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**PROJECT MEMORANDUM**

**CITIZENS IMPERIAL SOLAR, LLC PROJECT-CULTURAL RESOURCES REPORT**

**Date:** June 8, 2018  
**To:** Emma Kosciak, Citizens Enterprises Corporation  
**From:** Diana Dyste and Elizabeth A. Bagwell, Cultural Resources Specialists,  
Aspen Environmental Group

**Subject: Citizens Imperial Solar, LLC Project - Cultural Resources Report (Aspen #3406).**

This memo provides the results of a CHRIS records search, desktop research, and pedestrian survey completed by Aspen Environmental Group (Aspen) for the Citizens Imperial Solar Project LLC (Project). The Project will be located approximately 30 miles northeast of El Centro, CA and five miles southeast of Niland, California (Figure 1). The Project will encompass two parcels of private land (APNs 025-280-003, 025-260-24). The access to the Project site will be via Simpson Road for the southern parcel and from Highland Canal Road for the northern parcel.

The Cultural Resources memo includes a project description; review of the federal, state and local regulatory frameworks for cultural and paleontological resources; a summary of the cultural setting of the region, including prehistoric, historic, and ethnohistoric periods, as well as paleontological setting; the methods used in compiling this report; and Aspen's findings.

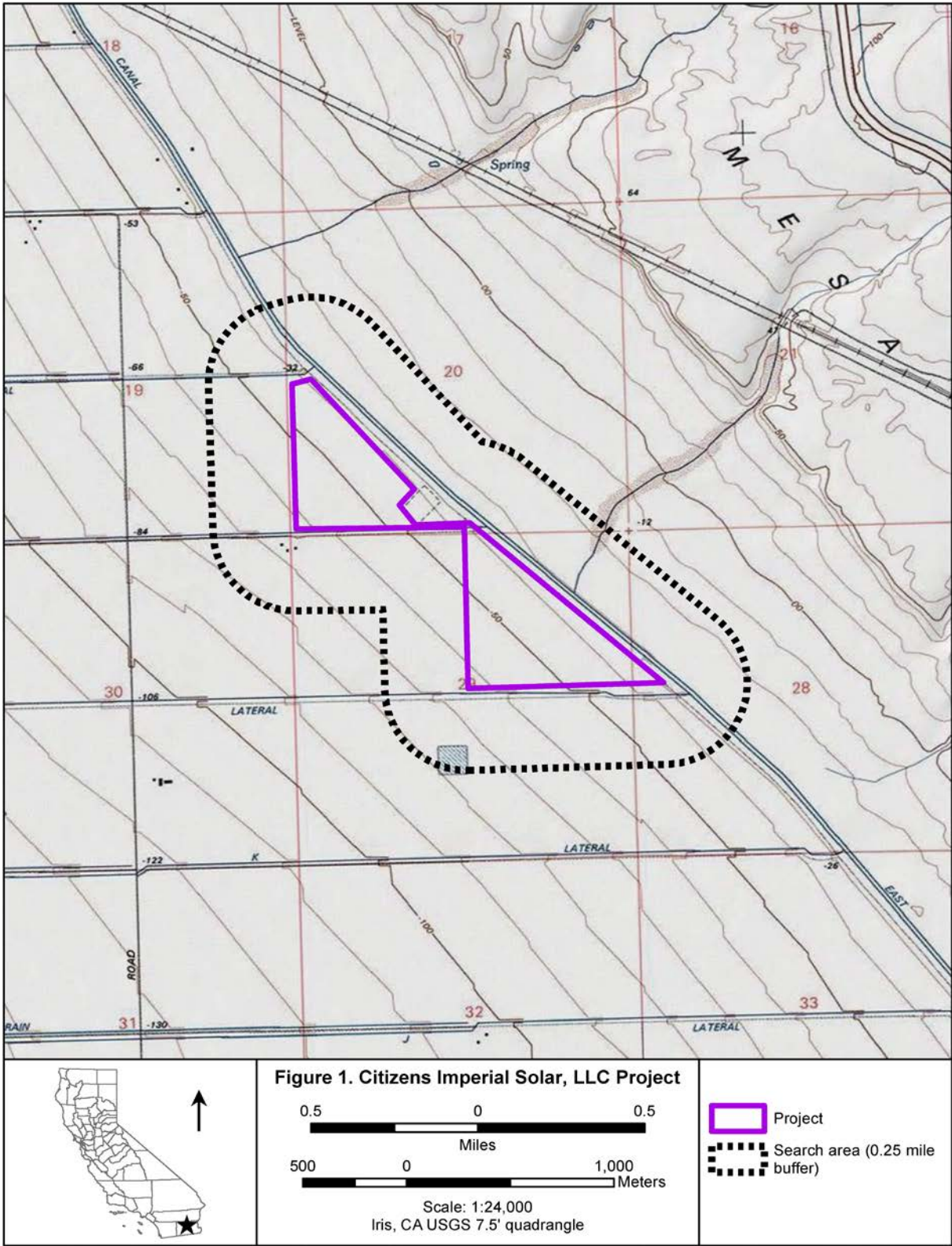
The study described herein was performed to determine the presence or absence of cultural resources in the Project area and the surrounding ¼-mile radius (Figure 2). The study consisted of a search of the California Historical Resources Information System's (CHRIS) cultural resources records, a pedestrian survey, Native American Heritage Commission (NAHC) Sacred Lands File, and desktop research of paleontological online resources.

## **Project Description**

Citizens proposes to develop and construct a 30-megawatt (MW) alternating current (AC) solar photovoltaic (PV) energy generating system. The Project involves utilizing tracking technology organized in "solar arrays." Each array would include direct current (DC) collector systems and an AC inverter station with a medium-voltage transformer. Project facilities would include an onsite substation, access driveways, and electrical interconnection. All facilities would be on approximately 223 acres of land owned by the Imperial Irrigation District (IID). The facility footprint (area within the fence line) will occupy approximately 159 acres.

## **Regulatory Framework**

Numerous laws, ordinances, regulations, and standards on federal, state, and local levels seek to protect and manage cultural resources. As the Project is not located on federally owned or managed lands, and is not receiving federal funding, no federal regulations apply. Applicable State of California regulations include the CEQA PRC Sections 21000 et seq., Section 5024, Section 5024.5; California Code of Regulations (CCR) Title 14, Chapter 3, Sections 15000 et seq.; and AB 52. These are discussed in detail below.



## State Regulations

**California Environmental Quality Act (CEQA) 1970 (PRC Sections 21000 et seq., Section 5024, Section 5024.5; CCR Title 14, Chapter 3, Sections 15000 et seq.)** establishes that historical, archaeological, and paleontological resources must be afforded consideration and protection by the CEQA (14 CCR Section 21083.2, 14 CCR Section 15064). CEQA Guidelines define significant cultural resources under three regulatory designations: historical resources, unique archaeological resources, and tribal cultural resources.

Pursuant to Guideline 15064.5(a), the term “historical resource” includes: a resource listed in or determined to be eligible by the State Historical Resources Commission for listing in, the California Register of Historical Resources (CRHR). A resource included in a local register of historical resources...or identified as significant in a historical resource survey...shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record.

As defined in PRC Section 21083.2(g), a “unique archaeological resource” is not eligible for the CRHR but is an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- It contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
- It has a special and particular quality, such as being the oldest of its type or the best available example of its type; or
- It is directly associated with a scientifically recognized important prehistoric or historical event or person.

PRC Section 21074 defines a Tribal Cultural Resource as “a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.” TCRs also include “non-unique archaeological resources” that may not be scientifically significant, but still hold sacred or cultural value to a consulting tribe. A resource shall be considered significant if it is: (1) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PCR § 5020.1(k) (discussed in detail above); or (2) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in of PCR § 5024.1(c). In applying these criteria, the lead agency must consider the significance of the resource to a California Native American tribe.

Paleontological resources are limited, nonrenewable resources of scientific, cultural, and educational value that are protected under CEQA. CEQA Appendix G, Part V inquires whether a project will destroy a unique paleontological resource. PRC Section 5097.5 protects paleontological resources located on public lands from the knowing and willful excavation, removal, destruction, injury, or defacement without a permit from the agency with jurisdiction over the land. Section 5097 further outlines the preservation and protection of these resources. Potential impacts to paleontological resources are based upon the

“paleontological sensitivity” of geologic formations that would be encountered during construction. Paleontological sensitivity is an estimate of the likelihood that fossils will be discovered during excavations in a given area. However, this estimate does not measure the significance of individual fossils that may be present or discovered in an area.

The sensitivity standards of the Society of Vertebrate Paleontology (SVP 2010) are used here. These national standards provide four classification levels of sensitivity as follows:

- **High Sensitivity:** Rock units from which vertebrate or significant invertebrate fossils or significant suites of plant fossils have been recovered are considered to have a high potential for containing significant nonrenewable fossiliferous resources.
- **Low Sensitivity:** Reports in the paleontologic literature of field survey by a qualified vertebrate paleontologist may allow determination that some areas or units have low potentials for yielding significant nonrenewable fossiliferous resources.
- **Undetermined Sensitivity:** Specific areas underlain by sedimentary rock units for which little information is available are considered to have undetermined fossiliferous potential.
- **No Sensitivity:** Metamorphic and granitic rock units do not yield fossils and therefore have no potential to yield significant nonrenewable fossiliferous resources.

**Native American Historic Resource Protection Act (PRC Section 5097 et seq.; Section 5097.9; Section 5097.98)** establishes that both public agencies and private entities using, occupying, or operating on public property under a public license, permit, grant, lease, or contract on state property under public permit, shall not interfere with the free expression or exercise of Native American religion, and shall not cause severe or irreparable damage to Native American sacred sites.

**California Health and Safety Code 7050.5** establishes that any person who knowingly mutilates, disinters, wantonly disturbs, or willfully removes any human remains in or from any location without authority of law is guilty of a misdemeanor. It further defines procedures for the discovery and treatment of Native American human remains. All work at the site of discovery must cease immediately, and notification made to the County Coroner. Within 48 hours of discovery, the Coroner must determine if the remains are Native American in origin. If this is determined, then the Coroner must notify the NAHC within 24 hours.

**Public Resources Code 5097.98 (b) and (e)** require a landowner on whose property Native American human remains are found to limit further development activity in the vicinity until he/she confers with the NAHC-identified Most Likely Descendants (MLDs) to consider treatment options. In the absence of MLDs or of a treatment acceptable to all parties, the landowner is required to reenter the remains elsewhere on the property in a location not subject to further disturbance.

### Local Regulations

The **Imperial County General Plan** provides goals, objectives, and policies for the identification and protection of significant cultural resources.

- **Conservation and Open Space Element.** Goal 3 of the General Plan provides for the preservation of cultural resources to advance scientific knowledge and maintain the traditional historic element of the Imperial Valley landscape. Objective 3.1 of this goal specifies that sites of archaeological, ecological, historical, and scientific value, and/or cultural significant be preserved and protected.

## Cultural Setting

### Prehistory

The prehistoric background of the Colorado Desert, including Imperial County, consists of three major periods: the Paleoindian (12,000 to 8,000 years BP), the Archaic (8,000 to 1,500 years BP), and the Late Prehistoric (1,500 years BP to European Contact). The period between 1,500 years BP and European contact in AD 1769 is commonly referred to as the Late Prehistoric Period. It was during this period that early forms of the Colorado Desert's modern ethnographic lifeways emerged. A series of dry and wet episodes characterize the climate during this period (Sutton 1996, Weide et al. 1974). In the Colorado Desert, sites vary from simple pot drops (clusters of broken pieces of pottery) to seasonal camps and more permanent residential bases. Settlement appears to have been more intensive along the northwest shoreline of Lake Cahuilla in the Coachella Valley as represented by large-scale multi-seasonal occupations and seasonal temporary camps. Sites along the eastern shoreline are less dense and smaller (Schaefer and Laylander 2007). As desert lakes dried during periods of low precipitation, people moved settlements away from the lakeshore to rivers, streams, and springs (Schaefer 1994).

### Ethnohistoric Period

Three ethnolinguistic groups have inhabited the Imperial County area since before European contact: Cahuilla, Tipai, and Quechan. The Cahuilla people occupied a territory in south-central California, between the San Bernardino Mountains in the north to Borrego Springs and the Chocolate Mountains in the south, east to the Colorado Desert, and west into the San Jacinto Plain near Riverside and the Palomar Mountains (Bean 1978). Numerous pre-European contact trade routes existed through the Cahuilla territory extending as far west as Santa Catalina and east as far as the Gila River. The Spanish established several *asistencias* (sub-missions) within the Cahuilla territory beginning in 1819. Since the introduction of the reservation system within the territory circa 1865, the Cahuilla people have typically lived within the reservations established in Riverside County.

The Tipai, previously called Diegueño or Kamia, occupied an area that roughly extended from the Pacific Coast at San Diego eastward to the Sand Hills of Imperial County as well as south into modern-day Mexico (Luomala 1978). Although the Tipai traded primarily among themselves and with the closely linked Ipai to the north, extensive trade routes through their territory expanded their interaction between other coastal groups and as far inland as New Mexico (Pritzker 2000). The Tipai were historically part of the native populations rounded up and brought to the mission. In 1775, a Tipai-Ipai revolt resulted in the destruction of Mission San Diego de Alcalá. The mission was later rebuilt, and conversion practices continued. The Tipai were continually treated poorly through the Mexican and American periods, though many of the small reservations founded towards the end of the nineteenth century remained within the vicinity of traditional villages (Pritzker 2000).

The Quechan, also known as the Yuma, continue to occupy their traditional territory at the confluence of the Gila and Colorado rivers at the edge of the California, Arizona, and Mexican borders. From here their territory stretched north along the Colorado River and to the east of the Gila River (Bee 1978). Documentation of Quechan traditions and life began in the late seventeenth century; and Spanish relations with the group remained positive until 1780 and 1781 when a small contingency of priests, soldiers, and farming families established the settlements of Mission San Pedro y San Pablo de Bicuñer and Mission Puerto de Purísima Concepción within the territory. Both settlements were razed by Quechans shortly after being established (Bee 1978; Brian F. Mooney Associates 1993; OHP 2014). Continued attempts at settlements were made during the Mexican and American periods, with only Fort Yuma (established 1852)

remaining. The Quechan reservation was established in 1884, while disputes over allotments continued until 1912.

### **Historic Period**

The first Europeans arrived in Imperial County with the Hernando de Alcarón Expedition of 1540; however, the Spanish did not begin to colonize what was then known as Alta California until 1769 (Mission Period). Included in the early settlement sites of the Spanish period are the Mission Puerto de Purísima Concepción (1780) and Mission San Pedro y San Pablo de Bicuñer (1781) along the Anza Trail, along the Colorado River in the southeast portion of the County. During the Mexican Period, which occurred between 1821 and 1848, Imperial County was characterized by efforts to reestablish an overland route from Sonora to the California coast to encourage trade and settlement. Following several expeditions, the Sonora Road was established in 1825, following portions of the de Anza Trail through the County before turning westward through the Carrizo Corridor and branching towards both San Diego and Temecula. The Sonora Road would not gain in popularity until the late 1830s when the southwestern portion of the route shifted north of the U.S.-Mexico border. In 1846, U.S. General Stephen W. Kearny led his troops across the Yuha Desert and through the Carrizo Corridor during the Mexican-American War (1846-1848). Several weeks following Kearny's march, a portion of the Mormon Battalion was led by Colonel Phillip St. George Cooke from Iowa to San Diego with the plan to establish a wagon route to California (Brian F. Mooney Associates 1993).

The signing of the Treaty of Guadalupe Hidalgo in 1848 (American period to present) and the U.S. acquisition of California was immediately followed by the establishment of the Southern Emigrant Trail which largely followed the old Sonora Road (Brian F. Mooney Associates 1993). This route was extensively used by settlers, miners, and the military on their way to California. A mail route following the Southern Emigrant Trail from Yuma was established in 1848; the Butterfield Overland Mail (1858-1861) would also make use of the route. Camp Salvation, established near present-day Calexico, was one of many stops along the Southern Emigrant Trail to provide water to travelers along the trail (OHP 2014). The Southern Emigrant Route was used as the primary overland route into this region of California until the establishment of the Smith-Groom Country Road in 1865. These routes generally followed that of the Anza and Garces expedition. Until the twentieth century, few people permanently settled within Imperial County. Irrigation measures, vital to the development of the County during this period, were first made by the California Development Corporation using water from the Colorado River, which was then diverted to the Alamo River via the Alamo Canal.

Irrigation from the Alamo Canal Project soon prompted a large population boom in the area; the town sites of Imperial, Brawley, Calexico, Heber, and Silsbee were constructed as part of irrigation projects to entice settlers to become permanent residents. In 1904, heavy silting greatly reduced the amount of water reaching the Imperial Valley farmers. Under stress, the California Development Company attempted to create a breach at the banks of the Colorado River; however, this action caused uncontrolled flooding of the Salton Sink through 1905 and resulted in the historic iteration of Lake Cahuilla, called the Salton Sea. Flooding to the region was not completely halted until 1907 (Brian F. Mooney Associates 1993).

Railroad lines, including a branch of the Southern Pacific Railroad extending through the Imperial Valley to Calexico (1903), were constructed throughout portions of the County. The introduction of automobiles later prompted the development of new and better roads. One such road included Plank Road, a 7-mile-long, movable road built over the sand dunes between Imperial Valley and Yuma in 1914. Portions of the road were added and improved on through the 1920s and 1930s (OHP 2014; Brian F. Mooney Associates 1993).

The Imperial Irrigation District (IID) was formed in 1911 under a state charter to acquire properties of the bankrupt California Development Company. By 1922, the IID had acquired 13 water companies. The All-American Canal was built to replace the Alamo Imperial Canal. The All-American Canal is part of the Hoover Dam complex, and its 82-mile length extends from Imperial Dam about 20 miles northeast of Yuma to the Imperial Valley. Approval to construct the canal came from the Boulder Canyon Project Act in 1928. The All-American Canal was constructed through the 1930s, and the first water flowed into Imperial Valley in 1940. By 1942, the All-American Canal was the sole source of imported water for the Imperial Valley. When World War II broke out, the desert area of Imperial Valley had gone from being infrequently visited by Anglo-Americans to being settled and farmed by them. Today, there are 3,000 miles of irrigation and drainage canals serving 500,000 acres of cultivated land in Imperial Valley and its cities and towns, yielding nearly \$1 billion in crops (Hundley 2001). The advent of air conditioning, coupled with low utility rates, have drawn industry to the area. Geothermal power, aerospace, manufacturing, and agriculture now dominate the landscape in Imperial Valley.

## Paleontological Setting

During the early Miocene, the evolution of the San Andreas Fault and East Pacific rise created a spreading zone between the North American and Pacific Plates (Crowell 1974b). This change in the boundary orientation caused a graben to form between the plates (Singer 2005). The subsidence of the resulting fault-bounded basin combined with a global oceanic high and caused much of the Imperial Valley to be inundated, forming an inland sea (Dorsey 2006). Simultaneous uplift and erosion of proximal regions provided nearby sediment sources (Crowell 1974a). This created an environment in which a massive influx of sediment was deposited unconformably on top of Cretaceous and older crystalline and metasedimentary basement rocks. Crustal thinning during the Miocene in this region also created conditions suitable for rift volcanism and igneous intrusion into sedimentary strata (Crowell 1974a). Miocene age sediments in the Imperial Valley consist of progradational and retrogradational sequences of conglomerate, sandstone, and siltstone on wave-cut terraces (Deméré 2006).

The Project site is in the Salton Basin near the shoreline of ancient Lake Cahuilla, which is divided by the Salton Sea into the Coachella Valley to the north and the Imperial Valley to the south. The Imperial Valley comprises roughly the southern two-thirds of a major north-northwest-oriented structural and topographic depression variously called the Colorado Desert (Stearns 1879; Preston 1893; Fenneman 1931), Salton Trough (Jahns 1954; Muffler and White 1969; Crowell and Baca 1979; Waters, 1983; McKibben 1993), Salton Sea Trough (Muffler and Doe 1968), Salton Sink (Mendenhall 1909a and 1909b; Threet 1978), Salton Basin (Buwalda and Stanton 1930; Wilke 1980; Gobalet 1992 and 1994), Salton Sea Basin (Stanley 1962), Cahuilla Basin (Blake 1914; Free 1914), Imperial Basin (Rigsby 1984; Dibblee 1984), or Imperial Depression (Longwell 1954). The Salton Trough Physiographic Province (Jahns 1954) is between the Peninsular Range Physiographic Province on the west and the Basin and Range Physiographic Province on the east. The general Project area is bounded on the west and north by the Salton Sea and on the east by a gently inclined alluvial fan, which heads in the Chocolate Mountains.

The San Andreas Fault trends roughly northwest-southeast within the Imperial Valley. This large fault zone was created by the relative tectonic movement of the North American and Pacific plates. During the Miocene, about 25 to 29 million years ago, the Pacific and North American plates were moving towards each other. The Pacific plate became completely overridden, creating a subduction zone along the western coast of what is now the United States. The plates continued to converge until the Pacific plate's mid-ocean ridge reached the subduction zone and the ridge became the transform fault known today as the San Andreas. The Pacific plate began moving northwest in relation to the North American plate and today it is believed that about 350 miles of total displacement has occurred. In addition to displacement, the

strike-slip movement of the Pacific and North American plates has created dramatic topography. As the Pacific plate pushes north into the North American plate, the compressional forces trap sediments and push them upward. The Salton Trough is now within a zone of transition from the ocean-floor spreading regime of the East Pacific Rise in the Gulf of California and the transform tectonic environment of the San Andreas Fault system. As the Orocochia and Chocolate Mountains to the northwest are pushed up, they also slowly erode, and alluvial sediments are deposited on top of the fault zones and on the valley floor.

## Methods

### Cultural Resources

Aspen performed an in-person records search at the California Historical Resources Information System (CHRIS) South Coastal Information Center (SCIC), San Diego State University in San Diego, California, on February 28, 2018. The SCIC is the official repository for all cultural resources site records and reports for Imperial County. The SCIC records search results are presented below (Table 1).

On March 1, 2018, Aspen requested a search of the Native American Heritage Commission's (NAHC) Sacred Lands File database. On March 21, 2018, the NAHC responded with confirmation that no known sacred sites or tribal cultural resources as defined by the CEQA are documented within the project area or surrounding ¼-mile radius. (A copy of the letter from the NAHC is attached at the end of this report.)

On June 6 and 7, 2018 Aspen conducted an intensive reconnaissance level pedestrian field survey of the 159-acre facility footprint (APNs 025-280-003, 025-260-24). The survey was conducted by walking 30-meter (100-foot) wide transects. All areas were accessible. If cultural resources were encountered, they were assigned a field number, plotted on USGS topographic maps with a Trimble GEO7 global positioning system (GPS) unit, and described in written notes. Thorough documentation of resources if encountered was assured with the use of California Department of Parks and Recreation (DPR) series 523 field recording forms.

All Universal Transverse Mercator (UTM) points are in Zone 10 North and based on the North American Datum of 1983, Continental United States datum (NAD 83 CONUS). The GPS locational data was differentially corrected in post-processing using Pathfinder software. Documentation included digital photographs, site sketch maps, and notes. Ground-surface visibility was excellent with 100 percent open.

The cultural resources specialist examined the ground surface for the presence of prehistoric artifacts (e.g., flaked stone tools, tool-making debris or debitage, stone milling tools), historic-era artifacts (e.g., metal, glass, ceramics), sediment discolorations that could indicate the presence of cultural features (e.g., midden, hearths), and depressions or other features which could indicate the presence of structures or foundations (e.g., post holes, foundations).

### Paleontological Resources

On March 6, Aspen conducted a desktop search of paleontological records. Resources included a thorough review of the following project reports:

- *Paleontological Survey Report: Ocotillo Wind Express Project*, prepared by Paleo Solutions, Inc. (Aron and Kelly 2011);
- *Paleontological Resource and Monitoring Assessment*, Rancho Los Lagos Development, South of Brawley in Unincorporated Imperial County, California, prepared by Brian F. Smith and Associates (Kennedy 2006); and,
- *Amended SSU6 Project, Final Staff Assessment, Chapter 5.9, Paleontological Resources*, prepared by the California Energy Commission Staff (2009).



## Records Search Results

### Cultural Resources

The records search at the CHRIS SCIC identified two previously completed survey reports located outside, but adjacent to the Project area within a ¼-mile of the Project area (Figure 2 and Table 1, below). No sensitive historical resources, unique archaeological resources, or tribal cultural resources were identified in the Project area or within the ¼-mile surrounding radius.

Table 1. CHRIS Cultural Resources Reports

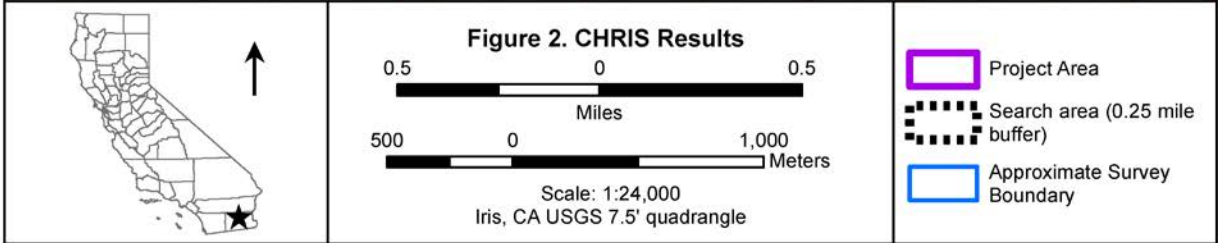
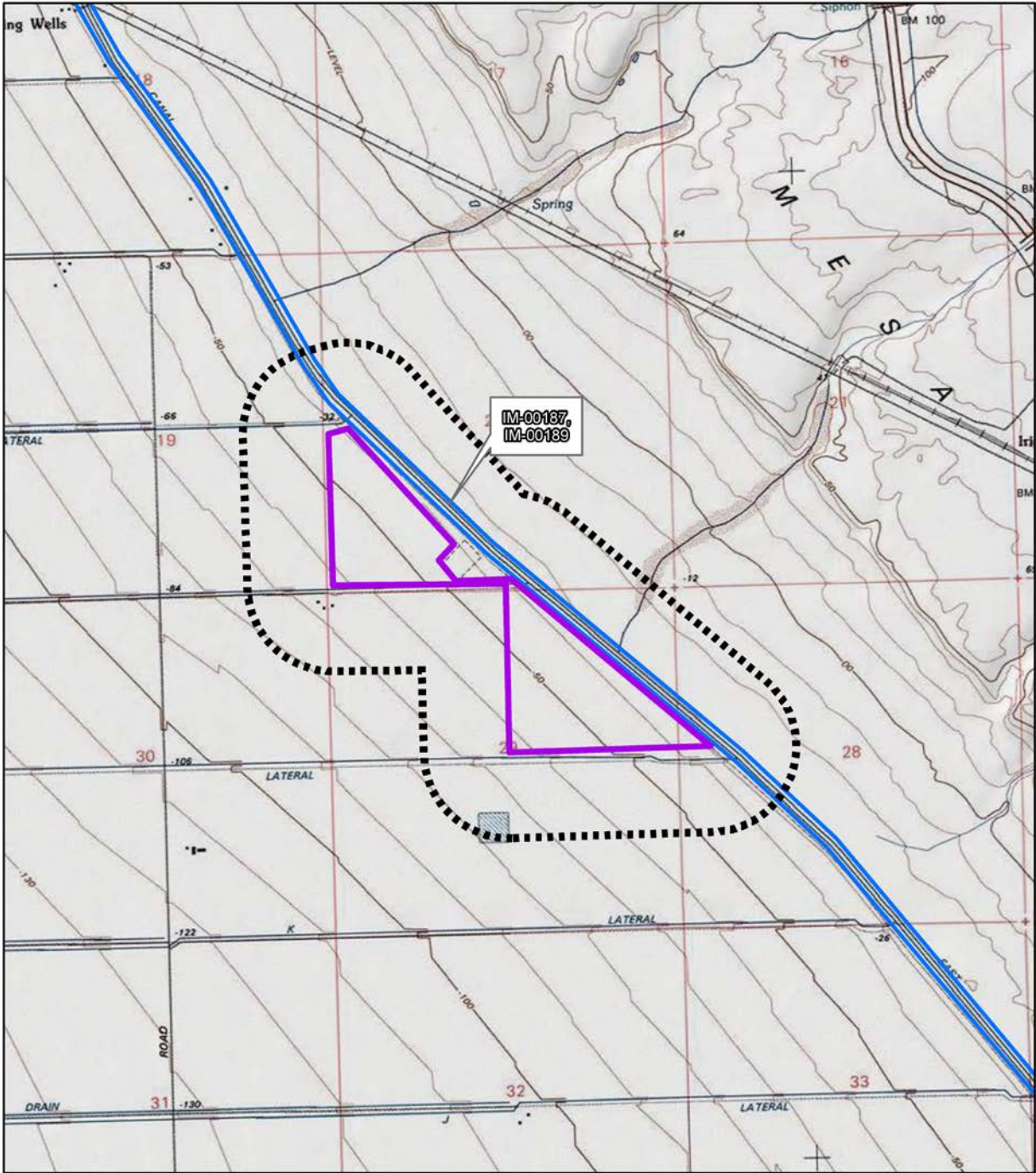
Report Number	Year	Title	Author	Location
IM-00187	1979	Cultural Resource Inventory of Areas Affected by Reject Stream Replacement Projects	W.T. Eckhart	Within 1/4 mile
IM-00189	1979	Cultural Resource Inventory of Areas Affected by Reject Stream Replacement Projects	W.T. Eckhart	Within 1/4 mile

### Paleontological Resources

The geologic maps reviewed during desktop research indicate that the Project plant site is underlain by the following geologic units, in approximate ascending age: (1) lacustrine deposits of the Lake Cahuilla Beds and (2) overlying deposits referable to the Brawley Formation (Table 2). The younger Cahuilla Lake Beds form a relatively thin sedimentary deposit over the older Brawley Formation. Thus, although the Cahuilla Lake Beds are mapped as being present at the surface over most of the Project area, the older Brawley Formation may be encountered in deep excavations. Sediments of both these formations have yielded fossilized remains of continental vertebrates, invertebrates, and plants at numerous previously recorded fossil sites in the Imperial Valley.

Table 2. Geologic Units Underlying the Project and their Paleontological Sensitivity Ratings

Geologic Unit	Geologic Map Abbreviation	Age	Types of Species	Sensitivity Rating
Cahuilla Lake Beds	Ql	Holocene	Vertebrates, Invertebrates, Land Plants	High
Brawley Formation	Ql	Holocene to Latest Pleistocene	Vertebrates, Invertebrates, Land Plants	High



## Pedestrian Survey Results

The pedestrian survey did not identify evidence of cultural resources from any time period. Most of the area surveyed appeared disturbed from leveling and earthmoving activities associated with agriculture, which is understood to disturb and destroy archaeological resources up to a depth of two feet. However, prehistoric archaeological sites in California can be buried as much as six feet deep, depending on their age and location. Aspen considers the possibility of finding a buried archaeological site during construction to be low. However, like all construction projects in the state, the possibility exists.



Figure 3. Overview of southern parcel as seen during the survey, facing NE.



Figure 4. Overview of northern parcel as seen during the survey, facing NW.

## Management Recommendations

The current archaeological assessment did not identify any NRHP or CRHR eligible cultural resources within the project area. Pursuant to California PRC Section 21084.1, Aspen recommends a finding that no known NRHP or CRHR eligible cultural resources will be affected by the proposed project. Continued agricultural activities have likely heavily disturbed the surface and subsurface of the Project area, destroying any intact potential prehistoric or historic-era cultural resources up to two feet deep. However, prehistoric archaeological sites in California can be buried as much as six feet deep, depending on their age and location. Aspen considers the possibility of finding a buried archaeological site during construction to be low. However, like all construction projects in the state, the possibility exists.

A review of available online paleontological documents suggests that the area consists of high sensitivity geologic units, however these units exist at depths that exceed the current proposed Project construction activities (i.e., sensitive layers exist at 30-ft. and deeper). Therefore, Aspen considers the possibility of finding paleontological resources during construction to be low.

Aspen recommends that a *monitor is not required during construction*. However, as with all construction projects as-yet-unidentified buried resources may be present within the project area. Based on these factors the following standard inadvertent discovery measures are recommended:

1. **Inadvertent Discovery of Historical Resources, Unique Archaeological Resources or Tribal Cultural Resources.** If previously unidentified cultural resources are identified during construction activities, construction work within 50 feet of the find shall be halted and directed away from the discovery until a Secretary of the Interior qualified archaeologist assesses the significance of the resource. The archaeologist, in consultation with the CEQA lead agency, State Historic Preservation Officer, any interested Tribes, and any other responsible public agency, shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be eligible to the National or California Registers, qualify as a unique archaeological resource under California Environmental Quality Act Section 21083.2, or are determined to be tribal cultural resource as defined in Section 21074. If previously unidentified cultural resources or tribal cultural resources are identified during construction activities, construction work within 100 feet of the find shall be halted and directed away from the discovery until a Secretary of the Interior qualified archaeologist and tribal representative assesses the significance of the resource. The archaeologist, in consultation with the County, SHPO, any interested Tribes, and any other responsible public agency, shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be eligible to the National or California Registers, qualify as a unique archaeological resource under CEQA Section 21083.2 or determined to be tribal cultural resource as defined in Section 21074.
2. **Inadvertent Discovery of Paleontological Resources or Unique Geologic Features.** In the event that unanticipated paleontological resources or unique geologic resources are encountered during ground-disturbing activities, work must cease within 50 feet of the discovery and a paleontologist shall be hired to assess the scientific significance of the find. The consulting paleontologist shall have knowledge of local paleontology and the minimum levels of experience and expertise as defined by the Society of Vertebrate Paleontology's Standard Procedures (2010) for the Assessment and Mitigation of adverse Impacts to Paleontological Resources. If any paleontological resources or unique geologic features are found within the project sites, the consulting paleontologist shall prepare a paleontological Treatment and Monitoring plan to

include the methods that will be used to protect paleontological resources that may exist within the project sites, as well as procedures for monitoring, fossil preparation and identification, curation of specimens into an accredited repository, and preparation of a report at the conclusion of the monitoring program.

- 3. Treatment of Human Remains.** All human remains discovered are to be treated with respect and dignity. Upon discovery of human remains, all work within 50 feet of the discovery area must cease immediately, nothing is to be disturbed, and the area must be secured. The County Coroner's Office must be called. The Coroner has two working days to examine the remains after notification. The appropriate land manager/owner of the site is to be called and informed of the discovery. If the remains are located on federal lands, federal land managers, federal law enforcement, and the federal archaeologist must be informed as well, due to complementary jurisdiction issues. It is very important that the suspected remains, and the area around them, are undisturbed and the proper authorities called to the scene as soon as possible, as it could be a crime scene. The Coroner will determine if the remains are archaeological/historic or of modern origin and if there are any criminal or jurisdictional questions.

After the Coroner has determined the remains are archaeological/historic-era, the Coroner will make recommendations concerning the treatment and disposition of the remains to the person responsible for the excavation, or to his or her authorized representative. If the Coroner believes the remains to be those of a Native American, he/she shall contact the Native American Heritage Commission (NAHC) by telephone within 24 hours.

The NAHC will immediately notify the person it believes to be the most likely descendant (MLD) of the remains. The MLD has 48 hours to make recommendations to the land owner for treatment or disposition of the human remains. If the descendant does not make recommendations within 48 hours, the land owner shall reinter the remains in an area of the property secure from further disturbance. If the land owner does not accept the descendant's recommendations, the owner or the descendant may request mediation by NAHC.

According to the California Health and Safety Code, six (6) or more human burials at one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains is a felony (Section 7052).

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**NATIVE AMERICAN HERITAGE COMMISSION**

Cultural and Environmental Department  
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(916) 373-3710



March 21, 2018

Diana Dyste  
Aspen Environmental Group

Sent by E-mail: ddyste@aspeneg.com

RE: Proposed Citizens Imperial Solar, LLC Project, Community of Niland; Iris USGS  
Quadrangle, Imperial County, California

Dear Ms. Dyste:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.

Attached is a list of tribes culturally affiliated to the project area. I suggest you contact all of the listed Tribes. If they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: [gayle.totton@nahc.ca.gov](mailto:gayle.totton@nahc.ca.gov).

Sincerely,

A handwritten signature in cursive script that reads "Gayle Totton".

Gayle Totton, M.A., PhD.  
Associate Governmental Program Analyst  
(916) 373-3714

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3/21/2018**

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Cahuilla  
Luiseno

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Kumeyaay

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**Native American Heritage Commission  
Native American Contact List  
Imperial County  
3/21/2018**

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Imperial County  
3/21/2018**

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Native American Heritage Commission  
Native American Contact List  
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