

CULTURAL RESOURCES MONITORING AND DISCOVERY PLAN FOR THE SPRING VALLEY WIND ENERGY FACILITY

Prepared for

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1.0 INTRODUCTION

Spring Valley Wind, LLC (SVW), plans to construct the Spring Valley Wind Energy Facility (SVWEF). This Cultural Resources Monitoring and Discovery Plan was prepared because of the sensitive nature of cultural resources situated in relative proximity to the project. The plan outlines procedures to follow in accordance with state and federal laws, if archaeological materials or human remains are discovered. Adherence to this plan will protect cultural resources that are discovered, assist construction personnel in complying with applicable laws, and expedite the project in the event of discovery.

2.0 MONITORING REQUIREMENTS

The SVWEF is located in an area known to contain historic and prehistoric resources. The following monitoring requirements will be implemented to ensure protection of significant resources:

- During construction, at least one archaeological monitor will be on-site while all subsurface disturbances are occurring. Following completion of the site, the monitor will conduct a final site check for any uncovered resources. More than one monitor may be required, depending on how much activity is occurring simultaneously.
- Archaeological monitors have the authority to halt construction with the finding of an archaeological discovery, and in some instances as described in the Discovery Plan below, to authorize construction to resume.
- No construction or related activities will occur within the boundaries of sites recommended or determined eligible for listing in the National Register of Historic Places (NRHP). The construction footprint has been evaluated and there currently are no anticipated interferences between construction activities and sites eligible for listing in the NRHP. Nonetheless, a permitted archeologist will have on-site a map and/or global positioning system (GPS) unit loaded with the site boundaries during construction to ensure sites are avoided.
- If at any time human remains or physical remains believed to be human are encountered by the archaeological monitor or construction personnel, the appropriate procedures described below will be implemented.
- All archaeologists monitoring will meet minimum Secretary of the Interior's Standards for archaeology and will be led in the field by, but not necessarily in the direct presence of, a permitted archaeologist who is qualified based on the standards required under a Bureau of Land Management (BLM) Cultural Resource Use Permit. No additional training will be required.
- All construction personnel will meet with the participating archaeologists for worker education training and orientation prior to the start of any ground- disturbing construction activities. The training will be developed by the participating archaeologists in cooperation with BLM representatives. New construction personnel added after construction begins will be trained before working on-site. A list of trained personnel will be kept by BLM and/or the on-site archaeological monitor (i.e., BLM representative).
- A summary monitoring report will be produced by the archaeological monitor at the completion of monitoring and provided to the BLM archaeologist and SVW.

3.0 DISCOVERY PLAN

Discoveries are divided into two categories. The first includes archaeological materials such as artifacts and features, while the second consists of human remains and associated grave goods.

3.1 Discovery of Archaeological Materials

Archaeological discoveries refer to the material remains of human activities that have the potential to yield data that can increase our understanding of the prehistory and history of the area. Prehistoric discoveries include, but are not limited to, hearth features, pit houses, storage features, artifact concentrations, activity areas, etc. Historical discoveries include, but are not limited to, historic hearths, trash deposits, structures, old canals, roads, artifact concentrations, activity areas, etc. Site and isolated occurrence (IO) definitions provided by BLM guidelines will be applied during monitoring and discovery procedures. In general, a site is defined as a location of purposeful prehistoric or historic human activity. An activity is considered to have been purposeful if it resulted in a deposit of cultural materials beyond the level of one or a few artifacts. Locations of human activity not classifiable as sites by this definition are considered IOs. Site significance is defined by application of the NRHP criteria for determining significance.

All newly discovered sites and features will require notification of the BLM representative and SVW. Construction will cease in the vicinity of the discovery (at the archaeologist's discretion) until the BLM has inspected the site and has granted permission to continue. As a representative acting on behalf of the BLM, the archaeological monitor has the authority to order the construction related activities to cease. Adequate but reasonable time will be provided for the monitor to assess the find. This will only occur in a reasonably defined area in proximity to the discovery. If the monitor is unable to assess the find in a reasonable amount of time, the BLM archaeologist should be contacted for a final assessment.

After the appropriate course of action has been determined, the BLM, in consultation with the State Historic Preservation Officer (SHPO), will provide SVW with notification of its decision, including details of any actions that SVW must complete before authorization to proceed with construction is granted. SVW will provide written notification to the BLM and SHPO, including a statement of the nature, scope, and outcome of the actions completed. After SVW has successfully fulfilled any such responsibilities, the BLM will provide SVW with authorization to proceed with construction. SVW will not resume construction in the buffer area surrounding the discovery until it has received authorization from the BLM to proceed. The authorization may include a statement of any stipulations that will apply during or after the resumption of construction.

In many cases where finds are considered to be significant, controlled recording and/or excavation of features and deposits can occur during construction, with construction avoidance zones erected around the discovery area. Where discoveries are encountered that are not significant, these individual occurrences will be photographed and described and construction will be allowed to continue.

3.2 Discovery of Human Remains

Human remains and associated funereal artifacts may be discovered during construction, reclamation, or maintenance. If human remains are discovered under any circumstances, they will be secured and protected until such time as appropriate disposition has been determined, in accordance with applicable local, state, and federal statutes.

If human remains are encountered during construction, appropriate measures will be taken to protect the discovery from further disturbance until the discovery has been fully evaluated and the appropriate treatment of the discovery has been completed.

The notification process will be implemented by the archaeological monitor, including contacting the BLM. The BLM will be responsible for contacting the Sheriff and/or Coroner as deemed appropriate. If human remains are discovered on federal lands and they are determined to be aboriginal, the Native American Graves Protection and Repatriation Act (NAGPRA) and its implementing regulations will apply. A forensic expert may be required to determine whether the remains are Native American or Euro-American. If the remains are found to be Native American and the discovery is on BLM lands, the BLM will initiate the notification and consultation process involving the appropriate tribe(s).

Construction activities in the vicinity of the burial will cease while the BLM determines what appropriate consultation processes are required. After all construction activity has been halted and while the notification procedure is being implemented, steps will be taken to protect the human remains, including:

- Ensuring that no ground-disturbing activity resumes within a buffer zone of 30 m (98 feet) from the discovery;
- Preventing vehicle traffic through that portion of the area of the undertaking beyond that necessary to remove vehicles and equipment already within the area;
- Providing protection in the form of tarps, shoring, protection from the elements, and any other procedures necessary to ensure preservation of the remains;
- Restricting personnel in the vicinity, excluding the archaeological monitor, the BLM representative, and the supervising individual representing SVW; and
- Restricting photographs and/or removal of cultural materials.

The measures to protect the remains and any associated artifacts will remain in effect until SVW has received notice from the BLM to proceed with the construction activity in the buffer zone.

After the appropriate course of action has been determined, the BLM, in consultation with the SHPO, will provide SVW with notification of its decision, including specific details of any actions that SVW must complete before authorization to proceed with construction is granted. SVW will provide written notification to the BLM and SHPO, including a statement of the nature, scope, and outcome of the actions completed. After SVW has successfully fulfilled any such responsibilities, the BLM and/or SHPO will provide SVW with authorization to proceed with construction. SVW will not resume construction in the buffer area surrounding the discovery until it has received authorization to proceed. The authorization may include a statement of any stipulations that will apply during or after the resumption of construction.

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