



R. L. Harris Hydroelectric Project

FERC No. 2628

Meeting Summary HAT 6 Conference Call/Skype Meeting March 2, 2020 at 1:00 pm

Participants:

Amanda McBride- Alabama Historical Commission (AHC)
Eric Sipes- Alabama Historical Commission (AHC)
RaeLynn Butler - Muscogee (Creek) Nation
LeeAnn Wendt - Muscogee (Creek) Nation
Rachel McNamara – Federal Energy Regulatory Commission (FERC)
Keith Chandler - Alabama Power
Bill Gardner - Alabama Power
Ashley McVicar – Alabama Power
Angie Anderegg- Alabama Power
Tina Mills - Alabama Power
Amanda Fleming - Kleinschmidt Associates
Matt Gage – Office of Archaeological Research (OAR)

Action Items:

- Muscogee (Creek) Nation to provide comments on the draft IDP and draft TCP no later than March 11th.
- Alabama Power to schedule conference call no later than March 27th for the purpose of discussing the TCP details.
- Alabama Power to reschedule Skyline site visit.

Notes:

Angie Anderegg (Alabama Power) welcomed everyone and thanked them for their participation in the conference call. Angie provided an overview of the meeting agenda as provided in the meeting invitation.

Amanda Fleming (Kleinschmidt) reminded everyone that the purposes of the call are to discuss the Draft Inadvertent Discovery Plan (IDP) and Draft Traditional Cultural Properties Identification Plan (TCP).

Amanda Fleming stated that Alabama Power emailed the draft IDP and draft TCP to HAT 6 on February 6, 2020 and requested comments by February 28, 2020, but no comments on either draft document had been received to date. Amanda Fleming added that the Draft IDP incorporated most of the comments on the IDP outline from the Muscogee (Creek) Nation, specifically comments received on human remains, curations, photos, and consultation timeframes had been incorporated. Amanda Fleming noted further that a contact list had not been incorporated. Rather than include a contact list in the IDP that would require continuous updates to Federal Energy Regulatory Commission and stakeholders with each contact change, Alabama Power will work with the Office of Archeological Research (OAR) and maintain an updated list on file with Alabama Power Environmental Affairs Department. This will prevent the need to refile an updated IDP with each contact update. RaeLynn Butler (Muscogee (Creek))

Nation) stated that the email had been overlooked by mistake, but comments on the IDP and TCP will be provided no later than March 11, 2020. Amanda McBride (Alabama Historical Commission (AHC)) stated that their only comment on the draft IDP is to modify wording as necessary to cover any type of burial discovered, not specifically American Indian.

Amanda Fleming reminded everyone that creating a TCP Identification Plan as a stand-alone document is a new process for Alabama Power, as TCP provisions were incorporated within the Historic Properties Management Plan (HPMP) in the past. Amanda also provided, as a reminder, the definition of a TCP and stated that the reference to ethnography methods in the TCP Identification Plan at this point includes only the Muscogee (Creek) Nation¹. Amanda Fleming asked about progress for TCP ethnography such as obtaining oral histories, and scheduling a site visit. RaeLynn stated that possible site visit dates have not been discussed yet, and a separate call may be necessary prior to the site visit. Amanda Fleming stated that another conference call will be scheduled no later than March 27, 2020 for the purpose of discussing additional IDP and TCP comments and the TCP ethnography details. Rachel McNamara (Federal Energy Regulatory Commission (FERC)) added that special consideration should be given to confidentially regarding TCP details. Rachel explained that communications should remain direct and filings should be made as privileged. Amanda Fleming stated that information filed as part of the public record will not be site specific. RaeLynn Butler added that the Muscogee (Creek) Nation must establish Alabama Power's need for confidential information such as the list of plants prior to sharing this information. Amanda McBride stated that the AHC had no additional comments on the TCP at this time.

Amanda Fleming explained that the draft IDP and TCP were provided to HAT 6 for comment and have not yet been filed with FERC. Alabama Power intends to solicit comments on the drafts, incorporate comments where applicable, and file with FERC a collaborative draft IDP and TCP as part of its Initial Study Report (ISR) filing in April 2020. Angie Anderegg added that this information consultation process will enable Alabama Power to address and incorporate as many comments as possible early in the process. Rachel McNamara added that Alabama Power should include comments received during this process as part of the consultation record filed with the ISR. RaeLynn Butler commented that the Muscogee (Creek) Nation will provide comments directly to Alabama Power and will file comments with FERC.

Amanda Fleming stated that the Skyline field trip planned for March 4th must be rescheduled due to inclement weather. Matt Gage (OAR) provided a general overview of the site visit preparation work that had been conducted to-date.

Next, Amanda Fleming discussed the proposed Area of Potential Effects (APE). Amanda Fleming reminded everyone that Alabama Power's proposed APE is the Harris FERC Project Boundary and asked RaeLynn Butler to provide additional clarification regarding comments previously provided on the proposed APE. RaeLynn stated that the Muscogee (Creek) Nation's proposed definition allows for flexibility in the event that a site not currently within the FERC Project Boundary is impacted by Project activities in the future and that in the past the Muscogee (Creek) Nation worked with utilities to incorporate this definition of APE. Rachel McNamara stated that the standard definition for the APE is the project boundary and areas affected by

¹ As of March 11, 2020, no other applicable tribe has requested TCP identification.

project operations, which may extend to areas that may have indirect effects. Rachel added that the APE and project boundary could be different. RaeLynn Butler asked when Alabama Power would determine the APE definition, and Amanda Fleming stated that it will be finalized according to the study plan.

Amanda Fleming reminded everyone of the following upcoming deadlines for the Cultural Resources Study Plan: Alabama Power will file the ISR no later than April 10, 2020; stakeholder have the opportunity to file comments on the ISR with FERC; Alabama Power will hold its ISR meeting during April 2020.

In conclusion, Amanda Fleming asked for any further comments or discussion, and, with none given, thanked everyone for their time and closed the meeting.