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CEC Data Request Response #2

Compass Battery Energy Storage Project

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Prepared for:

CALIFORNIA ENERGY COMMISSION

Prepared by:

COMPASS ENERGY STORAGE LLC

Table of Contents

SECTION	PAGE NO.
1 Introduction	1
2 Cultural and Tribal Cultural Resources	1
2.1 Data Requests DR CUL/TRI-1 through DR CUL/TRI-19	1
2.1.1 Data Request DR CUL/TRI-1	1
2.1.2 Data Request DR CUL/TRI-2	1
2.1.3 Data Request DR CUL/TRI-3	2
2.1.4 Data Request DR CUL/TRI-4	2
2.1.5 Data Request DR CUL/TRI-5	2
2.1.6 Data Request DR CUL/TRI-6	2
2.1.7 Data Request DR CUL/TRI-7	3
2.1.8 Data Request DR CUL/TRI-8	3
2.1.9 Data Request DR CUL/TRI-9	3
2.1.10 Data Request DR CUL/TRI-10	4
2.1.11 Data Request DR CUL/TRI-11	5
2.1.12 Data Request DR CUL/TRI-12	5
2.1.13 Data Request DR CUL/TRI-13	5
2.1.14 Data Request DR CUL/TRI-14	6
2.1.15 Data Request DR CUL/TRI-15	6
2.1.16 Data Request DR CUL/TRI-16	6
2.1.17 Data Request DR CUL/TRI-17	6
2.1.18 Data Request DR CUL/TRI-18	7
2.1.19 Data Request DR CUL/TRI-19	7

TABLES

Table 1. Data Responses Included	1
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ATTACHMENTS

1 Built Environment Inventory and Evaluation Report	
2 Archaeological Resources Management Report	

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1 Introduction

On May 13, 2024, Compass Energy Storage LLC and Affiliates (Applicant) received a Determination of Incomplete Application and Request for Information from the California Energy Commission (CEC) for the Compass Battery Energy Storage Project (Docket Number 24-OPT-02) in response to the Applicant's application filed on April 12, 2024. Table 1 lists the Data Requests responded to in Response #2. Please note that this document (Data Response #2) includes responses and materials to support DR CUL/TRI-1 through CUL/TRI-19. The remainder of the Data Requests received on April 12, 2024, were responded to and submitted to the CEC on July 26, 2024.

Table 1. Data Responses Included

Data Request Resources Area	Data Request Number
Cultural and Tribal Cultural Resources	CUL/TRI-1 through CUL/TRI-19

2 Cultural and Tribal Cultural Resources

2.1 Data Requests DR CUL/TRI-1 through DR CUL/TRI-19

2.1.1 Data Request DR CUL/TRI-1

DR CUL/TRI-1: The application does not mention the completion of a historic architectural survey. Please update this section to include historic architectural methodologies, assumptions, results, etc. in accordance with CCR, title 20, section 1704, (a) (3) (A).

Response: A built environment cultural resources survey was completed by architectural historians who meet the Secretary of the Interior's Professional Qualification Standards in architectural history. The survey documented all buildings and structures 45 years old or older. The survey and the findings are addressed in the Built Environment Inventory and Evaluation Report (BEIER) which is included as Attachment 1 to this document.

2.1.2 Data Request DR CUL/TRI-2

DR CUL/TRI-2: A discussion of the major studies or research efforts undertaken and relied upon to provide information regarding historic architectural resources for the application was not provided. Please provide this information in accordance with CCR, title 20, section 1704, (a) (3) (B),

Response: The methodology and results of the literature review, background and archival research are documented in the BEIER (see Attachment 1).

2.1.3 Data Request DR CUL/TRI-3

DR CUL/TRI-3: The application does not provide a discussion of indirect impacts to cultural and tribal cultural resources, a discussion of direct and indirect impacts associated with project maintenance activities, nor an explanation of the effectiveness of the proposed mitigation. Additionally, a description of the approach used to develop the cumulative setting for the proposed project is not provided. This requested information will also need to incorporate the results of a historic built environment survey. Please provide this information in the application.

Response: Direct and indirect impacts to archaeological resources and Tribal Cultural Resources are addressed in Section 7.1 of the Archaeological Resource Management Report (ARMR), which is included as Attachment 2 to this document. Please also refer to Section 4, Environmental Analysis, Cumulative Effects subsection, of the previously provided Opt-In Application for a discussion of cumulative effects methodology. Please refer to the BEIER; the proposed project will have no impact to historical built environment resources.

2.1.4 Data Request DR CUL/TRI-4

DR CUL/TRI-4: The application does not specifically address the potential for buried tribal cultural resources nor is there any explanation about how the results of the record search and literature/archival research was used to inform the pedestrian survey methods. Please provide this information.

Response: The potential for the Project to encounter buried Tribal Cultural Resources is addressed in Section 7.1 of the ARMR and will be further identified by the CEC in consultation with interested Tribes pursuant to Assembly Bill 52.

2.1.5 Data Request DR CUL/TRI-5

DR CUL/TRI-5: Identify the individuals responsible for the records searches and whether they meet the Secretary of the Interior's standards for cultural resource professionals.

Response: The names of the Dudek individuals that conducted the South Central Coastal Information Center records searches are provided in Section 6.1 of the ARMR. Qualifications are also discussed in Section 1 of the ARMR, and their resumes are provided in Appendix A of the ARMR.

2.1.6 Data Request DR CUL/TRI-6

DR CUL/TRI-6: Please describe efforts to identify any cultural resources listed or recognized by a city, county, or local historical and archaeological societies or museums.

Response: No local archaeological societies or museums were identified during archival research efforts in support of the ARMR. Dudek's architectural historians reviewed the California Office of Historic Preservation Built Environment Resource Directory for Orange County and San Juan Capistrano. Dudek also reviewed the City of San Juan Capistrano's Inventory of Historic and Cultural Landmarks (IHCL), San Juan Capistrano's list of officially designated historic sites (dated October 2018) and the Building and Sites of Distinction List (dated June 2008), and the city's list of properties that are important in the community and potentially could be added to San Juan Capistrano's IHCL with owner consent.

2.1.7 Data Request DR CUL/TRI-7

DR CUL/TRI-7. The following previous cultural resource studies are cited in Section 4.3, Cultural Resources, Table 4.3-1, but copies of them are not included in the confidential cultural resources filings provided with the application. Please provide copies of these studies or explain why they do not need to be part of the application:

- a. Desautels, Roger J. 1979. OR-00464
- b. Schroth, Adella and Constance Cameron. 1983. OR-00653
- c. Sorenson, Jerrell H. 1990. OR-01011
- d. Whitney-Desautels, Nancy A. 1991. OR-01104
- e. Bissell, Ronald M. and Jeanette A McKenna. 1992. OR-01237
- f. Demcak, Carol R. 2001. OR-02426
- g. Cavani, Daniel and Brian Willams. 2018. OR-04588

Response: Provided in Appendix B of the ARMR.

2.1.8 Data Request DR CUL/TRI-8

DR CUL/TRI-8: The application states that the pedestrian survey was of the Area of Direct Impact (ADI) only. Please clarify as to whether the ADI incorporated an area extending to no less than 200 feet around the project site, and to no less than 50 feet to either side of the right-of-way of project linear facility routes per Appendix B (g) (2) (C). If not, these areas will need to be surveyed and the results incorporated into the application and a future technical report. Additionally, please provide a Phase 1 Cultural Resource Compliance Report, in compliance with ARMR guidelines and Appendix B (g) (2) (C), incorporating the results of an extended archaeological survey (200 feet around the project site, and to no less than 50 feet to either side of the right-of-way), as needed. Within said report, please clarify how the vertical ADI of 60 feet below ground surface was established.

Response: The study area for archaeological resources was extended to encompass a 200-foot buffer around the BESS site, and a 50-foot buffer around additional linear facility routes and proposed pole locations. See Section 2.1 of the ARMR for vertical ADI discussion.

2.1.9 Data Request DR CUL/TRI-9

DR CUL/TRI-9: No historic architectural survey was conducted for the project. A new historic architectural survey is needed. Regarding the as yet to be defined architectural or built environment study area, it is suggested by CEC staff that the eastern study area boundary should be the I-5 Freeway but not including the I-5 Freeway, the northern boundary should be all properties owned by Saddleback Church, the western boundary should be the base of the hills on properties owned by Saddleback Church, and the southern boundary should be no less than 500 feet south of the battery installation location. The survey, recordation, and evaluation must be completed by a Secretary of the Interior-qualified historian or architectural historian and incorporated into a cultural resources technical report, in compliance with ARMR guidelines and Appendix B (g) (2) (C). Please include tables listing all 45+ year old features surveyed and evaluated, 45+ year old features eliminated from consideration due to age, alterations etc., and features less than 45 years old recorded or eliminated from recordation in consideration of their exceptional significance or lack thereof.

Response: The suggested study area was surveyed and all resources regardless of age were photographed. Only those buildings and structures constructed in or before 1979 (45 years old) were evaluated using the criteria for the NRHP and the CRHR. Appendix B does not require all the tables requested. A table of the evaluated properties categorized by Previously Recorded and Newly Recorded is provided. A discussion of those buildings and structures less than 45 years old is provided in the discussion of the delineation of the Area of Potential Impacts. Please refer to the BEIER.

2.1.10 Data Request DR CUL/TRI-10

DR CUL/TRI-10: Preliminary research conducted by CEC staff suggests that the following linear and built environment features are historic in age and in the project area. Please determine whether these linear and built environment features are historic in age. If so, these features need to be added to the cultural resources technical report, recorded on the appropriate DPR 523 forms, and evaluated for significance under the California Environmental Quality Act.

- a. The adjacent Oso Creek flood control channel
- b. The adjacent Metrolink Railroad alignment
- c. A north-south-trending powerline immediately adjacent to and to the west of Camino Capistrano
- d. The Camino Capistrano roadway alignment
- e. The adjacent SDG&E Trabuco to Capistrano 138 kilovolt (kV) transmission line and another smaller distribution line adjacent to the Camino Capistrano roadway alignment.
- f. Various 45+ year old roads and trails on the Saddleback Church property
- g. The Petitfils Ranch residence (built circa 1937), historically located at 2925 Camino Capistrano
- h. The residence located on the hill at the northern end of the Saddleback Church property, known variously as the Brokaw Ranch residence, Loughridge Residence, and the principal office of the Crean Ranch Foundation
- i. Consultation of historic aerials indicates that several other previously unidentified built environment features including a lake, a semi-circular patio, a possible filled-in swimming pool, and the Saddleback Church Rancho Capistrano building itself may be 45+ years old.
- j. Finally, the Multi-Purpose Bathgate Ranch Building likely requires reevaluation as it has been altered by recent remodeling in 2023. This property shall be evaluated by a Secretary of the Interior-qualified architectural historian.

Response: All resources 45 years old or older were documented and evaluated for their potential eligibility using the NRHP and CRHR criteria. These evaluations were done by two architectural historians, including a senior architectural with 21 years' experience and who meets the Secretary of the Interior's Professional Qualification Standards in history and architectural history. Appropriate DPR 523 forms were prepared and building/structures that shared a development history were evaluated accordingly. Please refer to the BEIER.

- a. The adjacent Oso Creek flood control channel: constructed in 1985
- b. The adjacent Metrolink Railroad alignment: Previously recorded; Update provided
- c. A north-south-trending powerline immediately adjacent to and to the west of Camino Capistrano: less than 45 years of age

- d. The Camino Capistrano roadway alignment: Previously recorded; Update provided
- e. The adjacent SDG&E Trabuco to Capistrano 138 kilovolt (kV) transmission line and another smaller distribution line adjacent to the Camino Capistrano roadway alignment. - c. 1979: Evaluated
- f. Various 45+ year old roads and trails on the Saddleback Church property: Addressed as part of the ranches because they are not individual resources.
- g. The Petitfils Ranch residence (built circa 1937), historically located at 2925 Camino Capistrano: Evaluated
- h. The residence located on the hill at the northern end of the Saddleback Church property, known variously as the Brokaw Ranch residence, Loughridge Residence, and the principal office of the Crean Ranch Foundation: Evaluated
- i. Consultation of historic aerials indicates that several other previously unidentified built environment features including a lake, a semi-circular patio, a possible filled-in swimming pool, and the Saddleback Church Rancho Capistrano building itself may be 45+ years old: Evaluated
- j. Finally, the Multi-Purpose Bathgate Ranch Building likely requires reevaluation as it has been altered by recent remodeling in 2023. This property shall be evaluated by a Secretary of the Interior-qualified architectural historian: Updated

2.1.11 Data Request DR CUL/TRI-11

DR CUL/TRI-11: Include in the cultural resources technical report a map at a scale of 1:24,000 (U.S. Geological Survey topographic quadrangle) depicting the locations of all previously known and newly identified cultural and tribal cultural resources compiled through the research required by Appendix B (g)(2)(B) and Appendix B (g)(2)(C) (ii).

Response: The cultural resources map is included in Appendix C of the ARMR.

2.1.12 Data Request DR CUL/TRI-12

DR CUL/TRI-12: Please include the professional qualifications for David Alexander and Brenda Rogers, as well as the qualifications of a Secretary of the Interior qualified architectural historian, any others responsible for completing the missing architectural/built environment survey, and the as-needed extended archaeological survey (200 feet around the project site, and to no less than 50 feet to either side of the right-of-way) in the newly completed cultural resources technical report.

Response: Professional qualifications for David Alexander and Brenda Rogers are included in Appendix A of the ARMR. Professional qualifications for the architectural historians are included in Appendix A of the BEIER.

2.1.13 Data Request DR CUL/TRI-13

DR CUL/TRI-13: Please provide a copy of all correspondence the applicant sent to those individuals listed on the Native American Heritage Commission Contact List for Orange County and copies of all responses, including a written summary of oral responses.

Response: A copy of all correspondence the applicant sent to those individuals listed on the Native American Heritage Commission Contact List for Orange County is included in Appendix D of the ARMR. No responses have been received to date.

2.1.14 Data Request DR CUL/TRI-14

DR CUL/TRI-14: Please update or revise the mitigation measures in the application, as needed, once an extended archaeological survey (200 feet around the project site, and to no less than 50 feet to either side of the right-of-way) and historic architectural survey have been completed, as necessary.

Response: The study area for archaeological resources was extended to encompass a 200-foot buffer around the BESS, and a 50-foot buffer around any additional linear facility routes and proposed pole locations. Mitigation measures within the ARMR have been updated to include this expanded study area.

No mitigation measures are required for built environment resources because there are no historical resources in the study area.

2.1.15 Data Request DR CUL/TRI-15

DR CUL/TRI-15: Please describe the educational program(s) to increase employee awareness of cultural resources protection during construction and operation and incorporate this into the mitigation measures for the project.

Response: See MM CUL-1 in Section 7.1 of the ARMR for Dudek's Worker's Environmental Awareness Program recommendation.

2.1.16 Data Request DR CUL/TRI-16

DR CUL/TRI-16: Please provide a table of LORS with a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance with each law or standard during both construction and operation of the facility is discussed.

Response: Table 1 in Section 2.1 of the ARMR lists applicable LORS and provides a reference to sections within the ARMR where conformance to each is discussed.

2.1.17 Data Request DR CUL/TRI-17

DR CUL/TRI-17: The application states that no permits are required; however, Section 4.3, p. 4.3-19 states “the Project will be coordinating with US Army Corps of Engineers and any other federal permitting entities to ensure that permit processing is completed in accordance with the requirements of Section 106. Please provide a table with an updated list identifying agencies, jurisdictions, etc., in accordance with Appendix B (i) (1) (B).

Response: The Project does not require any federal permits. The statement referenced in DR CUL/TRI-17 was made in error. Other than certification by the CEC, no state, federal, or local permits are required for the Project for the management of cultural resources. Consultation with the State Historic Preservation Officer will not be required under Section 106 of the National Historic Preservation Act unless the Project requires a federal permit; the Project will not require federal permitting.

2.1.18 Data Request DR CUL/TRI-18

DR CUL/TRI-18: Please provide phone numbers and titles for the agency contacts in the application, per Appendix B (i) (2).

Response: Table 4 within Section 7.1 of the ARMR lists the state agencies responsible for cultural resources management for the Project, their contact information, and the issues they are responsible for addressing.

2.1.19 Data Request DR CUL/TRI-19

DR CUL/TRI-19: The application does not describe required permits outside the authority of the CEC, nor does the application include a schedule for obtaining the necessary permits. Please provide a permit schedule, per Appendix B (i) (3).

Response: Other than certification by the CEC, no state, federal, or local permits are required for the Project for the management of cultural resources. Consultation with the State Historic Preservation Officer will not be required under Section 106 of the National Historic Preservation Act unless the Project requires a federal permit; the Project will not require federal permitting.

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