
Appendix F

Cultural Resources Report

January 10, 2024

15342

Ryan Fowler
Principal Planner
City of Menifee
29844 Haun Road
Menifee, California 92586

**Subject: Cultural Resources Report for the Double Butte Battery Energy Storage System,
City of Menifee, California**

Mr. Fowler:

The following letter report summarizes the results of the cultural resources inventory conducted for the Double Butte Battery Energy Storage System Project (Project), located in Menifee, California (Figure 1). This cultural resource investigation was conducted in accordance with the California Environmental Quality Act (CEQA) and the City of Menifee Guidelines for historical resources. The City of Menifee (City) is the CEQA lead agency for the Project. In accordance with CEQA, Dudek performed a Phase I cultural resources inventory for the entire area of potential effect (APE). The Project APE consists of two non-contiguous parcels, totaling 43.65-acres of empty lot located in a mixed-use portion of Menifee, CA.

An Eastern Information Center (EIC) records search identified no previously recorded cultural resources within the Project's APE. A Sacred Lands File (SLF) check was requested from the Native American Heritage Commission (NAHC) on September 29, 2023. Dudek received NAHC results on November 27, 2023, which indicated negative results for the SLF search. Dudek mailed outreach letters to the list of tribal representatives provided by the NAHC. To date four responses have been received, however none included specific information on resources within the Project. Archival research showed the northern parcel to have been continuously disturbed through agriculture and development for parking/storage. Dudek completed an intensive pedestrian survey with a tribal monitor representing Pechanga Band of Mission Indians and a tribal monitor representing Soboba Band of Luiseño Indians monitors on December 18, 2023, which found no new resources. Due to the negative archival review and pedestrian survey and the previous disturbance to APE, Dudek recommends no further archaeological review.

1 Project Description and Location

The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres (Figure 2). The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420 ft to become the western border of the laydown yard parcel. The other sides of the laydown yard are bordered on the north by McLaughlin Rd, a distribution lot to the east, and the south is bordered

with a vacant lot. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1). The Project APE consists of two empty lots within an existing mixed-use area. The Project proposes the development of the BESS parcel, with temporary impacts to the second parcel of the laydown yard for construction purposes.

2 Regulatory Framework

The City is the lead agency for compliance with the CEQA. This study is compliant with cultural resource regulations that apply to the Project APE including provisions for the California Register of Historic Resources (CRHR), Native American Historic Cultural Sites (California Public Resources Code section 5097 et seq.), the California Native American Graves Protection and Repatriation Act, CEQA, California Health and Safety Code section 7050.5, Assembly Bill Number 52, and the City's Guidelines.

2.1 The California Register of Historic Resources (Public Resources Code section 5020 et seq.)

Under CEQA, the term "historical resource" includes but is not limited to "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (California Public Resources Code section 5020.1(j)). In 1992, the California legislature established CRHR "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (California Public Resources Code section 5024.1(a)). A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following National Register of Historic Places (NRHP) criteria:

- Associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Associated with the lives of persons important in our past.
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- Has yielded, or may be likely to yield, information important in prehistory or history.

(California Public Resources Code section 5024.1(c).) Resources less than 50 years old are not considered for listing in the CRHR, but may be considered if it can be demonstrated that sufficient time has passed to understand the historical importance of the resource (see 14 CCR, section 4852(d)(2)).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing on the NRHP are automatically listed on the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys. The State Historic Preservation Officer maintains the CRHR.

2.2 Native American Historic Cultural Sites (California Public Resources Code section 5097 et seq.)

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NRHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy an Indian historic or cultural site that is listed or may be eligible for listing in the CRHR.

2.3 California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act (California Repatriation Act), enacted in 2001, required all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

2.4 California Environmental Quality Act

As described further below, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological and historic resources:

1. California Public Resources Code section 21083.2(g): Defines “unique archaeological resource.”
2. California Public Resources Code section 21084.1 and CEQA Guidelines section 15064.5(a): Define historical resources. In addition, CEQA Guidelines section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource;” it also defines the circumstances when a project would materially impair the significance of a historical resource.
3. California Public Resources Code section 5097.98 and CEQA Guidelines section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
4. California Public Resources Code sections 21083.2(b)-(c) and CEQA Guidelines section 15126.4: Provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

Under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(b)). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements

of California Public Resources Code section 5024.1(q)), it is a “historical resource” and is presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(a)). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(a)).

A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (CEQA Guidelines section 15064.5(b)(1); California Public Resources Code section 5020.1(q)). In turn, the significance of a historical resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
3. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

See Section 1.2.2, below for a discussion of the CEQA guidelines for determining significance and mitigating impacts to unique archaeological resources.

2.5 California Health and Safety Code section 7050.5 and Public Resources Code Section 5097.98

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described below, these procedures are detailed in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98.

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (California Health and Safety Code Section 7050.5[b]). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (California Health and Safety Code Section 7050.5[c]). In accordance with California Public Resources Code Section 5097.98(a), the NAHC will notify the Most Likely Descendant (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. Within 48 hours of being granted access to the site, the MLD may recommend means of treatment or disposition, with appropriate dignity, of the human remains and associated grave goods.

2.6 Assembly Bill 52

California Assembly Bill 52, which took effect July 1, 2015, establishes a consultation process between California Native American Tribes and lead agencies in order to address tribal concerns regarding project impacts and mitigation to “tribal cultural resources” (TCR). Public Resources Code section 21074(a) defines TCRs and states that a project that has the potential to cause a substantial adverse change to a TCR is a project that may have an adverse effect on the environment. A TCR is defined as a site, feature, place, cultural landscape, sacred place, and object with cultural value to a California Native American tribe that is either:

1. listed or eligible for listing in the CRHR or a local register of historical resources, or
2. determined by a lead agency to be a TCR.

2.7 City of Menifee Guidelines

The City’s General Plan includes Open Space & Conservation Element (OSC-5). This section of the General Plan includes paleontological and cultural resources. The General Plan’s OSC-5 section identifies a specific goal and policies associated with paleontological and cultural resources.

Goal

OSC-5. Archaeological, historical, and cultural resources are protected and integrated into the city’s built environment.

Policies

OCS-5.1. Preserve and protect archaeological and historic resources and cultural sites, places, districts, structures, landforms, objects and native burial sites, traditional cultural landscapes and other features, consistent with state law and any laws, regulations or policies which may be adopted by the city to implement this goal and associated policies.

OCS-5.2. Work with local schools, organizations, appropriate Native American tribes with ancestral territories located within the city and other agencies to educate the public about the rich archaeological, historic, and cultural resources found in the city.

OCS-5.3. Preserve sacred sites identified in consultation with the appropriate Native American tribes whose ancestral territories are within the city, such as Native American burial locations, by avoiding activities that would negatively impact the sites, while maintaining the confidentiality of the location and nature of the sacred site.

OCS-5.4. Establish clear and responsible policies and best practices to identify, evaluate, and protect previously unknown archaeological, historic, and cultural resources, following applicable CEQA and NEPA procedures and in consultation with the appropriate Native American tribes who have ancestral lands within the city.

OCS-5.5. Develop clear policies regarding the preservation and avoidance of cultural resources located within the city, in consultation with the appropriate Native American tribes who have ancestral lands within the city

OCS-5.6. Develop strong government-to-government relationships and consultation protocols with the appropriate Native American tribes with ancestral territories within the city in order to ensure better identification, protection and preservation of cultural resources, while also developing appropriate educational programs, with tribal participation, for Menifee residents.

3 Methods and Results

3.1 Records Search

Dudek conducted a records search at the EIC for the Project APE and a one-mile radius buffer around the Project APE on October 12, 2023. The record search identified thirty-nine (39) previous cultural resources studies that have been performed within one-mile of the project area. Five of these previous studies intersect the current Project APE and are listed in Table 1 below. These studies include five resource inventory reports. None of the studies identified resources within the Project APE. The BESS parcel has been completely surveyed whereas the laydown yard has only had the northern 30% previously surveyed. The studies not listed in Table 1 are included in Confidential Appendix A.

Table 1. Reports Intersecting Project APE

Report Number	Date	Author	Title
RI-01237	1980	Robert J. Wlodarski and John M. Foster	Cultural Resource Overview For The Devers Substation To Serrano Substation Transmission Route Alternatives Corridor Right-Of-Way
RI-01660	1983	Daniel F. McCarthy	Archaeological Assessment Of The Proposed Homeland-Green Acres Pollution Project No. C-06-2886, Eastern Municipal Water District, Riverside County, California
RI-02475	1989	Christopher E. Drover	A Cultural Resource Inventory Of The Menifee North Project, Near Hemet, California
RI-06018	2003	Bai Tang, Michael Hogan, Mariam Dahdul, and Daniel Ballester	Historical/Archaeological Resources Survey Report: Menifee Valley North Drainage Facilities Project, In And Near The Communities Of Romoland And Homeland, Riverside County, California
RI-07966	2008	Sara Clowery-Moreno and Brian F. Smith	A Phase I Archaeological Assessment For The Retaining Walls Project, Riverside County, California APNs 331-210-019, -020, And -021; Cup 03560

The EIC records search also revealed that no cultural resources have been recorded within the Project APE. The records search did identify five multicomponent sites, nine historic road segments, five single family dwellings, three historic structures/foundations, two historic refuse deposits, one historic tree alignment, one historic railroad segment, two prehistoric temporary camps, five prehistoric bedrock milling sites, one prehistoric lithic scatter, two

isolated flakes and one rock art site within one-mile of the Project APE (Table 2). The closest resource is P-37-015743, historic segment of railroad immediately to the northeast border of the Project APE. No historic addresses have been recorded within one mile of the Project APE. The results of the records search and all DPR forms are located in Confidential Appendix A.

Table 2. Previously Recorded Cultural Resources in the One-Mile Record Search Radius

Primary Number	Trinomial	Age	Description	Proximity
P-33-007701	—	Historic	Single family dwelling	Within one mile
P-33-009724	—	Historic	Farm structures	Within one mile
P-33-009725	CA-RIV-007883	Historic	Foundations and structures	Within one mile
P-33-009726	—	Historic	Stockyard and foundation	Within one mile
P-33-009727	CA-RIV-006483	Prehistoric	Temporary camp	Within one mile
P-33-011464	CA-RIV-006842H	Historic	Refuse deposit	Within one mile
P-33-011465	CA-RIV-006843	Prehistoric	Bedrock milling features	Within one mile
P-33-011466	CA-RIV-006844/H	Multicomponent	Bedrock milling features and historic refuse deposit	Within one mile
P-33-011467	CA-RIV-006845	Prehistoric	Bedrock milling features and lithic scatter	Within one mile
P-33-011468	CA-RIV-006846/H	Multicomponent	Bedrock milling features and historic refuse deposit	Within one mile
P-33-011469	CA-RIV-006847	Prehistoric	Bedrock milling features	Within one mile
P-33-011470	CA-RIV-006848/H	Multicomponent	Bedrock milling features and historic refuse deposit	Within one mile
P-33-011471	CA-RIV-006849/H	Multicomponent	Bedrock milling feature, lithic scatter, and historic refuse deposit	Within one mile
P-33-011472	CA-RIV-006850	Prehistoric	Bedrock milling features	Within one mile
P-33-012535	CA-RIV-007129	Prehistoric	Bedrock milling feature and lithic scatter	Within one mile
P-33-012536	CA-RIV-007130	Prehistoric	Temporary camp	Within one mile
P-33-015381	—	Historic	Single family dwelling	Within one mile
P-33-015382	—	Historic	Single family dwelling	Within one mile
P-33-015383	—	Historic	Single family dwelling	Within one mile
P-33-015389	—	Historic	Single family dwelling	Within one mile
P-33-015743	CA-RIV-008196	Historic	Railroad segment	Within one mile
P-33-018085	CA-RIV-009288	Multicomponent	Bedrock milling features and historic refuse deposit	Within one mile
P-33-018086	CA-RIV-009289	Historic	Refuse deposit	Within one mile
P-33-020447	CA-RIV-010348	Historic	Road	Within one mile
P-33-020448	CA-RIV-010349	Historic	Road	Within one mile
P-33-020449	CA-RIV-010350	Historic	Road	Within one mile
P-33-020450	CA-RIV-010351	Historic	Road	Within one mile

Table 2. Previously Recorded Cultural Resources in the One-Mile Record Search Radius

Primary Number	Trinomial	Age	Description	Proximity
P-33-020502	CA-RIV-010403	Historic	Road	Within one mile
P-33-020503	CA-RIV-010404	Historic	Road	Within one mile
P-33-020504	CA-RIV-010405	Historic	Road	Within one mile
P-33-020505	CA-RIV-010406	Historic	Road	Within one mile
P-33-020640	CA-RIV-010543	Historic	Road	Within one mile
P-33-024087	—	Prehistoric	Isolate-flake	Within one mile
P-33-024902	CA-RIV-012345	Prehistoric	Lithic scatter	Within one mile
P-33-028165	—	Prehistoric	Rock art	Within one mile
P-33-028203	—	Historic	Tree alignment	Within one mile
P-33-029762	—	Prehistoric	Isolate-flake	Within one mile

3.2 Archival Research

Historic aerial images and topographic maps were reviewed to understand the development of the Project APE and surrounding properties at historicaerials.com (NETR 2023). Historic aerial photographs of the Project APE were available for 1966 through 2020. The historic aerial from 1966 shows both the BESS and laydown portions of the Project APE as developed grass fields, separated by a triangular segment of trees at the northeastern corner of the intersection of Palomar Rd and McLaughlin Rd. Between 1996 and 2002 the western half of the BESS parcel is sectioned off with fencing and cleared. The northwestern quad appears to have been used as a paving materials storage. This usage appears to continue until 2009 when the entire northwestern quadrant was paved while the southwestern quadrant was heavily graded and covered in gravel. During this period the eastern half is generally kept low in vegetation, but not developed further. A small drainage channel is present trending northeast/southwest from the northeastern corner of the BESS parcel. This drainage is consistent throughout the aerials until 2016, when a culvert is installed along the southern boundary and interrupts the flow of the drainage.

The alignment of Palomar Rd is visible on the 1966 aerial; however, McLaughlin is not present until the 1978 aerial. The Atchison Topeka and Santa Fe Railroad is extant on the 1966 aerial, as well as the adjacent Matthews Rd. The Romoland residential development to the northwest of the BESS parcel was present on the 1966 and saw little development until a large influx of construction between 1978 and 1985 occurred. This also included the regional additional development of dirt roads in cardinal directions. A channelized canal is visible on the southern border of the BESS parcel between 2014 and 2016.

The southern parcel, to be used as a laydown yard, appeared to have been used as agricultural land from 1967 to 2002. A stock pond was located just outside of the Project boundary's southwestern corner, adjacent to the Palomar Rd. A drainage is present trending north/south along the western third of the parcel. The portion of the parcel that was disked and cultivated appears to have varied over the years to accommodate for the seasonal flow of this drainage. This makes the northwestern portion of the laydown yard parcel the least impacted portion of the laydown yard parcel.

Historic topographic maps of the APE were available from 1943 to 2022. No historic structures are located within the Project APE. The Atchison Topeka and Santa Fe Railroad and adjacent Matthews Rd are visible on the earliest topographic map and appear to have unchanged alignments through time, though updates are periodically visible. The Project APE is generally shown as dry flat land on the topographic maps, with the exception of the 1962 map, which shows an ephemeral drainage terminating in the eastern side of the BESS parcel after crossing the railroad and coming from the northeast. This drainage traverses the greenspace area seen on the topographic map as the quadrant northeast of the intersection of Palomar Rd and McLaughlin Rd. This greenspace was developed with the formal naming of McLaughlin Rd between the 1985 and 2012 maps.

3.3 NAHC and Tribal Correspondence

A search of the NAHC Sacred Lands File was requested on September 29, 2023, for the Project APE and a one-mile buffer. The SLF consists of a database of known Native American resources. These resources may not be included in EIC database. Dudek received a response on November 17, 2023. The NAHC results were negative. The NAHC response also included a list of 31 tribal representatives who should be contacted. Dudek mailed outreach letters to the listed representatives on November 28, 2023. To date four responses have been received, and are summarized below. Copies of the communications are in Appendix B.

Geramy Martin, Tribal Secretary for the Augustine Band of Cahuilla Indians, responded on November 29, 2023, via email. The message indicated that there were no known resources that may be affected by the Project. In the event cultural resources are found, their office should be contacted immediately for further evaluation.

Lorrie Gregory, Cultural Resource Coordinator of the Cahuilla Band of Indians responded via email on December 1, 2023. The message indicated that they had no known knowledge of cultural resources in the project area. They request that all cultural materials associated with the project be sent for review as the Cahuilla Band has a high interest in the project and would like to be notified when AB52 commences. They request tribal monitors be present for ground disturbing activities.

Xitlaly Madrigal, Cultural Resource Analyst for the Agua Caliente Band of Cahuilla Indians, responded via email on December 7, 2023. The message included a request for a cultural resource inventory of the Project area—including record search documentation, copies of cultural resource documentation completed in connection with the Project, and the presence of approved Cultural Resource Monitors during ground disturbing activities.

Shuluuk Linton, Cultural Resource Coordination for the Rincon Band of Luiseño Indians, responded on December 21, 2023. The message indicated that they had no additional information at this time, and suggested Dudek contact the Pechanga Band of Luiseño Indians as they are geographically closer.

In compliance with Assembly Bill 52, the City, as lead agency, is responsible for conducting government to government consultation with pertinent tribal entities. This letter will be revised to include information obtained through consultation, as it becomes available.

3.4 Intensive Pedestrian Survey

The current intensive pedestrian field survey was conducted by Dudek archaeologist Jessica Colston on December 18, 2023. Pechanga Band of Luiseño Indians Native American monitor Cameron Linton and Soboba

Band of Luiseño Indians Frank Morillo participated in the survey. All survey work was conducted employing standard archaeological procedures and techniques consistent with Secretary of the Interior Standards. Fifteen-meter interval survey transects were conducted in an north-south direction. Both parcels had surface disturbance from agricultural disking, ostensibly for weed management, and were fairly level. Exposed ground surface areas such as dirt tracks, drainage furrows, and rodent burrows/spoils were inspected for potential subsurface deposits and sediment conditions.

The Project APE shows signs of having been routinely previously disturbed and partially developed. The northwestern portion of the BESS parcel had the remnants of an asphalt paved lot, with gravel and concrete pavement in the south-western portion. The northern edge parallels closely the alignment for the Atchison Topeka and Santa Fe Railroad alignment. This railroad segment is not in use and does not intersect the Project. The southern edge of the BESS parcel appears to parallel a large, paved drainage culvert. The offset earth from the construction of this culvert was spread out along the length of the culver and was inspected for resources. The vegetation throughout both parcels was heavy, making ground visibility approximately 10%. Underneath the vegetation was small windrows of soil from disking, as well as heavy rodent disturbance. Modern refuse is present, a result of illegal dumping, littering, and homeless encampments.

The southern parcel for the laydown yard showed similar disking surface disturbance with modern refuse and natural alluvial drainage.

No artifacts or features were identified during this survey and no structures are present in the Project APE; therefore, there are no historical resources in the Project APE.

4 Summary and Management Considerations

4.1 Archaeological Recommendations

Dudek's Phase I cultural resources inventory of the Project indicates that there is low sensitivity for identifying intact subsurface archaeological deposits during Project implementation. The EIC records search did not identify any resources within the Project APE, the review of historic aerial photographs showed heavy disturbance of the Project APE with superficial development, and the pedestrian survey did not identify any resources within the Project APE. The NAHC reviewed the SLF and stated that the results were negative. Dudek requested information from all tribal representatives listed in the NAHC response and has received four replies. None of the replies indicated knowledge of resources present within the Project.

As there are no cultural resources in the APE, no historical resources, as defined under CEQA will be impacted by the Project. This includes no direct, indirect, or cumulative impacts. As such, Dudek does not recommend any further cultural review for the Project. This recommendation does not take into consideration any tribal consultation conducted by the City to date.

Unanticipated Discovery of Archaeological Resources

In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the Project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified

archaeologist meeting the Secretary of the Interior's Professional Qualification Standards can evaluate the significance of the find. Construction activities may continue in other areas, but should be redirected a safe distance from the find. If the new discovery is evaluated and found to be significant under CEQA and avoidance is not feasible, additional work such as data recovery may be warranted. In such an event, a data recovery plan should be developed by the qualified archaeologist in consultation with the City and Native American representatives, if applicable. Ground disturbing work can continue in the area of the find only after impacts to the resources have been mitigated and with City approval.

Unanticipated Discovery of Human Remains

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code Section 5097.98, the NAHC must immediately notify the person or persons it believes to be the MLD from the deceased Native American. The MLD shall complete inspection within 48 hours of being granted access to the site and make recommendations for the treatment and disposition, in consultation with the property owner, of the human remains.

Should you have any questions relating to this report and its findings, please do not hesitate to contact me at 760.815.6642 or.

Sincerely,



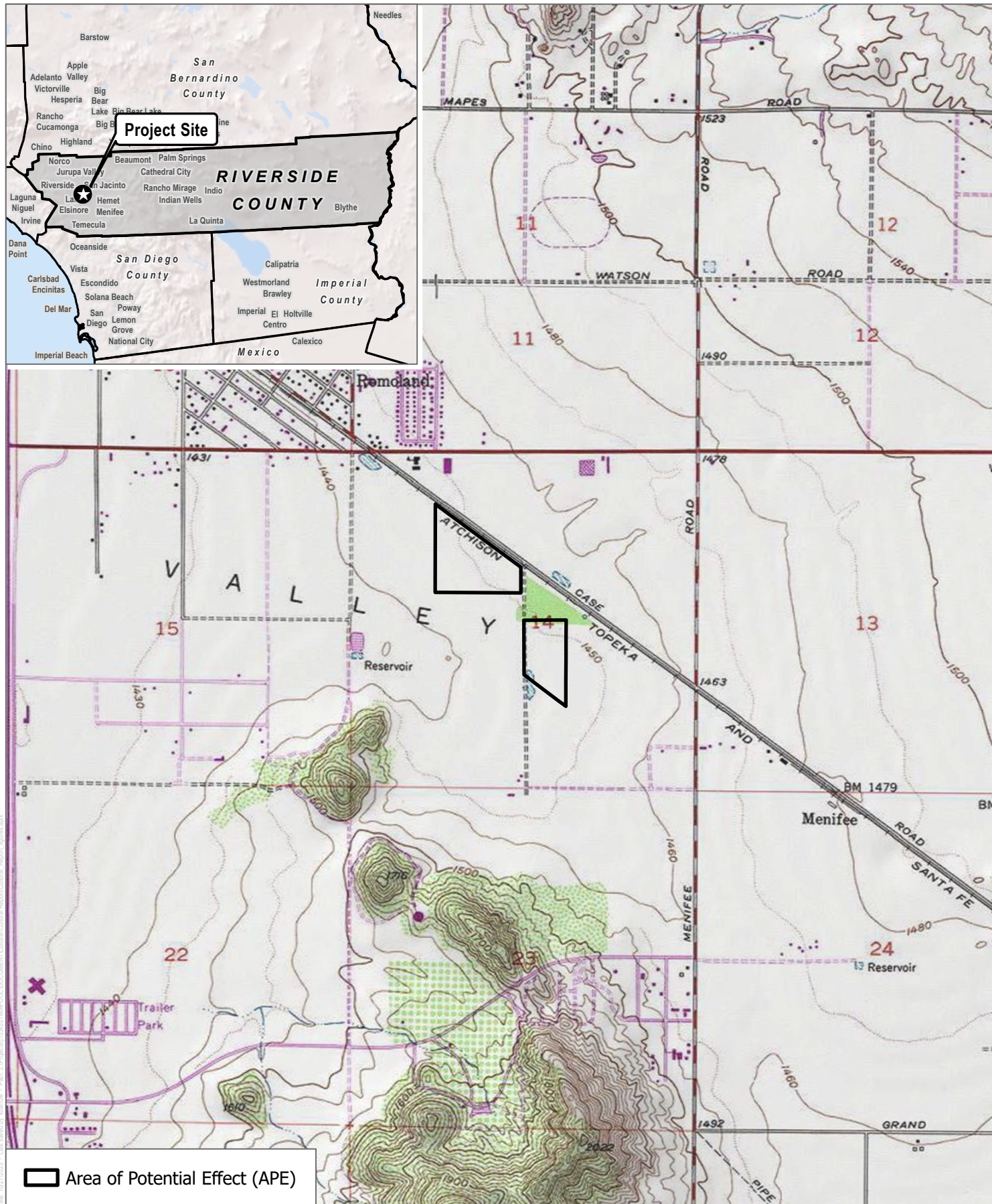
Jessica Colston, BA.
Archaeologist

Att.: *Figure 1, Project Location*
Figure 2, Project Area
National Archaeological Database (NADB) Information Sheet
A – Confidential EIC Records Search Results
B – Tribal Correspondence

5 References

City of Menifee 2017. Open Space & Conservation Element OSC-5: Paleontological & Cultural Resources. Menifee, CA. Accessed October 28, 2023. <https://www.cityofmenifee.us/876/OSC-5-Paleontological-Cultural-Resources>

NETR (National Environmental Title Research, LLC) 2023. Area search for: McLaughlin Rd and Palomar Rd Menifee, CA. Accessed October 28, 2023. <http://www.historicaerials.com/>.



SOURCE: USGS 7.5-Minute Series

FIGURE 1
Project Location



SOURCE: Bing Maps Aerial (accessed 2023)

FIGURE 2
Project Area

National Archaeological Database (NADB) Information Sheet

Authors: Jessica Colston, B.A. and Matthew DeCarlo M.A.

Firm: Dudek

Project Proponent: City of Menifee

Report Date: January 2024

Report Title: Cultural Resources Report For The Double Butte Battery Energy Storage System, City Of Menifee, California

Type of Study: Cultural Resources Inventory

Resources: None

USGS Quads: Romoland and Perris, California, Township 5 South, Range 3 West, Section 14

Acreage: 43.65

Permit Numbers: N/A

Keywords: Pedestrian Survey, Inventory, Negative, City of Menifee

Attachment A Confidential

EIC Records Search Results

Attachment B

Tribal Correspondence

Sacred Lands File & Native American Contacts List Request

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd, Suite 100
West Sacramento, CA 95501
(916) 373-3710
(916) 373-5471 – Fax
nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: Double Butte Battery Energy Storage Project - Dudek No. 15342
County: Riverside

USGS Quadrangle

Name: Romoland

Township: 5 South Range: 3 West Section(s): 14

Company/Firm/Agency:

Dudek

Contact Person: Matthew DeCarlo

Street Address: 605 Third Street

City: Encinitas, CA Zip: 92024

Phone: (760) 815-7067 Extension: _____

Fax: (760) 632-0164

Email: mdecarlo@dudek.com

Project Description:

Development of a battery energy storage facility.



Project Location Map is attached

Jessica Colston

From: Green, Andrew@NAHC <Andrew.Green@nahc.ca.gov>
Sent: Friday, November 17, 2023 4:15 PM
To: Matthew DeCarlo
Subject: Double Butte Battery Energy Storage Project
Attachments: SLF No Double Butte Battery Energy Storage Project 11.17.2023.pdf; Double Butte Battery Energy Storage Project 11.17.2023.xlsx

Good Afternoon,

Attached is the response to the project referenced above. If you have any additional questions, please feel free to contact our office email at nahc@nahc.ca.gov.

In our ongoing effort to enhance your user experience and increase functionality, we have transitioned from distributing data in PDF Format to Excel Format. This change allows you to take full advantage of features such as searching, filtering, and mail-merging, making it easier for you to handle and utilize the data provided. If you encounter any technical difficulties, or if you have any questions regarding this new format, please do not hesitate to reach out to me directly.

Regards,

Andrew Green

Native American Heritage Commission
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Andrew.Green@nahc.ca.gov
Direct Line: (916) 573-1072
Office: (916) 373-3710



NATIVE AMERICAN HERITAGE COMMISSION

November 17, 2023

Matthew DeCarlo
Dudek

Via Email to: mdecarlo@dudek.com

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NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: Double Butte Battery Energy Storage Project, Riverside County

Dear Mr. DeCarlo:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,

Andrew Green
Cultural Resources Analyst

Attachment

November 28, 2023

Patricia Garcia, Director of Historic Preservation
Agua Caliente Band of Cahuilla Indians
5401 Dinah Shore Drive
Palm Springs, CA, 92264

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Ms. Garcia,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

As part of the cultural resources study prepared for the proposed project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the proposed project area. The NAHC emailed a response on November 17, 2023 which stated that the SLF search did not have record of the presence of Native American cultural resources in the immediate project area.

The NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project. If you have any knowledge of cultural resources that may exist within or near the proposed project area, please contact me directly at (760) 815-6642 or at jcolston@dudek.com.

Please note that this letter does not constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources.

Respectfully,

A handwritten signature in blue ink, reading "Jessica Colston", written over a horizontal line.

Jessica Colston, BA

Archaeologist

DUDEK

Phone: (760) 815-6642

Email: jcolston@dudek.com

Attachments: *Figure 1. Records search area Map.*

November 28, 2023

Amanda Vance, Chairperson
Augustine Band of Cahuilla Mission Indians
84-001 Avenue 54
Coachella, CA, 92236

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Chairwoman Vance,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Doug Welmas, Chairperson
Cabazon Band of Mission Indians
84-245 Indio Springs Parkway
Indio, CA, 92203

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Chairman Welmas,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Anthony Madrigal, Tribal Historic Preservation Officer
Cahuilla Band of Indians
52701 CA Highway 371
Anza, CA, 92539

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Mr. Madrigal,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Daniel Salgado, Chairperson
Cahuilla Band of Indians
52701 CA Highway 371
Anza, CA, 92539

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Chairman Salgado,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Bobby Ray Esaprza, Cultural Director
Cahuilla Band of Indians
52701 CA Highway 371
Anza, CA, 92539

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Mr. Esaprza,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Ray Chapparosa, Chairperson
Los Coyotes Band of Cahuilla and Cupeño Indians
P.O. Box 189
Warner Springs, CA, 92086-0189

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Chairman Chapparosa,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Ann Brierty, THPO
Morongo Band of Mission Indians
12700 Pumarra Road
Banning, CA, 92220

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Ms. Brierty,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Robert Martin, Chairperson
Morongo Band of Mission Indians
12700 Pumarra Road
Banning, CA, 92220

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Chairman Martin,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Shasta Gaughen, Tribal Historic Preservation Officer
Pala Band of Mission Indians
PMB 50, 35008 Pala Temecula Road
Pala, CA, 92059

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Ms. Gaughen,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Alexis Wallick, Assistant THPO
Pala Band of Mission Indians
PMB 50, 35008 Pala Temecula Road
Pala, CA, 92059

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Ms. Wallick,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Tuba Ebru Ozdil, Pechanga Cultural Analyst
Pechanga Band of Indians
P.O. Box 2183
Temecula, CA, 92593

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Ms. Ozdil,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Steve Bodmer, General Counsel for Pechanga Band of Indians
Pechanga Band of Indians
P.O. Box 1477
Temecula, CA, 92593

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Mr. Bodmer,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

As part of the cultural resources study prepared for the proposed project, Dudek contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the proposed project area. The NAHC emailed a response on November 17, 2023 which stated that the SLF search did not have record of the presence of Native American cultural resources in the immediate project area.

The NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project. If you have any knowledge of cultural resources that may exist within or near the proposed project area, please contact me directly at (760) 815-6642 or at jcolston@dudek.com.

Please note that this letter does not constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources.

Respectfully,

A handwritten signature in blue ink, reading "Jessica Colston", written over a horizontal line.

Jessica Colston, BA

Archaeologist

DUDEK

Phone: (760) 815-6642

Email: jcolston@dudek.com

Attachments: *Figure 1. Records search area Map.*

November 28, 2023

Manfred Scott, Acting Chairman - Kw'ts'an Cultural Committee
Quechan Tribe of the Fort Yuma Reservation
P.O. Box 1899
Yuma, AZ, 85366

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Chairman Scott,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Jordan Joaquin, President, Quechan Tribal Council
Quechan Tribe of the Fort Yuma Reservation
P.O.Box 1899
Yuma, AZ, 85366

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Mr. Joaquin,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Jill McCormick, Historic Preservation Officer
Quechan Tribe of the Fort Yuma Reservation
P.O. Box 1899
Yuma, AZ, 85366

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Ms. McCormick,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

John Gomez, Environmental Coordinator
Ramona Band of Cahuilla
P. O. Box 391670
Anza, CA, 92539

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Mr. Gomez,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Joseph Hamilton, Chairperson
Ramona Band of Cahuilla
P.O. Box 391670
Anza, CA, 92539

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Chairman Hamilton,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Cultural Resources Manager/Tribal Historic Preservation Officer
Rincon Band of Luiseno Indians
One Government Center Lane
Valley Center, CA, 92082

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Denise Turner Walsh, Attorney General
Rincon Band of Luiseno Indians
One Government Center Lane
Valley Center, CA, 92082

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Ms. Walsh,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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Archaeologist

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Attachments: *Figure 1. Records search area Map.*

November 28, 2023

Laurie Gonzalez, Tribal Council/Culture Committee Member
Rincon Band of Luiseno Indians
One Government Center Lane
Valley Center, CA, 92082

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Ms. Gonzalez,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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Archaeologist

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Attachments: *Figure 1. Records search area Map.*

November 28, 2023

Joseph Linton, Tribal Council/Culture Committee Member
Rincon Band of Luiseno Indians
One Government Center Lane
Valley Center, CA, 92082

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Mr. Linton,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Lovina Redner, Tribal Chair
Santa Rosa Band of Cahuilla Indians
P.O. Box 391820
Anza, CA, 92539

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Chairwoman Redner,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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Attachments: *Figure 1. Records search area Map.*

November 28, 2023

Jessica Valdez, Cultural Resource Specialist
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, CA, 92581

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Ms. Valdez,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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November 28, 2023

Joseph Ontiveros, Tribal Historic Preservation Officer
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, CA, 92581

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Mr. Ontiveros,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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Attachments: *Figure 1. Records search area Map.*

November 28, 2023

Mary Belardo, Cultural Committee Vice Chair
Torres-Martinez Desert Cahuilla Indians
P.O. Box 1160
Thermal, CA, 92274

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Chairwoman Belardo,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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The NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project. If you have any knowledge of cultural resources that may exist within or near the proposed project area, please contact me directly at (760) 815-6642 or at jcolston@dudek.com.

Please note that this letter does not constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources.

Respectfully,

A handwritten signature in blue ink, reading "Jessica Colston", written over a horizontal line.

Jessica Colston, BA

Archaeologist

DUDEK

Phone: (760) 815-6642

Email: jcolston@dudek.com

Attachments: *Figure 1. Records search area Map.*

November 28, 2023

Alesia Reed, Cultural Committee Chairwoman
Torres-Martinez Desert Cahuilla Indians
P.O. Box 1160
Thermal, CA, 92274

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Ms. Reed,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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Jessica Colston, BA

Archaeologist

DUDEK

Phone: (760) 815-6642

Email: jcolston@dudek.com

Attachments: *Figure 1. Records search area Map.*

November 28, 2023

Thomas Torte, Chairperson
Torres-Martinez Desert Cahuilla Indians
P.O. Box 1160
Thermal, CA, 92274

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Chairman Torte,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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Jessica Colston, BA

Archaeologist

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November 28, 2023

Abraham Becerra, Cultural Coordinator
Torres-Martinez Desert Cahuilla Indians
P.O. Box 1160
Thermal, CA, 92274

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Mr. Becerra,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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Jessica Colston, BA

Archaeologist

DUDEK

Phone: (760) 815-6642

Email: jcolston@dudek.com

Attachments: *Figure 1. Records search area Map.*

November 28, 2023

Gary Resvaloso, TM MLD
Torres-Martinez Desert Cahuilla Indians
P.O. Box 1160
Thermal, CA, 92274

Subject: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, California

Dear Mr. Resvaloso,

The City of Menifee is proposing the construction of a battery energy storage system of a vacant lot that in the City of Menifee, CA. The Project APE is two non-contiguous parcels, a western battery energy storage system (BESS) yard of (27.11-acres) and an eastern temporary laydown area (16.45-acres) totaling 43.56-acres. The BESS parcel is located immediately southwest of the Atchison Topeka and Santa Fe Railroad, and is bound on the east by San Jacinto Rd, south by a concrete channel, and west of Palomar Rd. Palomar Rd extends south from the BESS parcel for approximately 420ft to become the western border of the laydown yard parcel. The Project APE is within Section 14 of Township 5 South, Range 3 West of the Romoland and Perris, California 7.5-minute U.S. Geological Survey Topographic Quadrangle Maps (Figure 1).

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Archaeologist

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Attachments: *Figure 1. Records search area Map.*



03-057-2022-023

December 07, 2023

[VIA EMAIL TO:jcolston@dudek.com]

Dudek

Jessica Colston

605 Third Street

Encinitas, California 92024

Re: Double Butte Energy Storage System

Dear Jessica Colston,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Double Butte BESS project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

- *A cultural resources inventory of the project area by a qualified archaeologist prior to any development activities in this area.

- *Copies of any cultural resource documentation (report and site records) generated in connection with this project.

- *A copy of the records search with associated survey reports and site records from the information center.

- *The presence of an approved Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 423-3485. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

AGUA CALIENTE BAND OF CAHUILLA INDIANS



Xitlaly Madrigal
Cultural Resources Analyst
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS



AUGUSTINE BAND OF CAHUILLA INDIANS

84-481 Avenue 54, Coachella CA 92236

Telephone: (760) 398-4722

Fax (760) 369-7161

Tribal Chairperson: Amanda Vance

Tribal Vice-Chairperson: Victoria Martin

Tribal Secretary: Geramy Martin

Date: 11/29/2023

Dear: Jessica Colston, BA
Archaeologist

SUBJECT: Information Request for the Double Butte Battery Energy Storage Project in the City of Menifee, Riverside County, CA

Thank you for the opportunity to offer input concerning the development of the above-identified project. We appreciate your sensitivity to the cultural resources that may be impacted by your project and the importance of these cultural resources to the Native American peoples that have occupied the land surrounding the area of your project for thousands of years. Unfortunately, increased development and lack of sensitivity to cultural resources have resulted in many significant cultural resources being destroyed or substantially altered and impacted. Your invitation to consult on this project is greatly appreciated.

At this time, we are unaware of specific cultural resources that may be affected by the proposed project, however, in the event, you should discover any cultural resources during the development of this project please contact our office immediately for further evaluation.

Very truly yours,

Geramy Martin

Geramy Martin, Tribal Secretary
Augustine Band of Cahuilla Indians

Double Butte Battery Energy Storage System, City of Meniffee

Shuuluk Linton <slinton@rincon-nsn.gov>

Thu 12/21/2023 11:26 AM

To: Jessica Colston <jcolston@dudek.com>

Cc: Cheryl Madrigal <CMadrigal@rincon-nsn.gov>; Deneen Pelton <DPelton@rincon-nsn.gov>

 1 attachments (105 KB)

Double Butte Battery Energy Storage System, City of Meniffee.pdf;

Please see attached response letter to above mentioned project. If you have any questions or comments, please contact us.

Thank you for the opportunity to protect our cultural assets.

Shuuluk Linton

Tribal Historic Preservation Coordinator

Cultural Resources Department

Rincon Band of Luiseño Indians

1 West Tribal Road | Valley Center, CA 92082

Office: (760) 749 1092 ext. 320 | Cell (760) 522-7230

Fax: 760-749-8901

Email: slinton@rincon-nsn.gov



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Rincon Band of Luiseño Indians

CULTURAL RESOURCES DEPARTMENT

One Government Center Lane | Valley Center | CA 92082
(760) 749-1092 | Fax: (760) 749-8901 | rincon-nsn.gov



December 21, 2023

Sent via email: jcolston@dudek.com

Re: Double Butte Battery Energy Storage System, City of Menifee, California

Dear Ms. Colston,

This letter is written on behalf of the Rincon Band of Luiseño Indians (“Rincon Band” or “Band”), a federally recognized Indian Tribe and sovereign government. We have received your notification regarding the above mentioned project and we thank you for the consultation notification.

At this time, we have no additional information to provide. We recommend that you directly contact Pechanga Band of Luiseño Indians as they are closer to the project and may have pertinent information.

If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 749-1092 ext. 320 or via electronic mail at slinton@rincon-nsn.gov.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,



Shuuluk Linton
Tribal Historic Preservation Office
Cultural Resources Coordinator