

Exhibit S

Historic, Cultural, and Archaeological Resources

**Sunstone Solar Project
May 2024**

Prepared for



Sunstone Solar, LLC

Prepared by



Tetra Tech, Inc.

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Acronyms and Abbreviations

Applicant	Sunstone Solar, LLC, a subsidiary of Pine Gate Renewables, LLC
CTUIR	Confederated Tribes of the Umatilla Indian Reservation
CTWSRO	Confederated Tribes of the Warm Springs Reservation of Oregon
Council	Oregon Energy Facility Siting Council
Facility	Sunstone Solar Project
HPRCSIT	Historic Properties of Religious and Cultural Significance to Indian Tribes
IDP	Inadvertent Discovery Plan
LCIS	Legislative Commission on Indian Services
NRHP	National Register of Historic Places
OAR	Oregon Administrative Rules
ORS	Oregon Revised Statutes
SHPO	State Historic Preservation Office

1.0 Introduction

Sunstone Solar, LLC, a subsidiary of Pine Gate Renewables, LLC (Applicant), proposes to construct and operate the Sunstone Solar Project (Facility), a solar energy generation facility and related or supporting facilities in Morrow County, Oregon. This Exhibit S was prepared to meet the submittal requirements in Oregon Administrative Rules (OAR) 345-021-0010(1)(s).

2.0 Analysis Area

OAR 345-021-0010(1)(s) Information about historic, cultural and archaeological resources. Information concerning the location of archaeological sites or objects may be exempt from public disclosure under ORS 192.502(4) or ORS 192.501(11). The applicant must submit such information separately, clearly marked as “confidential,” and must request that the Department and the Council keep the information confidential to the extent permitted by law. The applicant must include information in Exhibit S or in confidential submissions providing evidence to support a finding by the Council as required by OAR 345-022-0090.

Pursuant to OAR 345-021-0010(1)(s)(A) and (B), the analysis area for historic, cultural, and archaeological resources consists of a direct and indirect analysis area. The direct analysis area is defined as the Facility site boundary. The indirect analysis area includes the Facility site boundary and a 2-mile buffer for auditory and visual impacts to historic sites (i.e., historic buildings, structures, or objects) and Historic Properties of Religious or Cultural Significance to Indian Tribes (HPRCSITs).¹ The analysis area is shown on Figure S-1. The entire analysis area is located on private land.

3.0 Historic and Cultural Resources within the Analysis Area

Pursuant to OAR 345-022-0090(1)(a), this exhibit addresses potential impacts to significant historic, cultural, and archaeological resources. Significant resources, in this context, refers to structures, objects, or sites that:

1. Are currently listed on the National Register of Historic Places (NRHP) as individual sites or contributing resources to a recognized historic district;
2. Have been deemed eligible for listing by the State Historic Preservation Office (SHPO); or
3. Would become a contributing resource to a historic district or site as a result of a proposed preservation plan.

¹ This 2-mile buffer for indirect impacts was requested by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and prescribed by the Oregon Department of Energy in the Project Order (ODOE 2022).

Pursuant to OAR 345-022-0090(1)(b) this exhibit also addresses potential impacts to archaeological objects and sites, many of which are not eligible for NRHP listing but nevertheless contribute to the cultural landscape of Oregon. Archaeological objects and sites are defined in Oregon Revised Statutes (ORS) 358.905(1) as follows:

- Archaeological object – means an object that is at least 75 years old, part of the physical record of an indigenous or other culture found in the state or waters of the state, and is material remains of past human life or activity that are of archaeological significance including, but not limited to, monuments, symbols, tools, facilities, technological by-products and dietary by-products.
- Archaeological site – a geographic locality in Oregon, including but not limited to submerged and submersible lands and the bed of the sea within the state’s jurisdiction, that contains archaeological objects and the contextual association of the archaeological objects with each other or biotic or geological remains or deposits.

3.1 Historic and Cultural Resources Listed, or Likely Eligible for Listing, on the National Register of Historic Places

OAR 345-021-0010(1)(s)(A) Historic and cultural resources within the analysis area that have been listed, or would likely be eligible for listing, on the National Register of Historic Places;

Within the analysis Area there are four cultural resources that are listed or likely eligible for listing on the NRHP (see Section 4.2, Table S-2). This includes two historic sites, ES-KB-03 and ES-KB-07, and two HPRCSITs, Sand Hollow Battle Ground and Sisupa. ES-KB-03 is a dutch barn that was constructed in the late 19th to early 20th century. ES-KB-03 is recommended eligible for listing on the NRHP under Criterion C, and it is located within the direct analysis area. The barn is in good physical condition and is significant for its architectural style. ES-KB-07 is a residence, outbuilding and Quonset hut. The Quonset hut is recommended eligible for listing on the NRHP, under Criterion A, for its association with military history. The Quonset hut may have been constructed for the Boardman Bombing Range and subsequently moved from its original location to its current site. This Quonset hut is not located within the direct analysis area.

Both HPRCSITs, Sisupa and Sand Hollow Battleground, are located within the direct and indirect analysis areas. Each is eligible for listing on the NRHP under Criterion A for its association with the history of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), and under Criterion D for the archaeological potential to yield significant data toward our understanding of the past. Sisupa is a network of trails and campsites between the Columbia River and Ione, and Sand Hollow Battleground is the site of the largest battle of the Cayuse War.

3.2 Archaeological Objects and Sites on Private Lands within the Analysis Area

OAR 345-021-0010(1)(s)(B) For private lands, archaeological objects, as defined in ORS 358.905(1)(a), and archaeological sites, as defined in ORS 358.905(1)(c), within the analysis area.

A total of eight archaeological sites and no archaeological objects have been identified on private lands within the direct analysis area (see Section 4.2, Table S-2; Figure S-2). None of the sites are recommended eligible for listing on the NRHP.

3.3 Archaeological Sites on Public Lands within the Analysis Area

OAR 345-021-0010(1)(s)(C) For public lands, archaeological sites, as defined in ORS 358.905(1)(c), within the analysis area.

There are no archaeological sites or objects on public lands within the analysis area.

4.0 Significant Potential Impacts of Construction and Operation, and Retirement of the Facility on Historic, Cultural, and Archaeological Resources

OAR 345-021-0010(1)(s)(D) The significant potential impacts, if any, of the construction, operation and retirement of the proposed facility on the resources described in paragraphs (A), (B) and (C) and a plan for protection of those resources that includes at least the following:

4.1 Methods

(i) A description of any discovery measures, such as surveys, inventories, and limited subsurface testing work, recommended by the State Historic Preservation Officer or the National Park Service of the U.S. Department of Interior for the purpose of locating, identifying and assessing the significance of resources listed in paragraphs (A), (B) and (C);

Cultural resource studies for this Facility were completed by Tetra Tech in 2022 (see Attachment S-1).

4.1.1 Records Search

Tetra Tech reviewed the Oregon SHPO's Online Archaeological Records Remote Access and Historic Sites databases to identify previously conducted surveys and recorded cultural resources within the analysis area. Additionally, historic aerial photographs and maps of the analysis area were reviewed to inform the survey. Efforts focused on collecting information regarding previously recorded cultural resources, areas where potential unrecorded resources may exist, and potential

locations of unrecorded historic sites within the analysis area. This research provided a summary of the type and frequency of cultural resources that may be encountered during the course of the subsequent survey.

The records review was completed on February 15, 2022. The results indicate that 18 previous cultural resource studies have been performed within the analysis area. Thirteen of the previous surveys covered small linear portions within the direct analysis area (Table S-1). These were completed for pipelines, transportation corridors, windfarms, transmission lines, utilities, and the Boardman Bombing Range.

Table S-1. Previous Surveys Completed within the Direct Analysis Area

SHPO Report #	Authors	Year	Title
1344	Richard D. Daugherty	1960	<i>An Archaeological Survey of Pacific Gas Transmission Company's Alberta to California Pipeline System; Idaho, Oregon, Washington</i>
1345	John D. Combes	1961	<i>An Archaeological Survey of Pacific Gas Transmission Company's Alberta to California Pipeline System: MP 108.0 to MP 722.0 Phase II</i>
11705	John D. Combes	1961	<i>An Archaeological Survey of Pacific Gas Transmission Company's Alberta to California Pipeline System: MP 108 to MP 722 Phase II - Research Investigations #13</i>
11706	Richard D. Daugherty	1961	<i>An Archaeological Survey of Pacific Gas Transmission Company's Alberta to California Pipeline System: MP 108 To MP 722 - Research Investigations #12</i>
301	David L. Cole	1978	<i>Report on an Archaeological Survey of the Alpine/Nelson Road-Strawberry Road Section of Bombing Range Road</i>
3794	Richard M. Pettigrew	1982	<i>Report of the Archaeological Survey of the Proposed Improvements of the Bombing Range Road-Butter Creek (Unit 2) Section, Lexington-Echo Highway, Morrow County</i>
13981	J. Jeffrey Flenniken, Terry L. Ozbun	1993	<i>Phase I Archaeological Inventory Report Coyote Springs Extension, Pacific Northwest Expansion Project</i>
24940	Frank Stipe	2012	<i>Butter Creek Windfarm Cultural Resource Survey</i>
26196	Jennifer Karson Engum	2013	<i>Traditional Use Study of the NWSTF Boardman Bombing Range, Morrow County, Oregon</i>
26420	Aimee A. Finley	2014	<i>Results of a Cultural Resources Study of the WWP Bombing Range Cell Site (Trilead #609299), Lexington, Morrow County, Oregon</i>
26556	Catherine E. Dickson	2014	<i>An Archaeological Investigation for the Wheatridge Wind Energy Facility, Morrow and Umatilla Counties, Oregon</i>
32160	Erin King, Brady Berger	2020	<i>Cultural Resources Monitoring for the Wheatridge Wind Energy Facility Construction Project, Morrow and Umatilla County, Oregon</i>
31752	Dulaney Barclay	2021	<i>Coyote Springs Compressor Station Cultural Resources Survey, Morrow County, Oregon</i>

Five previously recorded resources were identified in the analysis area. There are two archaeological sites, two HPRCSITs, and an isolated find. The two archaeological sites are both historic and include an abandoned road segment (35MW00389) and a wagon (35MW00255). The abandoned road segment appears in the 1861 General Land Office plat map as an unlabeled trail, and the wagon consists of a partially buried wagon chassis with wooden wheels and iron tires (GLO

1861). Both are outside of the direct analysis area and have been determined not eligible for listing on the NRHP. The isolated find consists of a small pre-contact chert flake found inside the direct analysis area. The isolated find is recommended not eligible for listing on the NRHP as it cannot be attributed to a definitive timeframe. Without such information, an association between the artifact and persons or events significant in local or national history cannot be demonstrated.

Both HPRCSITs are significant to the CTUIR and they include Sisupa and Sand Hollow Battleground. Sisupa is a network of trails and campsites between the Columbia River and Ione (Hunn et al. 2015:86). Sand Hollow Battleground is the site of the largest battle of the Cayuse War (Minthorn 2006:82; Mitchell 2003). Both cover a portion of the analysis area and have been determined to be NRHP-eligible.

On January 17, 2022, the Applicant consulted with the Legislative Commission on Indian Services (LCIS), requesting assistance in identifying appropriate tribes to consult with regarding tribal historic, and cultural resources in the vicinity of the Facility. LCIS identified CTUIR, the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), and Burns Paiute Tribe.

On February 17, 2022, the Applicant sent informal outreach letters via email to representatives of CTUIR, CTWSRO, and Burns Paiute Tribe. These letters introduced the Facility and requested input regarding the potential impacts of the Facility on resources of concern to the tribes. CTUIR and CTWSRO staff each responded indicating the Facility is within the areas of concern for the Tribes. The Applicant met with CTWSRO program staff on May 2, 2022, and with CTUIR program staff by teleconference on June 13, 2022, to present the Facility and request input on the survey and methodology. A second teleconference with CTUIR occurred on January 26, 2023, to present the results of the survey and discuss the impacts of the proposed Facility design on culturally significant sites. The draft Cultural Resources Pedestrian Survey Report (confidential Attachment S-1) was provided to the CTUIR on January 31, 2023, for review. Comments were received and addressed in the report included with this ASC. No response from the Burns Paiute Tribe was received to the initial letter or subsequent follow-up calls and emails.

The Applicant provided information to CTWSRO regarding the Facility via email on February 17, 2022, and subsequently during a conference call with Christian Nauer on May 2, 2022. During that call, Mr. Nauer expressed that CTWSRO generally were favorable to renewable energy projects and he did not anticipate significant concerns regarding this facility. However, he asked to be given the opportunity to review the cultural resource survey report once it was completed. Mr. Nauer left his role at the CTWSRO before surveys were completed. On behalf of the Applicant, Tetra Tech reached out to Mr. Robert Brunoe on May 24, 2023, offering to provide a copy of the survey report for review, but did not receive a response. Subsequent follow up to this email in October 2023 resulted in identification of Mars Galloway at CTWSRO as the person who would review the report. A copy of the report was provided electronically on November 2, 2023. No comments on the report have been received to date.

4.1.2 Field Survey

Tetra Tech conducted a “non-collection” cultural resources survey of the entire direct analysis area between May 8 and November 3, 2022 (Attachment S-1). A reconnaissance survey of the indirect analysis area for aboveground resources was completed contemporaneously with the survey of the direct analysis area.

The survey of the direct analysis area consisted of a pedestrian survey as well as subsurface exploration. During pedestrian survey, the survey personnel walked and observed the ground, spread out in a line at 20-meter intervals (i.e., transects). Systematic shovel probes were utilized in areas determined to have less than 30 percent ground surface visibility and in areas judged to have a higher potential for subsurface resources. Shovel probes were also excavated around the boundaries of archaeological sites and isolated finds to ensure that subsurface deposits did not extend farther horizontally than the surface artifacts.

Tetra Tech recorded all historic buildings, structures, and objects within indirect analysis area that were visible from the public right-of-way.

4.2 Survey and Inventory Results

(ii) The results of the discovery measures described in subparagraph (i), together with an explanation by the applicant of any variations from the survey, inventory, or testing recommended;

Surveys conducted within the analysis area have identified a total of 29 cultural resources (Figure S-2). This includes 8 archaeological sites, 3 isolated finds, 2 HPRCSITs, and 16 historic sites. These are summarized in Table S-2. All of the archaeological sites and the three isolated finds identified in the analysis area have been recommended not eligible for NRHP listing, pending SHPO concurrence. Two historic sites (ES-KB-03 and ES-KB-07) have been recommended eligible for NRHP-listing. Historic site ES-KB-03 is located within the Facility site boundary and must be avoided.

Table S-2. Cultural Resources in the Analysis Area

Trinomial/ SHPO ID	Temporary ID	Pre- Contact/Historic	General Resource Description	NRHP Recommendation
Archaeological Sites				
	EO-BB-01	Historic	Historic Refuse	Not Eligible (Criteria A – D)
	EO-BB-02	Historic	Historic Refuse and Windmill Feature	Not Eligible (Criteria A – D)
	EO-BB-03	Historic	Historic Refuse	Not Eligible (Criteria A – D)
	EO-BB-04	Historic	Abandoned Historic Well	Not Eligible (Criteria A – D)
	EO-BB-05	Historic	Historic Refuse	Not Eligible (Criteria A – D)
	EO-MK-01	Historic	Historic Refuse and Agricultural Equipment	Not Eligible (Criteria A – D)

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Trinomial/ SHPO ID	Temporary ID	Pre- Contact/Historic	General Resource Description	NRHP Recommendation
	EO-MK-03	Historic	Historic Agricultural Equipment	Not Eligible (Criteria A - D)
	EO-BB-06	Historic	Historic Agricultural structures	Not Eligible (Criteria A - D)
Isolated Finds				
	EO-BB-ISO-01	Historic	Historic Refuse	Not Eligible (Criteria A - D)
	EO-BB-ISO-02	Historic	Historic Agricultural Refuse	Not Eligible (Criteria A - D)
	8B2H-JS-ISO-09	Precontact	Chert Lithic Flake	Not Eligible (Criteria A - D)
Historic Sites				
	ES-KB-01	Historic	Farmstead	Not Eligible (Criteria A - D)
	ES-KB-02	Historic	Farmstead	Not Eligible (Criteria A - D)
	ES-KB-03	Historic	Barn	Eligible (Criterion C)
	ES-KB-04	Historic	Farmstead	Not Eligible (Criteria A - D)
	ES-KB-05	Historic	Barns	Not Eligible (Criteria A - D)
	ES-KB-06	Historic	Barns	Not Eligible (Criteria A - D)
	ES-KB-07	Historic	Farmstead	Eligible (Criterion A)
	ES-KB-10	Historic	Farmstead	Not Eligible (Criteria A - D)
	ES-KB-11	Historic	Barns	Not Eligible (Criteria A - D)
	ES-KB-12	Historic	Farmstead	Not Eligible (Criteria A - D)
	ES-KB-13	Historic	Farmstead	Not Eligible (Criteria A - D)
	ES-KB-14	Historic	Farmstead	Not Eligible (Criteria A - D)
	ES-KB-15	Historic	Farmstead	Not Eligible (Criteria A - D)
	ES-KB-17	Historic	Residence	Not Eligible (Criteria A - D)
13-0338	ES-EF-01	Historic	Farmstead	Not Eligible (Criteria A - D)
	ES-EF-02	Historic	Barns	Not Eligible (Criteria A - D)

Trinomial/ SHPO ID	Temporary ID	Pre- Contact/Historic	General Resource Description	NRHP Recommendation
Historic Properties of Religious and Cultural Significance to Indian Tribes				
	N/A	Pre-Contact	Sand Hollow Battleground	Eligible (Criteria A, B, D)
	N/A	Pre-Contact	Sisupa	Eligible (Criteria A, B, D)

4.3 Significant Potential Impacts of the Facility

OAR 345-021-0010(1)(s)(D) The significant potential impacts, if any, of the construction, operation and retirement of the proposed facility on the resources described in paragraphs (A), (B) and (C) and a plan for protection of those resources that includes at least the following:...

All archaeological resources have been recommended ineligible for NRHP listing. Pending SHPO’s concurrence with these recommendations, no archaeological objects have been identified. Although OAR 345-021-0010(1)(s)(B) protects archaeological sites on private land, the impacts to the archaeological sites identified in the analysis area would not be significant. No measures are required to protect these resources. Because these resources are not eligible for listing on the NRHP and cannot provide significant information pertaining to national or local prehistory or history, beyond that already documented in the associated survey reports, any impact on these resources would not be significant.

NRHP-ineligible archaeological sites and objects are not considered significant archaeological resources as they do not meet the NRHP-eligibility criteria. Further, the sites do not meet the state’s definition of a “site of archaeological significance” (ORS 358.905(1)(b)). By their nature, any meaningful information that could be gleaned from NRHP-ineligible resources (whether a site or object) would have been recorded in the associated cultural resources survey report and NRHP-eligibility evaluation. These recordings and evaluations have concluded that the resources cannot be significantly associated with the prominent historic themes, persons, or events that have been identified for the area, nor are they representative of a unique type, period, or method of construction. They are not representative of a master nor do they have high artistic values. They are unable to answer research questions pertinent to the region and do not offer any additional information that could inform our understanding of prehistory or history in a meaningful way. Mitigation of these NRHP-ineligible resources would not provide us with any significant information or knowledge beyond that documented in the survey report. Based on this reasoning, impacts on NRHP-ineligible archaeological sites and objects protected by OAR 345-021-0010(1)(s)(B) would not be considered significant impacts and no mitigation of these non-significant resources is proposed.

Fourteen historic sites have been identified within the analysis area and recommended ineligible for NRHP listing. Pending SHPO’s concurrence with these recommendations, none of the siting standards apply to these resources and impacts to them will not be significant.

Two historic sites have been identified within the analysis area and recommended eligible for inclusion in the NRHP. ES-KB-03 is a barn that has been recommended NRHP-eligible under Criterion C for its architectural character and integrity of design, materials, workmanship, location, and feeling. It is located within the direct analysis area, but will be avoided by the design by a minimum distance of 30 meters. Direct impacts to the historic barn will be avoided and indirect impacts will not effect the integrity of the historic site as topography will prevent visibility of the Project. ES-KB-07, a historic farmstead, has been recommended NRHP-eligible under Criterion A. The Quonset hut may have been constructed for the Boardman Bombing Range and has since been moved from its original location to its current site. It is significant for its association with military history. It is located outside the direct analysis area and will not be directly impacted. Impacts to the setting will not impact the eligibility of the resource since it lacks integrity of location.

Impacts to the two HPRCSITs that extend into the analysis area are considered significant based on input from CTUIR, and these will require mitigation. The visual impacts of the Facility will have an adverse effect on these significant cultural resources.

4.4 Measures Designed to Prevent the Destruction of Historic, Cultural, and Archaeological Resources

(iii) A list of measures to prevent destruction of the resources identified during surveys, inventories and subsurface testing referred to in subparagraph (i) or discovered during construction;

All NRHP-eligible cultural resources will be directly avoided by the Facility. If avoidance is not practicable in the final design, any significant resources (i.e. NRHP-eligible or unevaluated resources) will be mitigated to reduce impacts to a status of less than significant.

Adverse effects to HPRCSITs are anticipated. Measures to mitigate significant impacts to the two HPRCSITs have been identified by the CTUIR in consultation with the Applicant and a Confidential Mitigation Agreement has been signed between the two parties.

Due to the presence of two culturally important resource areas to the CTUIR within the Facility site boundary and its viewshed, CTUIR has recommended monitoring to protect potential subsurface resources. CTUIR has recommended that monitoring occur in the following areas:

- Within the HPRCSIT boundaries and a 100-foot surrounding buffer area, monitoring should occur for all ground-disturbing activities, except driving posts for the solar modules.
- Monitoring should occur within the Facility site boundary for all excavation work related to the proposed 3-foot-deep collector cable system.

A Monitoring Plan would be developed as part of pre-construction compliance and provided to ODOE, SHPO, and CTUIR for comment.

A draft Inadvertent Discovery Plan (IDP) is included in Attachment S-2.

5.0 Proposed Monitoring Plan

OAR 345-021-0010(1)(s)(E) The applicant’s proposed monitoring program, if any, for impacts to historic, cultural and archaeological resources during construction and operation of the proposed facility.

No NRHP-eligible archaeological sites will be impacted by the Facility; therefore, monitoring conditions have not been established for the Facility. All impacts to significant historic sites will be avoided through Facility design. Measures to mitigate significant impacts to the two HPRCSITs have been identified in consultation with CTUIR.

If archaeological resources are discovered during construction, an IDP has been prepared that identifies protocols to follow. The IDP is included in Attachment S-2.

6.0 Submittal Requirements and Approval Standards

6.1 Submittal Requirements

Table S-3. Submittal Requirements Matrix

Requirement	Location
OAR 345-021-0010(1)(s) Information about historic, cultural and archaeological resources. Information concerning the location of archaeological sites or objects may be exempt from public disclosure under ORS 192.345(11). The applicant must submit such information separately, clearly marked as "confidential," and shall request that the Department and the Council keep the information confidential to the extent permitted by law. The applicant must include information in Exhibit S or in confidential submissions providing evidence to support a finding by the Council as required by OAR 345-022-0090, including:	Section 3.0
(A) Historic and cultural resources within the analysis area that have been listed, or would likely be eligible for listing, on the National Register of Historic Places;	Section 3.1
(B) For private lands, archaeological objects, as defined in ORS 358.905(1)(a), and archaeological sites, as defined in ORS 358.905(1)(c), within the analysis area;	Section 3.2
(C) For public lands, archaeological sites, as defined in ORS 358.905(1)(c), within the analysis area;	Section 3.3
(D) The significant potential impacts, if any, of the construction, operation and retirement of the proposed facility on the resources described in paragraphs (A), (B) and (C) and a plan for protection of those resources that includes at least the following:	Section 4.0, 4.3
(i) A description of any discovery measures, such as surveys, inventories, and limited subsurface testing work, recommended by the State Historic Preservation Officer or the National Park Service of the U.S. Department of Interior for the purpose of locating, identifying and assessing the significance of resources listed in paragraphs (A), (B) and (C);	Section 4.1
(ii) The results of the discovery measures described in subparagraph (i), together with an explanation by the applicant of any variations from the survey, inventory, or testing recommended;	Section 4.2

Requirement	Location
(iii) A list of measures to prevent destruction of the resources identified during surveys, inventories and subsurface testing referred to in subparagraph (i) or discovered during construction; and	Section 4.4
(E) The applicant's proposed monitoring program, if any, for impacts to historic, cultural and archaeological resources during construction and operation of the proposed facility.	Section 5.0

6.2 Approval Standards

Table S-4. Approval Standard

Requirement	Location
OAR 345-022-0090 Historic, Cultural and Archaeological Resources	-
(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that the construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impacts to:	N/A
(a) Historic, cultural or archaeological resources that have been listed on, or would likely be listed on the National Register of Historic Places;	Sections 3 and 4.1
(b) For a facility on private land, archaeological objects, as defined in ORS 358.905(1)(a), or archaeological sites, as defined in 358.905(1)(c); and	Sections 3 and 4.2
(c) For a facility on public land, archaeological sites, as defined in ORS 358.905(1)(c).	Sections 3 and 4.3
(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.	N/A
(3) The Council may issue a site certificate for a special criteria facility under OAR 345-015-0310 without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.	N/A

7.0 References

GLO (U.S. Department of the Interior, General Land Office). 1861. General Land Office Plat Morrow County, Township 1 North/Range 26 East.

Hunn, Eugene S., E. Thomas Morning Owl, Phillip E. Cash, and Jennifer Karson Engum. 2015. *Čáw Pawá Láakni, They Are Not Forgotten – Sahaptin Place Names Atlas of the Cayuse, Umatilla, and Walla Walla*. Tamastslíkt Cultural Institute, Pendleton, Oregon.

Minthorn, Antone. 2006. Wars, Treaties, and the Beginning of Reservation Life. In *Wiyáxayxt – as days go by – wiyáakaa?awn – Our History, Our Land, and Our People, The Cayuse, Umatilla, and Walla Walla*, edited by Jennifer Karson. Tamastslíkt Cultural Institute, Pendleton, Oregon, and Oregon Historical Society Press, Portland, Oregon.

Mitchell, Bruce M. 2003. Cayuse War. In *American Indian History*, Vol. 1, edited by Carole A. Barrett, pp. 82–83. Salem Press, Inc., Pasadena.

ODOE (Oregon Department of Energy). 2022. Project Order. In the Matter of the Application for Site Certificate for the Echo Solar Project. Issued by Oregon Department of Energy. September 26, 2022.

Figures

Figure S-2 contains confidential and privileged information and is being submitted under separate cover.

**Attachment S-1. Cultural Resources
Pedestrian Survey Report (**Confidential**)**

Attachment S-1 contains confidential and privileged information and is being submitted under separate cover per ORS 192.345(11) and 192.355(4).

Attachment S-2. Draft Inadvertent Discovery Plan

Inadvertent Discovery Plan

Sunstone Solar Project Morrow County, Oregon

December 2023

Author:
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Prepared for



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GETTING SOLAR DONE.

Prepared by



1.0 INTRODUCTION

Pine Gate Renewables (PGR) proposes to construct and operate the Sunstone Solar Project (Facility), a solar energy generation facility with related or supporting facilities including an energy storage system on private lands in Morrow County, Oregon. PGR seeks a Site Certificate through the Oregon Department of Energy (ODOE), Oregon Energy Facility Siting Council (EFSC or Council) for the Facility. The Facility will include an up to 1,200-megawatt (MW) solar project. The proposed solar facility siting area (Facility site boundary) will include approximately 10,960 acres of privately owned agricultural land with areas of sage brush near the drainages and along Sand Hollow Canyon.

To meet the requirements for site certification, PGR must develop an Inadvertent Discovery Plan (IDP) for monitoring construction activities and responding to the discovery of archaeological resources or buried human remains.

2.0 CULTURAL RESOURCES IN THE PROJECT AREA

The entirety of the Facility site boundary and a 2-mile viewshed was surveyed for cultural resources, including pedestrian surveys along with subsurface shovel probing within the Facility site boundary. A total of seven archaeological sites, one archaeological site with standing structures, and three isolated finds were identified in the Facility site boundary. All have been recommended as not eligible for listing on the National Register of Historic Places (NRHP). In addition, two Historic Properties of Religious or Cultural Significance to Indian Tribes (HPRCSITs), Sand Hollow Battleground and Sisupa, are identified in the Oregon State Historic Preservation Office's (SHPO) archaeological database as overlapping a portion of the Facility site boundary. The HPRCSITs are eligible for listing on the NRHP.

Due to the presence of two culturally important resource areas to the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) within the Facility site boundary and its viewshed, the CTUIR has recommended monitoring to protect potential HPRCSIT-associated subsurface resources. The CTUIR has recommended that monitoring occur in the following areas:

- Within the HPRCSIT boundaries and a 100-foot surrounding buffer area, monitoring should occur for all ground disturbing activities, except driving posts for the solar modules; and
- Monitoring should occur within the Facility site boundary for all excavation work related to the proposed 3-foot-deep collector cable system.

Prior to construction, PGR will develop a Monitoring Plan that incorporates this IDP and includes necessary staff, agency, and tribal contact information once determined. This plan should include monitoring protocols and staffing roles and incorporate input from the CTUIR.

3.0 PROCEDURES FOR THE DISCOVERY OF ARCHAEOLOGICAL RESOURCES

If any staff, contractors, or subcontractors, including archaeological and/or tribal monitors, believe that they have encountered cultural or archaeological remains of any kind, all work at and adjacent to the discovery shall immediately cease. The area of work stoppage will be adequate to provide for the security, protection, and integrity of the archaeological discovery. A cultural resource discovery may be pre-contact period or historic period in age and consist of (but not limited to):

- Areas of charcoal or charcoal-stained soil and stones;
- Stone tools or waste flakes (i.e., an arrowhead or stone chips);
- Bone, burned rock, or shell, whether or not seen in association with stone tools or chips;
- Clusters of tin cans, ceramics, flat glass, or bottles; and
- Concentrations of brick, railway tracks, or logging or agricultural equipment.

In the event unrecorded archaeological resources are identified during the construction or operation of the Sunstone Solar Project, work within 100 feet of the find shall be halted and directed away from the discovery until a Qualified Archaeologist¹ assesses the resource and its significance for inclusion on the NRHP. This assessment will include coordination with the CTUIR. (A wider avoidance area will be required for human remains; see below.) The archaeologist, in coordination with ODOE, the SHPO, Facility personnel, CTUIR, and the landowner, shall make the necessary plans for treatment of the finds and for the evaluation and mitigation of impacts if the finds are found to be eligible for listing on the NRHP.

A Qualified Archaeologist will determine if the resources are archaeological and greater than 50 years old. If the archaeologist believes that the discovery is a cultural resource, he or she in coordination with the PGR Construction Manager will establish a 100-foot avoidance buffer to protect the discovery site where construction activities will be suspended until treatment of the discovery can be determined. Vehicles, equipment, and unauthorized personnel will not be permitted to traverse the discovery site or avoidance area. Any newly discovered archaeological resource will be considered eligible to the NRHP until determined otherwise. Work in the immediate area will not resume until treatment of the discovery has been completed.

If archaeological artifacts are observed during construction, the Qualified Archaeologist will ensure proper documentation and assessment of any discovered cultural resources. All precontact and historic cultural material discovered during project construction will be recorded by the archaeologist in SHPO's online archaeological site form database. Site overviews, features, and artifacts will be photographed; stratigraphic profiles and soil/sediment descriptions will be prepared for subsurface exposure. Discovery locations will be documented on scaled site plans and site location maps.

If the Qualified Archaeologist in consultation with the SHPO and CTUIR determines that the discovery is an NRHP-eligible cultural resource, they will consult to determine appropriate treatment to be presented and agreed upon in a Memorandum of Agreement (MOA) or other appropriate documentation. Mitigation measures will be developed in consultation with PGR, ODOE, SHPO, CTUIR, and the landowner, and could include avoidance through redesign, conducting data recovery, and/or relocating materials. Treatment measures performed may include protecting in place or data recovery

¹ *Qualified Archaeologist* - means a person with qualifications meeting the federal secretary of the interior's standards for a Professional Archaeologist. An individual who has: (A) A post-graduate degree in archaeology, anthropology, history, classics or other germane discipline with a specialization in archaeology, or a documented equivalency of such a degree; (B) Twelve weeks of supervised experience in basic archaeological field research, including both survey and excavation and four weeks of laboratory analysis or curating; and (C) Has designed and executed an archaeological study, as evidenced by a Master of Arts or Master of Science thesis, or report equivalent in scope and quality, dealing with archaeological field research.

such as mapping, photography, limited probing, and sample collection, or other activity deemed appropriate through an MOA or other appropriate documentation.

If human remains are inadvertently discovered, ODOE, SHPO, the Legislative Commission on Indian Services (LCIS), and CTUIR will decide when construction may continue at the discovery location. Where cultural resources are encountered during construction, but additional project effects to the resources are not anticipated, Facility construction may continue while documentation and assessment of the cultural resources proceed. If continued construction is likely to cause additional impacts to such resources, Facility activities within a radius of 100 feet of the discovery will cease until the Qualified Archaeologist has documented the site, evaluated its significance in consultation with CTUIR, and assessed potential effects to the site.

Discovery Procedures: What to do if you find something

- 1) **Immediately Discontinue All Ground Disturbing Activity. Do Not Touch Or Move The Objects, and Maintain Confidentiality of the Site. Do Not Take Photos.** Removing bone fragments, artifacts, and other items from any archaeological site, without proper authorization, is against the law. Violators could be charged in state or federal court resulting in a fine or imprisonment.
- 2) Do not draw any attention to the area with obvious flagging or markers. Maintain confidentiality concerning the discovery of the cultural resource, and do not discuss with anyone other than the contact people listed above. Secure and protect area of inadvertent discovery with 100 foot buffer—work may continue outside of this buffer.
- 3) Notify PGR Project Manager and ODOE (see Attachment A).
- 4) Construction Manager will need to contact a Qualified Archaeologist to assess the find.
- 5) If archaeologist determines the find is an archaeological site or object, contact SHPO. If it is determined to *not* be archaeological, you may continue work.

4.0 PROCEDURES FOR THE DISCOVERY OF HUMAN REMAINS

If human remains and/or associated grave goods are inadvertently encountered during Project activities, the Oregon State legislature [protocol](#) for inadvertent discovery of human remains will be followed (Oregon State Legislature 2023). All activity that may cause further disturbance to the remains shall cease and the area secured and protected from further disturbance. A 200-foot avoidance buffer will be utilized for human remains and associated grave goods until appropriate treatment is completed. The presence of skeletal remains will be immediately reported to the County Medical Examiner, Oregon State Police, SHPO, and LCIS. The remains will not be touched, moved, or further disturbed. The County Medical Examiner or LCIS State Physical Anthropologist will assume jurisdiction over the human skeletal remains and determine whether those remains are forensic or non-forensic. If the remains are non-forensic, then they will report that finding to SHPO and the State Physical Anthropologist with the LCIS, who will then take jurisdiction over the remains and will notify CTUIR.

Although excavation work in the immediate area of a human remains find will not resume until assessment has been completed, excavation work may continue in other parts of the Facility that have been surveyed for cultural resources. Due to the sensitive nature of such a find, human remains should never be left unattended. No work will resume in the area of a human remains discovery until written authorization has been received from the LCIS and SHPO.

Discovery Procedures: What to do if you find something

- 1) **Immediately Discontinue All Ground Disturbing Activity. Do Not Touch Or Move The Objects, and Maintain Confidentiality of the Site. Do Not Take Photos.** Removing bone fragments, artifacts, and other items from any archaeological site, without proper authorization, is against the law. Violators could be charged in state or federal court resulting in a fine or imprisonment.
- 2) Do not draw any attention to the area with obvious flagging or markers. Maintain confidentiality concerning the inadvertent discovery, and do not discuss with anyone other than the contact people listed above. Secure and protect area of inadvertent discovery with 60-meter/200-foot buffer, then work may continue outside of this buffer with caution.
- 3) Cover remains from view and protect them from damage or exposure, restrict access, and leave in place until directed otherwise. Do not take photographs. Do not speak to the media.
- 4) Notify (refer to Attachment A for contact information):
 - PGR Project Manager
 - ODOE
 - Oregon State Police **DO NOT CALL 911**
 - SHPO
 - LCIS State Physical Anthropologist
 - CTUIR and other appropriate Native American Tribes determined by LCIS
- 5) If the site is determined not to be a crime scene by the Oregon State Police, do not move anything! The remains will continue to be secured in place along with any associated funerary objects, and protected from weather, water runoff, and shielded from view.
- 6) Do not resume any work in the buffered area until a plan is developed and carried out between ODOE, SHPO, LCIS, and appropriate Native American Tribes and you are directed that work may proceed.

5.0 CONFIDENTIALITY

The Facility and employees shall make their best efforts, in accordance with federal and state law, to ensure that its personnel and contractors keep the discovery confidential. The media, or any third-party member or members of the public are not to be contacted or have information regarding the discovery, and any public or media inquiry is to be reported to ODOE. Prior to any release, the responsible agencies and Tribes shall concur on the amount of information, if any, to be released to the public.

To protect fragile, vulnerable, or threatened sites, the National Historic Preservation Act, as amended (Section 304 [16 U.S.C. 470s-3]), and Oregon State law (Oregon Revised Statute 192.501(11)) establishes that the location of archaeological sites, both on land and underwater, shall be confidential.

6.0 REFERENCES

Oregon State Legislature

2023 Electronic document accessed December 21, 2023,
<https://www.oregonlegislature.gov/cis/Pages/archaeology.aspx>

ATTACHMENT A: CONTACTS

1. Pine Gate Renewables

Project Manager To be determined prior to construction

2. Cultural Resource Contacts

Qualified Archaeologist Lara Rooke, Tetra Tech
(425) 217 7625 (Cell)

Oregon SHPO State Archaeologist John Pouley
(503) 480-9164

State Physical Anthropologist, LCIS Dr. Elissa Bullion
(971) 707-1372 or (503) 986-1067

3. Agency Contacts

ODOE Christopher Clark
(503) 871-7254

Oregon State Police Craig Heuberger
(503) 731-0079 or (503) 731-3030 (dispatch)

Morrow County Medical Examiner (541) 676-5421

4. Tribal Contacts

CTUIR Teara Farrow Ferman (Human Remains)
(541) 429-7230 or (541) 377-2959 (cell)

Ashley Morton (Archaeological Resources)
(541) 429-7214