



United States Department of the Interior
BUREAU OF LAND MANAGEMENT



Palm Springs - South Coast Field Office
1201 Bird Center Drive
Palm Springs, California 92262
www.ca.blm.gov/palmsprings

January 31, 2012

In Reply Refer To:

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CACA-48728/2800(P)

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Milford Wayne Donaldson
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Dear Mr. Donaldson,

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*. The BLM has made determinations of eligibility and findings of effect for this project and is requesting your review of our determinations and findings pursuant to Section V.E.2 of the *State Protocol Agreement* which provides for review of evaluations as an element of your oversight role. The BLM would also like to request consultation pursuant to Section VI.A of the *State Protocol Agreement* which provides for formal consultation with your office pursuant to 36 CFR 800.6 where undertakings may have an adverse effect on historic properties considered eligible for, or included on, the National Register of Historic Places (NRHP). We have concluded that this undertaking will have an adverse effect on historic properties and are proposing to execute a Memorandum of Agreement (MOA) to resolve the adverse effect. The BLM is concurrently notifying the Advisory Council on Historic Preservation (ACHP) to determine their participation in the resolution of effects.

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)*

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, 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. Another 13 sites are located outside the proposed solar facility footprint, but within the ROW application area. The BLM will treat these sites as eligible for the NRHP under criterion D for project management purposes and their significant values will be avoided as provided in the Section V(E)(4) of the *Protocol*. 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 our preliminary determinations of eligibility, the development of the testing plan, and will also disseminate the results of the testing along with our formal determinations and findings when they are available.

Agency Determinations and Findings

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

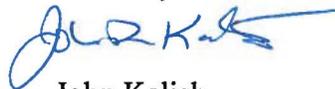
- The BLM concurs with the previous determination that sites CA-RIV-2486 and CA-RIV-3419 are eligible for the NRHP under Criterion D for their scientific and information values.
- The BLM finds that site CA-RIV-9696 is not eligible for the NRHP under all four Criteria.
- The BLM finds that finds that 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 finds that 86 archaeological and historic resources in the project APE are not eligible for the NRHP.
- The BLM has found that 18 unevaluated archaeological and historic resources within the project APE will be avoided by project design and the imposition of management conditions. These sites will be treated as eligible for the NRHP under criterion D for project management purposes and their significant values will be avoided as provided in the Section V(E)(4) of the *State Protocol Agreement*.
- The BLM has determined 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.
- The BLM has determined that there will be no other adverse effects on historic properties from this undertaking.

As noted at the outset, the purpose of this letter is to provide the BLM's formal determinations of eligibility and findings of affect for all sites located in the project APE and requesting your review pursuant to Section V.E.2 of the *State Protocol Agreement*. The BLM is also notifying you of adverse effects to historic properties that would result from the approval of this undertaking and requesting consultation with your office pursuant to 36 C.F.R 800.6 to resolve the adverse effects with the development of an MOA.

We look forward to our consultations to resolve the adverse effects of this undertaking. 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*

Electronic cc:

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