

Camilla Brom

Exhibit 1

Environmental Impact Report for the Rancho Viejo Solar Project in Santa Fe County, New Mexico, July 2024

- a. 3.5.1.1 Cultural and Historic Archeological Resources; pg. 3-22 to 3-23
- b. 3.14 Water Resources; pg. 3-64 to 3-69
- c. Literature Cited; pg. 6-1

3.5.1 Environmental Setting

3.5.1.1 CULTURAL AND HISTORIC ARCHAEOLOGICAL RESOURCES

Santa Fe County is rich in archaeological and cultural resources. The analysis area is located on private land, within Santa Fe County limits.

Tribal Coordination

Although the analysis area is not in the vicinity of any Tribal land, Rancho Viejo has reached out to several Native American Tribes for input concerning the Project, including Tribal representatives from Tesuque Pueblo, Pojoaque Pueblo, Cochiti Pueblo, San Ildefonso Pueblo, Santa Clara Pueblo. The New Mexico State Tribal Liaison, Santa Fe County Tribal Liaison, and New Mexico State Director of Cultural Affairs were also contacted.

Rancho Viejo hosted a site visit with Jerome Samuel from the Tesuque Pueblo. The leader of the San Ildefonso Pueblo indicated that he would like for a Tribal monitor to be on the Project site during construction. Emails to other representatives did not receive a response. Rancho Viejo has contracted with a Tribal consultant to engage with the eight Northern New Mexico Pueblos and the Tribal leaders, inform them of potential activity on the site, and collaborate with leaders during construction. Rancho Viejo hosted a meeting in March 2023 with state Pueblo leaders to discuss the details of the proposed Project, allowing them to ask questions, provide cultural insight, and identify who amongst the Pueblos would want to participate in site monitoring during the construction phase. Rancho Viejo's contracted Tribal consultant will continue to engage and consult with all Pueblo representatives.

Cultural Resource Survey and Results

The Class I Cultural Resource Inventory completed by Atwell, LLC in 2020 did not identify any previous cultural resource surveys within the analysis area. A brief review of the records by SWCA prior to survey identified one previous survey parallel to current NM 14 where access to the solar facility is proposed. SWCA research identified nine previous surveys within 500 m of the current survey area. One known archaeological site, LA 108488, is intersected by the proposed gen-tie line. LA 108488, a segment of the El Paso Rock Island Railroad Line was determined not eligible by SHPO in 2007 (HPD Log No. 82133). Review of the NRHP, SRCP, and SHPO records indicate that no listed cultural resources are within the analysis area (Atwell 2020). The review by Atwell, as well as SWCA, did identify a location identified by the National Park Service as a "speculative location" of a portion of one of the many routes of the El Camino Real de Tierra Adentro National Historic Trail (NPS 2022).

SWCA completed an intensive pedestrian cultural resource inventory survey of the analysis area, on April 4-7, 13-14, 18, and 25-29; May 3; and June 30, 2022 (NMCRIIS No. 150271), in accordance with current SHPO guidance and NMAC 4.10.15 (Byers et al. 2022). SWCA's intensive cultural resources inventory of the analysis area found one previously recorded site and recorded 14 newly identified sites, as well as 74 isolated occurrences (IOs). Of the 15 sites recorded, 10 consist of prehistoric artifact scatters without features, three consist of historic artifact scatters with features, and two consist of historic artifact scatters without features. The portion of El Camino Real de Tierra Adentro National Historic Trail identified as a "speculative location" and plotted north-south through the existing dirt road proposed for access to the facility, was thoroughly examined. No evidence of the trail's presence was found. It is possible that the trail has been destroyed by erosion or was misplotted during the original identification of the trail by aerial imagery and historic maps. This portion of the trail has never been ground-truthed.

No evidence of El Camino Real de Tierra Adentro was identified within the analysis area; therefore, the trail was not recorded as a part of this survey. However, if at a later date this alignment is confirmed as part of El Camino Real de Tierra Adentro, impacts to the setting of the trail from the current project would need to be reevaluated. The previously recorded archaeological site had been determined not eligible in 2007. Thirteen sites are recommended not eligible for listing to the NRHP under any of the four criteria. Two sites, LA 200751 and LA 200755, have been recommended undetermined for listing to the NRHP by SHPO (HPD Log No. 118484). The 74 IOs do not qualify as sites and are not eligible for inclusion on the NRHP; no further management of these IOs is recommended.

3.5.1.2 RELIGIOUS RESOURCES

There are no churches or other religious resources within the analysis area. No NRHP-listed Native American religious sites or sacred areas are known to occur within the vicinity of the analysis area. The nearest religious resource is located approximately 2.5 miles north of the analysis area (Figure 3.4).

in conjunction with other foreseeable actions in the CIAA, may contribute to short-term cumulative impacts on the traffic levels for the area.

3.13.5 Conclusion

The Project is located in an area with low existing traffic levels. The Project will result in a short-term increase in traffic on the local roads during the construction and decommissioning phases, with a negligible increase during operations and maintenance. Direct impacts to existing traffic levels will occur from the Proposed Action for a temporary period of approximately 12 months. EPMs are proposed during construction to minimize impacts to the routes that will be utilized. With implementation of EPMs and the short-term nature of the potential traffic increases and road closures, these impacts will be less than significant, and no irretrievable commitments of resources are anticipated.

3.14 Water Resources

SWCA completed a biological survey of the analysis area April 4 through 11, 2022, to identify and map the boundaries of any aquatic and wetland resources that have the potential to be WOTUS. SWCA also surveyed for sensitive habitats and plant communities that are supported by the aquatic resources in the region. Additional data sources reviewed include:

- USGS quadrangles
- National Wetlands Inventory (NWI) maps (USFWS 2022c), National Hydrology set (NHD) data (USGS 2016), and NRCS soils data (NRCS 2022a)
- Federal Emergency Management Agency (FEMA) maps (FEMA 2022)
- Aerial photographs of the analysis area, accessed using Google Earth (Google Earth 2022)
- SWCA's Aquatic Resources Inventory Report (SWCA 2022b)

3.14.1 Environmental Setting

The analysis area is located in the Rio Grande Groundwater Basin, which includes portions of southern Colorado and western Texas. The average elevation of the analysis area is approximately 6,420 feet amsl. The topography in the analysis area is relatively flat, gently sloping to the west. Approximately 88.2% of the analysis area occurs within the Santa Fe River watershed (Hydrologic Unit Code 1302020101), and approximately 11.8% occurs within the Outlet Galisteo Creek watershed (Hydrologic Unit Code 1302020104) (USGS 2016).

Existing water use in Santa Fe County was estimated at approximately 26,919 acre-feet of groundwater and 9,734 acre-feet of surface water (36,653 acre-feet total) in 2015 (New Mexico Office of the State Engineer 2015). The dominant water uses were for irrigated agriculture, public water supply, domestic (self-supplied), and commercial (self-supplied). There are 327 groundwater wells within Township 15 North, Range 9 East. The average depth of wells within the township and range of the Project area is 169 feet with depths ranging from 18 to 535 feet. Therefore, depths to groundwater within the analysis area indicate a shallow water table (New Mexico Office of the State Engineer 2010). There are no groundwater wells within the analysis area.

According to the NWI and NHD, there are four NWI-mapped riverine wetlands and one NHD-mapped surface water feature (Gallina Arroyo) within the analysis area; the NHD-mapped surface water feature and one of the NWI-mapped riverine features overlap and occur within the same drainage that intersects the permanent easement for the gen-tie (USFWS 2022c; USGS 2016). During the aquatic resources

delineation conducted by SWCA on April 8, 2022 (SWCA 2022b), it was determined that the NHD-mapped feature (Gallina Arroyo) contained an ordinary high-water mark (OHWM) but did not meet the criteria (hydrology, hydrophytic vegetation, hydric soils) necessary to be classified as a wetland (Table 3.13; Figure 3.13). One erosional feature (EF01) was recorded along an NWI-mapped riverine feature within the solar facility. In addition, approximately 0.5 acre of the proposed gen-tie overlaps a Zone A floodplain. Zone A floodplains are defined as areas with a 1% annual chance flood event (FEMA 2022).

Table 3.13. SWCA-Mapped Surface Water Features within the Proposed Project Area

Feature ID	Corresponding NHD/NWI	Jurisdictional Determination	Average OHWM Width (feet)	Length (feet)	Potentially Jurisdictional Waters within the Proposed Project Area (acres)
Gallina Arroyo (DR01)	Ephemeral drainage	Potentially jurisdictional	43.0	38.4	0.05

Source: USGS (2016)

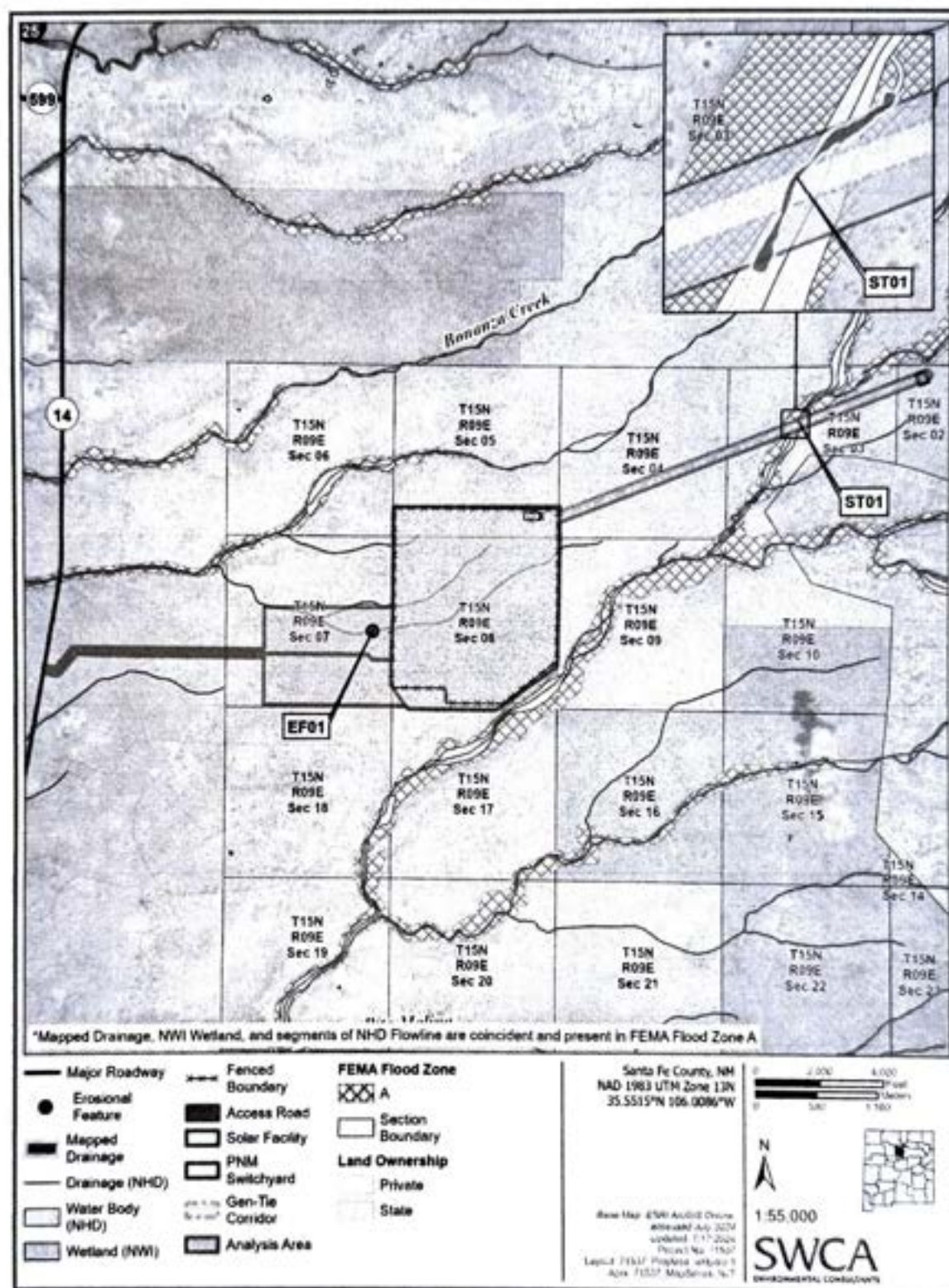


Figure 3.13. Aquatic resources in the analysis area vicinity.

3.14.2 Environmental Effects

3.14.2.1 PROPOSED ACTION

One ephemeral drainage (Gallina Arroyo) containing an OHWM was observed during the April 2022 aquatic delineation survey within the gen-tie corridor. Rancho Viejo will span this drainage and no structures will be placed within it; therefore, impacts to this drainage are estimated to be less than 0.1 acre for gen-tie access. If permanent impacts to any WOTUS are determined to be less than 0.5 acre per individual crossing, the Project will likely qualify for coverage under Nationwide Permit (NWP) 57 (Electric Utility Line and Telecommunications Activities) and NWP 14 (Linear Transportation Projects) per Section 404 of the Clean Water Act. Both NWP 57 and NWP 14 have a 0.5-acre permanent impact threshold per individual crossing. If permanent impacts to any surface water feature are greater than the 0.1-acre threshold, the applicant will need to notify the U.S. Army Corps of Engineers (USACE) through submittal of a preconstruction notification. Additional notification triggers, including but not limited to effects to biological or cultural resources, would also apply. If impacts to WOTUS are greater than 0.5 acre at each individual crossing, the Project will require an individual permit with a USACE-compliant alternatives analysis and associated prescribed mitigation.

The potential to impact water resources primarily lies with the indirect impacts that could occur due to stormwater runoff from construction activities into downstream aquatic resources. EPMs, including a SWPPP and a SPCC plan will be implemented to minimize these effects. A SWPPP will be developed and implemented for construction, which will meet the construction stormwater discharge permit requirements of the NMED Surface Water Quality Bureau. The SWPPP will include several measures to control runoff and to reduce erosion and sedimentation at construction sites. Similarly, a SPCC plan will be developed to minimize the potential for adverse impacts to surface waters or groundwater resulting from accidental spills or releases of hazardous materials. Stormwater best management practices included in the SWPPP will be used during construction to reduce potential impacts from erosion, sedimentation, and turbidity in surface waters during construction.

In addition, Rancho Viejo's 2022 hydrologic study indicated the slope in the central area of the solar facility is unsuitable for construction due to potential waterflow during stormwater events (Bohannon Huston 2022) (see Figure 2.1). Therefore, Rancho Viejo revised the design of the Project to detain stormwater with the intention of matching or decreasing the existing rate and volume of stormwater runoff from the Project site.

Water for construction uses, such as equipment washing, dust suppression, and structure foundations, will be acquired from the following off-site sources, or a combination thereof: Santa Fe County bulk water station commercial pipe water; Ranchland Utility Company Class A reclaimed water; Santa Fe County reclaimed water; or any other legally permitted commercial water sales. Construction water use will be approximately 100 to 150 acre-feet over a 12-month construction period. Long-term water use will be approximately 2 to 3 acre-feet per year and will be associated with operations and maintenance related activities, which may include periodic panel washing.

Postconstruction, temporary disturbed areas not needed for operations and maintenance will be reclaimed as described in Section 2.1.4. Reclamation of disturbed areas will minimize the potential for long-term erosion and stormwater runoff.

No water quality impacts will occur from the routine operations and maintenance activities described in Section 2.1.3. Impacts during decommissioning will be similar to those described during construction related to stormwater runoff and accidental spills or releases of hazardous materials.

3.14.2.2 NO ACTION

Under the No Action Alternative, there will be no impacts to water resources within the analysis area or surrounding areas because the Proposed Action will not be implemented. However, because the analysis area is privately owned and located primarily within the (RUR-F) zoning district (see Section 2.2), several other types of development projects could occur under the No Action Alternative and may result in its own set of impacts to water resources.

3.14.3 Environmental Protection Measures

EPMs related to water resources that will be implemented to avoid and minimize impacts as part of the Rancho Viejo Solar Project are described above and include the following:

- Impacts to any potentially jurisdictional WOTUS will be covered under NWP 14 or NWP 57 as long as impacts are below the 0.5-acre threshold. The use of an NWP will trigger USACE coordination and National Historic Preservation Act Section 106 consultation and coordination with NMED.
- A SWPPP will be developed and implemented as required by the NMED Surface Water Quality Bureau and obtain coverage under a National Pollution Discharge Elimination System Construction General Permit from the EPA pursuant to Section 402 of the Clean Water Act, 33 United States Code 1342. The SWPPP may include measures such as silt barrier fences to control runoff, sediment traps and basins, and minimizing exposed soils by using temporary and permanent seeding and mulching.
- Disturbed areas will be restored to their original condition to the extent practicable in order to meet SWPPP requirements for runoff and erosion control. Seed mixture and seeding rates will be developed through consultation with the local agency, experts, or landowner preference.
- Equipment will be properly maintained for fluid leaks.
- Spills will be cleaned up immediately.
- Matting and other temporary protective measures will be used on jurisdictional wetlands that cannot be avoided.
- An appropriate buffer zone of up to 50 feet around wetlands will be established as necessary to reduce disturbance (see Figure 2.1).
- Rancho Viejo will span and avoid placing structures in ephemeral floodplains and other surface water features, where feasible (see Figure 2.1).
- Collection/lines, cables, and access roads will be designed to minimally intersect the floodplain and will not change the base flood elevation or otherwise affect the floodplain. The placement of poles and structures for overhead collection will minimally intersect the floodplain without affecting the base flood elevation. If practicable, at the end of construction, underground collection cable trenches will be reclaimed to pre-existing contours without affecting the floodplain.
- Rancho Viejo will comply with Sections 401 and 404 of the Clean Water Act and obtain all necessary permits. All impacts to WOTUS will be evaluated against the requirements of the USACE for NWP, as applicable.

- Rancho Viejo will implement appropriate erosion control measures in areas with slopes, as provided in the SWPPP. To the extent practicable, temporary access roads will be designed following existing landform contours, where practicable, and revegetated with native or similar grasses, shrubs, or forbs, or as agreed to with the landowner.
- Hazardous materials will not be drained onto the ground or into streams or drainage areas.
- Construction waste including trash, other solid waste, petroleum products, and other potentially hazardous materials will be removed to a disposal facility authorized to accept such materials.
- Contractors will implement a hazard communication program for any on-site hazardous materials to include training, labeling, and posting of SDSs. Fuels and petroleum-based products will be stored in approved containers and away from excavated areas. Waste motor oil, hydraulic fluid, and liquid gear lube will be stored in approved containers in isolated areas and removed to an authorized disposal facility monthly and in accordance with regulations of NMED. All equipment using hydraulic hoses and cylinders will be inspected for leaks. Any equipment found to have petroleum leaks that cannot be repaired immediately will be removed from service and replaced.
- Contractors will have proper training, there will be spill kits on-site, and any leaking equipment will be repaired immediately. In the event contaminants are released, in addition to the requirements outlined in the environmental report, Rancho Viejo will adhere to the notification policies contained in 20.6.2.1203 NMAC.
- Compacted soils will be restored as closely as possible to preconstruction conditions as required for ground stabilization and erosion control.
- If required as part of the SWPPP, a native seed mixture will be applied to all temporary disturbance areas, followed by applications of mulch as required to provide additional erosion.
- Erosion will be reduced by applying and maintaining standard erosion and sediment control methods. These may include using certified weed-free straw wattles and bale barriers and silt fencing. Specific erosion and sediment control measures will be specified in a SWPPP.
- BESS battery enclosures have an ingress protection (IP) rating of IP55, which will prevent fluids from leaking at low pressure. FK-5-1-2 fire suppression injection system will be applied inside the BESS enclosure and any breach would only occur at temperatures above the boiling point of the injection system thereby limiting the discharge of fluids to the ground.

3.14.4 Cumulative Impacts

Additional reasonably foreseeable developments in the CIAA will incorporate similar management plans to prevent potential impacts to surface waters and groundwater resources. Therefore, there is minimal potential for the Proposed Action, in conjunction with other reasonably foreseeable developments in the CIAA, to cumulatively affect water resources.

3.14.5 Conclusion

Direct impacts to surface water features or special aquatic sites consist of less than 0.1-acre impact to one ephemeral drainage (Gallina Arroyo) from the construction of the Rancho Viejo Solar Project. Indirect impacts could occur from stormwater runoff during construction. Implementation of EPMs will minimize the direct and indirect impacts surface waters or groundwater during construction. Construction water use will be minimal, and there will be minimal long-term water use associated with operations and maintenance. Construction activities related to the Project will be conducted in compliance with a SWPPP that will be implemented to ensure that sediment is retained on-site and does not contribute to the surface

6 LITERATURE CITED

- American National Standards Institute (ANSI). 1993. ANSI S12.9-1993/Part 3 - American National Standard Quantities and Procedures for Description and Measurement of Environmental Sound, Part 3: Short-Term Measurements with an Observer.
- Anderson, O.J., G.E. Jones, and G.N. Green. 1997. Geologic map of New Mexico. U.S. Geological Survey Open-File Report 97-52.
- Ashigh J., J. Wanstall and F. Sholedice. 2010. Troublesome Weeds of New Mexico. New Mexico State University College of Agricultural, Consumer and Environmental Sciences. Cooperative Extension Services. Las Cruces, NM. Available at: <http://mckinleyswcd.com/troublesome-weeds-report>. Accessed March 2021.
- Atwell, LLC (Atwell). 2020a. Administrative Draft Habitat Characterization Report. Rancho Viejo Solar Project. Santa Fe County, New Mexico. November 13, 2020.
- . 2020b. Administrative Draft Class I Cultural Resources Inventory. Rancho Viejo Solar Project. Santa Fe County, New Mexico. October 26, 2020.
- . 2021. Administrative Draft Special Status Species Report. Rancho Viejo Solar Project. Santa Fe County, New Mexico. July 2021.
- Avian Powerline Interaction Committee (APLIC). 2006. Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006. Available at: [https://www.aplic.org/uploads/files/2613/SuggestedPractices2006\(LR-2watermark\).pdf](https://www.aplic.org/uploads/files/2613/SuggestedPractices2006(LR-2watermark).pdf). Accessed August 2023.
- . 2012. Reducing Avian Collisions with Power Lines. The State of the Art in 2006 in 2012. Available at: https://www.aplic.org/uploads/files/15518/Reducing_Avian_Collisions_2012watermarkLR.pdf. Accessed August 2023.
- Baltosser, W.H., 1986. Nesting success and productivity of hummingbirds in southwestern New Mexico and southeastern Arizona. *The Wilson Bulletin*, pp.353-367.
- Berger, E., L. Royster, and J. Royster. 2003. Noise Surveys and Data Analysis. In *The Noise Manual*, 5th ed., pp. 186–189. Fairfax, Virginia: American Industrial Hygiene Association.
- Biota Information System of New Mexico (BISON-M). 2022. Biota Information System of New Mexico. Available at: <http://www.bison-m.org/>. Accessed May 2022.
- Bohannon Huston. 2022. AES Rancho Viejo Solar Hydrologic Study. Santa Fe County, New Mexico. December 22, 2022.
- Bureau of Land Management (BLM). 2012. Taos Resource Management Plan. May 2012. Available at: [https://eplanning.blm.gov/public_projects/lup/68121/86167/103325/Approved_Taos_RMP_-_5.16.12_\(print_version\).pdf](https://eplanning.blm.gov/public_projects/lup/68121/86167/103325/Approved_Taos_RMP_-_5.16.12_(print_version).pdf). Accessed June 2022.
- . 2016. *Potential Fossil Yield Classification (PFYC) System for Paleontological Resources on Public Lands*. Instructional Memorandum No. 2016-124. Washington, D.C.: U.S. Department of the Interior. July 2016.

Camilla Brom

Exhibit 2

Correspondence between SWCA Consultants, State of New Mexico Department of Cultural Affairs Historic Preservation Division and Santa Fe County

- a. January 11, 2023
- b. January 23, 2022
- c. November 29, 2022
- d. March 8, 2023
- e. March 16, 2023
- f. April 4, 2024

From: [Trish Byers](#)
To: [Reynolds, Richard, DCA](#)
Cc: [Kim Packer](#)
Subject: [EXTERNAL] Rancho Viejo Solar Project (NMCORIS 150271)
Date: Wednesday, January 11, 2023 3:35:54 PM
Attachments: [Image001.png](#)

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hello Rick,

We spoke on the phone a few weeks ago about the different options our client, AES, has regarding their Rancho Viejo Solar Project. The project area had two sites, LA 200751 and LA 200755 that were of concern for the NMHPD.

LA 200751 is a large prehistoric site located within the upper northeast corner of the project area. AES has opted to completely avoid the site. There will be no ground disturbing activities within 100 ft of the site.

LA 200755 is a large historic site within the western most portion of the proposed access road. AES has opted to completely avoid the site by diverting their access road. There will be no ground disturbing activities within 100 ft of the site.

Given the new project parameters, we would like to confirm no further work to our report is required and the initial consultation letter would suffice. I have attached a series of images to this email to help you complete your review.

Additionally, we sent out a crew today to survey the portions of the road that were altered from the original plan. This included the western reroute to avoid LA 200755 and the eastern portion of the road that was slightly altered. Would it be acceptable for use to write an addendum for this project that covers this new survey area, or does it need to be included in the original report?

Feel free to reach out with any questions or concerns. I look forward to hearing from you again.

Thank you,

Trish Byers
Assistant Project Manager (Archaeologist) – She/Her

SWCA Environmental Consultants
7770 Jefferson St. NE, Suite 410
Albuquerque, NM 87109
Direct 505.431.1564 | Main 301.331.3366
trish.byers@swca.com

SWCA | 100%
Employee
OWNED

The contents of this email and any associated emails, information, and attachments are CONFIDENTIAL. Use or disclosure without

sender's authorization is prohibited. If you are not an authorized recipient, please notify the sender and then immediately delete the email and any attachments.



Michelle Lujan
Grisham
Governor

STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320

January 23, 2022

Trish Byers
Assistant Project Manager (Archaeologist)
SWCA
trish.byers@swca.com

Re: Log# 118830, Rancho Viejo Solar Project in Santa Fe County, New Mexico (NMCRIS 150271)

Dear Ms. Byers:

The SHPO concurs with the following site avoidance recommendations:

LA 200751 -AES has opted to completely avoid the site. There will be no ground disturbing activities within 100 ft of the site.

LA 200755- AES has opted to completely avoid the site by diverting their access road. There will be no ground disturbing activities within 100 ft of the site.

However, each site should be protected with temporary fencing placed 30 feet out from the site boundary and the proposed 100ft buffer should be clearly marked and visible to construction crews.

Finally, regarding new survey of the portions of the road that were altered from the original plan (western reroute to avoid LA 200755 and the eastern portion of the road that was slightly altered) an addendum survey report is sufficient. The addendum report should be uploaded into the NMCRIS database.

If you have any concerns or questions, please contact me by phone at (505)-452-6115 or e-mail me at richard.reycraft@dca.nm.gov.

Sincerely

Richard Reycraft

Richard Reycraft
HPD Staff Archaeologist



Michelle Lujan
Grisham
Governor

STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320

November 29, 2022

Kimberly A. Parker
Cultural Resources Program Directory – New Mexico Four Corners
SWCA
kparker@swca.com

Re: Log# 118484, A Class III Cultural Resources Survey of the Rancho Viejo Solar Project in Santa Fe County, New Mexico (NMCRIIS 150271)

Dear Ms. Parker:

I am writing in response to the above referenced survey report submitted by you on November 14, 2022. I have reviewed the report entitled "*A Class III Cultural Resources Survey of the Rancho Viejo Solar Project in Santa Fe County, New Mexico (NMCRIIS 150271)*" by SWCA, as well as the LA site forms for associated with this survey report. The State Historic Preservation Officer (SHPO) concurs with information and recommendations provided in the report with the following exceptions:

Site LA 200751, this site contains approximately 1000 surface lithic artifacts of which only 10% were analyzed by field personnel. The LA site form is ambiguous concerning depth of deposits at this site, at first stating that "STU showed cultural remains only within the first 10 cmbs", but later indicating "STU 3 contained one noncortical broken obsidian flake 1-2 cm in size at 25 cmbs.". Additionally, the presence of discreet artifact concentrations, and a positive STU (#3) adjacent to one of these concentrations indicates that this site may retain integrity of horizontal and vertical provenience. The SHPO determines that LA 200751's eligibility for the National Register of Historic Places is Undetermined pending archaeological testing to determine the nature and extent of the site's deposits, and a more comprehensive analysis of the sites surface artifact assemblage.

Site LA 200755, this site contains six features. Feature 1, a circular depression with an interior rectangular foundation is enigmatic but may represent the remains of a homestead structure with associated artifact scatter, the remaining features also appear to be representative of homesteading/livestock activities along with an access road. The artifact assemblage is relatively large and diverse and is associated with activities that took place during the site's occupation (as opposed to external trash dumping). The features appear to be discreet and may be representative of different activity areas (domestic vs. livestock/ranching activities). This site's eligibility for the National Register of Historic Places is Undetermined pending archaeological testing to determine the nature and extent of the site's deposits.

As per section 7.16.6.1 of Santa Fe County's Sustainable Land Development Code (SLDC): Any proposed development of a (i) non-residential use, (ii) a multi-family use, or (iii) any division or subdivision of land encompassing 10.0 acres or more and any application for small scale sand and gravel extraction, or a DCI, within an area of "medium" potential for discovery of archeological resources on Map 7-1, shall first investigate the property for archeological resources, and shall preserve, mitigate, or treat the archeological resources as specified herein before making application for a development permit.

Sites considered undetermined for the NRHP should be treated as "significant" under the SLDC until such time that a definitive eligibility can be determined. Therefore, these sites should be avoided by all ground disturbing construction associated with the proposed solar array until archaeological testing can occur.

If you have any concerns or questions, please contact me by phone at (505)-452-6115 or e-mail me at richard.reycraft@dca.nm.gov.

Sincerely

Richard Reycraft

Richard Reycraft
HPD Staff Archaeologist



Michelle Lujan
Grisham
Governor

STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320

March 8, 2023

Jose E. Larranaga
Building and Development Supervisor
Santa Fe County
joselarra@santafecountynm.gov

Re: Log# 119127-CASE #23-55010 Rancho Viejo Solar Project conditional Use Permit

Dear Mr. Larranaga:

The State Historic Preservation Officer (SHPO) concurs with the following site avoidance recommendations that have been confirmed by SWCA for their clients regarding the Ranch Viejo Solar Project (see attached):

LA 200751 -AES has opted to completely avoid the site. There will be no ground disturbing activities within 100 ft of the site. This project will not affect this historic property.

LA 200755- AES has opted to completely avoid the site by diverting their access road. There will be no ground disturbing activities within 100 ft of the site. This project will not affect this historic property. We recommend that each site should be protected with temporary fencing placed 30 feet out from the site boundary and the proposed 100ft buffer should be clearly marked and visible to construction crews.

Finally, The SHPO has yet to receive an addendum report for the new cultural resource survey of the portions of the road that were altered from the original plan (western reroute to avoid LA 200755 and the eastern portion of the road that was slightly altered). Thus, until we receive this report, the new road alignment has a potential to adversely affect historic properties.

If you have any concerns or questions, please contact me by phone at (505)-827-6162 or e-mail me at richard.reycraft@dca.nm.gov.

Sincerely

Richard Reycraft

Richard Reycraft
HPD Staff Archaeologist



Michelle Lujan
Grisham
Governor

STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320

March 16, 2023

Trish Byers
Assistant Project Manager (Archaeologist)
SWCA
trish.byers@swca.com

Re: Log# 119282 -CASE #23-55010 Rancho Viejo Solar Project conditional Use Permit-NMCRIS #152338

Dear MS Beyers:

Thank you for submitting this project report to the State Historic Preservation Officer (SHPO). I have read the submitted archaeological survey report entitled "*A Class III Cultural Resources Inventory of the Rancho Viejo Solar Project Access Road Reroute in Santa Fe County, NM*" (NMCRIS#152338). The SHPO concurs with the report results for the new road alignment. This project will have no effect on historic properties.

If you have any concerns or questions, please contact me by phone at (505)-827-6162 or e-mail me at richard.reycraft@dca.nm.gov.

Sincerely

Richard Reycraft

Richard Reycraft
HPD Staff Archaeologist

Cc: Jose Larranaga



Michelle Lujan
Grisham
Governor

STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320

April 4, 2024

Kimberly Parker
Cultural Resources Program Director, New Mexico – Four Corners
SWCA Environmental Consultants
New Mexico – Four Corners
7770 Jefferson Street NE, Suite 410
Albuquerque, NM 87109
kparker@swca.com

Re: Log# 122238, A Class III Cultural Resources Inventory of the Rancho Viejo Solar Project Access Road
Reroute in Santa Fe County, NM (NMCRIS#154110)

Dear Ms. Parker:

I have read the aforementioned survey report (NMCRIS# 154110) submitted by you to this office on April 2nd, 2024. The SHPO concurs with the reports results and recommendations. Specifically, the New Mexico State Historic Preservation Office concurs that archaeological sites LA 203679 and LA 203750 are not eligible for the National Register of Historic Places or the State Register of cultural properties.

If you have any concerns or questions, please contact me by phone at (505)-827-6162 or e-mail me at richard.reycraft@dca.nm.gov.

Sincerely

Richard Reycraft

Richard Reycraft
HPD Staff Archaeologist