

DOCKET

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California Energy Commission
Dockets Unit
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: **PALO VERDE SOLAR I, LLC's REVISED STAFF ASSESSMENT
CULTURAL CONDITIONS OF CERTIFICATION
BLYTHE SOLAR POWER PROJECT
DOCKET NO. (09-AFC-6)**

Enclosed for filing with the California Energy Commission is the original of **PALO VERDE SOLAR I, LLC's REVISED STAFF ASSESSMENT CULTURAL CONDITIONS OF CERTIFICATION**, for the Blythe Solar Power Project (09-AFC-6).

Sincerely,



Marie Mills

Palo Verde Solar I, LLC's Comments to the Revised Staff Assessment Cultural Conditions of Certification

July 12, 2010

PVSI has provided comments and proposed changes to the Revised Staff Assessment for Cultural Resources Conditions of Certification (COCs). Due to time constraints, it was not possible to make all changes that would make sections C.3.1 – C.3.10 internally consistent with the proposed changes to the COCs.

PROPOSED CONDITIONS OF CERTIFICATION/MITIGATION MEASURES

CUL-1 PREHISTORIC TRAILS NETWORK CULTURAL LANDSCAPE (PTNCL) DOCUMENTATION AND POSSIBLE NRHP NOMINATION

The project owner shall contribute to a special fund set up by the Energy Commission [or BLM](#) to finance the completion of the PTNCL Documentation and Possible NRHP Nomination program presented in the Blythe Solar Power Plant (BSPP) Revised Staff Assessment RSA).

The amount of the contribution shall be [\[\\$35\]](#) per acre that the project encloses or otherwise disturbs.

~~An additional contribution may be required to ensure the completion of the required documentation and possible NRHP nomination.~~

If a project is not certified, or if a project owner does not build the project, or, if for some other reason deemed acceptable by the CPM, a project owner does not participate in funding the PTNCL documentation and possible NRHP nomination program, the other project owner(s) may consult with the CPM to adjust the scale of the PTNCL documentation and possible NRHP nomination program research activities to match available funding. A project owner that funds the PTNCL documentation and possible NRHP nomination program, then withdraws, will be able to reclaim their monetary contribution, to be refunded on a prorated basis.

Rationale: BSPP is reviewing the funding of regional cultural resources research for the project and the commitment for a single specified monetary amount. This analysis is to incorporate data collected during testing and/or data recovery and will provide a synthesis for the region. The analysis is not required prior to testing/mitigation.

Verification

1. No later than 10 days after receiving notice of the successful transfer of funds to the Energy Commission's or BLM's special PTNCL fund, the project owner shall submit a copy of the notice to the Energy Commission's Compliance Project Manager (CPM).

CUL-2 DESERT TRAINING CENTER CALIFORNIA-ARIZONA MANEUVER AREA CULTURAL LANDSCAPE (DTCCL) DOCUMENTATION AND POSSIBLE NRHP NOMINATION

The project owner shall contribute to a special fund set up by the Energy Commission or BLM to finance the completion of the Documentation and Possible NRHP Nomination program presented in the BSPP RSA.

The amount of the contribution shall be [\$25] per acre that the project encloses or otherwise disturbs.

~~An additional contribution may be required to ensure the completion of the required documentation and possible NRHP nomination.~~

If a project is not certified, or if a project owner does not build the project, or, if for some other reason deemed acceptable by the CPM, a project owner does not participate in funding the DTCCL documentation and possible NRHP nomination program, the other project owner(s) may consult with the CPM to adjust the scale of the DTCCL documentation and possible NRHP nomination program research activities to match available funding. A project owner that funds the DTCCL documentation and possible NRHP nomination program, then withdraws, will be able to reclaim their monetary contribution, to be refunded on a prorated basis.

Rationale: BSPP is reviewing the funding of regional cultural resources research for the project and the commitment for a single specified monetary amount. This analysis is to incorporate data collected during testing and/or data recovery and will provide a synthesis for the region. The analysis is not required prior to testing/mitigation.

VERIFICATION

1. No later than 10 days after receiving notice of the successful transfer of funds to the Energy Commission's or BLM's special DTCCL fund, the project owner shall submit a copy of the notice to the CPM.

CUL-3 CULTURAL RESOURCES PERSONNEL

Prior to the start of ground disturbance (includes "preconstruction site mobilization", "ground disturbance," and "construction grading, boring, and trenching," as defined in the General Conditions for this project), the

project owner shall obtain the services of a Cultural Resources Specialist (CRS), one or more alternate CRSs, if alternates are needed, and the two technical specialists identified below in this condition.

The CRS shall manage all cultural resources mitigation, monitoring, curation, and reporting activities in accordance with the Conditions of Certification (Conditions). The CRS shall have a primarily administrative and coordinative role for the BSPP. The project owner shall ensure that the CRS implements the cultural resources conditions, providing for data recovery from known historical resources, and shall ensure that the CRS makes recommendations regarding the eligibility for listing in the California Register of Historical Resources (CRHR) of any cultural resources that are newly discovered or that may be impacted in an unanticipated manner. The CRS may obtain the services of field crew members and cultural resources monitors (CRMs), if needed, to assist in mitigation, monitoring, and curation activities. No ground disturbance shall occur prior to CPM approval of the CRS and alternates, unless such activities are specifically approved by the CPM. Approval of a CRS may be denied or revoked for reasons including but not limited to noncompliance on this or other Energy Commission projects.

CULTURAL RESOURCES SPECIALIST

The resumes for the CRS and alternate(s) shall include information demonstrating to the satisfaction of the CPM that their training and backgrounds conform to the U.S. Secretary of Interior's Professional Qualifications Standards, as published in Title 36, Code of Federal Regulations, part 61. In addition, the CRS shall have the following qualifications:

1. A background in anthropology and prehistoric archaeology;
2. At least 10 years of archaeological resource mitigation and field experience, with at least 3 of those years in California; and
3. At least 3 years of experience in a decision-making capacity on cultural resources projects, with at least 1 of those years in California, and the appropriate training and experience to knowledgeably make recommendations regarding the significance of cultural resources.

REQUIRED CULTURAL RESOURCES TECHNICAL SPECIALISTS

The project owner shall ensure that the CRS obtains the services of a qualified prehistoric archaeologist to conduct the research specified in **CUL-6** and **CUL-7**. The Project Prehistoric Archaeologist's (PPA) training and background must meet the U.S. Secretary of the Interior's

Professional Qualifications Standards for prehistoric archaeology, as published in Title 36, Code of Federal Regulations, part 61, and the resume of the PAA must demonstrate familiarity with ~~the similar~~ artifacts and environmental modifications (deliberate and incidental) to those associated with the prehistoric and protohistoric use of the Palo Verde Mesa. ~~The PPA must meet OSHA standards as a “Competent Person” in trench safety.~~

Rationale: The person supervising excavation does not need to be a Project –level archaeologist. Knowledge of the artifacts types and environmental conditions for the California Desert (where Palo Verde Mesa is located) is sufficient.

The project owner shall ensure that the CRS obtains the services of a qualified historical archaeologist to conduct the research specified in **CUL-8** through **CUL-11**. The Project Historical Archaeologist’s (PHA) training and background must meet the U.S. Secretary of Interior’s Professional Qualifications Standards for historical archaeology, as published in Title 36, Code of Federal Regulations, part 61. ~~The resume of the PHA must demonstrate familiarity with the artifacts, environmental modifications (deliberate and incidental, including tank tracks), and trash disposal patterns associated with World War II land-based army activities, and knowledge of the full range of late nineteenth and early to mid-twentieth-century domestic can, bottle, and ceramic diagnostic traits.~~

Rationale: Personnel require for PHA is overly specific and goes well beyond the U.S. Secretary of Interior’s Professional Qualifications Standards for historical archaeology.

The resumes of the CRS, alternate CRS, the PPA, and the PHA shall include the names and telephone numbers of contacts familiar with the work of these persons on projects referenced in the resumes and demonstrate to the satisfaction of the CPM that these persons have the appropriate training and experience to undertake the required research.

OPTIONAL CULTURAL RESOURCES TECHNICAL SPECIALIST

~~The project owner shall ensure that the CRS obtains the services of a specialist backhoe operator to conduct the activities specified in **CUL-6**, if needed. This backhoe operator shall have a resume that demonstrates previous experience using a backhoe in coordination with an archaeologist. In addition the operator shall use a machine with a “stripping bucket” that is sensitive enough to remove even and consistent layers of sediment 5 centimeters thick.~~

Rationale: These requirements are overly restrictive. Mechanical excavations would be conducted under qualified staff (e.g., CRS, PAA or PHA) which would be adequate to control the operator's activities.

FIELD CREW MEMBERS AND CULTURAL RESOURCES MONITORS

CRMs and field crew members shall have the following qualifications:

1. A B.S. or B.A. degree in anthropology, archaeology, historical archaeology, or a related field, and one year experience monitoring in California; or
2. An A.S. or A.A. degree in anthropology, archaeology, historical archaeology, or a related field, and four years experience monitoring in California; or
3. Enrollment in upper division classes pursuing a degree in the fields of anthropology, archaeology, historical archaeology, or a related field, and two years of monitoring experience in California.

~~4. CRMs monitoring BSPP linear facility trenching will also have demonstrated experience in identifying Sonoran desert prehistoric features such as structures, pits, canals, and wells in the walls of backhoe trenches.~~

Rationale: Requirement is overly restrictive and could eliminate the use of personnel qualified to conduct this work under a BLM Cultural Resources Permit.

Verification

1. At least 27075 days prior to the start of ground disturbance, the project owner shall submit the resumes for the CRS, the alternate CRS(s) if desired, the PPA, and the PHA to the CPM for review and approval.
2. At least 42065 days prior to the start of data recovery on known archaeological sites, the project owner shall confirm in writing to the CPM that the approved CRS, the PPA, and the PHA will be available for on-site work and are prepared to implement the cultural resources Conditions **CUL-6**, **CUL-7**, and **CUL-8**.

Rationale: Proposed schedule change is in the accordance with the project time-line.

3. At least 10 days prior to a termination or release of the CRS, or within 10 days after the resignation of a CRS, the project owner shall submit the resume of the proposed new CRS to the CPM for review and approval. At the same time, the project owner shall also provide to the proposed new CRS the AFC and all cultural resources documents, field notes, photographs, and other cultural resources materials generated

by the project. If no alternate CRS is available to assume the duties of the CRS, a monitor may serve in place of a CRS so that ground disturbance may continue up to a maximum of 3 days without a CRS. If cultural resources are discovered then ground disturbance will remain halted until there is a CRS or alternate CRS to make a recommendation regarding significance.

4. At least 20 days prior to data recovery on known archaeological sites, the CRS shall provide a letter naming anticipated field crew members for the project and attesting that the identified field crew members meet the minimum qualifications for cultural resources data recovery required by this Condition.

5. At least 20 days prior to ground disturbance, the CRS shall provide a letter naming anticipated CRMs for the project and attesting that the identified CRMs meet the minimum qualifications for cultural resources monitoring required by this Condition.

6. At least 5 days prior to additional CRMs beginning on-site duties during the project, the CRS shall provide letters to the CPM identifying the new CRMs and attesting to their qualifications.

CUL-4 PROJECT DOCUMENTS FOR CULTURAL RESOURCES PERSONNEL

Prior to the start of ground disturbance, the project owner shall provide the [PTNCL-PI](#), ~~the~~ [DCTCL-PI](#), the CRS, the PPA, and the PHA with copies of the AFC, data responses, confidential cultural resources documents, the Revised Staff Assessment (RSA), and the RSA Supplement/Errata, if any, for the project. The project owner shall also provide the CRS, the PPA, the PHA, the PG, and the CPM with maps and drawings showing the footprints of the power plant, all linear facility routes, all access roads, and all laydown areas. Maps shall include the appropriate USGS quadrangles and maps at an appropriate scale (e.g., 1:2400 or 1" = 200') for plotting cultural features or materials. If the CRS requests enlargements or strip maps for linear facility routes, the project owner shall provide copies to the CRS and CPM. Staff shall review map submittals and, in consultation with the CRS, approve those that are appropriate for use in cultural resources planning activities. No ground disturbance shall occur prior to CPM approval of maps and drawings, unless such activities are specifically approved by the CPM. [Release of cultural resources information will be pending BLM approval.](#)

[Rationale: Cultural resources information pertaining to the project is the property of the BLM. The PTNCL-PI and DCTCL-PI will be working under the supervision of the CEC or BLM which has access to all of the documents listed.](#)

If construction of the project would proceed in phases, maps and drawings not previously provided shall be provided to the CRS, the PPA, and the PHA, and the CPM prior to the start of each phase. Written notice

identifying the proposed schedule of each project phase shall be provided to the CRS and CPM.

Weekly, until ground disturbance is completed, the project construction manager shall provide to the CRS and CPM a schedule of project activities for the following week, including the identification of area(s) where ground disturbance will occur during that week. The project owner shall notify the CRS and the CPM of any changes to the scheduling of the construction phases.

Verification

~~1. At least 210 days prior to the start of ground disturbance, the project owner shall provide the AFC, data responses, confidential cultural resources documents, the Revised Staff Assessment (RSA), and RSA Errata to the PTNCL PI and the DCTCL PI.~~

Rationale: The PTNCL-PI and DCTCL-PI will be working under the supervision of the CEC or BLM which has access to all of the documents listed.

2. At least ~~46560~~ days prior to the start of ground disturbance, the project owner shall provide the AFC, data responses, confidential cultural resources documents, the Revised Staff Assessment (RSA), and RSA Supplement/Errata to the CRS, if needed, and to the PPA, the PHA, and the PG. The project owner shall also provide the subject maps and drawings to the CRS, PPA, PHA, PG, and CPM. Staff, in consultation with the CRS, PPA, and PHA, will review and approve maps and drawings suitable for cultural resources monitoring and data recovery activities.

Rationale: Proposed schedule change is in the accordance with the project time-line.

3. At least 15 days prior to the start of ground disturbance, if there are changes to any project-related footprint, the project owner shall provide revised maps and drawings for the changes to the CRS, PPA, PHA, and CPM.

4. At least 15 days prior to the start of each phase of a phased project, the project owner shall submit the appropriate maps and drawings, if not previously provided, to the CRS, PPA, PHA, PG, and CPM.

5. Weekly, during ground disturbance, a current schedule of anticipated project activity shall be provided to the CRS and CPM by letter, e-mail, or fax.

6. Within 5 days of changing the scheduling of phases of a phased project, the project owner shall provide written notice of the changes to the CRS and CPM.

CUL-5 CULTURAL RESOURCES MONITORING AND MITIGATION PLAN

Prior to the start of ground disturbance, the project owner shall submit to the CPM for review and approval the Cultural Resources Monitoring and Mitigation Plan (CRMMP), as prepared by or under the direction of the CRS, with the contributions of the PPA, and the PHA. The authors' name(s) shall appear on the title page of the CRMMP. The A CRMMP for each phase of construction shall specify that phase of construction the impact mitigation protocols for all known cultural resources and identify general and specific measures to minimize potential impacts to all other cultural resources, including those discovered during construction. Implementation of the CRMMP shall be the responsibility of the CRS and the project owner. Copies of the CRMMP shall reside with the CRS, alternate CRS, the PPA, and the PHA, each CRM, and the project owner's on-site construction manager. No ground disturbance shall occur prior to CPM approval of the CRMMP, unless such activities are specifically approved by the CPM.

The CRMMP shall include, but not be limited to, the elements and measures listed below.

1. The following statement shall be included in the Introduction: "Any discussion, summary, or paraphrasing of the Conditions of Certification in this CRMMP is intended as general guidance and as an aid to the user in understanding the Conditions and their implementation. The conditions, as written in the Commission Decision, shall supersede any summarization, description, or interpretation of the conditions in the CRMMP. The Cultural Resources Conditions of Certification from the Commission Decision are contained in Appendix A."
2. The duties of the CRS shall be fully discussed, including coordination duties ~~with respect to the completion of the Prehistoric Trails Network Cultural Landscape (PTNCL) documentation and possible NRHP nomination program and the Desert Training Center California-Arizona Maneuver Area Cultural Landscape (DTCCL) documentation and possible NRHP nomination program,~~ and oversight/management duties with respect to site evaluation, data collection, monitoring, and reporting at both known prehistoric and historic-period archaeological sites and any CRHR-eligible (as determined by the CPM) prehistoric and historic-period archaeological sites discovered during construction.
3. A general research design shall be developed that:
 - a. Charts a timeline of all research activities, ~~including those coordinated under the PTNCL and DTCCL documentation and possible NRHP nomination programs;~~
 - b. Recapitulates the existing paleoenvironmental, prehistoric, ethnohistoric, ethnographic, and historic contexts ~~developed in the PTNCL and DTCCL documentation and possible NRHP nomination programs and adds to these the additional context of the non-military, historic-period occupation and use of the Palo Verde Mesa, to create a comprehensive historic context~~ for the BSPP vicinity;

- c. Poses archaeological research questions and testable hypotheses specifically applicable to the archaeological data sets known for the Palo Verde Mesa, based ~~on the results of the research conducted under the PTNCL and DTGCL documentation and possible NRHP nomination programs and~~ on the archaeological and historical literature pertinent to the Palo Verde Mesa; and
- d. Clearly articulates why it is in the public interest to address the research questions that it poses.

Rationale: BSPP takes the position that the regional specialists hired by the CEC and/or BLM with the funds referenced in CUL-1 and CUL-2 will work best as synthesizers of the data collected by project mitigation activities. Project cultural resources staff will work with the regional specialists in preparing the phase CRMMPs that will address regional research issues to provide a comparability of data collection among the multiple projects. Although the regional research programs and NRHP nomination programs will use data gathered by BSPP-specific research, these programs will operated on a schedule independent of the BSPP.

4. Protocols, reflecting the guidance provided in **CUL-6**, **CUL-7**, and **CUL-8** shall be specified for the data recovery from known prehistoric and historic-period archaeological resources.
5. Artifact collection, retention/disposal, and curation policies shall be discussed, as related to the research questions formulated in the research design. These policies shall apply to cultural resources materials and documentation resulting from evaluation and data recovery at both known prehistoric and historic-period archaeological sites and any CRHR-eligible (as determined by the CPM) prehistoric and historic-period archaeological sites discovered during construction. A prescriptive treatment plan may be included in the CRMMP for limited data types.
6. The implementation sequence and the estimated time frames needed to accomplish all project-related tasks during the ground-disturbance and post-ground–disturbance analysis phases of the project shall be specified.
7. Person(s) expected to perform each of the tasks, their responsibilities, and the reporting relationships between project construction management and the mitigation and monitoring team shall be identified.
8. The manner in which Native American observers or monitors will be included, in addition to their roles in the activities required under **CUL-1**, the procedures to be used to select them, and their roles and responsibilities shall be described.
9. All impact-avoidance measures (such as flagging or fencing) to prohibit or otherwise restrict access to sensitive resource areas that are to be avoided during ground disturbance, construction, and/or operation shall be described. Areas where these measures are to be implemented shall be identified. The description shall address how these measures would be

implemented prior to the start of ground disturbance and how long they would be needed to protect the resources from project-related impacts.

10. The commitment to record on Department of Parks and Recreation (DPR) 523 forms, to map, and to photograph all encountered cultural resources over 50 years of age shall be stated. In addition, the commitment to curate all archaeological materials retained as a result of the archaeological investigations (survey, testing, data recovery), in accordance with the California State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections, into a retrievable storage collection in a public repository or museum shall be stated.

11. The commitment of the project owner to pay all curation fees for artifacts recovered and for related documentation produced during cultural resources investigations conducted for the project shall be stated. The project owner shall identify a curation facility that could accept cultural resources materials resulting from BSPP cultural resources investigations.

12. The CRS shall attest to having access to equipment and supplies necessary for site mapping, photography, and recovery of all cultural resource materials (that cannot be treated prescriptively) from known CRHR-eligible archaeological sites and from CRHR-eligible sites that are encountered during ground disturbance .

13. The contents, format, and review and approval process of the final Cultural Resource Report (CRR) shall be described.

Verification

1. At least [20075](#) days prior to the start of ground disturbance [for each of the phases](#), the project owner shall submit the CRMMP [specific to that phase](#) to the CPM for review and approval.

2. At least [42020](#) days prior to the start of ground disturbance, in a letter to the CPM, the project owner shall agree to pay curation fees for any materials generated or collected as a result of the archaeological investigations (survey, testing, data recovery).

3. At least [9030](#) days prior to the initiation of ground disturbance, the project owner shall provide to the CPM a copy of a letter from a curation facility that meets the standards stated in the California State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections, stating the facility's willingness and ability to receive the materials generated by BSPP cultural resources activities and requiring curation. Any agreements concerning curation will be retained and available for audit for the life of the project.

[Rationale: Proposed schedule changes are in the accordance with the project time-line.](#)

CUL-6 Prehistoric Quarries Archaeological District (PQAD) Data Recovery and District Nomination

Prior to the start of ground disturbance in the areas of Units 1 and 4 and along the linear facilities corridor [and pending BLM approval](#), the project

owner shall ensure that the CRMMPs for these areas includes a PQAD evaluation and data recovery plan, to identify buried additional potential contributors to the district by geophysical or mechanical survey, to investigate and establish the relationships among all potential contributors (quarry sites CA-Riv-2846 and CA-Riv-3419 and thermal cobble features SMB-P-434, SMB-P-436, SMB-P-437, SMB-P-438, SMB-P-440, SMB-P-441) by formulating research questions answerable with data from the contributors, conduct data recovery from a sample of the contributors, and write a report of investigations and possibly CRHR and NRHP nominations as well. The CRMMP shall also include a detailed data recovery plan for three isolated potential thermal cobble features (not included in the PQAD) at multi-component sites SMB-H-164, SMB-M-214, SMB-M-418).

The project owner shall ensure that the CRS and the PPA assess the NRHP and CRHR eligibility of the PQAD district. ~~Additionally, if the PQAD is found to be ineligible for both registers, the thermal cobble features' eligibility as a separate archaeological district consisting of a thermal cobble feature cluster must also be considered.~~

The evaluation and data recovery plan shall also specify in detail the location recordation equipment and methods to be used and describe any anticipated post-processing of the data. The project owner shall then ensure that the CRS, the PPA, ~~the specialist backhoe operator~~, and archaeological team members implement the plan, with the permission of the BLM. The PQAD evaluation and data recovery plan shall provide, at a minimum, the details of each of the numbered elements below.

Rationale: Proposed change is in the accordance with the project time-line. There is currently no indication that there is a thermally affect cobble district.

1. Research Design

Based on ~~the prehistoric and ethnohistoric contexts developed for the PTNCL under the research program funded through CUL-1, Tasks C and D, and the~~ archaeological and ethnohistoric literature pertinent to the Palo Verde Mesa, the research design shall reflect archaeological themes that relate to the identity and the lifeways of Native American groups on the Palo Verde Mesa in the prehistoric and historic periods. The research design shall:

- a. Verify from the geological literature the Pleistocene age of the pebble terraces;
- b. Formulate archaeological research questions and testable hypotheses specifically applicable to the individual contributors (for example, hypotheses regarding the function of the thermal cobble features— cooking? lithic heat treatment? or both?) and to the PQAD overall;

- c. Define data sets needed to answer the formulated research questions; and
- d. Develop explicit CRHR-eligibility and NRHP-eligibility assessment criteria, correlated with the research questions and specifically referencing the data sets required to answer them, for the PQAD and for the thermal cobble features as a separate potential archaeological district.

Rationale: The prehistoric and ethnohistoric contexts developed for the PTNCL under the research program funded through CUL-1, will be synthetic documents that will incorporate the results of the mitigation efforts.

2. Program for Evaluation, Data Recovery, and Possible Nomination

The data recovery program shall:

- a. Explain how the data sets that are anticipated for the PQAD will contribute to knowledge of the prehistoric and historic-period Native American themes of the research design and answer particular research questions;
- b. Set out the purposes and methods of the several field phases of the PQAD evaluation and data recovery program (Geophysical Test, Geophysical Survey/Mechanical Survey, Evaluation and Data Recovery);
- c. Set out the purposes and methods of the concomitant material analyses; and
- d. Describe the required reports of investigations, the resource registrations (if appropriate), and the process of producing them.

3. PQAD Arbitrary Provisional Boundary Definition

The CRS, PPA, and CPM shall derive and agree upon, in consultation, the precise location of an arbitrary provisional PQAD boundary on the surface of the plant site and in the vicinity of the linear facilities corridor.

4. Evaluation and Data Recovery Methodology

a. Quarries:

The protocol for the quarry sites simultaneously recovers data from the parts of the two quarry sites that the project would impact and allows an assessment of the significance of the impacts of the project to the two quarry sites and an assessment of the validity of the PQAD concept.

- i. Conduct a 100 percent pedestrian survey of the parts of the quarry sites that the project activities would disturb;
- ii. Map and field-record artifacts (numbers and types of flakes, cores, tool blanks, finished tools, hammerstones, and concentrations, and the

material types of each), the other types of prehistoric artifacts present, any differential distribution of artifacts (with suggested explanations for the distribution), and assess the integrity of the site, providing the evidence on which that opinion is based;

- iii Collect for dating and source analyses any obsidian artifacts;
- iv. Conduct a survey of a ~~five~~1 percent sample of randomly selected 10 X 10- meter units on the unimpacted portions of the quarry sites;

Rationale: The requirement for a sample 5% of the unimpacted portions of the quarries is excessive and equates to over 65 acres.

- v. Gather the same data in the same way as for the impacted parts of the quarry sites;
- vi. Compare these data to those gathered in the project-impacted parts of the sites
- vii. Compare the data from lithic scatter site SMB-P-453 (see below) with the data from quarry sites CA-Riv-2846 and CA-Riv-3419;
- viii. ~~Conduct a survey of a zone 150 meters wide running along the western edge of quarry site CA Riv 3419, from the BSPP plant site's southern boundary to the eastern boundary of the linear facilities corridor, using the same survey methodology as was used in the original survey for the BSPP;~~

Rationale: There is no reason to conduct survey outside of the archaeology area of disturbance.

- ix. Draw conclusions from the collected data on whether the parts of the quarry sites that would be destroyed by the project contribute significantly to the CRHR- and NRHP eligibility of the sites;
- x. Draw conclusions from the collected data, if possible, on whether the merging of the quarries and the lithic scatter in a district is valid.
- xi. Draw conclusions from the collected data, if possible, on whether the merging of the quarries and the thermal cobble features in a district is valid.

b. Thermal Cobble Features

The protocol for the thermal cobble features shall include Phase I identification of possible additional subsurface contributors and compressed Phase II-Phase III evaluation and data recovery from a sample of intact sites or from all of the

surface sites, whether intact or not. Phase I is geophysical and/or mechanical testing to determine the horizontal and vertical extent of the distribution of the thermal cobble features, to identify any buried intact examples of thermal cobble features out 100 meters, within the area subject to project impacts, from all surface examples, and to determine if morphological differences are present among the thermal cobble features.

Phase II-Phase III (evaluation and data recovery) would reflect judgment that features only present on the surface would be register ineligible and the existing recordation, updated to reflect the test excavation, would be adequate data recovery. Features with subsurface deposits would be register eligible, and data recovery would ensue.

Geophysical Test for Subsurface PQAD Contributing Thermal Cobble Features:

- i. Test, in a 1-acre parcel within 30 meters of known thermal cobble features, the efficacy of the use of magnetometry to locate buried examples of thermal cobble features;
- ii. Ground-truth by hand or mechanical excavation a minimum 25 percent sample (but no more than 5 individual anomalies) of the anomalies identified in the test survey;
- iii. Keep field notes and the forms for the survey areas sufficient to completely document the geophysical test;
- iv. Inform the CPM of the results of the magnetometry survey and groundtruthing and consult on the efficacy of continuing this survey method;

Geophysical Survey for Subsurface PQAD Contributing Thermal Cobble Features:

If the CRS and CPM agree, after consultation, that the geophysical test demonstrates that the use of magnetometry appears to be reasonably effective in locating buried thermal cobble features, the project owner shall ensure that the PPA proceeds to a broader magnetometry survey of a sample of the area within the PQAD provisional district boundary. The PPA shall:

- i. Develop a single stratified random sample for the PQAD that would result in a magnetometry survey of a minimum of 10 percent ([a maximum of 2 acres](#)) of the total district area on the plant site;
- ii. Use criteria to derive the sample to derive the sample that the CRS, the PPA, and the CPM shall agree upon and that reflect the spatial variability in the physical material character and in the chronology of the PQAD, as such variability is presently known from the field investigations;

iii. Ground-truth by hand or mechanical excavation the lesser of 10 percent or 10 individual anomalies of those identified in the test survey;

iv. Inform the CMP of the results of the survey;

v. Keep field notes and the forms for the survey are sufficient to completely document the geophysical survey;

Mechanical Survey for Subsurface PQAD Contributing Thermal Cobble Features:

If the CRS and CPM agree, after consultation, that the geophysical test demonstrates that the use of magnetometry appears to be ineffective in locating buried thermal cobble features, the project owner shall ensure that the PPA submits, for CPM review and approval, the CRS's and PPA's plan and methods for a mechanical subsurface survey of the PQAD, using construction equipment, such as a road grader or a backhoe that can work in 5-centimeter lifts. The plan and methods shall include:

i. Use of transects, the proposed width and length of which the CPM would approve;

ii. Removal of thin (no thicker than approximately 5 centimeters) layers to carefully expose target archaeological deposits

iii. Survey of a minimum of 2.5 percent of the total PQAD area on the plant site;

iv. Use criteria to derive the sample that the CRS, the PPA, and the CPM shall agree upon and that reflect the spatial variability in the physical and material character and in the chronology of the PQAD, as such variability is presently known from the field investigations;

v. Preservation of found archaeological deposits until the conclusion of the survey to facilitate the formulation of a representative data recovery sample;

vi. Consideration of the PPA recovering a sample of the buried land surfaces that may surround individual features or groups of features and documenting the material culture assemblages that may be found on such surfaces;

vii. Verbal report to the CPM on the results of the survey;

viii. Retention of field notes and the forms for the survey areas sufficient to completely document the mechanical survey.

Data Recovery from Thermal Cobble Features

Data shall be recovered from a sample of the individual thermal cobble features to document these characteristic elements of the PQAD. The purpose of this documentation would be to describe the physical variability of the features, to identify and inventory the artifacts and ecofacts that are found in them, and to interpret the methods of construction and the potential uses of the features. The procedures below shall also be used for data recovery at the three non-PQAD thermal cobble features (sites SMB-H-164, SMB-M-214, SMB-M-418). Data recovery activities shall include:

i. Excavation of a sample of 20 percent of thermal cobble features [\(not to exceed 10 features\)](#), drawn from all of the thermal cobble features found as a result of the entire cumulative effort to inventory these PQAD contributors; preference should be given to data recovery from intact, buried examples, if any identified in geophysical or mechanical survey;

[Rationale: It is reasonable to place a limit on the level of study that will be required.](#)

ii. Use of criteria to derive the sample that the CRS, the PPA, and the CPM shall agree upon and that reflect the spatial variability in the physical and material character and in the chronology of the PQAD, as such variability is presently known from the field investigations;

iii. Excavation would entail small (approximately 1–3 meters square) areal exposures by hand, where feasible, to remove the archaeological deposits in anthropogenic layers, if present;

iv. Retention of samples of each layer sufficient to submit for radiocarbon assays, and macrobotanical, palynological, geochemical, or other analyses;

v. Screening of the balance of each layer through hardware cloth of no greater than 1/8-inch mesh;

vi. Recordation of these small exposures in drawings and photographs;

vii. Retention of field notes and the forms for the excavated features sufficient to acquire the complete complement of data necessary for the description of each feature and the interpretation of the construction and use of each feature to the satisfaction of the CPM;

viii. Completions by PPA or CRS and submission by project owner to CPM and BLM of draft DPR 523C site forms for sites where data recovery completed.

Data Recovery from Former Land Surfaces Surrounding Thermal Cobble Features

Data shall be recovered from a sample of buried land surfaces assumed to be adjacent to buried thermal cobble features, if any, identified during the geophysical or mechanical subsurface survey, to document the material culture assemblages and other evidence of behavior that may be found on such surfaces. The project owner shall ensure that the PPA:

- i. Develops, in consultation with the CRS and the CPM a sample of the potential buried surfaces, if any, that would be subject to excavation;
- ii. Uses criteria to derive the sample that the CRS, the PPA, and the CPM shall agree upon and that reflect the spatial variability in the physical and material character and in the chronology of the PQAD, as such variability is presently known from the field investigations;
- iii. Excavates by hand three large (3 meters square) block exposures,
- iv. Successfully recovers data from at least four block exposures, but must make no more than eight attempts to find buried surfaces around thermal cobble features.
- v. Removes the archaeological deposits from the top of the surface in anthropogenic layers, if present. Excavates each block exposure as a single excavation unit rather than as nine separate, one-meter-square excavation units; the PPA may excavate three continuous, 1-metersquare excavation units together across the center of the feature to assess the presence of a surface and then excavate the other six units if a surface is present;
- vi. Retains samples of each layer sufficient to submit for radiocarbon assays, and macrobotanical, palynological, geochemical, or other analyses;
- vii. Screens the balance of each layer through hardware cloth of no greater than 1/8-inch mesh;
- viii. Keeps field notes and the forms for the excavated features sufficient to acquire the complete complement of data necessary for the description of the distributions of artifacts and ecofacts across each surface, and the interpretation of the use of each surface, to the satisfaction of the CPM;

c. Lithic Scatter

The protocol for the lithic scatter shall be that in **CUL-7**.

5. Materials Analyses

The project owner shall ensure that the PQAD evaluation and data recovery plan articulates the anticipated scope of the analyses of the artifact and ecofact collections that cumulatively result from the investigations of the PQAD, articulates the analytic methods to be used, and articulates how the data sets

that such analyses will produce are relevant to the themes and questions in the research design for the PQAD.

6. Report of Investigations

The project owner shall ensure that the PQAD evaluation and data recovery plan states that a final report for the PQAD evaluation and data recovery plan Data Recovery Program is required and describes the content, production schedule, and approval process for the report.

7. Provision of Results to the PTNCL PI

The project owner shall ensure that the CRS provides the data and results of the PQAD evaluation and data recovery plan Data Recovery Program to the PTNCL PI for incorporation into the PTNCL NRHP nomination.

8. California Register of Historical Resources (CRHR) and National Register of Historic Places (NRHP) Registrations [if appropriate](#). The project owner shall ensure that the PPA prepares a CRHR nomination and a NRHP nomination for the PQAD, including both the contributors located within the boundaries of the BSPP and such contributors, entire and partial, located beyond the boundaries of the BSPP, as are known or posited. The nominations should be the PPA's best estimate of a boundary for the district, a boundary that the PPA shall derive on the basis of the results of the PQAD evaluation and data recovery program and present in the final report for that program.

The project owner shall ensure that the CRS

- a. submits the CRHR nomination to the State Historical Resources Commission for formal consideration of CRHR eligibility,
- b. submits the NRHP nomination to the State Historical Resources Commission to initiate the process of formal consideration by the Keeper of the National Register, and
- c. tracks and facilitates the review of both nominations to acceptance or rejection.

9. Outreach Initiatives if PTNCL not eligible

- a. Professional Outreach. The project owner shall ensure that the CRS and/or PPA prepare a research paper and present it at a professional conference, ~~or prepare and publish a peer-reviewed journal article~~ to inform the professional archaeological community about the PQAD and to interpret its implications for our understanding of the prehistory and early history of Native American life in the region.
- b. Public Outreach. The project owner shall prepare and present materials that interpret the PQAD for the public. ~~Potential public interpretation efforts may include the preparation of an instructional module for use in local school districts, or the preparation of a display for existing public interpretation venues such as Wiley's Well Road Rest Area.~~

Rationale: Data gathered during the investigations will be made available to the regional specialists hired by the CEC or BLM with funding obtained under CUL-1 and CUL-2. These specialists will be best situated to prepare peer-reviewed journal article.

Verification:

1. At least ~~20060~~ days prior to the start of project-related ground disturbance, the project owner shall submit the PQAD evaluation and data recovery plan (in the CRMMP) to the CPM for review and approval and to the BLM Palm Springs archaeologist for review and comment.
2. At least ~~49020~~ days prior to the start of BSPP construction-related ground disturbance in Units 1 and 4 or along the linear facilities corridor, the project owner shall ensure that the PPA completes the geophysical test and that the CRS and PPA consult with the CPM, via telephone, to arrive at an agreement on the reliability of the use of magnetometry to locate buried PQAD thermal cobble features and how to proceed with the subsurface survey. The project owner shall also submit, for the review and approval of the CPM, the precise geographic coordinates of the provisional boundary of the PQAD and a stratified random sample for a broader magnetometry survey of 10 percent of the PQAD within the project boundaries and a stratified random sample for a mechanical subsurface survey of 2.5 percent of the PQAD located inside the project's boundaries.
3. At least ~~45020~~ days prior to the onset of BSPP construction-related ground disturbance anywhere in the PQAD, the project owner shall ensure that the PPA completes the preliminary report on the formal inventory of the PQAD prepared by or under the direction of the CRS, and separate samples for the data recovery excavation of 10 PQAD thermal cobble features, the three isolated thermal cobble features, and four block exposures to reveal intact buried land surfaces there. The project owner shall ensure that the preliminary report is a concise document that provides descriptions of the schedule and methods of the inventory field effort, a preliminary tally of the numbers and, where feasible, the types of archaeological deposits that were found, a discussion of the potential range of error in that tally, and a map of the locations of the found archaeological deposits that has topographic contours and the project site landform designations as overlays. The results of the formal inventory, as set out in the preliminary report, shall be the basis for the refinement of the provisional district boundary.
4. At least ~~9020~~ days prior to the start of BSPP construction-related ground disturbance in Units 1 and 4 or along the linear facilities corridor, the project owner shall ensure that the CRS completes the data recovery phases of the data recovery program and submits, for the review and approval of the CPM, a preliminary report of the results. The preliminary report shall be a concise document that provides descriptions of the schedule and methods of the data recovery effort, technical descriptions of excavated archaeological features and buried land surfaces that, while draft in format, present the highest resolution of technical data that can be derived from the data recovery field notes, plan and, as appropriate, profile drawings and photographs of excavated archaeological features and buried land surfaces, and technical descriptions and

appropriate graphics of the stratigraphic contexts of excavated archaeological features and buried land surfaces.

[Rationale: Proposed schedule changes are in the accordance with the project time-line.](#)

5. No longer than 240 days after the end of all construction-related ground disturbance, the project owner shall ensure that the CRS completes the preparation of the National Register of Historic Places and the California Register of Historical Resources nominations for the PQAD and submits the nominations to the State Historic Resources Commission for formal consideration.

6. No longer than 300 days after the end of all construction-related ground disturbance, the project owner shall ensure that the CRS completes the professional paper and provides the CPM with three copies of the final product of that effort, and prepares, and submits for the approval of the CPM, a public outreach product. Upon the CPM's approval of the latter product, the project owner shall ensure, as appropriate, the product's installation, implementation, or display.

7. No longer than 360 days after the end of all construction-related ground disturbance, the project owner shall ensure that the CRS completes the requisite material analyses for, prepare, and submits, for the approval of the CPM, the final cultural resources report for the Blythe cultural resources data recovery and monitoring activities.

CUL-7 DATA RECOVERY FOR SMALL PREHISTORIC SITES (LITHIC SCATTERS, CAIRNS, AND POT DROPS)

[Pending BLM approval, P](#)prior to the start of ground disturbance [within each construction phase](#) within 30 meters of the site boundaries of sites CA-Riv-1136, SMB-P-160, SMB-M-214, SMB-P-228, SMB-H-234, SMB-P-238, SMB-P-241, SMB-P-244, SMB-P-249, SMB-P-252, SMB-P-410, SMB-P-530, SMB-P-531, SMB-P-532, SMB-H-CT-001, SMB-H-TC-101, SMB-H-TC-103, and SMB-H-WG-102, the project owner shall ensure that the CRMMP includes a detailed data recovery plan for these sites, including the use of the CARIDAP protocol (if a site qualifies), how to proceed if features or other buried deposits are encountered, and the materials analyses and laboratory artifact analyses that will be used. The plan shall also specify in detail the location recordation equipment and methods used and describe any post-processing of the data. The project owner shall then ensure that the CRS, the PSSA, the PPA, and/or archaeological team members implement the plan, if allowed by the BLM, which, for sites where CARIDAP does not apply, shall include, but is not limited to the following tasks:

1. Use location recordation equipment that has the latest technology with sub-meter accuracy (such as UTM 11 North or California Teale Albers) to add to the original site maps the following features: seasonal drainages, site boundaries, location of each individual artifact, and the boundaries around individual artifact concentrations;

2. Request the PG to identify the specific landform for each site;
3. Map and field-record all lithic artifacts (numbers of flakes, the reduction sequence stage each represents, cores, tool blanks, finished tools, hammerstones, and concentrations, and the material types of each) and the other types of prehistoric artifacts present
4. Map any differential distribution of artifacts and suggest explanations for the distribution
5. Assess the integrity of the site and provide the evidence substantiating that assessment;
6. Collect for dating and source analyses any obsidian artifacts;
7. Field record the surface location of all other artifacts and collect all ceramic artifacts and botanical and faunal remains for laboratory analysis and curation;
8. Surface scrape to a depth of 5 centimeters a 5-meter-by-5-meter area centered on the artifact concentration, field-record the lithic artifacts as to location, material type, and the reduction sequence stage each represents, record the location of all other artifacts, and retain the obsidian and ceramic artifacts and botanical and faunal remains for laboratory analysis and curation;
9. Excavate one 1-meter-by-1-meter unit in 10-centimeter levels until the unit reaches a depth of 20 centimeters below any anthropogenic materials, placing the unit in the part of the site with the highest artifact density and recording its locations on the site map;
10. Place one 1-meter-by-1-meter excavation unit, as described above, in the center of each concentration if multiple artifact concentrations have been identified;
11. Notify the CPM by telephone or e-mail that subsurface deposits were or were not encountered and make a recommendation on the site's CRHR eligibility;
12. If no subsurface deposits were encountered, and the CPM agrees the site is not eligible for the CRHR, data recovery is complete;
13. If subsurface deposits are encountered, test the horizontal limits of the site by excavating additional 1-meter-by-1-meter excavation units in 10-centimeter levels until the unit reaches a depth of 20 centimeters below

any anthropogenic materials, using a shovel or hand auger, or other similar technique, at four spots equally spread around the exterior edge of each site, recording the locations of these units on the site map;

14. Sample the encountered features or deposits, using the methods described in the CRMMP, record their locations on the site map, retain samples, such as flotation, pollen, and charcoal, for analysis, and retain all artifacts for professionally appropriate laboratory analyses and curation, until data recovery is complete;

15. Present the results of the **CUL-7** data recovery in a letter report by the PPA or CRS, which shall serve as a preliminary report. Letter reports may address one site, or multiple sites depending on the needs of the CRS. The letter report shall be a concise document that provides description of the schedule and methods used in the field effort, a preliminary tally of the numbers and types of features and deposits that were found, a discussion of the potential range of error for that tally, a map showing the location of excavation units including topographic contours and the site landforms, and a discussion of the CRHR eligibility of each site and the justification for that determination;

16. Update the existing Department of Parks and Recreation (DPR) 523 site form for these sites, including new data on seasonal drainages, site boundaries, location of each individual artifact, the boundaries around individual artifact concentrations, the landform, and the eligibility determination; and

17. Present the final results of data recovery at these prehistoric sites in the CRR, as described in **CUL-18**.

Verification

1. At least [9030](#) days prior to ground disturbance, the project owner shall notify the CPM that data recovery for small sites has ensued.

[Rationale: Proposed schedule change is in the accordance with the project time-line.](#)

2. After the completion of the excavation of the first 1-meter-by-1-meter excavation unit at each of the subject sites, the CRS shall notify the CPM regarding the presence or absence of subsurface deposits and shall make a recommendation on the site's CRHR eligibility.

3. Within one week of the completion of data recovery at a site, the project owner shall submit a letter report written by the PPA or CRS for review and approval of the CPM. When the CPM approves the letter report, ground disturbance may begin at this site location.

CUL-8

DATA RECOVERY ON HISTORIC-PERIOD SITES WITH FEATURES

Prior to the start of ground disturbance [and pending BLM approval, within each construction phase](#) the project owner shall ensure that a data recovery plan for 12 historic-period archaeological sites with features (SMB-H-143, SMB-H-203, SMB-H-205, SMB-H-207, SMB-H-210, SMB-H-222, SMB-H-223, SMB-H-245, SMB-H-250, SMB-H-251, SMB-H-416, and SMB-H-419), all of which are located on the proposed plant site, is included in the CRMMP. The plan shall specify in detail the location recordation equipment and methods to be used and describe any anticipated post processing of the data. The project owner shall then ensure that the CRS, the PHA, and/or archaeological team members implement the plan, if allowed by the BLM, which shall include, but is not limited to the following tasks:

1. The project owner shall hire a PHA with the qualifications described in **CUL-3** to supervise the field work.

~~2. The project owner shall ensure that, prior to beginning the field work, the PHA and all field crew members are trained by the DTGCL Historical Archaeologist in the identification, analysis and interpretation of the artifacts, environmental modifications, and trash disposal patterns associated with the early phases of WWII land-based U.S. army activities, as researched and detailed by the DTGCL PI Historian and the DTGCL Historical Archaeologist.~~

Rationale: Requiring training by the regional specialists hired by the CEC and/or BLM with the funds provided in CUL-1 and CUL-2 may pose significant schedule delays as the funding mechanism, upon which the hiring of specialists is predicated, has not been determined or the funds established.

3. The project owner shall ensure that, prior to beginning the field work, the field crew members are ~~also~~ trained in the consistent and accurate identification of the full range of late nineteenth and early-to-mid-twentieth century can, bottle, and ceramic diagnostic traits.

4. The project owner shall ensure that the original site map shall be updated to include at minimum: landform features such as small drainages, any man-made features, the limits of any artifact concentrations and features (previously known and newly found in the metal detector survey), using location recordation equipment that has the latest technology with submeter accuracy (such as UTM 11 North or California Teale Albers).

5. The project owner shall ensure that a detailed in-field analysis of all artifacts shall be completed, if not done previously. Types of seams and

closures for each bottle and all cans shall be documented. Photographs shall be taken of any text or designs. Unusual or unidentifiable artifacts may be collected for further analysis, but otherwise artifacts shall not be collected.

6. The project owner shall ensure a systematic metal detector survey be completed at each site, and that each —hit|| is investigated. All artifacts and features thus found must be mapped, measured, photographed, and fully described in writing.

7. The project owner shall ensure that all features are recorded, and that any features having subsurface elements are excavated by a qualified historical archaeologist. All features and contents must be mapped, measured, photographed, and fully described in writing.

8. The project owner shall ensure that the details of what is found at each site shall be presented in a letter report from the CRS or PHA ,which shall serve as a preliminary report, that details what was found at each site, as follows:

a. Letter reports may address one site, or multiple sites depending on the needs of the CRS; and

b. The letter report shall be a concise document the provides a description of the schedule and methods used in the field effort, a preliminary tally of the numbers and types of features and deposits that were found, a discussion of the potential range of error for that tally, and a map showing the location of collection and/or excavation units, including topographic contours and the site landforms.

9. The project owner shall ensure that the data collected from the field work shall be provided to the DTCCCL Historical Archaeologist to assist in the determination of which, if any, of the 12 historic-period sites are contributing elements to the DTCCCL.

10. The project owner shall ensure that the PHA analyzes all recovered data and writes or supervisors the writing of a comprehensive final report. This report shall be included in the CRR (**CUL-18**). Relevant portions of the information gathered shall be included in the possible NRHP nomination for the DTCCCL (funded by **CUL-2**).

Verification

1. At least 9030 days prior to ground disturbance, the project owner shall notify the CPM that mapping and in-field artifact analysis has ensued on historic-period sites with features.

Rationale: Proposed schedule change is in the accordance with the project time-line.

2. Within one week of completing data recovery at a site, the project owner shall submit to the CPM for review and approval a letter report written by the CRS, evidencing that the field portion of data recovery at each site has been completed.

When the CPM approves the letter report, ground disturbance may begin at the site location(s) that are the subject of the letter report.

CUL-9 DATA RECOVERY ON HISTORIC-PERIOD SITES WITH STRUCTURES

Prior to the start of ground disturbance and pending BLM approval, within each construction phase the project owner shall ensure that a data recovery plan for three historic-period archaeological sites with structures (SMB-H-404, SMB-H-432, and SMB-H-514), all of which are located on the proposed plant site, is included in the CRMMP. The plan shall specify in detail the location recordation equipment and methods to be used and describe any anticipated post-processing of the data. The project owner shall then ensure that the CRS, the PHA, and/or archaeological team members implement the plan, if allowed by the BLM, which shall include, but is not limited to the following tasks:

1. The project owner shall hire a qualified historian to research the locations of these sites and attempt to determine their origins and functions from the historical record.
2. The project owner shall hire a PHA with the qualifications described in CUL-3 to supervise the field work.

~~3. The project owner shall ensure that, prior to beginning the field work, the PHA and all field crew members are trained by the DTGCL Historical Archaeologist in the identification, analysis and interpretation of the artifacts, environmental modifications, and trash disposal patterns associated with the early phases of WWII land-based U.S. army activities, as researched and detailed by the DTGCL PI-Historian and the DTGCL Historical Archaeologist.~~

Rationale: Requiring training by the regional specialists hired by the CEC and/or BLM with the funds provided in CUL-1 and CUL-2 may pose significant schedule delays as the funding mechanism, upon which the hiring of specialists is predicated, has not been determined or the funds established.

4. The project owner shall ensure that, prior to beginning the field work, the field crew members are ~~also~~ trained in the consistent and accurate identification of the full range of late nineteenth and early-to-mid-twentieth-century can, bottle, and ceramic diagnostic traits.
5. The project owner shall ensure that the original site map shall be updated to include at minimum: landform features such as small

drainages, any manmade features, the limits of any artifact concentrations and features (previously known and newly found in the metal detector survey), using location recordation equipment that has the latest technology with sub-meter accuracy (such as UTM 11 North or California Teale Albers).

6. The project owner shall ensure that a detailed in-field analysis of all artifacts shall be completed, if not done previously. Types of seams and closures for each bottle and all cans shall be documented. Photographs shall be taken of any text or designs. Unusual or unidentifiable artifacts may be collected for further analysis, but otherwise artifacts shall not be collected.

7. The project owner shall ensure a systematic metal detector survey be completed at each site, and that each —hit|| is investigated. All artifacts and features thus found must be mapped, measured, photographed, and fully described in writing.

8. The project owner shall ensure that all structures are mapped, measured, photographed, and fully described in writing, and that all associated features having subsurface elements are excavated by a qualified historical archaeologist. All features and contents must be mapped, measured, photographed, and fully described in writing. 9. The project owner shall ensure that the details of what is found at each site shall be presented in a letter report from the CRS or PHA ,which shall serve as a preliminary report, that details what was found at each site, as follows:

- a. Letter reports may address one site, or multiple sites depending on the needs of the CRS; and
- b. The letter report shall be a concise document the provides a description of the schedule and methods used in the field effort, a preliminary tally of the numbers and types of features and deposits that were found, a discussion of the potential range of error for that tally, and a map showing the location of collection and/or excavation units, including topographic contours and the site landforms.

10. The project owner shall ensure that the data collected from the field work shall be provided to the DTCCL Historical Archaeologist to assist in the determination of which, if any, of the three historic-period sites are contributing elements to the DTCCL.

11. The project owner shall ensure that the PHA analyzes all recovered data and writes or supervises the writing of a comprehensive final report. This report shall be included in the CRR (CUL-18). Relevant portions of the information gathered shall

be included in the possible NRHP nomination for the DTCCCL (funded by CUL-2).

Verification

1. At least 9030 days prior to ground disturbance, the project owner shall notify the CPM that mapping and in-field artifact analysis has ensued on historic-period sites with structures.

Rationale: Proposed schedule change is in the accordance with the project time-line.

2. Within one week of completing data recovery at a site, the project owner shall submit to the CPM for review and approval a letter report written by the CRS, evidencing that the field portion of data recovery at each site has been completed. When the CPM approves the letter report, ground disturbance may begin at the site location(s) that are the subject of the letter report.

CUL-10 DATA RECOVERY ON HISTORIC-PERIOD DUMP SITES

Prior to the start of ground disturbance and pending BLM approval, within each construction phase the project owner shall ensure that a data recovery plan is included in the CRMMP for five historic-period dump sites located on the proposed plant site (SMB-H-178, SMB-H-224, SMB-H403, and SMB-H-427) and along the linear facilities corridor (SMB-H-522/525), if impacts to the latter site cannot be avoided by spanning it. The plan shall specify in detail the location recordation equipment and methods to be used and describe any anticipated post-processing of the data. The project owner shall then ensure that the CRS, the PHA, and/or archaeological team members implement the plan, if allowed by the BLM, which shall include, but is not limited to the following tasks:

1. The project owner shall hire a PHA with the qualifications described in **CUL-3** to supervise the field work.

~~2. The project owner shall ensure that, prior to beginning the field work, the PHA and all field crew members are trained by the DTCCCL Historical Archaeologist in the identification, analysis and interpretation of the artifacts, environmental modifications, and trash disposal patterns associated with the early phases of WWII land-based U.S. army activities, as researched and detailed by the DTCCCL PI-Historian and the DTCCCL Historical Archaeologist.~~

Rationale: Requiring training by the regional specialists hired by the CEC and/or BLM with the funds provided in CUL-1 and CUL-2 may pose significant schedule delays as

the funding mechanism, upon which the hiring of specialists is predicated, has not been determined or the funds established.

3. The project owner shall ensure that, prior to beginning the field work, the field crew members are ~~also~~-trained in the consistent and accurate identification of the full range of late nineteenth and early-to-mid-twentieth-century can, bottle, and ceramic diagnostic traits.

4. The project owner shall ensure that the original site map shall be updated to include at minimum: landform features such as small drainages, any manmade features, the limits of any artifact concentrations and features, using location recordation equipment that has the latest technology with sub-meter accuracy (such as UTM 11 North or California Teale Albers).

5. The project owner shall ensure that each dump is entirely mapped, measured, photographed, and fully described in writing.

6. ~~7~~-The project owner shall ensure that 10 percent of the surface contents of each dump is recorded as follows:

~~7~~a. Apply a 1-meter x 1-meter grid to the entire dump and randomly select 10 percent of the units.

~~8~~b. Do a detailed in-field analysis of all artifacts in each unit, documenting the measurements and the types of seams and closures for each bottle, and the measurements, seams, closure, and opening method for all cans. Photographs shall be taken of maker's marks on bottles, any text or designs on bottles and cans, and of decorative patterns and maker's marks on ceramics. Unusual or unidentifiable artifacts may be collected for further analysis, but otherwise artifacts shall not be collected.

~~9~~c. If any subsurface elements are found in the units, a qualified historical archaeologist shall excavate the part in the unit. All features and contents must be mapped, measured, photographed, and fully described in writing.

10. The project owner shall ensure that the details of what is found at each site shall be presented in a letter report from the CRS or PHA ,which shall serve as a preliminary report, that details what was found at each site, as follows:

a. Letter reports may address one site, or multiple sites depending on the needs of the CRS; and

b. The letter report shall be a concise document that provides a description of the schedule and methods used in the field effort, a preliminary tally of the numbers and types of features and deposits that were found, and a map showing the location of collection and/or excavation units, including topographic contours and the site landforms.

c. The letter report for each site shall present preliminary conclusions regarding the period(s) of use of the dump and suggest who the possible users were in each represented period.

11. The project owner shall ensure that the data collected from the field work shall be provided to the DTCCCL Historical Archaeologist to assist in the determination of which, if any, of the five historic-period dump sites are contributing elements to the DTCCCL.

12. The project owner shall ensure that the PHA analyzes all recovered data and writes or supervises the writing of a comprehensive final report. This report shall be included in the CRR (**CUL-18**). Relevant portions of the information gathered shall be included in the possible NRHP nomination for the DTCCCL (funded by **CUL-2**).

Verification

1. At least 90 days prior to ground disturbance, the project owner shall notify the CPM that mapping and in-field artifact analysis has ensued on historic-period dump sites.

Rationale: Proposed schedule change is in the accordance with the project time-line.

2. Within one week of completing data recovery at a site, the project owner shall submit to the CPM for review and approval a letter report written by the CRS, evidencing that the field portion of data recovery at each site has been completed. When the CPM approves the letter report, ground disturbance may begin at the site location(s) that are the subject of the letter report.

CUL-11 DATA RECOVERY ON HISTORIC-PERIOD REFUSE SITES

Prior to the start of ground disturbance and pending BLM approval, within each construction phase the project owner shall ensure that a recovery plan for upgrading the recordation of six historic-period refuse scatter sites (SMB-H-164, SMB-H-166, SMB-H-181, SMB-H-287, SMB-H-288, and SMB-H-423), all of which are located on the proposed plant site, is included in the CRMMP. (SMB-H-164 also has a probable prehistoric thermal cobble feature for which assessment and data recovery would be accomplished under **CUL-6**.) The focus of the recordation upgrade is to determine if these sites can be attributed to the DTC/C-AMA use of the

region and are therefore contributors to the DTCCL. The plan shall specify in detail the location recordation equipment and methods to be used and describe any anticipated post-processing of the data. The project owner shall then ensure that the CRS, the PHA, and/or archaeological team members implement the plan, if allowed by the BLM, which shall include, but is not limited to the following tasks:

1. The project owner shall hire a PHA with the qualifications described in **CUL-3** to supervise the field work.

~~2. The project owner shall ensure that, prior to beginning the field work, the PHA and all field crew members are trained by the DTCCL Historical Archaeologist in the identification, analysis and interpretation of the artifacts, environmental modifications, and trash disposal patterns associated with the early phases of WWII land-based U.S. army activities, as researched and detailed by the DTCCL PI-Historian and the DTCCL Historical Archaeologist.~~

Rationale: Requiring training by the regional specialists hired by the CEC and/or BLM with the funds provided in CUL-1 and CUL-2 may pose significant schedule delays as the funding mechanism, upon which the hiring of specialists is predicated, has not been determined or the funds established.

3. The project owner shall ensure that, prior to beginning the field work, the field crew members are ~~also~~ trained in the consistent and accurate identification of the full range of late nineteenth and early-to-mid-twentieth century can, bottle, and ceramic diagnostic traits.

4. The project owner shall ensure that the original site map shall be updated to include at minimum: landform features such as small drainages, any man-made features, the limits of any artifact concentrations and features (previously known and newly found in the metal detector survey), using location recordation equipment that has the latest technology with submeter accuracy (such as UTM 11 North or California Teale Albers).

5. The project owner shall ensure that a detailed in-field analysis of all artifacts types shall be completed, documenting the measurements and the types of seams and closures for each bottle, and the measurements, seams, closure, and opening method for all cans. Photographs shall be taken of maker's marks on bottles, any text or designs on bottles and cans, and of decorative patterns and maker's marks on ceramics. Artifacts shall not be collected.

~~6. The project owner shall ensure a systematic metal detector survey be completed at each site, and that each "hit" is investigated. All artifacts and features thus found must be mapped, measured, photographed, and fully described in writing.~~

Rationale: The requirement for a metal detector and investigation of each "hit" is excessive and not likely to yield important information.

7. The project owner shall ensure that all structures are mapped, measured, photographed, and fully described in writing, and that all associated features having subsurface elements are excavated by a qualified historical archaeologist. All features and contents must be mapped, measured, photographed, and fully described in writing. 8. The project owner shall ensure that the details of what is found at each site shall be presented in a letter report from the CRS or PHA , which shall serve as a preliminary report, that details what was found at each site, as follows:

- a. Letter reports may address one site, or multiple sites depending on the needs of the CRS; and
- b. The letter report shall be a concise document the provides a description of the schedule and methods used in the field effort, a preliminary tally of the numbers and types of features and deposits that were found, a discussion of the potential range of error for that tally, and a map showing the location of collection and/or excavation units, including topographic contours and the site landforms.
- c. The letter report shall make a recommendation on whether each site is a contributor to the DTTCL.

9. The project owner shall ensure that the data collected from the field work shall be provided to the DTCCCL Historical Archaeologist to assist in the determination of which, if any, of the six historic-period sites are contributing elements to the DTCCCL.

10. The project owner shall ensure that the PHA analyzes all recovered data and writes or supervisors the writing of a comprehensive final report. This report shall be included in the CRR (**CUL-18**). Relevant portions of the information gathered shall be included in the possible NRHP nomination for the DTCCCL (funded by **CUL-2**).

Verification

1. At least 9030 days prior to ground disturbance, the project owner shall notify the CPM that mapping and upgraded in-field artifact analysis has ensued on six historic-period refuse scatter sites.

[Rationale: Proposed schedule change is in the accordance with the project time-line.](#)

2. Within one week of completing data recovery at a site, the project owner shall submit to the CPM for review and approval a letter report written by the CRS, evidencing that the field portion of data recovery at each site has been completed. When the CPM approves the letter report, ground disturbance may begin at the site location(s) that are the subject of the letter report.

CUL-12 DATA RECOVERY ON HISTORIC-PERIOD ROADS

The project owner shall ensure that a qualified architectural historian (must meet the U.S. Secretary of the Interior's Professional Qualifications Standards for historian, as published in Title 36, Code of Federal Regulations, part 61) conducts research and writes a report on the age and use of two historic period, unimproved roads (SMB-H-600, SMB-H-601), with particular attention paid to their role during the use of the area by the U. S. Army in World War II training maneuvers (DTC/C-AMA). The project owner shall provide the historian's report to the DTCCL PI Historian for use in the possible DTCCL NRHP nomination. The project owner may undertake this task prior to Energy Commission certification of the project.

Verification

1. At least 15 days prior to ground disturbance, the project owner shall submit to the PM the historian's report documenting the age and historical use of the two roads.

2. Within 15 days after the CPM approves the report, the project owner shall forward it to the DTCCL PI-Historian.

CUL-13 ARCHIVAL RESEARCH ON BLYTHE ARMY AIR BASE RESERVOIR PIPELINES

The project owner shall ensure that a qualified architectural historian (must meet the U.S. Secretary of the Interior's Professional Qualifications Standards for historian, as published in Title 36, Code of Federal Regulations, part 61) conducts research to establish the current existence and locations of the water supply pipelines that connect the Blythe Army Air Base Reservoir pipelines to the former Blythe Army Air Base. The project owner shall ensure that the construction of the project's underground facilities that cross these old pipelines avoids impacting them. The project owner shall provide the historian's report to the DTCCL PI Historian for use in the possible DTCCL NRHP nomination. The project owner may undertake this task prior to Energy Commission certification of the project.

Verification

1. At least 15 days prior to excavating any trenches crossing the old Blythe Army Air Base Reservoir water pipelines, the project owner shall submit to the CPM the historian's report verifying the current presence or absence of the pipelines and, if they are present, a plan indicating how they will be avoided.
2. Within 15 days after the CPM approves the report, the project owner shall forward it to the DTCCL PI-Historian

CUL-14 ARCHIVAL RESEARCH ON RADIO COMMUNICATIONS FACILITY

The project owner shall ensure that a qualified architectural historian (must meet the U.S. Secretary of the Interior's Professional Qualifications Standards for historian, as published in Title 36, Code of Federal Regulations, part 61) conducts research to evaluate the CRHR eligibility of the radio communications facility, considering all pertinent register criteria, as well as integrity. If the facility is recommended as CRHR-eligible, the project owner shall propose ways to avoid or mitigate, to a less than significant level, the project's impacts to the facility's integrity of setting and integrity of feeling.

The project owner may undertake this task prior to Energy Commission certification of the project

Verification

1. At least ~~60~~⁴⁵ days prior to construction, the project owner shall submit to the CPM the historian's recommendation, with supporting evidence, on the eligibility of the radio communications facility and, if it is eligible, a plan indicating how the project's impacts to the facility's integrity of setting and integrity of feeling will be avoided or mitigated to a less than significant level.

[Rationale: Proposed schedule change is in the accordance with the project time-line.](#)

2. At least 30 days prior to construction, the project owner shall implement those elements of the submitted avoidance/mitigation plan approved by the CRS.

CUL-15 WORKER ENVIRONMENTAL AWARENESS PROGRAM (WEAP)

Prior to and for the duration of ground disturbance, the project owner shall provide Worker Environmental Awareness Program (WEAP) training to all new workers within their first week of employment at the project site, along the linear facilities routes, and at laydown areas, roads, and other ancillary areas. The training shall be prepared by the CRS, may be conducted by any member of the archaeological team, and may be presented in the form of a video. The CRS shall be available (by telephone or in person) to answer questions posed by employees. The training may be discontinued

when ground disturbance is completed or suspended, but must be resumed when ground disturbance, such as landscaping, resumes.

The training shall include:

1. A discussion of applicable laws and penalties under the law;
2. Samples or visuals of artifacts that might be found in the project vicinity;
3. A discussion of what such artifacts may look like when partially buried, or wholly buried and then freshly exposed;
4. A discussion of what prehistoric and historical archaeological deposits look like at the surface and when exposed during construction, and the range of variation in the appearance of such deposits;
5. Instruction that the CRS, alternate CRS, and CRMs have the authority to halt ground disturbance in the area of a discovery to an extent sufficient to ensure that the resource is protected from further impacts, as determined by the CRS;
6. Instruction that employees are to halt work on their own in the vicinity of a potential cultural resources discovery and shall contact their supervisor and the CRS or CRM, and that redirection of work would be determined by the construction supervisor and the CRS;
7. An informational brochure that identifies reporting procedures in the event of a discovery;
8. An acknowledgement form signed by each worker indicating that they have received the training; and
9. A sticker that shall be placed on hard hats indicating that environmental training has been completed.
10. No ground disturbance shall occur prior to implementation of the WEAP program, unless such activities are specifically approved by the CPM.

Verification

1. At least 30 days prior to the beginning of ground disturbance, the CRS shall provide the training program draft text and graphics and the informational brochure to the CPM for review and approval.

2. At least 15 days prior to the beginning of ground disturbance, the CPM will provide to the project owner a WEAP Training Acknowledgement form for each WEAP trained worker to sign.

3. Monthly, until ground disturbance is completed, the project owner shall provide in the Monthly Compliance Report (MCR) the WEAP Training Acknowledgement forms of workers who have completed the training in the prior month and a running total of all persons who have completed training to date.

CUL-16 CONSTRUCTION MONITORING PROGRAM

The project owner shall ensure that the CRS, alternate CRS, or CRMs, to prevent construction impacts to undiscovered resources and to ensure that known resources are not impacted in an unanticipated manner, monitor full time all ground disturbance:

- in the areas recommended by the geoarchaeological study to the depth recommended;
- for the trenches for underground communication lines and the natural gas pipeline;
- for the holes for the transmission line support structures
- in the parts of sites CA-Riv-2846 and CA-Riv-3419 that the project will grade away, in the area inside project boundaries within 1,000 feet of the margins of archaeological sites CA-Riv-2846 and CA-Riv-3419 and within 300 feet of all known and discovered examples of thermal cobble features;
- And for the jack-and-bore tunneling for underground conductor or cable lines or pipelines, that they monitor the excavation of the jack-and-bore entry and exit pits and examine, log, and screen auger backdirt samples, as detailed in the CRMMP.

Full-time archaeological monitoring for this project shall be the archaeological monitoring of the earth-removing activities in the areas specified in the previous paragraph, for as long as the activities are ongoing. Where excavation equipment is actively removing dirt and hauling the excavated material farther than fifty feet from the location of active excavation, full-time archaeological monitoring shall require at least two monitors per excavation area. In this circumstance, one monitor shall observe the location of active excavation and a second monitor shall inspect the dumped material. For excavation areas where the excavated material is dumped no farther than fifty feet from the location of active

excavation, one monitor shall both observe the location of active excavation and inspect the dumped material.

A Native American monitor shall be obtained to monitor ground disturbance in areas where Native American artifacts may be discovered. Contact lists of interested Native Americans and guidelines for monitoring shall be obtained from the Native American Heritage Commission. Preference in selecting a monitor shall be given to Native Americans with traditional ties to the area that shall be monitored. If efforts to obtain the services of a qualified Native American monitor are unsuccessful, the project owner shall immediately inform the CPM. The CPM will either identify potential monitors or will allow ground disturbance to proceed without a Native American monitor.

The research design in the CRMMP shall govern the collection, treatment, retention/disposal, and curation of any archaeological materials encountered.

On forms provided by the CPM, CRMs shall keep a daily log of any monitoring and other cultural resources activities and any instances of noncompliance with the Conditions and/or applicable LORS. Copies of the daily monitoring logs shall be provided by the CRS to the CPM, if requested by the CPM. From these logs, the CRS shall compile a monthly monitoring summary report to be included in the MCR. If there are no monitoring activities, the summary report shall specify why monitoring has been suspended.

The CRS or alternate CRS shall report daily to the CPM on the status of the project's cultural resources-related activities, unless reducing or ending daily reporting is requested by the CRS and approved by the CPM.

In the event that the CRS believes that the current level of monitoring is not appropriate in certain locations, a letter or e-mail detailing the justification for changing the level of monitoring shall be provided to the CPM for review and approval prior to any change in the level of monitoring.

The CRS, at his or her discretion, or at the request of the CPM, may informally discuss cultural resources monitoring and mitigation activities with Energy Commission technical staff.

Cultural resources monitoring activities are the responsibility of the CRS. Any interference with monitoring activities, removal of a monitor from duties assigned by the CRS, or direction to a monitor to relocate monitoring activities by anyone other than the CRS shall be considered non-compliance with these Conditions.

Upon becoming aware of any incidents of non-compliance with the Conditions and/or applicable LORS, the CRS and/or the project owner shall notify the CPM by telephone or e-mail within 24 hours. The CRS shall also recommend corrective action to resolve the problem or achieve compliance with the Conditions. When the issue is resolved, the CRS shall write a report describing the issue, the resolution of the issue, and the effectiveness of the resolution measures. This report shall be provided in the next MCR for the review of the CPM.

Verification

1. At least 30 days prior to the start of ground disturbance, the CPM will provide to the CRS an electronic copy of a form to be used as a daily monitoring log.
2. Monthly, while monitoring is on-going, the project owner shall include in each MCR a copy of the monthly summary report of cultural resources-related monitoring prepared by the CRS and shall attach any new DPR 523A forms completed for finds treated prescriptively, as specified in the CRMMP.
3. At least 24 hours prior to implementing a proposed change in monitoring level, the project owner shall submit to the CPM, for review and approval, a letter or e-mail (or some other form of communication acceptable to the CPM) detailing the CRS's justification for changing the monitoring level.
4. Daily, as long as no cultural resources are found, the CRS shall provide a statement that "no cultural resources over 50 years of age were discovered" to the CPM as an e-mail or in some other form of communication acceptable to the CPM.
5. Weekly, during jack-and-bore tunneling for the underground transmission line, the project owner shall provide the CPM with copies of the soil and sediment descriptions and auger-backdirt screening logs kept by the CRS, alternate CRS, or CRMs, as detailed in the CRMMP.
6. At least 24 hours prior to reducing or ending daily reporting, the project owner shall submit to the CPM, for review and approval, a letter or e-mail (or some other form of communication acceptable to the CPM) detailing the CRS's justification for reducing or ending daily reporting.
7. No later than 30 days following the discovery of any Native American cultural materials, the project owner shall submit to the CPM copies of the information transmittal letters sent to the Chairpersons of the Native American tribes or groups who requested the information. Additionally, the project owner shall submit to the CPM copies of letters of transmittal for all subsequent responses to Native American requests for notification, consultation, and reports and records.

8. Within 15 days of receiving them, the project owner shall submit to the CPM copies of any comments or information provided by Native Americans in response to the project owner's transmittals of information.

CUL-17 AUTHORITY TO HALT CONSTRUCTION; TREATMENT OF DISCOVERIES

The project owner shall grant authority to halt ground disturbance to the CRS, alternate CRS, PPA, PHA, PG, and the CRMs in the event of a discovery. Redirection of ground disturbance shall be accomplished under the direction of the construction supervisor in consultation with the CRS. In the event that a cultural resource over 50 years of age is found (or if younger, determined exceptionally significant by the CPM), or impacts to such a resource can be anticipated, ground disturbance shall be halted or redirected in the immediate vicinity of the discovery sufficient to ensure that the resource is protected from further impacts. Monitoring and daily reporting, as provided in other conditions, shall continue during the project's ground-disturbing activities elsewhere. The halting or redirection of ground disturbance shall remain in effect until the CRS has visited the discovery, and all of the following have occurred:

1. The CRS has notified the project owner, and the CPM has been notified within 24 hours of the discovery, or by Monday morning if the cultural resources discovery occurs between 8:00 AM on Friday and 8:00 AM on Sunday morning, including a description of the discovery (or changes in character or attributes), the action taken (i.e., work stoppage or redirection), a recommendation of CRHR eligibility, and recommendations for data recovery from any cultural resources discoveries, whether or not a determination of CRHR eligibility has been made.
2. If the discovery would be of interest to Native Americans, the CRS has notified all Native American groups that expressed a desire to be notified in the event of such a discovery.
3. The CRS has completed field notes, measurements, and photography for a DPR 523 —Primary|| form. Unless the find can be treated prescriptively, as specified in the CRMMP, the —Description|| entry of the DPR 523 —Primary|| form shall include a recommendation on the CRHR eligibility of the discovery. The project owner shall submit completed forms to the CPM.
4. The CRS, the project owner, and the CPM have conferred, and the CPM has concurred with the recommended eligibility of the discovery and approved the CRS's proposed data recovery, if any, including the curation of the artifacts, or other appropriate mitigation; and any necessary data recovery and mitigation have been completed.

Verification

1. At least 30 days prior to the start of ground disturbance, the project owner shall provide the CPM and CRS with a letter confirming that the CRS, alternate CRS, PPA, PHA, PG, and CRMs have the authority to halt ground disturbance in the vicinity of a cultural resources discovery, and that the project owner shall ensure that the CRS notifies the CPM within 24 hours of a discovery, or by Monday morning if the cultural resources discovery occurs between 8:00 AM on Friday and 8:00 AM on Sunday morning.
2. Within 48 hours of the discovery of a resource of interest to Native Americans, the project owner shall ensure that the CRS notifies all Native American groups that expressed a desire to be notified in the event of such a discovery.
3. Unless the discovery can be treated prescriptively, as specified in the CRMMP, completed DPR 523 forms for resources newly discovered during ground disturbance shall be submitted to the CPM for review and approval no later than 24 hours following the notification of the CPM, or 48 hours following the completion of data recordation/recovery, whichever the CRS decides is more appropriate for the subject cultural resource.

CUL-18 CULTURAL RESOURCES REPORT (CRR)

The project owner shall submit the final Cultural Resources Report (CRR) to the CPM for review and [approval comment](#) and to the BLM Palm Springs archaeologist for review and [approval comment](#). The final CRR shall be written by or under the direction of the CRS. The final CRR shall report on all field activities including dates, times and locations, results, samplings, and analyses. All survey reports, revised and final Department of Parks and Recreation (DPR) 523 forms, data recovery reports, and any additional research reports not previously submitted to the California Historical Resource Information System (CHRIS) and the State Historic Preservation Officer (SHPO) shall be included as appendices to the final CRR.

If the project owner requests a suspension of ground disturbance and/or construction activities, then a draft CRR that covers all cultural resources activities associated with the project shall be prepared by the CRS and submitted to the CPM and to the BLM Palm Springs archaeologist for review and approval on the same day as the suspension/extension request. The draft CRR shall be retained at the project site in a secure facility until ground disturbance and/or construction resumes or the project is withdrawn. If the project is withdrawn, then a final CRR shall be submitted to the CPM for review and approval at the same time as the withdrawal request.

Verification

1. Within 30 days after requesting a suspension of construction activities, the project owner shall submit a draft CRR to the CPM for review and approval.
2. Within 180 days after completion of ground disturbance (including landscaping), the project owner shall submit the final CRR to the CPM for review and approval and to the BLM Palm Springs Field Office archaeologist for review and approval. If any reports have previously been sent to the CHRIS, then receipt letters from the CHRIS or other verification of receipt shall be included in an appendix.
3. Within 10 days after the CPM and the BLM Palm Springs Field Office archaeologist approve the CRR, the project owner shall provide documentation to the CPM confirming that copies of the final CRR have been provided to the SHPO, the CHRIS, the curating institution, if archaeological materials were collected, and to the Tribal Chairpersons of any Native American groups requesting copies of project-related reports.

CUL-19 COMPLIANCE WITH BLM PROGRAMMATIC AGREEMENT

Compliance with the BLM Section 106 Programmatic Agreement and associated BLM-approved implementation and monitoring plans will demonstrate compliance with these Conditions of Certification requirements related to protection of cultural resources.

Rationale: BLM is the agency managing the cultural resources potentially affected by the BSPP. Therefore, the BLM has primary responsibility for compliance with approved treatment plans for the Project. The above condition is provided to ensure that the BSPP does not need to comply with conflicting or duplicative requirements.



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
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**APPLICATION FOR CERTIFICATION
FOR THE *BLYTHE SOLAR
POWER PLANT PROJECT***

Docket No. 09-AFC-6

PROOF OF SERVICE
(Revised 5/3/10)

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DECLARATION OF SERVICE

I, Marie Mills, declare that on July 12, 2010, I served and filed copies of the attached **PALO VERDE SOLAR I, LLC's REVISED STAFF ASSESSMENT CULTURAL CONDITIONS OF CERTIFICATION**, dated July 12, 2010. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [\[http://www.energy.ca.gov/sitingcases/solar_millennium_blythe\]](http://www.energy.ca.gov/sitingcases/solar_millennium_blythe)

The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (**preferred method**);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION
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1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.



Marie Mills