

September 16, 2022

Markham A. Quehrn  
MQuehrn@perkinscoie.com  
D. +1.425.635.1402  
F. +1.425.635.2402

**VIA ELECTRONIC FILING**

Kimberly D. Bose  
Secretary, Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

**Re: Historic Properties Management Plan Update; Lower Klamath Project, FERC Project Nos. 14803-001 and 2082-063**

Dear Secretary Bose:

On August 15, 2022, Commission staff asked<sup>1</sup> the Klamath River Renewal Corporation (Renewal Corporation) to update the May 2022 Historic Properties Management Plan (May HPMP) to address comments provided by Commission staff, the Advisory Council on Historic Preservation (ACHP) and the California State Historic Preservation Officer (SHPO). The Renewal Corporation now submits its updated HPMP to assist the Commission in fulfilling its responsibilities under Section 106 of the National Historic Preservation Act.

This filing includes the following attachments:

Responses to FERC August 15, 2022 Letter	Attachment 1
Responses to ACHP’s June 21, 2022 Comments	Attachment 2
Responses to CA SHPO’s July 6, 2022 Comments	Attachment 3
Proposed Schedule for Further Consultation and Issuance of PA	Attachment 4

The Renewal Corporation reviewed all comments submitted to FERC on the May HPMP. The Renewal Corporation then engaged in further consultation regarding the issues raised by Commission staff on August 15, 2022. The Renewal Corporation’s responses to comments are summarized in Attachments 1 – 3. The complete record of consultation is included in HPMP Appendix E (Consultation Meeting Minutes) and HPMP Appendix F (Correspondence on the HPMP).

<sup>1</sup> Letter from Shana Wiseman, Chief, Environmental and Project Review Branch, DHAC, regarding Section 106 consultation for the surrender of Lower Klamath Project (August 15, 2022), *FERC accession no.* 20220815-3013.

Kimberly D. Bose  
September 16, 2022  
Page 2

The Renewal Corporation proposes a plan and schedule for completing work in progress, as Attachment 4 to this letter. Contemporaneously with the submission of the attached HPMP, the Renewal Corporation is providing a copy of the updated HPMP to the ACHP and the California and Oregon SHPOs. In the coming days, the Renewal Corporation will undertake further consultation with the ACHP and the California and Oregon SHPOs on the updates to the HPMP made in response to Commission staff's August 15, 2022 letter to the Renewal Corporation. As noted in Attachment 4, the Renewal Corporation is asking that consulting parties provide comment on the updated portions of the HPMP by October 3, 2022. The Renewal Corporation will submit the final HPMP to FERC on October 14 for FERC's final review and approval. The final HPMP will include any additional updates reflecting the ongoing consultation with the ACHP and the California and Oregon SHPOs.

While the Renewal Corporation remains strongly committed to continuing our work with the California and Oregon SHPOs and Native American tribes to refine and finalize the HPMP, that effort should not, from our perspective, delay the execution of the Programmatic Agreement (PA). On May 13, 2022,<sup>2</sup> Commission staff circulated a revised draft PA for the Lower Klamath Project, requesting comments from ACHP, the California SHPO, and the Oregon SHPO. The ACHP provided comments on the PA on June 6, 2022;<sup>3</sup> the California SHPO provided comments on July 7, 2022;<sup>4</sup> and the Oregon SHPO provided comments on July 21, 2022.<sup>5</sup> The Renewal Corporation appreciates the efforts of the proposed signatories to finalize the PA. The Renewal Corporation respectfully requests that Commission staff circulate a final PA for review by September 21, 2022 and that the proposed signatories execute the PA as soon as possible thereafter, but no later than September 30, 2022.

Portions of the updated HPMP contain information about the location, character, or ownership of historic resources that, if disclosed, may cause a significant invasion of privacy; cause a risk of harm to the historic resource; or impede the use of a traditional religious site by practitioners.<sup>6</sup> These attachments are separately filed as "Privileged" documents in accordance with 18 C.F.R. § 388.112, 18 C.F.R. § 388.107 and 36 C.F.R. § 800.11(c). Public versions of these documents are enclosed with this filing.

Should FERC require any further information, please direct any such requests to the undersigned. Thank you.

---

<sup>2</sup> Letter from Shana Wiseman, Chief, Environmental and Project Review Branch, DHAC, regarding Section 106 consultation on surrender of Lower Klamath Project (May 13, 2022), FERC accession no. 20220513-3013.

<sup>3</sup> FERC accession no. 20220622-5071.

<sup>4</sup> FERC accession no. 20220707-5014

<sup>5</sup> FERC accession no. 20220722-4001.

<sup>6</sup> Sections of the HPMP marked and filed as confidential information are: Appendix A: Confidential Historic Property Maps; Appendix B: Monitoring and Inadvertent Discovery Plan, Sub Appendix A: Confidential Sensitivity Model Mapset.

Kimberly D. Bose  
September 16, 2022  
Page 3

Respectfully submitted,

*s/ Markham A. Quehrn*

Markham A. Quehrn  
Perkins Coie LLP  
Counsel for Klamath River Renewal Corporation

cc: Service Lists (FERC Nos. P-14803-001 and P-2082-063)  
John. T. Eddins, Advisory Council on Historic Preservation  
Julianne Polanco, California State Historic Preservation Officer  
Lisa Sumption, Oregon State Historic Preservation Officer