

1 Nationwide Programmatic Agreement for Routine Transmission Operations and Maintenance

2
3 I. Scope and applicability

- 4 A. The Federal transmission utilities (FTU)
5 B. Transmission O&M undertakings – Appendix ‘A’
6 1. Definitions – Appendix ‘B’
7 C. Does not apply on tribal lands (unless a tribe/THPO is a signatory)
8 D. Lead federal agency
9 E. This agreement’s relationship to other FTU PAs – The recitals will be used to define how
10 each FTU will use this PA.
11

12 II. Roles and qualifications

- 13 A. Agency official
14 B. Agency Federal Preservation Officer
15 C. Agency Cultural Resources Specialist (CRS). Meets Secretary of Interior standards.
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17 III. Review Process

18 A. Identifying Qualified Undertakings

19 B. Initiating Review Process

20 C. Historic Property Identification and Review

- 21 1. Define Area of Potential Effects consistent with 36 CFR 800.16(d)
22 2. Identify historic properties
23 a. Conduct background research/literature review
24
25 i. Methods of conducting background research.
26 ii. If previous survey has been completed, see Stipulation III.E.
27 iii. If a previous survey has not been completed, proceed to field
28 survey (III.C.2.b.).
29
30 b. Field survey
31
32 c. Properties of traditional religious and cultural significance to Indian
33 tribes
34 i. Recognize Special Expertise and Indigenous Knowledge
35 (a). Identification
36 (b). Confidentiality
37 (c). Assess NRHP eligibility
38
39 d. Results of identification
40 i. Negative – see III.E.1.
41 ii. Positive – see III.D.

42 D. Assess National Register of Historic Places Eligibility

- 43 1. CRS may treat unevaluated cultural resources as eligible for the purposes of this
44 agreement.
45

- 46 2. In instances where CRS makes determinations of eligible or not eligible, FTU
47 would consult (36 CFR § 800.4(c)(2)).
- 48 E. Determinations of Effect
- 49 1. No historic properties affected - A finding of no historic properties would be
50 made when:
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- 52 a. Previously surveyed area and no cultural resources were identified, or
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- 54 b. Previously disturbed area, or
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- 56 c. Review of the APE's environmental context indicates a low probability
57 for the presence of cultural resources.
- 58
- 59 2. No adverse effect
- 60 3. Adverse effect
- 61 F. Implementation of Conditions to Avoid or Minimize Adverse Effects
- 62 1. Conditions CRS could apply to undertaking that would result in a determination
63 of no historic properties affected or no adverse effect (Appendix 'C').
- 64 G. Resolving adverse effects through historic property treatment plans.
- 65 1. If the CRS finds that the undertaking would result in adverse effects, the FTU
66 may proceed by either proposing standard treatment measures documented in
67 a historic property treatment plan (HPTP) or prepare a site/project specific
68 HPTP.
- 69 IV. Emergency contingencies
- 70 A. Definition of emergency
- 71 B. Process
- 72
- 73 V. Post Review Discoveries
- 74 VI. ACHP burial policy
- 75 A. State burial statutes
- 76 B. NAGPRA
- 77
- 78 VII. Training
- 79 A. Development
- 80 B. Agency Requirements
- 81 C. Availability to other CPs
- 82
- 83 VIII. Confidentiality
- 84
- 85 IX. Annual reporting
- 86 X. Initial monitoring of the PA
- 87 XI. Dispute resolution

88 XII. Amendment
89 A. Counterparts
90
91 XIII. Termination
92 XIV. Duration
93 A. 20 years