

FINAL

AMENDMENT 1  
TO THE PROGRAMMATIC AGREEMENT AMONG

THE BUREAU OF LAND MANAGEMENT,  
THE USDA FOREST SERVICE,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
THE IDAHO STATE HISTORIC PRESERVATION OFFICER,  
THE WYOMING STATE HISTORIC PRESERVATION OFFICER,  
THE BUREAU OF RECLAMATION,  
THE NATIONAL PARK SERVICE,  
THE U.S. ARMY CORPS OF ENGINEERS,  
IDAHO POWER AND ROCKY MOUNTAIN POWER

REGARDING COMPLIANCE WITH  
THE NATIONAL HISTORIC PRESERVATION ACT FOR THE  
GATEWAY WEST TRANSMISSION LINE PROJECT

**WHEREAS**, the Bureau of Land Management (BLM); Advisory Council on Historic Preservation (ACHP); the Idaho State Historic Preservation Officer (Idaho SHPO); the Wyoming State Historic Preservation Officer (Wyoming SHPO); U.S. Forest Service (USFS); U.S. Army Corps of Engineers (USACE); the Bureau of Reclamation (BOR); the National Park Service (NPS); Idaho Power Company and PacifiCorp, doing business as Rocky Mountain Power, (collectively known as the Proponents); executed a Programmatic Agreement (PA) on September 12, 2013 taking into account the effect on historic properties for the construction, operation, and maintenance of an approximately 1,000 mile long transmission line stretching from Glenrock, Wyoming to 30 miles southwest of Boise, Idaho, known as the Gateway West Transmission Line Project (Undertaking); and

**WHEREAS**, cultural properties recordation and reporting in Wyoming will be held to the stipulations, standards, and definitions of the Wyoming State Historic Preservation Office Format, Guides and Standards for Class II and Class III reports adopted in 2012; with exception to those stipulations, standards and definitions otherwise described in this Amendment; and

**NOW THEREFORE**, in accordance with Stipulation XV of the PA, the BLM, ACHP, Wyoming SHPO, and Proponents agree that the PA should be amended as follows:

1. With the exception of items explicitly delineated in this Amendment, all terms and conditions of the PA shall remain unchanged and in full force and effect.
2. **Amend Stipulation II.C.5 to read:**
  5. Phase 5 – Final Pre-Construction Surveys – After the BLM determines the selected route, the Proponents will complete Class III surveys under BLM guidance for the

direct APE, with an assessment of indirect effects for the indirect APE, where not covered by previous Class III surveys or assessments. Where sufficient information for making site eligibility determinations is not available, the BLM and SHPOs may determine that additional archaeological testing or other investigations are necessary to complete NRHP evaluations for properties that may be affected. The Proponents will complete consultation and fieldwork for this phase prior to the initiation of construction. This phase may result in one or more additional surveys conducted as routes are adjusted or private land becomes available for survey.

**3. Amend Stipulation II.D.1, first paragraph to read:**

1. The BLM will distribute recommendations of NRHP eligibility to the appropriate Signatories, Invited Signatories and Concurring Parties for review and comment following 36 CFR 800.4(c). After a 30 day review period, the BLM will submit the determinations of eligibility, with all comments, to the applicable SHPO for concurrence within 30 days, with the exception of the Wyoming Class III Preferred Route Surveys Report, which will be submitted to the Wyoming SHPO for concurrence within 90 days (for a summary of this and other review times, see revised Table of Review times in Attachment A). Following this review period, the BLM will seek consensus determinations of eligibility with the appropriate SHPO for all properties whether on federal, state, tribal, or private lands.

**4. Amend Stipulation III.A., first and second paragraphs, to read:**

- A. At the conclusion of the following phases of the fieldwork described in Stipulation II.C., the Proponents will submit copies of the draft report (either electronic or print) for each phase to the lead BLM office for distribution to the appropriate BLM District or Field Office in each state and to the appropriate Signatories, Invited Signatories, and Concurring Parties for review:
  - Literature Review
  - Alternative and Proposed Route Surveys Evaluation (See Stipulation II.C.2)
  - Geotechnical Boring (See Stipulation II.C.3)
  - Preferred Route Surveys (See Stipulation II.C.4)
  - Pre-Construction Surveys Evaluation (See Stipulation II.C.5)
  - Surveys during Construction (multiple reports)(See Stipulation II.C.6; See Stipulation XI for review times)

Each report to be submitted will be organized by Administrative Unit (e.g., BLM Field Office, USFS Ranger District, or BOR Region, as appropriate), and will be consistent with the appropriate state guidelines and formats including determinations of eligibility and effect. In Wyoming, all reports will be written to the stipulations, standards, and definitions of the Wyoming State Historic Preservation Office Format, Guides and Standards for Class II and Class III reports adopted in 2012, with the exception of the Wyoming Class III Preferred Route Surveys Report for this Undertaking, which will:

- Be presented alphanumerically by Smithsonian Trinomial, within each Administrative Unit; and
- Follow the table of contents format as shown in Attachment B.

Reports shall also include appropriate state site inventory forms, other documentation for results of identification of properties of cultural and religious significance to tribes, and recommendations on the historic significance, integrity, and NRHP eligibility of identified cultural properties (36 CFR 800.4(c)). The following outlines review times applicable to Literature Review, Alternative and Proposed Routes Surveys Evaluation, and Pre-Construction Surveys Evaluation. Review times for Surveys During Construction can be found in Stipulation XI.

**5. Amend Stipulation III.A.3 to read:**

3. The BLM will then distribute reports to and seek consensus determinations of eligibility and effect with the appropriate SHPO for all properties whether on federal, state, or private lands for a 30 day review, with the exception of the Wyoming Class III Preferred Route Surveys Report, which will be submitted to the Wyoming SHPO for a 90 day review. If the review period passes with no request for extension and no other comments, the BLM shall assume acceptance of the report.

**6. Amend Stipulation V.D. to read:**

- D. The Proponents will submit each HPTP Segment Plan after the Class III report for the Preferred Route Surveys (see Stipulation II.C.4) for that Segment has been reviewed and approved by the BLM and the appropriate SHPO has concurred. The Proponents will submit each HPTP Segment Plan to the BLM for review and comment for 30 days. The BLM will respond with written comments, if needed, and the Proponents will incorporate the comments and revise each HPTP Segment Plan as appropriate. If, during surveys conducted in subsequent phases of the project, additional historic properties are found, the HPTP Segment Plan shall be revised as appropriate and the revision submitted to the BLM for review and comment for 30 days. The BLM will respond with written comments, if needed, and the Proponents will incorporate the comments and revise each HPTP Segment Plan as appropriate.

**7. Amend Stipulation XVII.B., first sentence, to read:**

- B. Unless this PA is terminated pursuant to Stipulation XVI above, another agreement executed for the Undertaking supersedes it, or the Undertaking itself has been terminated, this PA will remain in full force and effect until the BLM, in consultation with the other Signatories and Invited Signatories, determines that the construction of all aspects of the Undertaking has been completed and that all terms of this PA have been fulfilled in a satisfactory manner, not to exceed thirty (30) years.

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**ATTACHMENTS**

- A. Revised Table of Review Times
- B. Wyoming Class III Preferred Route Survey Report Table of Contents

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**GATEWAY WEST PROGRAMMATIC AGREEMENT –  
AMENDMENT 1  
ATTACHEMENT A**

October 27, 2015

**Table of Review Times, Revised**

\*S/IS/CP = Signatories, Invited Signatories and Concurring Parties

Stipulation	Document/Report	Sender	Reviewer	Review/consultation time	Revision time
<b>I.B.3: Amending the APE</b>	Description/map of proposed modification	BLM	S/IS/CP	30 day review	
	NHHP eligibility recommendations	BLM	S/IS/CP	30 day review	
<b>II.D: Determinations of Eligibility</b>	SHPO concurrence	BLM	SHPO	30 day review 90 day review (Wyoming Preferred Route Class III report only)	
	If BLM/SHPO do not agree on eligibility	BLM	SHPO	30 day consultation	
<b>III.A: Reporting, Consultation and Review of Documentation</b>	Phase Reports and Site Forms	Proponents to BLM Lead Office	BLM, Federal land managing agencies	30 day review	15 day review (if needed)
		BLM	S/IS/CP	15 day review	15 day review (if needed)
		BLM	SHPO	30 day review 90 day review (Wyoming Preferred Route Class III report only)	
<b>V.D-E: Historic Properties Treatment Plan</b>	HPTP Segment Plans	Proponents	BLM	30 day review	
		BLM	S/IS/CP	20 day review	10 day review (if needed)
<b>XII: Changes in Construction Activities</b>	Inventory Reports	See below	SHPO	30 day review	
		Proponents to BLM Lead Office	BLM, Federal land managing agencies	10 day review	(Proponents may need to revise report and resubmit within 10 days)
If no cultural resources identified		Proponents to BLM Lead Office	S/IS/CP	15 day review	(Proponents may need to revise report and resubmit within 10 days)
		BLM	SHPO	20 day review	(BLM 10 days to respond to SHPO comments)
If historic properties identified		Proponents to BLM	S/IS/CP	30 day review	(Proponents may need to revise report and resubmit within 15 days)
		BLM	SHPO	30 day review	(BLM 15 days to respond to SHPO comments)

**Final Amendment 1** to the Programmatic Agreement Among the Bureau of Land Management, The USDA Forest Service, The Advisory Council on Historic Preservation, The Idaho State Historic Preservation Officer, The Wyoming State Historic Preservation Officer, The Bureau of Reclamation, The National Park Service, The U.S. Army Corps of Engineers, the Idaho National Guard, Idaho Power, and Rocky Mountain Power Regarding Compliance with the National Historic Preservation Act for the Gateway West Transmission Line Project

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SIGNATORIES

BUREAU OF LAND MANAGEMENT

By:

*Larry Claypool*

Mary J. Rugwell, Acting Wyoming State Director

Date:

*1/20/16*

*for*

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**Final Amendment 1** to the Programmatic Agreement Among the Bureau of Land Management, The USDA Forest Service, The Advisory Council on Historic Preservation, The Idaho State Historic Preservation Officer, The Wyoming State Historic Preservation Officer, The Bureau of Reclamation, The National Park Service, The U.S. Army Corps of Engineers, the Idaho National Guard, Idaho Power, and Rocky Mountain Power Regarding Compliance with the National Historic Preservation Act for the Gateway West Transmission Line Project

October 27, 2015

GATEWAY WEST PROGRAMMATIC AGREEMENT –  
AMENDMENT 1

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SIGNATORIES

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: John M. Fowler  
John M. Fowler, Executive Director

Date: 2/17/16

October 27, 2015

GATEWAY WEST PROGRAMMATIC AGREEMENT –  
AMENDMENT 1

SIGNATORIES

WYOMING STATE HISTORIC PRESERVATION OFFICER

By: Mary Hopkins  
Mary Hopkins, State Historic Preservation Officer

Date: 12/3/15

Approval as to Form

WYOMING ATTORNEY GENERAL'S OFFICE

By: S. Jane Caton # 142185  
S. Jane Caton, Senior Assistant Attorney General

Date: 12-1-15

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DEC 07 2015

Bureau of Land Management  
Rawlins Field Office

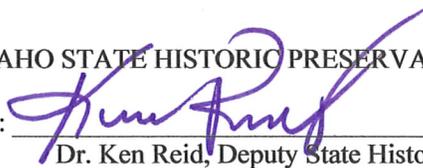
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October 27, 2015

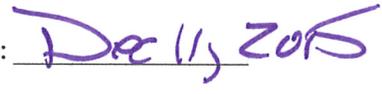
GATEWAY WEST PROGRAMMATIC AGREEMENT –  
AMENDMENT 1

SIGNATORIES

IDAHO STATE HISTORIC PRESERVATION OFFICER

By: 

Dr. Ken Reid, Deputy State Historic Preservation Officer

Date: 

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Rawlins Field Office

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SIGNATORIES

U.S. ARMY CORPS OF ENGINEERS

By:   
John W. Henderson  
Colonel, Corps of Engineers  
Omaha District Commander

Date: 10 DEC 2015

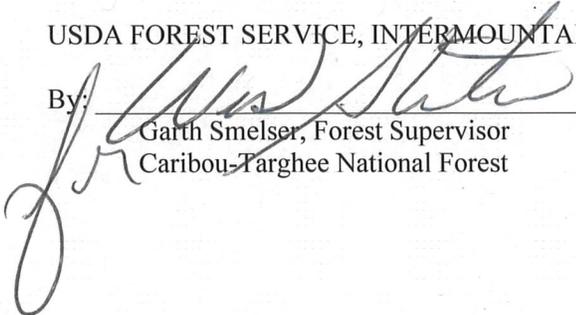
October 27, 2015

GATEWAY WEST PROGRAMMATIC AGREEMENT –  
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SIGNATORIES

USDA FOREST SERVICE, INTERMOUNTAIN REGION

By:

  
Garth Smelser, Forest Supervisor  
Caribou-Targhee National Forest

Date:

12/14/15

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Rawlins Field Office

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SIGNATORIES

USDA FOREST SERVICE, ROCKY MOUNTAIN REGION

By: \_\_\_\_\_



Dennis Jaeger, Forest Supervisor

Medicine Bow-Routt National Forests and Thunder Basin National Grassland

Date: \_\_\_\_\_

12/16/15

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**GATEWAY WEST PROGRAMMATIC AGREEMENT –  
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**INVITED SIGNATORIES**

IDAHO POWER COMPANY

By:  Date: 12-7-2015  
Vern Porter, Senior Vice President of Operations

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**CONCURRING PARTIES**

ALLIANCE FOR HISTORIC WYOMING

By: Carly Ann Marie Anderson  
Carly Ann Anderson, Executive Director

Date: 11-30-2015

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Bureau of Land Management  
Rawlins Field Office

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INVITED SIGNATORIES

ROCKY MOUNTAIN POWER

By: Sharon Seppi Date: 12-1-15  
Sharon Seppi, Managing Director, Construction, Construction Services

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Rawlins Field Office

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**INVITED SIGNATORIES**

NATIONAL PARK SERVICE, INTERMOUNTAIN REGION

By:

*for* *Sue E. Masica*  
Sue E. Masica, Regional Director

Date:

*12/21/2015*

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**Final Amendment 1** to the Programmatic Agreement Among the Bureau of Land Management, The USDA Forest Service, The Advisory Council on Historic Preservation, The Idaho State Historic Preservation Officer, The Wyoming State Historic Preservation Officer, The Bureau of Reclamation, The National Park Service, The U.S. Army Corps of Engineers, the Idaho National Guard, Idaho Power, and Rocky Mountain Power Regarding Compliance with the National Historic Preservation Act for the Gateway West Transmission Line Project

October 27, 2015

**GATEWAY WEST PROGRAMMATIC AGREEMENT –  
AMENDMENT 1**

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**CONCURRING PARTIES**

TRACKS ACROSS WYOMING

By: Charles Lanham  
Charles Lanham, President/Chairman

Date: Dec 7, 2015

RECEIVED

DEC 21 2015

Bureau of Land Management  
Rawlins Field Office

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