

Attachment 1.

Klamath River Renewal Corporation Responses to FERC’s August 15, 2022, Letter regarding Updates to Historic Property Management Plan (HPMP)

Comment Number	FERC Comment	Renewal Corporation Response
1	Please update the HPMP to reflect the determinations of eligibility for National Register of Historic Places (National Register) provided by the California SHPO in its letter.	The Klamath River Renewal Corporation (Renewal Corporation) has updated the HPMP to reflect current status of eligibility determinations based on the California SHPO letter dated July 6, 2022. The updates are included in HPMP Tables 4-7, 4-8, and 7-2.
2	During Commission staff’s review of the California SHPO’s comments and your Phase II Report, we note that 10 sites that you recommend are eligible for listing on the National Register are inundated. Therefore, you were not able to complete Phase II work during the field season.	<p>Ten sites that are inundated: The Renewal Corporation will initiate Phase II work within <u>3 months after drawdown is complete</u>. The ten sites are:</p> <ul style="list-style-type: none"> CA-SIS-3913 CA-SIS-3914 CA-SIS-3915 CA-SIS-3920 CA-SIS-3921 CA-SIS-3924 CA-SIS-3925 CA-SIS-3926 CA-SIS-3930 CA-SIS-3942
3	Twelve other sites that are not inundated for which Phase II studies were proposed were also not evaluated but are recommended to be eligible. Please update the HPMP (particularly the tables in sections 4 and 7) to reflect that these 22 sites remain unevaluated, and the eligibility has not been determined at this time.	<p>Twelve sites that are not inundated: The Renewal Corporation understands FERC’s comment to refer to the following 12 sites, and has updated the HPMP (including Tables 4-7, 4-8, and 7-2) to reflect current eligibility status of these 12 sites based on California SHPO’s concurrence letter dated July 6, 2022:</p> <p>CA-SIS-326 – This is a large upland site that is also partially inundated as it likely expands into the reservoir and additional materials will be potentially exposed after drawdown. The Renewal Corporation will</p>

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		<p>update and clarify its recommendation for eligibility in the fieldwork summary report to be completed by February 2023.</p> <p>CA-SIS-2824 – This is an upland site and there are no anticipated impacts based on the 100% design plans. The Renewal Corporation does not plan to evaluate this site further.</p> <p>CA-SIS-2825 – This is an upland site that will be subject to construction impacts and the Renewal Corporation will conduct <u>Phase II fieldwork by November 2022</u> and revise the eligibility recommendation in a fieldwork summary report to be completed by February 2023.</p> <p>CA-SIS-1670 - This is an upland site and there are no anticipated impacts based on the 100% design plans. The Renewal Corporation does not plan to evaluate this site further.</p> <p>CA-SIS-1671 – This is an upland site that will be subject to construction impacts and the Renewal Corporation will conduct <u>Phase II fieldwork by November 2022</u> and revise the eligibility recommendation in the fieldwork summary report to be completed by February 2023.</p> <p>CA-SIS-2129 - This is an upland site that will be subject to construction impacts and the Renewal Corporation is reassessing eligibility. The Phase II Research Design indicated archival research only and no fieldwork is planned. The Renewal Corporation will conduct <u>archival research by November 2022</u> and revise the eligibility recommendation in the fieldwork summary report by February 2023.</p>

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		<p>LKP-2018-6 - This is an upland site and there are no anticipated impacts based on the 100% design plans. The Renewal Corporation does not plan to evaluate this site further.</p> <p>LKP-2018-7 - This is an upland site and there are no anticipated impacts based on the 100% design plans. The Renewal Corporation does not plan to evaluate this site further.</p> <p>CA-SIS-3918 - This is an upland site and there are no anticipated impacts based on the 100% design plans. The Renewal Corporation does not plan to evaluate this site further.</p> <p>CA-SIS-3919 - This is an upland site and there are no anticipated impacts based on the 100% design plans. The Renewal Corporation does not plan to evaluate this site further.</p> <p>CA-SIS-3927 – This is an upland site that will be subject to construction impacts and the Renewal Corporation will complete detailed <u>surface documentation by November 2022</u> and revise the eligibility recommendation in the fieldwork summary report by February 2023.</p> <p>CA-SIS-3938 - This is an upland site and there are no anticipated impacts based on the 100% design plans. The Renewal Corporation does not plan to evaluate this site further.</p>
4	Additionally, the California SHPO did not provide concurrence with your recommendations of National Register-eligibility for nine sites that were subject to Phase II investigations and two sites that	Nine sites subject to Phase II: The Renewal Corporation completed Phase II fieldwork at the following 9 sites. Based on this Phase II fieldwork, the Renewal Corporation made eligibility determinations for these nine sites. In its July 6, 2022 letter, the California SHPO concurred

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	<p>were evaluated based on archival information or surface surveys. Please review the California SHPO’s July 6, 2022, comments and update the HPMP to address the California SHPO’s concerns and requests regarding these sites. If additional consultation with the California SHPO is needed to finalize these determinations, please engage in such consultation, and document it in the HPMP.</p>	<p>with eligibility determinations for three sites and stated that it did not concur with eligibility determinations for six sites:</p> <p>LKP-2018-08 (Renewal Corporation determined as Eligible)—the Renewal Corporation has updated and clarified its recommendation that the historic component is eligible and precontact component is non-contributing in the fieldwork. summary report to be completed by February 2023. The Renewal Corporation does not believe additional Phase II fieldwork would be informative for this site, and no additional field work will be performed.</p> <p>CA-SIS-2403 (Renewal Corporation determined as Eligible) – The Renewal Corporation will clarify its recommendation that the site is eligible and is part of the K’ika·c’é·ki District TCP in the eligibility discussion in the fieldwork summary report to be completed by February 2023. The Renewal Corporation will not conduct additional Phase II fieldwork at this site.</p> <p>CA-SIS-3933 (Renewal Corporation determined as Eligible) - The Renewal Corporation will clarify its recommendation that the site is eligible and is part of the K’ika·c’é·ki District TCP in the fieldwork summary report to be completed by February 2023. The Renewal Corporation will not conduct additional Phase II fieldwork at this site.</p> <p>CA-SIS-3940 (Renewal Corporation determined as Eligible) - The Renewal Corporation will clarify its recommendation that the site is eligible and further develop its significance associated with the Cupped Rock Art Complex and as a TCP, in the fieldwork summary report to be</p>

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		<p>completed by February 2023. The Renewal Corporation will not conduct additional Phase II fieldwork at this site.</p> <p>LKP-2019-9 (Renewal Corporation determined as Eligible) – The Renewal Corporation has received specialized analysis reports to better address Criterion D and will update the eligibility discussion in the fieldwork summary report to be completed by February 2023. The Renewal Corporation will not conduct additional Phase II fieldwork at this site.</p> <p>LKP-2018-11 (Renewal Corporation determined as Eligible) - The Renewal Corporation has since received specialized analysis reports to better address Criterion D and will update the eligibility discussion in the fieldwork summary report to be completed by February 2023. The Renewal Corporation will not conduct additional Phase II fieldwork at this site.</p> <p>CA-SIS-3922 (Renewal Corporation determined as Eligible) – The California SHPO concurred with the Renewal Corporation’s determination, and the HPMP has been updated to reflect the concurrence</p> <p>CA-SIS-2239/3923 (Renewal Corporation determined as Eligible) – The California SHPO concurred with the Renewal Corporation’s determination, and the HPMP has been updated to reflect the concurrence</p> <p>LKP-2019-3 (Renewal Corporation determined as Not Eligible) – The California SHPO concurred with the Renewal Corporation’s</p>

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		<p>determination, and the HPMP has been updated to reflect the concurrence</p> <p>Two sites evaluated based on archival info/surface surveys:</p> <p>The two sites that the Renewal Corporation evaluated based on archival information are:</p> <p>CA-SIS-2129 (Renewal Corporation determined as Eligible) - As noted above (as one of twelve sites that are not inundated), California SHPO did not concur with CA-SIS-2129 and the Renewal Corporation will update the HPMP to reflect the eligibility status.</p> <p>CA-SIS-3945 (Renewal Corporation determined as Not Eligible) - California SHPO did not respond to the Phase II report evaluation of CA-SIS-3945. The Renewal Corporation will not conduct additional Phase II fieldwork at this site.</p> <p>Section 9.13 of the HPMP has been revised to commit the Renewal Corporation will consult with the California SHPO to resolve evaluation status for these two sites prior to the submittal of the fieldwork summary report to be completed by February 2023.</p>
5	<p>In addition, based on comments from the California SHPO, additional phase II work needs to be conducted for sites that are inundated. You may have to conduct additional survey work for those non-</p>	<p>Plan and Schedule for completing work:</p> <p>The Renewal Corporation has updated Section 9.13 of the HPMP to commit that, for those sites where the Renewal Corporation anticipates there will be project impacts at 100% design, the Renewal Corporation will conduct fieldwork by <u>November 2022</u> for accessible upland sites and</p>

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	<p>inundated sites that you cannot avoid that were not subject to phase II investigations. Therefore, please provide a plan and schedule for completing this work and incorporate it into the HPMP.</p> <p>FERC 8/15/22 letter, p. 2.</p>	<p>update eligibility recommendations in a fieldwork summary report. Section 9.13 of the revised HPMP commits the Renewal Corporation to providing this report to FERC by <u>February 2023</u>.</p> <p>Section 9.13 of the HPMP has been revised to commit the Renewal Corporation to initiating a survey of submerged areas and Phase II evaluation work on submerged sites <u>within 3 months after completion of drawdown</u>. Section 9.13 of the revised HPMP stipulates that the Renewal Corporation will submit to FERC an identification and evaluation report for the submerged resources within <u>6 months</u> after completion of the fieldwork.</p>
6	<p>Please also provide clarification in the HPMP regarding the resolution of adverse effects on archaeological sites that cannot be avoided. For example, treatment of some sites in Tables 7-1 and 7-2 includes both “avoidance” and “data recovery” (see site 35LK2412). The HPMP must identify in Table 7-2 and discuss what mitigation measures would be conducted specific to historic properties and cultural resources. If specific measures cannot yet be determined due to the inability to determine exact project impacts for specific sites, please indicate that in Table 7-2 of the HPMP.</p>	<p>General Response: The HPMP has been revised to include a new table and text which explains the Renewal Corporation’s NRHP Evaluation Process and Resolution of Adverse Effects in Section 8.2. Table 7-1, <i>Archaeological Treatment Measures: Effects and Responses</i>, has been updated and the Renewal Corporation added text in the preceding paragraphs under Section 7.1 to clarify it will propose treatment measures for each historic property through the use of Historic Property Treatment Plans (HPTPs); HPTPs are then discussed further in revised Section 8.2. This addresses California SHPO comments regarding the inability to determine exact project impacts for all sites at this time. The table is revised to reflect impacts associated with 100% engineering design as of September 2022.</p> <p>Table 7-2, <i>Proposed Management Measures for Archaeological Historic Properties</i>, lists the Renewal Corporation’s proposed measures for each site. For some sites, multiple measures will be completed. In the cases</p>

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	Specifically, we recommend updating the HPMP, and in particular, Table 7-2 (Proposed Management Measures), to:	where “avoidance” and “data recovery” were marked in the May 2022 HPMP Draft, it was noted in the Comments column that if avoidance were not possible, the Renewal Corporation will consider data recovery. In some cases, data recovery or erosion control is noted with a [?] symbol. As noted at the bottom of the table in “Table Notes”, this is to indicate that the measure, such as erosion control, is more likely to be a concern at this site as compared to others but may be contingent upon future observations such as those made during site condition monitoring. The Renewal Corporation has revised Table 7-2 to reflect proposed measures based on updated 100% engineering design plans and current eligibility status.
7	Note that the evaluation of the 12 sites that are not inundated and were to be subject to Phase II investigations need not be treated as “post-review discoveries” as evaluation of these sites could occur pre-drawdown;	The Renewal Corporation acknowledges that sites that are not inundated will not be treated as “post-review discoveries.”
8	Provide, to the best of your ability, more specific treatment measures for the mitigation of impacts to each site (unless impacts are unknown) instead of providing a range of possible measures;	The Renewal Corporation has revised Table 7-2 to reflect specific treatment measures based on 100% engineering design plans. The table includes measures that the Renewal Corporation proposes for each site. However, as discussed above, Section 9.13 of the HPMP has been revised to commit the Renewal Corporation to perform additional fieldwork based in part on California SHPO’s July 6, 2022, response letter, and pending Oregon SHPO’s review of eligibility determinations submitted in May 2022. The report of his fieldwork is to be submitted to FERC in February 2023. Therefore, the Renewal Corporation may propose in its February 2023 report to FERC that some of the management measures be revised. The HPMP revisions require the

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		Renewal Corporation to provide HPTPs to consulting parties to resolve adverse effects to specific sites.
9	Clarify the decision-making process regarding in-field determinations of eligibility and selection of treatment measures. Please include a flow chart to aid in understanding the processes for both known sites and post-review discoveries;	The Renewal Corporation has modified the HPMP to clarify the decision-making process regarding in-field determinations of eligibility and selection of treatment measures in revised Section 8.2, NRHP Evaluation and Resolution of Adverse Effects. A new table has been added, Table 8-1, <i>Consultation Process and Review Times</i> .
10	Discuss TCRs 5-8 identified in the California Water Board April 9, 2020 Environmental Impact Report. FERC 8/15/22 letter, pp. 2-3.	The Renewal Corporation added discussion of California AB 52 Mitigation Measures TCRs 5-8 in Section 1.3.2. Originally the Renewal Corporation only discussed Mitigation Measures TCRs 1-4 because these relate to development of the HPMP (TCR-1), Looting and Vandalism Prevention Program (TCR-2), Inadvertent Discovery Plan (TCR-3), and an Endowment for Post-Project Implementation (TCR-4), each of which are addressed by or discussed directly in the Draft HPMP. Mitigation Measure TCR-5 clarifies that TCRs-1 through 3 do not apply to the Yurok Reservation. The Area of Direct Impacts does not include any lands of the Yurok Reservation. Mitigation Measures TCR-6 (Land Transfer), TCR-7 (Land Easement and Transfer Stipulations) and TCR-8 (Off-site Land Transfer) pertain to mitigation measures that the California State Water Board suggested as possibly reducing impacts, but they did not rely on their implementation in reaching their significance determinations for the Final EIR because it was infeasible for the Renewal Corporation to implement under the terms of the KHSA.

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		<p>The HPMP provides an update to the current status of TCRs 5-8 in Section 1.3.2. The Renewal Corporation will transfer lands to the States of California and Oregon and will therefore have no control over any easement or transfer stipulations that the states may enact (TCR-6 and TCR-7). The Renewal Corporation has not purchased land for off-site land transfer as a mitigation measure (TCR-8).</p> <p>The following is an update on the planning process for the potential future ownership and management of the California Parcel B lands as contemplated Mitigation Measure TCR-[insert]:</p> <p>The California Natural Resources Agency and California Department of Fish and Wildlife (collectively the “State of California”) continue their consultation with Tribes to help develop a plan for the future ownership and management of California Parcel B lands. These efforts are guided by the Statement of Administration Policy on Native American Ancestral Lands released by Governor Newsom on September 25, 2020, and the California Public Utility Commission’s guidelines to implement its Tribal Land Policy.</p> <p>Over the past twelve months, the State of California sent notices to 16 potentially affected tribes that there is an opportunity to consult on the management and disposition of California Parcel B lands. The State of California received positive responses from three tribes. The State held independent consultations with each of the three tribes where updates to the process were provided, and an invitation to submit additional comments in writing. A site visit is scheduled between three tribes and the State on October 21. The parties will visit recreations sites, certain</p>

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		<p>buildings, and culturally sensitive areas on Parcel B lands to help inform future management and disposition.</p> <p>Once consultation with Tribes is complete, the State of California will consider input from Klamath Hydroelectric Settlement Agreement (KHSA) signatories and other interested parties, reconcile differing perspectives, and finalize its decision for the future ownership and management of land.</p>
11	<p>Please also provide more information about how determinations of appropriate treatment will be made “in the field” during project activities (drawdowns, etc.). For example, section 8.5 of the HPMP states that following additional surveys, National Register evaluations would be undertaken in accordance with 36 CFR § 800.4(c), but section 8.6 states that determination of appropriate treatment would follow the process for inadvertent discoveries provided in section 7.1 of the proposed Monitoring and Inadvertent Discovery Plan (MIDP, HPMP Appendix B). The MIDP refers to the 48-hour process provided in 36 CFR § 800.13(b)(3) for eligible post-review discoveries “without prior planning” and states that the Klamath River Renewal Corporation’s Cultural Resources Specialists (CRS) would</p>	<p>The Renewal Corporation has modified the HPMP to clarify the decision-making process regarding in-field determinations of eligibility and selection of treatment measures in revised Section 8.2, NRHP Evaluation and Resolution of Adverse Effects. A new table has been added, Table 8-1, <i>Consultation Process and Review Times</i>.</p> <p>Sites for which planning is possible are not post-review discoveries and the process for evaluation and assessment of effects of these sites will follow a consultation process as outlined in Table 8-1, <i>Consultation Process and Review Times</i>. The MIDP summarizes the 48-hour Post-Review Discovery Process, which is introduced in the HPMP.</p>

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	<p>determine appropriate site treatment after “notification” is provided to the Commission, Advisory Council, Oregon SHPO, California SHPO, participating Tribes, applicable federal land managers, and other consulting parties. It is not clear that that this same process would also apply to previously documented resources that are not inundated and were proposed for Phase II evaluations but remain unevaluated. These sites are not post-review discoveries and the process for evaluation and assessment of effects of these sites should commence as quickly as possible and should follow the standard section 106 process provided in 36 CFR §§ 800.4 and 800.5.</p>	
12	<p>In addition, we recommend consulting with the SHPOs to determine if National Register evaluations are necessary if effects to cultural resources could be resolved through monitoring, restricting vehicle access, signage, and other non-intrusive measures. FERC 8/15/22 letter, p. 3.</p>	<p>The Renewal Corporation’s consultant (AECOM) and California SHPO had a telephone meeting on 8/29/2022. California SHPO stated that eligibility must be determined before effects can be resolved. Additional consultation meetings with the California SHPO were convened on 8/9/2022 (as a part of the Cultural Resources Working Group (CRWG) meeting), 8/12/2022, and 8/13/2022. Appendix E includes the meeting minutes from these meetings. The Renewal Corporation will continue to consult with the California SHPO concerning eligibility and effects; provide recommendations to FERC regarding NRHP eligibility for sites affected by the Project; and propose measures (in an HPTP if applicable) to avoid, minimize, or mitigate adverse effects in consultation with the</p>

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		California SHPO and consulting parties. These steps will be taken consistent with the timelines noted in responses 1 and 3 and according to the consultation review periods in Table 8-1 and implementation schedule outlined in Table 9-1 of the HPMP.
13	We agree with your recommendations in section 4.3 of the HPMP to consider the Big Bend Traditional Cultural Property (TCP), the Klamath Cultural Riverscape; and the Kikacéki District TCP as eligible for listing on the National Register. We request that you consult with the California SHPO and participating Tribes regarding the effects of decommissioning activities on these properties and present the results of this consultation in section 6.3 of the revised HPMP. FERC 8/15/22 letter, p. 3.	<p>The Renewal Corporation’s consultant (AECOM) and California SHPO had a telephone meeting on 8/29/2022. California SHPO stated that before it will comment on effects to the TCPs and Riverscape, they must have confirmation of the Tribes’ views concerning eligibility. California SHPO stated that the tribes must be consulted and provide their comments in writing. Subsequent to this meeting, the Renewal Corporation and consultant (AECOM) hosted a CRWG meeting on 9/9/2022. During the meeting, the Renewal Corporation reviewed its proposed modifications to the HPMP requested by FERC. During the discussion concerning the effects upon the Big Bend TCP, the Klamath Cultural Riverscape, and the Kikacéki District, several points were made:</p> <ol style="list-style-type: none"> 1) The Tribes that attended the meeting unanimously confirmed that they consider the Big Bend TCP, the Klamath Cultural Riverscape, and the Kikacéki District TCP eligible for the NRHP. 2) Upon hearing the Tribes’ statements, the Oregon and California SHPOs verbally confirmed that they agree with FERC’s determinations and the Tribes’ perspectives that Big Bend, Klamath Cultural Riverscape, and the Kikacéki Districts are eligible for the NRHP which is consistent with the recommendations made by the Renewal Corporation in section 4.3 of the HPMP. 3) The Tribes asserted that the continued existence of the dams and the environmental impacts from their past, present, and future operation, even with the current Section 106 protections, is an

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		<p>adverse effect upon these historic properties and upon their culture and people and that their removal represents a clear benefit that outweighs potential adverse effects upon other cultural resources impacted by the project.</p> <ol style="list-style-type: none"> 4) Several Tribes anticipate that they will be providing FERC with additional communications reiterating their support for the Project, that the HPMP should be accepted, and the PA needs to be signed as soon as possible by the Signatories. 5) The ACHP committed to contacting FERC to confirm the upcoming schedule for final consultations involving the Programmatic Agreement (PA) and that consultation will be expedited. 6) The Renewal Corporation reiterated that the Project schedule is in a critical stage and that it is important for FERC to make a decision regarding the LSO soon after October 3, 2022 so it may implement the project and ensure that preconstruction commences and that reservoir drawdowns can begin in Year 2. 7) The ACHP, OR and California SHPOs confirmed that they understand the critical nature of the Project schedule and as soon as FERC forwards the next draft of the PA, the agencies will engage with FERC staff to finalize the agreement. <p>The ACHP, OR and California SHPOs, and Renewal Corporation met on Monday September 12, 2022 to make final clarifications concerning the statements made on September 9, 2022 and the actions needed by the SHPOs, ACHP, and Renewal Corporation in regards to the eligibility of TCPs, HPMP, and PA.</p>

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		<p>On September 13, 2022, the Renewal Corporation sent a letter to the California SHPO and Oregon SHPO, requesting concurrence on the eligibility of the Kikacéki District TCP, Klamath Cultural Riverscape, and the Big Bend TCP. AECOM hosted a meeting with the CA and Oregon SHPO on September 13, 2022 to discuss the contents of the letter. Consultation with the SHPOs is ongoing.</p> <p>The Renewal Corporation has revised Section 6.3 to include the results of this consultation. The meeting summaries and the list of meeting participants are included in Appendix E of the HPMP. Appendix F includes the correspondence from the Renewal Corporation to the California SHPO and Oregon SHPO.</p>
14	<p>Within 30 days of the date of this letter, we request you file a revised HPMP that addresses the comments in this letter and the California SHPO’s and the Advisory Council’s comments. When filing the revised HPMP, you should also include documentation of your consultation with the California and Oregon SHPOs, Advisory Council, participating Tribes, and other consulting parties. The Commission strongly encourages electronic filing. FERC 8/15/22 letter, p. 3.</p>	<p>The Renewal Corporation is filing a revised HPMP dated September 15, 2022. The Renewal Corporation has addressed California SHPO’s and ACHP comments.</p> <p>Documentation of consultation with California and Oregon SHPOs, ACHP, and Tribes is included in Appendix E and Appendix F of the HPMP.</p>

Attachment 2.

Klamath River Renewal Corporation’s Responses to ACHP’s June 21, 2022 Comments Regarding Updates to May 2022 Historic Property Management Plan

Comment Number	ACHP Comment	Renewal Corporation Response
1	The mischaracterization of FERC’s consideration and issuance of the License Surrender Order (LSO) as the undertaking under Section 106 must be changed globally throughout the PA, HPMP, MIDP, and LVPP.	The HPMP, MIDP, and LVPP have been globally revised after taking into account the ACHP’s suggestions concerning FERC’s LSO, the definition of the undertaking, and what is the federal action.
2	For all previous studies or identified properties referenced in the HPMP for which SHPOs have yet to provide concurrence on eligibility, effect, and resolution of adverse effect, and other consulting parties have not had a documented opportunity to comment regarding recommended determinations of eligibility and findings of effect, and proposed resolution of adverse effects, where in the HPMP is the clear and detailed process set forth for the consultation necessary to address such findings, determinations, and proposed resolution of adverse effects?	The HPMP has been revised to more precisely identify the consultation protocols and implementation schedules for determinations of eligibility, findings of effects and development of Historic Property Treatment Plans. See for example Tables 8-1 and 9-1 of the HPMP. The HPMP includes the latest (September 2022) updates in consultation regarding the eligibility concurrences received from the SHPOs. For those components of consultation that have not been completed, the HPMP has been updated to reflect that consultation is “pending” or “ongoing.”
3	The best way to do this would be to provide a process for each of the phases of the undertaking, similar to the Phases of the undertaking referenced in Section 2.1 of the HPMP i) The different phases should include: (1) Pre-drawdown for all properties located in the APE, including those identified in previous surveys (2) Drawdown (3) Post-Drawdown Removal/Demolition (4) Post-Drawdown Surveys in footprint of reservoir (5) Post-Drawdown Restoration work.	This comment has been taken into account and when known, the applicable tables have been updated to reflect which resources would be affected by which phase. An implementation schedule, informed by the applicable project phase has been developed (Table 9-1) in response to comment to provide reviewers with currently anticipated timeline for the implementation of identification efforts and reporting.

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4	<p>Obviously Table 7.2 is the heart of the HPMP. It includes previous or recommended determinations of eligibility, recommended assessments of effect, and proposed steps to resolve adverse effects for previously identified properties</p> <p>i) Is review of the HPMP by SHPOs, Tribes, other consulting parties considered to be the consulting party opportunity to comment, concur, or disagree with determinations of eligibility, assessment of effect, and proposed resolution of adverse effect? (1) Has this been stated anywhere? How? When? (2) If so, have SHPOs, tribes, and consulting parties concurred with this process. That is, have they concurred with using review of the HPMP as the vehicle for consultation on determinations of eligibility, findings of effect and adverse effect, and proposals for resolution of adverse effects for the previously identified properties? (3) Comments on an HPMP do not necessarily or automatically equate with concurrence on determinations of eligibility, assessment of effect and adverse effect, and steps to resolve adverse effects to a specific historic property or to adverse effects in general. (4) Everybody in this consultation needs to be clear about where things stand.</p>	<p>The HPMP has been revised to update the consultation protocol so that the applicable parties, the timeline for reviews, and the principal decision points such as changes to the APE, determinations of eligibility, and findings of effect/review of Historic Property Treatment Plans (HPTPs) are identified and explained. During a meeting with the Tribes on September 9, 2022, the Tribes requested that they find the HPMP acceptable and that the ACHP, FERC, OR and CA SHPOs sign the Programmatic Agreement as soon as practicable.</p>
5	<p>What are the timeframes for any such consultation? Section 9.4 of the HPMP references timelines specified in the PA and MIDP (1) The PA only has a reference to 30 days that appears to be inserted as an afterthought in Stipulation I. a. (a) This reference to a 30-day response time should be a separate sub-stipulation under Stipulation</p>	<p>See Table 8-1 of the revised HPMP. The consultation periods in the MIDP will be checked for consistency to ensure that the consultation periods outlined in HPMP Table 8-1.</p>

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Comment Number	ACHP Comment	Renewal Corporation Response
	<p>I which should include sub-stipulations on development, finalization, implementation, and amendment, etc., of the HPMP. (b) The HPMP should include a description of the consultation to be carried out for determinations of eligibility, findings of effect, and resolution of adverse effect and associated time frames for review and response.</p>	
<p>6</p>	<p>Post-Review Discovery and Emergency should be treated differently a) Emergencies should be defined and treated as emergencies are under the Section regulations at 36 CFR 800.12 i) Either you cite the appropriate portions of the Section 106 regulations as the process to follow or you create your own process under the HPMP. If you try to do both, you create confusion. Don’t loosely characterize or paraphrase the process set forth in the regulations and then cite the regulations too. b) Post-Review discoveries are not Emergencies i) So either use the process set forth under 36 CFR 800.13 or create a specific process for this undertaking ii) I would recommend you create a specific, different process appropriate to each of the different phases, or groupings of phases of the undertaking as appropriate. It may be problematic to create one process and then talk about exceptions to it. That can get confusing. Also, I don’t think that Post-Drawdown Surveys in footprint of reservoir should be considered post-review discovery. Those surveys are part of the identification effort, delayed till after drawdown. (1) The different undertaking phases that might require different Post-review Discovery protocols might be: (a) Pre-drawdown</p>	<p>The section concerning emergency responses has been deleted and the post-review discovery process has been revised to more closely follow the requirements of 36 CFR 800.13. Table 9-1 was prepared to identify when components of the HPMP would be implemented and connected the implementation period with a particular phase/activity of the Project.</p>

Attachment 2.

Klamath River Renewal Corporation’s Responses to ACHP’s June 21, 2022 Comments Regarding Updates to May 2022 Historic Property Management Plan

Comment Number	ACHP Comment	Renewal Corporation Response
	preparations for drawdown; (b) Drawdown (c) Post-Drawdown Facility Removal/Demolition (d) Post-Drawdown during Restoration Work.	
7	The PA and the HPMP should provide clarification about timing related to FERC’s jurisdiction over the undertaking, and the associated “Implementation Period” for the terms of the PA and associated HPMP, MIDP, LVPP a) As fulfilling the terms of the PA should be one of the conditions on the License Surrender Order, then it would seem that FERC couldn’t issue a notice that the Surrender Order is effective, ending its jurisdiction and closing out the PA before the terms of the PA and associated HPMP, MIDP, and LVPP are completed. b) The duration clause in the PA should clarify these issues. The HPMP should also clearly explain these issues.	The duration of the HPMP has been revised to state that the HPMP will remain in place up until license surrender is “effective” signaling the end of federal jurisdiction. This determination will be made after FERC verifies that the Renewal Corporation has completed the obligations contained in the HPMP and PA in consultation with the consulting parties.

Attachment 2.

Klamath River Renewal Corporation's Responses to ACHP's June 21, 2022 Comments Regarding Updates to May 2022 Historic Property Management Plan

Comment Number	ACHP Comment	Renewal Corporation Response
8	Remove ACHP from all reviews in the PA, HPMP, MIDP, LVPP except for Dispute Resolution a) Remember that disputes about the eligibility of properties go to the Keeper of the National Register. That needs to be referenced appropriately in the PA and HPMP.	<p>Comment noted. Revisions to HPMP made as noted in comment with additional clarifications concerning when the Keeper would be consulted during disputes between a SHPO and FERC arise concerning the NRHP eligibility of a resource.</p> <p>In general, most of the ACHP's comments concerning recommended text edits have been accepted. A track change version of the HPMP has been provided for reference and tracking of those edits.</p> <p>The MIDP and LVPP have been revised to align with the latest changes to the HPMP particularly those related to the definition of the undertaking; consultation protocols for changes to the APE, determinations of eligibility, and findings of effect/preparation of HPTPs; discussion of mitigation developed under California state laws and regulations.</p> <p>The Renewal Corporation has revised the MIDP and LVPP in response to comments from the CA SHPO and the ACHP. In general, these revisions are consistent with the changes in the HPMP and reflect the latest updates concerning consultation protocols.</p>

Attachment 3.

Klamath River Renewal Corporation’s Responses to California SHPO’s July 6, 2022 Comments Letter Regarding Updates to May 2022 Historic Property Management Plan

Comment Number	CA SHPO Comment	Renewal Corporation Response
1	<p>In general, the document includes affirmation of things that have not yet occurred (consultation on the HPMP), indicates that things are still pending that, perhaps will be resolved in consultation with FERC/Signatory/Concurring Parties, etc.</p> <p>Therefore, it is recommended that these things be resolved in the final document to reflect the status of things upon completion. Otherwise, as written, it serves to confuse the consultation status.</p>	<p>The HPMP has been updated with latest information pertaining to consultation (through September 14, 2022), determinations of eligibility, and findings of effect. The status of consultation has noted as “pending” or “ongoing” as applicable throughout the HPMP.</p>
2	<p>The HPMP, as part of a PA, is only for the purposes of Section 106 of the NHPA, no other state laws. This should be corrected.....</p> <p>As previously stated, this HPMP is a document for the implementation of obligations under Section 106 of the NHPA. Obligations under state law are not governed by the MOA or HPMP and are, therefore, not appropriate to be signed off by any Signatory Party. For example, should the obligations under AB 52 or any other requirement change, the MOA and HPMP would require an associated change.</p>	<p>FERC requested in their August 15, 2022 letter that the HPMP include a discussion of mitigation measures derived from the state’s AB 52 consultation process (most notably in TCRs 5 through 8). In addition, the Oregon SHPO has requested that we add several additional laws into the regulatory environment section of the HPMP for Oregon in their response of January 2022. Inadvertent discovery plans implemented under Section 106 in the States of California and Oregon commonly refer to applicable state laws governing the protection of cultural resources. The ACHP encourages the coordination of Section 106 responsibilities with state laws. (See for instance https://www.achp.gov/drafting_section_106_agreements). To remove all references would result in a lack of coordination and may harm cultural resources and responses to inadvertent discoveries. It is acknowledged that the PA (and hence this HPMP) is <i>solely for documenting FERC's compliance with Section 106 of the NHPA</i>. Furthermore, if</p>

Comment Number	CA SHPO Comment	Renewal Corporation Response
		changes to state-required mitigation measures occur at the request of the state agency under state law, the HPMP would not be updated to reflect that change, but the Renewal Corporation would provide the consulting parties with an update on what those changes or updates entail in its Annual Report for informational purposes.
3	It may be premature to determine this as the mitigation measures cannot be agreed upon until historic properties have been surveyed, evaluated, and effects known. This will need modification.	This is a statement of overarching goals for the HPMP is not a commitment to specific mitigation measures for specific resources. The bullet that discusses coordinating Section 106 measures with state regulatory requirements has been deleted. The goals of the HPMP have been revised to stipulate that prior to the development of mitigation documents (HPTPs), consultation regarding the evaluation of historic properties, findings of effect, and mitigation will occur consistent with Table 8-1 of the HPMP.
4	This is where further confusion ensues. Informal consultation has been permitted. FERC retains the responsibility for formal consultation and government to government consultation with the Tribes. This entire paragraph needs clarification.	The comment is noted; however, no additional clarification needed. Nothing in this paragraph states that the FERC licensee engaged in government-to-government consultation -- only that it consulted with Tribes and other parties. This consultation was permitted by FERC consistent with 36 CFR § 800.2(c)(4).
5	Important that this determination is consulted on rather than stated in this HPMP as fact. Determinations of eligibility and resulting effects are made in consultation with all consulting parties. It is premature to include this statement in the text until such time as eligibility determinations and any potential effects have been completed.	Consultation regarding determinations of eligibility, findings of effect/HPTPs will be conducted consistent with Table 8-1 of the HPMP.

Comment Number	CA SHPO Comment	Renewal Corporation Response
6	<p>Because this undertaking has the potential to cause significant indirect effects, evaluation of an identified cultural landscape would seem to be appropriate regardless of the fact that only a portion of the resource is expected to be present within the area of direct impacts. Further, a portion of a resource being present within the APE would require an APE delineation to include the entirety of the resource in order to properly consider effects to it.</p> <p>Formal evaluations and concurrence with determinations of eligibility for the NRHP are necessary in order to assess potential effects and determine avoidance, minimization or mitigation, as appropriate.</p> <p>Further, if parts of these resources are on land that is governed by other federal agencies, consultation with them on determinations of eligibility is necessary.</p>	<p>The APE includes those areas that have the potential to be affected by the Proposed Action. To date, the Tribes and consulting parties have not requested an expansion of the APE to include components of the Klamath Cultural Riverscape that are beyond the Proposed Action's effects. No effects from the decommissioning that extend beyond the currently identified APE have been identified by consulting parties. Changes in the APE, formal NRHP evaluations, and findings of effect/development of mitigation measures will be consulted on consistent with Table 8-1.</p>
7	<p>General comment: all statements affirming historic properties are not valid until the concurrence is received by the SHPOs. [This is in reference the following statement in HPMP - <i>This section several districts considered as historic properties for management under the HPMP. These include one proposed archaeological district (Spencer Creek District), one proposed TCP District (Kikacéki District TCP, which is inclusive of sites previously considered as part of the Fall Creek District [PacifiCorp 2006]), and five built environment districts.</i>]</p>	<p>The HPMP has been revised to reflect the latest updates in SHPO consultation concerning the evaluation of cultural resources as of September 2022. Changes in the APE, formal NRHP evaluations, and findings of effect/development of mitigation measures will be consulted on consistent with Table 8-1.</p>
8	<p>From previous draft of HPMP "Further survey and investigation are required to identify NRHP-eligible</p>	<p>This survey work and the related determinations of eligibility and findings of effect were submitted to the</p>

Comment Number	CA SHPO Comment	Renewal Corporation Response
	<p>properties within the areas that are subject to Project effects on private property. This includes the area between Iron Gate Dam and Humbug Creek and around Copco Lake."</p> <p>To reiterate comment previously made on that draft: when is this (further survey and investigation on private property) proposed to occur? This information is needed in order to evaluate significance and assess effects, including cumulative effects.</p>	<p>SHPOs in May 2022 in the Historic Built Environment Technical Report. The Renewal Corporation's consultant, AECOM, will provide the CA SHPO with the requested information from its July 2022 letter concerning the Historic Built Environment Technical Report in October 2022 for review and concurrence.</p>
9	<p>Please clarify whether or not these evaluations were consulted on with stakeholders and concurred or not with SHPO. This applies generally throughout this document.</p>	<p>When eligibility of resources is discussed, the tables and the text of the HPMP have been updated to note the resources status as to whether or not it has received the concurrence of the respective SHPOs or not. Resources listed as "unevaluated" have not received SHPO concurrence.</p>
10	<p>It should be clear that the measures to minimize and mitigate that follow [in Section 5 of the HPMP] would be developed in consultation.</p>	<p>The HPMP has been revised to stipulate that consultation will occur for the effect finding and development of a HPTP. See Table 8-1 in revised HPMP for consultation periods.</p>
11	<p>This doesn't seem appropriate for a preservation document. It may be the goal of KRRC but 'exceeding environmental regulations' is not a goal for Section 106. This is a plan pursuant to Section 106. Remove other "environmental regulations."</p>	<p>The referenced sentence in Section 5.1 has been revised to state that "Implement cost effective protection measures for historic properties that meet regulatory requirements in consultation with the consulting parties."</p>
12	<p>Indirect effects from altered water flow once the dams are removed has potential to cause effects. Not sure if that is considered in this plan sufficiently.</p>	<p>The May 2022 draft of the Historic Built Environment report includes consideration of effects from increases in water elevation downstream from the Iron Gate Dam.</p>
13	<p>This needs consultation per the PA, it cannot simply be stated to be so. <i>[For the LKP, these impacts will be avoided</i></p>	<p>The following text has been added to Section 6.0: <i>"Consultation regarding the effects of the Proposed Action</i></p>

Comment Number	CA SHPO Comment	Renewal Corporation Response
	<i>and minimized by the legal protections offered by state laws that govern management of cultural resources (e.g., PRC Section 21083.2, ORS 358.653), as well as implementation of the HPMP for the duration of the License Surrender process.]</i>	<i>on historic properties are ongoing. The consultation process for effects from the Proposed Action is included in Table 8-1.”</i>
14	The assessment that erosion from periodic drawdowns would be similar to a potential high volume of water released from the drawdown needs additional consideration and discussion with clear evidence in support. [Comment concerning Table in Section 6 “Types of Effects to Archaeological Sites/TCPs”]	Citation added “RD National Reservoir Inundation Study in Section 4.1.1 (Lenihan et al. 1981)”. Text revised to note that these are different types of drawdown effects.
15	Effects is the appropriate term for S106, instead of impacts.	“Impacts” revised to “effects” as appropriate in the document.
16	The Renewal Corporation making determinations is a problem throughout. In addition, the statements that effects would be minimized by enforcement of existing state laws is not a settled matter and needs to be consulted on per the PA. This applies throughout the document.	When referencing the Renewal Corporation’s recommendations to FERC, the HPMP has been revised to note the NRHP and/or effect assessment is a recommendation as opposed to a determination pending additional consultation conducted consistent with Table 8-1.
17	This will require consultation per the PA and possibly resolution through a HPTP that tiers off of this HPMP. [comment concerning how resources identified during the post-drawdown survey will be evaluated, how effects will be assessed, and how adverse effects will be revised.]	The HPMP has been revised throughout to reference the consultation periods in Table 8-1. The HPMP has also been updated to include a discussion of when HPTPs will be prepared and the associated consultation period that would occur. See also Section 8.2.5.
18	The undertaking will have one finding of effect instead of no historic properties affected per resource(s). Recommend stating instead, the Copco Lake recreational residences will	The HPMP was revised to note that the recreational residences are not historic properties and would not be affected consistent with the findings of the Historic Built

Comment Number	CA SHPO Comment	Renewal Corporation Response
	not be affected to avoid confusion. Such a finding would however also require consultation per the PA.	Environment Report and contingent upon consultation with the CA SHPO and consulting parties.
19	This section needs to tier off into Historic Properties Treatment Plans that prescribe avoidance, minimization, and mitigation measures, once historic significance and effects are understood. Listed here are general mitigation options to choose from, the specifics should be consulted on and agreed to in the HPTP. At present, full understanding has not been achieved and in some cases won't be until the project is underway.	Section 7.1 (Treatment Measures – Archaeological) has been revised. These are now recommended treatment measures that will be applied to archaeological resources adversely affected by the undertaking and that would be utilized on a site-by-site basis and applied via an HPTP in consultation with the SHPO and consulting parties consistent with Table 8-1. See also Section 8.2.5.
20	<p>There appears to be no process for determining the who, what, when, where of implementing mitigation measures. Who determines what level of 'appropriate' or 'emergency' etc. that is listed in these proposed mitigation measures?</p> <p>The process for how implementation occurs needs to be a part of either this plan, referenced in the PA, etc.</p>	The Renewal Corporation deleted the emergency clause and adopted a clearer definition of inadvertent discoveries and included Table 8-1 of the HPMP that clearly identifies when consultation occurs for HPTPs, how long review periods will be, and who will be consulted.
21	This needs additional consideration in consultation. Effects to any unevaluated or eligible resource need to be assessed, whether partially avoided or not. Archaeological monitoring is not mitigation per se, it is to ensure avoidance and for post-review discoveries.	The Renewal Corporation will consult with the CA SHPO and consulting parties concerning avoidance measures for all sites in the APE in the upcoming Phase II report for the upland sites. For those sites where avoidance is not possible, an HPTP would be prepared.
22	This measure and all measures to avoid, minimize, mitigate effects to historic properties will need additional consultation. It is unclear whether that it the intent or not.	Section 7.1 (and its subsections) has been revised to state that measures developed for avoidance, minimization, and mitigation will be included in an HPTP in consultation with the consulting parties. The consultation process for the HPTP is noted in Table 8-1.

Comment Number	CA SHPO Comment	Renewal Corporation Response
23	To whom? Saying to the states is so broad that it conveys little information that is relevant to the Section 106 process. This needs clarification	The referenced paragraph is now in Section 7.1.7 and has been updated to clarify how changes in road use and measures to reduce public access in culturally sensitive areas will be implemented at applicable sites. These measures will appear in an HPTP for the applicable sites. The HPTP will be prepared in consultation with the consulting parties consistent with the timelines noted in Table 8-1.
24	Consultation is necessary between FERC, signatories, and consulting parties.	See response to Comment 22.
25	Consultation not coordination. Agency official not Cultural Resources Specialist.	Mitigation measures would be agreed upon consistent with the consultation process for HPTPs as outlined in Table 8-1. Once the HPTP is approved, the CRS would be responsible for implementing the mitigation measures discussed here including fencing, gates, signage, and/or strategic plantings.
26	Sentences like this are so broad that it does not convey what will occur. The use of 'coordination' and 'consultation' also needs clarification, as does 'agencies'.	Section 7 has been revised to be more specific in terms of consultation. See also response to Comment 22.
27	If archaeological sites have been identified where active erosion is likely and methods to address it are known and predicted, it is recommended that those sites be evaluated for historic significance and effects from the measures be assessed and consulted on per the PA, prior to drawdown, with the understanding that they might not be implemented.	Section 7.1.10 was revised to clarify that an “interim” immediate protective response is intended to address erosion effects during drawdown and that long term measures would be developed through preparation of an HPTP in consultation with the consulting parties. Those sites potentially affected by erosion effects will be identified during the post-drawdown survey, evaluated, and effects assessed. HPTPs will be implemented for sites affected by erosion in consultation with the consulting parties.

Comment Number	CA SHPO Comment	Renewal Corporation Response
28	This mitigation measure is an example of a general plan that should be worked out in a Historic Properties Treatment Plan (HPTP) once significance and effects are fully understood as well as the specifics of the research questions and methods to recover the important data. The lack of full understanding of archaeological properties and effects precludes any meaningful consultation to resolve those effects.	Information concerning the development of HPTPs and the associated requirements for consultation has been added to the HPMP in Table 8-1 (consultation process) and Section 8.2.5 (HPTP).
29	In general, these sections [Sections under 7.1] need to be removed or rewritten with a process so that it is clear who all parties, agencies, etc. are, who is on point, what things like 'within the time available" mean (I am unaware of this term in Section 106), etc. It's too vague and will lead to many misunderstandings during implementation.	See response to Comment #28. This section has been revised and updated as noted above.
30	Isn't there a separate plan for this? How are the Tribes and other stakeholders involved?	Comment noted. Section 7.1.13 has been revised to note that the Renewal Corporation will report to the consulting parties within two months of FERC's LSO of the feasibility of enforcement patrols.
31	Process and timeline for this and other consultations is not currently well defined in the PA. [Section 7.1.14]	The consultation process for this and other forms of mitigation have been updated in Section 7.1.14, Table 8-1, and in Section 9.
32	HABS/HAER as mitigation should be stipulated in the PA.	As opposed to being placed into a PA, the Renewal Corporation has revised Section 7.2 to indicate that HABS/HAER mitigation will be developed in an HPTP in consultation with the consulting parties following adoption of the HPMP.

Comment Number	CA SHPO Comment	Renewal Corporation Response
33	Not sure how adaptive reuse is mitigation? This needs further discussion.	The adaptive reuse plan would be a part of an HPTP prepared in consultation with the consulting parties consistent with the process outlined in Table 8-1. The Plan would support efforts to determine the feasibility of potentially preserving former facilities that are currently recommended as eligible for the NRHP.
34	Mitigation should be based on the actual resources that are adversely effected, and not on themes. This requires more consultation.	Current Section 7.2.2 was drafted to be consistent with the format/organization contained in the Historic Built Environment Technical Report. This section has been revised to read “No transportation resources have been recommended as eligible for the NRHP in the Historic Built Environment Technical Report (AECOM 2022). No mitigation is currently recommended. Consultation with the CA SHPO regarding the NRHP eligibility of transportation-related resources is ongoing.”
35	The Dry Creek Bridge was mentioned in previous drafts as an unevaluated resource. Please clarify the statement that no NRHP eligible transportation resources are present.	This is correct. The May 2022 Historic Built Environment Technical report clarified that this bridge was identified by Caltrans as not eligible. Consultation with the CA SHPO concerning NRHP eligibility is ongoing.
36	Mentioned previously was that historic property identification efforts for private lands was pending. Please clarify this statement.	The private properties mentioned in current Section 6.6 and 7.2.3 have been identified and evaluated in the May 2022 Historic Built Environment Report and recommended as not eligible. Consultation with the CA SHPO concerning NRHP eligibility is ongoing.
37	Unless they are for the purposes of Section 106 of the NHPA, these do not belong in this document?	Section 7.3.1 has been revised to delete much of the previous content. The information has been added to the LVPP since it relates to vandalism/looting concerns.

Comment Number	CA SHPO Comment	Renewal Corporation Response
38	Mitigation in this section should only be for Section 106. Other objectives, etc. should not be in this document as any changes to those other programs will require a change to the document. If an endowment is to be created for the purposes of Section 106, it needs to be better defined, known and clearly understood.	Discussions of the TCR Mitigation Measures developed as a part of the AB 52 consultation process as a part of the California Water Board’s Final EIR have been included in this document at the request of FERC. Text has been added to the HPMP to specify that if changes to this state-related mitigation requirement were to change as a part of the state’s associated regulatory process, the HPMP would not require changes. The Renewal Corporation would notify the consulting parties of any changes to the state mitigation measures in the Annual Report for informational purposes.
39	Consultation on post-review discoveries should include Indian tribes	This section been moved to 8.2.2. The timelines and parties involved in consultation have been revised to conform to the applicable sections of 36 CFR 800 concerning post-review discoveries, are also included in Table 8-1 of the HPMP. The MIDP contains a more in-depth discussion of procedures for post-review discoveries.
40	Please clarify and edit this statement and section. 800.12 is for emergency actions, 800.13 is for post-review discoveries. This is not an emergency action and 800.12 should not be cited to avoid confusion when the project is being implemented.	Section 8.4 concerning emergency actions has been deleted.
41	Please see earlier comment on erosion. If sites have been identified as likely to be affected by erosion, they need to be evaluated now, and effects from erosion prevention measures or erosion itself should be assessed prior to drawdown.	Sites that can be addressed now are being evaluated now; Current Section 8.2 is intended to refer to unanticipated erosion as a result of the Proposed Action, including at any new sites identified. Some sites are now only partially exposed but due to the lack of SHPO concurrence on these partially inundated sites additional planning will not be

Comment Number	CA SHPO Comment	Renewal Corporation Response
		feasible until they are exposed. Phased identification, as discussed in Section 9.13, will occur to identify, evaluate, and treat resources (as applicable) consistent with the consultation process in Table 8-1.
42	If proposed actions are anticipated to affect historic properties then evaluate for significance rather than treating as eligible.	Deleted parentheses text “(treated as eligible)” in current Section 8.2 (formerly Section 8.5). Section 8.2 has been extensively revised to address comment. While effects are anticipated at some sites, they are currently submerged and NRHP eligibility cannot be confirmed. Post-drawdown surveys will identify resources (see Section 9.13) and eligibility and effects will be confirmed through the consultation processes in Table 8-1.
43	Please clarify the difference between evaluation and comprehensive evaluation and how the decision is made on level of evaluation.	This text has been deleted.
44	Consultation on post-review discoveries should include Indian tribes.	See response to Comment #39.
45	Please clarify and edit this statement and section. 800.12 is for emergency actions, 800.13 is for post-review discoveries. This is not an emergency action and 800.12 should not be cited to avoid confusion when the project is being implemented.	Former Section 8.6 has been deleted and discussions of emergency actions have been removed.
46	This section [originally 8.5 “Subsurface Excavations”] seems somewhat redundant to other sections in the HPMP. Also, why are procedures in the Monitoring and Inadvertent Discovery Plan (MIDP) guiding what seems like routine	References to MIDP procedures has been deleted from current Section 8.2.7.

Comment Number	CA SHPO Comment	Renewal Corporation Response
	subsurface testing not during post-review discovery? Guidance on methods also seems to be provided below...	
47	FERC as lead agency should conduct consultation.	FERC has been added as the lead agency that will conduct consultation during the preparation of HPTPs.
48	Belongs in the PA [Schedule and Reporting – Section 8.5.3]	Section 8.5.3 (as numbered in the prior draft HPMP) has been deleted but the information added to a new Table 9-1 entitled “Implementation Requirements and Schedule.”
49	It's not at all clear whether this entire section (Chapter 8) is for post-review discoveries or not, please clarify.	Section 8.6.2 in the prior draft HPMP has been deleted.
50	Add meet the SOI qualifications.	Section 9.1 has been revised to note that the CRS will meet the qualifications as provided in the MIDP (HPMP Appendix B).
51	Add annual meeting to discuss annual report, during the draft phase might be most appropriate. This and the annual report itself should be stipulations in the PA.	The Renewal Corporation added an annual meeting requirement in Section 9.7.
52	Tribes and ACHP are listed below in drafts but not here. Please clarify. [Section 9.7 Annual Meeting and Reporting].	The noted text in current Section 9.7 concerning the ACHP has been deleted because the ACHP has requested to not participate in the Annual Meeting. The Tribes are invited to the Annual Meeting.
53	There appears to be no process for determining the who, what, when, where of implementing mitigation measures. Who determines what level of 'appropriate' or 'emergency' etc. that is listed in these proposed mitigation measures?	Revised Table 9-1 in Section 9.13 contains specifics on consultation, timing, and who would be implementing specific measures. The emergency discussion has been deleted from the HPMP.

Comment Number	CA SHPO Comment	Renewal Corporation Response
	The process for how implementation occurs needs to be a part of either this plan, referenced in the PA, etc.	
<p>Note: The Renewal Corporation has revised the MIDP and LVPP in response to comments from the CA SHPO and the ACHP. In general, these revisions are consistent with the changes in the HPMP and reflect the latest updates concerning consultation protocols.</p>		

Attachment 4.

Klamath River Renewal Corporation's Proposed Schedule for Further Consultation on Historic Property Management Plan and Issuance of PA

HPMP Consultation:	Due Date:
<ul style="list-style-type: none">• Renewal Corporation circulates updated HPMP to ACHP and SHPOs for comment• Comments due from ACHP and SHPOs on updated HPMP• Renewal Corporation files response to comments/HPMP revisions with FERC	<ul style="list-style-type: none">• September 16, 2022• October 3, 2022• October 14, 2022
Programmatic Agreement:	Due Date:
<ul style="list-style-type: none">• FERC circulates PA for signature review• Execution of PA by signatories	<ul style="list-style-type: none">• September 21, 2022• As soon as possible, but no later than September 30, 2022