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April 10, 2019

**To: Cultural Resources Working Group**

**Subject: Pensacola Hydroelectric Project (FERC No. 1494-438)  
 Meeting Summaries and Follow-Up Action Items from  
 March 27, 2019 CRWG Meeting**

Dear Cultural Resources Working Group:

The Grand River Dam Authority (GRDA) appreciates the significant participation of Cultural Resources Working Group (CRWG)<sup>1</sup> members at our recent meeting held on March 27, 2019, at GRDA's Engineering and Technology Center in Tulsa, Oklahoma. The purpose of this meeting was to continue preparations for implementing the Cultural Resources Study for the Federal Energy Regulatory Commission's (FERC or Commission) relicensing of the Pensacola Hydroelectric Project (FERC No. 1494-438) (Project or Pensacola Project).

GRDA believes that the CRWG made great progress in the March 27 meeting in determining the priorities for study in 2019. We also received helpful information on some more technical aspects of the study.

This letter serves as our meeting notes for the March 27 meeting,<sup>2</sup> and it also seeks to keep the CRWG organized on the many action items resulting from the meeting. Recognizing the large number of action items from the March 27 meeting, the following table summarizes each action item. After the table, a more detailed summary for each action item is provided.

Action Item	Description	Responsible Parties	Due Date
Proposed dates for remaining CRWG meeting dates for 2019	Item #1, below	GRDA	Included in this letter
Clarify definition of term "cultural resources"	Item #2, below	GRDA	Included in this letter
Response to Osage Nation Historic Preservation Office letter dated January 15, 2019	Item #3, below	GRDA	Included in this letter

<sup>1</sup> The CRWG is an informal group organized by GRDA for purposes of meeting its delegated authority from FERC to engage in day-to-day consultation under Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108. The CRWG is not intended to supplant responsibilities for individual consultation with Native American Tribes; rather, the CRWG is intended to be a forum to bring parties together to help guide the Cultural Resources Study conducted by GRDA in the Project relicensing effort.

<sup>2</sup> Participants at the meeting appear in Attachment A. A memorandum outlining technical points discussed at the meeting appears in Attachment B. The power point presentation that guided the meeting discussion, which also includes the meeting agenda, appears in Attachment C.



Action Item	Description	Responsible Parties	Due Date
Comments on qualifications of cultural resources professionals' resumes distributed during March 27 meeting	Item #4, below	Tribes, BIA, SHPO, OAS	April 12, 2019 <sup>3</sup>
Suggested (or rejections) for entities to prepare the ethnography and Traditional Cultural Properties component of Cultural Resources Study Plan	Item #5, below	Tribes, BIA, SHPO, OAS	April 12, 2019 <sup>4</sup>
Summaries of meeting notes from prior meetings	Item #6, below	GRDA	April 12, 2019
List of Tribal consultations to date and scheduled Tribal consultation meetings	Item #7, below	GRDA	April 12, 2019
Letter to OAS for access to files	Item #8, below	GRDA	April 12, 2019
Comments on GRDA's draft license extension and relicensing process amendment application	Item #9, below	Tribes, BIA, SHPO, OAS	April 16, 2019
Comments on proposed APE	Item #10, below	Tribes, BIA, SHPO, OAS	April 30, 2019
Identification of asserted areas of interest near the Project (shape file preferred)	Item #11, below	Tribes	April 30, 2019
Identification of any known areas along Project shoreline known to be subject to looting, vandalism of cultural sites, or erosion	Item #12, below	GRDA, Tribes, BIA, SHPO, OAS	April 30, 2019
Comments on Inadvertent Discoveries Plan and identification of any governing standards for conducting cultural resources fieldwork studies	Item #13, below	Tribes, BIA	April 30, 2019
Identification of any governing protocols for discovery of human remains	Item #14, below	Tribes, BIA, SHPO, OAS	April 30, 2019
Identification of any governing requirements for handling, collecting, and documenting cultural objects discovered during fieldwork	Item #15, below	Tribes, BIA, SHPO, OAS	April 30, 2019
Identification of any storage and custodian delegations for materials collected from fieldwork	Item #16, below	Tribes, BIA, SHPO, OAS	April 30, 2019
Submittal of example Tribal monitor agreements, and identify any guidelines for monitors' scope of responsibilities	Item #17, below	Tribes	April 30, 2019
Comments on this letter	Item #18, below	Tribes, BIA, SHPO, OAS	April 30, 2019
Distribution of Pre-fieldwork Report	Item #19, below	GRDA	April 30, 2019
Distribution of supplemental materials and draft agenda for pre-fieldwork meeting	Item #20, below	GRDA	May 15, 2019
Comments on draft agenda for pre-fieldwork meeting	Item #21, below	Tribes, BIA, SHPO, OAS	May 22, 2019
Letter to FERC documenting comments on FERC-approved APE	Item #22, below	GRDA	June 7, 2019

<sup>3</sup> As discussed during the March 27 CRWWG meeting, the original deadline for this Item #4 was April 8, 2019. As it has taken longer than expected to compile notes and develop this action item list, GRDA has extended this deadline to April 12, 2019.

<sup>4</sup> See footnote 3, *supra*.

**Item #1: Proposed Dates for Remaining CRWG Meeting Dates for 2019.  
Due with this Letter**

Summary: The FERC-approved Cultural Resources Study Plan directs GRDA to conduct quarterly CRWG meetings during implementation of the Plan.<sup>5</sup> Participants in the March 27 CRWG meeting agreed that the May 29, 2019 pre-fieldwork meeting would satisfy the second quarter 2019 CRWG meeting required under the FERC-approved Cultural Resources Study Plan. Participants in the meeting requested GRDA to propose dates for the third- and fourth-quarter 2019 meetings as soon as possible, to get these dates on everyone's calendars and maximize attendance at the meetings.

Action: GRDA proposes the following dates for the remaining 2019 CRWG meetings:  
Third Quarter Meeting: August 27, 2019  
Fourth Quarter Meeting: November 20, 2019

As noted in Item #18, below, GRDA welcomes comments on these proposed dates.

**Item #2: Clarify Definition of Term "Cultural Resources."  
Due with this Letter**

Summary: During the March 27 CRWG meeting, GRDA presented a proposed definition of "cultural resources" to ensure clarity among all consulting parties involved in implementing the FERC-approved Cultural Resources Study Plan.<sup>6</sup> GRDA presented a broad definition of cultural resources, originally authored by a representative for the Miami Tribe of Oklahoma (Miami Tribe) as consisting of "those parts of the physical environment – natural and built – that have cultural value of some kind to a sociocultural group" (King 1998). A representative from the Quapaw Tribe of Oklahoma (Quapaw Tribe) asked to clarify that this definition encompasses Traditional Cultural Properties (TCPs).

Action: GRDA hereby clarifies its view that cultural resources should be broadly defined to consist of "those parts of the physical environment – natural and built – that have cultural value of some kind to a sociocultural group," (King 1998) including "properties of traditional religious and cultural importance to an Indian tribe . . . and that meet the National Register criteria,"<sup>7</sup> which are commonly referred to as TCPs.

GRDA welcomes comments on this matter, as provided in Item #18, below.

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<sup>5</sup> See Study Plan Determination for the Pensacola Hydroelectric Project at B-22 to B-23, Project No. 1494-438 (filed Nov. 8, 2018) [hereinafter, Study Plan Determination].

<sup>6</sup> See Attachment C, slide 28.

<sup>7</sup> 36 C.F.R. § 800.16(l)(1).

**Item #3: Response to ONHPO Letter Dated January 15, 2019.  
Due with this Letter**

Summary: By letter dated January 15, 2019, the Osage Nation Historic Preservation Office (ONHPO) provided GRDA with extensive comments related to the 192 previously identified cultural resources sites that were listed in GRDA's Pre-Application Document for the relicensing effort. During the March 27 CRWG meeting, ONHPO asked about GRDA's status in reviewing and responding to the comments and concerns presented in ONHPO's January 15 letter.

GRDA reported that the January 15 letter raises important issues, and that its consulting team was in the process of undertaking a technical review of the issues raised in ONHPO letter.

Action: On April 4, 2019, GRDA's cultural resources consultant provided ONHPO additional site file information, intended to address the issues raised in ONHPO's January 15 comments. GRDA welcomes additional communications with ONHPO on this matter, as needed.

**Item #4: Comments on Cultural Resources Professionals' Resumes.  
Due April 8, 2019**

Summary: During the March 27 CRWG meeting, GRDA discussed its Request for Proposals (RFP) process for selecting a cultural resources consultant for implementing the Cultural Resources Study Plan.<sup>8</sup> GRDA explained that despite the broad language of RFP No. 42563 related to cultural resources investigations generally, the contractor selected in this RFP process will not be responsible for conducting the ethnography component of the Cultural Resources Study, but rather for the other elements of the Cultural Resources Study Plan.<sup>9</sup>

GRDA also explained that while GRDA staff has selected the consulting firm it believes is most qualified under the requirements of RFP No. 42563, it welcomes comments from the Tribes and other CRWG participants on the qualifications of this selected firm by April 12, 2019, preparatory for this matter to be brought before GRDA's Board for approval on April 18, 2019.

Action: Because GRDA staff expects to present the selected consulting firm to its Board for approval as part of the Board's scheduled April 18, 2019 meeting, comments from the Tribes and other CRWG participants are due on April 12, 2019.<sup>10</sup>

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<sup>8</sup> See Attachment C, slides 30-34.

<sup>9</sup> Item #5 seeks recommendations related to the selection of individual(s) and/or consulting firm(s) qualified (or not qualified) to assist GRDA in the completion of the ethnography component of the Cultural Resources Study Plan.

<sup>10</sup> As of the date of this letter, GRDA has received comments on this issue from OAS.

**Item #5: Recommended Entities for Ethnography and TCP Study.  
Due April 10, 2019**

Summary: During the March 27 CRWG meeting, participants agreed to generally defer the archaeological fieldwork during calendar year 2019, as provided in section 2.6.4 of the FERC-approved Cultural Resources Study Plan.<sup>11</sup> Instead, the CRWG will begin immediately to conduct the ethnography component of the Cultural Resources Study Plan, in an effort to establish the cultural context of the archaeological investigations and identify TCPs that are potentially affected by FERC's relicensing of the Project.<sup>12</sup>

Participants in the March 27 CRWG meeting recognized the need to begin work on the TCP study as quickly as possible. Therefore, participants agreed to provide GRDA the names of any qualified individual and/or consulting firm that should (or should not) be considered to assist GRDA in scoping and conducting the TCP component of the Cultural Resources Study Plan.

Action: Participants are requested to provide GRDA their lists of qualified individuals and/or consulting firms (and/or unqualified individuals and/or firms that should be avoided) by April 12, 2019. After reviewing the lists received, GRDA will consult with the Tribes before contracting with any individual or firm to conduct the TCP study.

**Item #6: Summaries of Prior CRWG Meeting Notes.  
Due April 12, 2019**

Summary: During the March 27 CRWG meeting, several participants requested GRDA to distribute meeting notes, agendas, and presentation materials from the prior CRWG meetings that were held in May 2018, August 2018, and January 2019, as well as GRDA's informal meeting with staff of the Advisory Council on Historic Preservation in August 2018.

Action: GRDA will distribute these materials to the Tribes and other CRWG participants by April 12, 2019.

**Item #7: Identification of Consultation Meetings Among Tribes and GRDA.  
Due April 12, 2019**

Summary: During the March 27 CRWG meeting, a Field Solicitor from the Office of the Solicitor, U.S. Department of the Interior, requested that GRDA distribute a list of consultations (including the dates of these consultations) that GRDA has held

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<sup>11</sup> As provided in Item #12 below, GRDA will conduct limited archaeological fieldwork in 2019, which will be focused on priority areas along the shoreline of Grand Lake that are subject to looting and/or vandalism of cultural resources, erosion, or other immediate adverse effect.

<sup>12</sup> GRDA notes that its current draft Application for Non-Capacity Related Amendment and Modification of Relicensing Plan and Schedule provides for archaeological fieldwork in 2019, 2020, and 2022, with the TCP study occurring in 2021. When finalizing the Application for filing with FERC, GRDA will make changes to the proposed schedule, consistent with this Item #5.

with individual Tribes to date. The Field Solicitor also requested GRDA to distribute a list of any upcoming, scheduled Tribal consultation meetings.

Action: GRDA will distribute these lists to the Tribes and other CRWG participants by April 12, 2019.

**Item #8: Letter to OAS for Access to Files.  
Due April 12, 2019**

Summary: During the March 27 CRWG meeting, the Field Solicitor renewed its request that GRDA send a letter to the Oklahoma Archeological Survey (OAS), which requests OAS to provide access to its files by the U.S. Bureau of Indian Affairs (BIA) and the Tribal Historic Preservation Officer of any Tribe participating in the FERC relicensing of the Project.

Action: GRDA will send this letter to OAS by April 12, 2019.<sup>13</sup>

**Item #9: Comments on GRDA's Draft Extension and Relicensing Process Application.  
Due April 16, 2019**

Summary: During the March 27 CRWG meeting, participants discussed GRDA's draft proposal to FERC, which would involve a 4-year and 9-month extension to the current license term, for purposes of consolidating and front-loading implementation of the FERC-approved study plan, and particularly the Cultural Resources Study Plan, *before* GRDA files its final relicensing application with FERC.<sup>14</sup> GRDA distributed the draft application on February 15, 2019, with a 60-day comment period.

Action: Tribes and other CRWG participants are invited to submit written comments to GRDA on its draft application by April 16, 2019. After GRDA receives and reviews comments, it will make any needed adjustments to the application and file a final application with FERC for approval.<sup>15</sup>

**Item #10: Comments on proposed APE.  
Due April 30, 2019**

Summary: During the March 27 CRWG meeting, participants discussed GRDA's proposed Area of Potential Effect (APE) for FERC's relicensing of the Project.<sup>16</sup> GRDA explained that FERC approved the APE as set forth in GRDA's Cultural Resources Study Plan, but recognized that FERC stated that the APE could possibly be changed as a result of study results, including the Hydraulic and

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<sup>13</sup> As of the date of this letter, GRDA has prepared a draft letter to OAS, and is consulting with OAS to ensure that the final letter transmitted to OAS meets its needs for allowing access to its files by the participants in the Project relicensing effort.

<sup>14</sup> See Attachment C, slides 20-23.

<sup>15</sup> For example, see footnote 12, *supra*.

<sup>16</sup> See Attachment C, slides 26-27.

Hydrologic Model Study.<sup>17</sup> FERC's Study Plan Determination also directed GRDA to "consult with and request concurrence from the Oklahoma SHPO and Tribal Historic Preservation Officers (THPOs) for tribes with lands within the project boundary on the final APE."<sup>18</sup>

In compliance with FERC's request to seek concurrence on the APE, GRDA by letter dated January 18, 2019, provided its views on the APE to the Tribes, Oklahoma State Historic Preservation Office (SHPO), OAS, and other CRWG participants, and requested concurrence with the FERC-approved APE definition. As of the March 27 CRWG meeting, several entities—including the Miami Tribe, ONHPO, Cherokee Nation, Ottawa Tribe of Oklahoma, and OAS—responded in writing to GRDA's January 18 letter. Some commenters supported the FERC-approved APE definition, while others continued to express concern.

The March 27 CRWG meeting offered an opportunity to continue discussions related to the APE. A representative from the Quapaw Tribe expressed the view that the APE is too narrowly defined and should extend upstream of Highway 10 to the Oklahoma-Kansas border. The Quapaw Tribe representative also asked GRDA to consider the updated floodplain maps when establishing the APE. A representative for the Miami Tribe suggested a broader definition of the APE, perhaps with the establishment of direct and indirect APEs to recognize the different types of impacts that may be associated with the Project. Another representative for the Miami Tribe also noted that the APE adopted for this process encompasses areas of *actual* effect, not areas of *potential* effect and advocated for GRDA to consider a broader APE definition.

Action: To provide an opportunity to ascertain viewpoints on the APE, SHPO and BIA will provide written comments regarding the FERC-approved APE definition by April 30, 2019.<sup>19</sup> After receipt of these comments, GRDA will prepare a filing to FERC reporting the results of the APE consultation, as provided in Item #21, below.

**Item #11: Identification of Asserted Areas of Interest Near the Project.  
Due April 30, 2019**

Summary: Due to the large number of Tribes with interest in the Project area, participants in the March 27 CRWG meeting discussed how GRDA and its cultural resources consulting team could best understand, geographically, the extent to which each participating Tribe has asserted an interest in this vast area. The meeting participants agreed that the most effective way to identify each Tribe's areas of interest would be for each Tribe to provide GRDA a map (preferably a shape file) identifying these areas.

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<sup>17</sup> See Study Plan Determination at B-24.

<sup>18</sup> *Id.*

<sup>19</sup> Immediately following the March 27 CRWG meeting, GRDA received an email from SHPO, which contained an attached letter from SHPO, dated February 7, 2019, which commented on the FERC-approved APE definition. GRDA had not previously received this letter.

Action: By April 30, 2019, each Tribe will provide GRDA a map and/or shape file that identifies their areas of asserted interest in the Project area.

**Item #12: Identification of Areas Subject to Looting, Vandalism, or Erosion.  
Due April 30, 2019**

Summary: Although participants in the March 27 CRWG meeting concurred that archaeological fieldwork should be generally deferred until 2020 (with the focus for 2019 being the TCP study, as noted under Item #5), OAS expressed concern of the possibility that waiting until 2020 to conduct archaeological fieldwork could subject some high-risk sites to further destruction—such as sites that may be targets for looting and/or vandalism, or sites that may be eroding quickly.

To accommodate this concern, CRWG meeting participants agreed to a narrow scope of work for archaeological fieldwork in 2019 that would focus exclusively in these high-risk areas. Thus, CRWG meeting participants agreed that GRDA would prepare a Pre-fieldwork Report for 2019, as provided in section 2.6.3 of the FERC-approved Cultural Resources Study Plan, and to conduct a pre-fieldwork meeting on May 29, 2019, to establish the fieldwork plan for 2019.

Action: In preparation for the pre-fieldwork meeting on May 29, CRWG participants will provide GRDA a map, shape file, or other description of known sites around the Grand Lake shoreline that are subject to looting, vandalism, or significant erosion.

**Item #13: Identification of Any Governing Standards for Cultural Resources Fieldwork.  
Due April 30, 2019**

Summary: When approving the Cultural Resources Study Plan, FERC generally approved the use of the Osage Nation's Archaeological Block Survey Standards for conducting shovel test excavations to identify and delineate the boundaries and depth of identified archaeological resources.<sup>20</sup> FERC required GRDA to consult further with the Oklahoma SHPO to determine SHPO's concurrence with the Osage Nation's standards for fieldwork conducted on non-federal lands.<sup>21</sup>

The March 27 CRWG meeting included a detailed discussion of the Osage Nation's fieldwork standards.<sup>22</sup> SHPO and OAS reported that the State of Oklahoma has not established any governing standard for archaeological fieldwork on non-federal lands. CRWG participants expressed support for use of the Osage Nation's standards on both non-federal lands and federal trust lands. Nonetheless, CRWG participants requested time to determine whether any Tribe has adopted any fieldwork standards that differ from the Osage Nation's standards.

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<sup>20</sup> Study Plan Determination at B-26 to B-27.

<sup>21</sup> *Id.* at B-27.

<sup>22</sup> See Attachment B at 2-3; Attachment C, slide 7.



Action: In preparation for the pre-fieldwork meeting on May 29, Tribal representatives and BIA will provide GRDA any governing standards that apply to fieldwork methodology conducted on federal lands held in trust for the Tribe.

**Item #14: Comments on and Governing Protocols for Discovery of Human Remains.  
Due April 30, 2019**

Summary: The FERC-approved Cultural Resources Study Plan requires GRDA to prepare an Inadvertent Discoveries Plan, which will establish procedures for the treatment of unanticipated discovery of human remains, burial sites, or funerary objects during implementation of the study plan.<sup>23</sup> Prior to the March 27 CRWG meeting, GRDA distributed a draft Plan for Inadvertent Discoveries or the Discovery of Human Remains (Draft Plan).<sup>24</sup>

The March 27 CRWG meeting provided an opportunity to discuss the Draft Plan.<sup>25</sup> A representative for the Miami Tribe expressed concern with the term "inadvertent," as the Cultural Resources Study Plan is an affirmative effort to discover cultural resources. CRWG participants concurred that the Draft Plan should be re-titled and clarified to better reflect its applicability to both the Cultural Resources Study Plan, as well as other FERC-approved studies in the relicensing effort.

Participants in the March 27 CRWG meeting recognized that different requirements may apply, depending on the location in which human remains, funerary objects, or burial sites may be encountered. The Draft Plan may need to be modified to identify these differences.

GRDA expressed the need to finalize the Draft Plan prior to the beginning of fieldwork. To meet this need and expedite our ability to begin fieldwork, GRDA requested Tribes and other CRWG participants to: (1) provide any further comments to the Draft Plan; and (2) provide any governing standards and requirements for the treatment of burial sites, human remains, or funerary objects.

Action: By April 30, 2019, each Tribe, together with BIA, OAS and SHPO, will provide GRDA comments on the Draft Plan, together with any governing standards and requirements for the treatment of burial sites, human remains, or funerary objects that may be encountered during the implementation of the FERC-approved study plan. Based on comments and information received, GRDA will prepare an updated Draft Plan and circulate it prior to the pre-fieldwork meeting.<sup>26</sup>

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<sup>23</sup> Cultural Resources Study Plan § 2.6.4.

<sup>24</sup> See Attachment B (which included the draft Plan as Attachment A).

<sup>25</sup> See Attachment B at 7; Attachment C, slides 16-17.

<sup>26</sup> See Item #20, below.

**Item #15: Requirements for Handling, Collecting, and Documenting Discovered Objects.  
Due April 30, 2019**

Summary: During the March 27 CRWG meeting, participants discussed potential differing standards that may apply during implementation of the FERC-approved Cultural Resources Plan with respect to the handling, collecting, and documenting cultural objects discovered during fieldwork—depending, for example, whether the discovery is made on non-federal lands or federal trust lands.<sup>27</sup>

Based on the discussion in the March 27 CRWG meeting, there appears to be a lack of agreement about whether anything discovered should be removed or should be left *in situ*. Several Tribes want discoveries left alone and to be documented in a way other than would require disinterment and study; others are not opposed to disinterring burials, curating and studying them. GRDA expressed the need for the CRWG participants to continue to work together on how each Tribes' requirements can be met, while also allowing GRDA to evaluate whether a site is potentially eligible for listing in the National Register of Historic Places. This is an issue that may need to be resolved on an individualized, Tribe-specific basis. During the March 27 CRWG meeting ONHPO proposed that this is a matter that may be best resolved if the Tribes were to convene independent of the CRWG meetings. GRDA supports this proposal, but suggests that—as a starting point—believes all parties would be best informed knowing what standards each Tribe may have already developed independently.

To help understand governing standards that may apply to the handling, collecting, and documenting discovered cultural objects, GRDA requested the Tribes and other CRWG participants to provide any governing requirements for these activities.

Action: By April 30, 2019, each Tribe, together with BIA, OAS and SHPO, will provide GRDA any governing requirements related to the handling, collecting, and documenting cultural objects discovered during fieldwork.

**Item #16: Storage and Custodian Delegations for Materials Collected During Fieldwork.  
Due April 30, 2019**

Summary: As discussed during the March 27 CRWG meeting, GRDA has committed to consultation with Tribes, THPOs, BIA, and other CRWG participants regarding the appropriate location(s) to curate artifacts and cultural material recovered during implementation of the Cultural Resources Study Plan. Participants in the March 27 CRWG meeting discussed that the curation location may be different, depending on whether an object was discovered on federal trust lands or non-federal lands. For example, a Quapaw Tribe representative indicated that Arkansas has a fantastic curation facility that the Tribe has used.

For this reason, participants in the March 27 CRWG meeting agreed to provide GRDA copies of any governing storage and custodian delegations for cultural

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<sup>27</sup> See Attachment B at 4-5; Attachment C, slides 10-12.

materials collected during the implementation of the Cultural Resources Study. Because these requirements are important to establish prior to commencing any fieldwork, Tribes and other CRWG participants are requested to provide this information to GRDA by April 30, 2019, in preparation for the pre-fieldwork meeting on May 29, 2019.

Action: By April 30, 2019, each Tribe, together with BIA, OAS and SHPO, will provide GRDA any governing storage and custodian delegations for cultural materials collected during the implementation of the Cultural Resources Study.

**Item #17: Example Tribal Monitor Agreements and Monitors' Scope of Responsibilities. Due April 30, 2019**

Summary: As discussed in prior CRWG meetings, GRDA welcomes the participation of tribal monitors during the conduct of archaeological field investigations. During the March 27 CRWG meeting, GRDA renewed its commitment to compensating one Tribal monitor per day for participation in the surveys, in accordance with terms to be agreed upon between GRDA and the Tribes.

During the March 27 meeting, participants discussed GRDA's commitment related to a single compensated Tribal monitor.<sup>28</sup> A representative of the Quapaw Tribe suggested the possibility of having up to two Tribal monitors as circumstances dictate, depending on the location of the fieldwork and the Tribes with interests in the location. A representative of ONHPO described in detail the specific purposes for Tribal monitors and the benefits they provide to ensure quality control. The Field Solicitor suggested the possibility of having a Tribal monitor at each fieldwork location, in the event the fieldwork is being conducted in more than one location on a particular day. A representative from the Quapaw Tribe suggested that participating Tribes will be able to work together to ensure a rational approach for the number of Tribal monitors assigned on a site-specific basis.

In response to these comments, GRDA asked the Tribes to provide: (1) example agreements for Tribal monitors for other cultural resources investigations;<sup>29</sup> and (2) a description of monitors' qualifications, duties, and responsibilities. Establishing our approach for Tribal monitors and entering into agreements for the provision and compensation for Tribal monitors are important prerequisites for commencing archaeological fieldwork activities. For this reason, GRDA requested that participating Tribes provide this information by April 30, 2019, in preparation for further discussion at the May 29 pre-fieldwork meeting.

Action: By April 30, 2019, each Tribe will provide GRDA: (1) example agreements for Tribal monitors for other cultural resources investigations;<sup>30</sup> and (2) a description of monitors' qualifications, duties, and responsibilities.

<sup>28</sup> See Attachment B at 8; Attachment C, slide 18-19.

<sup>29</sup> During the March 27 CRWG meeting, GRDA noted that ONHPO had already provided an example agreement for Tribal monitoring.

<sup>30</sup> During the March 27 meeting, the deputy archeologist for OAS indicated that the state of North Dakota has an effective Tribal monitor program. GRDA welcomes the OAS to provide additional details on this program by the

**Item #18: Comments on this Letter.  
Due April 30, 2019**

Summary: As noted above, this letter is intended to serve as the meeting notes for the March 27 CRWG meeting. It also memorializes a significant shift in schedule for completing the FERC-approved Cultural Resources Study Plan (see Item #5 and #12, above). Accordingly, GRDA welcomes comments on this letter by the Tribes, THPOs, SHPO, OAS, and other CRWG participants, in an effort to ensure that all participants understand and endorse our path forward and their individual responsibilities to making the Cultural Resources Study Plan a success. GRDA seeks comments by April 30, 2019, to adequately prepare the Pre-fieldwork Study and the pre-fieldwork meeting.

Action: By April 30, 2019, each Tribe, together with BIA, OAS and SHPO, will provide GRDA any comments on this letter. After reviewing comments received, GRDA will circulate comments, together with any needed addendum to this letter, to all CRWG participants.

**Item #19: Distribution of Pre-Fieldwork Report.  
Due April 30, 2019**

Summary: The FERC-approved Cultural Resources Study Plan requires GRDA to distribute a Pre-Fieldwork Report to CRWG participants, for the intent of assisting decision making and coordination on fieldwork to be conducted during the study year.<sup>31</sup> Although participants in the March 27 CRWG meeting agreed upon a more focused archaeological fieldwork effort for 2019,<sup>32</sup> GRDA will be preparing and distributing a Pre-fieldwork Report to CWRG participants prior to the meeting.

Action: GRDA will distribute the Pre-fieldwork Report to CRWG participants by April 30, 2019.

**Item #20: Draft Agenda and Supplemental Materials Pre-Fieldwork Meeting.  
Due May 15, 2019**

Summary: Some of the information requests in this letter—particularly Items #11 through #17—will help inform needed plans, agreements, and protocols necessary to begin archaeological fieldwork, even though CRWG participants have agreed to a much more focused fieldwork effort for 2019. To help finalize these efforts, GRDA will compile information received from Tribes and other CRWG participants following the April 30 comment deadline, update plans and proposals, as appropriate, and circulate these materials to CRWG participants by May 15—two weeks prior to the pre-fieldwork meeting. GRDA also will circulate a draft agenda for the pre-fieldwork meeting for review and comment.

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April 30 deadline, but notes that the Tribes involved in this Project will need to agree to any Tribal monitoring program adopted.

<sup>31</sup> See Cultural Resources Study Plan § 2.6.3.

<sup>32</sup> See Items #5 and #12, above.

Action: By May 15, 2019, GRDA will circulate a draft agenda for the pre-fieldwork meeting, together with supplemental materials to advance the 2019 fieldwork effort, as appropriate, based on comments and information received from CRWG participants by April 30, 2019.

**Item #21: Comments on Draft Agenda for Pre-Fieldwork Meeting.  
Due May 22, 2019**

Summary: During the March 27 CRWG meeting, participants asked GRDA how they may contribute to the agenda for future CRWG meetings. GRDA indicated that it circulates the meeting agendas to CRWG participants prior to the meetings and welcomes comments on these agendas. CRWG participants requested that GRDA clarify, when circulating an agenda, that they may comment on the proposed meeting agenda.

Action: By May 22, 2019, CRWG participants are invited to comment on the pre-fieldwork meeting agenda that GRDA will circulate by May 15.

**Item #22: Letter to FERC Documenting Comments on the FERC-Approved APE.  
Due June 7, 2019**

Summary: FERC's Study Plan Determination requires GRDA to file with FERC all comments received in consultation regarding send all comments on the FERC-approved APE.<sup>33</sup> As noted in Item #10 above, further comments are expected regarding the FERC-approved APE by April 30, 2019. Based on those comments, together with the productive conversation during the March 27 CRWG meeting, there may be opportunity to further discuss this matter during the May 29 pre-fieldwork meeting. For this reason, GRDA plans to file APE comments with FERC following the May 29 meeting, by June 7, 2019.

Action: GRDA will file all APE comments with FERC by June 7, 2019.

**Conclusion**

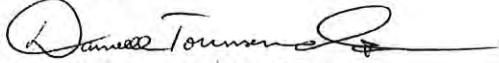
GRDA appreciates the continued opportunity to work with the Tribes, THPOs, SHPO, OAS, and all other CRWG participants to implement the Cultural Resources Study Plan in support of Project relicensing. We understand that the March 27 CRWG meeting produced a significant number of action items for all participants. As we prepare for a robust effort in 2019 to begin implementing the fieldwork for the Cultural Resources Study Plan, GRDA appreciates the timely response to all the action items identified above.

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<sup>33</sup> See Study Plan Determination at B-24.

If there are any questions regarding this letter or other aspects of Project relicensing, please contact Jacklyn Jaggars (918) 256-0723 or by email at [jjaggars@grda.com](mailto:jjaggars@grda.com).

Sincerely,



Darrell Townsend II, Ph.D.  
Vice President  
Grand River Dam Authority

Attachments

Cc: CRWG Distribution List (see attached)