cultural resources?	III.B.2.d.i.	5	42	The CRS would determine what identification efforts would be undertaken in order to make a reasonable and good faith effort to identify historic properties. In certain circumstances (e.g. Stipulation III.B.2.c.iii.) the CRS would consult with Tribes.
Osage Nation	Identification efforts need to include tribal consultation to ensure that cultural resources that are not listed on state databases/not available to the CRS without consulting with tribes can be properly protected.	III.C.1.	5	46	The NPA includes a process for requesting information from Tribes, if Tribes are amenable to providing information. In other stipulations, Tribal consultation would result if an undertaking meets certain parameters as described in the NPA.
Osage Nation	Consultation with tribes should occur prior to identification of cultural resources	III.C.2.a.	6	4	The language was edited to note that NRHP evaluations may include the incorporation of Indigenous Knowledge if shared with the FTUs.
Osage Nation	30 day review period	III.F.2.b.	7	31	The 14 day review period is a second review period following an initial 30 day review period and was added so consulting parties could see how an HPTP was updated to reflect comments received during the initial 30 day review period.
Osage Nation	And The Osage Nation	Title	1		According to the regulations (36 CFR 800.14(b)(2)) the NPA is a program PA. Signatories for program PAs consist of the agency official(s), the Advisory Council on Historic Preservation, and the NCSHPO (36 CFR 800.14(b)(2)(iii)).
Osage Nation	Good place to mention the need to seek training provided by tribes, such as the cairn identification training provided by the Osage Nation.	VII.A.3.	8	40	The agencies believe the wording "Additional project-specific training may be held..." is sufficient to cover any training opportunities that may be useful in reviewing transmission O&M undertakings.
Osage Nation	50K of lines equals more of access roads. Access roads cover the most area, cumulatively, and thus have the greatest potential to yield features/sites/potential ancestral remains. This needs better quantified.	Whereas	1	19	Updated language in the clause to reference tens of thousands of miles of access roads.
Osage Nation	State signatories and concurring parties	Whereas	1	20	There are no concurring parties since the PA is a program PA. Signatory parties are listed at the end of the recitals ("Now, therefore"). The signatories are also defined in Appendix D.
Osage Nation	Define APE	Whereas	1	34	APEs for individual undertakings will be defined separately for each undertaking as mentioned in the 5th whereas clause and in Stipulation III.B.1.
Osage Nation	5 years	XIV.A.	10	20	From the first draft NPA, the agencies updated the duration to 10 years, with the possibility of two 5 year additions if the signatories agreed. A 5 year duration is too short and would necessitate planning for another PA very soon after the execution of the NPA.