



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Eastern Regional Office
545 Marriott Drive, Suite 700
Nashville, TN 37214

JUL 18 2012

IN REPLY REFER TO:
Trust Services
Environment, Safety, and Cultural Resources Division

Mr. Brian Mills
Senior Planning Advisor
Permitting, Siting, and Analysis, OE-20
Electricity Delivery and Reliability Office
U.S. Department of Energy
1000 Independence Avenue, SW
Washington DC 20585

RE: Champlain Hudson Power Express Transmission Line Project, New York

Dear Mr. Mills:

Thank you for contacting the Bureau of Indian Affairs (BIA), Eastern Regional Office, about tribal consultation information regarding the Champlain Hudson Power Express Transmission Line Project. Tribal consultation contact information is provided on the following page for National Historic Preservation Act compliance purposes.

Tribal consultation information is available to you on the internet. An annually updated tribal leaders directory for federally recognized tribes and nations can be found at <http://www.indianaffairs.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/index.htm>. A map titled *Indian Reservations in the Continental United States* is located at <http://www.nps.gov/history/nagpra/documents/resmap>, and a Native American Consultation Database is at <http://home.nps.gov/nagpra/onlinedb>. A current list of Tribal Historic Preservation Officers is at <http://www.nathpo.org>.

If you have questions, please contact David Saunders, Eastern Regional Archaeologist, at (615) 564-6840.

Sincerely,

Acting
Director, Eastern Region

Enclosure

Tribal Consultation Information for Champlain Hudson Power Express Transmission Line Project

Honorable Kerry Holton, President
Delaware Nation
P.O. Box 825
Anadarko, OK 73005
Telephone: (405) 247-2448
Fax: (405) 247-6329

Honorable Paula Pechonick, Chief
Delaware Tribe of Indians
170 N.E. Barbara
Bartlesville, OK 74003
Telephone: (918) 336-5272
Fax: (918) 337-6591

Honorable Kimberly Vele, President
Stockbridge Munsee Community of Wisconsin
P.O. Box 70.
Bowler, WI 54416
Telephone: (715) 793-4111
Fax: (715) 793-1307

Sherry White
Tribal Historic Preservation Officer
Stockbridge Munsee Community of Wisconsin
P.O. Box 70
Bowler, WI 54416
Telephone: (715) 793-3970
Fax: (715) 793-4437

Honorable Mark Garrow, Chief
Honorable Randy Hart, Chief
Honorable Ronald La France, Chief
St. Regis Mohawk Tribe
412 State Route 37
Akwasasne, NY 13655
Telephone: (518) 358-2272
Fax: (518) 358-4519

Arnold Printup
Tribal Historic Preservation Officer
St. Regis Mohawk Tribe
412 State Route 37
Akwasasne, NY 13655
Telephone: (518) 358-2272 extension 164
Fax: (518) 358-3203

Honorable Randy King, Chairperson
Shinnecock Indian Nation
P.O. Box 5006
Southampton, NY 11969
Telephone: (631) 283-6143
Fax: (631) 204-9253

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2. C Stenger



Department of Energy
Washington, DC 20585

June 21, 2012

Franklin Keel
Regional Director
Bureau of Indian Affairs
Eastern Region Office
545 Marriott Drive, Suite 700
Nashville, TN 37214

SUBJECT: Proposed Champlain Hudson Power Express Transmission Line Project

Dear Director Keel:

As you are aware, Champlain Hudson Power Express, Inc. ("CHPEI" or "Applicants") has applied to the U.S. Department of Energy's (DOE) Office of Electricity Delivery and Energy Reliability for a Presidential Permit to construct, operate, maintain, and connect the proposed Champlain Hudson Power Express Transmission Line Project (Project). In considering a Presidential Permit for the Project, the DOE has the lead responsibility for compliance with applicable federal laws, regulations, and policies pertaining to historic properties, including the National Historic Preservation Act of 1966, as amended (NHPA).^a Section 106 of the NHPA (Section 106) directs federal agencies to take into account the effects of their undertakings on historic properties and to afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment.

By letter dated January 13, 2011, the DOE formally initiated the Section 106 consultation process with the ACHP, the New York State Historic Preservation Officer (NYSHPO), the Delaware Nation, the St. Regis Mohawk Tribe, the Stockbridge-Munsee Community, and the U.S. Bureau of Indian Affairs (collectively the "Consulting Parties") regarding portions of the Project within the United States. Specifically, we invited the Consulting Parties to participate in the conduct of our ongoing analysis of potential environmental impacts of this undertaking, and to formally consult with us pursuant to Section 106 and its implementing regulations at 36 CFR Part 800.

CHPEI's application for a Presidential Permit was submitted to the DOE on January 27, 2010. CHPEI subsequently modified its application on August 6, 2010; July 7, 2011; and February 28, 2012. The Project currently under review by the DOE would consist of a 1,000-megawatt (MW) high-voltage direct current (HVDC) Voltage Source Converter controllable transmission system extending from the Canadian Province of Quebec to New York City. From the international border between the United States and Canada, two cables (comprising a single bipole) would extend south to an HVDC Converter Station to be located near Luyster Creek, north of 20th Avenue in Astoria, Queens. From the Converter Station, a 345-kilovolt (kV) underground alternating current (AC) circuit would connect to the existing 345-kV gas-insulated substation owned by the New York Power Authority (NYPA) and situated near NYPA's

^a 16 USC 470 *et seq.*

Charles Poletti Power Project in Astoria. The Applicants also propose to construct a 3-mile buried 345-kV HVAC cable circuit from the Astoria Substation to Consolidated Edison's Rainey Substation in Queens. The Applicants have proposed to install the cables within waterways, and within the rights-of-way of existing transportation infrastructure, including railroads and roadways. Sections of the transmission line installed within waterways will generally be buried beneath the lake or riverbed. Overland sections of the Project will be buried within existing ROW corridors.

The DOE has determined that an Environmental Impact Statement (EIS) is the appropriate level of review under the National Environmental Policy Act (NEPA) for the proposed project, as was documented in our *Federal Register* Notice of Intent to prepare an EIS on June 18, 2010 (75 FR 117). The Notice of Intent, along with background information, an opportunity to subscribe to our mailing list, and more, are available on our EIS-specific website at <http://www.chpexpresseis.org>.

At this time, we wish to clarify the name and contact information for the DOE's contractor for preparation of the EIS and our representative for purposes of consultation pursuant to Section 106. In accordance with 36 CFR Part 800.2(a)(3), the DOE has authorized our contractor, HDR Environmental, Operations and Construction, Inc. (HDR EOC), to prepare the EIS. The EIS will include an analysis of the Project's potential for adverse effects on cultural resources, including historic properties as defined by Section 106 of the NHPA and its implementing regulations (36 CFR Part 800). Specifically, I am designating Dr. Greg Lockard, RPA of HDR EOC as the point-of-contact for preparing this information on behalf of the DOE. He can be reached at (571) 327-5815 or by e-mail at Gregory.Lockard@hdrinc.com. Coordination of consultation activities under the Section 106 process will be completed by Mr. Robert Quiggle, RPA, of HDR Engineering, Inc., who is working on behalf of the Applicants. Mr. Quiggle can be contacted at (315) 414-2216 or by e-mail at Robert.Quiggle@hdrinc.com. As provided in 36 CFR Part 800, the DOE remains legally responsible for findings and determinations and for the DOE's government-to-government relationships with Indian tribes.

As noted above, the DOE has formally initiated Section 106 consultation in accordance with 36 CFR Part 800.3. We anticipate additional consultation activities in the coming weeks regarding the ongoing identification of historic properties in the Project's area of potential effects (APE), assessment of adverse effects on these properties, and minimization and/or mitigation of these adverse effects. As described in our January 13, 2011 letters to the Consulting Parties, we intend to develop a Programmatic Agreement (PA) pursuant to 36 CFR Part 800.14(b) to address the proposed Project's potential effects on historic properties. The PA will be developed in consultation with federally recognized Indian tribes, the NYSHPO, the ACHP, the public, and other interested parties, as appropriate.

Please feel free to contact me directly at any time at Brian.Mills@hq.DOE.gov, or by phone at (202) 586-8267.

Very truly yours,



Mr. Brian Mills
Permitting, Siting, and Analysis, OE-20
Office of Electricity Delivery and
Energy Reliability
U.S. Department of Energy

Cc: G. Lockard (HDR EOC)
R. Quiggle (HDR Engineering, Inc.)