

**CRM TECH**

1016 E. Cooley Drive, Suite A/B
Colton, CA 92324

April 2, 2012

Jason Ramsey, GIS Manager
Sunlight Partners
4215 E. McDowell Road, Suite 212
Mesa, AZ 85215

RE: Historical / Archaeological Resources Survey
LandPro 8162 Project (Sunlight Partners), Section 20, T8N R4W, SBBM
Silver Lakes Area, San Bernardino County, California
CRM TECH Contract #2596

Dear Mr. Ramsey:

At your request, CRM TECH has completed a historical / archaeological resources survey on approximately 75 acres of vacant land in an unincorporated area near the community of Silver Lakes, San Bernardino County, California. The subject property of the survey consists of Assessor's Parcel Numbers 0466-181-59, 0466-181-60, 0466-181-61, and 0466-181-62, located on the north and west sides of Smithson Road and the south side of Wild Road, in the southwest quarter of Section 20, T8N R4W, San Bernardino Baseline and Meridian (Fig. 1).

The study is part of the environmental review process for a proposed solar energy project known as LandPro 8162. The County of San Bernardino, as the lead agency for the project, required the study in compliance with the California Environmental Quality Act (CEQA). The purpose of the study is to assist your firm and the County in determining whether the proposed project would cause substantial adverse changes to any "historical resources," as defined by CEQA, which may exist in or around the project area.

In order to identify and evaluate such resources, CRM TECH conducted a historical / archaeological resources records search, pursued historical background research, contacted Native American representatives, and carried out an intensive-level field survey of the project area. This letter presents a brief summary of the methods and results of the study.

RECORDS SEARCH

The Archaeological Information Center (AIC) at the San Bernardino County Museum, Redlands, provided the records search service for this study. During the records search, Robin Laska, AIC Assistant Coordinator, examined maps and records on file for previously identified cultural resources in or near the project area and existing reports pertaining to the vicinity. Previously identified cultural resources include properties designated as California Historical Landmarks, Points of Historical Interest, or San Bernardino County Historical Landmarks, as well as those listed in the National Register of Historic Places, the California Register of Historical Resources, or the California Historical Resources Inventory.

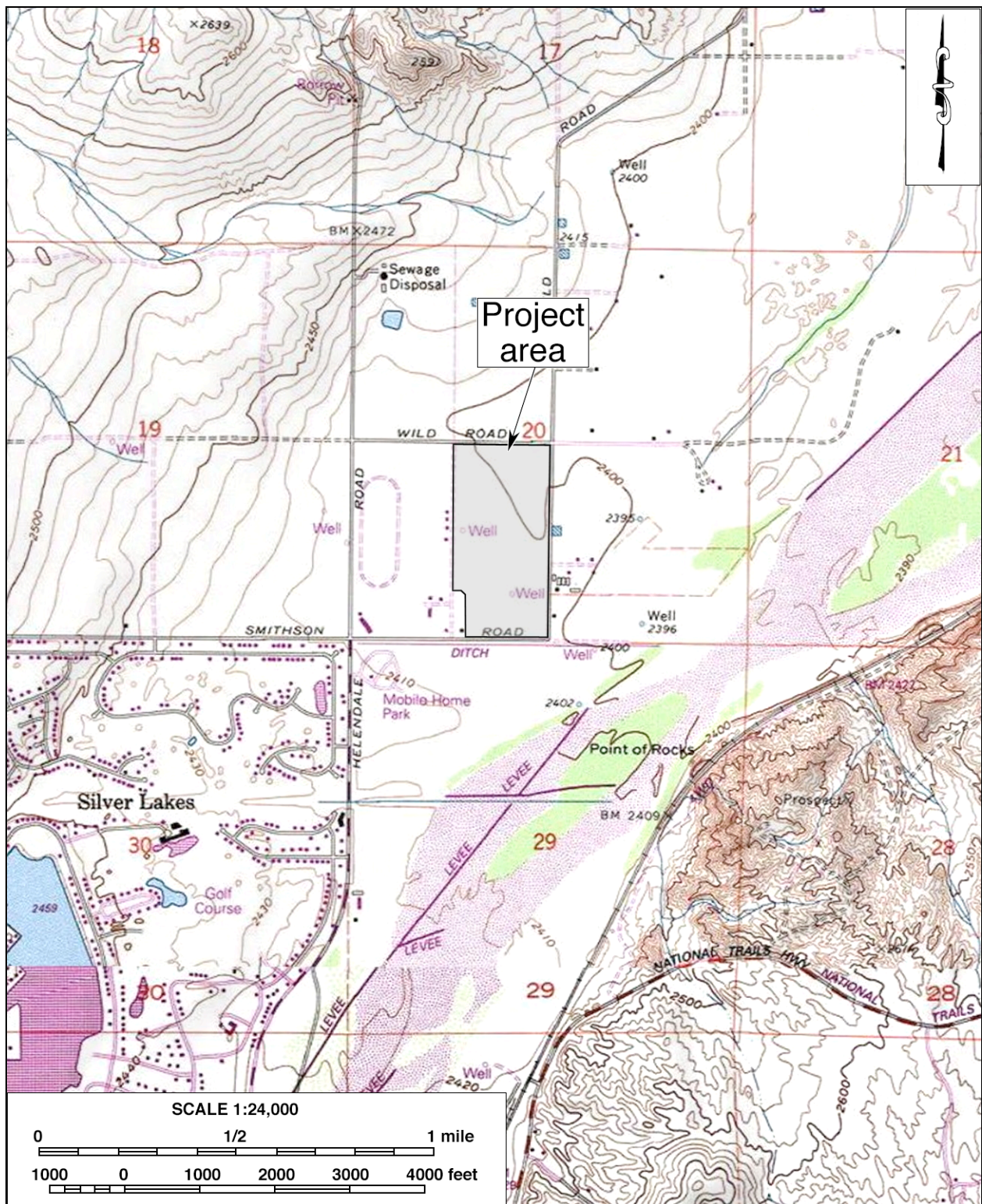


Figure 1. Project location. (Based on USGS Wild Crossing, Calif., 1:24,000 quadrangle)

According to AIC records, the project area had not been surveyed for cultural resources prior to this study, and no cultural resources had been recorded on or adjacent to the property. Outside the project boundaries but within a half-mile radius, AIC records indicate seven area-specific studies covering various tracts of land and linear features, including the adjacent properties to the north and the west, along with five general overview studies. As a result of these previous studies, four historic-period sites have been recorded within the scope of the records search, while two prehistoric—i.e., Native American—sites and another historic-period site have been recorded just beyond the half-mile radius.

Three of the sites within the scope of the records search, 36-003033, 36-004272, and 36-004411, represent the former courses of the historic Mojave Trail, Old Spanish Trail, and Mormon Trail within San Bernardino County, and all three of these have been designated California Historical Landmarks. In the Victor Valley area, the three early trails in fact traversed the same course, passing the project location roughly a quarter-mile to the southeast. The fourth site within the half-mile scope of the records search, 36-013418, was described as a post-1948 ranch site with the remains of corrals and irrigation features. The site boundary extended to the north side of Wild Road, across the street from the project area, but none of the recorded features of the site was located adjacent to the project boundary.

NATIVE AMERICAN SCOPING

On February 27, 2012, CRM TECH submitted a written request to the State of California's Native American Heritage Commission (NAHC) for a records search in the commission's sacred lands file. In response, the NAHC reports in a letter dated March 6 that the sacred lands file identifies no Native American cultural resources in the project area, but recommends that local Native American groups be contacted for further information. For that purpose, the NAHC provided a list of potential contacts in the region (see App. 2).

Upon receiving the NAHC's response, CRM TECH initiated correspondence with all eight individuals on the referral list and the organizations they represent (see App. 2). In addition, John Gomez, Jr., Cultural Resources Coordinator for the Ramona Band of Cahuilla Indians, and June Leivas, Director of Cultural Resources for the Chemehuevi Indian Tribe, were also contacted. As of this time, only John Valenzuela, Chairperson of the San Fernando Band of Mission Indians, has responded to the request for comment.

In a telephone conversation on March 23, Mr. Valenzuela stated that he had no specific information regarding cultural resources in or near the project area. Nonetheless, Mr. Valenzuela recommended that a Native American monitor be present during any ground-disturbing activities associated with the proposed project, and requested immediate notification if any prehistoric sites or artifacts were encountered.

HISTORICAL BACKGROUND REVIEW

Historical background research for this study was conducted by CRM TECH principal investigator/historian Bai "Tom" Tang (see App. 1 for qualifications) on the basis of published literature in local history and historic maps of the project vicinity. Among

maps consulted for this study were the U.S. General Land Office's (GLO) land survey plat maps dated 1855 and the U.S. Geological Survey's (USGS) topographic maps dated 1934 and 1956. These sources identify no potential cultural resources in or near the project area, and the historic maps indicate no notable man-made features within the project boundaries throughout the historic period (GLO 1855; USGS 1934; 1956).

FIELD SURVEY

On March 3, 2012, CRM TECH archaeologists Daniel Ballester (see App. 1 for qualifications) and William Bartram conducted the intensive-level, on-foot field survey of the project area. During the survey, Ballester and Bartram walked parallel north-south transects spaced 15 meters (approx. 50 feet) apart. In this way, the ground surface in the entire project area was systematically and carefully examined for any evidence of human activities dating to the prehistoric or historic periods (i.e., 50 years ago or older). Ground visibility was fair (approx. 70%) in areas with scattered vegetation growth, which includes tumbleweeds, foxtails, and other small desert shrubs and grasses, but was good to excellent (approx. 80-100%) where the vegetation had been cleared (Fig. 2).

The field survey produced completely negative results for potential cultural resources. The land within the project area appears to have been leveled and cleared for agricultural purposes in the past, but the fields are currently fallow. The terrain is relatively level, and the soil consists of a medium brown, fine-grained sandy silt mixed with small rocks. No buildings, structures, objects, sites, features, or artifacts more than 50 years of age were encountered during the survey.



Figure 2. Overview of the current condition of the project area. (Photo taken on March 3, 2012; view to the northwest)

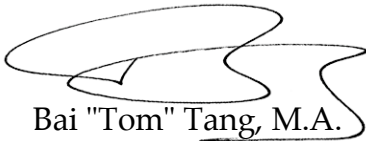
CONCLUSION AND RECOMMENDATIONS

CEQA establishes that "a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (PRC §21084.1). "Substantial adverse change," according to PRC §5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired."

Since no "historical resources," as defined by CEQA (PRC §5020.1(j); Title 14 CCR §15064.5(a)(1)-(3)), were encountered during the course of this study, CRM TECH recommends to your firm and the County of San Bernardino a determination of *No Impact* regarding historical resources. No further cultural resources investigation will be necessary for the proposed project unless development plans undergo such changes as to include areas not covered by this study. However, if buried cultural materials are encountered during future construction activities, all work in that area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds.

Thank you for this opportunity to be of service.

Sincerely,

A handwritten signature in black ink, appearing to read "Bai 'Tom' Tang". The signature is stylized with a large, looping initial "B" and a wavy line for the last name.

Bai "Tom" Tang, M.A.
Principal Investigator, CRM TECH

REFERENCES

GLO (General Land Office, U.S. Department of the Interior)
1855 Plat map: Township No. VIII North Range No. IV West, San Bernardino Meridian; surveyed in 1853-1855.

USGS (United States Geological Survey, U.S. Department of the Interior)
1934 Map: Barstow, Calif. (30', 1:125,000); surveyed in 1920 and 1932.
1956 Map: Hawes, Calif. (15', 1:62,500); aerial photos taken in 1952, field-checked in 1956.

APPENDIX 1: PERSONNEL QUALIFICATIONS

PRINCIPAL INVESTIGATOR/HISTORIAN

Bai "Tom" Tang, M.A.

Education

- 1988-1993 Graduate Program in Public History / Historic Preservation, UC Riverside.
1987 M.A., American History, Yale University, New Haven, Connecticut.
1982 B.A., History, Northwestern University, Xi'an, China.
- 2000 "Introduction to Section 106 Review," presented by the Advisory Council on Historic Preservation and the University of Nevada, Reno.
- 1994 "Assessing the Significance of Historic Archaeological Sites," presented by the Historic Preservation Program, University of Nevada, Reno.

Professional Experience

- 2002- Principal Investigator, CRM TECH, Riverside/Colton, California.
1993-2002 Project Historian/ Architectural Historian, CRM TECH, Riverside, California.
- 1993-1997 Project Historian, Greenwood and Associates, Pacific Palisades, California.
1991-1993 Project Historian, Archaeological Research Unit, UC Riverside.
1990 Intern Researcher, California State Office of Historic Preservation, Sacramento.
- 1990-1992 Teaching Assistant, History of Modern World, UC Riverside.
1988-1993 Research Assistant, American Social History, UC Riverside.
1985-1988 Research Assistant, Modern Chinese History, Yale University.
1985-1986 Teaching Assistant, Modern Chinese History, Yale University.
1982-1985 Lecturer, History, Xi'an Foreign Languages Institute, Xi'an, China.

Honors and Awards

- 1988-1990 University of California Graduate Fellowship, UC Riverside.
1985-1987 Yale University Fellowship, Yale University Graduate School.
1980, 1981 President's Honor List, Northwestern University, Xi'an, China.

Cultural Resources Management Reports

Preliminary Analyses and Recommendations Regarding California's Cultural Resources Inventory System (With Special Reference to Condition 14 of NPS 1990 Program Review Report). California State Office of Historic Preservation working paper, Sacramento, September 1990.

Numerous cultural resources management reports with the Archaeological Research Unit, Greenwood and Associates, and CRM TECH, since October 1991.

Membership

California Preservation Foundation.

PRINCIPAL INVESTIGATOR/ARCHAEOLOGIST
Michael Hogan, Ph.D., RPA *

Education

- 1991 Ph.D., Anthropology, University of California, Riverside.
- 1981 B.S., Anthropology, University of California, Riverside; with honors.
- 1980-1981 Education Abroad Program, Lima, Peru.

- 2002 Section 106—National Historic Preservation Act: Federal Law at the Local Level. UCLA Extension Course #888.
- 2002 "Recognizing Historic Artifacts," workshop presented by Richard Norwood, Historical Archaeologist.
- 2002 "Wending Your Way through the Regulatory Maze," symposium presented by the Association of Environmental Professionals.
- 1992 "Southern California Ceramics Workshop," presented by Jerry Schaefer.
- 1992 "Historic Artifact Workshop," presented by Anne Duffield-Stoll.

Professional Experience

- 2002- Principal Investigator, CRM TECH, Riverside/Colton, California.
- 1999-2002 Project Archaeologist/Field Director, CRM TECH, Riverside.
- 1996-1998 Project Director and Ethnographer, Statistical Research, Inc., Redlands.
- 1992-1998 Assistant Research Anthropologist, University of California, Riverside
- 1992-1995 Project Director, Archaeological Research Unit, U. C. Riverside.
- 1993-1994 Adjunct Professor, Riverside Community College, Mt. San Jacinto College, U.C. Riverside, Chapman University, and San Bernardino Valley College.
- 1991-1992 Crew Chief, Archaeological Research Unit, U. C. Riverside.
- 1984-1998 Archaeological Technician, Field Director, and Project Director for various southern California cultural resources management firms.

Research Interests

Cultural Resource Management, Southern Californian Archaeology, Settlement and Exchange Patterns, Specialization and Stratification, Culture Change, Native American Culture, Cultural Diversity.

Cultural Resources Management Reports

Author and co-author of, contributor to, and principal investigator for numerous cultural resources management study reports since 1986.

Memberships

* Register of Professional Archaeologists.
Society for American Archaeology.
Society for California Archaeology.
Pacific Coast Archaeological Society.
Coachella Valley Archaeological Society.

PROJECT ARCHAEOLOGIST/FIELD DIRECTOR
Daniel Ballester, B.A.

Education

- 1998 B.A., Anthropology, California State University, San Bernardino.
- 1997 Archaeological Field School, University of Las Vegas and University of California, Riverside.
- 1994 University of Puerto Rico, Rio Piedras, Puerto Rico.

- 2007 Certificate in Geographic Information Systems (GIS), California State University, San Bernardino.
- 2002 "Historic Archaeology Workshop," presented by Richard Norwood, Base Archaeologist, Edwards Air Force Base; presented at CRM TECH, Riverside, California.

Professional Experience

- 2002- Field Director, CRM TECH, Riverside/Colton, California.
- 1999-2002 Project Archaeologist, CRM TECH, Riverside, California.
- 1998-1999 Field Crew, K.E.A. Environmental, San Diego, California.
- 1998 Field Crew, A.S.M. Affiliates, Encinitas, California.
- 1998 Field Crew, Archaeological Research Unit, University of California, Riverside.

APPENDIX 2

**CORRESPONDENCE WITH
NATIVE AMERICAN REPRESENTATIVES***

* A total of ten local Native American representatives were contacted; a sample letter is included in this report.

Subject: LandPro 8162 NAHC Request (Sunlight Sites)

Date: Monday, February 27, 2012 3:35 PM

From: Nina <ngallardo@crmtech.us>

To: Dave Singleton <ds_nahc@pacbell.net>

Hi Dave,

This is to request a Sacred Lands records search.

Name of project:

LandPro 8162 Project Site, Sunlight Partners Projects (2596 Sunlight Sites)

Project size:

75.8 acres

Location:

Near the Community of Helendale, San Bernardino County

USGS 7.5' quad sheet data:

Wild Crossing and Helendale, Calif.

Section 20, T8N R4W; SBBM

Please call if you need more information or have any questions. Results may be faxed to the number below. I appreciate your assistance in this matter.

Map included.

Thanks,

Nina Gallardo

(909) 824-6400 Phone

(909) 824-6405 Fax

CRM TECH

1016 E. Cooley Drive, Ste. A/B

Colton, CA 92324

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5380
Web Site www.nahc.ca.gov
da_nahc@pacbell.net



March 6, 2012

Ms. Nina Gallardo, RPA

CRM TECH

1016 E. Cooley Drive, Suite A/B
Colton, CA 92324

Sent by FAX to: 909-824-6405
No. of Pages: 4

Re: Sacred Lands File Search and Native American Contacts list for the "LandPro 8162 Project Site, Sunlight Partners Projects (No. 2596) Project," located near the Community of Helendale, San Bernardino County, California

Dear Ms. Gallardo:

The Native American Heritage Commission (NAHC) conducted a Sacred Lands File search of the 'area of potential effect,' (APE) based on the USGS coordinates provided and Native American cultural resources were not identified in the project areas of potential effect (e.g. APE): you specified. Also, please note; the NAHC Sacred Lands Inventory is not exhaustive and does not preclude the discovery of cultural resources during any project groundbreaking activity.

California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction.

In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites

The California Environmental Quality Act (CEQA – CA Public Resources Code §§ 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. CA Government Code §65040.12(e) defines "environmental justice" provisions and is applicable to the environmental review processes.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Local Native Americans may have knowledge of the religious and cultural significance of the historic properties of the proposed project for the area (e.g. APE). Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). We urge consultation with those tribes and interested Native Americans on the list the NAHC has attached in order to see if your proposed project might impact Native American cultural resources. Lead agencies should consider avoidance as defined in §15370 of the CEQA Guidelines when significant cultural resources as defined by the CEQA Guidelines §15064.5 (b)(c)(f) may be affected by a proposed project. If so, Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "substantial," and Section 2183.2 which requires documentation, data recovery of cultural resources.

The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned *Secretary of the Interior's Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Partnering with local tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 4(f), Section 110 (f)(k) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C. 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The NAHC remains concerned about the limitations and methods employed for NHPA Section 106 Consultation.

Also, California Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery', another important reason to have Native American Monitors on board with the project.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. An excellent way to reinforce the relationship between a project and local tribes is to employ Native American Monitors in all phases of proposed projects including the planning phases.

Confidentiality of "historic properties of religious and cultural significance" may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision

on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibility threatened by proposed project activity.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton

Attachment: Native American Contact List

Native American Contacts
San Bernardino County
March 6, 2012

Ramona Band of Cahuilla Mission Indians
 Joseph Hamilton, Chairman
 P.O. Box 391670 Cahuilla
 Anza, CA 92539
 admin@ramonatribe.com
 (951) 763-4105
 (951) 763-4325 Fax

Chemehuevi Reservation
 Charles Wood, Chairperson
 P.O. Box 1976 Chemehuevi
 Chemehuevi Valley CA 92363
 chair1cit@yahoo.com
 (760) 858-4301
 (760) 858-5400 Fax

Fort Mojave Indian Tribe
 Tim Williams, Chairperson
 500 Merriman Ave Mojave
 Needles, CA 92363
 (760) 629-4591
 (760) 629-5767 Fax

San Fernando Band of Mission Indians
 John Valenzuela, Chairperson
 P.O. Box 221838 Fernandefio
 Newhall, CA 91322 Tataviam
 tsen2u@hotmail.com Serrano
 (661) 753-9833 Office Vanyume
 (760) 885-0955 Cell Kitanemuk
 (760) 949-1604 Fax

AhaMaKav Cultural Society, Fort Mojave Indian
 Linda Otero, Director
 P.O. Box 5990 Mojave
 Mohave Valley AZ 86440
 (928) 768-4475
 LindaOtero@fortmojave.com
 (928) 768-7996 Fax

Morongo Band of Mission Indians
 Michael Contreras, Cultural Heritage Prog.
 12700 Pumarra Road Cahuilla
 Banning, CA 92220 Serrano
 (951) 201-1866 - cell
 mcontreras@morongo-nsn.
 gov
 (951) 922-0105 Fax

San Manuel Band of Mission Indians
 Ann Brierty, Policy/Cultural Resources Departmen
 26569 Community Center. Drive Serrano
 Highland, CA 92346
 (909) 864-8933, Ext 3250
 abrierty@sanmanuel-nsn.
 gov
 (909) 862-5152 Fax

Serrano Nation of Indians
 Goldie Walker
 P.O. Box 343 Serrano
 Patton, CA 92369
 (909) 862-9883

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed Sunlight Partners Projects (2596 Sunlight Sites); located near the City of Lancaster in northeastern Los Angeles County, California for which Sacred Lands File searches and Native American Contacts lists were requested.

March 22, 2012

Ann Brierty, Cultural Resource Coordinator
San Manuel Band of Mission Indians
101 Pure Water Lane
Highland, CA 92346

RE: LandPro 8162, Sunlight Partners Projects
75.8 Acres in the Community of Silver Lakes
San Bernardino County, California
CRM TECH Contract #2596

Dear Ms. Brierty:

Sunlight Partners is proposing to construct and operate a 2.0-megawatt photovoltaic solar electric generating facility on a vacant parcel located east of the intersection of Helendale Road and Smithson Road, in the community of Silver Lakes, San Bernardino County, California. The project area encompasses approximately of 75.8 acres of agricultural land in Section 20, T8N R4W, SBBM. CRM TECH has been hired to conduct a cultural resource study, including the Native American scoping, for this project.

In a letter dated March 6, 2012, the Native American Heritage Commission reports that the sacred lands record search identified no Native American cultural resources within the project area, but recommends that local Native American groups be contacted for further information. Therefore, as part of the cultural resources study for this project, I am writing to request your input on potential Native American cultural resources in or near the project area.

According to records on file at the Archaeological Information Center (AIC), located at the San Bernardino County Museum, Redlands, no historical/archaeological resources have been identified within the project boundaries. Within a half-mile radius of the project area, four historic-period sites, including three trails and a ranch, were reported in the AIC records. No prehistoric sites have been recorded within the half-mile radius. A systematic field survey of the project area on March 3, 2012, encountered no potential historical/archaeological resources within or adjacent to the project area.

Please respond at your earliest convenience if you have any specific knowledge of sacred/religious sites or other sites of Native American traditional cultural value within or near the project area. Any information or concerns may be forwarded to CRM TECH by telephone, e-mail, facsimile, or standard mail. Requests for documentation or information we cannot provide will be forwarded to our client and/or the lead agency, which is the County of San Bernardino for CEQA-compliance purposes. We would also like to clarify that CRM TECH, as the cultural resources consultant for the project, is not the appropriate entity to initiate government-to-government consultations. Thank you for the time and effort in addressing this important matter.

Respectfully,

Nina Gallardo
CRM TECH
Email: ngallardo@crmtech.us

Encl.: project area map