

## 5.3 CULTURAL RESOURCES

---

As described in detail below impacts of the Modified Project to cultural resources and Native American values are expected to be less than those of the Approved Project.

### 5.3.1 Summary of Project Changes Related to Cultural Resources

The Modified Project involves the replacement of SunCatcher technology for PV modules, reduction of the Project footprint, and a phasing change compared to the Approved Project. The proposed modification that relate to cultural resources are the reduction in site footprint and the replacement of SunCatchers for PV modules; whereas SunCatchers are 40 feet tall, the PV modules would, on average, be approximately 9 feet above ground. These changes are relevant to the Modified Project's visual impacts to US Route 66.

### 5.3.2 Changes in Environmental Impacts

The Commission Decision identified significant impacts to cultural resources (Commission Decision, Cultural Resources, pages 55-60). The Commission Decision concluded that construction of the Approved Project may wholly or partially destroy the majority of the surface archaeological resources in the Approved Project area of analysis; cause a net reduction in archaeological resources; destroy a potential archaeological landscape; and indirectly impact three National Register of Historic Places (NRHP)- and California Register of Historical Resources (CRHR)-eligible archaeological sites (Commission Decision, Cultural Resources, pages 37-38, 57-58). As a result, the Commission Decision set forth Conditions that address potential effects from construction activities and impacts, operation activities and impacts, Project closure and decommissioning, project-related future actions, and cumulative impacts in order to reduce archaeological impacts to a level less than significant. As described below, the Modified Project would result in no increased impacts to cultural resources or Native American values in the Project area.

#### 5.3.2.1 Route 66

The Commission Decision concluded that there would be a direct visual effect to one built environment resource, U.S. Route 66 (CA-SBR-2910H), from the installation of the proposed 26,540 SunCatcher dishes. The portion of U.S. Route 66 within the Project area is a contributing feature toward a NRHP-eligible historic property and CRHR-eligible historical resource. The Commission found that the direct visual effect would represent a significant and unavoidable impact (Commission Decision, Cultural Resources, pages 59-60).

Under the Modified Project, the SunCatcher units would be replaced with either Fixed Tilt and/or PV Tracker Blocks. As a result of these changes, the direct visual effect to U.S. Route 66 would be less, since the PV panels would be approximately 30 feet shorter in height than the SunCatchers. The Modified Project footprint is also being reduced by approximately 762 acres. These changes would result in a less significant direct visual effect to the historic setting, viewshed, and feeling of U.S. Route 66. However, the impacts to U.S. Route 66 from the Modified Project would still be considered significant and unavoidable due to the permanent impairment of the landscape's character-defining features and travel experience associated with U.S. Route 66. As noted in the Commission Decision, under the Approved Project, views might be obstructed for a distance of nearly 20 miles from the Project, however, under the Modified Project, it is expected that the obstruction would be substantially less significant due to the lower height of the PV equipment (Commission Decision, Cultural Resources, pages 59-60) and the reduced footprint. Although the impacts would be less significant under the Modified Project, the Project would still cause a significant and unavoidable impact to cultural resources.

#### 5.3.2.2 Archaeological Resources

The Commission Decision concluded that there would be a direct effect to archaeological resources as a result of the Approved Project. Because there would be no increase to the Project footprint, boundaries, or overall disturbance under the Modified Project (in fact the footprint has been decreased), despite changes to the Project layout and facilities components, there would be no increase in impacts to archaeological resources or Native American values. Therefore, the Modified Project would result in no additional significant impacts to cultural resources in the Project area.

#### 5.3.3 Changes in Cumulative Environmental Impacts

The Commission Decision concluded that the construction and operation of the Approved Project, in addition to the other foreseeable cumulative projects in the Project area, would contribute to permanent long term, potentially unmitigable, cumulative adverse impacts (Commission Decision, Cultural Resources, pages 67-68). Incremental impacts of the Modified Project on archaeological resources or Native American values are expected to be the same or slightly reduced compared to the Approved Project. As described in Section 1.4.1, Cumulative Scenario, no new reasonably foreseeable future actions beyond those assumed in the Commission Decision have been identified. Therefore, no increase in cumulative impacts under the Modified Project is anticipated.

#### 5.3.4 Changes in LORS Conformance and Other Permits

In the Commission Decision, the Commission concluded that, with the implementation of the Conditions, the Approved Project would comply with all applicable LORS. The

Commission identified the LORS associated with archaeological resources or Native American values as set forth in the pertinent portion of Appendix A of the Commission Decision. As with the Approved Project, the Modified Project would comply with all applicable LORS, and no new or additional LORS have been identified.

Because the “undertaking” has changed, the BLM would need to amend the Programmatic Agreement and consult with signatories.

In order to incorporate the confidential cultural materials submitted throughout the original licensing proceeding and the First Petition proceeding we are including Appendix E.

### **5.3.5 Changes in Proposed Mitigation**

Since there would be no additional impacts to cultural resources under the Modified Project, and no regulatory changes that affect cultural resources, no changes in the proposed mitigation measures under the Modified Project are anticipated.

### **5.3.6 Changes in Conditions of Certification**

No Condition of Certification needs modification as a result of the Modified Project.