

APPENDIX A

National Historic Preservation Act Compliance for Covered Activities

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Note: Capitalized terms and acronyms used in this appendix that are not defined herein are defined in the Glossary of the LCRA Transmission Services Corporation Transmission System Habitat Conservation Plan.

LCRA TSC's approach to cultural resources and NHPA compliance for Covered Activities involves:

- After the PUC routing process has established a route for a new Facility and/or LCRA TSC has determined that New Construction associated with that new Facility will be a Covered Activity, LCRA TSC will make a recommendation regarding the appropriate area of potential effect (APE) to the state historic preservation officer (SHPO). For purposes of compliance with Sections 101 and 106 of the NHPA for federal undertakings, the APE will include any areas of Direct Habitat Modification or Indirect Habitat Modification for Relevant Covered Species caused by the Covered Activity plus areas where minimization and compensatory mitigation measures will be implemented pursuant to the ITP, as set forth in Appendix A to the U.S. Fish and Wildlife Service's (USFWS's) *Habitat Conservation Planning and Incidental Take Permit Processing Handbook* (HCP Handbook).¹ In the event SHPO determines that the APE for a Covered Activity is broader than the APE described herein, the USFWS recognizes that the take and compensatory mitigation assessments set forth in the HCP remain in place and will be neither expanded nor altered.
- LCRA TSC will make a recommendation to the SHPO as to whether any resources subject to the NHPA Sections 101 and 106 (Historic Properties) may be present in the APE of the Covered Activity. This recommendation will be made in accordance with the relevant provisions of NHPA Sections 101 and 106, Advisory Council on Historic Preservation (ACHP) regulations and guidance, and relevant USFWS guidance, including Appendix A to the HCP Handbook.
- The specific steps for identifying Historic Properties associated with a Covered Activity are as follows:
 - In order to determine whether Historic Properties may be present within the APE of a Covered Activity, qualified LCRA TSC staff or consultants will review the Covered Activity description, along with maps and relevant sources of available information, including specifically the Texas Historical Commission's (THC's) Site Atlas database. In addition, LCRA TSC will review sources of information identified and made available by the USFWS, any relevant Tribal Historic Preservation Officers or tribe, and any other relevant parties.²
 - LCRA TSC will work together with the SHPO and, if it is determined that a high probability of Historic Properties exist within the APE, LCRA TSC will commission a field study. Field studies may include a pedestrian survey and sample subsurface probing of proposed construction or development areas that may yield evidence of cultural resources (e.g., historic sites, historic buildings and structures, and prehistoric sites). LCRA TSC will notify the USFWS and any other relevant parties (such as tribes) whether Historic Properties were identified within the APE and whether such resources may be affected by the Covered Activity.

¹ U.S. Fish and Wildlife Service and National Marine Fisheries Service. 2016. *Habitat Conservation Planning and Incidental Take Permit Processing Handbook*. Available at: https://www.fws.gov/endangered/esa-library/pdf/HCP_Handbook.pdf. Accessed June 2017.

² LCRA conducts all phases of cultural resources assessments, consisting of file searches, construction monitoring, archeological surface reconnaissance, and intensive cultural resource survey, including field investigations, analyses, and reporting, in a systematic manner for all types of archeological sites on LCRA-owned lands and within LCRA ROW right-of-way easements that may be impacted by proposed development projects that are funded by LCRA.

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- When Historic Properties are identified within the APE, LCRA TSC will evaluate and make a recommendation as to whether those resources may suffer adverse effects as a result of the Covered Activity. The effects analysis will include, among other things, an analysis of indirect effects—including effects on the natural or built environments, visual effects, and potential effects to landscapes.
- Where it is determined that Historic Properties may be adversely affected, LCRA TSC will document the potential means it will take to avoid, minimize, and mitigate those effects, and will provide written documentation of the same to the USFWS, SHPO, THC, and other relevant parties. In developing measures to avoid, minimize, and/or mitigate such effects, LCRA TSC will follow relevant ACHP regulations and guidance, as well as any relevant guidance of the USFWS, including that found within Appendix A of the HCP Handbook.

Generally, Upgrades and Decommissioning, Operations and Maintenance, and Emergency Responses involving LCRA TSC Facilities will not trigger the process described above. However, there may be circumstances where such activities could have effects on Historic Properties. In those circumstances, LCRA TSC will comply with applicable law.