



Memorandum from the Office of the Inspector General

August 28, 2020

Rebecca C. Tolene

**REQUEST FOR FINAL ACTION – EVALUATION 2019-15663 – HISTORIC
PRESERVATION REVIEWS**

Attached is the subject final report for your review and final action. Your written comments, which addressed your management decision and actions planned or taken, have been included in the report. Please notify us when final action is complete. In accordance with the Inspector General Act of 1978, as amended, the Office of the Inspector General is required to report to Congress semiannually regarding evaluations that remain unresolved after 6 months from the date of report issuance.

If you have any questions or wish to discuss our findings, please contact Heather R. Kulisek, Manager, Evaluations, at (423) 785-4815 or E. David Willis, Director, Evaluations, at (865) 633-7376. We appreciate the courtesy and cooperation received from your staff during the evaluation.

David P. Wheeler
Assistant Inspector General
(Audits and Evaluations)

HRK:FAJ
Attachment

cc (Attachment):

TVA Board of Directors
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OIG File No. 2019-15663



Office of the Inspector General

Evaluation Report

To the Vice President,
Environment

HISTORIC PRESERVATION REVIEWS

Evaluation Auditor
Heather R. Kulisek

Evaluation 2019-15663
August 28, 2020

ABBREVIATIONS

ACHP	Advisory Council on Historic Properties
EPMO	Enterprise Project Management Office
ESCS	Environmental Services Coordination System
FY	Fiscal Year
NHPA	National Historic Preservation Act
SHPO	State Historic Preservation Officer
SPP	Standard Programs and Processes
TPES	Transmission Projects Environmental Support
TVA	Tennessee Valley Authority

TABLE OF CONTENTS

EXECUTIVE SUMMARY	i
BACKGROUND.....	1
OBJECTIVE, SCOPE, AND METHODOLOGY	3
FINDINGS	4
TIME FRAMES AND COSTS FOR SECTION 106 REVIEWS WERE NOT CONSISTENTLY TRACKED.....	4
INEFFICIENCIES IN THE SECTION 106 PROCESS	5
RECOMMENDATIONS	9

APPENDIX

MEMORANDUM DATED AUGUST 20, 2020, FROM REBECCA C. TOLENE
TO DAVID P. WHEELER



Evaluation 2019-15663 – Historic Preservation Reviews

EXECUTIVE SUMMARY

Why the OIG Did This Evaluation

In the National Historic Preservation Act of 1966, Congress established a comprehensive program to preserve the historical and cultural foundations of the nation as a living part of community life. Section 106 of the Act requires federal agencies to consider the effects of projects they carry out, approve, or fund on historic properties.ⁱ The Tennessee Valley Authority's Cultural Compliance group performs historic preservation reviews (called Section 106 reviews) to assess (1) whether or not historic properties are present, (2) adverse effects of projects on historic properties, and (3) how to mitigate the adverse effects. Due to concerns raised about the efficiency of historic preservation reviews, we performed an evaluation to determine if the process for performing historic preservation reviews was efficient.

What the OIG Found

We determined the Section 106 reviews were not consistently tracked resulting in a lack of data to determine the time and costs of the reviews. However, we were able to identify inefficiencies in the Section 106 process. Specifically, we determined the process had inefficiencies regarding (1) prioritization of projects, (2) incorporation of Cultural Compliance in planning, (3) communication between organizations, (4) workload of Cultural Compliance personnel, (5) reliance on contractors, and (6) tracking of cultural resources.

What the OIG Recommends

We made recommendations to the Vice President, Environment, to address inefficiencies in Section 106 reviews. Our detailed recommendations are listed in the body of this report.

TVA Management's Comments

In response to our draft report, TVA management agreed or partially agreed with our recommendations and stated that actions have been, or will be, taken to address the recommendations. See the Appendix for TVA's complete response.

ⁱ Historic properties include any district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places. The term includes (1) artifacts, records, and remains that are related to and located within such properties and (2) properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria.



Evaluation 2019-15663 – Historic Preservation Reviews

EXECUTIVE SUMMARY

Auditor's Response

We concur with TVA management's planned and completed actions for the recommendations.

BACKGROUND

In the National Historic Preservation Act (NHPA) of 1966, Congress established a comprehensive program to preserve the historical and cultural foundations of the nation as a living part of community life. Section 106 of the Act requires federal agencies to consider the effects of projects they carry out, approve, or fund on historic properties.¹ The Tennessee Valley Authority's (TVA) Cultural Compliance group performs historic preservation reviews (called Section 106 reviews) to assess (1) whether or not historic properties are present, (2) adverse effects of projects, and (3) how to mitigate the adverse effects.

Regulations issued by the Advisory Council on Historic Properties (ACHP) describes the Section 106 review process and specifies actions federal agencies must take to meet their legal obligations. The ACHP is an independent federal agency whose mission is to promote the preservation, enhancement, and productive use of the nation's historic resources and advise the President and Congress on national historic preservation policy. The regulations are published in Title 36, Code of Federal Regulations, Part 800. To complete a Section 106 review, federal agencies must do the following:

- Gather information to decide which properties are listed, or are eligible for listing, in the National Register of Historic Places.
- Determine how those historic properties might be affected.
- Explore measures to avoid or reduce harm to historic properties (adverse effect).
- Reach agreement with the State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer on measures to resolve any adverse effects. If agreement cannot be reached, obtain advisory comments from the ACHP and send them to the head of the agency.

TVA's Section 106 reviews are performed as part of an environmental review process. TVA conducts environmental reviews in accordance with the National Environmental Policy Act, which requires federal agencies to consider the effects of their proposed projects on the human and natural environment before final decisions are made. These environmental reviews under the National Environmental Policy Act typically also include assessments that facilitate compliance with other environmental review requirements such as those under the NHPA. According to TVA Standard Programs and Processes (SPP) 05.081 – *National Historic Preservation Act (NHPA) - Section 106 Compliance* and Cultural Compliance personnel, the steps taken to complete a Section 106 review include:

¹ Historic properties include any district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places. The term includes (1) artifacts, records, and remains that are related to and located within such properties and (2) properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria.

- Defining the area of potential effect.²
- Performing a desktop review to determine if the area of potential effect has been previously surveyed through reviewing previously gathered and documented information including, but not limited to, historical maps, documents, previous reviews of the area, etc. Cultural Compliance requires 19 days for this review.
- Identifying cultural resources³ (Phase I review). If the desktop review reveals more information is required to determine the presence of cultural resources, a Phase I review is conducted. This step includes background research, fieldwork, lab work, report preparation, internal review of the report, letter preparation, and required consultation period with the SHPO and, if applicable, relevant tribes. Cultural Compliance requires 145 days for this review.
- Evaluating the significance of the cultural resources identified (Phase II review). If the site is determined to be culturally significant and the resources cannot be avoided, minimized, or mitigated to the SHPO's and, if applicable, relevant tribes' satisfaction in Phase I, consultation must be continued to address adverse effects in Phase II. According to Cultural Compliance, this review requires a minimum of 125 days to complete.
- Resolving adverse effects (Phase III review). Once an undertaking is determined to have an adverse effect on a significant cultural resource in a Phase II review, a memorandum of agreement must be submitted to the SHPO, ACHP, and, if applicable, relevant tribes as part of Phase III. This phase will have a significant impact to the project schedule and will vary depending on the type of resource impacted.

According to Cultural Compliance personnel, eight employees perform Section 106 reviews for 1,600 to 2,000 projects a year for groups across TVA including Natural Resources, Transmission, and Economic Development. Due to concerns raised about the efficiency of Section 106 reviews, we scheduled an evaluation of the Section 106 review process.

² Area of potential effect is the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties. An undertaking is a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a federal agency, including those carried out by or on behalf of a federal agency; those carried out with federal financial assistance; and those requiring a federal permit, license, or approval.

³ According to TVA, Cultural resources may include historic buildings, structures, sites or objects, archaeological resources, Native American burials, funerary objects, sacred items, and other historic resources.

OBJECTIVE, SCOPE, AND METHODOLOGY

The objective of this evaluation was to determine if the process for performing historic preservation reviews was efficient. This evaluation included Section 106 reviews started in fiscal years (FY) 2018–2019. The scope of our review was limited due to TVA not having a system that consistently tracked the time and cost required for Section 106 reviews to be completed. To achieve our objective, we:

- Reviewed guidance and regulations to determine TVA’s requirements for conducting Section 106 reviews.
- Conducted interviews with Cultural Compliance, Natural Resources, and Transmission, which require Section 106 reviews, to determine TVA’s process for conducting Section 106 reviews.
- Interviewed managers for the areas with the largest workload for Cultural Compliance⁴ to identify projects considered to be efficient or inefficient. We interviewed personnel and reviewed documentation for the 21 projects deemed as being efficient or inefficient by TVA management to (1) identify inefficiencies in the process and (2) determine if Phase I reviews were completed in the time frames established in guidance. (Note that none of the identified projects required Phase II or III reviews.)
- Contacted the ACHP to identify best practices related to completing Section 106 reviews.

In response to a concern raised during the evaluation, we reviewed a sample of 39 TVA capital projects⁵ to determine if projects had a Section 106 review when required. We selected the projects as follows:

- Judgmentally selected all 3 capital projects related to Economic Development.⁶
- Statistically selected a sample of 36 of the remaining 666 capital projects using rate of occurrence sampling with a 90-percent confidence level.

This evaluation was performed in accordance with the Council of the Inspectors General on Integrity and Efficiency’s *Quality Standards for Inspection and Evaluation*.

⁴ All of the projects identified were from the Transmission organization.

⁵ The population of capital projects included projects with a projected in-service date in FYs 2018–2019 that were not suspended or canceled.

⁶ We selected all Economic Development related projects because, according to Cultural Compliance personnel, not all of their projects were submitted for a required Section 106 review in the past.

FINDINGS

We determined Section 106 reviews were not consistently tracked resulting in a lack of data to determine the time and costs of the reviews. However, we were able to identify inefficiencies in the Section 106 process. Specifically, we determined the process had inefficiencies regarding (1) prioritization of projects, (2) incorporation of Cultural Compliance in planning, (3) communication between organizations, (4) workload of Cultural Compliance personnel, (5) reliance on contractors, and (6) tracking of cultural resources.

TIME FRAMES AND COSTS OF SECTION 106 REVIEWS WERE NOT CONSISTENTLY TRACKED

We determined the time frames and costs required to complete Section 106 reviews were not consistently tracked. According to Cultural Compliance personnel, the Environmental Services Coordination System (ESCS) was designed to assign and track environmental reviews; however, the dates in the system were not always updated and recorded accurately. Along with the time frames in ESCS being inconsistently tracked, there was no documented basis for the time frames required for completing Section 106 reviews in the relevant guideline and SPP. In addition, the Cultural Compliance group does not track the actual cost of the Section 106 reviews.

The system administrator indicated the ECSC was not designed to meet their specifications and requires more manual efforts than they would like to see. For example, Transmission could not get the information they needed to update Transmission schedules from the ESCS because the fields were not comparable. According to the system administrator, there were no plans to modify the system. We also identified the following concerns with the data in the ESCS system:

- **Requested Complete Date Field** – Intended to be the date entered by the requestor for the whole project to be completed but was not consistently used. The field was used as a due date for the project in some cases and also as the due date for the project screening review activity for other projects.
- **Target Completion Date Field** – Contains the estimated completion date for the project; however, the field does not automatically update if extensions are granted. The system administrator considered this to be an error. Also, this field was blank for 4 of the 21 projects we reviewed.
- **Project Start Date Field** – Blank for 4 of the 21 projects in our sample. According to the system administrator, the field is not consistently used or updated.

In February 2019, Cultural Compliance issued the “Cultural Compliance Planning Guidelines for Transmission New Builds” to help provide more certainty in budgeting and scheduling for new build projects. According to the program manager of Environmental Program Support, the time frames for the different

phases of the Section 106 reviews were determined based on several projects that were 6 months behind schedule. We were informed there was no documentation of the analysis performed to develop the time frames. These time frames were also included in TVA-SPP 05.081 – *National Historic Preservation Act (NHPA) - Section 106 Review Compliance*, effective in May 2020, which applies to projects outside of new builds.

In addition, the actual costs to complete Section 106 reviews were not tracked by Cultural Compliance. The costs of the reviews were generally estimated based on the size of the area being reviewed. However, the actual costs, which could be higher due to delays or unforeseen circumstances, are not tracked by Cultural Compliance.

Consistently tracking project time frames and costs could make it easier to identify inefficiencies and make improvements to decrease time and costs associated with the Section 106 process. Additionally, basing the time frames required to complete Section 106 reviews off of documented, accurate, and consistently tracked data could provide a more reliable basis for organizations to plan project schedules.

INEFFICIENCIES IN THE SECTION 106 REVIEW PROCESS

We determined there were inefficiencies in the Section 106 review process. Specifically:

- There was not a standard protocol for prioritizing projects and communicating priorities across TVA.
- Cultural Compliance was not incorporated in planning, but rather after planning and design have been finalized.
- Indirect communication caused delays in the Section 106 review process.
- The workload for some Cultural Compliance personnel created delays in projects.
- The Section 106 review process can be delayed by contractor availability and the report review process.
- Identified cultural resources were not consistently tracked.

Project Prioritization

Our evaluation determined there is not a standard protocol for prioritizing and communicating priorities across TVA. As stated previously, Cultural Compliance performs Section 106 reviews for organizations across TVA including Transmission, Natural Resources, and Economic Development. While outage and construction dates are used to prioritize projects, according to Cultural Compliance personnel, determining prioritization across TVA organizations can be a challenge since each organization has its own priorities and expects its projects to be the priority. Determining a standard protocol for prioritizing

projects and communicating priorities across TVA could help to clarify expectations and increase efficiency.

Incorporation of Cultural Compliance in Project Planning

Cultural Compliance was not always incorporated in planning, but rather after planning and design had been finalized, which could reduce efficiency of the reviews. The ACHP encouraged bringing Cultural Compliance in when projects are in planning. Transmission project managers and Cultural Compliance personnel identified earlier involvement of Cultural Compliance staff as a good practice.

TVA-SPP-34.000, *Project Management*, requires environmental reviews, including Section 106 reviews, be completed following project planning and after the project design is finalized. Based on interviews with Cultural Compliance and Transmission personnel, this resulted in additional costs to meet deadline commitments or project delays for 2 projects. Conversely, for 3 projects where Cultural Compliance was consulted earlier, Cultural Compliance was able to address SHPO concerns promptly and be prepared for various types of requirements for the projects given each state's SHPO has their own set of guidance.

Communication

While the ACHP advocated sharing information early and often, concerns were raised during our evaluation related to communication. Information flow through the Transmission Projects Environmental Support group (TPES⁷) along with failure to consult with Cultural Compliance before making commitments, were identified in interviews as causing additional delays and costs. In addition, the sharing of reports with the findings from Section 106 reviews was identified by Transmission personnel as an opportunity to increase transparency and efficiency.

Communication Through Intermediary

Information flow was mentioned in several interviews with Cultural Compliance and Transmission as causing delays since all communications between the groups must go through TPES and the project manager for Cultural Compliance. According to Cultural Compliance management, this practice was implemented to increase productivity by reducing the time spent by Cultural Compliance personnel answering project questions from project managers and others affected by the Section 106 reviews.

The benefit of direct and open communication was realized recently when a lessons-learned meeting was held and Transmission and Cultural Compliance discussed, directly, the use of matting.⁸ Figure 1 on the following page shows an example of how matting is used. The discussion resulted in (1) clarifying

⁷ The TPES group is the liaison between the Environment group and Transmission, Power Supply and Support to support all environmental reviews and schedules that support Transmission, Power Supply and Support projects and maintenance work activities.

⁸ Matting is used on projects to reduce the impact to potential resources.

guidance when matting should be used and (2) Cultural Compliance having a better understanding of when matting is beneficial on a project. According to Transmission personnel, TVA avoided spending an estimated \$9 million over several projects due to clarifications on matting. The opportunity to communicate directly allowed Transmission to explain the expense and challenges of using matting. According to Cultural Compliance, they are now having conversations about costs and working together to determine the best course of action.

Figure 1: Matting



Consulting Cultural Compliance

Cultural Compliance personnel expressed a concern that, in the past, they had not been consulted on all projects meeting the requirements for a Section 106 review. According to Cultural Compliance personnel, Economic Development was not submitting projects to Cultural Compliance for a Section 106 review. However, our review of a sample of 39 capital projects between FYs 2018–2019 found all of the projects had a Section 106 review as required.

Another concern expressed by Cultural Compliance personnel and Transmission project managers was that project commitments are often made without consulting Cultural Compliance on the length of time required to complete a review or to determine if the location where the project is planned has any known cultural resources. For example:

- The location of a property TVA wanted to issue a license for use of an easement was listed on the National Register of Historic Places; however, Cultural Compliance was not notified of TVA's intent to issue the license until after TVA had proposed it. The length of time and requirements to mitigate the resources resulted in delays that led to TVA not being able to sell the land to the interested party.
- A senior manager expressed concerns with the ability to fast track projects because Phase I of the Section 106 review requires 145 days. For example, one project manager interviewed described a project where a deadline could not be met with the Phase I time requirement for a Section 106 review, resulting in an additional cost of \$1.5 million to add a temporary solution that would meet the customer's needs. The Cultural Compliance reviewer was unaware of the need for the temporary solution.

Timely communication between Cultural Compliance and the organizations could help both organizations more accurately prepare and plan when known issues or time constraints exist.

Sharing Reports With Transmission

Transmission personnel expressed concerns related to Cultural Compliance's sharing of Section 106 review findings with Transmission. According to Cultural Compliance, the Transmission project managers can review the letter to the SHPO and the location of cultural resources, but not the full report. Transmission project managers indicated it would be beneficial to see the reports with the Section 106 review findings to promote transparency and increase efficiency. However, concerns were raised by Cultural Compliance personnel about the sensitive information contained in the reports, such as a description of the cultural resource and its specific location. Sharing the report or providing a briefing of the findings in the report with the project manager could help to facilitate the process for avoiding and mitigating the identified resources.

Workload of Cultural Compliance Personnel

According to Cultural Compliance personnel, eight employees perform Section 106 reviews for 1,600 to 2,000 projects a year for groups across TVA. According to Cultural Compliance personnel, with TVA's Strategic Fiber Optics Initiative⁹ approved by TVA's Board of Directors in 2017, around 1,000 projects a year were added to the Cultural Compliance workload. The ACHP stated TVA's Cultural Compliance group has less staff and more projects, as compared to other agencies. They believe the TVA staff is probably stretched thin.

The "Cultural Compliance Planning Guidelines for Transmission New Builds" allows 10 days for Phase I report review by Cultural Compliance and 10 additional days for the contractor to revise/finalize the draft Phase I report. However, Cultural Compliance personnel pointed out three examples of projects in our sample that took more than 3 months to complete this process due to the workload of the personnel reviewing the reports. Additional personnel could increase the efficiency of reviews by decreasing the number of projects each employee manages.

Contractor Utilization

Cultural Compliance has contracts with six contractors to perform the Section 106 field reviews and write the reports used for consultation with the SHPO. Interviews with Cultural Compliance and Transmission indicated there were delays in the Section 106 process resulting from contractor availability and the report review process.

While there were more contractors available, Cultural Compliance primarily relied on three contractors to perform reviews. According to interviews, this was due to the contractors' experience working with the SHPO and Cultural Compliance and

⁹ The initiative involves installing up to 3,500 miles of new optical ground wire to supplement the current 3,400 miles of fiber TVA has on the system. The project may take up to 10 years and cost around \$300 million, subject to funding availability and environmental reviews.

the reliability of their reporting. One project from our sample included a report from a contractor who does not usually perform the field reviews for Cultural Compliance. According to Cultural Compliance personnel, the report required extensive revisions in the report review process. According to the ACHP, several agencies have staff in-house to do the technical writing; however, Cultural Compliance does not have in-house technical writers. The ability of Cultural Compliance to generate their own reports using information from the contractor field reviews could increase Cultural Compliance personnel's comfort with using more contractors thus reducing delays due to contractor availability. In addition, delays resulting from the report review process with contractors could be reduced by performing the function in-house.

Tracking of Cultural Resource Areas Reviewed

According to Cultural Compliance personnel, the Integrated Cultural Database, used for tracking cultural resources, does not track all of the cultural resources identified in Phase II or Phase III reviews. Due to design constraints and funding, not all of the previous reviews have been put into the Integrated Cultural Database. Some projects completed prior to implementing the Integrated Cultural Database have not been entered in the system because they were not standardized and do not have all the data points the system requires. Tracking the identified cultural resources consistently could reduce the number of Section 106 reviews required and redundancy in future project work.

There is a plan to implement a new tracking system beginning in December 2020. According to Cultural Compliance personnel, the new system, the Cultural Resource Management System, will have improved tracking and reporting. In addition, there are plans to migrate the legacy data from previous reviews, including those excluded from the Integrated Cultural Database, into the Cultural Resources Management System.

RECOMMENDATIONS

We recommend the Vice President, Environment:

- Track the time and cost required for completing Section 106 reviews and reevaluate the established time frames provided in guidance.

TVA Management's Comments – TVA management partially agreed with the recommendation because guidance time frames are hard to establish for cultural resources buried in the ground. Management did state they will take actions to track the time and cost of Section 106 reviews and annually update guidance time frames as appropriate. See the Appendix for TVA's complete response.

Auditor's Response – While management stated they partially agreed, the corrective actions effectively address the recommendation, thus we concur with management's planned actions.

- Establish protocol for prioritizing projects.

TVA Management's Comments – TVA management partially agreed with the recommendation due to enterprise-wide project prioritization being outside of the Environment team's scope. However, they will meet with the Enterprise Project Management Office (EPMO) to discuss project prioritization. In addition, an internal protocol will be documented and communicated to address staff concerns about workload prioritization. See the Appendix for TVA's complete response.

Auditor's Response – While management stated they partially agreed, the corrective actions effectively address the recommendation, thus we concur with management's planned actions.

- Coordinate with Generation Construction, Projects and Fleet Services to revise the SPP to require early engagement between project teams and Cultural Compliance on all projects.

TVA Management's Comments – TVA management agreed with the recommendation and stated they will support the EPMO in updating the SPP to support earlier involvement of Cultural Compliance in the project process. See the Appendix for TVA's complete response.

Auditor's Response – We concur with management's planned actions.

- Establish direct and open communication paths between Transmission and Cultural Compliance, including Cultural Compliance sharing report findings with Transmission.

TVA Management's Comments – TVA management partially agreed with the recommendation and has set up a model to facilitate communication between Cultural Compliance and Transmission; however, management disagreed with the need to provide the full report to the business partner. Management agreed to (1) meet with Transmission business partners to discuss information disclosure and needs, and (2) clarify roles and responsibilities of TPES group and Cultural Compliance. See the Appendix for TVA's complete response.

Auditor's Response – While management stated they partially agreed, the corrective actions effectively address the recommendation, thus we concur with management's planned actions.

- Consider adding staff and utilizing available contractors, along with technical in-house report writing, to increase Section 106 review efficiency.

TVA Management's Comments – TVA management agreed with our recommendation and stated (1) staffing needs for both annual and staff augmentation are reviewed in the annual business planning process, (2) report writing is split between in-house and external contractors and the manpower, equipment and space required are limiting factors for writing the bigger reports in-house, and (3) Environment will partner with Supply Chain to determine if a request for proposal for contractor services should be issued. See the Appendix for TVA's complete response.

Auditor's Response – We concur with management's planned actions.

- Continue implementation of the system that will track identified cultural resources.

TVA Management's Comments – TVA management agreed with our recommendation and stated they will continue to load Transmission legacy data into its existing database. See the Appendix for TVA's complete response.

Auditor's Response – We concur with management's planned actions.

August 20, 2020

David P. Wheeler, WT 2C-K

**CLARIFICATION – DRAFT EVALUATION 2019-15663 – HISTORIC PRESERVATION
REVIEWS**

In response to questions regarding our recent comment response submittal on the above named evaluation, I have clarified the following comments addressing concerns to certain recommendations below.

- In CA 1: Review tracked time annually and update guidance time frames as appropriate.
- In the following recommendation; Consider adding staff and utilizing available contractors, along with technical in-house report writing to increase Section 106 review efficiency:
 - Report writing is currently split between in-house staff and external contractors. For smaller projects such as the 400 that qualified for Appendix B in the 106 PA, in-house staff writes the reports. For the larger projects, where managed task field crews are required, there is also a need for lab crews that are essentially writing those reports. The manpower, equipment and space required are limiting factors to writing the bigger reports in-house.

If you have any further questions, please contact Susan Jacks, General Manager, Federally Mandated Environmental Compliance, at (865) 556-6114.



Rebecca C Tolene
Vice President
Environment
WT 11C-K

SRJ:ABM

Attachments

cc (Attachments):

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Susan R. Jacks, WT 11C-K
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M. Susan Smelley, BR 2C-C
Sherry A. Quirk, WT 7B-K

Recommendation	Environment Response
<p>Track the time and cost required for completing Section 106 reviews and reevaluate the established time frames provided in guidance.</p>	<p>Partially agree.</p> <p>With respect to tracking time, Environment does not object to this recommendation, and has an ongoing strategic team that is developing workflow and workflow capturing systems (including completion times). While the team continues its internal work, this effort is somewhat on hold until we can secure the appropriate IT support.</p> <p>With respect to tracking cost, Environment does not object to this recommendation, and will meet with our Business Partners and Financial Services to discuss capturing this information. The business partner has the project management function and the ability to setup a work breakdown structure and POETS at the appropriate level needed to capture time and costs by discipline.</p> <p>The "generic" guidance document was provided to one Business Unit, Transmission, based on their request to determine the time frames associated with transmission line new builds <i>assuming no resources</i> are found. Each project is evaluated during the prescreening to determine the schedule for that particular project, again <i>based on no resources being found</i>. The schedule impacts typically result when resources are found and Cultural Compliance staff has to move to a phase 2 review.</p> <p>While historical data can be helpful setting timeframes, the difficulty of this scientific area is that no one truly knows the time and costs until surveys are completed due to resources being buried in the ground. This creates a frustrating situation for a project manager who is trying to clarify scope and schedule of his/her project.</p> <p>Corrective Actions:</p> <ol style="list-style-type: none"> 1. Continue Roadmap Team E.13 <i>Environmental Project Planning- Workflow</i> and confirm that time tracking of 106 reviews is included in scope. Review tracked time annually and update guidance time frames as appropriate. (complete December 2021). 2. Meet with Business Partners, Supply Chain, and Financial Services to determine method to extract 106 specific costs from project cost tracking (complete June 2021).

Recommendation	Environment Response
<p>Establish protocol for prioritizing projects.</p>	<p>Partially agree.</p> <p>Enterprise-wide project prioritization for TVA is outside the Environment team's scope. Project prioritization would need to be developed by SBUs and business partners based on TVA's needs or by the BUs since they would best understand the need and overall project schedules.</p> <p>Corrective Action:</p> <p>3. We will meet with the EPMO office to discuss project prioritization and the need to take into account stewardship and economic development projects into any protocol (most previous prioritization efforts have moved these continually to the bottom of the list so they are not completed), (complete June 2021).</p> <p>4. Without a TVA wide prioritization solution, staff concerns about workload prioritization can be clarified by documenting and communicating an internal protocol for staff to raise workload concerns to their manager when there are conflicting due dates that cannot be met (complete June 2021).</p>
<p>Coordinate with Generation Construction, Projects and Fleet Services to revise the SPP to require early engagement between project teams and Cultural Compliance on all projects.</p>	<p>Agree.</p> <p>Environment is working with the EPMO office (this organization moved from GP&FS and now resides in the Resource Management & Operation Services organization) to update the 34 series SPP requiring involvement of Cultural Compliance earlier in the process. Though providing guidance on the process revision, the actual update of the process will be owned by EPMO.</p> <p>Corrective Action:</p> <p>5. Support EPMO office in updating the 34 series SPP to support earlier involvement of Cultural Compliance in the project process (complete December 2020).</p>

Recommendation	Environment Response
<p>Establish direct and open communication paths between Transmission and Cultural Compliance, including Cultural Compliance sharing report findings with Transmission.</p>	<p>Partially agree.</p> <p>We agree with the need for open communication with Business Units and on the need for direct communication with specialists for technical discussions. In the past, direct communication with specialists about schedule or general project status limited the amount of time specialists could do field work. Environment has set up a model where schedule questions and other project question are directed to our Transmission Project Environmental Support (TPES) group. Environment agrees that the cultural compliance SME should be involved in technical discussions.</p> <p>Environment disagrees that there is a need to provide the full report to the business partner which includes information about the type of resource and historical significance to associated tribes or others. The location of the resource including a required buffer is provided to our business partners (flagging data). Our federal to federal relationship with tribes must be respected and they have expressed a need to hold the detailed information (such as the type of resource or burial) confidential. Based on your feedback, we will work on a communication to our business partners around the "why" of this need, so as to make sure they do not believe it is driven by a lack of trust, etc.</p> <p>Corrective Action 6. Meet with Transmission Business Partners to discuss why we withhold specific information about the type of resource being avoided; and discuss if there is additional generic information they need to make work easier or more efficient (complete June 2021). 7. As mentioned in CA 1. Continue Roadmap Team E.13 <i>Environmental Project Planning-Workflow</i> and confirm that TPES group and CC are clear on roles and responsibility (complete December 2021).</p>
<p>Consider adding staff and utilizing available contractors, along with technical in-house report writing to increase Section 106 review efficiency.</p>	<p>Agree.</p> <p>Environment continues to review workload along with staffing needs for both annual and staff augmentation assessing needs within the annual business planning process. Environment also continues to evaluate managed task contractors with Supply Chain as well as discussing additional staffing with our current managed task contractors. In FY21, Environment will partner with Supply Chain to determine if a Request for Proposal (RFP)</p>

Recommendation	Environment Response
	<p>for services would be beneficial (the last RFP for cultural compliance support was completed in 2018). We will also discuss with existing contractors, the need to retain additional staff.</p> <p>Report writing is currently split between in-house staff and external contractors. For smaller projects such as the 400 that qualified for Appendix B in the 106 PA, in-house staff writes the reports. For the larger projects, where managed task field crews are required, there is also a need for lab crews that are essentially writing those reports. The manpower, equipment and space required are limiting factors to writing the bigger reports in-house.</p> <p>Corrective Action-- 7. In FY21, Environment will partner with Supply Chain to determine if a Request for Proposal (RFP) for services should be issued and if so, will issue (complete June 2021).</p>
<p>Continue implementation of the system that will track identified cultural resources.</p>	<p>Agree.</p> <p>Environment agrees on continuing the path forward on the cultural database. Staff continues to load legacy data. Full implementation of a more streamlined database relies on TVA IT to complete their portion to complete the Cultural Resource Management System. (underway)</p> <p>8. We will continue to load TPS Legacy data into existing database with a targeted (complete June 2021).</p>