

**APPENDIX O: CULTURAL
RESOURCES MANAGEMENT
PLAN
[REDACTED]
CASE 10-T-0139**



HARTGEN

archeological associates inc

SUPPLEMENTAL CULTURAL RESOURCES MANAGEMENT PLAN

**Champlain Hudson Power Express HVDC Transmission Line Project
CSX: Selkirk Railyard Bypass (Segment 9, Package 5B)**

[REDACTED-Public Version]

Lake Champlain to New York City
Albany County, New York

HAA 4268-83
SHPO 09PR03910

Submitted to:

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MANAGEMENT SUMMARY

SHPO Number: *09PR03910*
Involved Agencies: *U.S. Department of Energy, U.S. Army Corps of Engineers, NYSHPO*
Phase of survey: *Cultural Resources Management Plan (Supplemental)*

LOCATION INFORMATION

Municipality: *Town of Bethlehem*
County: *Albany County*

CULTURAL RESOURCE MANAGEMENT PLAN OVERVIEW

Objective: *The purpose of this Supplemental Cultural Resources Management Plan is to synthesize data sets into one document, and to provide OPRHP/DPS contact information for identified roles within the original Cultural Resource Management Plan drafted by TRC in 2015 and finalized in 2021.*
The plan also proposes Programmatic Allowances and an Archeological Monitoring Plan to assist with ongoing review and compliance as stipulated in the Programmatic Agreement between DOE and NYSHPO in 2021.
The current Supplemental CRMP focuses on Segment 3, Package 1C from the Village of Whitehall to the southern portion of the Town of Whitehall.

Report Authors: *Matt Lesniak, and Matthew Kirk, MA RPA*
Date of Report: *December 2022*

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LIST OF ACRONYMS

ACHP – Advisory Council on Historic Preservation
AMP – Archeological Monitoring Plan
APE – Area of Potential Effect
BMP – Best Practices Management Plan (2012)
CA – Consulting Archeologist
CHPE, LLC – Champlain Hudson Power Express, LLC
CRMP – Cultural Resources Management Plan
CRIS – Cultural Resource Inventory System (NYSHPO)
DOE – U.S. Department of Energy
DPS –New York Department of Public Service
GIS – Geographic Information System
GPS – Global Positioning System
Hartgen – Hartgen Archeological Associates, Inc.
HDD- horizontal directional drilling
HVAC – high-voltage alternating current
HVDC – high-voltage direct current
MOA – Memorandum of Agreement
MP – mile post, railroad
MW – megawatt
NHPA – National Historic Preservation Act
NRE – National Register-eligible
NYAC – New York Archaeological Council
NYSHPO – New York State Historic Preservation Officer
NYSM – New York State Museum
OPRHP – Office of Parks, Recreation and Historic Preservation
PPO – Project Preservation Officer
ROW – Right-of-Way
TRC – TRC Companies, Inc

CULTURAL RESOURCES MANAGEMENT PLAN

1 Introduction

Hartgen Archeological Associates, Inc. (Hartgen) has been retained to provide a Supplemental Cultural Resources Management Plan (CRMP) to the CRMP developed by TRC (2021) (Appendix 1) for the proposed Champlain Hudson Power Express (Project) located over multiple counties through New York. This Supplemental CRMP addresses the overland portion of route in Albany County meant to bypass the Selkirk Railyard, in the Town of Bethlehem, known as Segment 9, Package 5B. This portion of the project extends from NY Route 32 (Indian Fields Road) at its western end, to the vicinity of NY Route 9W, near the unincorporated hamlet of Selkirk, totaling 5.31.2 miles.

The Project has received approvals by the U.S. Department of Energy (DOE), and the U.S. Army Corps of Engineers, with consultation from the New York State Historic Preservation Office (NYSHPO). The goal of the Supplemental CRMP is to provide a framework for managing potential impacts to known, relevant historical properties and archeological sites (determined to be eligible for or listed in the National Register of Historic Places). Sites discovered during construction activities will also be managed in the Supplemental CRMP's framework. In addition, this management plan will create a comprehensive framework for identifying and undertaking additional archeological work that may be required prior to and during the construction of the Project.

TRC Companies, Inc. (TRC) created a draft comprehensive Cultural Resources Management Plan in 2015, finalized in 2021 to include three additional reports. This management plan is referred to throughout the current document (Appendix 1), with this document serving to fully incorporate the relevant information for Phase I of construction into one succinct document. The TRC CRMP (2021) provided detailed procedures for unanticipated discoveries, monitoring during construction-related ground disturbance, and monitoring during post-construction operations; all stipulations of the TRC CRMP remain applicable. In the event of a conflict between this document and that provided in Appendix 1, the TRC CRMP (2021) will prevail.

This Supplemental CRMP has been developed to in response to Programmatic Agreement Stipulation IV(B) and Stipulation II(C)(8 – 11 and 19) and to assist Project compliance with Section 106 of the National Historical Preservation Act. The supplemental plan will be reviewed by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) as well as the aforementioned federal agencies. This plan was established according to the New York Archaeological Council's *Standards for Cultural Resource Investigations and the Curation of Archaeological Collections* (1994), which are endorsed by OPRHP.

The Programmatic Agreement Among The U.S. Department of Energy, And The New York State Historic Preservation Officer For Managing Historic Properties That May Be Affected By Authorizing The Construction, Operation, Connection And Maintenance Of The Champlain Hudson Power Express HVDC Transmission Line Project (Programmatic Agreement), executed in 2021, stipulates completion of a Cultural Resources Management Plan (CRMP) to create procedures for the consideration and management of historic properties within the Champlain Hudson Power Express HVDC Transmission Line Project (Project).

Stipulation IV(B) within the Programmatic Agreement specifies the CRMP will be applied in lieu of Section 106 implementing regulations 36 CFR Part 800.4 – 800.6 to satisfy requirements of compliance with Section 106 of the National Historical Preservation Act (16 U.S.C. 470) related to identification of historic properties (36 CFR Part 800 800.4), assessment of adverse effects (36 CFR Part 800 800.5), and resolution of adverse effects (36 CFR Part 800.6).

Current design and engineering requirements indicate effects to historic and landscape resources may also require consideration throughout project execution; this Supplemental CRMP supports streamlined coordination and consultation with NYSHPO through agreement on programmatic allowances and treatments. This Supplemental CRMP provides structure and process for implementing requirements of the Programmatic Agreement and the TRC CRMP (2021).

2 Project Information

The Project involves the construction of approximately 339 miles of a high voltage direct current underground and underwater transmission line, running from Montréal, Canada to Queens, New York. This transmission line will bring 1,250 megawatts of hydropower to replace the use of fossil fuels, reducing carbon emissions and helping achieve renewable and clean energy in New York State. This proposed project will provide enough power for more than 1 million homes through New York State. Installation of this transmission line will occur primarily beneath the ground within roadway and railroad right of way. Direct impacts to streams and waterbodies are avoided through means such as attaching to existing infrastructures (bridges and culverts) or incorporating the use of horizontal directional drilling (HDD).

Several archeological reports by Hartgen and TRC examined and detailed the sensitivity and potential of the APE. These resources have been utilized in the creation of the Cultural Resource Management Plan.

The bolded reports include portions of the most current Project (Segment 9) and provide relevant background information.

- Hartgen. 2010a. Pre-Phase IA Archeological Screening: Champlain Hudson Power Express.
- **Hartgen. 2010b. Phase IA Literature review and archeological sensitivity assessment: Champlain-Hudson Power Express.**
- Hartgen. 2012. Phase IB Archeological Field Reconnaissance and Phase II Archeological Site Evaluation: Champlain Hudson Power Express, Canadian Pacific Railway Segment.
- Hartgen. 2013a. GIS Analysis: Archeological Sites within APE Archeological Sites Intersected by a 50-ft wide Construction Corridor Along the November 2012 CHPE/TDI Centerline.
- Hartgen. 2013b. GIS Analysis NRHP Properties within APE National Register of Historic Place Eligible (NRE) and Listed (NRL) Properties Intersected by a 50-ft wide Construction Corridor along the November 2012 CHPE/TDI Centerline.
- Hartgen. 2013c. GIS Analysis Underwater Resources within APE Underwater Anomalies and Sites within Lake Champlain and the Hudson River Intersected by a 50-ft wide Construction Corridor along the November 2012 CHPE/TDI Centerline.
- **TRC. 2020a. Phase IA Archeological Assessment of Champlain-Hudson Alternative Routes, New York.**
- TRC. 2020b. Phase IA Archeological Assessment of Champlain Hudson Astoria Converter Station and Astoria Preferred Alternative Route, Boroughs of Queens, New York.
- TRC. 2020c. Phase IA Archeological Assessment of Champlain-Hudson Power Express Project, Harlem Rail Yard Preferred Alternative, Boroughs of Queens, New York.
- TRC. 2021. Phase IA Archeological Assessment of the Champlain-Hudson New Scotland Converter Station, New Scotland, Albany County, New York.
- TRC. 2022. Phase IA Archeological Survey letter for the Stony Point Horizontal Directional Drill (HDD), Stony Point, Rockland County, New York.

2.1 Description of the Project

The area of potential effects (APE) includes portions of the Project that will be directly altered by the proposed undertaking. The overall APE encompasses 339 linear miles; the width of the APE varies. For the overall cable route, the Project is divided into 14 Packages with their associated EM&CP submittals (Table 1).

Table 1. CHPE Packages, Routes, and Locations.

Construction Segment	EM&CP Design Packages	Location Description	Segment Length (miles)	Anticipated EM&CP Filing with DPS	Anticipated Start of Construction
OVERLAND SEGMENTS					
1, 2	1A/1B	Putnam to Dresden/ Dresden to Whitehall	17.6	April 15, 2022	October 2022
3	1C/2	Whitehall to Fort Ann Fort Ann to Kingsbury	20.8	December 2022	May 2023
4, 5	3	Kingsbury to Milton	26.5	January 2023	June 2023
6	4A	Milton to Ballston	10.2	February 2023	July 2023
7	4B	Ballston to Schenectady/Rotterdam	9.6	February 2023	July 2023
8	5A	Rotterdam to Bethlehem	16.99	November 2022	March 2023
9	5B	Selkirk Rial Yard Bypass	5.31	November 2022	May 2023
10	6	Ravena to Catskill	20.9	November 2022	May 2023
11	7A	Catskill to Germantown	8.6	November 2022	May 2023
12	7B	Stony Point to Haverstraw	7.6	December 2022	May 2023
13, 14, 15	8	Queens	2.13	December 2022	June 2023
Laydown Yards EM&CP	3,4B,5B,6	Fort Edward, Bethlehem, Coxsackie	N/A	November 11, 2022	November 2022
MARINE SEGMENTS					
16	9	Transitional HDD (Stony Point)	N/A	September 29, 2022	January 2023
17	10	Lake Champlain	~96	February 2023	June 2023
18	11	3 Transitional HDDs (Putnam, Catskill, Clarkstown)	N/A	May 2023	August 2023
19	12	Upper Hudson River	~67.5	May 2023	August 2023
20	13	Lower Hudson River	~21.6	February 2023	June 2023
21	14	Harlem River	~6.3	November 2023	May 2024
22	TBD	Converter Station, Astoria Complex, (Queens)	N/A	March 2023	June 2023
23	TBD	Astoria Rainey Cable HVAC System, (Queens)	~3.5	April 2023	July 2023

Changes in the APE, including those necessary to avoid known historic and archaeological resources, may be required to accommodate project implementation. Changes to the APE will follow methodology outlined in the TRC CRMP (2021). The TRC CRMP (2021) states: *If the corridor is changed or if a construction zone wider than 55 feet (terrestrial) or 50 feet (in-water) is required to build the Project, then the APE will be adjusted accordingly. All additional efforts to identify, assess, and manage cultural resources shall use the same guidance as that stipulated in the CRMP. It shall be the responsibility of the PPO and his/her designee to work with the appropriately trained archaeologist to ensure that survey and assessment of new APE construction areas is completed before construction takes place* (TRC 2021). Changes in the APE and associated survey and reporting will be provided to Signatories of the Programmatic Agreement in conjunction with annual reporting requirements (Section 3.6 Reporting Requirements).

2.2 Description of the Project

The area of potential effects (APE) includes portions of the Project that will be directly altered by the proposed undertaking. The overall APE encompasses 339 linear miles; the width of the APE varies. For the overall cable route, the Project is divided into 14 Packages with their associated EM&CP submittals (Table 1).

This Supplemental CRMP addresses the overland portion of route in Albany County meant to bypass the Selkirk Railyard, in the Town of Bethlehem, known as Segment 9, Package 5B. This portion of the project extends from NY Route 32 (Indian Fields Road) at its western end, to the vicinity of NY Route 9W, near the unincorporated hamlet of Selkirk, totaling about 5.31 miles.

3 Package 5B Activities

3.1 Supplemental CRMP Objectives

Each component of the segment (splice locations and vaults, HDD, work areas, access roads, etc.) was evaluated to determine whether the proposed work lies within the permitted route (APE) or outside the permitted route. Areas outside the permitted route were further evaluated to determine whether the areas have been previously disturbed (lacking archeological potential) or undisturbed (having archeological potential). Recommendations are proposed for either archeological monitoring during construction in the manner described in Section 4, or archeological testing.

Archeological testing may be utilized in advance of construction. Testing would be conducted by the excavation of 40 cm tests placed at 50-foot intervals within the areas defined below. Excavated soil would be passed through 0.25-inch hardware mesh when feasible and examined for both precontact (Native American) and historic artifacts. The stratigraphy of each test would be recorded including the depth, soil description, and artifact content. The location of each shovel test would be plotted on the project map. Test excavations will be photographed.

The testing shall adhere to the New York Archaeological Council's *Standards for Cultural Resource Investigations and the Curation of Archaeological Collections* (1994), which are endorsed by OPRHP. The investigation shall be overseen by an Archeologist as defined under the Secretary of the Interior's Professional Qualification Standards outlined in *Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines as Amended and Annotated* and required under Title 36 of the Code of Federal Regulations, Section 61 (36 CFR 61).

The survey report(s) shall be prepared according to OPRHP's *State Historic Preservation Office (SHPO) Phase I Archeological Report Format Requirements* (2005) or another format acceptable to OPRHP. As appropriate, reports will contain text, tables, color maps and photographs, shovel test records, and an artifact inventory.

3.2 Overview

This package is located in the Town of Bethlehem, Albany County. The construction activities in this segment include both open trench and ductbank excavations. The trenches will typically be 4.5 feet in depth and 2.4 feet in width at the base. The open trenches will be backfilled with sand around the conduit and flowable fill above. The duct bank excavations will be placed in concrete with flowable fill above and with appropriate subbases, bases and asphalt pavement repair (Table 2).

Disturbance beyond the typical trench cuts include the location of splices, and boring/receiving pits for HDD installation (Table 2). These are discussed in detail below relative to potential archeological resources and previous evaluation and assessment.

Table 2. Proposed activities along Package 5B cable installation at the Selkirk Railyard Bypass.

Item	Station Number	Activity	Notes/Recommendations
Begin Package	51005+00	-	None.
Splice 185	51018+00	Within roadway. Crane pad in area of previous disturbance.	None.
Splice 186	51050+00	Within roadway. Crane pad in area of previous disturbance.	None.
Splice 187	51080+00	Within permitted route outside of roadway. Work area extends outside of permitted route.	Archeological testing or monitoring of work area.
Splice 188	51104+25	Within roadway. Crane pad in area of previous disturbance.	None.
HDD 87.B	51111+00 to 51120+75	On south side of a curve on South Albany Road. Both pits and work areas within permitted route.	None.
Splice 189	51136+25	Within permitted route outside of roadway. Work area extends outside of permitted route.	Archeological testing or monitoring of work area.
Splice 190	51167+00	Within permitted route outside of roadway. Work area extends outside of permitted route, but is sloped.	None.
HDD 88	51179+90 to 51194+20	Crosses under Coeymans Creek, west to east. West end HDD work area (51178+47 to 51179+50) is 60 ft wide and is about 600 ft from the creek. East end HDD work area (51194+00 to 51196+00) is 75 ft wide and is about 815 ft from the creek. Both HDD work areas are located outside of the permitted route.	Determination of eligibility for farm complex at 398 South Albany Rd (19 th century in date), and archeological monitoring or testing for work areas that extend outside of permitted route.
Splice 191	51198+00	Within permitted route. Portions of the work area extend outside of permitted route.	Determination of eligibility for farm complex at 398 South Albany Rd (19 th century in date), and archeological monitoring or testing for work areas that extend outside of permitted route.
HDD 89	51201+50 to 51226+00	Crosses a drainage (Coeymans Creek). Railroad ROW is wide in the area, both HDD work areas are fully within permitted route.	None.
Splice 192	51229+00	Within permitted route and disturbed railroad ROW. Work area is also in disturbed area.	None.
HDD 90	51235+19 to 51246+50	Crosses Bridge Street and a stream (Coeymans Creek). Both HDD work areas remain within the permitted route.	None.
Splice 193	51260+00	Within permitted route and railroad ROW. Work areas are also in the ROW.	None.
End of Package	51279+14	-	None.

3.2.1 HDD

In the Package 5B portion of Segment 9, additional HDD will be required to avoid and minimize impacts to various drainage crossings and road crossings. In all, four locations have been identified: HDD 87B, 88 to 90 (Table 2). HDD 88 lies within a 19th-century farm complex for which a determination of eligibility for the National Register has not been made. It is recommended that NYSHPO be consulted on the eligibility of the property and the potential effects prior to construction. It does not appear that any Project impacts will be permanent or character altering.

A portion of the HDD 88 work area will extend outside of the permitted route and therefore archeological monitoring or testing is recommended. No other archeological work is recommended for the remaining HDDs.

3.2.2 Splice Locations and Vaults

Various splice vaults (or open pit splice locations) will also be installed to connect the cable segments together into an integrated whole. The splices will generally be about 15 by 40 feet in size, but will also include a work area, crane pad, and associated access ways. In all, nine splice locations have been identified (Splices 185-193). Archeological testing or monitoring is recommended for the work area that extend beyond the permitted route at Splices 187, 189, and 191. Splice 191 will also be placed on a 19th-century farm complex at 398 South Albany Road that has yet to be evaluated for eligibility for the National Register. The Project effects will be temporary and will not alter the overall character of the farm. Consultation with NYSHPO regarding the status of the property is recommended.

3.2.3 Access Routes and Roads

In Package 5B, three temporary “routes” and “roads” for construction have been identified. Off-site temporary access roads begin at or near existing public roadways and join the cable route, typically at splice or HDD locations. Improvements include clearing of vegetation, grading, and the installation of aggregate and rip-rap (light stone fill) between 9 and 32 inches thick atop a compacted subgrade. Engineers are also considering utilizing timber mats or similar treatment, which will require clearing and minimal grading of less than 6 inches. If this option is selected, then a pedestrian survey in advance of construction is recommended over testing or monitoring. Alternatively, a pedestrian survey and testing of the area(s) may be employed to identify areas of archeological sensitivity and timber mats or similar treatment may be used to avoid impacts to potential archeological sites.

Two Off-Site access roads are proposed (Table 3). 5B-01-Rd will be located east of South Albany Road, north of Blue Diamond Way. The access road connects South Albany Road to the CSX ROW west of the rail yards at the location of HDD 88 and Splice 191. The road extends 3,500 feet in length.

The second access road, 5B-02-Rd, extends from an access road within the Selkirk Rail yard, along the edge of the yard, and finally along an existing access road west of the yards. The access road terminates at Splice 192.

An additional access way includes a temporary Off-Site access route. This requires no additional construction activities or improvements as part of the Project, since it will be in an existing paved area. No archeological testing or monitoring is recommended for this component of the Project.

Table 3. Access Roads in Package 5B, Selkirk Railyard Bypass.

Access Road	Station Number	Activity	Notes/Recommendations
5B-01-Rd	51167+00 & 51197+50 (loop)	Approx. 3,500 feet long. Existing stone and earthen road/haul path. Extends northeast from South Albany Road at 51167+00, progresses east to rejoin the cable route at 51197+50.	None (prior disturbance)
5B-02-Rd	51227+00	Approx. 1,700 feet long. It primarily utilizes existing access roads, within and along the rail yard.	None (prior disturbance)

3.2.4 Deviations from Permitted Route

Due to other design and engineering constraints, particularly wetlands and other environmental factors, the proposed cable route deviates slightly outside of the area previously archeologically considered. These deviations are often, but not always, associated with portions of the route which will be outside of existing road and railroad ROWs.

These include two relatively short segments (Table 4). Only deviation excursion S9-2 should require archeological testing or monitoring due to high archeological sensitivity.

Table 4. Areas of deviation from previous cultural consideration and current recommendations.

Deviation Zone Excursion	Station Number	Description	Notes/Recommendations
S9-1	51000+00 to 51003+00	200 feet between Indian Fields Road and commercial property. Appears disturbed.	None.
S9-2	51197+00 to 51200+00	Undisturbed, wooded area.	Testing or monitoring.

3.3 Historic Properties

Within this segment of the Project, there is one known historic property and another that will be directly impacted by the Project, but for which a determination of eligibility has not been made. The Vanderzee-Tryon House (00102.000563) fronts on Old Quarry Road, but the rear of the property lies along West Yard Road where the cable and an associated splice (186) will be placed within the roadbed and shoulder. A temporary easement will be required along the edge of the Project, but no direct impacts are anticipated.

The farmhouse and associated property are part of an 18th-century farmstead that features stone residential architecture. The one and one-half story house, which is gable-ended, was constructed of rubble laid limestone in the vernacular tradition of pre-Revolutionary period. The house was likely built for Peter Houghteling prior to 1770.

The farm complex at 398 South Albany Road, south and east of the Vanderzee-Tryon House, will be directly impacted by the construction of a temporary access road, an HDD pit and associated work area. A relatively short portion of the cable will be installed in an open trench at the farm (Station 51176+00 to 51179+33). It is recommended that NYSHPO be consulted with respect to the farm's eligibility for the National Register of Historic Places and the potential effects of the Project, should the farm be considered eligible. Currently, it is anticipated that only temporary effects to the property will occur, primarily limited to the northwest corner of the property and along the rear of the parcel near the CSX Selkirk Rail Yard.

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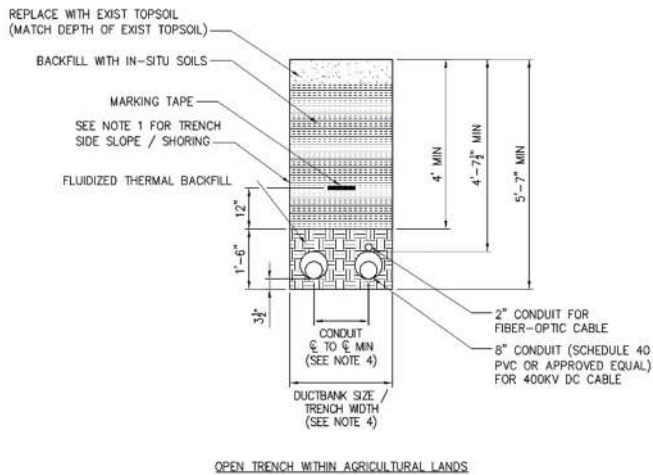
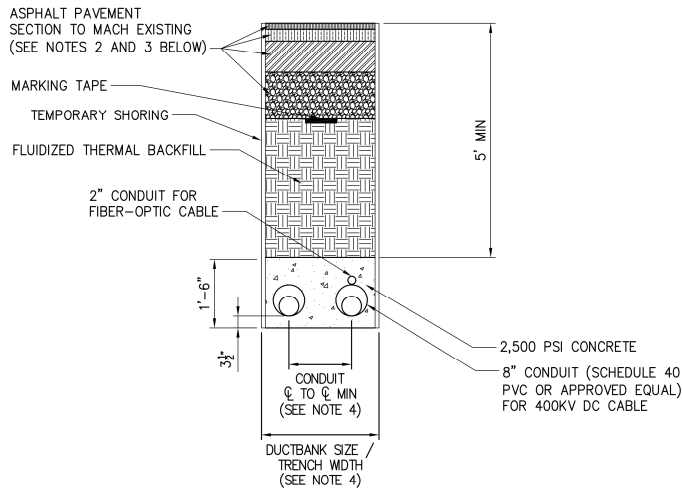
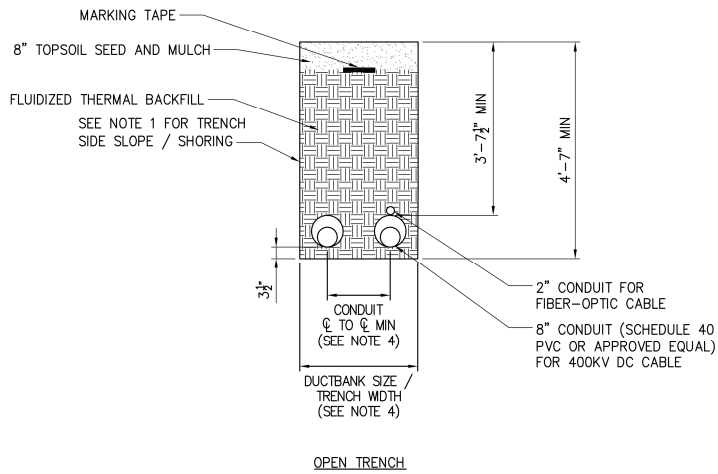


Figure 1 Typical open trench, open trench in agricultural lands, and duct bank (roadway) installation of the cable illustrated.

3.4 Construction Timeline

The construction timeline is November 2022 to December 2025 for the entire project.

4 Cultural Resource Management Plan

4.1 Objective

It is the objective of this CRMP to demonstrate a comprehensive plan for cultural resources encountered during the construction and installation of the transmission line, as well as the various other components affiliated with the line.

TRC created a CRMP (2021) for the permitting process. The plan provides guidance for those monitoring activities not indicated in the TRC CRMP (2021) which specifically addressed previously identified sites within or along the permitted route, and also dealt with unanticipated discoveries when an archeologist is not present.

No areas of monitoring have been previously identified in the current segment of the Project. This current report serves as the supplemental CRMP for the now planned construction activities, tasked with synthesizing the previously reported data into one document and identifying roles and points of contact for communication ease.

Currently the Consulting Archeologist (CA) for the terrestrial portion of the Project is Matthew Kirk, Hartgen Archeological Associates, Inc. The Project Preservation Officer (PPO) is Ashley L. Bushey from the construction team, Kiewit.

4.2 Heritage Areas, Special Events, and Other Resources

As part of the Section 106 process, the federal agency solicited comment and feedback from Tribal Nations that have expressed an interest in the regions in which the Project is to be constructed. As part of that endeavor, no traditional cultural properties were identified within or immediately adjacent to the Project. No other heritage areas or special events have been identified within this segment of the Project. The Certificate Holder, and its assignees, continues to solicit information from the public and other stakeholders to identify such areas, should they exist. If a heritage area or special event is identified, the Project will coordinate mitigation measures which may include restrictions on workspace or access to sites, scheduling considerations, or work hour reductions.

4.3 Project Preservation Officer (PPO)

Hartgen will act as the Consulting Archeologists (CA) for the purpose of this effort. The CA will work closely with the Project Preservation Officer (PPO); the PPO or their designee will be present for all ground disturbing activities, and will have “stop-work” authority. The PPO will be part of the prime construction management team, Kiewit Corporation.

It is the responsibility of the CA to train this individual as a PPO and to provide a hands-on workshop for construction personnel, as designated by the PPO. The PPO and the construction team should have an understanding of cultural resources present in different areas, as well as understanding the potential for unknown cultural deposits. It is the responsibility of the PPO to implement the CRMP and ensure that requirements and conditions of the CRMP are met. Table 5 includes the necessary contact information.

The PPO will have the authority to cease excavation or construction work. In the event of encountering cultural materials or human remains, it is the responsibility of the PPO to halt construction activities and contact and coordinate with the CA to visit the location of the discoveries as quickly as possible. Unanticipated discoveries, such as human remains, will follow the protocols developed by OPRHP in 2021 in consultation and coordination with the state’s Tribal entities. This protocol supersedes previous iterations presented in the BMP, original CRMP, and other related documents and plans (Appendix 2).

In the event of these discoveries, the CA will have up to three workdays to document and recover cultural material from the APE before the construction continues. The CA, in consultation with the PPO and the NYSHPO, may request additional archeological field assistance to complete the necessary work in a timely manner. It is the responsibility of the PPO to work with the appropriately trained archeologists to ensure that the survey and assessment of any change in the APE is completed prior to construction taking place.

4.4 Identification of Historic Properties

Changes in the APE or modifications to work proposed within the APE will prompt review of the subject location(s) for historic properties. The review will include archeological survey as specified in the TRC CRMP (2021) in addition to completion of a files search that will include previous survey data through New York CRIS and may be supplemented with local assessor records, historic topographic maps, historic aerial images, Sanborn Fire Insurance and other historic maps, and other resources as available.

Properties are typically considered to hold historic potential when they meet or exceed 50 years of age. The Project may elect to consider the historic potential of properties approaching this age threshold to accommodate anticipated construction horizons. The Project will complete a survey evaluation for properties that meet or exceed the age threshold for historic potential, have no existing determination of NRHP eligibility or a determination ten or more years old, and may be affected by project activities. The evaluation will be completed by a cultural resource specialist who meets or exceeds the Secretary of the Interior's Professional Qualification Standards (SOI Standards) in a discipline appropriate for the subject site; archeological sites will be evaluated by professionals who meet or exceed the SOI Standards in the area of archeology; architectural and landscape sites will be evaluated by professionals who meet or exceed the SOI Standards in the area of Architectural History. Survey evaluations will be subject to quality assurance review by a professional other than the author(s) who meets or exceeds applicable SOI Standards. Survey information will be input into the New York CRIS system prior to submission of annual reports on January 10 of each calendar year this agreement is in effect.

4.5 Barriers and Other Protective Measures

No additional protective measure with respect to cultural resources have been identified or requested by stakeholders for Segment 9 of the Project. If portions of the Project are altered, additional assessment, which may include desktop review, pedestrian survey, and/or archeological shovel tests, will be required to determine the presence or absence of cultural resources. Should cultural resources be identified, the Certificate Holder will avoid these resources if possible. Protective measures may include installation of temporary fencing and/or site delineation on Facility maps. Should an archeological site be impacted by Project activities, mitigation will include notification procedures and data recovery as stipulated in the Section 4.0 of the CRMP, and/or other treatment measures determined through consultation with NYSHPO, Tribal Nations, and consulting parties.

4.6 Reporting Requirements

The TRC CRMP (2021) establishes a requirement for annual reporting concerning activities conducted under the TRC CRMP: *The PPO will prepare an annual report to the DOE and NYSHPO (and any of the other signatory or consulting parties listed in the Programmatic Agreement), which summarizes activities conducted under this CRMP on an annual basis for as long as this TRC CRMP (2021) is in effect (i.e., through post-construction monitoring). The report will be completed and submitted on or before January 10 of each year. The CRMP may be updated and/or revised as appropriate to improve its implementation so long as concurrence is reached by the parties involved is achieved. The annual report will include a summary of all historic properties and archaeological resources that may have been encountered during construction and how they were treated. Post-construction reports will identify which cultural resources were monitored and provide a summary of resource conditions and whether looting or other forms of ground disturbance were noted (TRC 2021).*

The PPO will establish and maintain:

- A system of tracking archeological monitoring reports;

- Application of Program Comments, Exemptions, or Program Alternatives;
- Application of Programmatic Allowances;
- Implementation of Treatment Measures;
- Potential changes to APE;
- Annual report that summarizes the above items stipulated by the TRC CRMP.

4.7 Programmatic Allowances

Activities considered Programmatic Allowance are not exempt from archeological monitoring and remain subject to unanticipated discovery protocols, including stop-work provisions, as contained in the TRC CRMP (2021).

Programmatic Allowances include actions where historic properties will not be affected or effects to historic properties hold limited potential to diminish historic integrity. Where Programmatic Allowance(s) are applicable, the action will not require independent consultation with the State Historic Preservation Office (SHPO).

Application of Programmatic Allowances requires review by Project Preservation Officer (PPO). The PPO must complete:

- Memorandum to file containing a verbal description of work proposed, and a verbal description and map of geographic area subject to the work proposed;
- Summary of file search and/or literature review conducted to identify potential historic properties;
- Description of historic properties affected (if any);
- Justification for the application of one or more Programmatic Allowances.

The Project will maintain a tracking system of memoranda applying Programmatic Allowances, which will be communicated to NYSHPO and the Programmatic Agreement signatories in an annual report.

In addition to the Programmatic Allowances contained in this document, the Project may include application of relevant Section 106 Program Comments and program alternatives including but not limited to:

- Program Comment for Actions Affecting Post-1945 Concrete and Steel Bridges (*Federal Register*, Vol. 77, No. 222, November 16, 2012)
https://www.achp.gov/sites/default/files/program_comments/2017-01/program%20comment%20concrete%20and%20steel%20bridges.pdf
- Program Comment to Exempt Consideration of Effects to Rail Properties within Rail Rights-of-Way (*Federal Register* Vol. 84, No. 125, June 28, 2019)
<https://www.govinfo.gov/content/pkg/FR-2019-06-28/pdf/2019-13779.pdf>
- Advisory Council on Historic Preservation (ACHP) Exemption Regarding Historic Preservation Review Process for Effect to the Interstate Highway System (*Federal Register* Vol 70, No. 46, March 10, 2005)
https://www.achp.gov/sites/default/files/exemptions/2017-01/final_interstate_exemption_notice.pdf

4.7.1 Transportation Facilities

- A. Resurfacing existing roadways and/or replacement in-kind of highway signals, signage, or appurtenances when approved by the owner of the transportation facility.

- B. Replacement in-kind of railroad signals, crossing materials, and other railroad features or appurtenances when approved by the owner of the transportation facility.
- C. Installation of utility attachments on bridges in areas with existing utility attachments.

4.7.2 Ground Disturbing Activities

- A. Ground disturbing activities within areas of documented previous disturbance.
- B. Ground disturbing activities within non-historic and non-contributing properties or features when no vertical improvements are proposed.
- C. Ground disturbing activities within historic and contributing properties when 1) no contributing features, including contributing landscaping and vegetation, are present and affected within the area of disturbance; and 2) the area subject to disturbance is returned to pre-construction appearance including replication of pre-construction land contours and in-kind replacement of vegetation and landscape features.

4.7.3 Temporary Staging and Temporary Facilities

- A. Temporary staging or stockpiling within existing parking areas.
- B. Temporary staging or stockpiling within transportation rights of way.
- C. Temporary staging or stockpiling within areas with documented previous ground disturbance when the ground is returned to pre-construction appearance, including contours and vegetation.
- D. Installation of temporary construction support facilities when the ground is returned to pre-construction appearance, including contours and vegetation.
- E. Location of temporary construction trailers not requiring a foundation or pad.

4.7.4 Utilities, Lighting, and Maintenance Facilities

- A. Installation of underground utilities using directional bore drilling or similar method.
- B. Replacement, repair, and/or maintenance of existing underground utilities in-kind when work occurs within the existing utility footprint.
- C. Installation, replacement, or upgrade to lighting within transportation rights of way and/or at Project locations requiring routine maintenance.
- D. Establishing maintenance facilities within Project easements or right of way no more than 10-feet high with a footprint no more than 120 square feet when facility is not located within a State Register of Historic Places (SRHP) or National Register of Historic Places (NRHP) historic district.

4.7.5 Pre-Construction Due Diligence and Testing

- A. Conducting geotechnical testing, hazardous materials sampling, seismic or vibration testing or monitoring, or drill samples.
- B. Wetland testing and delineation.
- C. Wildlife surveys and inventories.
- D. Property line and ownership verification surveys.
- E. Utility location surveys.

4.7.6 Hazard and Hazardous Waste Removal

- A. Removal of debris related to weather or storm damage, or present as a result of modern dumping.
- B. Hazardous waste removal.

4.7.7 Environmentally Sensitive Area (ESA) Protection and Mitigation

- A. Installation of temporary fencing to protect areas of cultural, biological, or other environmentally sensitive area from the effects of construction.
- B. Wetland mitigation construction.
- C. Vegetation or landscaping to support habitat mitigation.

4.7.8 Drainage Improvements

- A. Erosion control measures including placement of best management practices, rip rap within non-historic channels, and emergency erosion control measures.
- B. Re-grading or re-establishing existing drainage channels.
- C. Temporary drainage systems including culvert placement and grading, provided the area is returned to pre-construction appearance.
- D. Replacement or up-sizing corrugated metal pipe (CMP), concrete box culvert (CBC), reinforced concrete pipe (RCP), and plastic pipe culverts where no architectural headwalls or wingwalls are present or where these features, if present, will remain in place.

4.7.9 Signage and Surveillance

- A. Installation, maintenance, repair, or removal of security systems.
- B. Installation of signage not located within a NRHP district.
- C. Replacement of existing signs; including within a NRHP district when replacement is in-kind and at the same location as the sign to be replaced.
- D. Maintenance, repair, or removal of signage.
- E. Installation of less than 100 linear feet of security fence within Project easements or right of way when not located within a SRHP or NRHP historic district.

4.7.10 Easements and Right of Way

- A. Acquisition of easements or right of way from non-historic properties and when not located within a State Register of Historic Places (SRHP) or National Register of Historic Places (NRHP) historic district.
- B. Acquisition of easements or right of way for subterranean activities when no surface rights or access is conferred.

4.8 Treatment Measures

When Project actions do not qualify as Programmatic Allowances, the Project will complete an evaluation of the potential for actions to diminish the historic integrity of historic or archeological resources, as defined in 36 CFR Part 800.5(a)(1). The Project may reference applicable National Register Bulletins, published by the National Park Service, to support the evaluation. Project actions found to diminish integrity as defined in 36 CFR Part 800.5(a)(1) will require Treatment Measures. The Project will complete a memorandum documenting eligibility of the resource(s), application of the criteria of adverse effect, avoidance measures considered, efforts to minimize the effect, coordination with property owner(s) or local government(s) in selection of Treatment Measures if applicable, and rationale for application of the selected Treatment Measure, if applicable. A separate Memorandum of Agreement (MOA) will not be required when one or more of the following Treatment Measures are selected. If the Project action is determined not to diminish integrity, further action will not be required.

The Project will maintain a tracking system of memoranda and Treatment Measures, which will be communicated to NYSHPO and the Programmatic Agreement signatories in the annual report.

This section will not apply to designated National Historic Landmark properties, as consultation with the Department of the Interior is required (36 CFR Part 800.10), generally conducted via consultation with the National Park Service.

4.8.1 Data Recovery

Data recovery and reporting is the preferred mitigation for archeological sites. Implementation of this Treatment Measure will follow protocol contained in TRC CRMP Section 4.0 Project Effects and Management Measures. Additional details concerning data recovery for resources identified during archeological monitoring or that are unanticipated discoveries are outlined in more detail below.

4.8.2 Certified Local Government or Historic Preservation Board/Commission Priority Project Sponsorship

The Project crosses through several Certified Local Government (CLGs) jurisdictions. CLG programs are a division of municipal or county government to create and implement local-level historic preservation planning and programming. Many CLGs maintain a formal historic preservation plan containing goals and priority projects for preservation activities within their jurisdiction. Whether or not a CLG maintains a formal historic preservation plan, all are required to maintain a system of identification and documentation of historic properties, sometimes referred to as historic survey. Communities may also maintain a Historic Preservation Board, Commission, or similar entity and choose not to become a CLG. Each program will formally or informally document preservation priorities within their jurisdictions, often identifying lack of funding as a significant barrier to implementation.

Site-specific mitigation often has limited value to advancement of historic preservation. To create broader impact to the historic properties and the communities they serve, the Project may coordinate with CLGs or Historic Preservation Boards/Commissions to sponsor one or more of the priority projects identified within that entity's jurisdiction and not necessarily within the Project APE.

Example projects include, but are not limited to, historic surveys, State or National Register Nominations, historic context documentation, completion (or update) of a strategic preservation plan, completion of a strategic historic survey plan, archaeological or architectural history field schools, historic preservation technical trainings or workshops, workshops related to historic preservation tax credits, and more.

New York CLGs are listed on the NYSHPO website at: <https://parks.ny.gov/shpo/certified-local-governments/listing.aspx>

4.8.3 Digital Photography Package

Prior to implementation of the work necessitating implementation of Treatment Measures, a digital photography package will be prepared by an individual meeting the Secretary of the Interior's Professional Qualification Standards. The photography package will include images demonstrating the property in its setting and context, images showing each exterior building elevation, images showing the spatial relationships of building(s) and features of the site, and appropriate detail images. A map showing photograph locations and view direction will be included. A photography log will be included containing photograph numbers, cardinal direction viewpoint, historic resource name and number (if applicable), street address (if applicable), city or town, county, state, and image description. The digital photography package will follow the National Park Service photography standards for the National Register of Historic Places:

https://www.nps.gov/subjects/nationalregister/upload/Photo_Policy_update_2013_05_15_508.pdf

Copies of the photography package on archival CD will be provided to NYSHPO, local Historic Preservation Board or Commission, and/or interested local or state repositories. One set of archivally produced, archivally labelled photographs will be provided to the NYSHPO.

4.8.4 National Park Service Heritage Documentation (HABS/HAER/HALS)

Prior to implementation of the work necessitating implementation of Treatment Measures, the property subject to the work will be documented to National Park Service standards using the appropriate heritage documentation form: Historic American Building Survey (HABS), Historic American Engineering Record (HAER), or Historic American Landscape Survey (HALS). Work will be completed by a Cultural Resource Specialist who meets or exceeds the Secretary of the Interior's Professional Qualification Standards. The appropriate level of documentation (Level I, Level II, Level III) will be selected based on the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation, as published in the Federal Register July 21, 2003: [https://www.National Park Service.gov/hdp/standards/standards_regs.pdf](https://www.NationalParkService.gov/hdp/standards/standards_regs.pdf)

The Project will follow HABS/HAER/HALS Standards & Guidelines published by National Park Service Heritage Documentation Programs. The Project will coordinate with the National Park Service Northeast Region to obtain an applicable HABS/HAER/HALS. The Project will complete comment resolution with the National Park Service Northeast Region and submit final documentation for transmittal to the Library of Congress.

4.8.5 Public Interpretation

Public interpretation will be designed and produced, which may include print or digital media, on-site or off-site signage, workshops or technical trainings, or other means of engaging and educating interested public regarding historic properties. If the public interpretation involves physical signage, installation will require agreements from the landowner accepting the sign(s) including responsibility for maintenance.

Completion of public interpretation as a Treatment Measure will be executed independent of the commitment to provide \$5,000 in educational investment included in the TRC CRMP.

4.9 Property Owner Requests

The Project may accommodate property owner requests, including privately and publicly held properties, that may exceed Project needs or requirements. If a property owner request accommodated by the Project escalates permitting, consultation, or Treatment Measure requirements, the subject property owner will assume responsibility for associated costs.

5 Archeological Monitoring Methodology

5.1 Objective

The objective of the archeological monitoring is to identify and document archeological deposits that may be encountered in areas that were previously inaccessible for archeological survey or not considered during the initial resource assessment, specifically in those areas outside of the originally permitted route. The monitoring methodology creates an efficient and streamlined notification process and means to determine the potential eligibility of resources for inclusion on the National Register, and for the creation and adoption of timely and effective mitigation strategies.

5.2 Monitoring

The Consulting Archeologist will observe the contractor's excavations within designated areas as indicated by station numbers in the Supplemental CRMPs (Table 6). On the basis of such observations, the Consulting Archeologist may request a short-term cessation of work in the vicinity of a potential archeological site or find in order to record information or to evaluate exposed archeological deposits. The Consulting Archeologist may request the on-site supervisor for time to evaluate significant finds, deposits, or other archeological materials in an effort to assess their eligibility for the National Register.

The Consulting Archeologist may direct the Contractor's workers in the use of machinery on a very limited basis to assist in the exposure of material of archeological importance. This assistance will comprise work which would otherwise be done without archeological involvement, but where archeological direction can ensure that significant material is not disturbed.

The Consulting Archeologist will inspect excavation areas, soil profiles, backdirt piles, and will collect artifact and soil samples as appropriate. The Consulting Archeologist will map and document archeological deposits using field notes, photography, and measured scale drawings. The locations of archeological deposits will be mapped with a submeter GPS unit.

Archeological monitoring and associated site or find evaluation time will vary depending on the type of site or find encountered. Typical stop-work requests to complete archeological evaluation will be accommodated within one hour or less, often within fifteen minutes. Stop-work will be limited to an area within 50 feet of the potential archeological find; work may continue outside the area of the potential archeological find provided work occurs in an area not subject to archeological monitoring or an additional Consulting Archeologist is available to observe the work.

5.3 Notification

For archeological finds that may be National Register-eligible but cannot be adequately recorded during a short cessation of work (typically one hour or less per find) and cannot be otherwise avoided, the Consulting Archeologist will notify the on-site Supervisor and request a halt to construction activities near the find. The Consulting Archeologist shall notify the Project Preservation Officer (PPO), who shall in turn notify the NYSHPO, other stakeholders and Tribal Nations, as appropriate, within 24 hours of the initial reporting of the finds, per the Certificate Conditions 110 and 111. During this time, work in the immediate vicinity of the find must halt and the area of concern fenced or otherwise protected from construction activities. Once the area is secured, activity adjacent to the find may continue during the consultation process. Per 36 CFR Part 800.13(b)(3), NYSHPO, other stakeholders and Tribal Nations will have 48 hours from the time of notification to respond.

5.4 Determination of Eligibility

The NYSHPO will make a determination of eligibility for the archeological resource based on the information provided by the Archeological Monitor and PPO. The NYSHPO shall receive this information from electronic communications and respond within 48 hours, per 36 CFR Part 800.13(b)(3).

5.5 Determination of Effects, Mitigation Efforts and Dispute Resolution

It is expected that potential archeological finds will be located within a relatively narrow construction corridor with limited means for avoidance. When a site is determined eligible for inclusion on the National Register, avoidance is not possible, and continued construction requires disturbance of the site, the resulting Section 106 determination of effect will be Adverse Effect. Determinations of Adverse Effect require mitigation treatment to resolve; a separate Memorandum of Agreement will not be required when mitigation treatments contained within this document, or a CRMP associated with the area of the subject archeological site, is selected. Dispute resolution among the parties will be guided by the TRC CRMP (2021).

5.5.1 Data Recovery Mitigation Strategy

Data recovery mitigation strategy will be outlined in a brief plan that provides guidance on the level of effort expected, square meters of excavation, sampling percentage, and number of anticipated feature excavations. The strategy will provide a schedule for the proposed recovery/documentation efforts, including options to expedite the process, which may include 10-hour working days and additional crew. The mitigation plan shall also include a protocol for artifact collection, processing, cataloging, analyses, and final curation of materials, as outlined in the TRC CRMP (2021) Section 4.3. The data recovery plan will be provided to NYSHPO, Tribes,

and other stakeholders prior to implementation; these parties will have up to 15 days to review and provide comment. Data Recovery can begin as soon as notification to proceed is provided from NYSHPO. The PPO will notify the NYSHPO, Tribes, and other stakeholders of the completion of the fieldwork and that portion of the project shall be cleared to resume construction.

5.5.2 Alternative Archeological Mitigation

Alternative archeological mitigation efforts that contemplate non-traditional excavation and/or data recovery methods may be appropriate considering the circumstances. Numerous treatment methods may be selected including, but not limited to, off-site archeology, non-invasive archeology in the vicinity, and other appropriate strategies. Factors that may influence such decisions include the Project's constraints (in terms of construction corridor width and depth), weather and soil conditions, hazardous work environments, other health and safety concerns, and Project schedule.

Through the many moving parts of this Project, efficient and immediate contact and consultation will be vital. The Project contacts are listed in the table below:

Table 5 Project contacts.

Agency/Organization	Role	Contact person	Contact information
Kiewit Corporation	Project Preservation Officer	Ashley L. Bushey	Ashley.Bushey@Kiewit.com 802.349.6388
CHA Consulting, Inc.	Consulting Engineer	Chris Einstein	ceinstein@chacompanies.com 518.453.4505
U.S. Department of Energy	Stakeholder	Melissa Pauley	melissa.pauley@hq.doe.gov
U.S. Army Corps of Engineers	Stakeholder	Stephan Ryba	Stephan.a.ryba@usace.army.mil
New York State Historic Preservation Office (NYSHPO)	Stakeholder	Nancy Herter	Nancy.herter@parks.ny.gov 518.268.2179
New York DPS	Stakeholder	Matthew Smith	matthew.smith@dps.ny.gov
Hartgen Archeological Associates	Consulting Archeologist	Matthew Kirk	mkirk@hargen.com 518.283.0534 518.300.5940
Transmission Developers Inc.	Applicants/Owner	Ayokunle "Kunle" Kafi, PE, CEM	Ayokunle.kafi@transmissiondevelopers.com 347.920.6550
Delaware Nation	Tribal Nation	Carissa Speck	(405) 247-2448, Ext. 1403 cspeck@delawarenation-nsn.gov
Delaware Tribe of Indians	Tribal Nation	Susan Bachor	610.761.7452 sbachor@delawaretribe.org
Shinnecock Nation	Tribal Nation	Jeremy Dennis	631.283.6143 adminoffice@shinnecock.org jeremynative@gmail.com
St. Regis Mohawk Tribe	Tribal Nation	Darren Bonaparte	518.358.2272, ext. 2163 darren.bonaparte@srmt-nsn.gov
Stockbridge-Munsee Community	Tribal Nation	Jeff Bendremer	413.884.6029 thpo@mohican-nsn.gov
National Park Service	Stakeholder	William Griswold	978.970.5146 william_griswold@nps.gov
Advisory Council on Historic Preservation	Stakeholder	Stephanie Stevens	202.354.2102 stephanie_stephens@nps.gov

6 Deliverables

6.1 Periodic Updates

The PPO in coordination with and under the guidance of the CA will provide periodic (bimonthly) updates on the progress of cable installation via email to the stakeholders. The communication will include project progress, discussion of unanticipated cultural resources, and the schedule for future work.

6.2 Annual Report

The CA will provide an annual report detailing the activities completed under the CRMP (2021) to the DOE and NYSHPO for as long as the CRMP is in effect. This report will be completed and submitted on or before January 10th each year. This report will include a summary of all historic properties and archeological resources that may have been encountered during construction and how they were treated. Post construction reports will identify which cultural resources were monitored and provide a summary of resource conditions and whether forms of disturbance were noted.

7 Summary of Recommended Effort

In Package 5B of Segment 9, there are three splice locations (primarily their work areas) and one HDD location for which additional archeological field/monitoring efforts are recommended (Table 6). One of the locations (HDD 88) is along a branch or tributary of Coeymans Creek, a watercourse which was identified in the Phase IA survey as worthy of archeological investigation (TRC 2020). [In the TRC report, the stream specified was mistakenly named the Onesquethaw Creek, a tributary of Coeymans Creek located upstream of the Selkirk Railyard Bypass.] Note that there are as many as two other crossings of the same drainage, but the cable will cross those locations either by means of HDD (89 and 90) or placed in the roadway embankment about 7 feet above the existing culvert.

Deviation 59-2 is a short segment of cable that will be placed near the work areas for HDD 88 and Splice 191. This will be situated at the north portion of the property at 398 South Albany Road. The farmhouse is thought to date to about 1830 but has been significantly modified. It has no determination of eligibility according to CRIS. A separate building evaluation for the farmhouse should be initiated and consultation with NYSHPO taken.

The National Register-eligible Vanderzee-Tryon House and Barns (00102.000563) includes an 18th-century, stone farmhouse and associated farm outbuildings. A portion of the property will be utilized for a temporary easement needed to install the cable within the shoulder of West Yard Road. No direct impacts are anticipated to the property and no additional protection measures are recommended.

Table 6. Resources and recommendations in Package 5B of Segment 9, Selkirk Railyard Bypass.

Resources	Activity	Stations	Location	Conditions	Recommendation
Vanderzee-Tryon House and Barns (00102.000563). 18 th -century, stone farmhouse and associated farm complex.	Cable Route and Splice 186	51039+00 to 51059+00	Southwest side of West Yard Road, property fronts on 190 Old Quarry Road to the southwest.	Cable within shoulder of road, temporary easement extends into property.	The property has been determined National Register-eligible. No direct impacts are anticipated. No further work recommended.
Sensitive area	Splice 187	51080+00	Within permitted route outside of roadway.	Work area extends outside of permitted route.	Archeological testing or monitoring of work area.
Sensitive area	Splice 189	51136+25	Within permitted route outside of roadway.	Work area extends outside of permitted route.	Archeological testing or monitoring of work area.
Sensitive area	HDD 88	51179+90 to 51194+20	Crosses under Coeymans Creek, west to east. West end HDD work area (51178+47 to 51179+50) is 60 ft wide. East end HDD work area (51194+00 to 51196+00) is 75 ft wide.	Both HDD work areas are located outside of the permitted route.	Determination of eligibility for 19 th century farm complex at 398 South Albany Rd, and archeological monitoring or testing for work areas that extend outside of permitted route.

Resources	Activity	Stations	Location	Conditions	Recommendation
Sensitive area	Splice 191 and Deviation S9-2	51197+00 to 51200+00	Immediately west of Selkirk Railyard.	Cable route and parts of the splice's work areas are outside the permitted route and outside railroad ROW.	Determination of eligibility for 19 th -century farm complex at 398 South Albany Rd. Archeological monitoring or testing for work areas that extend outside of permitted route.

8 Bibliography

New York Archaeological Council (NYAC)

1994 *Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State*. NYAC, n.p.

TRC

2020 *Phase IA Archaeological Assessment of the Champlain-Hudson Alternative Routes, New York*, OPRHP, Waterford NY. Submitted to Transmission Developers Inc.

**Appendix 1: Champlain Hudson Power Express Cultural Resources Management Plan
(TRC 2021)**

THIS DOCUMENT IS CONSIDERED PRIVILEGED AND CONFIDENTIAL AND NOT INCLUDED

Appendix 2: SHPO Human Remains Protocol 2021

**State Historic Preservation Office/
New York State Office of Parks, Recreation and Historic Preservation
Human Remains Discovery Protocol
(January 2021)**

If human remains are encountered during construction or archaeological investigations, the New York State Historic Preservation Office (SHPO) recommends that the following protocol is implemented.

- Human remains shall be treated with dignity and respect. Should human remains or suspected human remains be encountered, work in the general area of the discovery shall stop immediately and the location shall be secured and protected from damage and disturbance.
- If skeletal remains are identified and the archaeologist is not able to conclusively determine if they are human, the remains and any associated materials shall be left in place. A qualified forensic anthropologist, bioarchaeologist or physical anthropologist shall assess the remains in situ to help determine if they are human.
- If the remains are determined to be human, law enforcement, the SHPO, the appropriate Indian Nations, and the involved state and federal agencies shall be notified immediately. If law enforcement determines that the burial site is not a criminal matter, no skeletal remains or associated materials shall be removed until appropriate consultation takes place.
- If human remains are determined to be Native American, they shall be left in place and protected from further disturbance until a plan for their avoidance or removal is developed. Please note that avoidance is the preferred option of the SHPO and the Indian Nations. The involved agency shall consult SHPO and the appropriate Indian Nations to develop a plan of action. Photographs of Native American human remains and associated materials should not be taken without consulting with the involved Indian Nations.
- If human remains are determined to be non-Native American, the remains shall be left in place and protected from further disturbance until a plan for their avoidance or removal is developed. Please note that avoidance is the preferred option of the SHPO. The involved agency shall consult SHPO and other appropriate parties to develop a plan of action.
- The SHPO recommends that burial information is not released to the public to protect burial sites from possible looting.