

DOCKETED

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Project Title:	Mission Rock Energy Center
TN #:	215811
Document Title:	Data Requests, Set 3, Nos. 154-158
Description:	Cultural Resources Data Requests for the Mission Rock Energy Center Project
Filer:	Mike Monasmith
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CALIFORNIA ENERGY COMMISSION

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February 7, 2016

Mitch Weinberg
Calpine Company
4160 Dublin Boulevard, Suite 100
Dublin, CA. 94568

**RE: MISSION ROCK ENERGY CENTER (15-AFC-02) DATA REQUESTS,
SET 3 (Nos. 154 – 158)**

Dear Mr. Weinberg;

Pursuant to Title 20, California Code of Regulations, section 1716, the California Energy Commission staff requests the information specified herein. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the project will result in significant impacts, 3) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 4) assess potential mitigation measures.

This request is being made in the area of Cultural Resources (Nos. 154-158). Written responses to the enclosed data requests are due to the Energy Commission on or before February 23, 2017 (the conclusion of Discovery).

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice to both Commissioner Karen Douglas, Presiding Committee Member for the Mission Rock Energy Center, and me, within 10 days of receipt of this letter. The notification should contain the reasons for not providing the information, the need for additional time, or the grounds for any objections. If you have any questions, please call me at (916) 654-4894, or E-mail me at: mike.monasmith@energy.ca.gov.

Sincerely,

Mike Monasmith
Siting Project Manager

Enclosure: Data Requests, Set 3

**MISSION ROCK ENERGY CENTER (15-AFC-02)
DATA REQUESTS SET 3 (Nos. 154 – 158)**

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Technical Area: Cultural Resources
Author: Matt Braun and Sean de Courcy

BACKGROUND

Cultural resource staff analysis of the literature, historic maps, and aerial photographs related to the Santa Clara River Valley Rural Historic District identified a potential extant historic archaeological resource in the same location as the proposed 6.6 mile Mission Rock transmission line. The resource was identified at a planned pole site. Staff's report has been provided to the applicant under confidential cover due to the protected nature of the resources. The resource was not identified by the applicant in previous documentation efforts. Research indicates that the area was variously known as The Flats/El Arco/Camp 900, and was a housing camp constructed by the Limoneira Company for their employees in 1906. Energy Commission staff conducted an intensive level pedestrian survey of the resource in January of 2017 and found over 1,200 artifacts scattered over a 688,248 square foot area. Despite a recently planted avocado orchard in the main site area, the resource retains integrity. Moreover, the site appears intact in the location of the proposed pole and along the Ellsworth barranca. Staff recommends that the resource is eligible under criteria 1 and 4 of the California Register of Historical Resources (additional details regarding the resource are included on a Department of Parks and Recreation (DPR) form submitted with this Data Request under confidential cover).

In accordance with CEQA, (Pub. Resources Code, § 21083.2(b)), the applicant should avoid impacting this resource unless avoidance is not feasible. Avoidance could be accomplished by, 1) submitting an alternative location for the conflicting transmission pole that is not located within the resource's boundaries, or 2) submitting research design, including a comprehensive subsurface testing plan, for the resource to establish the precise horizontal and vertical extent of the resource, and proposing an alternate pole location within the resource boundary that will minimize impacts to the resource.

DATA REQUESTS

154. If the applicant chooses an alternative location for the pole that is not located within the resource's boundaries, please submit:

An amended project description of the 230kV transmission line, including a description of how the new pole location would avoid impacts to the resource, and any other necessary information requirements specified in Title 20, California Code of Regulations, Appendix B (e.g., biological and cultural surveys, land use determination) that would be applicable to the new pole location.

155. If the applicant chooses to submit a research design to establish the horizontal and vertical extent of the resource, please submit the research design to Cultural Resources staff for review and approval:

Please provide an archaeological research design that conforms to the standards described in Guidelines for Archaeological Research Designs (OHP 1991). The

purpose of the research design is to establish the precise horizontal and vertical extent of The Flats/El Arco/Camp 900 and determine if there is an area within the resource where the transmission pole could be constructed without impacting the resource. To make this determination, a research design shall be prepared by an archaeologist that meets the Secretary of the Interior's professional standards for archaeologists (see Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines, 36 C.F.R. Part 61). The research design must include the following.

- a. A statement of the problem(s) and research goals.
- b. A statement of methods to achieve the research goal.
- c. A statement regarding how the results will be reported.
- d. Maps depicting site boundaries and locations of excavation units for the resource. Maps shall meet the requirements laid out for DPR 523 Sketch Maps (OHP 1995:15), but do not need to be generated on the site form template.
- e. An overlay of the proposed pole location, access roads, and pull locations on the aforementioned sketch map.
- f. A schedule for implementation of the research design.
- g. The preparer's résumé and the résumés of other key staff that are expected to implement the research design.
- h. Upon staff approval of the research design, the applicant will implement the approved testing plan as specified in the research design.

156. Following completion of the archaeological investigation specified above, please provide an archaeological testing report that identifies the methods employed and results of the investigation. The report shall conform to the content requirements of Archaeological Resource Management Reports (ARMR): Recommended Contents and Format (OHP 1990) and contain the following.

- a. A description of the research design and the methods employed during the study.
- b. A description of the study results.
- c. A location map on a U.S. Geological Survey, 7.5-minute topographic quadrangle.
- d. A description of whether the pole as proposed would result in impacts to the resource. Supplement the impact discussion with exhibits and quantify the amount of archaeological materials that would be damaged or removed.

- e. A description of proposed avoidance measures based on the results of the testing plan, including mitigation measures for the affected archaeological resource. Supplement the mitigation discussion with exhibits as needed.
- f. A Sketch map (see Data Request No. 155 d. above) that depicts the sampling locations and the location of any newly identified archaeological materials.
- g. Revised DPR 523 forms.

References

CALPINE 2015—CALPINE. Application for Certification (TN # 207151). Mission Rock Energy Center. Appendix 5.3B, Cultural Resources. Submitted to California Energy Commission, Sacramento, CA. Docket No. 15-AFC-02.

OHP 1990—Office of Historic Preservation (California). *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format*. February. Sacramento, CA.

OHP 1991—Office of Historic Preservation. *Guidelines for Archaeological Research Designs*. February. Preservation Planning Bulletin 5. Sacramento, CA.

OHP 1995—Office of Historic Preservation. *Instructions for Recording Historical Resources*. March. Sacramento, CA.

BACKGROUND

Many of the trees in the Mission Rock Energy Center (MREC) Cultural Resources Project Area of Analysis (PAA) have been identified as contributing elements to the Santa Clara Valley Rural Historic District, a locally listed rural historic landscape (Triem 1996, *District Record*: 3).

Staff has recently become aware of Ventura County Code Tree Protection Regulations ([Division 8, Chapter 1.1, Article 7, Section 8107-25 et seq.](#)). This section of the Ventura County Code pertains to Protected Trees (including Heritage Trees, Historical Trees, Introduced Protected Trees, Native Trees, and Tree Rows) and will be incorporated into the staff assessment of environmental impacts. These classes of resources identified by Ventura County pertain to the proposed project's compliance with existing laws, ordinances, regulations, and standards (LORS).

The Application for Certification (AFC) explains that the MREC project anticipates a variety of activities, including vegetation removal, within the PAA as part of construction and operation. Staff's Data Requests No. 121, No. 123, No. 124, and No. 129 (**CH2M DR1B 2016**) asked the applicant to describe the extent of disturbance required for the generator tie-line, natural gas line, and recycled water line. These Data Requests included questions regarding vegetation removal and ground disturbance during construction and operation of the MREC project.

The response to Data Request No. 121 (Figure DR 121-1) shows the right-of-way for the generator tie-line, including vegetation management areas. The response to Data Request No. 123 (Table DR 123-2) provides areas of vegetation clearance and regular maintenance in square feet required to install and maintain the generator tie-line. The response to Data Request No. 124 provided locations where a vegetation management plan would be implemented, and cited three guidance documents: the Public Utilities Commission General Order 95 (GO 95), the National Electric Safety Code (NESC), and the Rural Utilities Service (RUS) Bulletin prepared by the USDA. Data Request No. 129 indicated no vegetation removal would occur along the recycled water pipeline, but did not identify proximity of ground disturbance to the Tree Protected Zone. The information provided thus far is not sufficient for staff to analyze the extent of potential damage to protected trees and the environmental impacts associated with existing LORS.

DATA REQUESTS

157. For all areas identified as requiring vegetation management pursuant to Figure DR 121-1 please provide:
 - a. Site plans for each vegetation management area indicating the extent of tree removal and trimming required for pole and generator tie-line installation and maintenance;
 - b. Elevation plans for each vegetation management area indicating the extent of tree removal and trimming required for pole and generator tie-line installation and maintenance;
 - c. Site and elevation plans should clearly identify any Heritage Trees, Historical Trees, Introduced Protected Trees, Native Trees, and Tree Rows as defined in Ventura County Code of Ordinances Tree Protection Regulations ([Division 8, Chapter 1.1, Article 7, Section 8107-25 et seq](#)).
 - d. Identify any potential impacts to protected trees, identify steps to avoid or minimize damage to protected trees consistent with the provisions of [Division 8, Chapter 1.1, Article 7, Section 8107-25.10.2 – Tree Offset Standards](#).

158. For all ground disturbance that will occur adjacent to trees within the PAA, please provide:
 - a. Site plans showing all pole, pipeline, horizontal drilling locations within or adjacent to the tree protected zone as defined in [Division 8, Chapter 1.1, Article 7, Section 8107-25.10.2 – Definitions](#).
 - b. Identify any potential impacts to protected trees which may occur within the root protected zone. Identify steps to avoid or minimize damage to protected trees consistent with the provisions of [Division 8, Chapter 1.1, Article 7, Section 8107-25.10.2 – Tree Offset Standards](#).

REFERENCES

CH2M DR1B 2016 — CH2M. Responses to CEC Staff's Data Requests 116 through 131, Set 1B (TN # 214394). Mission Rock Energy Center. Submitted to California Energy Commission, Sacramento, CA. Docket No. 15-AFC-02.

Triem 1996 – Judy Triem and Mitch Stone. *The Western Santa Clara Valley of Ventura County: Historic Resources Survey.* Ventura County Cultural Heritage Survey Phase V. San Buenaventura Research Associates. 1996.

Tree Protection Regulations - Ventura County. Code of Ordinances. Division 8, Chapter 1.1, Article 7, Section 8107-25 et seq.