



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

California Desert District
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Moreno Valley, CA 92553
www.ca.blm.gov/cdd



February 16, 2012

In Reply Refer To:

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CACA-48728/2800(P)

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Mr. Reid Nelson
Director, Office of Federal Agency Programs
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue NW, Room 803
Washington DC 20004-2501

ATTN: Nancy Brown, Liaison to the Bureau of Land Management

Dear Mr. Nelson,

The Bureau of Land Management (BLM) is currently considering an application from McCoy Solar, LLC for a right-of-way grant (federal action) to construct, operate, and maintain a 750 megawatt (MW) photovoltaic solar power generation facility on public lands managed by the BLM. The proposed plan of development consists of the construction and operation of a photovoltaic solar power generating plant, including access roads, substations, laydown areas and transmission lines. Collectively, the project is referred to as the McCoy Solar Energy Project (MSEP) and constitutes the undertaking that the BLM is analyzing to meet our responsibilities under Section 106 of the National Historic Preservation Act (NHPA).

The BLM has been conducting Section 106 review following the provisions of the *State Protocol Agreement*¹ and the *Supplemental Procedures for Solar and Wind Power Generation Applications*. Our analysis has concluded that this undertaking will have an adverse effect on historic properties and BLM is proposing to execute a Memorandum of Agreement (MOA) to resolve the adverse effect. Pursuant to the *State Protocol Agreement* and in accordance with 36 CFR 800.6(a), the BLM is notifying the Advisory Council on Historic Preservation (ACHP) of the adverse effect and seeks to determine whether the ACHP would like to join BLM, the State Historic Preservation Office, and other consulting parties in consultation to develop a MOA to resolve the adverse effects for this undertaking.

The proposed project would be located approximately 10 miles north and west of the town of Blythe and directly north of the Blythe Solar Power Plant (BSPP) in eastern Riverside County,

¹ *State Protocol Agreement among the California State Director of the Bureau of Land Management and the California State Historic Preservation Officer and the Nevada State Historic Preservation Officer regarding the manner in which the Bureau of Land Management will Meet Its Responsibilities under the National Historic Preservation Act and the National Programmatic Agreement among the BLM, the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers* (October 2007)

California (See enclosed maps). The proposed plan of development for the project includes a 4,792 acre photo-voltaic facility located on public land. The BLM is also analyzing two electric power transmission line corridor alternatives: one that would extend along the western boundary of the approved BSPP, and one that would extend along the eastern boundary of the BSPP and parallel the BSPP transmission line. The eastern and western transmission corridor alternatives are each approximately 16 miles long and would connect to Southern California Edison's Colorado River Substation. The Area of Potential Effect (APE) for direct effects includes the entire ROW application area, or 7,700 acres of BLM managed federal lands and 477 acres of privately owned lands. The APE for indirect effects extends a half-mile beyond the APE for direct effects.

Identification and Evaluation Efforts

We would like to summarize activities to date which the BLM has taken to consider the effects of the undertaking on historic properties.

The BLM is currently finalizing identification efforts for this undertaking. The cultural resources consultant for this project is AECOM. AECOM has conducted a records search and literature review for previously recorded sites and surveys within a 1 mile buffer area around the project. Preliminary background research for the undertaking conducted prior to fieldwork indicates that 22 cultural resource studies have been previously conducted within the project APE and that 267 cultural resources were previously recorded within this same area. Of these, only 56 resources are located within the project area.

A BLM Class III inventory of the project APE was conducted by AECOM. The report entitled *Cultural Resources Class III Survey Report for the Proposed McCoy Solar Energy Project, Riverside County, California* has been submitted to BLM in November 2011 and is included with this letter (see enclosure 2). The survey included an intensive 100 percent pedestrian survey and inventory of cultural resources on lands administered by the BLM. AECOM observed and documented 50 previously recorded sites, 64 newly recorded sites, and 167 newly recorded isolates during their survey.

The Class III inventory identified one archaeological site (CA-RIV-9696) that is located within one of the gen-tie corridor alternatives and cannot be avoided by project design. AECOM recommended this site not eligible for the NRHP under Criteria A-C. A testing plan was implemented to evaluate the significance of this resource under Criterion D for its scientific and information values. Based on the results of testing, AECOM recommends site CA-RIV-9696 not eligible for the NRHP under Criterion D. A preliminary letter report entitled *Results of Archaeological Testing and Evaluation of Site CA-RIV-9696 at the McCoy Solar Energy Project* presents the results of this testing and evaluation and is also included with this letter (see enclosure 3).

Based on the results of the survey AECOM has made NRHP eligibility recommendations for 96 of the 114 archaeological sites located within the project ROW. Two prehistoric sites were previously determined eligible (CA-RIV-2846 and CA-RIV-3419) and seven historic sites are recommended eligible for the NRHP. Five sites located within gen-tie alternative corridors remain unevaluated. The remaining 86 sites in the ROW are recommended not eligible for the

NRHP. Isolated finds are not eligible for the NRHP and all 167 isolates in the project ROW are recommended not eligible.

Identification efforts also included a testing and evaluation plan to evaluate site (CA-RIV-9696), which is located in the APE of one of the gen-tie alternatives, and could not be avoided by project design. AECOM recommended site CA-RIV-9696 not eligible for the NRHP under Criteria A-C. The purpose of the testing was to evaluate the resource for eligibility under Criterion D, for its scientific and information potential. The testing consisted of six shovel test pits (STP) within the site boundaries to determine the presence or absence of subsurface archaeological materials. Based on the results of the testing, AECOM has recommended site CA-RIV-9696 not eligible for listing on the NRHP under Criterion D.

Tribal Consultation

The BLM has taken the following steps to consult with Indian tribes about this undertaking and consultation is continuing. Fifteen Indian tribes have been identified and invited to consult on this project, including the Agua Caliente Band of Cahuilla Indians, Augustine Band of Cahuilla Indians, Cabazon Band of Mission Indians, Cahuilla Band of Mission Indians, Chemehuevi Indian Tribe, Cocopah Indian Tribe, Colorado River Indian Tribes, Fort Mojave Indian Tribe, Fort Yuma Quechan Tribe, Morongo Band of Mission Indians, Ramona Band of Mission Indians, San Manuel Band of Mission Indians, Soboba Band of Luiseno Indians, Torres-Martinez Desert Cahuilla Indians and Twenty-nine Palms Band of Mission Indians. Formal government-to-government consultation was requested in the early stages of project planning by letter on August 17, 2011. Phone calls were made on November 16, 2011 to follow-up on the initial letter. The BLM, concurrent with this letter, is also informing the tribes of the results of the identification efforts for the Project and the agency's formal determinations and findings.

Agency Determinations and Findings

Based on the recommendations of the results of the cultural resources consultants, BLM staff review, the BLM has made the following determinations regarding National Register eligibility and findings of effect for historic properties:

- Archaeological sites designated CA-RIV-2486 and CA-RIV-3419 have been previously determined eligible for the NRHP under Criterion D for their scientific and information values, BLM concurs with the previous determinations.
- The BLM has determined that the archaeological sites MS-CM-H-009, MS-MT-H-003, MS-MT-H-007, MS-MT-H-009, MS-MT-H-0014, and MS-MT-H-0016 are eligible for the NRHP under Criteria A and D, and that site MS-MH-P-001 is eligible for the NRHP under Criterion D.
- The BLM has determined that the archaeological site CA-RIV-9696 is not eligible for the NRHP under all four Criteria. This determination is based on testing and evaluation conducted at the site.
- The BLM had determined that 86 prehistoric and historic archaeological sites in the project APE are not eligible for the NRHP. See attached table with a listing of all sites within the APE and the BLM determinations (enclosure 4).
- The BLM has found that alternatives are under consideration that would have an adverse

effect on six NRHP eligible historic period archaeological sites including: MS-CM-H-009, MS-MT-H-003, MS-MT-H-007, MS-MT-H-009, MS-MT-H-0014, and MS-MT-H-0016, and one NRHP eligible prehistoric period archaeological site: MS-MH-P-001.

As noted at the outset, the purpose of this letter is to formally notify the ACHP of adverse effects to historic properties that would result from the approval of this undertaking and to determine whether the ACHP would like to participate in consultation to resolve the effects and the development of an MOA.

If you have specific questions or we can provide any clarification, please do not hesitate to us. The point of contact for this undertaking for cultural resources issues is Tiffany Thomas, BLM Renewable Energy Coordination Office Archaeologist. She can be reached by telephone at (951) 697-5365 and by email at tathomas@blm.gov. I can be reached by telephone at (760) 833-7100 or by email at jkalish@blm.gov.

Sincerely,


John Kalish
Field Manager

Enclosures:

- 1 – Project vicinity map
- 2 – *Cultural Resources Class III Survey Report for the Proposed McCoy Solar Energy Project, Riverside County, California*
- 3 – *Results of Archaeological Testing and Evaluation of Site CA-RIV-9696 at the McCoy Solar Energy Project*
- 4 – Agency determinations table

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