



## CESAM-RD-C MEMORANDUM FOR RECORD



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DATE: 30-Apr-20

### MEMORANDUM FOR RECORD

ATTENDEES: Conference Call – USACE (Timothy Dodson (archaeologist), Elizabeth Hamilton project manager)); State Historic Preservation Office (Stacye Hathorn, Eric Sypes); NextEra (Raymond Loving, Alexis Hamberg, Richard Estabrook); EDGE (Kristi Soltysiak, Andrew Grammar); SEARCH (Greg Hendryx, Michael Arbuthnot, Jacob Freedman, Jordan Loucks, Kelly Hockersmith)

SUBJECT: Conference call to discuss cultural resource surveys being performed by SEARCH on behalf of NextEra, along corridor of anticipated 51-mile pipeline project between Choctaw and Washington Counties. NextEra has not yet submitted a PCN for the upcoming project and is independently conducting the surveys, unsolicited by USACE or SHPO. Although final project plans have yet to be reviewed by USACE, the agent has identified 110 pipeline crossings of Waters of the U.S. (not verified) and +/-50 areas of high potential that have been surveyed for cultural resources. Many of the study areas have tested positive for cultural materials and have been determined by SEARCH to require Phase II surveys. The SHPO (Hathorn) voiced concern over the independent determination by SEARCH of which sites do/do not qualify for being recorded/curated. It was explained to SEARCH and agent/applicant by USACE that these determinations are typically made following consultation between the federal permitting agency and the SHPO. SEARCH plans to coordinate findings more closely with the SHPO.

The agent inquired from the USACE whether the application should request an Individual Permit. It was explained that it should be left blank as the project will be evaluated to determine which permit type would best fit the project. The applicant/agent plans to submit PCN within the next two weeks.

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Elizabeth Hamilton  
South Alabama Branch  
Regulatory Division

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**MEETING AGENDA:  
LOWMAN PIPELINE PROJECT  
SECTION 106 CONSULTATION MEETING**

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**Date/Time:** April 29, 2020 from 2:00 to 3:00 PM CT  
**Location:** Microsoft Outlook Teams Virtual Meeting  
407-349-4855; Conference ID: 497 187 779#

**Purpose:** Section 106, due diligence survey areas, and Project APE; discuss results of Phase I Survey; level of effort for Phase II Testing; curation of project materials; avoidance measures; and potential for a Project MOA.

**1. Overview of Project and Overall Schedule**

**2. Section 106 & Due Diligence Survey Areas**

- a. Section 106 Survey Areas
  - i. Water crossings and associated survey areas
- b. Due Diligence Survey Areas
  - i. High Probability Areas
  - ii. Listed, eligible, or unevaluated resources not in Section 106 Survey Areas

**3. Discussion of APE under Section 106**

- a. Direct APE
- b. Indirect APE

**4. Overview of Survey Results**

- a. Phase I archaeology survey
- b. Architectural history reconnaissance

**5. Phase II Work Plan and Agency Coordination**

- a. Completed Phase II fieldwork
- b. Proposed Phase II fieldwork
- c. Curation

**6. Proposed Avoidance Measures & Potentially Affected Resources**

- a. Avoidance Plans
  - i. Site-specific plans (e.g., HDD; timber matting; and fencing around sites)
- b. Potentially Affected Resources
  - i. Recommendations of no adverse effect (e.g., travel lanes across sites)
- c. Need for Contingency Treatment Plans

**7. Memorandum of Agreement Development**



## 8. Open Discussion

### Invitees:

- Timothy Dodson, USACE
- Elizabeth Hamilton, USACE
- Stacye Hathorn, Alabama Historical Commission
- Eric Sipes, Alabama Historical Commission
- Raymond Loving, NextEra
- Alexis Hamberg, NextEra
- Richard Estabrook, NextEra
- Kristi Soltysiak, EDGE
- Andrew Grammar, EDGE
- Greg Hendryx, SEARCH
- Michael Arbuthnot, SEARCH
- Jacob Freedman, SEARCH
- Jordan Loucks, SEARCH
- Kelly Hockersmith, SEARCH