

APPENDIX G

REVISED PHASE I CULTURAL RESOURCES ASSESSMENT OF THE SUNSHINE GAS PRODUCERS RENEWABLE ENERGY PROJECT

**PHASE I CULTURAL RESOURCES ASSESSMENT OF THE SUNSHINE GAS
PRODUCERS RENEWABLE ENERGY PROJECT, SUNSHINE CANYON LANDFILL,
LOS ANGELES COUNTY**

by

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Revised
October, 2011

Study Area USGS 7.5' Topographic Quadrangle: *Oat Mountain*

Study Area Acreage: 30± acres
Sections 23 and 24, Township 3 North, Range 16 West, SBBM

KEYWORDS: Survey, Sunshine Canyon, Republic Services, Sylmar, Los Angeles County

The undersigned certifies that the attached report is a true and accurate description of the results of a PHASE I CULTURAL RESOURCES assessment described herein.



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Laura S. White, M.A.
Principal Investigator

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MANAGEMENT SUMMARY

At the request of DTE Biomass Energy, John Minch & Associates, Inc. has undertaken a cultural resources assessment of a proposed 2.5+acre power plant, a 5+acre adjacent improvement area, approximately 2500 feet of associated power pole alignment and 7200 ± feet of water pipeline. The project is located in the northern and eastern sections of the Sunshine Canyon Landfill in Sylmar, Los Angeles County. The purpose of this study was to identify all potentially significant cultural resources situated within the project area.

The results of the records search conducted at the South Central Coastal Information Center at Cal State Fullerton indicated that no prehistoric or historic resources have been recorded within the boundaries of the study area. However, although the undertaking lies in an area sensitive for archaeological resources, none of the previously recorded sites in the near vicinity of the project will be adversely impacted. Furthermore, no prehistoric or historic resources of any kind were identified as a result of the recently completed field investigation.

Although the investigation failed to identify any prehistoric or historic resources within the boundaries of either the power plant site, improvement area or associated utilities, the project lies in an area of known sensitivity for archaeological resources. Therefore, commensurate with Section 5.02 of the Sunshine Canyon Landfill Mitigation Monitoring and Reporting Summary, it is recommended that a professional archaeologist monitor all earth disturbing activities associated with construction of the power plant, the adjoining improvements and power/water utilities.

I. INTRODUCTION

The following report was written for DTE Biomass Energy by John Minch & Associates, Inc. (JMA). It describes the results of a Phase I cultural resources assessment for the Sunshine Gas Producers Renewable Energy Project (SGPREP). Sunshine Gas Producers (SGP) has proposed to construct and operate five gas turbine electricity generator sets, LFG compressors, gas treatment equipment, a project flare, an SGP substation, a water supply pipeline, and a telecom line. Additionally, Southern California Edison (SCE) will construct and operate a 66 kV switch yard and subtransmission line to interconnect the generation facility to SCE's subtransmission system (Glentis 2011). The study area is located in the northern reaches of the Sunshine Canyon Landfill in Sylmar, Los Angeles County. Specifically, the assessment described herein addresses: 1) the proposed $2.5\pm$ acre methane powered electrical generation plant footprint, 2) a $5\pm$ acre improvement area southeast (downslope) of Flare 8, 3) approximately 2500 feet of associated power pole alignment (66 kV) and 4) $7200\pm$ feet of water pipeline.

The purpose of this study was to identify all potentially significant cultural resources situated within the boundaries of the project area. This information is needed since adoption of the proposed plan could result in adverse effects upon locations of archaeological or historical importance. Our assessment consisted of: (1) a records search conducted to determine whether any previously recorded historic or prehistoric material is present on the parcel, and (2) a field reconnaissance intended to identify any previously unrecorded cultural resources. The study described herein was conducted in accordance with the California Environmental Quality Act (CEQA) as it pertains to the management of cultural resources.

II. STUDY AREA LOCATION AND ENVIRONMENT

Regionally, the study area lies at the northern end of the San Fernando Valley within the easterly margin of the Santa Susana Mountains, in Sylmar, Los Angeles County. The Highway 14-Interstate 5 interchange lies a short distance to the east as does the core of Sylmar to the southeast. More specifically, the project site lies within the northern and eastern margins of the Sunshine Canyon Landfill owned by Republic Services (Figure 1). Legally, it is situated in the Northeast 1/4 of Section 23, fractional Section 24, and an unsectioned portion of Township 3 North, Range 16

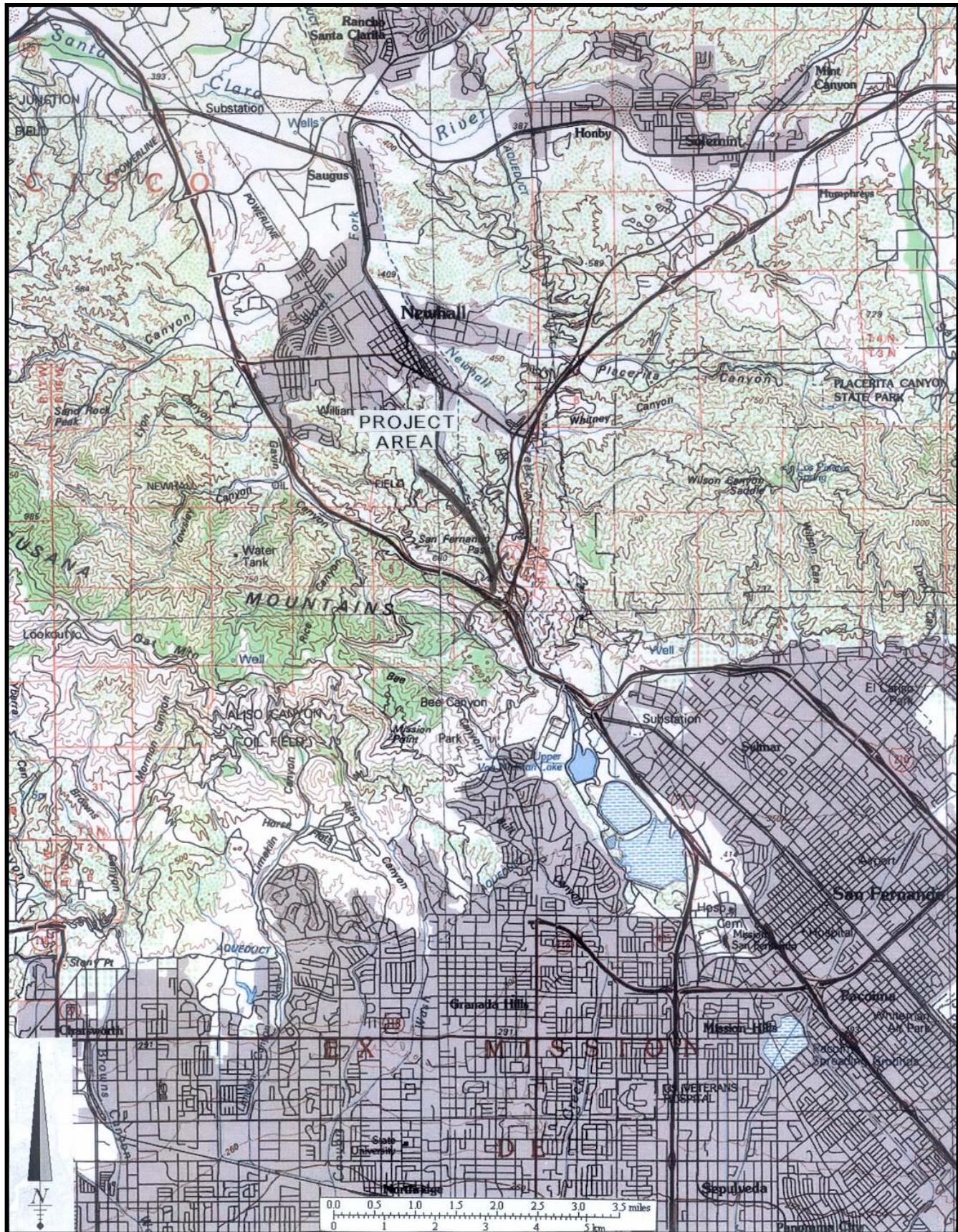


Figure 1. Regional location of the project area as indicated on a portion of the USGS *Los Angeles* 1:100,000 scale Topographic Map Sheet (1975).

West, San Bernardino Base Meridian as shown on a portion of the USGS *Oat Mountain* 7.5' Topographic Quadrangle (Figure 2).

A. Power Plant Site

The $2.5\pm$ acre power plant site is somewhat rectangular in shape and lies in an unnamed, narrow box canyon (Plate I). The canyon is situated immediately north of the active landfill operation within the overall landfill boundaries. The site is accessed by means of existing landfill access roads (Figure 3). Elevations within the plant site range for a maximum of 1890 feet above mean sea level at the northwest end to a minimum of 1850 feet at the southeast end.

B. Improvement Area

The $5\pm$ acre improvement area lies just to the west of the power plant site and downslope from Flare 8 (Figure 4, Plate III:top). A switchback dirt access road traverses the improvement area. As the area is very steep-sided, elevations range from 2050 feet above mean sea level at the north end near Flare 8 to a to a minimum of approximately 1760 feet at the southwest corner

C. 66kV Power Pole Alignment

The power pole alignment will extend in a southeasterly direction from the southerly end of the plant site generally following the toe of a steep-sided slope (Plate II). Toward the southerly end of the pole alignment, the route turns northeast (upslope) for a short distance where it will join the existing Southern California Edison (SCE) power line (Figure 4). The total length of the pole alignment is approximately 2500 feet. Elevations along the power pole alignment range from a maximum of approximately 2000 feet above mean sea level at the tie in point with the SCE line to a minimum of about 1850 feet where the alignment enters the plant site.

D. Water Pipeline

The water pipeline route will proceed in a southeasterly direction from the power plant roughly following an existing dirt service road (Plate III:bottom and Plate IV.). Near the southerly end of the route, the pipeline will drop down a rather steep section of terrain where it will intersect the main landfill entry road (Plate V). The total length of the water pipeline is approximately 7200

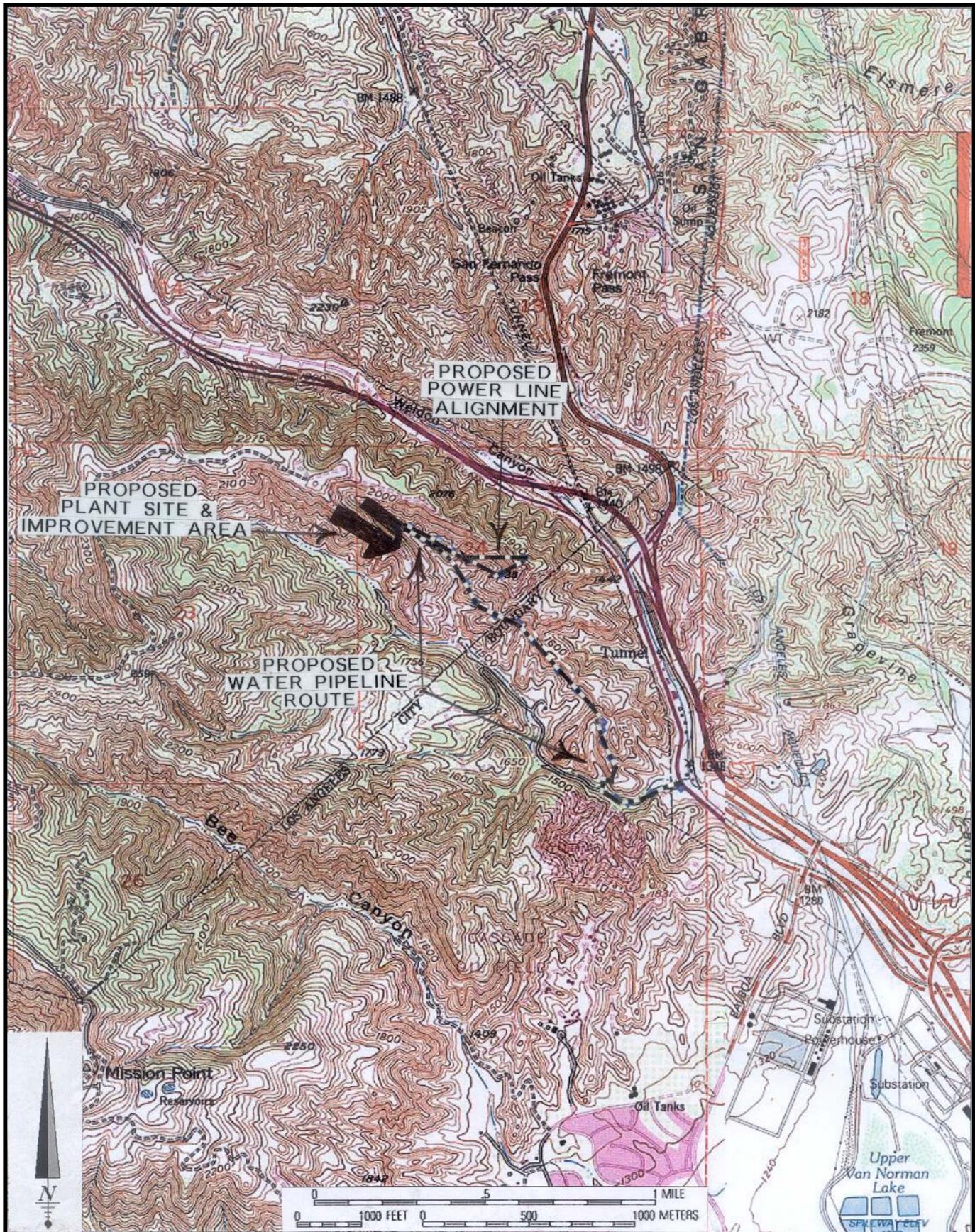


Figure 2. Study area plotted on a portion of the *Oat Mountain* USGS 7.5' Topographic Quadrangle (1969).

feet (Figure 4). Elevations along the pipeline route range from a maximum of approximately 2000 feet above mean sea level at the northerly end (plant site) to minimum of about 1350 feet at the southerly terminus at San Fernando Road.

Vegetation within the power plant site is very sparse due to landfill activities in the canyon. Similarly, most of the pole alignment and water pipeline route lie in areas generally devoid of vegetation. However, the southeasterly end of the power alignment, surrounding hillside and portions of the improvement area are covered with scrub vegetation. Some of the more readily identifiable species include sumac, buckwheat, chamise, wild tobacco, dodder, Our Lord's candle and various non-native grasses and exotic weeds. Fauna encountered were limited to ravens, doves and lizards. Soils are composed of silty/sandy clay derived from marine siltstone interlaced with sandstone. No true bedrock exposures or sources of natural surface water were encountered anywhere within the boundaries of the proposed plant, improvement area of utility alignments.

To no surprise, disturbance within this area of the landfill is extensive. The canyon where the plant site will be located has been partially graded and filled. Much of the hillside on the southwesterly side of the canyon has been cut and re-contoured. Moreover, an asphalt access road and a concrete lined, trapezoidal daylight channel presently occupy a portion of the proposed plant site.

The majority of the proposed improvement area has been previously cut away for landfill expansion. The toe of the slope along which the majority of the pole alignment will lie has also been graded in conjunction with the aforementioned flood control channel. The water pipeline route also lies within disturbed ground. In particular, the slope above the landfill entry road which the southerly segment of the pipeline route will traverse, has recently been re-graded due to erosion.

III. RECORDS SEARCH

On January 28, 2010, an in-person records search for the project was conducted at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton by Laura S. White, M.A. The search entailed a review of all previously recorded archaeological sites and historic structures situated within a one-mile radius of the project area. Additionally, the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), California Historical Landmarks (CHL), California Points of Historical Interest (CPHI), and the California State Directory of Properties (DOP; aka the Historic Resources Inventory [HRI]) were examined for

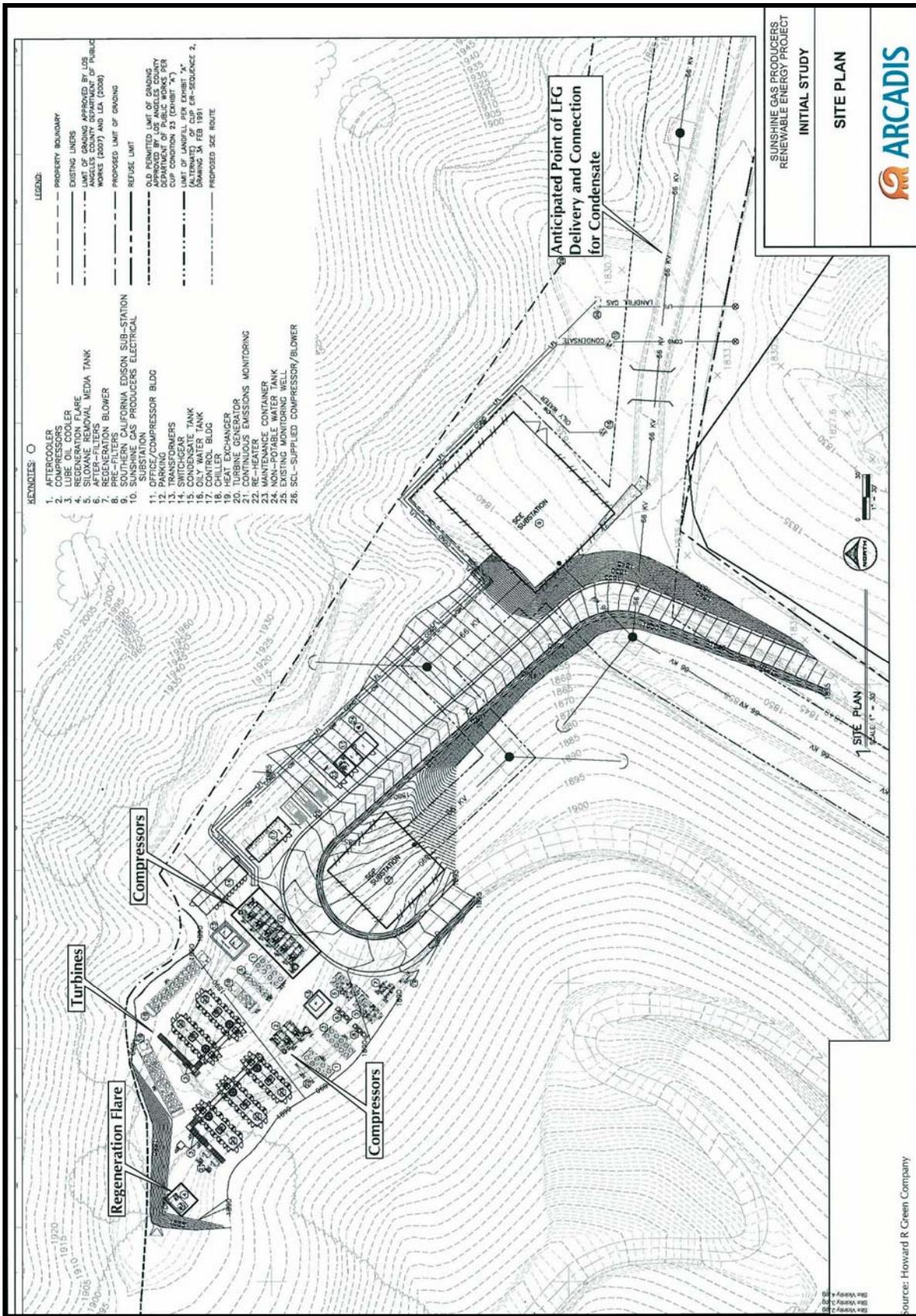


Figure 3. Conceptional site plan depicting layout of proposed electrical generation plant (**30 scale map, reduction unknown**).

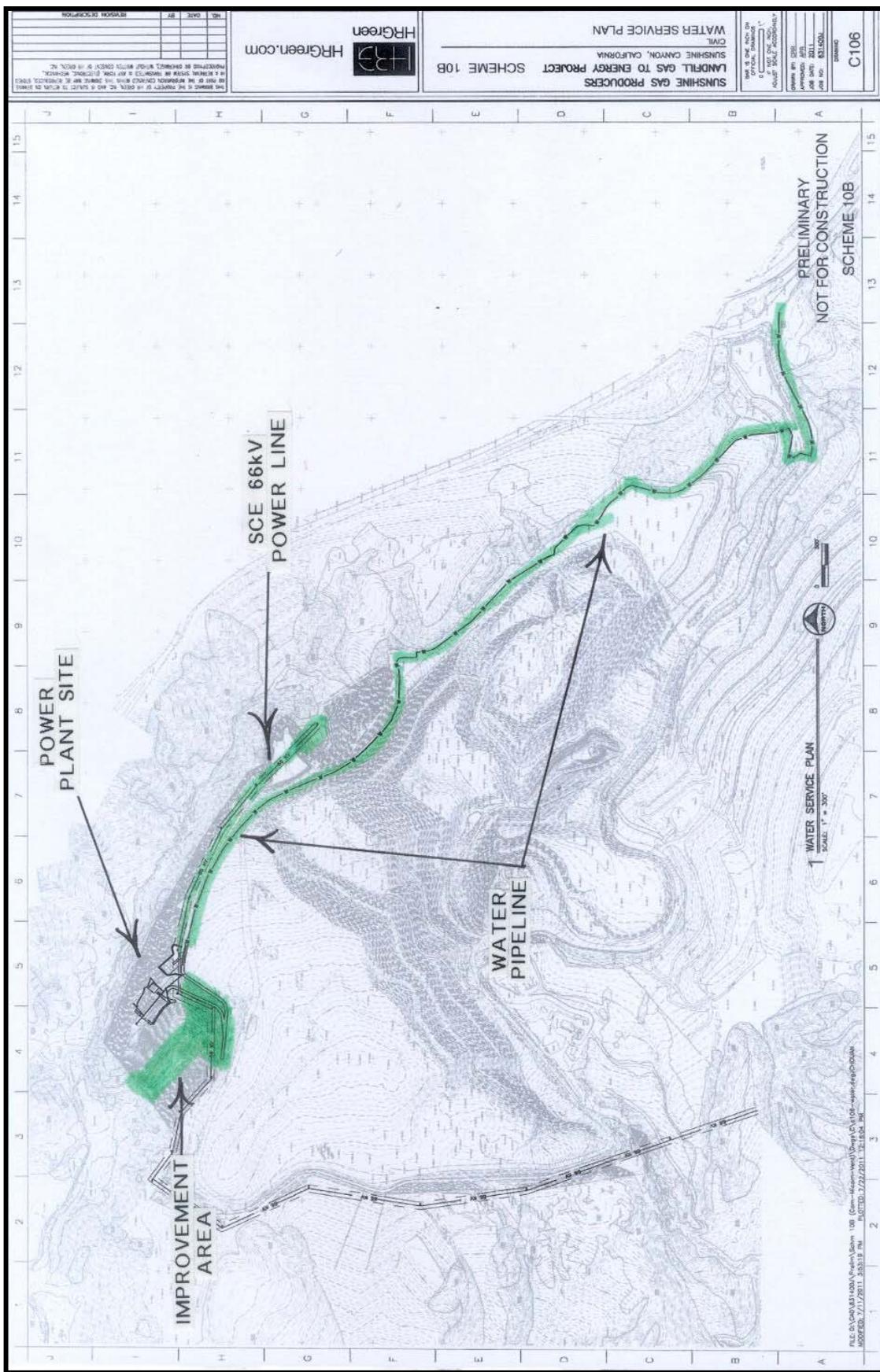


Figure 4. Project Site Plan (300 scale map, reduction unknown).

the purpose of identifying any historic properties.

A. Previously Recorded Prehistoric Archaeological Sites Within a One-Mile Radius

The results of the search indicated that five prehistoric archaeological sites have been recorded within a one-mile radius of the project site. Of the five sites (19-000816, 19-002369, 19-002370, 19-002484, and 19-002529), Primary #19-002369 is the closest prehistoric site to the study area and lies up and over the ridge top to the north/northeast. All of the prehistoric sites located within a mile of the project site are briefly described in the following table.

Table 1. Prehistoric Archaeological Sites Located Within a One-Mile Radius.

Primary #/Site Number	Site Description	Recorder	Status of Site
19-000816/ LAN-816	Sandstone boulder with bedrock mortar. Associated material included fragments of oriental porcelain and old bottle glass.	C. Meighan (1975)	Site could not be relocated by Clewlow (1978) or White (1991a).
19-002369/ LAN-2369	Minor resource/processing site comprising 1 mano, 4 fire-altered rocks and 4 porcelain sherds.	G. Stickel (1995a)	Site surface collected in 1995 (Stickel 1995c).
19-002370/ LAN-2370	Light artifact scatter comprising 7 manos and mano fragments, 1 quartzite scraper, 1 marine shell fragment, and 7 historic ceramic sherds (4 of which are porcelain).	G. Stickel (1995b)	Site surface collected in 1995 (Stickel 1995d).
19-002484/ LAN-2484	17 granite fragments of a single metate, 1 marine shell fragment, and 1 piece of charcoal.	G. Stickel (1997a)	Site test excavated in 1997 (Stickel 1997b).
19-002529/ LAN-2529	Scatter of chipped stone and ground stone artifacts including 1 chopper, 1 flaked tool fragment, 2 pieces of debitage, and 5 manos and mano fragments.	G. Stickel (1997c)	Site test excavated in 1997 (Stickel 1997d).

B. Previously Recorded Historic Archaeological Sites Located Within a One-Mile Radius
The search revealed that three historic archaeological sites have been recorded within a one-mile radius of the study area (19-002069, 19-002105, and 19-002148). These are all linear features (i.e. segments of roads, trails, and aqueduct). All lie more than 3/4-mile to the northeast. A brief description of each

site is provided in the table below.

Table 2. Historic Archaeological Sites Located Within a One-Mile Radius.

Primary #/Site Number	Site Description	Recorder	Status of Site
19-002069/ LAN-2069	Beale's Cut is a man-made notch approximately 100 feet deep and 15 feet wide in the top of the San Fernando Pass. Also associated with the pass are the possible remains of part of a toll road along the Butterfield Overland Stage Line, consisting of scattered asphalt on the southern approach to the notch.	William Hayden (1992)	Unknown
19-002105/ LAN-2105	Part of the Los Angeles Aqueduct (constructed between 1907-1913) comprising mostly buried concrete siphon crossing the canyon; above-grade concrete housing with access gate at the south end of the canyon for the maintenance of the siphon; concrete lined tunnel through the mountain; concrete creek channel faced with local random river rock.	A. Cole, D. McDowell, and D. Shelton (1992)	Unknown
19-002148/ LAN-2148	Cuesta Viejo Trail. This 1850s road wound from the San Fernando Mission in a northwesterly direction to the base of the Santa Susana mountain range to the west of the present Grapevine Canyon. It then ascended from the foot of the present old Sierra highway in a northeasterly direction up the mountain, turned north almost at the crest of the ridge, crossed the grassy plateau in Section 18, Range 15.	R. Sheets and A. Cole (1993)	Unknown

C. Heritage Properties

A review of the listing of California Historical Landmarks (CHL) indicates that one such resource lies a mile from the project site. CHL-1006 (Beale's Cut Stagecoach Pass) has been recorded adjacent to Sierra Highway one mile to the northeast of the study area. The SCCIC records reference the resource location as Primary # 19-186552 as well as historic archaeological site LAN-2069 (19-002069). The official description of the site is as follows:

Beale's Cut is the only physical and cultural feature of its kind in the entire Los Angeles Basin. At the time of its construction in 1862, the actual creation and maintenance of the Cut was considered a significant technological and physical feat consisting of breaching the formal impassible geographic barrier of the San Gabriel and Santa Susana Mountain ranges. General Edward F. Beale is attributed with the construction of a toll road across the mountains. Beale's Cut was also used as a favorite film-making location by pioneer film maker, David Wark Griffith, and others. (*Intersection of Sierra Highway and Clampitt Road, Santa Clarita*; Office of Historic Preservation 1996:111).

No other National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or California Points of Historical Interest (CPHI) properties lie within a mile of the project site. The California State Directory of Properties (DOP) failed to list any historic buildings or structures in this area as having been previous evaluated for historical significance.

D. Previous Surveys

The records search indicated that study area has been previously surveyed for cultural resources. It was initially surveyed by the Archaeological Survey at the University of California, Los Angeles in 1975 and 1978 in conjunction with investigations of the landfill (Clewlow 1978). Subsequent cultural resources assessments of the project area were conducted by John Minch & Associates, Inc. in the 1990s (Stickel 1994; Minch and Stickel 1997).

E. Recent Survey

In July, 2011 Chambers Group, Inc., on behalf of Southern California Edison Company (SCE), conducted a cultural resources assessment atop the ridge immediately east of the study area. SCE has proposed an access road restoration program and utility pole replacement project along the ridgeline (Glentis 2011). Utility poles to be replaced included three wooden poles (#'s 4320812E, 4320813E, and 4320814E) located along the project access road on the Chatsworth-Mac Neil-Newhall-San Fernando 66kV distribution circuit.

An intensive pedestrian survey of the Area of Potential Impact (API) was performed by SCE consulting archaeologist Dionisios Glentis on June 28, 2011. It included a 4,340-foot section of existing SCE utility access road and the three utility pole locations. A buffer area of 100-feet (30

meters) was utilized on either side of the access road as well as around the individual utility poles. Where possible, the survey was conducted using transects spaced at 10-meter intervals. Areas of relatively steep slopes (greater than 40 degrees) were observed from a safe, feasible distance. Surface visibility was generally poor (15-25%) primarily on the rugged slopes.

The results of the assessment were negative. Despite a thorough inspection, neither CA-LAN-2369/H or LAN-2370/H could be relocated. Furthermore, no cultural resources of any kind were found within the API. Therefore, no additional mitigative measures were recommended.

IV. HISTORIC MAP RESEARCH

In addition to the records search, supplementary archival research included a review of early USGS topographic maps of the landfill property. These included the 1903 *Santa Susana 15'* USGS Sheet, 1941 *Santa Susana 15'* Quadrangle (War Department, U.S. Army, Corps of Engineer), and the 1952 *Oat Mountain 7.5'* USGS Topographic Quadrangle. All three maps failed to show any structures or man-made features within the project area. Consequently, it appears that historically, the study area has always comprised vacant land.

V. LAND PATENTS

A review of land patents of file with the Bureau of Land Management (BLM) in Sacramento indicated that several patents have been recorded within Section 24, Township 3 North, Range 16 West. Initially, portions of Section 24 were part of the 11,6771.466 acre Ex- Mission San Fernando land grant. This land was issued to Eulogio Decelis on January 8, 1873 by authority of the Spanish-Mexican Grant Act of March 3, 1851 (9 Stat. 631). This information is filed with the BLM as Document # PLC 410 and Accession/Serial # CACAAA 074583.

BLM records also indicate that two other individuals (Charles R. Rinaldi and Arthur Weldon) were issued land patents within Section 24 ranging in size between 130-150 acres. On April 28, 1887, Charles R. Rinaldi received a patent for a Sale-Cash Entry (Document No. 1693; Accession/Serial No. CACAAA 075666). Arthur Weldon was issued a Homestead Entry patent on March 17, 1892 (Document No. 1451; Accession/Serial No. CACAAA 075679) by authority of the Original Homestead Entry Act dated May 20, 1862 (12 Stat. 392).

VI. SACRED LANDS FILE CHECK

In response to the Notice of Preparation, the Native American Heritage Commission (NAHC) requested that a sacred lands file check be undertaken for the project. On January 29, 2010, a Sacred Lands File Check for the project area was requested by Ms. Laura S. White, M.A. The search was conducted on February 1, 2010 by Mr. Dave Singleton, Program Analyst for the Native American Heritage Commission (NAHC) in Sacramento. The results of the search indicated that no sacred Native American sites have been recorded within the boundaries of the study area (see Appendix A).

A second Sacred Lands File Check for the project was initiated by Mr. Jeffrey Inabinet, CEQA Section Planner, with the South Coast Air Quality Management District. A response from Dave Singleton on June 7, 2011 indicated that no sacred site had been recorded within the landfill boundaries.

VII. NATIVE AMERICAN SCOPING

In order to learn more about the potential archaeological sensitivity of the project area, letters of inquiry (dated February 1, 2010 and August 14, 2011) were sent to Native American individuals and groups included on the two NAHC contact lists (Appendix B). To date, no written responses have been received. The results of follow-up phone calls are presented in separate Phone Logs in Appendix B.

VIII. FIELD RECONNAISSANCE

A field reconnaissance of the study area were conducted by Laura S. White, M.A. (Principal Investigator, RPA), Robert S. White (surveyor) and Richard Guttenberg (surveyor) on March 14, 2010 and August 26, 2011. The survey of the power plant site began at the southeasterly end and proceeded in a northwesterly direction. Surface visibility in the canyon was excellent (90-100%) due to recent construction activities. Where practical, the pedestrian survey was conducted by walking parallel transects spaced at 5-meter intervals across the plant site. When obstacles such as the aforementioned flood control channel rendered parallel transects impractical, meandering transects were employed.

The field survey of the power pole alignment was conducted in a similar manner. The reconnaissance began at the southerly end of the plant site and proceeded in a southeasterly

direction. A 100-foot wide corridor was employed for purposes of the field reconnaissance. As the slope at the southeasterly end of the alignment was too steep for parallel transects, meandering transects were employed. Surface visibility over the majority of the power pole alignment also approached 90-100%. However, upon the slope at the southeasterly end of the alignment, surface visibility varied between 50-100% depending on the density of the low-lying vegetation.

Due to the steepness of the slope faces, the assessment of the improvement area concentrated on the northern portion near Flare 8 and the southerly toe of the slope (Plate III). Meandering transects were employed in these areas. Surface visibility varied between 10 and 100% depending on the density of the brushy ground cover.

The water pipeline route was examined by walking tightly spaced transects from north to south and then from south to north. A 100-foot wide corridor was employed for purposes of the field reconnaissance. Visibility along the entire route was excellent, approaching 100% due to ongoing construction and landfill activities. By employing these techniques, a thorough field reconnaissance of the plant site, improvement area and utility alignments was accomplished.

IX. FINDINGS

The records search failed to indicate the presence of any recorded prehistoric or historic resources within the boundaries of the power plant, improvement area, power pole alignment or water pipeline alignment. Neither of the two surviving archaeological sites in the near vicinity of the project (Primary # 19-002369 [LAN-2369] and Primary # 19-002370 [LAN-2370]) will be adversely impacted by the undertaking. Furthermore, no prehistoric or historic resources of any kind were identified as a result of the recently completed field investigation.

X. RECOMMENDATIONS

Although the investigation failed to identify any prehistoric or historic resources within the footprint of the power plant site, improvement area or associated utility alignments, the project lies in an area of known sensitivity for archaeological resources. Therefore, commensurate with Section 5.02 of the Sunshine Canyon Landfill Mitigation Monitoring and Reporting Summary, it is recommended that a professional archaeologist monitor the rough grading activities associated with construction of the power plant and power pole alignment. Section 5.02 states:

An archaeologist and paleontologist will be on-site during major infrastructure work which requires significant excavation. In the event that archaeological and paleontological resources are discovered during grading or excavation, the archaeologist and/or paleontologist shall be allowed to redirect grading away from the area of exposed fossils to allow sufficient time for inspection, evaluation and recovery (Los Angeles County 2006 [Section 5 of Findings C#62]).



Plate I. Top: Looking southeast down canyon across proposed electrical plant site. **Bottom:** Looking northwest up canyon across proposed electrical plant site.



Plate II. Top: Looking southeast along proposed power pole alignment from plant site. **Bottom:** Looking northwest across power pole alignment from midway point along route.



Plate III. Top: Northerly view of improvement area below Flare 8. **Bottom:** Looking southeast along pipeline route from a point south of concrete retention basin.



Plate IV. Top: Southerly view of central portion of water pipeline route located along easterly edge of landfill access road. **Bottom:** Downslope view of southerly section of pipeline route.

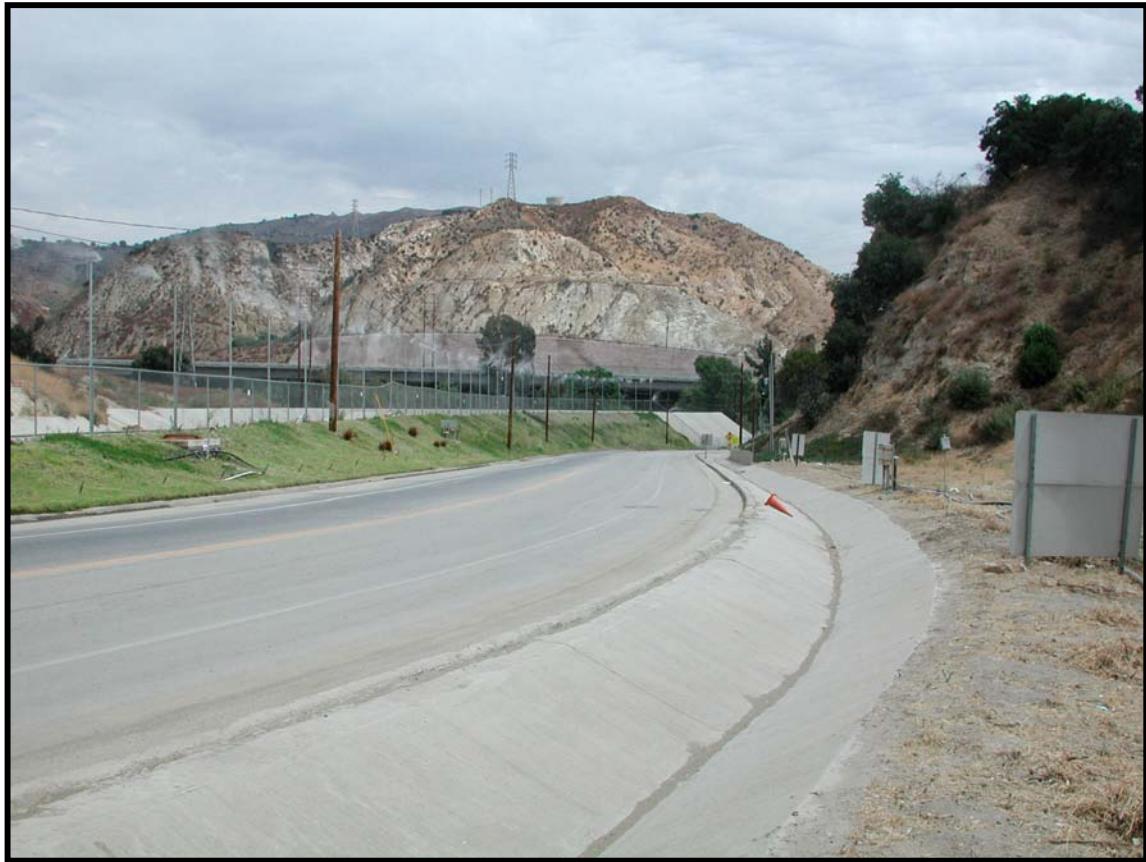
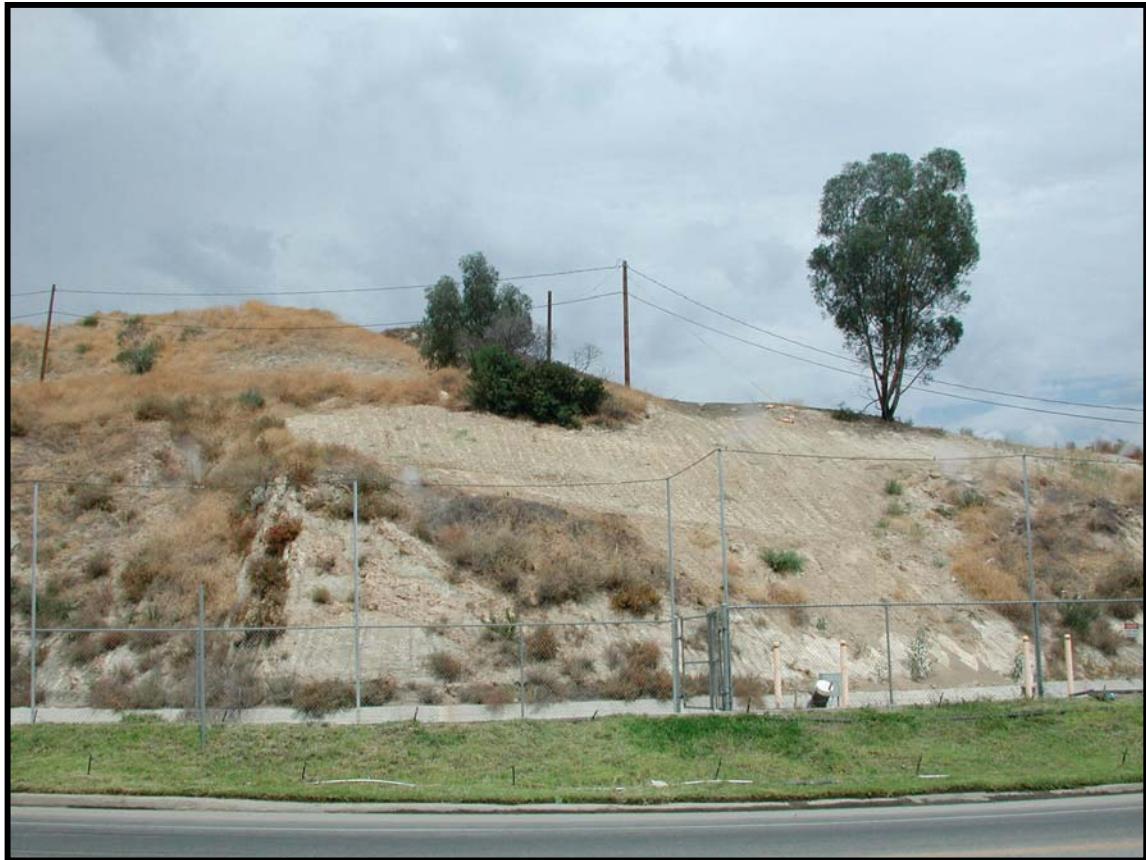


Plate V. Top: Looking northeast (upslope) from landfill entry road at southerly section of pipeline route. **Bottom:** Easterly view along landfill access road toward southern terminus of pipeline.

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Los Angeles County

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- 1991a An Archaeological Assessment of a $25 \pm$ Acre Portion of the BFI Waste Management Facility Located at 14747 San Fernando Road in Sylmar, Los Angeles County. Archaeological Associates. Report (LA 2608) on file with the South Central Coastal Information Center, California State University, Fullerton.

Appendix A: NAHC Sacred Lands File Check



NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

December 9, 2009

Steve Smith
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

RE: SCH#1989071210 Sunshine Gas Producers Renewable Energy Project: Los Angeles County.

Dear Mr. Smith:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
- If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
- The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
- A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez
Katy Sanchez
Program Analyst
(916) 653-4040

CC: State Clearinghouse

Native American Contact

Los Angeles County

December 9, 2009

Ti'At Society
Cindi Alvitre
6515 E. Seaside Walk, #C Gabrielino
Long Beach , CA 90803
calvitre@yahoo.com
(714) 504-2468 Cell

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Gabrielino Tongva
tattnlaw@gmail.com
310-570-6567

Gabrielino-Tongva Tribe
Bernie Acuna
501 Santa Monica Blvd, # Gabrielino
Santa Monica CA 90401
(310) 587-2203
(310) 428-7720 - cell
(310) 587-2281

Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman
501 Santa Monica Blvd, # Gabrielino
Santa Monica CA 90401
(310) 587-2203
310-428-5767- cell
(310) 587-2281
l.candelaria1@gabrielinoTribe.org

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

Distribution of this list does not relieve any person of 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 only applicable for contacting local Native Americans with regard to cultural resources for the proposed SC H# 1989071210 Sunshine Gas Producers REnewable Energy Project; Los Angeles County.

ARCHAEOLOGICAL ASSOCIATES

January 29, 2010

Mr. Dave Singleton
Associate Governmental Program Analyst
Native American Heritage Commission
915 Capital Mall, Room 364
Sacramento, CA 95814

**RE: Sacred Lands File Check for the Sunshine Gas Producers Renewable Energy Project,
Sunshine Canyon Landfill, Los Angeles County.**

Dear Mr. Singleton:

I am writing to you to request a Sacred Lands File Check for the above-referenced project. Briefly, Archaeological Associates has been requested to provide information with regard to prehistoric and historic resources in the vicinity of the project. Thus, the reason for contacting your organization.

Presently, project proponents plan to develop a 20± acre project site comprising the footprint for an electrical generation facility and power pole alignment located within the existing landfill. Legally, the project is situated within Section 24 of Township 3 North, Range 16 West, San Bernardino Base Meridian (*Oat Mountain 7.5' USGS Topographic Quadrangle*).

We look forward to hearing from you. In the meantime, if you have any questions or desire additional information, please do not hesitate to contact me at (951) 244-1783.

Very truly yours,



Laura S. White, M.A.
Field Director

LSW:file;nahc.com
by fax

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov
 ds_nahc@pacbell.net

February 1, 2010

Ms. Laura S. White, M.A., Field Director
ARCHAEOLOGICAL ASSOCIATES

P.O. Box 180
 Sun City, CA 92586

Sent by FAX to: 951-244-0084
 No. of Pages: 3

Re: Request for a Sacred Lands File Search and Native American Contacts List for a Proposed "Gas Producers Renewable Energy Project;" located in Sunshine Canyon Landfill area near the Mountains Recreation and Conservation Area and Chatsworth Nature Preserve and I-5 Truck Bypass; Los Angeles County, California

Dear Ms. White:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources (c.f. CA Public Resources Code §21070; also c.f. *Environmental Protection Information Center v. Johnson* (1985) 170 Cal App. 3rd 604), was able to perform a record search of its Sacred Lands File (SLF) for the affected project area (APE) requested. The California Environmental Quality Act (CEQA; CA Public Resources Code Section 21000 – 21177)) 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 California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the 2007 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." The NAHC SLF search did not indicate the presence of Native American cultural resources within one-half - mile radius of the proposed project site (APE). However, there are Native American cultural resources in close proximity to the APE.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the nearest tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation Coordinator's office (at (916) 653-7278, for referral to the nearest Information Center of which there are 10).

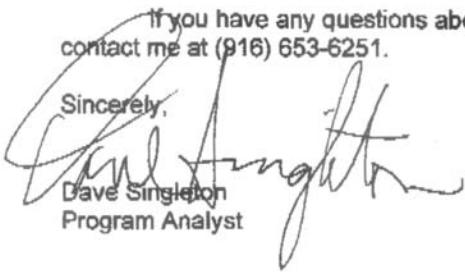
Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f]et seq), 36 CFR Part 800.3 (f) (2), the President's Council on Environmental Quality (CSQ; 42 U.S.C. 4371 et seq) and NAGPRA (25 U.S.C. 3001-3013), as appropriate..

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 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'. Discussion of these should be included in your environmental documents, as appropriate.

The response to this search for Native American cultural resources is conducted in the NAHC Sacred Lands Inventory, established by the California Legislature (CA Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10) although Native Americans on the attached contact list may wish to reveal the nature of identified cultural resources/historic properties. 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's 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 possibly 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
Program Analyst

Attachment: Native American Contacts List (NOTE: we further recommend that other forms of 'proof of mailing or proof of contact be utilized instead of 'Return Receipt Requested' Certified or Registered Mail.) Further, we suggest a follow-up telephone call to the contacts if the replies are not received or need clarification.

**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

June 7, 2011

Mr. Jeffrey Inabinet, CEQA Section Planner

South Coast Air Quality Management District

21865 Copley Drive
Diamond Bar, CA 91765-4178

Re: SCH#1989071210 CEQA Notice of Completion; draft Subsequent Environmental Impact Report (DSEIR) for the: "Sunshine Gas Producers Renewable Energy Project Project;" Located at the Sunshine Landfill in the Granada Hills/Sylmar area; Los Angeles County, California

Dear Mr. Inabinet:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources. The NAHC wishes to comment on the above-referenced proposed Project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

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. The NAHC Sacred Lands File (SLF) search resulted in; **Native American cultural resources were not identified** within the 'area of potential effect (APE)', based on the USGS coordinates of the project location provided. However, there are Native American cultural resources in close proximity to the APE. The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.84(a) and 5097.86. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254.10.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American

contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends avoidance as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore we recommend, also, that you contact the California Historic Resources Information System (CHRIS) California Office of Historic Preservation for pertinent archaeological data within or near the APE, at (916) 445-7000 for the nearest Information Center in order to learn what archaeological fixtures may have been recorded in the APE.

Consultation with 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 and 4(f) 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 Interior 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.

Furthermore, 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'.

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. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

The response to this search for Native American cultural resources is conducted in the NAHC Sacred Lands Inventory, established by the California Legislature (CA Public Resources Code 5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code 6254.10) although Native Americans on the attached contact list may wish to reveal the nature of identified cultural resources/historic properties. 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 and there may be sites within the APE eligible for listing on the California 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 APEs 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
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

California Native American Contact List
Los Angeles County
June 7 2011

Charles Cooke 32835 Santiago Road Acton , CA 93510 suscol@intox.net (661) 733-1812 - cell suscol@intox.net	Chumash Fernandeno Tataviam Kitanemuk	Tongva Ancestral Territorial Tribal Nation John Tommy Rosas, Tribal Admin. Private Address tattnlaw@gmail.com 310-570-6567	Gabrielino Tongva
Beverly Salazar Folkes 1931 Shadybrook Drive Thousand Oaks, CA 91362 folkes@msn.com 805 492-7255 (805) 558-1154 - cell folkes9@msn.com	Chumash Tataviam Ferrnandeño	Kitanemuk & Yowlumne Tejon Indians Delia Dominguez, Chairperson 981 N. Virginia Covina , CA 91722 deedominguez@juno.com (626) 339-6785	Yowlumne Kitanemuk
Fernandeno Tataviam Band of Mission Indians Ronnie Salas, Cultural Preservation Department 601 South Brand Boulevard, Suite 102 Fernandeno San Fernando CA 91340 Tataviam rsalas@tataviam-nsn.gov (818) 837-0794 Office (818) 837-0796 Fax	Fernandeno Tataviam	San Fernando Band of Mission Indians John Valenzuela, Chairperson P.O. Box 221838 Newhall , CA 91322 tsen2u@hotmail.com (661) 753-9833 Office (760) 885-0955 Cell (760) 949-1604 Fax	Fernandeño Tataviam Serrano Vanyume Kitanemuk
LA City/County Native American Indian Comm Ron Andrade, Director 3175 West 6th St, Rm. 403 Los Angeles , CA 90020 randrade@css.lacounty.gov (213) 351-5324 (213) 386-3995 FAX		Randy Guzman - Folkes 655 Los Angeles Avenue, Unit E Moorpark , CA 93021 ndnRandy@yahoo.com (805) 905-1675 - cell	Chumash Fernandeño Tataviam Shoshone Paiute Yaqui

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 only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCHA#1889071210; CEQA Notice of Completion; Subsequent Environmental Impact Report (SEIR) for the Sunshine Gas Producers Renewable Energy Project; located at the Sunshine Landfill in the Granda Hills/Sylmar area of the San Fernando Valley; Los Angeles County, California.

California Native American Contact List
Los Angeles County
June 7 2011

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

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 only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#1989071210; CEQA Notice of Completion; Subsequent Environmental Impact Report (SEIR) for the Sunshine Gas Producers Renewable Energy Project; located at the Sunshine Landfill in the Granda Hills/Sylmar area of the San Fernando Valley; Los Angeles County, California.

Appendix B: Native American Correspondence

ARCHAEOLOGICAL ASSOCIATES

February 1, 2010

Mr. Anthony Morales, Chairperson
Gabrielino/Tongva San Gabriel Band of Mission Indians
P.O. Box 693
San Gabriel, CA 91778

RE: Sacred Lands File Check for the Sunshine Gas Producers Renewable Energy Project, Los Angeles County.

Dear Mr. Morales:

Archaeological Associates has been requested to provide information with regard to prehistoric resources in the vicinity of the project. Thus, the reason for contacting your organization. Presently, project proponents plan to develop a 20± acre project site comprising the footprint for an electrical generation facility and power pole alignment. This portion of the landfill comprises a canyon that has been extensively graded. Legally, the project is situated within Section 24 of Township 3 North, Range 16 West, San Bernardino Base Meridian (*Oat Mountain 7.5' USGS Topographic Quadrangle*-see attached map). A sacred lands file check has been requested from the NAHC.

We are seeking input from the tribe with regards to places of importance that may or may not have been previously identified. In particular, if the tribe is aware of the presence of any prehistoric resources within or adjacent to the project area, we would very much like to hear from you. In the meantime, if you have any questions or desire additional information, please do not hesitate to contact me at (951) 244-1783.

Very truly yours,



Laura S. White, M.A.
Field Director

LSW:file:sunshine
attachment

P.O. Box 180 • Sun City, CA 92586 • (951) 244-1783
FAX (951) 244-0084

Sample of Letter of Inquiry as sent to Native Americans in February of 2010

ARCHAEOLOGICAL ASSOCIATES

August 14, 2011

Charles Cooke
32835 Santiago Road
Acton, CA 93510

RE: Native American Consultation for additional work in conjunction with the Sunshine Gas Producers Renewable Energy Project, Sunshine Canyon Landfill, Los Angeles County.

Dear Mr. Cooke:

Archaeological Associates is conducting a Phase I Cultural Resources Assessment in conjunction with the above-referenced landfill project. We are contacting you regarding prehistoric resources at or in the near vicinity of the proposed project (see attached map). Briefly, much of the landfill has been highly disturbed as many areas have been graded to bedrock. This particular portion of the proposed methane-powered electrical generation plant entails: 1) construction of 7200 feet of water line, 2) improvement of an existing dirt road, and 3) possible placement of power poles near an existing methane flare. Legally, the project is situated within Sections 23 and 24 as well as an unsectioned portion of Township 3 North, Range 16 West, San Bernardino Base Meridian (*Oat Mountain 7.5' USGS Topographic Quadrangle*-see attached map).

We are seeking input from you with regards to places of importance that may or may not have been previously identified. In particular, if you are aware of the presence of prehistoric or historic resources within or adjacent to the project area, we would very much like to hear from you. In the meantime, if you have any questions or desire additional information, please do not hesitate to contact me at (951) 244-1783.

Very truly yours,



Laura S. White, M.A.
Field Director

LSW:Sunshinegasproducers

P.O. Box 180 Sun City, CA 92586 Tel: (951) 244-1783 Fax (951) 244-0084

Sample of Letter of Inquiry as sent to Native Americans in August of 2011

Native American Phone Log Summary
(in response to February 1, 2010 letter of inquiry)

CALLER	CONTACT	DATE	TIME	RESULT
Robert Dorame	Laura White	02/09/10	3:30 p.m.	Mr. Dorame said he would provide a written response in the near future. To date, no response has been received.
Laura White	Cindi Alvitre	04/14/10	2:30 p.m.	Ms. Alvitre said that the project lay outside of her geographical area of interest.
Anthony Morales	Laura White	02/09/10	4:30 p.m.	Mr. Morales stated that he was concerned for the natural habitat and recommended that the project be monitored by a Native American.
Robert White	John Tommy Rosas	04/14/10	2:15 p.m.	No answer.
Laura White	Sam Dunlap	04/14/10	2:50 p.m.	No answer. Left message to return call.
Laura White	Bernie Acuna	04/14/10	2:48 p.m.	No answer. Left message to return call.
Laura White	Linda Candelaria	04/14/10	2:45 p.m.	No answer. Left message to return call.

**Native American Phone Log Summary
(in response to August 14, 2011 letter of inquiry)**

CALLER	CONTACT	DATE	TIME	RESULT
Laura White	Charlie Cooke	09/15/11	3:00 p.m.	No answer. Left message to return call.
Laura White	Beverly Folkes	09/15/11	3:05 p.m.	No answer. Left message to return call.
Laura White	William Gonzales	09/15/11	3:10 p.m.	Secretary gave me his voice mail. Left message to return call.
Laura White	Ron Andrade	09/15/11	3:30 p.m.	No answer. Left message.
Laura White	Delia Dominguez	09/15/11	3:35 p.m.	No answer. Left message to return call.
Laura White	John Valenzuela	09/15/11	3:40 p.m.	Tribal Office phone number disconnected. Left message on cell phone to call.
Laura White	Randy Guzman	09/15/11	3:45 p.m.	Proceed with caution. If something is found during monitoring please notify him.
Laura White	Ann Brierty	09/15/11	3:52 p.m.	Secretary gave me her voice mail. Left message to return call.
Robert White	John Tommy Rosas	09/15/11	3:55 p.m.	No answer.