

DOCKET

09-AFC-8

DATE

RECD. NOV 16 2010

surface collection may be incorporated into the results of the data recovery, required in **CUL-11**, at the same site, depending on the needs of the CRS;

5. Ensuring that the letter report is 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, and a map showing the location of collection units including topographic contours and the site landforms; and
6. Including the final results of the surface collection at CA-RIV-9072 into the CRR required under **CUL-6** and in the conference paper required under **CUL-11**.

Verification:

1. At least 15 days prior to surface collection on site CA-Riv-9072, the project owner shall notify the CPM that the surface collection has ensued.
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 surface collection portion of data recovery at each site has been completed.

CUL-13 FLAG AND AVOID

Prior to the start of ground-disturbing activities within 30 meters of sites CA-Riv-0260, CA-Riv-0663, and CA-Riv-9072, the project owner shall reduce or avoid impacts to these sites, if allowed by the BLM, by:

1. Ensuring that a CRS, alternate CRS, PPA, or CRM re-establish the portion of the boundary of each site which is within 30 m of the GSEP linear corridor or site footprint, add a 10-meter-wide buffer around this boundary, and flag the resulting space in a conspicuous manner;
2. Ensuring that a CRM enforces avoidance of the flagged areas during GSEP construction;

Verification:

While construction is on-going, the project owner shall ensure that the CRS or other archaeological crew member establish that the temporary site markers are visible and in place on a monthly basis. The status of these boundary markers will be reported on in the monthly monitoring summary report.

CUL-14 DELETED

CUL-15 DELETED

CUL 16 NATIVE AMERICAN ASSESSMENT OF IMPACTS AND MITIGATION RECOMMENDATIONS FOR ETHNOGRAPHIC RESOURCES

If the PTNCL documentation and possible NRHP nomination program do not include Native American consultation and site visit regarding to the McCoy Spring National Register Archaeological District and for four petroglyph sites (CA-Riv-0523, CA-Riv-3149, CA-Riv-4569, and CA-Riv-4699), then prior to the start of construction, the project owner shall have the PE consult with local Native American groups to determine what indirect GSEP impacts they identify for the McCoy Spring National Register Archaeological District and for four petroglyph sites (CA-Riv-0523, CA-Riv-3149, CA-Riv-4569, and CA-Riv-4699; this site list may be revised only with the agreement of the CRS and the CPM),__and to determine what mitigation they recommend. These consultations shall include personal interviews if allowed by BLM and agreed to Native Americans. Additionally, the PE must invite interested Native Americans to visit and view the subject district and sites, if allowed by the BLM. The project owner shall facilitate these visits by providing the necessary equipment and information on the sites.

The Project owner shall:

With the approval of BLM, construct a security gate and/or guard at the south end of the access road to prevent unauthorized access.

Will include in the WEAP (CUL-7) training to ensure that all workers are aware that they are prohibited from going outside authorized work areas. Any worker found disturbing any resources will be subject to disciplinary action, including termination.

Prior to commencement of grading operations on the plant site, the project owner will provided documentation to the CPM demonstrating that the security gate and/or guard is in place.

See **CUL-7** for WEAP verification.

Verification:

At least 30 days prior to the start of construction, the project owner shall notify the CPM that the Native American consultation by the PE has been initiated.

At least 15 days prior to the start of construction, the project owner shall provide to the CPM and to the BLM Palm Springs Field Office archaeologist the results of the PE's consultation and site visits with local Native American groups concerning the impacts they identify for the PTNCL and what mitigation they recommend for these impacts.

CUL 17 HISTORIC-PERIOD SITE MAPPING AND IN-FIELD ARTIFACT ANALYSIS

Prior to the start of ground disturbance, the project owner shall ensure that a data recovery plan for the historic-period archaeological resources identified within the GSEP site footprint and linear corridor is included in the CRMMP. These sites include: P33-13508, CA-Riv-9063, CA-Riv-9203, CA-Riv-9204, CA-Riv-9205, CA-Riv-9211, CA-Riv-9213, CA-Riv-9214, CA-Riv-9228, CA-Riv-9246, CA-Riv-9258, CA-Riv-9259, CA-Riv-9262, and CA-Riv-9263. This site list may be revised only with the agreement of the CRS and the CPM. The project owner shall ensure that the plan is implemented when ground disturbance will start within 30 meters of the boundaries of these sites, if approved by BLM. The plan must include, but is not limited to, the following:

1. Research questions addressed by this field work shall be based upon any context developed by DTCCCL staff, as funded by CUL-2
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 crew chiefs are trained by the DTCCCL Historical Archaeologist, or equivalent qualified person approved by the CPM and hired by the project owner should the DTCCCL Historical Archaeologist not be available, 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
4. The project owner shall ensure that, prior to beginning the field work, the field crew members are 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 all 45 historic-period archaeological sites shall be revisited by the field crew. Using location recordation equipment that has the latest technology with sub-meter accuracy (such as UTM 11 North or California Teale Albers), the original site map shall be updated to include at minimum: landform features such as small drainages, the location of each artifact, and the limits of any artifact concentrations or other features.
6. The project owner shall ensure that an in-field analysis of all artifacts shall be completed. The dimensions of each artifact and feature shall be recorded. 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 that each site shall be examined with a metal detector to determine if buried deposits are present. If such deposits are located, the size and shape of each feature shall be established and a sample of the materials each feature contains shall be

- excavated by a qualified historical archaeologist. Details for this contingency shall be outlined in the CRMMP.
8. The project owner shall ensure that the details of what is found 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 DTCCL Historical Archaeologist to assist in the determination of which, if any, of the historic-period sites are contributing elements to the DTCCL.
 10. 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-6**). Relevant portions of the information gathered shall be included in the possible NRHP nomination for the DTCCL (funded by **CUL-2**).

Verification:

1. At least 15 days prior to ground disturbance within 30 meters of the boundaries of the subject sites, the project owner shall notify the CPM that historic-period site mapping and in-field artifact analysis has ensued.
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-18 COMPLIANCE WITH BLM PROGRAMMATIC AGREEMENT

If provisions in the BLM Genesis Solar Energy Project Programmatic Agreement and associated implementation and monitoring programs conflict with or duplicate these Conditions of Certification, the BLM provisions shall take precedence. Provisions in these conditions that are additional to or exceed BLM provisions and represent requirements under the Energy Commission's CEQA responsibilities shall continue to apply to the project's activities, contingent on BLM's approval as authorized by federal law.