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CUL-1 TREATMENT OF THE CHUCKWALLA VALLEY PORTION OF THE PACIFICTO RIO GRANDE TRAILS LANDSCAPE (PRGTL)

The project owner shall contribute **a total of \$2,473,590** to a special PRGTL fund that the Energy Commission will set up to finance the completion of the multiple programs under **Parts I and II** of this condition, the purposes of which are to mitigate, in part, for the amended project's direct visual effects and cumulative physical and visual effects on the Chuckwalla Valley portion of the PRGTL. The Compliance Project Manager (CPM) will administer the disbursement of these funds and provide regulatory oversight for the implementation of the multiple programs.

The CPM shall dedicate the amount of \$1,000,000 to the specific tasks identified in Part I of this condition (Part I Funds). The CPM shall manage the remaining \$1,473,590 of the funds (Part II Funds) for use in activities selected by the Native American Committee pursuant to Part II of this condition.

PART I - State Cultural Resource Interests

Field Inventory and Documentation of PRGTL Contributing Elements

The **Part I Funds shall be used for** ~~project owner shall fund~~ the design and conduct of reconnaissance pedestrian (class II) surveys of the Palen Mountains Resource Area¹; the Coxcomb Mountains Resource Area²; the Eagle, Chuckwalla, and McCoy Mountains Resource Areas, as these areas are depicted in the FSA; the Coxcomb Fringe and Raceway Mesquite Areas, as also depicted in the FSA; and the BLM's Palen Dry Lake ACEC. The principal purpose of these surveys is to document a statistically valid sample of the archaeological deposits, and the potential prehistoric and ethnographic sources of natural resources in each of the subject areas. The primary, although not exclusive focus of the surveys shall be prehistoric archaeological resources that have the potential to be eligible for listing in the CRHR under Criteria 1 or 3. Resources encountered would typically include, but would not be limited to, rock art, intaglios, caves or other natural features that may evidence ritual use, apparent altars or shrines, cleared circles, rock alignments, rock cairns, caches, and trail segments. One secondary focus of the surveys shall be natural resource locales, places in the mountain and mesquite resource areas which may have been used as water sources, or places where plant, animal, or mineral resources may have been

¹ Staff envisions that the areal scope of the Palen Mountains reconnaissance be limited to the portions of the mountains in Secs. 13, and 24–26, T. 4 S., R. 17 E. and east of those sections into the unsectioned areas of T. 4 S., R. 18 E.; in Secs. 1 and 13, T. 5 S., R. 17 E., and east of those sections into the unsectioned areas of T. 5 S., R. 18 E.; and north of Secs. 31–33, T. 5 S., R. 18 E. into the unsectioned portions of that township.

² Staff envisions that the areal scope of the Coxcomb Mountains reconnaissance be limited to the portions of the mountains in Secs. 11 and 14, T. 4 S., R. 16 E. and northwest of those sections into the unsectioned areas of that township; in Sec. 22, T. 4 S., R. 16 E., and north of that section into the unsectioned areas of that same township; and in Sec. 16, T. 4 S., R. 16 E. and northeast into, again, the unsectioned portions of that township.

extracted. Such places may include springs, seeps, tanks, or plunge pools; stands of plants which have the potential to have been food sources or sources of medicinal compounds; habitats of high value animal populations; or mineral resource outcrops or deposits where materials such as high quality toolstones, quartz crystals, or turquoise may have been extracted. Another secondary focus of the surveys shall be any source of paleoenvironmental data such as packrat middens or pockets of perennially moist, organic sediments.

The research designs and the methods used for these class II surveys shall reflect the character of the different resource areas and include thorough documentation of each archaeological resource, natural resource extraction locale, and source of paleoenvironmental data. The sample design and the field methods for each mountain and mesquite resource area shall evidence a balanced consideration of local topographic constraints and the requirement to acquire a statistically valid sample of each area. ***Part I Funds shall be used for*** ~~The project owner shall fund~~ the complete documentation of every archaeological site found on California State Parks DPR 523 Series forms per California State Parks instructions (CA State Parks 1995). The descriptions of resource assemblages and the spatial distribution internal to those assemblages shall be detailed enough on the subject forms to facilitate meaningful archaeological analysis of the surface manifestation of each archaeological resource. Documentation of potential natural resource extraction locales and sources of paleoenvironmental data shall include field notes and photographs of each such locale or source, vicinity and larger-scale location maps, submeter GPS coordinates, and, for rock and mineral sources, hand samples of the rocks or minerals sufficient for formal identification. The research designs for the mountain and mesquite resource areas shall also provide for chronometric, source, and other germane laboratory analyses.

The research design for the BLM's Palen Dry Lake ACEC survey shall include a thorough review of the BLM's extant documentation on the ACEC and any other extant peer-reviewed and proprietary literature to determine whether a statistically valid sample of the archaeological inventory of the area already exists, and, if that sample does not exist, the project owner shall fund the design and conduct of a further class II pedestrian survey to acquire the requisite supplementary data to complete that sample.

Part I Funds shall be used for ~~The project owner shall provide funds for~~ Native American involvement in the design and execution of the fieldwork for these surveys, and in the interpretation and presentation of the results of the surveys.

Part I Funds shall be used for ~~The project owner shall fund~~ the preparation of one or more comprehensive technical report(s) documenting the efforts to inventory and document the above contributing elements of the PRGTL.

Paleoenvironmental Study

Part I Funds shall be used for ~~The project owner shall fund~~ the development and conduct of a paleoenvironmental study germane to the period of significance

for the Chuckwalla Valley portion of the PRGTL. The purpose of the study is to provide an updated and more reliably informed paleoenvironmental context to enhance the interpretation of the Chuckwalla Valley portion of the Pacific to Rio Grande Trails Landscape. The research design for the study shall make use, at a minimum, of the available peer-reviewed and proprietary Quaternary science literatures, recent Quaternary research conducted in conjunction with the licensing and construction of the Genesis Solar Energy Project, the geoarchaeological research done in conjunction with the licensing and amendment processes for the amended project, new packrat midden analyses, and new Palen Dry Lake sediment core data.

Part I Funds shall be used for ~~The project owner shall provide funds for~~ Native American involvement in the design and execution of the fieldwork for these surveys, and in the interpretation and presentation of the results of the surveys.

Part I Funds shall be used for ~~The project owner shall fund the~~ preparation of a comprehensive technical report documenting the paleoenvironmental study effort.

Petroglyph Study

Part I Funds shall be used for ~~The project owner shall fund the~~ development and conduct of a petroglyph study germane to the period of significance for the Chuckwalla Valley portion of the PRGTL. The purpose of this study is to provide for the integration of the numerous petroglyph sites within the PAA in one comprehensive study. The research design should incorporate recent studies conducted at the behest of Southern California Edison for mitigation related to the siting and construction of the Red Bluff substation's impacts to the North Chuckwalla Mountains Petroglyph District. Complete photo/GIS inventories of individual petroglyph motifs and of articulated motif panels shall be completed for Dragon Wash, Corn Springs, Chuckwalla Springs and McCoy Springs. In addition a reasonable sampling of the various smaller and disparate petroglyph motifs and panels throughout the Valley shall be inventoried. These disparate petroglyph sites can be ascertained from the list of known sites in the PAA that staff has collected as part of their independent analysis and from any newly discovered petroglyph sites located in conducting field inventories required above. Petroglyph data shall then be analyzed spatially to discern trends at a micro-site scale and at a macroscale across the Valley with other petroglyph sites and other cultural resources that contribute to the Chuckwalla portion of the PRGTL. A research design shall also propose targeted dating techniques (eg., patina analysis), including super- impositioning analysis on a relevant subset of the sites in the Chuckwalla Valley.

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Part I Funds shall be used for ~~The project owner shall fund the~~ preparation of one or more comprehensive technical report(s) documenting the efforts to

inventory, document and analyze the above contributing elements of the PRGTL.

Revision of Prehistoric Trails Network Cultural Landscape Context (PTNCL) and Field Manual

Part I Funds shall be used ~~The project owner shall fund a contribution in an amount sufficient to finance the revision of the extant draft context for the Prehistoric Trails Network Cultural Landscape (PTNCL) and the PTNCL's draft companion field manual. The revision shall recast the subject context to more explicitly consider the trail routes in Chuckwalla Valley, and the cultural resources which are thematic constituents of those routes, as elements that may contribute to the historical significance of the Pacific to Rio Grande Trails Landscape. The final technical reports for the class II surveys of the mountain and mesquite resource areas, the paleoenvironmental study, and the petroglyph study shall inform the context revision.~~

Public Outreach

Part I Funds shall be used for ~~The project owner shall fund the production and distribution of video or web- based content the purpose of which is to interpret the Chuckwalla Valley portion of the PRGTL for the general public. The interpretive perspectives that are to inform said content shall derive from academe as well as from the Native American communities who ascribe heritage values to the valley.~~

PART II - Native American Spiritual Interests

The ***CPM shall develop and create a Native American Committee which shall meet and direct the use of the Part II Funds (\$1,964,430) dedicated to Part II of this condition*** ~~project owner shall fund initiatives~~ the purposes of which are to directly, albeit partially, compensate Native American communities who ascribe heritage values to Chuckwalla Valley and, more specifically, to the broader PRGTL for PSEGS' degradation of the associative and emic ethnographic values of their ancestral homelands.

Specific items that may be used as directed by the Native American Committee and CPM include, but are not limited to the following:

- ***An Annual Traditional Cultural Properties workshop among interested Native American tribes. This would/could include field trips to sites of interest, sharing of information among the tribes and an opportunity to expose their youth or other tribal members to these concepts and locations.***
- ***Purchase of private lands that have important sites as determined by the Native American Committee.***
- ***Funding of improvements (cleaning up) some important sites, such as Corn Springs Petroglyphs, North Chuckwalla Petroglyphs and McCoy Springs.***

- ***Fencing important sites to prevent vandalism.***

Verification:

1. The project owner shall transfer **\$2,473,590** funds sufficient to complete the multiple programs set out in CUL-4 **to the Energy Commission's special PRGTL fund** no later than ~~90~~ **180** days ~~prior~~ **after** to the initiation of **construction.** ~~ground disturbance anywhere on the project site.~~
2. No later than 10 days after receiving notice of the successful transfer of funds to the Energy Commission's special PRGTL fund, the project owner shall submit a copy of the notice to the Energy Commission's Compliance Project Manager (CPM).
3. ***The CPM shall post to the CEC website an annual report detailing the specific use of the funds for Part I and for Part II of this condition.***