

ERRATA AND REVISIONS TO THE FINAL SUBSEQUENT EIR

1.0 Introduction

The California Department of Toxic Substances Control (DTSC) has prepared a final subsequent environmental impact report (Final SEIR) for the Pacific Gas and Electric Company (PG&E) Topock Compressor Station Final Groundwater Remediation Project (Final Groundwater Remedy; Project). The Final SEIR was distributed to those agencies and native American tribes who commented on the Draft SEIR on December 22, 2017 for a 30-day period that concluded on January 22, 2018. Following the close of the 30-day period, a total of for comment letters were received.

The Metropolitan Water District of Southern California provided a comment letter on January 22, 2018 that indicated that the Final SEIR appropriately addressed the comments provided by this agency on the Draft SEIR. Comment letters were also received from the Fort Mojave Indian Tribe (FMIT) on January 22, 2018, the Cocopah Indian Tribe on January 26, 2018, and the Hualapai Indian Tribe on January 29, 2018. Several of the issues raised in each of these comment letters are consistent with prior comments received on the Draft SEIR that are addressed in the Final SEIR Volume 1, Response to Comments. Several new comments and points of clarification were raised in each of these letters which have resulted in several new revisions and points of clarification in the Final SEIR. Additionally, the U.S. Bureau of Land Management (BLM) circulated a revised draft Treatment Plan (Hanes and Price, 2018) for agency and tribal review on March 26, 2018, which DTSC has incorporated where necessary. This Errata document reflects all final changes made to the Final SEIR in ~~strikeout/underline~~ text, and will be adopted as part of the Final SEIR by DTSC when certifying the Final SEIR and approving the Project.

2.0 Revisions to the Final SEIR

2.1 *Mitigation Measure CUL-5 Revisions*

Volume 1, Pages 2-8 – 2-10 (Master Response 1); Volume 2, Pages 1-73 (Chapter 1, Summary, Table 1-3); Page 6-36 (Chapter 6, Cumulative Analysis); and Page 60 of the Mitigation Monitoring and Reporting Program (MMRP).

Mitigation Measure CUL-5: Cumulative Impacts to the Topock TCP (New Measure).
PG&E shall provide funding to the following Tribes (Chemehuevi Indian Tribe, Cocopah Indian Tribe, Colorado River Indian Tribes, Fort Mojave Indian Tribe, and Hualapai Indian Tribe) that would facilitate actions to preserve the cultural and ecological integrity of the Topock TCP, and that would provide interpretation, and/or educational programs related to the Topock TCP. The funds shall be used for the purposes of ensuring the preservation, conservation and transmission of cultural values associated with the Topock TCP, including furthering Tribal knowledge and community awareness of the TCP's importance and meaning for each Tribe. The funds shall be used to implement interpretive facilities or programs, land preservation/conservation, educational programs (such as grant funding to further the cultural understanding, including research of the Topock area). The Project's Conditions of Approval will identify the amount of the one-time contribution to be made by PG&E, and the type of funding mechanism to be utilized as determined by DTSC. The funding mechanism shall provide for the management of individual, separate -funds of equal amounts for each of the four-five Tribes, and shall administer the release

of funds upon review and approval of proposals by Tribe(s). Proposals must meet the above-described purpose related to preservation/conservation, interpretation, and/or educational programs pertaining to the Topock TCP, and must meet pre-established minimum criteria. The funding mechanism shall also provide tracking and verification through documentation of the appropriate use of the funds. Within 6 months of Project approval, DTSC shall develop, in consultation with the Tribes, Tribal Funding Application Guidelines for distribution to the Tribes.
The Tribal Funding Application Guidelines will identify the funding management organization that will manage the funds and will provide guidance on accessing the funds, including the identification of minimum criteria by which proposals will be evaluated. Within 30 days of notification by DTSC that the funding management organization has been established, PG&E shall provide documentation that the required funding contribution has been made. The funding organization shall report to DTSC upon the following three occasions: (1) receipt of a proposal by Tribe(s), (2) approval and release of funds, and (3) verification of implementation/use of funds. Funding shall be available for use within the duration of the active remedy, currently estimated to be approximately 30 years.

Volume 1, Page 2-10 (Master Response 1).

The Prior Settlement Agreements as it Relates to Mitigation Measure CUL-5

It is important to note that one of the Interested Tribes, the Fort Mojave Indian Tribe, has been excluded from the new Mitigation Measure CUL-5 because of the terms of previously entered Settlement Agreements. Specifically, the Fort Mojave Indian Tribe is in the unique position of having previously entered into two separate Settlement Agreements with DTSC and PG&E, respectively. The Settlement Agreements resolved litigation over DTSC's approval of the Topock Compressor Station Groundwater Remediation Project and certification of the 2011 Final EIR (Sacramento Superior Court Case No. 34-2011-80000802-CU-WM-GDS). The Settlement Agreement between the Fort Mojave Indian Tribe and DTSC provides that “[t]o implement the provisions contained in the PG&E Settlement, the Tribe waives any and all legal, equitable, or administrative claims, and requests for additional mitigation measures, against DTSC, in any tribunal, court or regulatory forum, related to the groundwater and soils remedies....” (p. 4, Section 10(e).) The Settlement Agreement between the Fort Mojave Indian Tribe and PG&E, states that “[t]he Tribe waives any and all administrative, equitable, or legal claims against the federal government and California in any tribunal, court or regulatory forum related to the groundwater and soils remedies....” including “related to PG&E’s implementation of these remedies as approved as of October 18, 2011[.]” (p. 5, Section X(B).)

The Settlement Funds paid by PG&E to the Fort Mojave Indian Tribe as part of that Agreement contemplated use of the funds for items such as acquisition and management of land, planning for a potential cultural heritage center and programs, and scholarships for Tribal members to study sciences, technologies and legal aspects of environmental impact assessment, among others at the discretion of the Fort Mojave Indian Tribe. (pp. 3-4, Section VII.) Because of the terms of the prior Settlement Agreements between the Fort Mojave Indian Tribe and PG&E, and the Fort Mojave Indian Tribe and DTSC, the Fort Mojave Indian Tribe has not been included in Final SEIR Mitigation Measure CUL-5. The Final SEIR nevertheless mitigates the significant cumulative impacts of the Project to the extent feasible by including a measure (CUL-5) which provides an opportunity for the Tribes identified in the measure to engage in similar activities to

~~preserve and protect the Topock TCP. Considering the terms of the prior Settlement Agreements, exclusion of the Fort Mojave Indian Tribe from CUL 5 does not render the SEIR mitigation ineffective.~~

2.2 Revisions Related to the Treatment Plan

Volume 2, Page 1-44 (Chapter 1, Summary, Table 1-3); Pages 4.4-124 to 4.4-125 (Section 4.4, Cultural Resources); MMRP Pages 33-34.

Mitigation Measure CUL-1a-19: Implement Treatment Plan for the Topock TCP (New Measure). All activities associated with construction, operation and maintenance, and decommissioning of the Final Remedy Design shall be implemented consistent with provisions of the *Cultural and Historical Property Treatment Plan for the Topock Compressor Station* (Hanes and Price *in progress*), which is being prepared pursuant to requirements of the Stipulation VII.B and Appendix B of the PA and mitigation measure CUL-1b/c-3 of the Groundwater FEIR. The Treatment Plan shall address treatment to the Topock TCP and its contributors, in addition to historical resources other than the Topock TCP (this is the same Treatment Plan referenced in Section 7 “*Cultural Property-Specific Treatment Measures*” of the CHPMP, which can be used to satisfy the requirements of this mitigation measure). ~~PG&E shall submit the Treatment Plan to DTSC for review and approval. PG&E shall also distribute the draft Treatment Plan and any future amendments~~ to the Interested Tribes for tribal review consistent with Section 2.3 “*Protocols for the Review of Cultural Resources-Related Documents*” of the CIMP and Section 6.7 “*Protocols for Tribal Notification and Consultation in Advance of Certain Activities*” of the CHPMP (as described above in Mitigation Measure CUL-1a-8q). ~~As such, the Treatment Plan is subject to revision prior to finalization. Once consultation is complete, PG&E shall submit the final Treatment Plan to DTSC for final review and approval prior to the start of construction. DTSC has included specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as conditions of approval on the Project. When the final Treatment Plan is approved, those final measures will replace and/or supplement those identified in DTSC’s conditions of approval for the Project.~~ The Treatment Plan may be amended in the future in the event of new discoveries or greater than anticipated impacts. Treatment Plan amendments shall be required in instances where the current content of the Treatment Plan is insufficient to address necessary treatment measures and shall be determined in coordination amongst PG&E, BLM, DTSC, and Interested Tribes.

Volume 2, Page 1-45 (Chapter 1, Summary, Table 1-3); Page 4.4-136 (Section 4.4, Cultural Resources); MMRP Pages 34-35.

Mitigation Measure CUL-1b/c-3: Prepare and Implement a Treatment Plan for Historical Resources other than the Topock TCP (Groundwater FEIR Measure with Revisions). ~~All activities associated with construction, operation and maintenance, and decommissioning of the Final Groundwater Remedy Project shall be implemented consistent with provisions of the Cultural and Historical Property Treatment Plan for the Topock Compressor Station (Hanes and Price *in progress*), which is being prepared pursuant to requirements of the Stipulation VII.B and Appendix B of the PA and mitigation measure CUL-1b/c-3 of the Groundwater FEIR. Prior to the start of construction, PG&E shall prepare and implement a~~ The Treatment Plan ~~that shall~~ identify ~~yies~~ measures to lessen impacts to historical resources other than the Topock TCP that cannot be avoided by the Project and that will be subject to significant impacts (this is the same Treatment Plan - *Cultural and Historical Property Treatment Plan for the Topock Compressor*

Station [Hanes and Price in progress] - described above in Mitigation Measure CUL-1a-19 and is currently being prepared). The Treatment Plan shall identify which criteria for listing on the NRHP/CRHR contribute to the affected resource's significance and which aspects of significance would be materially altered by construction, operation and maintenance, or decommissioning and shall provide for reasonable efforts to be made to permit the resource to be preserved in place or left in an undisturbed state consistent with the CEQA Guidelines and with Stipulation I.B of the PA and Section 7 of the CHPMP, and to the maximum extent feasible as determined by DTSC, in coordination with PG&E, Interested Tribes, and respective landowners. PG&E shall submit the Treatment Plan to DTSC for review and approval. PG&E shall also distribute the draft Treatment Plan and any future amendments to the Interested Tribes for tribal review consistent with Section 2.3 "Protocols for the Review of Cultural Resources-Related Documents" of the CIMP and Section 6.7 "Protocols for Tribal Notification and Consultation in Advance of Certain Activities" of the CHPMP (as described above in Mitigation Measure CUL-1a-8q). As such, the Treatment Plan is subject to revision prior to finalization. Once consultation is complete, PG&E shall submit the final Treatment Plan to DTSC for final review and approval prior to the start of construction. DTSC has included specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as conditions of approval on the Project. When the final Treatment Plan is approved, those final measures will replace and/or supplement those identified in DTSC's conditions of approval for the Project. The Treatment Plan may be amended in the future in the event of new discoveries or greater than anticipated impacts. Treatment Plan amendments shall be required in instances where the current content of the Treatment Plan is insufficient to address necessary treatment measures and shall be determined in coordination amongst PG&E, BLM, DTSC, and Interested Tribes.

Volume 1, Page 4-53 (Individual Responses).

I6-018 The commenter suggests changes to the text in Mitigation Measure CUL-1a-19 to reflect the fact that PG&E submitted a draft Treatment Plan to the agencies and Tribes in 2014, and that PG&E responded to comments and submitted a final Treatment Plan to DTSC and the Bureau of Land Management (BLM) in 2017.

The Treatment Plan is currently being reviewed by the Interested Tribes and it is possible that there may be further changes to the Treatment Plan. Until DOI and DTSC have considered Tribal input, the Treatment Plan is not considered final. Therefore, the suggested changes have not been made. DTSC has included specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as conditions of approval on the Project. However, when the final Treatment Plan has been approved by BLM, in consultation with Interested Tribes, new or revised measures contained within that final Treatment Plan would also apply to the Final Groundwater Remedy Project.

I6-019 The commenter suggests changes to the text in Mitigation Measure CUL-1b/c-3 to reflect the fact that PG&E submitted a draft Treatment Plan to the agencies and Tribes in 2014, and that PG&E responded to comments and submitted a final Treatment Plan to DTSC and BLM in 2017.

As of March 2018, tThe Treatment Plan is currently being reviewed by the Interested Tribes and it is possible that there may be further changes to the Treatment Plan. Until DOI and DTSC have considered Tribal input, the Treatment Plan is not considered final. Therefore, the suggested changes have not been made. DTSC has included specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as conditions of approval on the Project. However, when the final Treatment Plan has been approved by BLM, in consultation with Interested Tribes, new or revised measures contained within that final Treatment Plan would also apply to the Final Groundwater Remedy Project.

Volume 1, Page 4-76 (Individual Responses).

I6-078

The commenter notes that the final Treatment Plan was submitted to DTSC and BLM in February 2017 and suggest revisions to indicate this.

As of March 2018, the Treatment Plan is currently being reviewed by the Interested Tribes and it is possible that there may be further changes. Until DOI and DTSC have considered Tribal input, the Treatment Plan is not considered final. Therefore, the suggested changes have not been made. DTSC has included specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as conditions of approval on the Project. However, when the final Treatment Plan has been approved by BLM, in consultation with Interested Tribes, new or revised measures contained within that final Treatment Plan would also apply to the Final Groundwater Remedy Project.

Please see response to comment I6-027 regarding the status of the Treatment Plan.

Volume 1, Page 4-80 (Individual Responses).

I6-086

The commenter recommends removing activities under federal control or that depend on Tribal desires from Mitigation Measure CUL-1a-19. The commenter states that the BLM has indicated that the Tribes have a desire to revise the nomination package to treat the property as an archaeological property only, and that the Site Steward Program is a BLM program.

DTSC concurs with these clarifications and, in response to the comment, the following Draft Final SEIR text on page 4.4-1098 is revised in the Final SEIR as follows:

Mitigation Measure CUL-1a-19 requires implementation of a Treatment Plan for the Topock TCP, which would include additional documentation, interpretation, and protective measures such as an informational outreach trailer to educate the

public on the importance of the area; inclusion of Tribal perspectives on documentation (site records) for prehistoric archaeological resources, as well as historical site records that are of interest to Tribes, to ensure that Tribal values and interpretation of those resources is considered beyond that which is scientifically important; an updated NRHP nomination package for the Topock Maze (CA-SBR-219, Loci A, B, and C) that considers Tribal perspectives and ensures that the resource is preserved in posterity through documentation; updated site documentation for sites that have not been updated in over 10 years to assess the current condition; and avoidance and protective measures for site CA-SBR-29943 (prehistoric trail).

~~an informational kiosk to educate the public on the importance of the area, inclusion of Tribal perspectives on documentation (site records) for prehistoric archaeological resources to ensure that Tribal values and interpretation of those resources is considered beyond that which is scientifically important, an updated NRHP nomination package for the Topock Maze (CA-SBR-219, Loci A, B, and C) that considers the Tribal perspective of the Topock TCP and that captures the intrinsic value of the TCP to Interested Tribes such that this resource is preserved in posterity through documentation, updated site documentation for sites that have not been updated in over 10 years to assess the current condition, support for a site stewardship program to help protect and monitor the Topock Maze and other sensitive sites that contribute to the significance of the Topock TCP, and protective measures for site AE Topock 210 (prehistoric trail).~~

Since the Treatment Plan is currently being reviewed by the Interested Tribes and it is possible that there may be further changes to the Treatment Plan, the Treatment Plan is not considered final. DTSC has included specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as conditions of approval on the Project. However, when the final Treatment Plan has been approved by BLM, in consultation with Interested Tribes, new or revised measures contained within that final Treatment Plan would also apply to the Final Groundwater Remedy Project.

Volume 1, Pages 5-96 to 5-97 (Tribal Responses).

T3-032

The commenter states that the Treatment Plan described in Mitigation Measure CUL-1a-19 has not been completed and suggests this may be inconsistent with CEQA. The commenter states that the Interested Tribes have not reviewed nor been allowed to assist/collaborate on the drafting of the Treatment Plan.

The Treatment Plan is currently being prepared by the BLM to resolve adverse effects to historic properties under Section 106

of the NHPA in compliance with the Stipulation VII(B) of the PA and Chapter 7 of the CHPMP. DTSC agrees that the Treatment Plan has not been finalized; moreover, if additional impacts to historic or pre-historic resources are discovered or potentially impacted by the Project, the Treatment Plan should be revised-amended to address those resources. DTSC notes that a draft Treatment Plan has, at this point, been provided to the Interested Tribes for review and comment. Comments were received from the FMIT in a letter dated April 28, 2017, and from the Cocopah Tribe in a letter dated April 24, 2017. DTSC and DOI are considering the comments and revising the Treatment Plan as necessary. Under CEQA this approach is consistent with current standards and practices of requiring preparation of a Treatment Plan as part of the mitigation, identifying the general principles that will be addressed in the Treatment Plan (i.e., additional documentation, interpretation, data recovery, as relevant to the specific identified resource) and including performance standards. (See CEQA Guidelines, Section 15126.4, subd. (a)(1)(B) [“measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way”]; *Preserve Wild Santee v. City of Santee* (2012) 210 Cal. App. 4th 260, 279 [finding plaintiffs had not established that the City improperly relied on a draft subarea plan to avoid analyzing the project’s cumulative biological impacts, or that the EIR’s analysis of the project’s cumulative biological resources impacts was otherwise inadequate].) Here, the Draft SEIR includes mitigation measures and performance standards to avoid and substantially reduce significant impacts to historical and cultural resources from the Final Groundwater Remedy. It is therefore not required for DTSC to wait until completion of the Treatment Plan before relying on it as part of the Project approval.

However, DTSC has included specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as conditions of approval on the Project. When the final Treatment Plan has been approved by BLM, in consultation with Interested Tribes, new or revised measures contained within that final Treatment Plan would also apply to the Final Groundwater Remedy Project.

Volume 1, Page 5-186 (Tribal Responses).

T6-024

The commenter states that the revised Treatment Plan, as referenced in Mitigation Measure CUL-1a-19, with comments from DOI and DTSC has not been received or reviewed by the Tribe. The commenter states that the Project-specific and cumulative cultural mitigation measures refer to a Treatment Plan that is “in process,” and deferral of the

Treatment Plan post Project approval may be acceptable relative to DOI and NHPA Section 106 (and the Programmatic Agreement), but is not necessarily acceptable pursuant to CEQA. The commenter states that DTSC must explain how the deferral of the mitigation and treatment in the Treatment Plan is consistent with CEQA. The commenter states that the Treatment Plan will be used as the first point of reference in developing a specific course of action that would address how best to avoid, minimize, or mitigate an adverse effect, but it is unclear how these unspecified components and their potential effects to cultural and historic properties can be dealt with in the Treatment Plan.~~Please refer to Master Response 2: Use of the Future Activity Allowance in the Draft SEIR for a detailed response to this comment.~~

The Treatment Plan is currently being prepared by the BLM to resolve adverse effects to historic properties under Section 106 of the NHPA in compliance with the Stipulation VII(B) of the PA and Chapter 7 of the CHPMP. DTSC agrees that the Treatment Plan has not been finalized for those identified resources that would be affected directly by the Project; moreover, if additional impacts to historic or pre-historic resources are discovered or potentially impacted by the Project during construction, operation, or decommissioning activities, the Treatment Plan will be amended by BLM to address those resources. DTSC notes that a draft Treatment Plan has, at this point, been provided to the Interested Tribes for review and comment. Comments were received from the FMIT in a letter dated April 28, 2017, and from the Cocopah Tribe in a letter dated April 24, 2017. DTSC and BLM are considering the comments and revising the Treatment Plan as necessary. Under CEQA this approach is consistent with current standards and practices of requiring preparation of a Treatment Plan as part of the mitigation measures required to reduce significant impacts, identifying the general principles that will be addressed in the Treatment Plan (i.e., additional documentation, interpretation, data recovery, as relevant to the specific identified resource) and including performance standards. (See CEQA Guidelines, Section 15126.4, subd. (a)(1)(B) [“measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way”]; *Preserve Wild Santee v. City of Santee* (2012) 210 Cal. App. 4th 260, 279 [finding plaintiffs had not established that the City improperly relied on a draft subarea plan to avoid analyzing the project’s cumulative biological impacts, or that the EIR’s analysis of the project’s cumulative biological resources impacts was otherwise inadequate].) Here, the Final SEIR includes mitigation measures and performance standards to avoid and substantially reduce significant impacts to historical and cultural resources resulting from implementation of the Final Groundwater Remedy. It is therefore not required for DTSC to wait until completion of the Treatment Plan before approving the Project.

However, DTSC has included the specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP,

CIMP, and Final SEIR MMRP, as conditions of approval on the Project. When the final Treatment Plan has been approved by BLM, in consultation with Interested Tribes, new or revised measures contained within that final Treatment Plan would also apply to the Final Groundwater Remedy Project.

Additionally, Mitigation Measure CUL-1a-19, which requires implementation of the Treatment Plan, states that “The Treatment Plan may be amended in the future in the event of new discoveries or greater than anticipated impacts. Treatment Plan amendments shall be required in instances where the current content of the Treatment Plan is insufficient to address necessary treatment measures and shall be determined in coordination amongst PG&E, BLM, DTSC, and Interested Tribes.”

Volume 1, Pages 5-217 to 5-218; Pages 5-341 to 5-342 (Tribal Responses).

T6-079/T7-095

The commenter states that the following text should be added to Mitigation Measure CUL-1b/c-4a: “Tribal interpretations of resource finds shall be included in the required documentation of monitoring” and that “tribes will be consulted during the completion or updating of any required recordation forms and their views included in the forms.”

DTSC understands that the Interested Tribes are afforded the opportunity to provide input on recordation forms as part of measures outlined in the Treatment Plan. DTSC agrees that Tribal views should also be included as part of the sites forms prepared by the Qualified Cultural Resources Consultant for new discoveries, in conformance with the Treatment Plan measures and BLM manuals, and agrees that Mitigation Measure CUL-1b/c-4a should be modified to allow for Tribal input on archaeological resources discoveries site forms and updates. The Draft SEIR text within measure CUL-1b/c-4a has been revised as follows:

Department of Parks and Recreation 523 forms, following the Office of Historic Preservation’s *Instructions for Recording Historical Resources*, shall be prepared by the Qualified Cultural Resources Consultant and filed with the South Central Coastal Information Center (for archaeological resources in California) and Arizona State Museum site cards shall be prepared by the Qualified Cultural Resources Consultant and filed with the Arizona State Museum (for archaeological resources in Arizona) for all newly identified and updated archaeological resources, and shall be compiled and provided to DTSC as they become available. Interested Tribes shall be afforded an opportunity to provide input on archaeological discoveries site forms and updates in accordance with measures outlined in the Treatment Plan (Mitigation Measure CUL-1a-19) and BLM policies and practices pertaining to information sharing.

T7-030

The commenter states that the revised Treatment Plan, as referenced in Mitigation Measure CUL-1a-19, with comments from DOI and DTSC has not been received or reviewed by the Tribe. The commenter states that the Project specific and cumulative cultural mitigation measures refer to a Treatment Plan that is “in process,” and deferral of the Treatment Plan post Project approval may be acceptable relative to DOI and NHPA Section 106 (and the Programmatic Agreement), but is not necessarily acceptable pursuant to CEQA. The commenter states that DTSC must explain how the alleged deferral of the mitigation and treatment in the Treatment Plan is consistent with CEQA. The commenter states that the Treatment Plan will be used as the first point of reference in developing a specific course of action that would address how best to avoid, minimize, or mitigate an adverse effect, but it is unclear how these unspecified components and their potential effects to cultural and historic properties can be dealt with in the Treatment Plan.

The Treatment Plan is currently being prepared by the BLM to resolve adverse effects to historic properties under Section 106 of the NHPA in compliance with the Stipulation VII(B) of the PA and Chapter 7 of the CHPMP. DTSC agrees that the Treatment Plan has not been finalized for those identified resources that would be affected directly by the Project; moreover, if additional impacts to historic or pre-historic resources are discovered or potentially impacted by the Project during construction, operation, or decommissioning activities, the Treatment Plan will be amended by BLM to address those resources. DTSC notes that a draft Treatment Plan has, at this point, been provided to the Interested Tribes for review and comment. Comments were received from the FMIT in a letter dated April 28, 2017, and from the Cocopah Tribe in a letter dated April 24, 2017. BLM, with input from DTSC, is in the process of considering the comments and revising the Treatment Plan as necessary (a revised draft was circulated to the Interested Tribes by BLM March 26, 2018). Under CEQA, the SEIR’s approach is consistent with current standards and practices of requiring preparation of a Treatment Plan as part of the mitigation measures required to avoid or reduce significant impacts, identifying the general principles that will be addressed in the Treatment Plan (i.e., additional documentation, interpretation, data recovery, as relevant to the specific identified resource) and including performance standards. (See CEQA Guidelines, Section 15126.4, subd. (a)(1)(B) [“measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way”]; *Preserve Wild Santee v. City of Santee* (2012) 210 Cal. App. 4th 260, 279 [finding plaintiffs had not established that the City improperly relied on a draft subarea plan to avoid analyzing the project’s cumulative biological impacts, or that the EIR’s analysis of the project’s cumulative biological resources impacts was otherwise inadequate].) Here, the Final SEIR includes mitigation measures and performance standards to avoid and substantially reduce significant impacts to historical and cultural resources resulting from

implementation of the Final Groundwater Remedy. It is therefore not required for DTSC to wait until BLM's completion of the Treatment Plan before certifying the SEIR and approving the Project.

DTSC has nevertheless included the specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as conditions of approval on the Project. When the final Treatment Plan has been approved by BLM, in consultation with Interested Tribes, new or revised measures contained within that final Treatment Plan would also apply to the Final Groundwater Remedy Project pursuant to Mitigation Measure CUL-1a-19.

Mitigation Measure CUL-1a-19 requires implementation of the Treatment Plan, and states that “The Treatment Plan may be amended in the future in the event of new discoveries or greater than anticipated impacts. Treatment Plan amendments shall be required in instances where the current content of the Treatment Plan is insufficient to address necessary treatment measures and shall be determined in coordination amongst PG&E, BLM, DTSC, and Interested Tribes.”

Please refer to Master Response 2: Use of the Future Activity Allowance in the Draft SEIR for a detailed response to this comment.

Volume 2, Page 4.4-109 (Section 4.4, Cultural Resources).

Mitigation Measure CUL-1a-16 requires implementation of the restoration plan to restore the Project Area to its preconstruction condition. Mitigation Measure CUL-1a-17 requires handling of displaced soils in accordance with the CIMP and the Soil Management Plan (Appendix L of the C/RAWP), which outlines those soils that can be stored on-site for potential return, re-use, and/or restoration and the options for return, re-use, and/or restoration. Mitigation Measure CUL-1a-18 requires reducing visual intrusions consistent with the CIMP and Mitigation Measures AES-1 and AES-2 of this SEIR. Mitigation Measure CUL-1a-19 requires implementation of a Treatment Plan for the Topock TCP, which would include additional documentation, interpretation, and protective measures such as an informational outreach trailer to educate the public on the importance of the area; inclusion of Tribal perspectives on documentation (site records) for prehistoric archaeological resources, as well as historical site records that are of interest to Tribes, to ensure that Tribal values and interpretation of those resources is considered beyond that which is scientifically important; an updated NRHP nomination package for the Topock Maze (CA-SBR-219, Loci A, B, and C) that considers Tribal perspectives and ensures that the resource is preserved in posterity through documentation; and avoidance and protective measures for site CA-SBR-29943 (prehistoric trail), an informational kiosk to educate the public on the importance of the area, inclusion of Tribal perspectives on documentation (site records) for prehistoric archaeological resources to ensure that Tribal values and interpretation of those resources is considered beyond that which is scientifically important, an updated NRHP nomination package for the Topock Maze (CA-SBR-219, Loci A, B, and C) that considers the Tribal perspective of the Topock TCP and that captures the intrinsic value of the TCP to

~~Interested Tribes such that this resource is preserved in posterity through documentation, updated site documentation for sites that have not been updated in over 10 years to assess the current condition, support for a site stewardship program to help protect and monitor the Topock Maze and other sensitive sites that contribute to the significance of the Topock TCP, and protective measures for site AE Topock 210 (prehistoric trail). As part of the conditions of approval on the Project, DTSC has included specific measures outlined in the draft Treatment Plan that reduce impacts to historical resources, which are not already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP.~~ However, even with the implementation of these measures, impacts to the historical resource identified as the Topock TCP would remain significant and unavoidable.

Volume 2, Page 4.4-129 (Section 4.4, Cultural Resources).

Mitigation Measures CUL-1b/c-1, -3, -4, -5, and -6, which require consideration of the locations of historical resources during design, preparation and implementation of a treatment plan (which includes an ~~interpretive plan and public outreach program~~information outreach trailer to educate visitors on the importance of NOTH/Route 66, additional documentation of some contributing elements to capture the condition of the resource such that it is preserved in posterity, limiting vehicle access and installing temporary barriers, and restoration of the Route 66 Sign), monitoring, avoidance where feasible, and additional protective measures (such as annual ~~site condition inspections assessments~~, installation of temporary barriers, and worker training), would avoid, minimize, rectify, reduce, or compensate for the impact of the overall Project. DTSC has included specific measures outlined in the draft Treatment Plan that reduce impacts to CA-SBR-2910H/AZ I:15:156 (ASM)/AZ L:7:72 (ASM), which are not already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as part of the conditions of approval on the Project. However, even with implementation of Mitigation Measures CUL-1b/c-1, -3, -4, -5, and -6 this impact would be significant and unavoidable.

2.3 Mitigation Measure CUL-1a-11 Revisions

Volume 2, Page 1-39 (Chapter 1, Summary, Table 1-3); 4.4-120-121 (Section 4.4, Cultural Resources); MMRP Page 29.

Mitigation Measure CUL-1a-11: Open Grant Funding (Groundwater FEIR Measure with Revisions). During the construction phase of the Project, PG&E shall provide an open grant for one part-time cultural resource specialist/project manager position for each of ~~the these five four~~ Interested Tribes: Chemehuevi, Cocopah, CRIT, ~~FMIT~~, and Hualapai. Additionally, the FMIT shall receive one full-time cultural resource specialist/project manager position in light of their ownership of land in the Project Area and historical involvement in the remediation process. The award of the grants is for the timely review of Project documents, participating in project-related meetings, coordinating and managing input and interests for the Tribe on the Project, and to act as a Tribal liaison with PG&E and regulatory agencies. The ~~part-time~~ cultural resources specialist/project manager shall be compensated at rates of historic compensation with provisions for escalation of rates tied to the U.S. Department of Labor, Bureau of Labor Statistics Employment Cost Index. The payment of grant monies shall be timed to the awarded tribes' fiscal cycles so that the tribes are not forced to front funds for long periods of time. These positions shall act as cultural resources contacts and project managers for interactions between the tribes,

PG&E, and DTSC to ensure coordination during construction of the remedy to avoid, reduce, or otherwise mitigate impacts on resources qualifying as historical resources under CEQA. This funding is separate from provisions for tribal monitor positions and shall not be used for routine tribal business or legal counsel. For review and approval, PG&E shall provide DTSC with the names of the selected grant recipients and a report that summarizes activities associated with the grant program, at least annually. Upon conclusion of the construction phase of the Project, Funding for these positions shall continue until DTSC has determined that the remedy is operating properly and successfully, at which time the necessity of the cultural resource specialist/project manager positions shall be assessed by DTSC and at which time the positions may shall be extended, reduced, or terminated. During the operation and maintenance and decommissioning phases, the necessity of the positions shall be periodically evaluated by DTSC. These positions shall be inclusive of those referenced by CR-1e-9 in the Topock Soil Investigation Project EIR and MMRP and not additive.

Volume 1, Page 5-336 (Tribal Responses).

T7-084

The commenter asks why DTSC changed the language in Mitigation Measure CUL-1a-11 regarding FMIT's ownership of land in the Project Area and involvement in the environmental process, specifically the following: "Additionally, in light of FMIT's ownership of land in the project area and historical involvement in the environmental process, additional funding is guaranteed for one full-time FMIT position upon submission of an application by a qualified FMIT member who shall be appointed by the FMIT council, provided such funding is not duplicative of the services and funding provided by PG&E pursuant to the Settlement Agreement between PG&E and the FMIT in *Fort Mojave Indian Tribe v. Dept. of Toxic Substances Control*, et al., Case No. 05CS00437 for a position with the FMIT's AhaMakav Cultural Society."

DTSC received an additional comment letter from the FMIT on January 22, 2018 following review of the Final SEIR (see page 10, item 2) reiterating the justification for a full-time FMIT position. Upon further review, DTSC has made the voluntary decision to require provision of a full-time FMIT position, consistent with the approach taken as part of the 2011 Groundwater FEIR. Mitigation Measure CUL-1a-11 has been revised accordingly.

~~Reflective of the continued involvement of each of the five Interested Tribes in the Project, DTSC modified the original language to include funding for a part time Project Manager for each of the five Interested Tribes. DTSC does not believe that a full time position is warranted during the construction or operation and maintenance phases of the Project. However,~~ DTSC has also modified CUL-1a-11 to provide greater flexibility in considering the Tribes' needs, and allowing for continued participation of project managers as the Project progresses during the operation and maintenance phase.

The original 2011 Groundwater FEIR Mitigation Measure CUL-1a-11 stated that “Upon conclusion of the construction phase of the project, the necessity and dollar value of the grant program shall be assessed by PG&E and, with the approval of DTSC, shall either be extended, reduced, or terminated under the operations and maintenance phase.” In response to the comment, the Draft SEIR text of CUL-1a-11 has been revised in the Final SEIR as follows:

Mitigation Measure CUL-1a-11: ... ~~Upon conclusion of the construction phase of the Project, Funding for these positions shall continue until DTSC has determined that the remedy is operating properly and successfully, at which time the necessity of the cultural resource specialist/project manager positions shall be assessed by DTSC at which time and the positions may shall~~ be extended, reduced, or terminated. During the operation and maintenance and decommissioning phases, the necessity of the positions shall be periodically evaluated by DTSC.

This change presented in the mitigation measure does not result in a decrease in the effectiveness of the proposed measure, result in a substantial increase in the severity of the identified impact after mitigation, or preclude meaningful review and comment.

2.4 Miscellaneous Errata Changes

Volume 2, Page iii (Table of Contents, Appendix BOD website).

Appendices

- AQ Air Quality & GHG Assumptions and Calculations
- BOD Basis of Design Report/Final (100%) Design Submittal for the Final Groundwater Remedy, PG&E Topock Compressor Station, Needles, California (available online at the following link: <http://dtsc-topock.com/documents/cleanup-implementation/groundwater/remedy-design/remedial-design-documents>
<http://dtsc-topock.com/documents/other-and-environmental-impact-review/groundwater/ceqa-eir/subsequent-eir>)
- COM PG&E Topock Tribal Communications Summary Table

MMRP (title).

TABLE 44-1
MITIGATION MONITORING AND REPORTING PROGRAM FOR THE TOPOCK COMPRESSOR STATION SOIL INVESTIGATION FINAL GROUNDWATER REMEDY PROJECT

TABLE 4.4-2
ARCHAEOLOGICAL AND HISTORIC-PERIOD BUILT RESOURCES IN THE PROJECT AREA

Primary #	Trinomial	Other Identifier	Resource Description	Date Recorded/Updated	NRHP/CRHR Eligibility Status	Contributor to Topock TCP	Within Planned Component within Project Area
Prehistoric Archaeological Resources							
-	-CA-SBR-29935	*Æ-Topock-201	Site: lithic scatter	9/24/2015	^f Not evaluated/ Discretionarily eligible	Yes	No
-	-CA-SBR-29936	*Æ-Topock-202	Site: lithic scatter	9/24/2015	^f Not evaluated/ Discretionarily eligible	Yes	No
-	-CA-SBR-29937	*Æ-Topock-203	Site: lithic scatter	9/24/2015	^f Not evaluated/ Discretionarily eligible	Yes	No
-	CA-SBR-29940-	*Æ-Topock-207	Site: lithic reduction station	5/25/16	^f Not evaluated/ Discretionarily eligible	Yes	No
-	-CA-SBR-29943	*Æ-Topock-210	Site: trail and associated trail markers	5/25/16	^g Eligible for individual listing ^h Not evaluated/ Discretionarily eligible	Yes	Yes (trail only)

NOTES:

^a Davy et al. 2004

^b BLM 2012

^c Earle and Price 2014

^d Earle and Price 2013

^e denotes resource determined discretionarily eligible (DTSC 2011/DTSC 2013)

^f denotes resource determined discretionarily eligible by DTSC for the purposes of this SEIR pursuant to CEQA Section 15064.5(a)(3)

^g Polanco 2016

^h Smallwood 2014

ⁱ Mead & Hunt 2015

^j BLM 2015

^k [Hanes 2017](#)

*Denotes resource to be included in annual historical resource site condition inspection assessment (in accordance with Mitigation Measure CUL-1a-3a).

Volume 2, Page 4.4-23 (Section 4.4, Cultural Resources).

TABLE 4.4-3
**ARCHAEOLOGICAL AND HISTORIC-PERIOD BUILT RESOURCES IN OR OVERLAPPING PLANNED PROJECT COMPONENTS
 WITHIN THE PROJECT AREA**

Identifier	Resource Description	Project Component	NRHP/CRHR Eligibility Status
CA-SBR-2910H/ AZ I:15:156 (ASM)/ AZ L:7:72 (ASM)	Built: National Old Trails Highway/Route 66	Proposed underground pipe/conduit and wells; existing access routes and wells	Determined eligible (Segments A, J, L, U, X, and Y)
CA-SBR-6693H/ AZ I:14:334 (ASM)	Built: A&P/AT&SF/BNSF Railway	Proposed underground pipe/conduit and wells; existing access routes and wells	Determined eligible
CA-SBR-11704H	Site: gravel processing site and refuse scatter	Proposed staging areas, remedy monitoring wells; existing monitoring wells and access routes	Recommended not eligible
CA-SBR-11862H	Site: remnants of the El Rancho Colorado Road House and Gas Station	Proposed remedy monitoring well; existing access routes	Locus 3 and portions of Loci 1& 2 eligible
CA-SBR-11939	Site: lithic assay station and one ceramic fragment	Proposed underground pipe/conduit and existing access route	Discretionarily eligible
CA-SBR-11997H	Built: Rock and mortar masonry bridge	Existing access route	Contributing element of CA-SBR-2910H
CA-SBR-13791H	Site: railroad-related refuse scatter	Proposed underground pipe/conduit	Discretionarily eligible
AZ L:7:16 (ASM)	Site: prehistoric lithics and historic-period refuse	Existing water supply well and access route	Discretionarily eligible
P-36-027648	Built: Topock Compressor Station	Proposed underground pipe/conduit, wells, remedy structures; existing access routes and wells	Determined not eligible
P-36-027678	Built: Old Trails Arch Bridge	Proposed aboveground pipe	Listed
<u>AE-Topock-210CA-SBR-29943</u>	Site: trail and associated trail markers	Existing access road overlaps trail	<u>Discretionarily eligible</u> <u>Individually eligible</u>

Volume 2, Page 4.4-34 (Section 4.4, Cultural Resources).

AE-Topock-210CA-SBR-29943 is a prehistoric archaeological site consisting of a trail and associated trail markers. The site was documented by Applied EarthWorks, Inc. in May 2016 (Moloney and Hanes 2016b). The trail is an approximate 300-meter-long aboriginal trail segment whose destination or origin appears to be the Topock Maze (Moloney and Hanes 2016b). Resource AE-Topock-210 has not been evaluated for listing in the NRHP or the CRHR; however, it has been discretionarily determined to be historically significant by DTSC under CEQA Section 15064.5(a)(3) and is considered a historical resource under CEQA. In September 2017, Applied EarthWorks, Inc. prepared a report that clarified the eligibility of CA-SBR-29943. CA-SBR-29943 was found to be eligible for individual listing in the NRHP and as a contributor to the Topock TCP under Criterion A for its association with events that have made a significant contribution to the broad patterns of our history, including its spatial association with the NRHP-listed Locus A of the Topock Maze (CA-SBR-219) and its role as a contributing element of the Topock TCP; under Criterion C for its subtle but distinctive design elements, exemplified by character-

defining features such as the dimensions of the path, the pattern of displaced stones, and the presence of spatially associated rock trail markers; and under Criterion D for its archaeological characteristics, particularly in association with prehistoric land-use patterns (Hanes 2017).

Volume 2, Page 4.4-64-67 (Section 4.4, Cultural Resources).

**TABLE 4.4-7
TCVA RESOURCES**

TCVA Resource Number	Description	2016 Update	Within Project Area	Within a Planned Component in Project Area
30	Lithic	Not re-visited (within boundary of site CA-SBR-11994)	Yes	No
31	None	None	No	No
32	Lithic (flake)	Documented as part of site CA-SBR-11932/H	Yes	No
33	Lithic (core)	Documented as part of site CA-SBR-11932/H	Yes	No
34	Lithic	Documented as part of site CA-SBR-11932/H	Yes	No
35	None	Documented as part of site CA-SBR-11932/H	Yes	No
36	None	Not re-located (within parking area)	Yes	No
37	None	Not re-located (within parking area)	Yes	No
38	Foxhole (possible Maze windrows?)	Re-located within boundary of site CA-SBR-12641/H	Yes	No
39	Lithic	Re-located within boundary of site CA-SBR-12641/H	Yes	No
40	Lithic (chert nodule)	Re-located within boundary of site CA-SBR-12641/H	Yes	No
41	Quarry feature	Re-located within boundary of site CA-SBR-12641/H	Yes	No
42	Lithic	Re-located within boundary of site CA-SBR-12641/H	Yes	No
43	Lithic (tool)	Re-located within boundary of site CA-SBR-12641/H	Yes	No
44	Stone	Documented as part of site CA-SBR-11929; site boundary updated	No	No
45	Stone	Documented as part of site CA-SBR-11929; site boundary updated	No	No
46	Stone	Documented as part of site CA-SBR-11929; site boundary updated	No	No
47	Lithic scatter	Documented as site <u>AE-Topock-207CA-SBR-29940</u>	Yes	No
49	None	Not re-visited (coordinates did not plot within the vicinity of the Project Area)	No	No
50	None	Not re-visited (within boundary of site CA-SBR-219A)	No	No
52	Maze feature	Not re-visited (within boundary of site CA-SBR-219A)	No	No
55	Pottery (pot drop)	Re-located within boundary of site CA-SBR-13797	No	No
56	Stone circle	Not re-located	No	No
57	Maze windrows	Determined to be off-road vehicle tracks after an examination of historic aerial photograph	No	No
58	Stone circle (left portion)	Not re-located	No	No

TCVA Resource Number	Description	2016 Update	Within Project Area	Within a Planned Component in Project Area
59	Maze windrows	Not re-located	No	No
60	Stone circle	Non-archaeological feature	No	No
61	Stone circle	Non-archaeological feature	No	No
62	Rock circle	Non-archaeological feature	No	No
63	Rock circle	Non-archaeological feature	No	No
64	Rock circle	Non-archaeological feature	No	No
65	Rock circle	Non-archaeological feature	No	No
66	Rock circle	Non-archaeological feature	No	No
67	Rock circle (right portion)	Non-archaeological feature	No	No
68	Lithic (tool)	Not re-located	No	No
69	Rock drawing (historic)	Documented as part of site AE-Topeck-205 CA-SBR-29938	No	No
70	Lithic (tool)	Documented as part of site AE-Topeck-205 CA-SBR-29938	No	No
71	Lithic (tool)	Documented as part of site AE-Topeck-205 CA-SBR-29938	No	No
72	Lithic (tools)	Documented as part of site AE-Topeck-205 CA-SBR-29938	No	No
73	Stone cluster	Documented as part of site AE-Topeck-205 CA-SBR-29938	No	No
75	None	Not re-visited	Yes	No
76	None	Not re-visited	No	No
78	None	Not re-visited	Yes	No
81	Maze windrows	Determined to be off-road vehicle tracks after an examination of historic aerial photograph	No	No
82	Maze windrows	Determined to be off-road vehicle tracks after an examination of historic aerial photograph	No	No
83	Rock circle	Documented as part of site AE-Topeck-210 CA-SBR-29943	No	No
84, 85, 86, 91, 92, 93, & 98	Trail	Documented as part of site AE-Topeck-210 CA-SBR-29943	Yes	Yes
88	Lithic reduction station	Not re-located	No	No
89	Lithic (flakes)	Not re-located	No	No
90	Lithic reduction station	Documented as part of site AE-Topeck-206 CA-SBR-29939	No	No
94	None	Documented as part of site AE-Topeck-210 CA-SBR-29943	No	No
95	None	Documented as part of site AE-Topeck-210 CA-SBR-29943	No	No
96	Rock cairn	Documented as part of site AE-Topeck-210 CA-SBR-29943	No	No

TCVA Resource Number	Description	2016 Update	Within Project Area	Within a Planned Component in Project Area
97	Spokes rocks	Documented as part of site AE-Topock-210 CA-SBR-29943	No	No
99	Rock cluster	Determined to be modern	No	No
108	Lithic scatter	Re-located within boundary of site CA-SBR-11983	No	No
109	Lithic scatter	Re-located within boundary of site CA-SBR-11983	No	No
110	Lithic scatter	Re-located within boundary of site CA-SBR-11983	No	No
111	Lithic (tool)	Re-located within boundary of site CA-SBR-11983	No	No
112	Lithic (tool)	Re-located within boundary of site CA-SBR-11983	No	No
113	Can	Re-located within boundary of site CA-SBR-11983	No	No
114	Lithic scatter	Re-located within boundary of site CA-SBR-11983	No	No
115	Lithic (tool)	Re-located within boundary of site CA-SBR-11983	No	No
115(a), 116, & 117	Trail	Documented as site AE-Topock-212 CA-SBR-29945	No	No
118	Lithic (tool)	Not re-located	No	No
118(a)	Lithic (tool)	Documented as part of site AE-Topock-212 CA-SBR-29945	No	No
118(b)	Lithic (tool)	Not re-located	No	No
119	Lithic (tool)	Not re-located	No	No
119(a)	Lithic (tool)	Not re-located	No	No
120	Lithic (tool)	Documented as part of site CA-SBR-11981	No	No
120(a)	Lithic (tool)	Not re-located	No	No
122	Lithic (tool)	Documented as part of site CA-SBR-11981	No	No
123	Stone circle	Not re-located	No	No
124	Lithic (tool)	Re-located within boundary of site CA-SBR-5523	No	No
126	White features	Not re-located	No	No
127	Stone circle	Not re-located	No	No
132	Stone	Re-located within boundary of site CA-SBR-12641/H	Yes	No
133	Stone	Re-located within boundary of site CA-SBR-12641/H	Yes	No
134	Stone	Re-located within boundary of site CA-SBR-12641/H	Yes	No
135	Stone	Re-located within boundary of site CA-SBR-12641/H	Yes	No
136	Stone	Re-located within boundary of site CA-SBR-12641/H	Yes	No
137	Lithic (flake)	Re-located within boundary of site CA-SBR-12641/H	Yes	No
138	Isolate	Re-located within boundary of site CA-SBR-12641/H	Yes	No
139	Stone	Re-located within boundary of site CA-SBR-12641/H	Yes	No
140	Stone	Re-located within boundary of site CA-SBR-12641/H	Yes	No
141	Stone	Re-located within boundary of site CA-SBR-12641/H	Yes	No
142	Stone	Re-located within boundary of site CA-SBR-12641/H	Yes	No
143	Lithic (flake)	Not re-visited (within boundary of site CA-SBR-11994)	Yes	No

TCVA Resource Number	Description	2016 Update	Within Project Area	Within a Planned Component in Project Area
144	Lithic scatter	Documented as part of site CA-SBR-11932/H	Yes	No
145	None	Re-located within boundary of site CA-SBR-11929	Yes	No
146	None	Re-located within boundary of site CA-SBR-11929	No	No
147	None	Re-located within boundary of site CA-SBR-11929	No	No
148	None	Re-located within boundary of site CA-SBR-11929	No	No
149	None	Re-located within boundary of site CA-SBR-11929	No	No
150	None	Not re-visited	Yes	No
151	None	Not re-visited	Yes	No
156	Lithic	Not re-visited	No	No
160	Rock circle	Not re-visited	No	No
N/A	Lithic (flake)	Documented as part of site CA-SBR-11983	No	No
N/A	Lithics (flakes)	Documented as site AE-Topeck-208CA-SBR-29941	No	No
N/A	Lithic (tool and flakes)	Documented as part of site AE-Topeck-211CA-SBR-29944	No	No
N/A	Lithics (flakes)	Documented as site AE-Topeck-209CA-SBR-29942	No	No
N/A	Trail	Documented as AE-Topeck-211CA-SBR-29944	No	No
N/A	Trail	Documented as part of site CA-SBR-11922	Yes	No

SOURCE: McDowell et al, 2014; Applied EarthWorks, Inc. 2016; Moloney and Hanes 2016b.

Volume 2, Page 4.4-68 (Section 4.4, Cultural Resources).

- 6 resources (#83, 84-86 and 91-93, 94, 95, 96 and 97) were documented as site ~~AE Topeck 210CA-SBR-29943~~;
- 5 resources (#69 [historic] and 70-73) were documented as site ~~AE Topeck 205CA-SBR-29938~~;
- 2 resources (#115(a), 116 and 117, and 118(a)) were documented as site ~~AE Topeck 212CA-SBR-29945~~;
- 1 resource (#90) was documented as site ~~AE Topeck 206CA-SBR-29939~~; and
- 1 resource (#47) was documented as site ~~AE Topeck 207CA-SBR-29940~~.

In addition to the resources described above, three new resources (sites ~~AE Topeck 208 CA-SBR-29941~~ [lithics], ~~AE Topeck 209CA-SBR-29942~~ [lithics], and ~~AE Topeck 211CA-SBR-29944~~ [lithics and trail]) were identified and documented, and two sites were updated (CA-SBR-11922 [trail] and CA-SBR-11983 [flake]) during the field review (see Table 4.4-7). Of the documented TCVA resources, 34 are within the Project Area (#30, 32-43, 47, 75, 78, 84-86, 91-93 and 98, 132-145, 150, and 151). Resource 84-86, 91-93, and 98 is a grouping of waypoints that document one trail segment and was documented as part of site ~~AE Topeck 210CA-SBR-29943~~. Two resources (#30 and 143) are within the boundary of site CA-SBR-11994. Five resources (#32-35 and 144) were documented as part of site CA-SBR-11932/H. Two resources (#36 and #37) are in a parking area and could not be re-located. Seventeen resources (#38-

43 and 132-142) are within the boundary of site CA-SBR-12641/H. One resource (#47) was documented as site ~~AE Topock 207CA-SBR-29940~~. Four resources (#75, 78, 150, and 151) are adjacent to access roads. Of the 34 TCVA resources in the Project Area, one (~~AE Topock 210 CA-SBR-29943~~ [trail]) overlaps an existing access road that will be used during implementation of the Final Remedy Design.

Volume 2, Page 4.4-106 (Section 4.4, Cultural Resources).

Although prehistoric archaeological resources CA-SBR-11939 (lithic scatter), ~~AE Topock 210 CA-SBR-29943~~ (trail and associated markers), and AZ L:7:16(ASM) (multi-component site containing a lithic scatter) are bisected by existing roads or access routes, Project activities associated with the roads/access routes overlap the documented boundaries of sites ~~AE Topock 210 CA-SBR-29943~~ and AZ L:7:16(ASM) are limited to use of the roads/access routes for access and no direct impacts to these resources are anticipated.

Volume 2, Page 4.4-107 (Section 4.4, Cultural Resources).

Of the 34 TCVA resources in the Project Area, one (~~AE Topock 210 CA-SBR-29943~~ [trail]) overlaps an existing access road that would be used during implementation of the Final Remedy Design; however, as discussed above, Project activities associated with the road would be limited to use of the road for access and no direct impacts to this resource is anticipated.

Volume 2, Page 4.4-126 (Section 4.4, Cultural Resources).

There are nine historical resources (CA-SBR-2910H/AZ I:15:156 (ASM)/AZ L:7:72 (ASM), CA-SBR-6693H/AZ I:14:334 (ASM) (A&P/AT&SF/BNSF), CA-SBR-11862H, CA-SBR-11997H, CA-SBR-13791H, CA-SBR-11939, AZ L:7:16 (ASM), 36-027678, and ~~AE Topock 210 CA-SBR-29943~~) other than the Topock TCP that overlap planned Project components within the Project Area and may be subject to additional disturbances (see Table 4.4-3).

Volume 2, Page 4.4-132 (Section 4.4, Cultural Resources).

AE Topock 210 CA-SBR-29943

This resource consists of a prehistoric trail and associated markers. The Project proposes to use an existing access road that bisects the trail. Construction-related and operation and maintenance-related impacts to ~~AE Topock 210 CA-SBR-29943~~ would be potentially significant. Mitigation Measures CUL-1b/c-1, ~~-3,~~ -4, -5, and -6, which require consideration of the locations of historical resources during design, monitoring, preparation and implementation of a treatment plan, avoidance where feasible, and additional protective measures (such as annual site condition inspections assessments and worker training), would reduce impacts to this resource. However, as described under Impact CUL-1a, since prehistoric resources are considered contributors to the Topock TCP, even with implementation of Mitigation Measures CUL-1b/c-1, ~~-3,~~ -4, -5, and -6 this impact would be significant and unavoidable.

Volume 2, Page 4.4-134 (Section 4.4, Cultural Resources).

As described above under Construction and Operation and Maintenance, since resources CA-SBR-11939, AZ L:7:16 (ASM), and ~~AE Topoek 210CA-SBR-29943~~ are prehistoric resources that are considered contributors to the Topock TCP, even with implementation of Mitigation Measures CUL-1b/c-1, -3, -4, -5, and -6, which require consideration of the locations of historical resources during design, monitoring, preparation and implementation of a treatment plan, avoidance where feasible, and additional protective measures (such as annual site condition inspections assessments and worker training), impacts to these ~~two~~ three resources would be significant and unavoidable.

Volume 2, Page 4.4-139 (Section 4.4, Cultural Resources).

As discussed under Impact-CUL-1b/c above, there are five archaeological resources that are considered historical resources under CEQA that may also qualify as unique archaeological resources (CA-SBR-11862H, CA-SBR-13791H, CA-SBR-11939, AZ L:7:16 (ASM), and ~~AE Topoek 210CA-SBR-29943~~) and that overlap planned Project components within the Project Area (see Table 4.4-3). As discussed, impacts to CA-SBR-11862H and CA-SBR-13791H would be less than significant with implementation of mitigation and impacts to CA-SBR-11939, AZ L:7:16 (ASM), and ~~AE Topoek 210CA-SBR-29943~~, which are prehistoric resources and contributors to the Topock TCP, would be significant and unavoidable even after implementation of mitigation.

Volume 2, Page 8-13 (Chapter 8, Bibliography).

Haenszel, Arda M. 1978. *The Topock Maze: Commercial or Aboriginal*. Quarterly of San Bernardino Museum Association.

Hanes, Richard C. Archaeological Resource Evaluation of a Native Trail (CA-SBR-29943), San Bernardino County, California, prepared for Pacific Gas and Electric Company, prepared by Applied EarthWorks, Inc., September 2017.

Hanes, Richard C. and Barry A. Price, in progress. *Cultural and Historical Property Treatment Plan for the Topock Compressor Station Groundwater Remediation Project, San Bernardino County, California and Mohave County, Arizona*, Applied EarthWorks, Inc., San Luis Obispo, California. Prepared for Pacific Gas and Electric Company, San Francisco, California. March 2018.

2.5 SEIR Appendix Changes

Appendix GWMM

Mitigation Measure CUL-1a-11: Open Grant Funding (Groundwater FEIR Measure with Revisions).

During the construction phase of the Project, PG&E shall provide an open grant for one two part-time cultural resource specialist/project manager positions for each of these four-five Interested Tribes: Chemehuevi, Cocopah, CRIT, FMIT, and Hualapai, during the design and construction phases of the remediation project. The positions shall be filled by qualified members of an Interested Tribe as nominated by a majority vote of their Tribal Council(s) and appointed by DTSC's project manager if more than two members are nominated. Additionally, the FMIT shall receive one full-time cultural resource specialist/project manager position in light of their ownership of land in the Project Area and historical involvement in the remediation process. The award of the grants is for the timely review of Project documents, participating in project-related meetings, coordinating and managing input and interests for the Tribe on the Project, and to act as a Tribal liaison with PG&E and regulatory agencies, continued involvement in review of project documents and participation in project-related meetings, including TRC meetings, at rates of historic compensation. The part-time cultural resources specialist/project manager shall be compensated at rates of historic compensation with provisions for escalation of rates tied to the U.S. Department of Labor, Bureau of Labor Statistics Employment Cost Index. Additionally, in light of FMIT's ownership of land in the project area and historical involvement in the environmental process, additional funding is guaranteed for one full-time FMIT position upon submission of an application by a qualified FMIT member who shall be appointed by the FMIT council, provided such funding is not duplicative of the services and funding provided by PG&E pursuant to the Settlement Agreement between PG&E and the FMIT in Fort Mojave Indian Tribe v. Dept. of Toxic Substances Control, et al., Case No. 05CS00437 for a position with the FMIT's AhaMakav Culture Society. The payment of grant monies shall be timed to the awarded tribes' fiscal cycles so that the tribes are not forced to front funds for long periods of time. These positions shall act as cultural resources contacts and project managers for interactions between the tribes, PG&E, and DTSC to ensure coordination during construction of the remedy to avoid, reduce, or otherwise mitigate impacts on resources qualifying as historical resources under CEQA, for review and comment of subsequent project and/or environmental documents related to the design and implementation of the groundwater remediation project to avoid, reduce, or otherwise mitigate impacts on historical resources, as defined by CEQA. This funding is separate from provisions for tribal monitor positions and shall not be used for routine tribal business or legal counsel. For review and approval, PG&E shall provide DTSC with the names of the selected grant recipients and an annual report that summarizes activities associated with the grant program, at least annually. Upon the conclusion of the construction phase of the project, Funding for these positions shall continue until DTSC has determined that the remedy is operating properly and successfully, at which time the necessity of the cultural resource specialist/project manager positions shall be assessed by DTSC, and the positions shall be extended, reduced, or terminated. During the operation and maintenance and decommissioning phases, the necessity of the positions shall be periodically evaluated by DTSC, and dollar value of the grant program shall be assessed by PG&E and, with the approval of DTSC, shall either be extended or terminated under the operations and maintenance phase. These positions shall be inclusive of those references by CR-1e-9 in the Topock Soil Investigation Project EIR and MMRP and not additive.

Mitigation Measure CUL-1a-19: Implement Treatment Plan for the Topock TCP (New Measure).

All activities associated with construction, operation and maintenance, and decommissioning of the Final Remedy Design shall be implemented consistent with provisions of the *Cultural and Historical Property Treatment Plan for the Topock Compressor Station* (Hanes and Price in progress), which is being prepared pursuant to requirements of the Stipulation VII.B and Appendix B of the PA and mitigation measure CUL-1b/c-3 of the Groundwater FEIR. The Treatment Plan shall address treatment to the Topock TCP and its contributors, in addition to historical resources other than the Topock TCP (this is the same Treatment Plan referenced in Section 7 "Cultural Property-Specific Treatment Measures" of the CHPMP, which can be used to satisfy the requirements of this mitigation measure). PG&E shall submit the Treatment Plan to DTSC for review and approval. PG&E shall also distribute the draft Treatment Plan and any future amendments to the Interested Tribes for tribal review consistent with Section 2.3 "Protocols for the Review of Cultural Resources-Related Documents" of the CIMP and Section 6.7 "Protocols for Tribal Notification and Consultation in Advance of Certain Activities" of the CHPMP (as described above in Mitigation Measure CUL-1a-8q). As such, the Treatment Plan is subject to revision prior to finalization. Once consultation is complete, PG&E shall submit the final Treatment Plan to DTSC for final review and approval prior to the start of construction. DTSC has included specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as conditions of approval on the Project. When the final Treatment Plan is approved, those final measures will replace and/or supplement those identified in DTSC's conditions of approval for the Project. The Treatment Plan may be amended in the future in the event of new discoveries or greater than anticipated impacts. Treatment Plan amendments shall be required in instances where the current content of the Treatment Plan is insufficient to address necessary treatment measures and shall be determined in coordination amongst PG&E, BLM, DTSC, and Interested Tribes.

Mitigation Measure CUL-1b/c-3: Prepare and Implement a Treatment Plan for Historical Resources other than the Topock TCP (Groundwater FEIR Measure with Revisions). All activities associated with construction, operation and maintenance, and decommissioning of the Final Groundwater Remedy Project shall be implemented consistent with provisions of the *Cultural and Historical Property Treatment Plan for the Topock Compressor Station* (Hanes and Price *in progress*), which is being prepared pursuant to requirements of the Stipulation VII.B and Appendix B of the PA and mitigation measure CUL-1b/c-3 of the Groundwater FEIR. Prior to the start of construction, PG&E shall prepare and implement a The Treatment Plan that shall identify measures to lessen impacts to historical resources other than the Topock TCP that cannot be avoided by the Project and will be subject to significant impacts (this is the same Treatment Plan – *Cultural and Historical Property Treatment Plan for the Topock Compressor Station* [Hanes and Price *in progress*] – described above in Mitigation Measure CUL-1a-19 and is currently being prepared). If the cultural resources study determines that the construction of physical improvements would result in significant impacts on identified historically significant resources described in Impacts CUL-1b and CUL-1c, and avoidance of the resource is not feasible, PG&E shall prepare a treatment plan that identifies measures to reduce these impacts (see above description of the CIMP) for DTSC's review and approval. The Treatment Plan shall identify which criteria for listing on the NRHP/CRHR contribute to the affected resource's significance and which aspects of significance would be materially altered by construction, operations, or decommissioning and shall provide for reasonable efforts to be made to permit the resource to be preserved in place or left in an undisturbed state consistent with the CEQA Guidelines with Stipulation I.B of the PA and Section 7 of the CHPMP, and to the maximum extent feasible as determined by DTSC, in coordination with PG&E, Interested Tribes, and respective landowners. PG&E shall submit the Treatment Plan to DTSC for review and approval. PG&E shall also distribute the draft Treatment Plan and any future amendments to the Interested Tribes for tribal review consistent with Section 2.3 "Protocols for the Review of Cultural Resources-Related Documents" of the CIMP and Section 6.7 "Protocols for Tribal Notification and Consultation in Advance of Certain Activities" of the CHPMP (as described above in Mitigation Measure CUL-1a-8q). As such, the Treatment Plan is subject to revision prior to finalization. Once consultation is complete, PG&E shall submit the final Treatment Plan to DTSC for final review and approval prior to the start of construction. DTSC has included specific measures outlined in the draft Treatment Plan (March 26, 2018 version) that reduce impacts to historical resources, beyond those already outlined in the PA, CHPMP, CIMP, and Final SEIR MMRP, as conditions of approval on the Project. When the final Treatment Plan is approved, those final measures will replace and/or supplement those identified in DTSC's conditions of approval for the Project. The Treatment Plan may be amended in the future in the event of new discoveries or greater than anticipated impacts. Treatment Plan amendments shall be required in instances where the current content of the Treatment Plan is insufficient to address necessary treatment measures and shall be determined in coordination amongst PG&E, BLM, DTSC, and Interested Tribes. Methods of accomplishing this may include capping or covering the resource with a layer of soil. To the extent that a resource cannot feasibly be preserved in place or left in an undisturbed state, excavation as mitigation shall be restricted to those parts of the resource that would be damaged or destroyed by the project. Excavation as mitigation shall not be required for a historically significant resource if the treatment plan determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource. The plan shall require communication with all Interested Tribes with regard to their perspectives and wishes for the treatment of the resources.

Cumulative

Mitigation Measure CUL-5: Cumulative Impacts to the Topock TCP (New Measure). PG&E shall provide funding to the following Tribes (Chemehuevi Indian Tribe, Cocopah Indian Tribe, Colorado River Indian Tribes, Fort Mojave Indian Tribe, and Hualapai Indian Tribe) that would facilitate actions to preserve the cultural and ecological integrity of the Topock TCP, and that would provide interpretation, and/or educational programs related to the Topock TCP. The funds shall be used for the purposes of ensuring the preservation, conservation and transmission of cultural values associated with the Topock TCP, including furthering Tribal knowledge and community awareness of the TCP's importance and meaning for each Tribe. The funds shall be used to implement interpretive facilities or programs, land preservation/conservation, educational programs (such as grant funding to further the cultural understanding, including research of the Topock area). The Project's Conditions of Approval will identify the amount of the one-time contribution to be made by PG&E, and the type of funding mechanism to be utilized as determined by DTSC. The funding mechanism shall provide for the management of individual, separate funds of equal amounts for each of the four tribes, and shall administer the release of funds upon review and approval of proposals by Tribe(s). Proposals must meet the above-described purpose related to preservation/conservation, interpretation, and/or educational programs pertaining to the Topock TCP, and must meet pre-established minimum criteria. The funding mechanism shall also provide tracking and verification through documentation of the appropriate use of the funds. Within 6 months of Project approval, DTSC shall develop, in consultation with the Tribes, Tribal Funding Application Guidelines for distribution to the Tribes. The Tribal Funding Application Guidelines will identify the funding management organization that will manage the funds and will provide guidance on accessing the funds, including the identification of minimum criteria by which proposals will be evaluated. Within 30 days of notification by DTSC that the funding management organization has been established, PG&E shall provide documentation that the required funding contribution has been made. The funding organization shall report to DTSC upon the following three occasions: (1) receipt of a proposal by Tribe(s), (2) approval and release of funds, and (3) verification of implementation/use of funds. Funding shall be available for use within the duration of the active remedy, currently estimated to be approximately 30 years.