

Memorandum

To: Rolla Queen, District Archaeologist
California Desert District
Bureau of Land Management
22835 Calle San Juan De Los Lagos
Moreno Valley, CA 92553
Sent via email

Date : October 6, 2010

Telephone: (951) 697-5386
Rolla_Queen@blm.gov

From : **Kathleen Forrest, Cultural Resources Unit**
California Energy Commission
1516 Ninth Street
Sacramento CA 95814-5512
916 654-5020

DOCKET	
08-AFC-13	
DATE	<u>OCT 06 2010</u>
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Subject: BLM Calico Solar Treatment Proposal Route 66

Thank you for the opportunity to review and comment on the draft proposed Historic Properties Treatment Plan (HPTP) mitigation provisions for Route 66 under Section V.a.ii of the *Programmatic Agreement Among the Bureau of Land Management—California, The California Energy Commission, Calico Solar LLC, and The California State Historic Preservation Officer Regarding the Calico Solar Project, San Bernardino County, California* (PA). Energy Commission staff is encouraged by the BLM's proposed approach and pleased to take part in the development of the HPTP.

Energy Commission staff has proposed several revisions to the BLM's draft proposed HPTP mitigations for Route 66 (see attachment with track changes). A summary of our recommended changes is presented below.

1. Energy Commission staff fully supports the contribution of \$250,000 to the California Preservation Foundation (CPF) to continue their survey and documentation efforts of Route 66. As this contribution is to mitigate the adverse effect to Route 66 in the project area, located in the eastern Mojave Desert, and that effect has been identified as an adverse visual effect to the desert landscape, staff has added language specifying the nature of the activities for which the money would be used for, i.e. in some combination to survey, document or nominate those sections of Route 66 in the California Desert, particularly the landscape in the Eastern Mojave where the proposed project would have an impact.
2. Energy Commission staff proposes removing the historic marker (provision 2.a.i) from the proposed HPTP. While a marker is a helpful interpretive tool and the example provided is of excellent quality, it does not meaningfully mitigate the proposed project's impact to Route 66. Additionally, staff would like to see that the full \$250,000 proposed be made available to CPF for the survey and documentation of Route 66.

3. Energy Commission staff recommends that an additional 15% be added to the proposed \$250,000 to provide for CPF's project-related overhead, as is common practice. Staff feels strongly that the entire \$250,000 should be available for the identified historic preservation activities associated with the mitigation of the proposed project's adverse effect to Route 66.
4. Energy Commission staff would also like to propose a provision for a Class II Historic American Landscape Survey (HALS) report and submission to the HALS program, similar to that in the Energy Commission's Condition of Certification (CUL-6) for the Calico project. The activities undertaken by CPF to survey and document Route 66 in the California Desert will result in information detailed enough to prepare such a submission without substantial extra effort or funds. Staff would also like to add a further provision should the HALS program reject the submission.

Energy Commission staff also proposes that the consulting parties under the PA further explore the possible restoration and/or reconstruction of Route 66 rest stops in or near the project area, as was suggested by Wayne Donaldson, the SHPO. Sufficient documentation apparently exists with the County of San Bernardino to accurately restore one or more of these stops, which would provide a public amenity and potentially add to the historic interpretation of the route.

Additionally, the Energy Commission will need to be a party to the agreement between the BLM, CPF and others regarding the proposed contribution of \$250,000, to ensure that the resulting activities satisfy the intent of CUL-6 and provide appropriate mitigation for the effect to Route 66.

cc: M. Wayne Donaldson, State Historic Preservation Officer
Susan Stratton, Office of Historic Preservation
Dwight Dutschke, Office of Historic Preservation
Felicia Bellows, Tessera Solar
James Shearer, Bureau of Land Management
Cindy Heitzman, California Preservation Foundation
Eric Knight, Environmental Office Manager
Shaelyn Strattan, Cultural Resources Unit Supervisor
Christopher Meyer, Project Manager
Docket (08-AFC-13)

+Proposed Historic Properties Treatment Plan to Resolve Adverse Effects to Historic Route 66 from the Calico Solar Project in San Bernardino County, California

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BLM ~~and the Energy Commission has~~ proposed the following treatment measures to resolve effects to U.S. Route 66 as a result of the Calico Solar Project in San Bernardino County, California:-

1. The Applicant, Tessera Solar, would complete the first part of the requirement of Energy Commission condition of certification, CUL-6, which requires the Class III Historic American Landscape (HALS) photo-documentation of the approximately 9-mile segment of Route 66 that would be affected by the proposed project. This condition ~~would~~ will be completed by the applicant prior to the start of ~~construction~~ ground disturbing activity and submitted to the Energy Commission, the BLM and the California Preservation Foundation (CPF) within 90 days of completion, as required in CUL-6.

2. ~~In lieu of completing the second part~~ To satisfy the Class II HALS written component of the Energy Commission condition of certification CUL-6 ~~which requires completion of a report that would meet Class II Historic American Landscape Survey documentation prior to the start of construction~~, BLM, in consultation with the Energy Commission, the California State Office of Historic Preservation, CPF and the Applicant, proposes the following measures:-
 - a.—The Applicant ~~will~~ shall contribute \$250,000, ~~(not to exceed)~~ plus an additional 15% to fund CPF's overhead costs, into a compensation fund to be managed by the California Preservation Foundation for the benefit of Historic U.S. Route 66 and utilized in the following manner:
 - a. ~~The CPF, in partnership and coordination with the BLM, and if feasible, design and install a historic interpretive marker at the historic Route 66 rest stop near Ludlow, California. The CPF will enter into an MOU with BLM to support activities along Route 66. BLM will provide environmental review and other support for installation of the historic marker as well as participate in developing the interpretive information for the marker (See attachments for photographs of the marker installed on Route 66 near Essex, California. (Estimated Cost: \$30,000)~~
 - 1.—BLM would agree that the Applicant would be released from any long term responsibility for the maintenance of the historic marker or rest area. This would become a BLM responsibility.
 - 2.—If it is determined that construction and maintenance of a historic marker at the rest area is not feasible, the funds would continue to be utilized by the CPF in accordance with the provision of Section 2(b) of this proposal.

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~~b. The CPF will utilize any remaining balance of the \$250,000 contribution to augment and shall complete additional phases of the current and on-going CPF study of U.S. Route 66 in California. This study was initially funded by a grant from the National Park Service Historic Route 66 Corridor Preservation Program and is developing survey methodologies for resources and landscapes along the entire route within California, developing historic and interpretive contexts, and developing a National Register nomination framework for Historic Route 66 and associated resources. This contribution will allow CPF to undertake activities such as intensive level surveys, identification of significant desert landscape elements and character-defining features, preparation of historic evaluations and state and federal nominations, development of historic and interpretive contexts and management strategies and other historic preservation activities for U.S. Route 66 in the Eastern Mojave Desert and other California Desert sections of the Route.~~

~~i.~~

~~ii. The additional study phases listed above shall include sufficient detail necessary for CPF or their consultant to complete Class II HALS written documentation, which shall be used to compile a HALS submission of U.S. Route 66 in the Eastern Mojave, including the project area, and include the photo-documentation described in 1, above. This HALS submission will be completed within three (3) years of CPF's acceptance of the above contribution.~~

~~iii. Should the submission not be accepted by the HALS program, CPF shall, in conjunction with the BLM and Energy Commission, identify an appropriate repository to curate and exhibit the photo-documentation.~~

~~iv. The Applicant shall submit the HALS submission described in ii, above, to the Energy Commission within three (3) years of CPF's acceptance of the above contribution, in order to satisfy the requirements of CUL-6. The Energy Commission's Cultural Resources staff shall retain final approval of the applicant's submission.~~

~~i.v. The CPF will shall assist BLM in finalizing and publishing the second volume of BLM's Route 66 study, entitled "Life in the Past Lane." (Estimated Cost: Not to Exceed \$5,000)~~

~~c. The CPF will utilize any remaining balance of the \$250,000 contribution to augment and complete additional phases of the current and on-going CPF study of Route 66 in California. This study was initially funded by a grant from the National Park Service Historic Route 66 Corridor Program and is developing survey methodologies for resources and landscapes along the entire route within California, developing historic and interpretive contexts, and developing a National Register nomination framework for Historic Route 66 and associated resources.~~

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~~i.b.~~ BLM, Energy Commission and CPF ~~would shall~~ continue to work in partnership with ~~CPF and~~ the NPS on the existing study, as well as coordinate with ~~CPF, the NPS and SHPO consulting parties of the Programmatic Agreement and the NPS~~ on the development and implementation of additional phases of work that would be funded by this contribution.

3. BLM ~~and Energy Commission believestaff believes~~ that the above treatment measures would provide a ~~more comprehensive and useful outcome for long term management and planning for the Historic Route 66 corridor than the HALS documentation required by the Energy Commissions condition CUL-6 and would meet a~~ greater standard of mitigation than the requirements of CUL-6 alone.

- a. The Applicant would be required to proffer funds within 90 days after the Energy Commission has issued its permit.
- b. The Energy Commission's CUL-6 verifications would be modified to reflect ~~that once the Applicant has contributed the funds to the CPF, that the terms of CUL-6 would have been satisfied prior to the start of construction.~~the change in timeframes for the completion of the Class II HALS written documentation.
- c. ~~BLM would propose that the Energy Commission and the Applicant propose this mitigation change to the Commission during the current 30 day comment period for the Presiding Members Proposed Decision.~~