

## MEMO

**To:** Shannon Foglia, San Diego Gas & Electric

**From:** ASM Affiliates, Inc (ASM)

**Date:** May 17, 2019

**Re:** Cultural Resources Monitoring Plan

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The TL649 Monitoring Plan was prepared for San Diego Gas & Electric Company's (SDG&E's) proposed Tie Line (TL) 649 Wood-to-Steel Replacement Project (Project) in Otay, San Diego County, California. An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the Project by the California Public Utilities Commission (CPUC), which is the lead agency for complying with the California Environmental Quality Act (CEQA) (Horizon Water and Environment 2018). The Mitigation Monitoring and Reporting Plan requires archaeological and Native American monitoring for any initial construction-related ground disturbance within 50 feet of a known cultural resource. Based on the results in the Blotner and Clowery (2010) and Tennesen and Gusick (2015) reports, all initial ground disturbance within 50 feet of project locations will be monitored by an archaeologist and Native American monitor. These locations include pole work areas, stringing sites, access roads, and staging yards, as directed by the Qualified Archaeologist and the mitigation measures for the Project.

A cultural resources inventory was completed in support of the Proponent's Environmental Assessment and the IS/MND (Blotner and Clowery 2010; Tennesen and Gusick 2015). These two reports should be referenced for the prehistoric background and resource descriptions. Seventeen archaeological resources were identified. In 2013 and 2014, an evaluation was conducted for 16 of the archaeological resources to determine if they met criteria for inclusion on the California Register of Historical Resources (CRHR) (Tennesen and Erickson 2013; Tennesen 2014). Based on the cultural resources' inventories and evaluations, one resource, CA-SDI-9976, was eligible for listing on the CRHR and required additional mitigation efforts. An Archaeological Treatment Plan was prepared for CA-SDI-9976 and will be executed prior to the start of construction (Leonard and Tennesen 2019). This Monitoring Plan was prepared to ensure that any as-yet-identified cultural resources are properly identified and mitigated during construction so that the Project will have less-than-significant impacts to cultural resources.

The Monitoring Plan describes the methods to be implemented for the protection and avoidance of impacts to archaeological sites in the Project area and outlines the duties of the archaeological and Native American monitors. Also included is a summary of the areas requiring cultural resources monitoring and methodology for evaluating any inadvertent or post-review discoveries that are identified during the monitoring effort. Cultural resources awareness training of all Project construction personnel (Mitigation Measure Cultural Resources [CR]-2) will be conducted prior to the commencement of construction activities. The training program will be included with all other training and awareness requirements developed by SDG&E in consultation with the CPUC. All cultural resources relevant mitigation measures are listed in Table 1.

Table 1. Project Mitigation Measures, Cultural Resources

<b>Mitigation Measures</b>	
CR-1	<p><i>Prepare and implement and Archaeological Treatment Plan for site CA-SDI-9976 Prior to Construction.</i> Prior to proposed construction, SDG&amp;E shall prepare an archaeological treatment plan to conduct data recovery excavations in portions of Site CA-SDI-9976 scheduled to be impacted by construction. The treatment plan shall include provisions for monitoring at CA-SDI-9976 during construction by an archaeologist and a Kumeyaay Native American monitor. The implementation of the treatment plan shall be overseen by an archaeologist who meets the Secretary of Interior’s professional standards of archaeology under contract to SDG&amp;E, after approval of the plan by CPUC. A report shall be prepared to document the methods used for the data recovery program and results of the study; the final report shall be submitted to the CPUC and filed with the South Coastal Information Center of the California Historical Resources Information System (CHRIS).</p>
CR-2	<p><i>Conduct Cultural and Paleontological Resource Training to Workers Prior to Construction.</i> Prior to initiation of ground-disturbing activities, SDG&amp;E, contractor, and subcontractor proposed project personnel shall receive training about the kinds of archaeological and paleontological materials that could be present above and below the ground surface within the project area, and the protocols to be followed, should any such materials be uncovered during construction. Training materials shall be prepared by a professional archaeologist, paleontologist, or paleontological monitor. Training may be required during different phases of construction to educate new construction staff personnel. A sign-in sheet of Contractor and subcontractor project personnel who have received training shall be provided to the CPUC on a weekly basis.</p>
CR-3	<p><i>Immediately Halt Construction if Cultural Resources are Discovered, Evaluate All Identified Cultural Resources for Eligibility for Inclusion in the California Register of Historical Resources (CRHR), and Implement Appropriate Mitigation Measures for Eligible Resources.</i> The large number of archaeological sites recorded along the proposed project alignment points to the sensitivity of the region for these resources. As a result, initial construction ground disturbance within 50 feet of an archaeological site will be monitored by an archaeologist and Native American monitor under the direction of a Qualified Archaeologist who meets the Secretary of Interior’s professional standards in archaeology. If the Qualified Archaeologist determines that the potential for cultural resources is low after initial ground disturbance, the Qualified Archaeologist may determine that monitoring is no longer required in that location. If cultural resources, such as structural features, unusual amounts of bone or shell, flaked or ground stone artifacts, historic-era artifacts, human remains, or architectural remains are encountered during project construction activities, work shall be suspended immediately at the location of the find and within a radius of at least 50 feet and SDG&amp;E and the CPUC shall be contacted immediately. Isolates will not constitute a discovery. All previously unevaluated cultural resources uncovered during construction within the project site shall be evaluated for eligibility for inclusion in the CRHR if they cannot be avoided by project design. Resource evaluations shall be overseen by an archaeologist who meets the U.S. Secretary of the Interior’s professional standards in archaeology, history, or architectural history, as appropriate. If any of the resources meet the eligibility criteria identified in 36 Code of Federal Regulations (CFR) 60.4, or Public Resources Code (PRC) Section 5024.1 or California Environmental Quality Act (CEQA) Section 21083.2(g), mitigation measures shall be implemented in accordance with CEQA Guidelines Section 15126.4(b) before construction resumes. If the resource is not eligible or is able to be avoided, construction may resume immediately. For CRHR-eligible resources that would be impacted by project construction, mitigation measures for archaeological resources may include (but are not limited to) avoidance; incorporation of sites within parks, greenspace, or other open space; capping the site; deeding the site into a permanent conservation easement; or data recovery excavation. Mitigation for Native American resources will be implemented in consultation with a Native American monitor who has a traditional and cultural affiliation with the project area. Implementation of the mitigation would be required before resuming any construction activity in the vicinity of the finds.</p>
CR-5	<p><i>Immediately Halt Construction if Human Remains Are Discovered and Implement Applicable Provisions of the California Health and Safety Code.</i> If human remains are discovered during the project’s construction activities, the requirements of California Health and Human Safety Code Section 7050.5 shall be followed. Potentially damaging excavation shall halt in the project site of the remains, with a minimum radius of 100 feet, and the San Diego County coroner shall be notified. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner, or their representative, determines that the remains are those of a Native American, he or she must contact the California Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). Pursuant to the provisions of PRC Section 5097.98, the NAHC shall identify a Most Likely Descendent (MLD). The MLD designated by the NAHC shall have at least 48 hours to inspect the site and propose treatment and disposition of the remains and any associated grave goods. The project proponent shall work with the landowner and the MLD to ensure that the remains are treated with dignity and to come to a decision on the final disposition of the remains. If there are disputes between the landowner and the MLD, the NAHC will mediate the dispute to attempt to find a resolution.</p>
CR-6	<p><i>Prepare Treatment Plans for any Tribal Cultural Resources (TCRs) identified in the Proposed Project Area.</i> No TCRs are currently identified within the project area. If TCRs are identified in the proposed project area, the CPUC would consult with the Viejas Band and/or other tribes with a traditional and cultural affiliation with the resource, as appropriate, to develop feasible alternatives to avoid or substantially lessen the impacts on identified TCRs pursuant to PRC 21083.b.2, or in accordance with PRC 21084.3. If necessary, SDG&amp;E would prepare the treatment plan once treatment has been agreed upon by the CPUC, SDG&amp;E, the Viejas Band, and other tribes, as appropriate, for submittal to the CPUC.</p>

### **Monitoring by Archaeologists**

In accordance with CR-3, initial construction ground disturbance within 50 feet of an archaeological site will be monitored by an archaeologist and Native American monitor under the direction of a Qualified Archaeologist who meets the Secretary of Interior's professional standards in archaeology. If the Qualified Archaeologist determines that the potential for cultural resources is low after initial ground disturbance, the Qualified Archaeologist may determine that monitoring is no longer required in that location. The archaeological monitors will be familiar with the types of historic-era and prehistoric resources that could be present in the Project area. Construction activities that do not have the potential for ground disturbance or other impacts to cultural resources or are not within 50 feet of a known resource (e.g., overhead work, pole installation, ground testing, etc.) will not be monitored. Monitoring activities within CA-SDI-9976 will be done in accordance with the Archaeological Treatment Plan prepared for the site (Leonard and Tennesen 2019). In order to reduce the risk of inadvertent damage to cultural resources, monitors duties will include:

- Frequently communicating with Project personnel to provide guidance and strategies to avoid impacts to eligible archaeological sites within the project area;
- Requesting excavation work to stop or be temporarily redirected so that new discoveries can be evaluated;
- Setting up "Environmentally Sensitive Areas" (ESAs) to protect direct impacts to eligible or potentially eligible archaeological sites, as recommended by the Qualified Archaeologist;
- Explaining and reiterating Project requirements so that Project personnel will understand the importance of cultural resources compliance. Sharing information, as needed, with Project personnel to ensure protection and avoidance of cultural resources;
- Coordinating with the Native American Monitor(s);
- Ensuring excavation or disturbance of the site is halted and the appropriate laws are followed when human remains are discovered;
- Helping to ensure that Native American human remains and any associated grave items are treated with culturally appropriate dignity, consistent with California Health and Human Safety Code 7050.5.

If potentially significant cultural resources, such as structural features, unusual amounts of bone or shell, flaked or ground stone artifacts, historic-era artifacts, human remains, or architectural remains are encountered during ground disturbing activities, the archaeological monitor will suspend ground disturbing work immediately within 50 feet of the find or 100 feet if possible human remains are observed. In the case that possible human remains are observed, the protocol detailed in Mitigation Measure CR-5 will be followed. The archaeological monitor will contact the Qualified Archaeologist, who will follow the lines of communication provided herein.

### **Native American Monitor Duties**

The primary role of the Native American Monitor is to facilitate communication and coordination between tribal governments, the Native American community, archaeologists, developers, contractors, and public agencies regarding those aspects of the Project that are of interest to the tribes. The Native American Monitor should also be prepared to identify to the Qualified Archaeologist and/or archaeological monitor any concerns regarding possible impacts to cultural resources or tribal cultural resources. Native American monitors have the ability to halt work if impacts to a resource may occur. A Native American will be present with an archaeologist for all initial ground-disturbing activities that take place within 50 feet of an archaeological resource in accordance with CR-2. If the scheduled Native American monitor does not arrive or decides that Native American monitoring is not necessary at a specific location, construction will be allowed to continue with the archaeological monitor present. If there is a discovery of a previously unrecorded archaeological or tribal cultural resource during the course of monitoring, the Native American monitor will be present during field investigations. The Native American monitor will also be responsible for identifying and reporting to the Qualified Archaeologist

and/or archaeological monitor any concerns to which a tribe has indicated it attaches religious or cultural significance.

Mitigation for Native American resources will be implemented in consultation with a Kumeyaay Native American monitor who has a traditional or cultural affiliation with the Project area.

**Lines of Communication and Protocol**

The Qualified Archaeologist will be responsible for reporting potential impacts to cultural resources to SDG&E’s Cultural Resource Specialist and the CPUC’s Field Environmental Monitor, if a monitor is onsite observing construction activities. If a Native American monitor identifies potential impacts to a cultural resource during monitoring fieldwork, they will immediately notify the onsite archaeological monitor who will notify the Qualified Archaeologist. The CPUC, as the Lead Agency, is responsible for ensuring compliance with the prescribed mitigation measures and treatment of all cultural resources. If potential impacts or inadvertent discoveries are identified for potentially eligible cultural resources, the Qualified Archaeologist will notify SDG&E who will then notify the CPUC within 24 hours or as soon as feasible. SDG&E will immediately suspend all ground disturbing work within 50 feet of the location or (100 feet if human remains) until avoidance or treatment for the newly identified resource is conducted. Table 2 describes the lines of communication to be used for identification of potential impacts or inadvertent discoveries.

Table 2. Reporting Procedures

<b>Archaeological Monitor</b>
<ol style="list-style-type: none"> <li>1. Inform construction staff to stop work or reroute construction (if applicable).</li> <li>2. Secure discovery/work area and contact Lead Environmental Inspector.</li> <li>3. Photograph and document finds.</li> <li>4. Determine whether the find is a site or isolate; if possible human remains are identified, they will be left in place and protected until examined by the County of San Diego Department of the Medical Examiner.</li> <li>5. Contact Qualified Archaeologist.</li> </ol>
<b>Qualified Archaeologist</b>
<ol style="list-style-type: none"> <li>1. Determine potential for impact.</li> <li>2. Determine whether the discovery is due to construction activities or by non-project related activities (e.g. weather, non-project personnel).</li> <li>3. Complete initial assessment of resource and recommendation of further work if needed (e.g. testing, documentation).</li> <li>4. Contact SDG&amp;E Cultural Resources Specialist.</li> <li>5. Submit potential for impact or inadvertent discovery assessment via email that documents significance and extent of the resource.</li> <li>6. If necessary and agreed upon with SDG&amp;E, submit testing plan. If resource is not recommended eligible, construction may resume immediately once concurrence is received from SDG&amp;E.</li> <li>7. Oversee testing and complete CRHR recommendation.</li> </ol>
<b>SDG&amp;E Cultural Resources Specialist</b>
<ol style="list-style-type: none"> <li>1. Contact the CPUC within 24 hours or as soon as feasible to notify them of the cultural resources discovery.</li> </ol>

**Treatment for Inadvertent Discoveries**

In the event of an inadvertent discovery of archaeological materials within a work area during construction monitoring, all ground-disturbing work at the work area will be suspended. All Project work in the immediate vicinity will be diverted to a buffer distance determined by the archaeological monitor until authorization to resume work has been granted by SDG&E. The archaeological monitor will

carefully inspect the ground surface around the discovery and the displaced dirt to determine whether the discovery constitutes an isolated find (i.e., fewer than three items) or a site (i.e., a feature or three or more items). The purpose of surveying around the newly discovered artifact(s) is to determine if other artifacts or features are associated, thereby constituting an archaeological site. If no other artifacts or features are identified within 50 feet of the find, it will be determined to be an isolate (unless human remains are present). All isolated artifacts will be documented, reported, and described in the final monitoring report, but will not constitute a discovery.

If the discovery is determined to be a site, the archaeological monitor will secure the work area from additional disturbance in concert with the Construction Foreman or Field Supervisor and then notify the Qualified Archaeologist, who will notify the SDG&E Cultural Resources Specialist by telephone of the nature and extent of the discovery.

If a newly discovered site can be avoided, it will be designated as an avoidable new discovery (AND), ESA fencing will be installed, if necessary, and work will proceed. ANDs will be documented and described in the final monitoring report. When an inadvertent discovery cannot be avoided, the site will be designated as an unavoidable new discovery (UND) and evaluated. If the UND is associated with a previously recorded or known cultural resource previously evaluated as ineligible for the Project and the find is consistent with those previously reported for the resource, the find will be documented and described in the final monitoring report and a DPR site form update will be completed. Construction may then resume. If an UND is not associated with a previously recorded ineligible site, it will be evaluated for eligibility for inclusion in the CRHR per Mitigation Measure CR-3. Consultation between the Qualified Archaeologist and SDG&E's Cultural Resource Specialist will determine what additional fieldwork is necessary to determine the site's potential eligibility for the CRHR (e.g., visual observations and /or limited test excavation). Avoidance and protection of the site is the first strategy; if avoidance is not possible, evaluation will be necessary. The only exception will be any finds within CA-SDI-9976, which will follow the treatment plan previously prepared for the Project (Leonard and Tennesen 2019).

If test excavation is required to evaluate a discovery, the Qualified Archaeologist will formulate and implement a testing program in coordination with SDG&E, the CPUC, and the on-site Kumeyaay Native American monitor. In general, any evaluation effort will be focused on the area of discovery within the area of impact. The focus will be to determine the nature of the archaeological resource and to assess the quantity, quality, and variety of preserved archaeological items that are or may be present. Evaluation will include excavation of an amount sufficient to characterize the extent and condition of subsurface archaeological deposits and acquire a controlled sample of the preserved cultural materials. Evaluations of TCRs will be completed in accordance of mitigation measure CR-6.

After the site evaluation, the Qualified Archaeologist will prepare a summary of the site's eligibility and recommend appropriate treatment measures (e.g., the need for archaeological data recovery) if the site is recommended eligible. The summary letter report will be prepared for SDG&E. Determinations concerning CRHR eligibility and the implementation of proposed treatment measures will be made by the Qualified Archaeologist and SDG&E Cultural Resources Specialist (CRS). If site area within the area of direct impact (ADI) meet the following conditions, they may be determined not contributory to the CRHR eligibility of the larger site as a whole:

- the site lacks intact subsurface archaeological deposits;
- the ADI lacks chronological data;
- no human remains are present within the ADI or known on the site as previously recorded (in following with MM CR-5); and
- no intact features are present within the ADI (other than bedrock milling stations, lithic chipping stations, or historical refuse scatters determined to be single-incident refuse dumps).

In addition, prehistoric/Native American surface artifact densities within the ADI shall not exceed 0.5 archaeological specimens per square meter or contain more than three artifact types indicating a diverse assemblage.

If a discovered site does not meet eligibility requirements, and the SDG&E Cultural Resources Specialist concurs, SDG&E will notify the Project Manager and Field Construction Advisor that work may resume immediately. If a discovered site is determined to meet the eligibility criteria identified in 36 CFR 60.4, PRC Section 5024.1, or CEQA Section 21083.2 (g), mitigation measures will be developed and implemented in accordance with CEQA Guidelines Section 15126.4 (b) before construction resumes.

### **Project Reporting**

Archaeological and Native American monitors will prepare daily logs for every day they are on site. The Qualified Archaeologist will use the daily logs to prepare a weekly summary of observations for SDG&E's CRS. The summary will include observations at the locations of monitoring activities for the reporting time period. Upon completion of all monitoring tasks and requirements, ASM Affiliates, Inc. will prepare a monitoring report for SDG&E's CRS describing the monitoring program and its findings and results. This report will present a detailed professional description, analysis, and evaluation of any cultural resources that were encountered and evaluated during construction. A draft version of the report will be submitted to SDG&E's CRS for initial review within two months of completion of all archaeological monitoring tasks and requirements. Following review and approval from SDG&E, the final report will be submitted to the South Coastal Information Center. A non-confidential copy will be provided by SDG&E to the CPUC upon request.

### **References**

Blotner, Nicole and Sara C. Clowery

2010 *SDG&E Cultural Resource Assessment for the Wood to Steel Conversion of Tie line 649, San Diego County, California.*

Horizon Water and Environment, LLC

2018 *Tie Line 649 Wood-to-Steel Replacement Project, Initial Study/Mitigated Negative Declaration, Application 15-08-006.*

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2014 *eTS #8357, TL 649 Wood to Steel Replacement, Addendum Cultural Resources Testing Report, San Diego County, California.*

Tennesen, Kristin and Amy Gusick

2015 *Cultural Resources Work Completed for the TL649 Wood to Steel Project.*

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