



**Appendix 6-D: Supplemental Cultural Resources Management Plan  
(SCRMP)**

**CONTAINS REDACTED INFORMATION IN CASE 10-T-0139**



## **Supplemental Cultural Resources Management Plan (CRMP)**

Harlem River EM&CP Segment 20A – Harlem  
Bulkhead Penetration and Tie-in

Case Number 10-T-0139

(OPRHP# 09PR03910)

Port Morris neighborhood of the Borough of the  
Bronx, Bronx County, NY

**May 2024**

## **Champlain Hudson Power Express HVDC Transmission Line Project**

### **Prepared For:**

CHPE, LLC and CHPE Properties, Inc.  
600 Broadway  
Albany, NY 12207

### **Prepared By:**

TRC  
P.O. Box 1068  
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## MANAGEMENT SUMMARY

**SHPO Number:** 09PR03910

**Involved Agencies:** U.S. Department of Energy, U.S. Army Corps of Engineers, New York State Historic Preservation Office

**Phase of Survey:** Supplemental Cultural Resources Management Plan (Supplemental CRMP)

**Location of Project:** The Champlain Hudson Power Express (CHPE) project involves the construction of approximately 339 miles of high voltage direct current (HVDC) underground and underwater transmission cable from Montreal, Quebec, to Queens, New York. This Supplemental CRMP covers the Harlem Bulkhead Penetration and Tie-in (EM&CP Segment 20A) located on the Harlem River Segment of the project. Harlem Bulkhead Penetration and Tie-in will be located on privately owned property in the Port Morris neighborhood of the Borough of the Bronx, Bronx County, New York immediately north of the Willis Avenue Bridge along the Harlem Rail Yard Preferred Alternative route of the CHPE.

**Objective:** The purpose of this Supplemental CRMP is to update previous versions of the Cultural Resources Management Plan (CRMP) with additional research applicable to these Segments that has been completed since the original CRMP drafted by TRC in 2015 and finalized in 2021.

**Report Author:** Karen E. Mack

**Date:** May 2024



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## LIST OF ACRONYMS

APE	Area of Potential Effect
AWOIS	Automated Wrecks and Obstructions Information System
BMP	Best Management Practices
CA	Consulting Archeologist
CC	Certificate Conditions
Certificate	Certificate of Environmental Compatibility and Public Need Issued
Certificate Order	Certificate of Environmental Compatibility and Public Need Order
Certificate Holders	CHPE, LLC and CHPE Properties, Inc
CHPE, LLC	Champlain Hudson Power Express, LLC
CHPE Project	Champlain Hudson Power Express Project
CRMP	Cultural Resources Management Plan
DOE	Department of Energy
DPS	Department of Public Service
EM&CP	Environmental Management and Construction Plan
GIS	Geographic Information System
Hartgen	Hartgen Archeological Associates, Inc.
HDD	horizontal directional drilling
HVDC	high-voltage direct current
LCMM	Lake Champlain Maritime Museum
MRS	Marine Route Survey
MW	megawatt
NOAA	National Oceanic and Atmospheric Administration
NRHP	National Register of Historic Places
NRE	National Register of Historic Place Eligible
NRL	National Register of Historic Place Listed
NYAC	New York Archaeological Council
NYS CRIS	New York State Cultural Resource Information System
NYDEC	New York Department of Environmental Conservation
NYSRHP	New York State Register of Historic Places
NYSHPO	New York State Historic Preservation Officer
NYSM	New York State Museum
OPRHP	Office of Parks, Recreation and Historic Preservation
OSI	Ocean Surveys, Inc.
PPO	Project Preservation Officer
PSC or Commission	Public Service Commission
PSL	Public Service Law
TRC	TRC Environmental Corporation
USACE	United States Army Corps of Engineers



## 1.0 Introduction and Project Description

The Champlain Hudson Power Express HVDC Transmission Line Project (CHPE) involves the construction of approximately 339 miles of high voltage direct current (HVDC) underground and underwater transmission cable from Montreal, Quebec, Canada to Queens, New York (hereafter referred to as the CHPE Project). It will bring 1,250 megawatts (MW) of renewable energy into New York by the year 2025 to replace the use of fossil fuels and reduce carbon emissions.

### 1.1 Introduction

TRC Environmental Corporation (TRC) has been retained to create a Supplemental Cultural Resources Management Plan (Supplemental CRMP) for a portion of the proposed CHPE Project, referred to as "EM&CP Segment 20A".

The Project has received approvals by the U.S. Department of Energy (DOE), and the U.S. Army Corps of Engineers (USACE), with consultation from the New York State Historic Preservation Office (NYSHPO). The CHPE Project began the permitting process on March 30, 2010, when Champlain Hudson Power Express, Inc. filed an Application for a Certificate of Environmental Compatibility and Public Need with the New York State Public Service Commission (PSC or Commission) pursuant to Article VII of the New York Public Service Law (PSL) to construct and operate the electric transmission facility known as the CHPE Project (PSC Case 10-T-0139). The CHPE Project includes two five-inch diameter cables to be installed underwater or underground along the approximately 339-mile-long route, with aboveground facilities to include a voltage source converter station located in Astoria, Queens, New York. An Order granting the Certificate of Environmental Compatibility and Public Need (Certificate Order) was issued by the Commission on April 18, 2013 (the Certificate).

In August 2020, CHPE Hudson Power Express, Inc. converted from a corporation to a limited liability company and received the PSC's approval to transfer its interest in the Certificate to CHPE, LLC and CHPE Properties, Inc. (collectively CHPE and Certificate Holders). The Certificate was amended several times to reflect revisions in the alignment and other Certificate Conditions (CC). The Article VII review and certification process included the development of numerous documents which identified natural resources within the CHPE Project area and best management practices (BMPs) to minimize impacts to those natural resources which might otherwise result from the construction or operation of the CHPE Project. Certificate Condition 6 permits the Certificate Holders to develop the CHPE Project facilities in segments to facilitate construction sequencing and scheduling. Each segment, or grouping of segments, may be the subject of an Environmental Management and Construction Plan (EM&CP) filed with the Commission for review and approval independent of other EM&CP's.

TRC created a draft comprehensive Cultural Resource Management Plan (CRMP) in 2015, finalized in 2021 to include three additional reports. This management plan is referred to





throughout the current document as the original CRMP (Appendix A). In the event of a conflict between this 2024 Supplemental CRMP document and the original CRMP, the original CRMP will prevail.

This plan was enacted to comply with Section 106 of the National Historic Preservation Act and 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. Appendix B presents NYSHPO's Updated Human Remains Discovery Protocol (January 2021).

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 CRMP to create procedures for the consideration and management of historic properties within the Project area.

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 Historic Preservation Act (16 U.S.C. 470) related to the identification of historic properties (36 CFR Part 800.4), assessment of adverse effects (36 CFR Part 800.5), and resolution of adverse effects (36 CFR Part 800.6).

This Supplemental CRMP has been developed in response to Programmatic Agreement Stipulation IV(B) and Stipulation II(C)(8-11 and 19) and it builds upon the previously completed CRMP and all stipulations of the CRMP (TRC 2021) remain applicable.

## 1.2 Supplemental CRMP Objectives

This Supplemental CRMP discusses the Harlem Bulkhead Penetration and Tie-in (EM&CP Segment 20A) located on the Harlem River Segment of the project. Bulkhead Penetration and Tie-in construction activities will be located on private property in the Port Morris neighborhood of the Borough of the Bronx, Bronx County, New York immediately north of the Willis Avenue Bridge along the Harlem Rail Yard Preferred Alternative route of the CHPE Project.

The goal of the Supplemental CRMP is to provide a framework in which potential impacts to all relevant historical properties and archaeological sites (determined to be eligible for or listed in the National Register of Historic Places [NRHP]) known to exist or may be discovered are to be managed during construction. This management plan will also create a comprehensive framework for identifying and undertaking any additional archaeological work that may be required prior to and during the construction of the Project.



## 2.0 Project Information

The area of potential effects (APE) includes all portions of the Project that will be directly altered by the proposed undertaking. 36 CFR § 800.16(d) defines the APE as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. Project activities, both temporary and permanent, have the potential to impact cultural resources during the construction and operation phases of the Project.

The overall APE, for the entire CHPE Project, encompasses 339 linear miles of transmission line. Installation of this transmission line will occur primarily beneath the ground within roadway and railroad right of way, as well as the underwater or marine segments located within Lake Champlain, the Hudson River, and the Harlem River.

Several archaeological reports by TRC and Hartgen examined and detailed the sensitivity and potential of the APE to contain NRHP eligible archaeological resources along the terrestrial portion of the APE. The Lake Champlain Maritime Museum (LCMM) examined and detailed the potential of the underwater portion of the APE to contain NRHP eligible archaeological resources. These resources have been utilized in the creation of the original CRMP and previous Supplemental CRMPs, including this Supplemental CRMP. The following is a list of reports completed and used to create the Supplemental CRMP:

- Hartgen. 2010a. Pre-Phase IA Archaeological Screening: Champlain Hudson Power Express.
- Hartgen. 2010b. Phase IA Literature Review and Archaeological Sensitivity Assessment: Champlain-Hudson Power Express.
- Hartgen. 2012. Phase IB Archaeological Field Reconnaissance and Phase II Archaeological 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 Places 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 Archaeological Assessment of the Champlain-Hudson New Scotland Converter Station, New Scotland, Albany County, New York.
- TRC. 2022. Phase IA Archaeological Assessment of the Putnam Station Laydown Area for the Champlain Hudson Power Express Project, Putnam, Washington County, New York.
- TRC. 2022. Updated Information on the Champlain Hudson Power Express (CHPE) Project, Cementon HDD in the Town of Cementon, Greene County, New York.
- TRC. 2022. Updated Information on the Champlain Hudson Power Express (CHPE) Project, Congers HDD in the Town of Congers, Rockland County, New York.
- LCMM. 2023 (revised 2024). Final Report for the Underwater Cultural Resource Review of the Champlain Hudson Power Express, Lake Champlain Segment Investigations.
- LCMM. 2023 (revised 2024). Final Report for the Underwater Cultural Resource Review of the Champlain Hudson Power Express, Hudson River Segment Investigations.

## 2.1 Description of the Project

The overall 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). The current Supplemental CRMP focuses on Harlem River Segment 20A, the Harlem Bulkhead Penetration and Tie-in.

This Supplemental CRMP further considers the currently proposed route and proposed deviations in relation to recommendations for additional archaeological mitigation measures. As such, more fine-grained recommendations relative to specific cultural resource locations are provided below.

**Table 1. CHPE Packages, Segments, Locations and Dates**

EM&CP Construction Segment	EM&CP Design Package	Location Description	Segment Length (miles)	EM&CP Filings with DPS	PSC Approval Date	Anticipated Start of Construction
Overland Segments						
1, 2	1A/1B	Putnam to Dresden Dresden to Whitehall	17.6	April 15, 2022	October 13, 2022	December 2022
3	1C/2	Whitehall to Fort Ann Fort Ann to Kingsbury	20.8	December 23, 2022	May 18, 2023	June 2023
8	5A	Rotterdam to Selkirk	17.0	December 21, 2022	June 26, 2023	September 2023
9	5B	Selkirk Bypass	5.3	December 21, 2022	June 26, 2023	January 2024
4, 5	3	Kingsbury to Milton	26.5	April 24, 2023	August 18, 2023	October 2023

**Table 1. CHPE Packages, Segments, Locations and Dates**

EM&CP Construction Segment	EM&CP Design Package	Location Description	Segment Length (miles)	EM&CP Filings with DPS	PSC Approval Date	Anticipated Start of Construction
10	6	Ravena to Catskill	20.9	October 2, 2023	December 18, 2023	January 2024
13, 14, 15	8	Bronx to Queens	2.1	August 11, 2023	October 13, 2023	January 2024
6	4A	Milton to Ballston	10.2	August 4, 2023	September 14, 2023	September 2023
7	4B	Ballston to Schenectady/Rotterdam	9.6	August 4, 2023	September 14, 2023	September 2023
11	7A	Catskill to Germantown	8.6	March 30, 2023	August 18, 2023	January 2024
12	7B	Stony Point to Harverstraw	7.6	April 28, 2023	August 18, 2023	January 2024
Laydown Yards	3, 5B, 6	Fort Edward, Bethlehem, Coxsackie	N/A	November 11, 2022	February 21, 2023	March 2023
Marine Segments						
16	9	Transitional HDD (Stony Point)	N/A	September 29, 2022	March 20, 2023	June 2023
17	10	3 Transitional HDDs (Putnam, Catskill, Congers)	N/A	December 14, 2022	April 24, 2023	June 2023
18A	11A	Lake Champlain (Pre-Lay Mattressing)	96.8	April 4, 2023	July 20, 2023	April 2024
18B	11B	Lake Champlain (Cable Installation)	96.8	January 2024	TBD	2024
19A	12A	Hudson River (Pre-Lay Mattressing)	89.1	August 4, 2023	October 13, 2023	March 2024
19B	12B	Hudson River (Cable Installation)	89.1	March 2024	TBD	2024
20A	TBD	Harlem River (Bulkhead Penetration and Tie-in)	N/A	5/2024	TBD	2024
20B	TBD	Harlem River (Pre-Lay Mattressing and Cable Installation)	6.3	TBD	TBD	2025
21	TBD	Astoria Annex/AC Interconnection	0.3	11/2024	TBD	April 2025
22	22	Converter Station, Astoria Complex, (Queens)	N/A	January 31, 2023	May 18, 2023	June 2023
23	16	Astoria Rainey Cable HVAC System, (Queens)	3.5	December February 2023	TBD	March 2024

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 CRMP (TRC 2021). The CRMP 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 Project Preservation Officer (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 EM&CP Segment 20A - Harlem Bulkhead Penetration and Tie-in**

The Harlem Bulkhead Penetration and Tie-in (EM&CP Segment 20A) is located at the shore of the Harlem River, where landfall of the submarine cables is proposed. This segment of the CHPE project includes the installation of conduits via bulkhead penetration and duct bank construction on a parcel of privately owned land at the northern shore of the Harlem River. Construction activities will take place on disturbed land within an industrial area in the Port Morris neighborhood of the Borough of the Bronx, Bronx County, New York located just north of the Willis Avenue Bridge. The bulkhead penetration and duct bank conduits will be constructed in preparation for later installation and landfall of the submarine cable. This cable landfall location will serve as the transition between submarine cable to overland cable. There is an existing bulkhead at the shore of this property. Conduits will be installed through the bulkhead via bulkhead penetration. The conduits will continue north and east of the bulkhead, installed via trenching, until it reaches the cable transition vault. Construction activities will be broken into two phases: the bulkhead penetration, and the tie-in.

Bulkhead penetration will involve installation of a temporary cofferdam to accommodate the excavation required to install the proposed HDPE pipes and the cofferdam will be excavated below the existing mudline. A hole will be drilled through the existing bulkhead and approximately 40 feet of new steel sheeting will be installed to support the bulkhead at the drill location. Approximately 60 feet of trench will be dug from the end of the bulkhead inland. The trench will be excavated to below the existing river mudline elevation at the bulkhead face and slope up to approximately 8 feet deep from existing inland grade. Two 12 inch HDPE pipe conduits will be installed and concrete will be poured. Finally the trench will be backfilled with clean fill. The Tie-in phase of construction will include excavation of an approximately 125 foot trench to connect the bulkhead penetration conduits to the cable transition vault. Two 12 inch HDPE pipe conduits will be installed in the trench and concrete will be poured. All of activity will be located within an area covering approximately 1.23 acres composing EM&CP Segment 20A.

For an unrelated development, in February of 2022 the McLaren Engineering Group prepared a Permit Application for shoreline stabilization that included proposed location of Harlem Bulkhead Penetration and Tie-in. They consulted with the State Historic Preservation Office (SHPO) and



their report contained a copy of letter from SHPO dated September 3, 2021, stating that “Based upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeology and/or historic resources, will be affected by this undertaking.”

In 2020, TRC completed a Phase IA Archaeological Assessment of the Harlem Rail Project Yard Preferred Alternative Route that included the current proposed location of the Harlem Bulkhead Penetration and Tie-in, which is attached to this Supplemental CRMP as Appendix C. This report defined the area of potential effect (APE) as follows:

“The Harlem Rail Yard Route portion of the Project involves burial of underground electrical transmission line within a 50 feet-wide area of potential effect (APE). Along the Harlem Rail Yard Route, the anticipated depth of construction on the terrestrial portion is up to five (5) feet to allow the cables to be installed to a depth of at least four (4) feet below the surface. However, at specific locations along the route, the anticipated depth may be lower (currently estimated in the range of 6 feet). The width of the trench is expected to be four (4) feet. All construction for this portion of the Project will take place within existing road ROW, railyard ROW, or underwater (Mack and Dunning 2020:1).”

TRC concluded that,

“the history of the area as documented by maps and soils studies indicate that that the majority of the area was naturally inundated prior to 1897 and that after that date the area was progressively infilled to provide usable landforms. Soil data provided... classifies the soils as Urban Land, with varying depths of cemented material (i.e. 15 to 20 inches), then loam material. Based on the anticipated depths as described above, there is a potential for soils below the artificial material to be impacted during construction. However, the significant disturbance along the Harlem Rail Yard Route, including fill deposits and existing utility corridors, also suggest it is unlikely that archeological resources are intact. In addition, the width of the trench (approximately four (4) feet) would limit the extent of the disturbance. In the event that such resources are encountered during construction, an inadvertent discovery protocol will be in place. Therefore, no additional archaeological review is recommended (Mack and Dunning 2020:22).”

SHPO concurred with this conclusion in a letter dated October 20, 2020, which stated that “Based upon this review, the SHPO concurs that no Phase IB archaeological investigation is warranted due to the presence of disturbed and fill soils within the Area of Potential Effects (APE). The SHPO has no further concerns with this project area.”

## 2.3 Summary and Recommendations

Based on the previous research completed by TRC for the Harlem Rail Yard Route as well as that of the McLaren Engineering Group, TRC concluded that no further archaeological studies



are needed for the current proposed location of the Harlem Bulkhead Penetration and Tie-in. This conclusion was provided to SHPO in a letter dated May 3, 2024. SHPO concurred with this conclusion on May 10, 2024. A copy of this correspondence is provided in Appendix D.

### **3.0 Cultural Resources Management Plan**

#### **3.1 Objective**

It is the objective of this Supplemental CRMP to demonstrate a comprehensive plan for the encounter of cultural resources during construction activities.

TRC created a Final CRMP for the permitting process, with an overall permitting CRMP created in 2015, and revised in 2021. Hartgen and TRC have created Supplemental CRMPs since 2021 to address construction activities for various Segments of the CHPE Project. This Supplemental CRMP addresses proposed construction activities in EM&CP Segment 20A associated with the Harlem River Segment Bulkhead Penetration and Tie-in.

#### **3.2 Project Preservation Officer (PPO)**

As the original CRMP states, the Permittee will designate a PPO to oversee all cultural resources management issues related to the construction and post-construction of the Project. The PPO will coordinate the implementation of the CRMP and ensure that all requirements and conditions of the CRMP and Supplemental CRMP are met. The PPO's responsibilities will include review of Project activities to determine the potential effect to historic properties and consultation with the NYSHPO regarding potential effect to historic properties. Other activities of the PPO will include Supplemental CRMP updates and notifications, preparation of an annual monitoring report to the NYSHPO, and construction personnel training. As the PPO is not a technical position, it is not required that the PPO be a cultural resource professional; the PPO Coordinator, however, will receive training in the Section 106 process, and will work closely with the archaeologist whom the Permittee employs to assist the PPO in the execution of their responsibilities.

TRC will act as the Consulting Archeologists (CA) for the purpose of this effort. The CA will work closely with the PPO, who 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, NKT, Inc.

It is the responsibility of the CA to train this individual as a PPO and to provide a 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 Supplemental CRMP and ensure that all requirements and conditions of the CRMP and Supplemental CRMP are met. Table 2 in Section 4.0 includes all the necessary contact information.



The PPO and CA shall follow the procedures outlined in the Unanticipated Cultural Resource Discovery Plan, attached as Appendix E to this Supplemental CRMP. 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. In the case of human remains the PPO and CA will follow the State Historic Preservation Office/New York State Office of Parks, Recreation and Historic Preservation Human Remains Discovery Protocol (January 2021) provided in Appendix B,.

The PPO shall in turn notify the Certificate/Permit Holder (TDI/CHPE), who shall notify NYSHPO, the USACE, Department of Public Service (DPS), other stakeholders and Tribal Nations, as appropriate within 24 hours of the initial reporting of the finds, per the Certificate Conditions 110 and 111 and USACE Permit NAN-2009-01089-M7, General Conditions C.

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.

In the event of these discoveries, the CA will coordinate the mitigation cultural resources from the APE before the construction continues. The CA, in consultation with the PPO and the NYSHPO, may request additional archaeological 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.

For additional information regarding unanticipated cultural resource encounters, please refer to the complete Unanticipated Cultural Resource Discovery Plan in Appendix E.

### **3.3 Project Measures**

No additional protective measure with respect to cultural resources have been identified or requested by stakeholders for the current segment of the Project. If portions of the Project are altered, additional assessment may be required to determine the presence or absence of cultural resources.

## **4.0 Communication**

Table 2 has been created to facilitate efficient contact and communication for the implementation of this Supplemental CRMP.



**Table 2. Project Contacts**

Agency/Organization	Role	Contact Name	Contact information
NKT, Inc.	Project Preservation Officer	Martin Hall	<a href="mailto:Martin.hall@nkt.com">Martin.hall@nkt.com</a>
TRC Environmental Corp.	Consulting Engineer	Kevin Bodenhamer	<a href="mailto:kbodenhamer@trccompanies.com">kbodenhamer@trccompanies.com</a>
U. S. Department of Energy	Stakeholder	Melissa Pauley	<a href="mailto:melissa.pauley@dhq.doe.gov">melissa.pauley@dhq.doe.gov</a>
U.S. Army Corps of Engineers	Stakeholder	Stephan Ryba	<a href="mailto:Stephan.a.ryba@usace.army.mil">Stephan.a.ryba@usace.army.mil</a>
New York State Historic Preservation Office	Stakeholder	Nancy Herter	<a href="mailto:Nancy.heter@parks.ny.gov">Nancy.heter@parks.ny.gov</a>
New York DPS	Stakeholder	Matthew Smith	<a href="mailto:Matthew.smith@dps.ny.gov">Matthew.smith@dps.ny.gov</a>
TRC Environmental Corp.	Consulting Archaeologist	Karen E Mack	<a href="mailto:Kemack@trccompanies.com">Kemack@trccompanies.com</a> 207-215-2872
Transmission Developers Inc.	Applicant /Owner	Ayokunle "Kunle" Kafi, PE, CEM	<a href="mailto:Ayokunle.kafi@transmissiondevelopers.com">Ayokunle.kafi@transmissiondevelopers.com</a> 347-920-6550



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## 5.0 Deliverables

### 5.1 Periodic Updates

The PPO in coordination and under the guidance of the CA will provide periodic 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.

### 5.2 Annual Report

The PPO will prepare an annual report to the U.S. Department of Energy and the NYSHPO (and any of the other signatory or consulting parties listed in the Programmatic Agreement), which summarizes activities conducted under this Supplemental CRMP on an annual basis for as long as this CRMP 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 Supplemental CRMP may be updated and/or revised as appropriate to improve its implementation so long as concurrence is reached by the parties involved. 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 disturbances were noted.



## 6.0 References

Mack, Karen and Samantha Dunning

2020 Phase IA Archaeological Assessment of the Champlain-Hudson Power Express Project, Harlem Rail Yard Preferred Alternative, Borough of Queens, New York (Project Review: 09PR03910). Report on file with New York State Office of Park, Recreation and Historic Preservation, Waterford, NY.

McLaren Engineering Group

2022 Harlem River Yard Bulkhead Stabilization Permit Application. Report on file with New York State Department of Environmental Conservation, Long Island City, NY.

New York Archaeological Council (NYAC)

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



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## Appendix A – Cultural Resource Management Plan

**CHAMPLAIN HUDSON POWER EXPRESS HVDC  
TRANSMISSION LINE PROJECT**

**Cultural Resources Management Plan**

*Confidential*

**FINAL**

**PREPARED BY**

**TRC**

**OCTOBER 2015**

**REVISED FEBRUARY 2021**

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Confidential

Champlain Hudson Power Express HVDC Transmission Line  
Cultural Resources Management Plan**CHAMPLAIN HUDSON POWER EXPRESS HVDC TRANSMISSION LINE  
PROJECT****Cultural Resources Management Plan****TABLE OF CONTENTS**

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Champlain Hudson Power Express HVDC Transmission Line  
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## **LIST OF FIGURES**

NO TABLE OF FIGURES ENTRIES FOUND.

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Champlain Hudson Power Express HVDC Transmission Line  
Cultural Resources Management Plan

## LIST OF ACRONYMS

ACHP – Advisory Council on Historic Preservation  
APE – Area of Potential Effect  
CA – Consulting Archaeologist  
CHPE, LLC – Champlain Hudson Power Express, LLC  
CRMP – Cultural Resources Management Plan  
DOE – U.S. Department of Energy  
GIS – Geographic Information System  
Hartgen – Hartgen Archaeological Associates, Inc.  
HVAC – high-voltage alternating current  
HVDC – high-voltage direct current  
MW – megawatt  
NHPA – National Historic Preservation Act  
NYAC – New York Archaeological Council  
NYSHPO – New York State Historic Preservation Officer  
NYSM – New York State Museum  
PPO – Project Preservation Officer  
ROW – Right-of-Way  
TRC – TRC Companies, Inc.

# CHAMPLAIN HUDSON POWER EXPRESS HVDC TRANSMISSION LINE PROJECT

## Cultural Resources Management Plan

### 1.0 INTRODUCTION

This document is intended to serve as the Cultural Resources Management Plan (CRMP or Plan) for the Champlain Hudson Power Express HVDC Transmission Line Project (Project). The Programmatic Agreement for the Project, which was signed by the New York State Historic Preservation Officer (NYSHPO) and the U.S. Department of Energy (DOE) as signatory parties and the Champlain Hudson Power Express, LLC (CHPE, LLC or Permittee<sup>1</sup>) and the U.S. Army Corps of Engineers as concurring parties, sets forth an outline for this Plan. The goal of the CRMP is to provide the framework within which potential impacts to all relevant historic properties (those properties eligible for or listed in the National Register of Historic Places) known to exist or may be discovered to exist within the Project are to be managed. It additionally establishes a framework for identifying and undertaking additional archaeological work that may be required prior to and during construction of the Project.

The development of the CRMP for the Project is authorized under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. The CRMP takes into consideration the Advisory Council on Historic Preservation (ACHP) guidance on conducting archaeology under Section 106 (ACHP 2009); the ACHP's February 23, 2007 *Policy Statement Regarding the Treatment of Burial Sites, Human Remains, and Funerary Objects* (ACHP 2007); NYSHPO's *Human Remains Discovery Protocol* (NYSHPO 2021); the New York Archaeological Council's (NYAC) *Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State* (1994, as adopted by the NYSHPO in 1995); the *Secretary of the Interiors Standards and Guidelines for Archaeology and Historic Preservation* (48 FR 44716-44742, September 29, 1983; as amended and revised); the DOE's *American Indian and Alaska*

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<sup>1</sup>In August 2020, Champlain Hudson Power Express, Inc. (CHPEI) converted from a corporation to a limited liability company (CHPE, LLC). For the purposes of this filing, "Permittee" represents both past and current holders of federal and state permits and approvals.

*Native Tribal Government Policy* (DOE 2006); and the DOE's *Policy 141.1: Management of Cultural Resources* (DOE 2011).

The CRMP is organized in the following manner: Section 2 provides general background information regarding the Project, including a description of the Project facilities, its location, and the definition of the Area of Potential Effect (APE). The historic context(s) within which all known historic properties are understood and evaluated are then presented. This is followed by a summary of past cultural resource studies for the Project and their results. Section 2 of the CRMP concludes with a description of known and potential historic properties and details their significance. Section 3 outlines the basic historic preservation standards and the project management goals which will guide the development and implementation of the CRMP. Section 4 outlines the range of Project effects upon historic properties known to fall or suspected of falling within the APE and measures that might be taken to manage those effects over the course of the construction period. It also provides details regarding the process by which consultation with the NYSHPO and Tribal Historic Preservation Officers and other consulting parties will take place; the manner in which any human remains encountered will be treated; and how provision will be made to foster public interpretation. The final section, Section 5, describes the CRMP implementation procedures, including the designation of a CRMP Coordinator and a consulting archaeologist (CA); periodic reporting requirements; periodic review of the CRMP; and dispute resolution procedures, all with a view towards facilitating consultation among the DOE, the NYSHPO, the ACHP, or other concurring parties.

This Appendix contains confidential commercial information, trade secrets, and/or proprietary information and as such is entitled to confidential treatment under Section 87(2) of the New York State Public Officers Law and the Commission's regulations (16 NYCRR 6-1). An unredacted version of this document has been submitted under separate cover to the Records Access Officer.





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## **Appendix B - State Historic Preservation Office/New York State Office of Parks, Recreation and Historic Preservation Human Remains Discovery Protocol (January 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.



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**Appendix C - Phase IA Archaeological Assessment of the Champlain  
Hudson Power Express Project, Harlem Rail Yard Preferred  
Alternative, Borough of Queens, New York (Project Review:  
09PR03910)**

This Appendix contains confidential commercial information, trade secrets, and/or proprietary information and as such is entitled to confidential treatment under Section 87(2) of the New York State Public Officers Law and the Commission's regulations (16 NYCRR 6-1). An unredacted version of this document has been submitted under separate cover to the Records Access Officer.



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## **Appendix D - State Historic Preservation Office (SHPO) Correspondence and Concurrence**



P.O. Box 1068,  
Bath, ME 04350

T 207.215.2872  
kemack@TRCcompanies.com

May 3, 2024

Jessica Schreyer, Archaeology Unit Program Coordinator  
New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island Resource Center, P.O. Box 189  
Waterford, New York 12188-0189

**RE: Request for Cultural Resources Review for the Champlain Hudson Power Express Project (Project) – Harlem River Segment 20A – Harlem Bulkhead Penetration and Tie-in change of Area of Potential Effect (APE) (OPRHP# 09PR03910)**

Dear Ms. Schreyer:

The Champlain Hudson Power Express (CHPE) project is an approximately 330-mile submarine and terrestrial High Voltage Direct Current (HVDC) transmission project that will connect clean power generated in Canada with New York City. As part of their engineering review of the Project, CHPE LLC is considering a minor change to routing to be approved by the New York State Public Service Commission in order to promote responsible environmental and engineering stewardship utilizing best practices. This letter addresses minor changes to the proposed cable landfall location at the shore of the Harlem River.

The proposed Harlem Bulkhead Penetration and Tie-in is currently located on the east side of the Harlem River immediately north of the Willis Avenue Bridge (Figure 1) along the Harlem Rail Yard Route or Segment 20A of the overall CHPE Project. The previous cable landfall location was also on East side of the river but immediately north of the current location (Figure 2). For an unrelated development, in February of 2022 the McLaren Engineering Group prepared a Permit Application for shoreline stabilization in this vicinity. They consulted with the State Historic Preservation Office (SHPO) and their report contained a copy of letter from SHPO dated September 3, 2021 stating that “[B]ased upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeology and/or historic resources, will be affected by this undertaking.”

In 2020, TRC completed a Phase IA Archaeological Assessment of the Harlem Rail Project Yard Preferred Alternative Route (Harlem Rail Yard Route) which includes the current proposed location of the Harlem Bulkhead Penetration and Tie-in. Figure 3 was taken from the Phase IA Archaeological Assessment report (Mack and Dunning 2020) and an orange circle was added to indicate the proposed location of the Harlem Bulkhead Penetration and Tie-in. Mack and Dunning (2020:1) defined the area of potential effect (APE) as follows:

“The Harlem Rail Yard Route portion of the Project involves burial of underground electrical transmission line within a 50 feet-wide area of potential effect (APE). Along the Harlem Rail Yard Route, the anticipated depth of construction on the terrestrial portion is up to five (5) feet to allow the cables to be installed to a depth of at least four (4) feet below the surface. However, at specific locations along the route, the anticipated depth may be lower (currently estimated in the range of 6 feet). The width of the trench is expected to be four (4) feet. All construction for this portion of the Project will take place within existing road ROW, railyard ROW, or underwater.”

They concluded that,

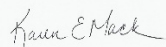


“the history of the area as documented by maps and soils studies indicate that the majority of the area was naturally inundated prior to 1897 and that after that date the area was progressively infilled to provide usable landforms. Soil data provided... classifies the soils as Urban Land, with varying depths of cemented material (i.e. 15 to 20 inches), then loam material. Based on the anticipated depths as described above, there is a potential for soils below the artificial material to be impacted during construction. However, the significant disturbance along the Harlem Rail Yard Route, including fill deposits and existing utility corridors, also suggest it is unlikely that archeological resources are intact. In addition, the width of the trench (approximately four (4) feet) would limit the extent of the disturbance. In the event that such resources are encountered during construction, an inadvertent discovery protocol will be in place. Therefore, no additional archaeological review is recommended (Mack and Dunning 2020:22).”

SHPO concurred with this conclusion in a letter dated October 20, 2020 which stated that “Based upon this review, the SHPO concurs that no Phase IB archaeological investigation is warranted due to the presence of disturbed and fill soils within the Area of Potential Effects (APE). The SHPO has no further concerns with this project area.” Based on the previous research completed by TRC for the Harlem Rail Yard Route as well as that of the McLaren Engineering Group, we conclude that no further archaeological studies are needed for the current proposed location of the Harlem Bulkhead Penetration and Tie-in.

TRC looks forward to receiving your review of this information. If you have any questions or would like any additional information, please feel free to contact Karen Mack at 207-215-2872 or [kemack@trccompanies.com](mailto:kemack@trccompanies.com).

Thank you,



Karen E. Mack, M.S.,  
Principal Archaeologist

#### **Attachments:**

Attachments: Figures 1-3

#### **References Cited:**

Mack, Karen and Samantha Dunning

2020 Phase IA Archaeological Assessment of the Champlain-Hudson Power Express Project, Harlem Rail Yard Preferred Alternative, Borough of Queens, New York (Project Review: 09PR03910). Report on file with New York State Office of Park, Recreation and Historic Preservation, Waterford, NY.

McLaren Engineering Group

2022 Harlem River Yard Bulkhead Stabilization Permit Application. Report on file with New York State Department of Environmental Conservation, Long Island City, NY.





TITLE:  
**SEGMENT 20A HARLEM BULKHEAD PENETRATION  
AND TIE-IN LOCATION MAP**

DRAWN BY:	A. YOUNG	PROJ. NO.:	490523.0007.0000
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CHECKED BY: K. MACK

APPROVED BY: K. MACK

DATE: APRIL 2024

**FIGURE 1**



P.O. BOX 1068  
BATH, ME 04530

BASE MAP: USGS COLOR ORTHO IMAGERY  
DATA SOURCES: TRC

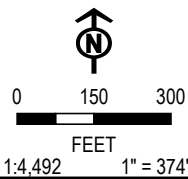
FILE:


CHP





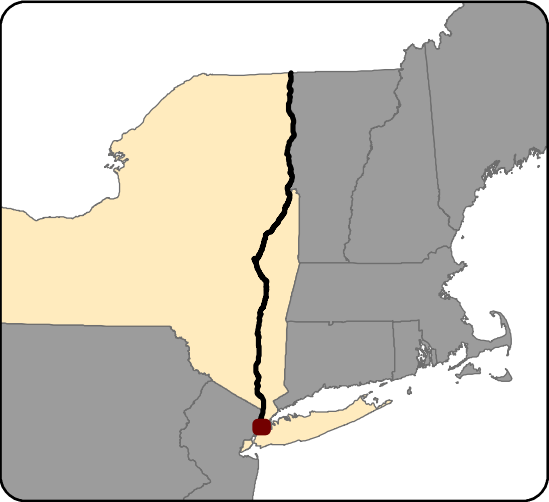
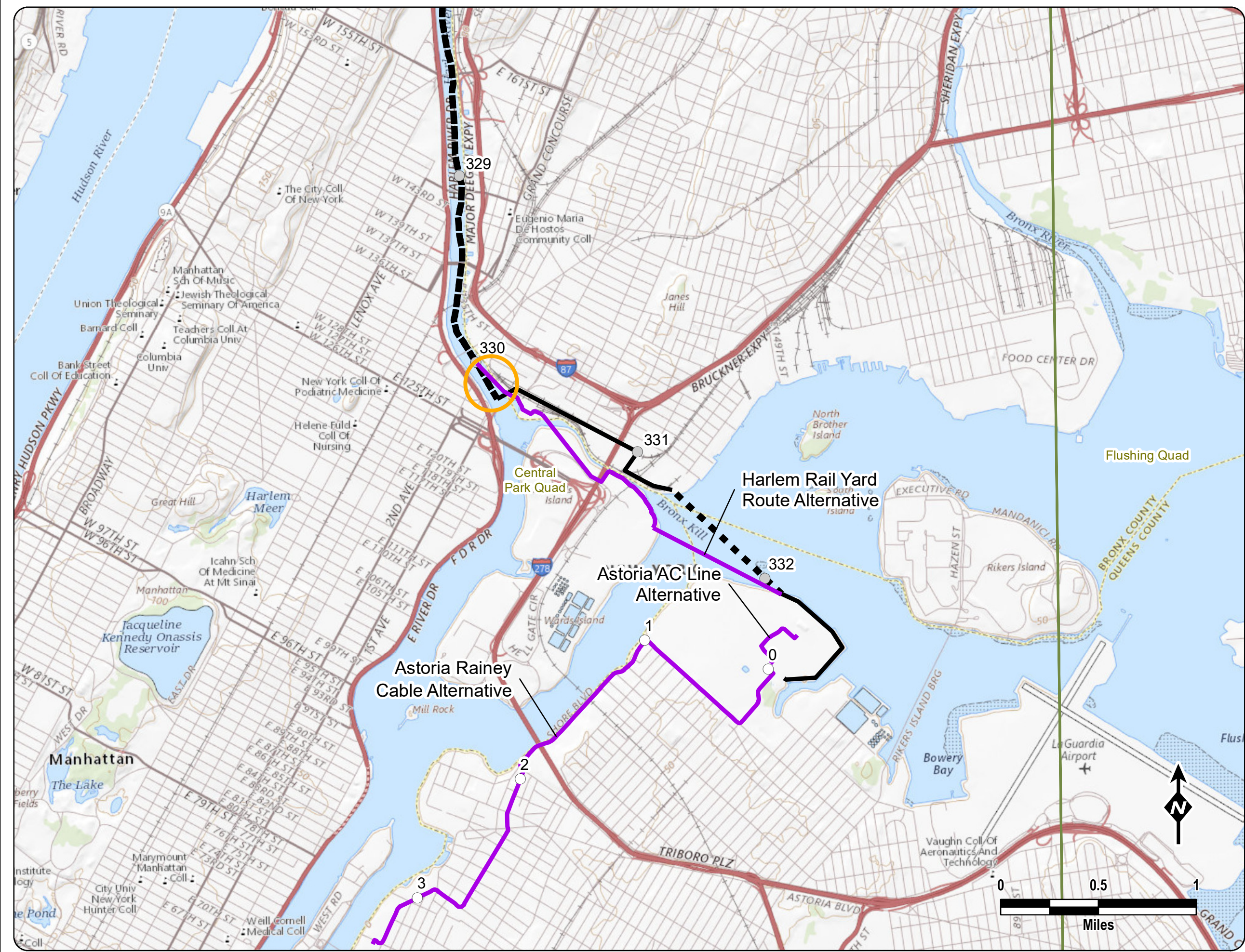
- PREVIOUS PROJECT AREA
- PROJECT AREA



PROJECT: <b>CHAMPLAIN HUDSON POWER EXPRESS PROJECT</b>		
TITLE: <b>SEGMENT 20A HARLEM BULKHEAD PENETRATION AND TIE-IN LOCATION MAP</b>		
DRAWN BY: A. YOUNG	PROJ. NO.: 490523.0007.0000	
CHECKED BY: K. MACK	<b>FIGURE 2</b>	
APPROVED BY: K. MACK		
DATE: APRIL 2024		
		P.O. BOX 1068 BATH, ME 04530
FILE:	CHPE	

BASE MAP: USGS COLOR ORTHO IMAGERY  
DATA SOURCES: TRC






**Legend**

- Preferred Alternative Milepost
- Certified Milepost
- Preferred Alternative
- - - Certified Route - Submarine
- Certified Route - Terrestrial
- USGS Quad Boundary
- Harlem Rail Yard Blukhead & Tie-In Location


Basemap: USGS Topo

  
**Transmission Developers Inc.**  
**Champlain-Hudson Power Express Project**  
Champlain-Hudson Power Express Inc.

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Figure 3  
**Overview of Facility Location**  
**USGS Topo**  
**Harlem Rail Yard Route**

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Prepared by:  **TRC** 6/12/2020





**New York State  
Parks, Recreation and  
Historic Preservation**

**KATHY HOCHUL**  
Governor

**RANDY SIMONS**  
Commissioner *Pro Tempore*

May 10, 2024

Josh Bagnato  
SVP, Project Development  
CHPE  
623 Fifth Ave. 20th Floor  
New York, NY 10022

Re: DOE  
Champlain Hudson Power Express/TDI/Underwater HVdc Transmission Line  
09PR03910

Dear Josh Bagnato:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project.

SHPO has reviewed the *Request for Cultural Resources Review for the Champlain Hudson Power Express Project (Project) – Harlem River Segment 20A – Harlem Bulkhead Penetration and Tie-in change of Area of Potential Effect (APE)* (TRC, 5/3/24). We concur with TRC's recommendation that that no further archaeological studies are needed for the current proposed location of the Harlem Bulkhead Penetration and Tie-in.

If you have any questions, I can be reached at [Jessica.Schreyer@parks.ny.gov](mailto:Jessica.Schreyer@parks.ny.gov).

Sincerely,

Jessica Schreyer  
Archaeology Unit Program Coordinator



## Appendix E - Unanticipated Cultural Resource Discovery Plan

Champlain Hudson Power Express  
Unanticipated Cultural Resource Discovery Plan

EM&CP Segment 20A

May 2024

## INTRODUCTION

This Unanticipated Cultural Resource Discovery Plan (UCRDP) outlines the procedures to be implemented during bulkhead penetration and tie-in construction at the Harlem River (“EM&CP Segment 20A”) should potential cultural resources be incidentally discovered.

This UCRDP is based on government agency and industry standard UCRDPs developed for cultural resource management. The UCRDP addresses the manner of how the inadvertent discovery of cultural resource(s), unmarked burials, or human remains during construction activities for the proposed Project will be managed. The specific procedures for the unanticipated discovery of these resources during Project construction were developed in consultation with the necessary State, Federal, and Local agencies as described in the Cultural Resources Management Plan (CRMP).

## UNANTICIPATED DISCOVERY OF ARCHAEOLOGICAL OR HISTORIC RESOURCES

Designated Project team members have the responsibility to monitor construction activities for the inadvertent discovery of cultural resource(s), unmarked burials, or human remains. As stated in the BMP Document provided in the Joint Proposal for the Project, cultural resources sensitivity training will be provided to all contractors and personnel that will be working on the Facility in a capacity that has the potential to cause ground disturbing activities in areas of known historic properties or areas where construction preparation work is being conducted prior to archaeological assessment of the area (BMPs, Section 17).

If, during any construction activities, evidence of prehistoric or historic cultural remains is encountered, any disturbing activity in the immediate area will cease immediately and the area will be stabilized to preclude any further contact or damage to the resources in that area. At no time will the operators of construction equipment be permitted to disturb or pick up any artifacts, features, or components of the site.

The Project Preservation Officer (PPO) must be notified immediately upon discovery of cultural resources and the PPO must notify the consulting archaeologist (CA). Within twenty-four (24) hours of such discovery, the Certificate Holder will notify and seek to consult with Department of Public Service (DPS) Staff and the Office of Parks, Recreation, and Historic Preservation (OPRHP) Field Services Bureau to determine the best course of action. No ground-disturbing activities will be permitted in the immediate vicinity of the archaeological or historic materials until such time as the significance of the resource has been evaluated and the need for and scope of impact mitigation has been determined.

Any mitigation and avoidance measures will be conducted using methods approved by OPRHP under the direction of the PPO and CA. Such measures will use equipment and techniques deemed



reasonably necessary to determine the type of cultural resource(s) and confirm unmarked burials or human remains.

Additionally, confirmed cultural resource(s) may be subsequently evaluated to determine eligibility for inclusion in the National Register of Historic Places (NHRP). If the cultural resource(s) is determined to be historically significant, additional work that may include formal data recording and analysis may be required and approved by the appropriate agencies. Further work at the immediate location of the discovery will be suspended until clearance to proceed is granted by the appropriate agencies.

## UNANTICIPATED DISCOVERY OF HUMAN REMAINS

As described in the CRMP, should human remains or evidence of human burials be encountered during the conduct of archeological data recovery, fieldwork, or during construction, all work in the immediate vicinity of the find will be halted immediately and the site will be protected from further disturbance. Within twenty-four (24) hours of any such discovery, the Certificate Holder will notify the DPS Staff and OPRHP/SHPO Staff. Treatment and disposition of any human remains that may be discovered will be managed in a manner consistent with the Native American Graves Protection and Repatriation Act (NAGPRA); the Advisory Council on Historic Preservation's Policy Statement Regarding Treatment of Burial Sites, Human Remains, any Funerary Objects (February 2007, updated in 2023); and OPRHP/SHPO's Human Remains Discovery Protocol. All archaeological or remains-related encounters and their handling will be further reported in the status reports summarizing construction activities and reviewed in the site-compliance audit inspections. The following measures will be implemented in accordance with the BMP Document (BMPs, Section 17):

- a) Any human remains discovered will be treated with the utmost dignity and respect.
- b) Work in the general area will stop immediately, and the area will be physically secured and a barrier prohibiting vehicles, equipment, and unauthorized persons from accessing the discovery site will be put in place. The site will be protected from damage and disturbance to the fullest extent possible.
- c) Human remains and associated artifacts will be left in-situ and not disturbed. No human remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place.
- d) The Certificate Holder will contact local law enforcement, the county coroner's office, the SHPO, and Native tribes, as appropriate. Local law enforcement officials, and the county coroner's office will examine the remains to determine if the remains are forensic or archaeological.

- e) Within twenty-four (24) hours of any such discovery, the Certificate Holder will notify the DPS Staff and OPRHP/SHPO Staff. Treatment and disposition of any human remains that may be discovered will be managed in a manner consistent with the NAGPRA, the Council's Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects (February 2007, updated in 2023), and OPRHP/SHPO's Human Remains Discovery Protocol. All archaeological or remains-related encounters and their handling will be reported in the status reports summarizing construction activities and reviewed in the site compliance audit inspections.
- f) If the remains are determined to be Native American, the remains will be left in-situ and protected from disturbance until a plan for their protection or removal can be generated. The Certificate Holder will notify the SHPO and Native tribes within twenty-four (24) hours (during normal business hours) or as soon as possible after the discovery has been determined to be archaeological rather than forensic. The Certificate Holder will consult with the SHPO and Native tribes to develop a plan of action, consistent with the guidance provided in the NAGPRA, the Council's 2007 Policy Statement, and the OPRHP/SHPO's Human Remains Discovery Protocol. Avoiding further disturbance of the remains is the preferred option.
- g) If the human remains are determined to be non-Native American, the remains will be left in-situ and protected from disturbance until a plan for their avoidance or removal can be generated. The Certificate Holders will consult with the SHPO and other appropriate parties to determine a plan of action.
- h) Work will resume only after the completion of the necessary consultation and treatment.

The Certificate Holder will respond promptly to any complaints of negative archeological impacts during the Project's construction and will consult with SHPO, the Advisory Council on Historic Preservation (ACHP), Native tribes, and other appropriate parties identified in the CRMP to resolve adverse effects on historic properties and determine the appropriate avoidance, treatment, or mitigation measure.