

# 7. CULTURAL RESOURCES

## 7.1 INTRODUCTION

The Cultural Resources chapter of the EIR addresses known and unknown historic and prehistoric cultural resources, including tribal cultural resources, in the vicinity of the project area. Cultural resources can be categorized into prehistoric or historic resources. Prehistoric resources are those sites and artifacts associated with indigenous, non-Euroamerican populations, generally prior to contact with people of European descent. Historic resources include structures, features, artifacts, and sites that date from Euroamerican settlement of the region. The chapter summarizes the existing setting with respect to cultural resources, identifies thresholds of significance, evaluates project impacts to such resources, and sets forth mitigation measures. Information presented in the chapter is primarily drawn from the Cultural Resources Inventory and Effects Assessment prepared by Natural Investigations Company,<sup>1</sup> as well as the Placer County General Plan<sup>2</sup>, the General Plan EIR<sup>3</sup>, and the Dry Creek-West Placer Community Plan (DCWPCP)<sup>4</sup>.

## 7.2 EXISTING ENVIRONMENTAL SETTING

Placer County contains a rich cultural resource heritage that includes archeological and historical sites and resources. Given the rich heritage of the area, many archeological and historical sites and resources remain undiscovered. According to the Placer County General Plan EIR, as of November 1991, a total of 1,235 archeological sites were recorded in Placer County. Of the 634 records reviewed, 456 represented prehistoric archeological sites; 143 represented historical archeological sites; and 35 represented archeological sites with prehistoric and historical components.

The following sections provide further details regarding the prehistoric overview, ethnographic overview, and historic overview of the project area, as well as a description of any identified cultural resources associated with the project site and a discussion of tribal cultural resources.

### Prehistoric Overview

A recent summary by Rosenthal et al. of the prehistory of California's Sacramento Valley, Sacramento-San Joaquin Delta, and San Joaquin Valley is based on a compilation of previous research. As devised by Rosenthal and others, and with the timeframes adjusted for modern calibration curves for radiocarbon dates, the chronological sequence for the Central Valley is: Paleo-Indian (11,500–8550 cal [calibrated] B.C.), Lower Archaic (8550–5550 cal B.C.), Middle Archaic (5550–550 cal B.C.), Upper Archaic (550 cal B.C.–cal A.D. 1100), and Emergent or Late Prehistoric Period (cal A.D. 1100–Historic Contact).

Little evidence currently exists of the Paleo-Indian and Lower Archaic periods in the Central Valley. According to Natural Investigations Company, large segments of the Late Pleistocene

<sup>1</sup> Natural Investigations Company. *Cultural and Paleontological Resources Inventory and Effects Assessment for the Brady at Vineyard Project*. May 21, 2018.

<sup>2</sup> Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

<sup>3</sup> Placer County. *Countywide General Plan EIR*. July 1994.

<sup>4</sup> Placer County. *Dry Creek-West Placer Community Plan*. Amended May 12, 2009.



landscape throughout the central California lowlands have been buried or removed by periodic episodes of deposition or erosion. Earlier studies had also estimated that Paleo-Indian and Lower Archaic sites along the lower stretch of the Sacramento River and San Joaquin River drainage systems had been buried by Holocene alluvium up to 33 feet thick that was deposited during the last 5,000 to 6,000 years. The formation of the Sacramento–San Joaquin Delta began during the early Middle Holocene. After approximately 1,000 calibrated years (cal) B.C. during the Late Holocene, renewed episodes of alluvial fan and floodplain deposition occurred.

The archaeological evidence that is available for the Paleo-Indian Period is comprised primarily by basally thinned, fluted projectile points. Such points are morphologically similar to the well-dated Clovis points found elsewhere in North America. In the Central Valley, only three archaeological localities (Woolfsen Mound in Merced County, Tracey Lake in San Joaquin County, and Tulare Lake basin in Kings County) contain fluted points, which were recovered at each from remnant features of the Pleistocene landscape.

In the Central Valley, the Lower Archaic Period is mainly represented by isolated finds, as the early landscape was buried by natural alluvial fan and floodplain deposition. Cultural material dating to the Lower Archaic Period has been found at only one site in the Central Valley, which is located in present-day Kern County. Stratified cultural deposits at the site have yielded a stemmed projectile point, chipped stone crescents, and the remains of fish, birds, and shellfish. Although abundant milling slabs and handstones have been recovered from Lower Archaic Period foothill sites in eastern Contra Costa County and Calaveras County, milling tools or plant remains have not been found at the valley floor site.

The cultural framework within the greater project region subsequent to the Paleo-Indian and Lower Archaic periods is further divided into three regionally based “patterns.” Specific to the Central Valley prehistory and the current project region, the regionally based patterns are the Windmill, Berkeley, and Augustine. The patterns mark changes in distinct artifact types, subsistence orientation, and settlement patterns, which began circa 5,550 cal B.C. and lasted until historic contact in the early 1800s. The patterns were initially identified at the following three archaeological sites: the Windmill site (CA-SAC-107) near the Cosumnes River in Sacramento County; the West Berkeley site (CA-ALA-307) on the east side of the Bay in Alameda County; and the Augustine site (CA-SAC-127) in the Sacramento-San Joaquin Delta. In general, the patterns conform to three temporal divisions: Middle Archaic Period/Windmill Pattern, Upper Archaic Period/Berkeley Pattern, Late Prehistoric Period/Augustine Pattern.

### **Middle Archaic Period/Windmill Pattern**

Unlike the foothills, where a number of buried sites have been found, archeological sites on the valley floor were relatively scarce for the first 3,000 years of the Middle Archaic Period, in part due to natural geomorphic processes. The archeological record indicates that people followed a seasonal foraging strategy, and, some researchers suggest that populations may have occupied lower elevations during the winter and moved to higher elevations during the summer. Other researchers suggest that residential stability along Central Valley river corridors increased during the Middle Archaic Period.

Excavations at Windmill Pattern sites have yielded abundant remains of terrestrial fauna such as deer, tule elk, pronghorn, and rabbits, as well as fish such as sturgeon, salmon, and other smaller fishes. Projectile points with a triangular blade and contracting stems are common at Windmill Pattern sites. A variety of fishing implements such as angling hooks, composite bone



hooks, spears, and baked clay artifacts, which may have been used as net or line sinkers, are also relatively common. The presence of milling implements such as grinding slabs, handstones, and mortar fragments, indicate acorns or seeds were an important part of the Middle Archaic diet. In the foothills, pine nut and acorn remains have been recovered from sites in Fresno and Calaveras counties.

The variety of artifacts recovered from Windmill Pattern sites include shell beads, ground and polished charmstones, and bone tools, as well as impressions of twined basketry. Baked clay items include pipes, discoids, and cooking “stones”, as well as net sinkers. Burials in cemetery areas, which were separate from habitation areas, were accompanied by a variety of grave goods. The presence of an established trade network is indicated by the recovery of *Olivella* shell beads, obsidian tools, and quartz crystals. Obsidian sources during the Middle Archaic included quarries in the North Coast Ranges, eastern Sierra, and Cascades.

### **Upper Archaic Period/Berkeley Pattern**

The Upper Archaic Period is better understood than any of the preceding periods and is characterized by a shift to the more specialized, adaptive Berkeley Pattern over a 1,000-year period. Excavated archaeological sites signal an increase in mortars, pestles, and archaeobotanical remains, as well as a decrease in slab milling stones and handstones. Archeologists generally agree that mortars and pestles are better suited to crushing and grinding acorns, while milling slabs and handstones were used primarily for grinding wild grass grains and seeds. The proportional change indicates a shift during the Berkeley Pattern to a greater reliance on acorns as a dietary staple. Innovations such as new types of shell beads, charmstones, bone tools, and ceremonial blades are additional evidence of the more specialized technology present during the upper Archaic period.

The artifact assemblage in Berkeley Pattern sites demonstrates that populations in the area continued to exploit a variety of natural resources. In addition to seeds and acorns, hunting persisted as an important aspect of food procurement. Large, mounded villages that developed around 2,700 years ago in the Delta region included accumulations of habitation debris and features, such as hearths, house floors, rock-lined ovens, and burials. The remains of a variety of aquatic resources in the large shell midden/mounds that developed near salt or fresh water indicate exploitation of shellfish was relatively intensive. Berkeley Pattern artifact assemblages are also characterized by *Olivella* shell beads, *Haliothis* ornaments, and a variety of bone tool types. Mortuary practices continued to be dominated by interment, although a few cremations have been discovered at sites dating to the Upper Archaic Period. Trade networks brought obsidian toolstone to the Central Valley from the North Coast Ranges and the east side of the Sierra Nevada Range.

### **Late Prehistoric Period/Augustine Pattern**

The comprehensive archeological record for the Emergent or Late Prehistoric Period in the Central Valley shows an increase in the number of archeological sites associated with the Augustine Pattern in the lower Sacramento Valley/Delta region, as well as an increase in the number and diversity of artifacts. The Emergent or Late Prehistoric Period was shaped by a number of cultural innovations, such as the bow and arrow and more elaborate and diverse fishing technology, as well as an elaborate social and ceremonial organization. Dart and atlatl technology was effectively replaced by the introduction of the bow and arrow. Additionally, the cultural patterns typical of the Augustine Pattern, as viewed from the archaeological record, are reflected in the cultural traditions known from historic period Native American groups.



The faunal and botanical remains recovered at Emergent or Late Prehistoric Period archaeological sites indicate the occupants relied on a diverse assortment of mammals, fish, and plant parts, including acorns and pine nuts. Hopper mortars, shaped mortars and pestles, and bone awls used to produce coiled baskets are among the variety of artifacts recovered from Augustine Pattern sites. The toolkit during the Emergent or Late Prehistoric Period also included bone fish hooks, harpoons, and gorge hooks for fishing, as well as the bow and arrow for hunting. The appearance of ceramics during the Late Prehistoric/Augustine Pattern period is likely a direct improvement on the prior baked clay industry.

During the Late Prehistoric Period, numerous villages, ranging in size from small to large, were established along the valley floor sloughs and river channels and along the foothills sidestreams. House floors or other structural remains have been preserved at some sites dating to the Emergent or Late Prehistoric Period (e.g., CA-CAL 1180/H, CASAC-29, CA-SAC-267). The increase in sedentism and population growth led to the development of social stratification, with an elaborate social and ceremonial organization. Examples of items associated with rituals and ceremonials include flanged tubular pipes and baked clay effigies representing animals and humans. Mortuary practices changed to include flexed burials, cremation of highstatus individuals, and pre-interment burning of offerings in a burial pit. Currency, in the form of clamshell disk beads, also developed during this period together with extensive exchange networks.

In her Master's thesis, which was completed in 1966, Patti Palumbo (now Johnson) focused on the archaeology of the Dry Creek drainage. She analyzed artifacts from 32 prehistoric archaeological sites between Rio Linda on the west and Roseville on the east. Palumbo concluded four of the sites were permanent village sites with well-developed middens. Palumbo classified the remainder as temporary occupation sites. Diagnostic artifacts found at the Dry Creek sites (e.g., shell beads, projectile points) indicate occupation occurred mainly during the Late Prehistoric Period. One of the village sites (CA-PLA-41) is mapped adjacent to the main Dry Creek channel in the southeast quadrant of Section 9, northeast of, and approximately 0.5-mile from, the project site. One of the temporarily occupied sites along Dry Creek (CA-PLA-67) is located within 0.25-mile of the project site.

### **Ethnographic Overview**

The project site is located in lands historically occupied by the Nisenan (also known as the Southern Maidu). Prior to Euro-American contact, Nisenan territory included the southern extent of the Sacramento Valley, east of the Sacramento River between the North Fork Yuba River and Cosumnes River on the north and south, respectively, and extended east into the foothills of the Sierra Nevada. Neighboring groups included the Plains Miwok on the south, Southern Patwin to the west across the Sacramento River beyond the Yolo Basin, and Konkow and Maidu to the north. Three Maidu languages, Konkow, Maidu, and Nisenan are regarded as a subgroup of Penutian stock. Ethnographers have also distinguished three Nisenan dialects: Northern Hill, Southern Hill, and Valley.

Ethnographic Nisenan established central villages and smaller satellite villages along the main watercourses in their territories. Valley Nisenan villages were generally located on low, natural rises along streams and rivers or on gentle, south-facing slopes; and Hill Nisenan villages were located on ridges and large flats along major streams. Semi-permanent or winter villages, as well as seasonally occupied campsites, were used at various times during the seasonal round of subsistence activities associated with hunting, fishing, and gathering plant resources. Historically,



a Nisenan village, known as *Pitsokut* or *Pich-u-gut*, was located in the Roseville area, and may have been at the location of a prehistoric site recorded along Dry Creek.

Village population is reported as ranging from 15 to over 500 individuals with the number of residences ranging from 40 to 50 in larger villages, and only three to seven in smaller villages. Traditional village structures included semisubterranean or aboveground conical, circular, or dome-shaped houses, as well as acorn granaries, winter grinding houses, ceremonial or dance houses, and sweathouses. Nisenan mortuary practices included cremation and burial in a separate cemetery area.

Like the majority of Native Californians, the Nisenan relied on acorns as a staple food, which were collected in the fall and then stored in granaries. These seasonally mobile hunter-gatherers also relied on a wide range of abundant natural resources that were available in their territories. Large and small mammals, such as pronghorn antelope, deer, tule elk, black bear, cottontail, and jackrabbit, among other species, were hunted by individuals or by communal groups. Game birds, waterfowl, and fish, particularly salmon, were also important components of the Nisenan diet. In addition to acorns, plant resources included pine nuts, buckeye nuts, hazelnuts, fruits, berries, seeds, and underground tubers.

Similar to other California Native American groups, the Nisenan employed a variety of tools, implements, and enclosures for hunting and collecting natural resources. The bow and arrow, snares, traps, nets, and enclosures or blinds were used for hunting land mammals and birds. For fishing, the Nisenan made canoes from tule, balsa, or logs, and used harpoons, hooks, nets, and basketry traps. To collect plant resources, the two groups used sharpened digging sticks, long poles for dislodging acorns and pinecones, and a variety of woven tools (seed beaters, burden baskets, and carrying nets).

Foods were processed with a variety of tools, such as bedrock mortars, cobblestone pestles, anvils, and portable stone or wooden mortars that were used to grind or mill acorns and seeds. Tools and implements included knives, anvils, leaching baskets and bowls, woven parching trays, and woven strainers and winnowers. Prior to processing, the acorns were stored in the village granaries. The Nisenan and neighboring groups participated in an extensive east-west trade network between the coast and the Great Basin. From coastal groups marine shell (*Olivella* and abalone) and steatite moved eastward, while salt and obsidian traveled westward from the Sierras and Great Basin. Basketry, an important trade item, moved in both directions.

The traditional culture and lifeways of the Nisenan who inhabited the fertile plains between Sacramento and the Sierra foothills were disrupted beginning in the early 1800s. Although Spanish explorers entered Nisenan territory as early as 1808, record of the forced movement of Nisenan to the missions does not exist. During the Mexican period, native peoples were affected by land grant settlements and decimated by foreign disease epidemics that swept through the densely populated Central Valley. An epidemic that swept the Sacramento Valley in 1833 caused the death of an estimated 75 percent of the Valley Nisenan population, wiping out entire villages.

In the heart of Nisenan territory, the discovery of gold in 1848 at Sutter's Mill on the American River near Coloma had a devastating impact on the remaining Nisenan, as well as other groups of Native Americans in the Central Valley and along the Sierra Nevada foothills. By 1850, with their lands, resources and way of life being overrun by the steady influx of non-native people during the Gold Rush, surviving Nisenan retreated to the foothills and mountains or labored for the growing ranching, farming, and mining industries. Nisenan descendants reside on the Auburn,



Berry Creek, Chico, Enterprise, Greenville, Mooretown, Shingle Springs, and Susanville rancherias, as well as on the Round Valley Reservation.

### **Historic Overview**

The following sections provide an overview of the Spanish, Mexican, and American Periods, as well as local history associated with the project area.

### **Spanish, Mexican, and American Periods**

Post-contact history for the State of California is generally divided into the following three periods: the Spanish Period from 1769 to 1822; the Mexican Period from 1822 to 1848; and the American Period from 1848 to present. Although brief visits by Spanish, Russian, and British explorers occurred from 1529 to 1769, the beginning of Spanish settlement in California occurred in 1769 at San Diego. The Spanish and Franciscan Order established 21 missions between 1769 and 1823 along the coast between San Diego and San Francisco. The Spanish expeditions into the Central Valley in 1806 and 1808, led by Lieutenant Gabriel Moraga, explored along the main rivers, including the American, Calaveras, Cosumnes, Feather, Merced, Mokelumne, Sacramento, San Joaquin, and Stanislaus. Moraga is credited with naming the lower Sacramento River and valley region, "Sacramento" ("the Holy Sacrament"). In 1813, Moraga led another expedition in the lower portion of the Central Valley and named the San Joaquin River. The abundance of wildlife, such as waterfowl, fish, and fur-bearing animals, within or along the banks of the rivers attracted immigrants to the Central Valley region. The last Spanish expedition into California's interior was led by Luis Arguello in 1817 and traveled up the Sacramento River, past the future site of the City of Sacramento to the mouth of the Feather River, before returning to the coast.

After the end of the Mexican Revolution (1810 to 1821), the Mexican Period is marked by extensive land grants, most of which were in the interior of the State, as well as by exploration by American fur trappers west of the Sierra Nevada Mountains. Most of the land grants to Mexican citizens in California (*Californios*) were in the interior because the Mexican Republic sought to increase the population away from the more settled coastal areas where the Spanish settlements had been concentrated. The largest land grants in the Sacramento Valley were awarded to John Sutter who had become a Mexican citizen. In 1839, he founded a trading and agricultural empire called New Helvetia that was headquartered at Sutter's Fort near the divergence of the Sacramento and American rivers in today's City of Sacramento. Only a small portion of the 48,839-acre New Helvetia land grant was located in Sacramento County; the majority was located in today's Sutter and Yuba counties on the east and west sides of the Feather River.

The first American trapper to enter California, Jedediah Smith, explored along the Sierra Nevada in 1826 and in 1827, he entered the Sacramento Valley, traveling along the American and Cosumnes rivers. In 1827, Smith also traveled through the San Joaquin Valley. Other trappers soon followed, including employees of the Hudson's Bay Company in 1832. Between 1830 and 1833, and again in 1837, diseases introduced by the non-indigenous explorers, trappers, and settlers, as well as relocation to the missions, military raids, and settlement by non-native groups, decimated native Californian populations, communities, and tribes in the Sacramento and San Joaquin valleys.

The end of the Mexican-American war, marked by the signing of the Treaty of Guadalupe Hidalgo in 1848, initiated the beginning of the American Period. In the same year, gold was discovered at Sutter's Mill on the American River in Coloma, and by 1849, nearly 90,000 people had journeyed



to the gold fields. California became the 31<sup>st</sup> state in 1850, largely as a result of the Gold Rush, and in 1854, Sacramento became the State capital. In contrast to the economic prosperity and population growth associated with statehood, the loss of land and territory, including traditional hunting and gathering locales, as well as malnutrition, starvation, and violence, further contributed to the decline of indigenous Californians in the Central Valley and along the Sierra Nevada foothills.

## **Local History**

Placer County was organized in 1851 from parts of neighboring Sutter and Yuba counties, and named after the County's principal economy at that time, placer mining. The City of Auburn, one of the earliest mining towns in California (first known as Woods Dry Diggings, then North Fork Dry Diggings), was designated the seat of justice when the County was created. Auburn continues to be the County seat today.

The earliest settlers in the general project vicinity arrived in the late 1840s, as miners poured into the region in search of placer deposits. By the mid-1850s, the area was sparsely settled and dotted with small-scale ranches. By the mid-1860s, the construction and development of the railroad industry played a significant role in the region's development. The Central Pacific Railroad (CPRR) had incorporated in 1861 to build the western portion of the First Transcontinental Railroad. The tracks of the CPRR (later Southern Pacific Railroad [SPRR]; now Union Pacific Railroad [UPRR]) reached Roseville, Rocklin, and Newcastle in 1864. A designated California Historical Landmark (No. 780), the First Transcontinental Railroad, has a marker in Old Town Roseville. Roseville prospered as a principal rail head that provided the frontier towns with goods and services. The Southern Pacific Railroad SPRR moved a major locomotive terminal from Rocklin to Roseville in 1908, which caused the town to expand into one of the largest railroad centers in the country.

The presence of the railroad also contributed to the growth of Placer County's agricultural industry, mainly fruits and nuts, because the rail line provided access to a large market east of the Sierra Nevada. Incorporated in 1906, the Pacific Fruit Express Company (PFE) was a joint SPRR and UPRR enterprise. The company operated a number of ice plants and docks, as well as car and repair shops throughout the west, and shipped produce in ice refrigerated railcars. The first units of the Pacific Fruit Express Ice Plant were erected in 1909, and by 1920, the company was known as the world's largest artificial ice plant. The name of present-day PFE Road, whose unnamed precedent is shown on the 1911 Antelope (1:31,650) USGS quadrangle, is derived from the company, which is now a UPRR subsidiary.

Among the early settlers to the Sacramento region were two brothers from Ohio, Curtis J. Hillyer and Edgar Winters Hillyer. Both brothers practiced law in Auburn: Curtis from 1854 until 1863 when he moved to Virginia City, Nevada, to practice law with Mackay, Flood and Fair; and Edgar from 1856 to 1861 when he joined the Army, serving for five years. In 1860, the younger brother, Edgar, purchased 53 acres in Section 3 of Township 10 North, Range 6 East, including the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  encompassing the project site; however, records indicating he ever built a residence or otherwise occupied the acreage do not exist. The residence in Auburn owned by brother Curtis was destroyed by fire in 1858. When Edgar was elected in 1863 to the State Assembly from Placer County, he was granted a leave of absence from the Army to serve. After practicing law in Nevada from 1866 to 1869, Edgar was nominated by President Ulysses Grant to a seat on the U.S. District Court for the District of Nevada, whereupon he served as a federal judge until his death in 1882.



The town of Antelope on the SPRR route, between Sacramento and Roseville in north-central Sacramento County, was initially settled in the 1860s by many of the transcontinental railroad workers. The area west of the tracks remained rural with scattered residences between the railroad and PFE Road until significant growth occurred during the 1980s.

### **Off-Site Improvement Areas**

As discussed in detail in Chapter 3, Project Description, of this EIR, the proposed project would include off-site roadway improvements at the project frontages with Brady Lane and Vineyard Road, in addition to sewer system improvements within the Vineyard Road right-of-way.

Off-site improvement areas associated with the proposed project would include widening improvements to Brady Lane and Vineyard Road along the project frontages, as well as extension of a new sewer line within Vineyard Road east to Foothills Boulevard. All improvements would occur within the paved right-of-way. Although the Cultural Resources Inventory did not cover the off-site improvement areas, construction activities within the off-site improvement areas would be subject to all applicable mitigation measures prescribed within this EIR.

### **Known Cultural Resources**

Archival research was carried out as part of the Cultural and Paleontological Resources Inventory and Effects Assessment prepared for the Brady Vineyard Subdivision project by Natural Investigations, including review of available historic documents and a records search. In addition, a field survey of the project area was conducted by Natural Investigations on February 1, 2018 to examine indications of surface or subsurface cultural resources.

Based on the records search conducted by Natural Investigations at the North Central Information Center of the California Historical Resources Information System (CHRIS) at California State University, Sacramento, on January 29, 2018, cultural resources have not been previously recorded within the project site. One historic-era archeological site (P-31-002859, CA-PLA-1978H) has been previously documented within 0.25-mile of the project site. At the time of recordation, P-31-002859, CA-PLA-1978H consisted of an outhouse constructed between 1935 and 1941 by the Civilian Conservation Corps (CCC) as part of the Works Progress Administration (WPA) created in 1935 by President Franklin D. Roosevelt during the Great Depression. In 2009, the site was updated and the outhouse had been removed or destroyed. P-31-002859, CA-PLA-1978H is not located within the boundaries of the project site or the proposed off-site improvement areas.

However, the field survey indicated the presence of four historic-era archeological resources on the project site, which included one trash scatter and three isolated finds. Prehistoric archeological resources, ethnographic sites, or historic-era built environment resources were not identified and cultural resources have not been previously recorded on the site. A description of each of the four historic-era archeological resources newly identified within the project site is provided below.

### **Trash Scatter (NIC-2018-Brady 1)**

NIC-2018-Brady 1 is a diffuse, historic-era trash scatter located within the stream bed and cut banks of an unnamed branch of Dry Creek. The debris consists primarily of clear and amber bottles, with a few intact or mostly intact bottles, a seltzer bottle, a trailer hitch, an intact stoneware jug, and a few ceramic fragments. Modern plastic bottles and aluminum cans were also found amongst the debris, and some ceramic fragments appeared to be of recent manufacture.



Among the bottles and debris are several bottles manufactured by the Owens Illinois Glass Company which have a diamond IO base mark that was used between 1929 and 1960. A clear bottle dating to the 1920-1930s is acid etched, "Property of the Roseville Ice Co/Phone 211//Made in Czecho-Slovakia. Considering the range of ages from the diagnostic items, the earliest possible date for the site is 1934.

Overall, the trash scatter is in poor condition and the artifacts are dispersed within the creek bed and banks. The site's location in the streambed indicates that the items within Brady 1 have likely been transported downstream from an unknown location or locations and may represent different periods of dumping. Dry Creek and its tributaries, including the Vineyard Road tributary, are mapped by FEMA as being within the 100-year flood zone and an extensive historic record of flooding in the Roseville area exists. Thus, the debris contained within NIC-2018-Brady 1 was likely transported downstream during one or more flood episodes subsequent to 1934.

### **NIC-2018-Brady-ISO-1**

NIC-2018-Brady-ISO-1 is an isolated finding consisting of a single, clear, historic-era bottle base found within the project site area along the unnamed tributary of Dry Creek. The bottle fragment has an Owens Illinois Glass Company bottle scar and the diamond IO base mark used by the company between 1929 and 1960. The base of the bottle fragment contains a manufacture date code of "7" for the plant in Alton, Illinois, which indicates a production range of between 1930 and 1974. In addition, a date production code of "2" indicates the bottle was produced in 1942.

### **NIC-2018-Brady-ISO-2**

NIC-2018-Brady-ISO-2 is an isolated historic-era find consisting of one colorless alcohol bottle and one amber-colored alcohol bottle found within the project site area at the cut bank of the unnamed tributary of Dry Creek. The heal of the colorless alcohol bottle is embossed with "4/5 QUARTS" and has stippling with the diamond IO base mark "Owens of Illinois" used by the Owen's of Illinois Glass Company from 1929 to 1960. In addition, "Duraglass" is embossed on the base of the bottle, which indicates a production date of between 1940 and 1964. The bottle has a plant code of "23" indicating a plant location of Los Angeles, California, and a production date code of "51", indicating a production date of 1951. The amber alcohol bottle is embossed with "4/5 QUART/FEDERAL LAW FORBIDS SALE OR RE-USE OF THIS BOTTLE" and "MG", indicating the bottle was produced at the Maywood Glass Company, which was in operation from 1930 to 1959.

### **NIC-2018-Brady-ISO-3**

NIC-2018-Brady-ISO-3 is an isolated, historic-era find consisting of a single, colorless alcohol bottle. The bottle was found adjacent to the east bank of an unnamed tributary of Dry Creek. The bottle is embossed with "4/5 QUARTS" along the heal and has stippling with the diamond IO base mark "Owens of Illinois" used by the Owen's of Illinois Glass Company from 1929 to 1960. In addition, "Duraglass" is embossed on the base of the bottle, which indicates a production date of between 1940 and 1964. The bottle has a plant code of "23" indicating a plant location of Los Angeles, California, and a production date code of "51", indicating a production date of 1951.

## **Tribal Cultural Resources**

Based on a search of the Native American Heritage Commission (NAHC) Sacred Lands File, as described in further detail in the Method of Analysis section below, recorded Native American sacred sites or traditional cultural properties are not known to exist within the project site. Per the NAHC's suggestion, Natural Investigations contacted each of the Native American tribes or



individuals indicated by the NAHC to potentially have knowledge of cultural resources in the project area.

In addition to the above, the County conducted Assembly Bill (AB) 52 and Senate Bill (SB) 18 tribal consultation for the project, as described in the Method of Analysis section below. Additional tribal cultural resources were not identified for the project site.

### **7.3 REGULATORY CONTEXT**

Federal, State, and local governments have developed laws and regulations designed to protect significant cultural resources that may be affected by actions that they undertake or regulate. The following section contains a summary of basic federal and State laws governing preservation of historic and archaeological resources of national, regional, State, and local significance.

#### **Federal Regulations**

The following are the federal environmental laws and policies relevant to cultural resources.

#### **Section 106 for the National Historical Preservation Act of 1966**

Federal regulations for cultural resources are governed primarily by Section 106 of the National Historical Preservation Act (NHPA) of 1966. Section 106 of NHPA requires Federal agencies to take into account the effects of their undertakings on historic properties and affords the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The Council's implementing regulations, "Protection of Historic Properties," are found in 36 Code of Federal Regulations (CFR) Part 800. The goal of the Section 106 review process is to offer a measure of protection to sites, which are determined eligible for listing on the National Register of Historic Places (NRHP). The criteria for determining NRHP eligibility are found in 36 CFR Part 60. Amendments to the Act (1986 and 1992) and subsequent revisions to the implementing regulations have, among other things, strengthened the provisions for Native American consultation and participation in the Section 106 review process. While federal agencies must follow federal regulations, most projects by private developers and landowners do not require this level of compliance. Federal regulations only come into play in the private sector if a project requires a federal permit or uses federal funding.

#### **National Register of Historic Places**

NRHP is the nation's master inventory of known historic resources. The NRHP includes listings of resources, including: buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, State, or local level. Resources over 50 years of age could be listed on the NRHP. However, properties under 50 years of age that are of exceptional significance or are contributors to a district could also be included on the NRHP. Four criteria are used to determine if a potential resource may be considered significant and eligible for listing on the NRHP. The criteria include resources that:

- A. Are associated with events that have made a significant contribution to the broad patterns of history; or
- B. Are associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded or may likely yield information important in prehistory or history.



A resource can be individually eligible for listing on the NRHP under any of the above four criteria, or can be listed as contributing to a group of resources that are listed on the NRHP.

A resource can be considered significant in American history, architecture, archaeology, engineering, or culture. Once a resource has been identified as significant and potentially eligible for the NRHP, the resource's historic integrity must be evaluated. Integrity is a function of seven factors: location, design, setting, materials, workmanship, feeling, and association. The factors closely relate to the resource's significance and must be intact for NRHP eligibility.

Historical buildings, structures, and objects are usually eligible under Criteria A, B, and C based on historical research and architectural or engineering characteristics. Archaeological sites are usually eligible under Criterion D, the potential to yield information important in prehistory or history. An archaeological test program may be necessary to determine whether the site has the potential to yield important data. The lead federal agency makes the determination of eligibility based on the results of the test program and seeks concurrence from the State Historic Preservation Officer (SHPO).

Effects to NRHP-eligible resources (historic properties) are adverse if the project may alter, directly or indirectly, any of the characteristics of an historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

### **State Regulations**

The following are the State environmental laws and policies relevant to cultural resources.

### **California Environmental Quality Act and California Register of Historic Places**

State historic preservation regulations affecting this project include the statutes and guidelines contained in CEQA (Public Resources Code sections 21083.2 and 21084.1 and sections 15064.5 and 15126.4 (b) of the CEQA Guidelines). CEQA requires lead agencies to consider the potential effects of a project on historic resources and unique archaeological resources. A "historic resource" includes, but is not limited to, any object, building, structure, site, area, place, record or manuscript that is historically or archaeologically significant (Public Resources Code section 5020.1). Under Section 15064.5 of the CEQA Guidelines, a resource is considered "historically significant" if one or more of the following California Register of Historic Resources (CRHR) criteria have been met:

1. The resource is associated with events that have made a significant contribution to the broad patterns of California history;
2. The resource is associated with the lives of important persons from our past;
3. The resource embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual or possesses high artistic values; or
4. The resource has yielded, or may be likely to yield, important information in prehistory or history.

In addition, the resource must retain integrity. Cultural resources determined eligible for the NRHP by a federal agency are automatically eligible for the CRHR.



CEQA requires preparation of an EIR if a proposed project would cause a “substantial adverse change” in the significance of a historical resource. A “substantial adverse change” would occur if a proposed project would result in physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (CEQA Guidelines Section 15064.5[b][1]).

In addition to historically significant resources, which can include archeological resources that meet the criteria listed above, CEQA also requires consideration of “unique archaeological resources.” If a site meets the definition of a unique archaeological resource, the site must be treated in accordance with the provisions of Public Resources Code section 21083.2. Under Public Resources Code section 20183.2(g), an archaeological resource is considered “unique” if it:

- 1) Is associated with an event or person of recognized significance in California or American history or recognized scientific importance in prehistory;
- 2) Can provide information that is of demonstrable public interest and is useful in addressing scientifically consequential and reasonable research questions;
- 3) Has a special kind or particular quality such as oldest, best example, largest, or last surviving example of its kind;
- 4) Is at least 100 years old and possesses substantial stratigraphic integrity; or
- 5) Involves important research questions that can be answered only with archaeological methods.

CEQA also includes specific guidance regarding the accidental discovery of human remains. Specifically, CEQA Guidelines Section 15064.5(e) requires that if human remains are uncovered, excavation activities must be stopped and that the county coroner be contacted. If the county coroner determines that the remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC identifies the most likely descendant, and that individual or individuals can make recommendations for treatment of the human remains under the procedures set forth in Section 15064.5 of the CEQA Guidelines.

The SHPO maintains the CRHR. Properties that are listed on the NRHP are automatically listed on the CRHR, along with State Landmarks and Points of Interest. The CRHR can also include properties designated under local ordinances or identified through local historical resource surveys.

### **Assembly Bill 52**

AB 52 adds tribal cultural resources to the categories of cultural resources in CEQA, which had formerly been limited to historic, archaeological, and paleontological resources. “Tribal cultural resources” are defined as either:

- (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
  - (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
  - (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section



5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Under AB 52, a project that may cause a substantial adverse change in the significance of a Tribal Cultural Resource is defined as a project that may have a significant effect on the environment. Where a project may have a significant impact on a Tribal Cultural Resource, the lead agency's environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact. AB 52 (PRC 21080.3.1) requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe(s) requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe(s). Consultation may include discussing the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and alternatives and mitigation measures recommended by the tribe(s).

### **Senate Bill 18**

SB 18, authored by Senator John Burton and signed into law by Governor Arnold Schwarzenegger in September 2004, requires local (city and county) governments to consult with California Native American tribes, when amending or adopting a general plan or specific plan, or designating land as open space, in order to aid in the protection of traditional tribal cultural places ("cultural places"). The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code §65300 et seq.) and specific plans (defined in Government Code §65450 et seq.). The proposed project includes a General Plan/Community Plan Amendment, and, thus, is subject to SB 18 consultation requirements.

### **Local Regulations**

The following are the local government's environmental policies that are intended to protect cultural resources by mitigating the potential impacts of new development in areas containing important archaeological, historic, or paleontological resources.

### **Placer County General Plan**

The Placer County General Plan goals and policies relating to the protection of cultural and historical resources that are applicable to the proposed project are presented below.

Goal 5.D.1. To identify, protect, and enhance Placer County's important historical, archaeological, paleontological, and cultural sites and their contributing environment.

Policy 5.D.2 The County shall solicit the cooperation of the owners of cultural and paleontological resources, encourage those owners to treat these resources as assets rather than liabilities, and encourage the support of the general public for the preservation and enhancement of these resources.



- Policy 5.D.3      The County shall solicit the views of the Native American Heritage Commission, State Office of Historic Preservation, North Central Information Center, and/or the local Native American community in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.
- Policy 5.D.4      The County shall coordinate with the cities and municipal advisory councils in the County to promote the preservation and maintenance of Placer County's paleontological and archaeological resources.
- Policy 5.D.5      The County shall use, where feasible, incentive programs to assist private property owners in preserving and enhancing cultural resources.
- Policy 5.D.6      The County shall require that discretionary development projects identify and protect from damage, destruction, and abuse, important historical, archaeological, paleontological, and cultural sites and their contributing environment. Such assessments shall be incorporated into a County-wide cultural resource data base, to be maintained by the Division of Museums.
- Policy 5.D.7      The County shall require that discretionary development projects are designed to avoid potential impacts to significant paleontological or cultural resources whenever possible. Unavoidable impacts, whenever possible, shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data. Determinations of impacts, significance, and mitigation shall be made by qualified archaeological (in consultation with recognized local Native American groups), historical, or paleontological consultants, depending on the type of resource in question.
- Policy 5.D.8      The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.
- Policy 5.D.9      The County shall use the State Historic Building Code to encourage the preservation of historic structures.
- Policy 5.D.10     The County will use existing legislation and propose local legislation for the identification and protection of cultural resources and their contributing environment.
- Policy 5.D.11     The County shall support the registration of cultural resources in appropriate landmark designations (i.e., National Register of Historic Places, California Historical Landmarks, Points of



Historical Interest, or Local Landmark). The County shall assist private citizens seeking these designations for their property.

Policy 5.D.12 The County shall consider acquisition programs (i.e. Placer Legacy Open Space and Agricultural Conservation Program) as a means of preserving significant cultural resources that are not suitable for private development. Organizations that could provide assistance in this area include, but are not limited to, the Archaeological Conservancy, the Native American community, and local land trusts.

### **Dry Creek-West Placer Community Plan**

The following goals and policies from the Environmental Resources Management Element of the DCWPCP related to cultural resources are applicable to the proposed project.

Goal 1 Recognize that the Dry Creek West Placer Community Plan Area is a unique community, which should incorporate development standards that enhance the area's separate cultural, sociological and physical identity.

Goal 2 Preserve areas of outstanding historical, cultural, or archaeological significance.

Policy 1 Identify and protect from destruction and abuse all representative and unique historical, cultural and archaeological sites.

Policy 2 Require site specific studies for archaeological or historical sites in all instances where land development has the potential to have a detrimental impact on these sites.

Policy 8 Preserve outstanding visual features and landmarks.

## **7.4 IMPACTS AND MITIGATION MEASURES**

The following section describes the standards of significance and methodology used to analyze and determine the proposed project's potential impacts related to cultural and tribal cultural resources. In addition, a discussion of the project's impacts, as well as mitigation measures where necessary, is also presented.

### **Standards of Significance**

Consistent with Appendix G of the CEQA Guidelines, an impact related to cultural or tribal cultural resources is considered significant if the proposed project would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5;
- Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5;
- Disturb any human remains, including those interred outside of dedicated cemeteries;
- Have the potential to cause a physical change which would affect unique cultural values;
- Restrict existing religious or sacred uses within the potential impact area; or



- Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resource Code, Section 21074.

### **Method of Analysis**

Preparation of the Cultural and Paleontological Resources Inventory and Effects Assessment included performance of a cultural resources literature search, archival research, consultation with the NAHC, contact with local tribes, and a field survey. The methods of analysis are described in further detail below.

### **Records Search Methods**

A cultural resources literature search for the project area was completed at the North Central Information Center (NCIC) of the California Historical Resources Information System (CHRIS) at California State University, Sacramento, on January 29, 2018. The records search was conducted to determine if prehistoric or historic cultural resources were previously recorded within the project area, the extent to which the project area had been previously surveyed, and the number and type of cultural resources within a 0.25-mile radius of the project site. The archival searches of the archaeological and historical records, national and State databases, and historic maps included the following:

- National Register of Historic Places: listed properties;
- California Register of Historical Resources: listed historical resources;
- Historic Property Data File (HPDF) and Archaeological Determinations of Eligibility (ADOE) for Placer County (2012);
- California Inventory of Historical Resources (1976 and updates);
- California Historical Landmarks (1996 and updates);
- California Points of Historical Interest (1992 and updates);
- 1866 General Land Office (GLO) Plat for Township 10 North, Range 6 East; and
- 1951, 1967, and 1975 Citrus Heights USGS 7.5-minute quadrangles.

### **Other Cultural Archival Sources**

Natural Investigations Company searched the land patent records maintained by the Bureau of Land Management and reviewed historical maps and aerial photographs that were not available at the NCIC. The results of the reviews of historic maps and aerial photographs have been incorporated into the Local History section above. The following historic maps and aerial photographs were reviewed:

- 1855 GLO Plat for Township 11 North, Range 6 East;
- 1911 Antelope (13:31,650) USGS quadrangle;
- 1953 and 1967 Roseville USGS 7.5-minute quadrangles; and
- Aerial photographs for 1947, 1957, 1964, 1966, 1993, 1998, 2002, and 2005.

### **Native American Tribal Consultation**

As noted previously, Natural Investigations contacted the NAHC on June 6, 2017 to request a search of the Sacred Lands File for the traditional cultural resources within or near the project area. The Sacred Lands File is populated by members of the Native American community who have knowledge about the locations of tribal resources. In requesting a search of the Sacred Lands File, Natural Investigations solicited information from the Native American community regarding tribal cultural resources; however, the responsibility to formally consult with the Native



American community lies exclusively with the federal and local agencies under applicable State and federal law.

Per the NAHC's suggestion, Natural Investigations contacted each of the following Native American tribes or individuals with the potential to have knowledge of cultural resources in the project area:

- T-si Akim Maidu;
- Shingle Springs Band of Miwok Indians;
- United Auburn Indian Community of the Auburn Rancheria (UAIC); and
- Washoe Tribe of Nevada and California.

A response letter was received from the UAIC dated February 22, 2018, requesting a site visit. An on-site field visit was conducted by Natural Investigations Company and representatives of the UAIC on March 23, 2018. The visit focused primarily on the unnamed tributary of Dry Creek that runs along the western border of the project site. Following the field visit, the determination was made that the project site area has a low probability for prehistoric resources to be unearthed; however, the UAIC requested a subsequent site visit once ground-disturbing activities have commenced and that construction workers undergo a cultural awareness training.

As discussed above, the County conducted tribal consultation consistent with the requirements of AB 52. As part of AB 52 and SB 18 requirements, the County sent project notification letters with offers to consult to the Lone Band of Miwok Indians, Shingle Springs Band of Miwok Indians, UAIC, Washoe Tribe of Nevada and California, and the Wilton Rancheria on July 24, 2018. A request for consultation was received from the Shingle Springs Band of Miwok Indians on September 20, 2018. The UAIC responded, requesting copies of cultural resource assessment information, but did not formally request to initiate consultation under AB 52.

### **Field Survey Methods**

On February 1, 2018, Natural Investigations Company subjected the project area to an intensive-level pedestrian survey using transects spaced at 15 meters or less and following a north-south pattern throughout the 32.5-acre project area. The entirety of the visible ground surface within the project area was examined for cultural material (e.g., flaked stone tools, tool-making debris, stone milling tools, or fire-affected rock), soil discoloration that may indicate the presence of a cultural midden, soil depressions and features indicative of the presence of former structures or buildings (e.g., postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics). Ground disturbances such as creek beds, creek banks, and animal burrows were visually inspected. A digital camera was used to photograph the project parcel to capture ground surface visibility and any items of interest. In addition, a handheld Trimble BE-3300-global position system (GPS) unit with sub-meter accuracy was used to record the locational data of items of interest. Soil color was recorded using a Munsell color chart. All newly identified cultural resources were recorded using California Department of Parks and Recreation (DPR) series 523 forms.

### **Project-Specific Impacts and Mitigation Measures**

The following discussion of impacts is based on implementation of the proposed project in comparison with the standards of significance identified above.



**7-1 Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5. Based on the analysis below, the impact is *less than significant*.**

As discussed above, four newly identified historic-era archeological resources were discovered within the project site during the field survey conducted by Natural Investigations. Three of the resources, identified as NIC-2018-Brady-ISO 1, NIC-2018-Brady-ISO 2, and NIC-2018-Brady-ISO-3, are isolated finds consisting of historic-era glass bottles, while one resource, identified as NIC-2018-Brady 1, is described as a trash scatter. The eligibility of each of the resources to be considered historical resources pursuant to NRHP and CRHR criteria is discussed in further detail below.

NRHP Criterion A/CRHR Criterion 1

For eligibility under NRHP Criterion A and CRHR Criterion 1, NIC-2018-Brady 1, NIC-2018-Brady-ISO-1, NIC-2018-Brady-ISO-2, and NIC-2018-Brady-ISO-3 must be associated with one or more event or historic theme of importance. According to the report prepared by Natural Investigations Company, archival research indicates that the trash scatter and bottle finds are not identified in available historical documentation as having any significant historical associations. As such, the trash scatter and isolated finds are not associated with any specific historic event or activity and are not eligible under NRHP Criterion A or CRHR Criterion 1.

NRHP Criterion B/CRHR Criterion 2

Under NRHP Criterion B and CRHR Criterion 2, eligibility would apply only to cultural resources associated with individuals whose specific contributions to history can be identified and documented as significant in our past. Although the area where the trash scatter was discovered was once owned by a federal judge, Edgar Winters Hillyer was not prominently associated with Placer County, nor does a firm association between him and the trash scatter exist. Based on lack of historical documentation, the trash scatter and bottles are not likely to be associated with any significant persons in history and, thus, are not eligible under NRHP Criterion B or CRHR Criterion 2.

NRHP Criterion C/CRHR Criterion 3

Under NRHP Criterion C and CRHR Criterion 3, resources could be eligible for listing on the CRHR or NRHP if the resources illustrate important concepts in design and planning, if the landscape reflects an important historical trend, is distinguished in design or layout, and is the result of skilled craftsmanship. The bottles and trash scatter do not have any significant historical associations and the historical use is typical. Additionally, the bottles and trash scatter are not uniquely artistic or designed with any distinctive engineering characteristics. The bottles and trash scatter do not embody any distinctive characteristics of a type, period, or method of construction, nor do they possess any artistic value. Therefore, the bottles and trash scatter do not possess the potential to provide any information that is not already represented in the archival record and are not eligible under NRHP Criterion C or CRHR Criterion 3.



#### NRHP Criterion D/CRHR Criterion 4

To be eligible under NRHP Criterion D or CRHR Criterion 4, a resource must have yielded or have the potential to yield important information. The bottles and trash scatter do not possess the potential to yield any additional information or provide any information that is not already represented in the archival record. Therefore, the trash scatter and bottles are not eligible under NRHP Criterion D or CRHR Criterion 4.

#### Conclusion

Based on the above, NIC-2018-Brady 1, NIC-2018-Brady-ISO-1, NIC-2018-Brady-ISO-2, and NIC-2018-Brady-ISO-3 are not eligible for listing in the NRHP or CRHR, and do not qualify as historic property or historically significant resources. Because the four newly identified resources are not considered historically significant resources, and additional historical resources were not discovered on the project site or off-site improvement areas, the proposed project would not result in a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5, and a ***less-than-significant*** impact would occur.

#### Mitigation Measure(s)

*None required.*

### **7-2 Cause a substantial adverse change in the significance of a unique archeological resource pursuant to CEQA Guidelines, Section 15064.5. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.**

Based on the results of the literature search, local ethnographic settlement and subsistence patterns, and the prehistory and history of the area, the project site area would appear to be moderately sensitive for prehistoric and historic-era cultural resources. Archeological resources have not been previously recorded within the project site area; however, prehistoric archeological sites have been documented less than one mile from the project site area, along the main Dry Creek channel.

Nonetheless, given the project site's history of disturbance through agricultural use beginning in 1947, as well as the grading and construction of adjacent roadways, buildings, and parking areas, the potential for buried archeological deposits to occur in the alluvial sediments underlying the project site is low. In addition, the field survey conducted by Natural Investigations Company did not reveal any evidence of archaeological resources. Natural Investigations Company did not recommend construction monitoring of ground-disturbing activity associated with the proposed project. Thus, the potential for the proposed project to cause a substantial adverse change to the significance of an archaeological resource is low.

Although archeological resources have not been identified in the immediate project vicinity and are not anticipated to occur on the project site due to known occurrences in the region, the possibility exists that previously unknown resources could be discovered within the project site or off-site improvement areas during construction activities. Therefore, construction activities associated with buildout of the proposed project, including off-site improvements, could uncover undocumented archaeological resources. As such, the



proposed project could cause a substantial adverse change in the significance of a unique archeological resource pursuant to CEQA Guidelines, Section 15064.5, and a **significant** impact could occur.

#### Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

7-2 *If potential archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered during construction activities, all work shall cease within 100 feet of the find (based on the apparent distribution of cultural resources). Examples of potential cultural materials include midden soil, artifacts, chipped stone, exotic (non-native) rock, or unusual amounts of baked clay, shell, or bone.*

*A qualified cultural resources specialist and Native American Representative from the traditionally and culturally affiliated Native American Tribe(s) will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of further construction activities by Tribal representatives of the traditionally and culturally affiliated Native American Tribe, and/or returning objects to a location within the project area where they will not be subject to future impacts.*

*If articulated or disarticulated human remains are discovered during construction activities, the County Coroner and Native American Heritage Commission shall be contacted immediately. Upon determination by the County Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendant(s) who will work with the project proponent to define appropriate treatment and disposition of the burials.*

*Following a review of the find and consultation with appropriate experts, the authority to proceed may be accompanied by the addition of development requirements which provide for protection of the site and/or additional measures necessary to address the unique or sensitive nature of the site. The treatment recommendations made by the cultural resource specialist and the Native American Representative will be documented in the project record. Any recommendations made by these experts that are not implemented, must be documented and explained in the project record. Work in the area(s) of the cultural resource discovery may only proceed after authorization is granted by the Placer County Community Development Resource Agency following coordination with cultural resources experts and tribal representatives as appropriate.*



**7-3 Disturb any human remains, including those interred outside of dedicated cemeteries. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.**

The project site has been previously disturbed by agricultural use beginning in 1947, grading and construction of adjacent roadways (Vineyard Road and Brady Lane), construction of adjacent buildings, and historic flooding. However, the project site is in a portion of the territory once occupied by the Penutian-speaking Nisenan. While field surveys conducted by Natural Investigations Company did not detect human remains, cultural sites, or artifacts of ceremonial significance within the project site or the off-site improvement areas, the potential for human remains to be discovered during construction cannot be eliminated given the known prehistoric occupation of the project vicinity by Native American tribes. As a result, ground-disturbing activities could disturb human remains, including those interred outside of dedicated cemeteries, and a **significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above impact to a *less-than-significant* level.

- 7-3 *If articulated or disarticulated human remains are encountered on the proposed project site during construction activities, all work within 100 feet of the find must cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The Placer County Coroner shall be immediately notified. If the Coroner determines the remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall determine and notify a Most Likely Descendant (MLD). Further actions shall be determined, in part, by the desires of the MLD. The MLD shall be afforded 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendant may request mediation by the NAHC.*

**7-4 Have the potential to cause a physical change which would affect unique cultural values, restrict existing religious or sacred uses within the potential impact area, or cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code, Section 21074. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.**

As part of AB 52 and SB 18 requirements, the County sent project notification letters with offers to consult to the Lone Band of Miwok Indians, Shingle Springs Band of Miwok Indians, UAIC, Washoe Tribe of Nevada and California, and the Wilton Rancheria on July



24, 2018. The UAIC responded, on August 14, 2018, and requested copies of the project's cultural records searches and surveys, which the County has since provided. In addition, the Shingle Springs Band of Miwok Indians responded on September 20, 2018, that their tribe is unaware of any known tribal cultural resources on the project site. At the request of the Shingle Springs Band of Miwok Indians, the County provided the project's cultural records searches and surveys. Furthermore, as a result of Natural Investigations Company's initial efforts to reach out to local tribes, an on-site field visit was conducted, at the request of the UAIC, by Natural Investigations Company and representatives of the UAIC on March 23, 2018. Following the field visit, the UAIC requested a subsequent site visit once ground-disturbing activities have commenced and that construction workers undergo a cultural awareness training, which has been incorporated into this EIR as Mitigation Measure 7-4(b).

As noted previously, records searches of the NAHC Sacred Lands File failed to indicate the presence of Native American sacred lands or traditional cultural properties within the project site vicinity or the proposed off-site improvement areas. Considering the results of the literature search and the prehistory and history of the area, the project site was determined by Natural Investigations Company and the UAIC to have low a probability for buried prehistoric or historic cultural resources, which could include tribal cultural resources. In addition, as discussed above, the proposed project site does not contain any known resources listed or eligible for listing in the CRHR or NRHP, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k) or determined to be significant pursuant to Public Resources Code Section 5024.1(c).

Based on the above, the project site is not associated with any existing religious or sacred uses that would be restricted by the proposed project. However, tribal cultural resources associated with local tribes could potentially occur in the vicinity of the project site and the proposed off-site improvement areas. Thus, ground-disturbing activities associated with the proposed project could have the potential to cause a physical change which would affect unique cultural values or cause a substantial change in the significance of a Tribal Cultural Resource as defined in Public Resources Code, Section 21074, and a **significant** impact could occur.

#### Mitigation Measure(s)

Implementation of the following mitigation measures would reduce the above impact to a *less-than-significant* level.

7-4(a) *Implement Mitigation Measures 7-2 and 7-3.*

7-4(b) *Prior to initiation of ground-disturbing activities, a consultant and construction worker cultural resources awareness brochure and training program for all personnel involved in project implementation shall be developed in coordination with interested Native American Tribes. The brochure shall be distributed and the training shall be conducted in coordination with qualified cultural resources specialists and Native American Representatives from culturally affiliated Native American Tribes prior to ground-disturbing or construction activities on the project site. The program shall include relevant information regarding sensitive tribal cultural laws and regulations. The worker cultural resources awareness program*



*shall describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and shall outline what to do and whom to contact if any potential archeological resources or artifacts are encountered. The program shall also underscore the requirement for confidentiality and culturally-appropriate treatment of any find of significance to Native American and for behavior consistent with Native American Tribal values. A copy of the cultural resources awareness brochure and written verification of completion of the training program shall be submitted to the Placer County Community Development Resource Agency.*

- 7-4(c) *The UAIC shall be notified by the applicant at least seven days prior to the start of ground-disturbing activities in the event that the UAIC would like to provide a Tribal representative to inspect the project site area within the first five days of ground-breaking activity. The representative shall provide information to on-site construction personnel regarding tribal cultural resources. Proof of notification shall be submitted to the Placer County Community Development Resource Agency.*

### **Cumulative Impacts and Mitigation Measures**

As defined in Section 15355 of the CEQA Guidelines, “cumulative impacts” refers to two or more individual effects which, when considered together, are considerable, compound, or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.

#### **7-5 Cause a cumulative loss of cultural resources. Based on the analysis below, the cumulative impact is *less than significant*.**

Generally, while some cultural resources may have regional significance, the resources themselves are site-specific, and impacts to them are project-specific. For example, impacts to a subsurface archeological find at one project site would not generally be made worse by impacts to a cultural resource at another site due to development of another project. Rather, the resources and the effects upon them are generally independent. A possible exception to the aforementioned general conditions would be where a cultural resource represents the last known example of its kind or is part of larger cultural resources such as a single building along an intact historic Main Street. For such a resource, cumulative impacts, and the contribution of a project to them, may be considered cumulatively significant.

As described throughout this chapter, the project site does not contain known historical resources that would be eligible for inclusion on the NRHP or considered significant pursuant to CEQA. Furthermore, implementation of the project-specific mitigation measures set forth in this EIR (Mitigation Measures 7-2 through 7-4(c)) would ensure that any impacts to previously unknown, subsurface resources that are discovered on the project site during construction activities are reduced to less than significant.



Similar to the proposed project, future development projects within the DCWPCP would be required to implement project-specific mitigation to ensure any potential impacts to identified cultural resources are reduced to a less-than-significant level, where possible. Therefore, given that cultural resource impacts are generally site-specific and each future project within the DCWPCP would be required to mitigate such impacts, any potential impacts associated with cumulative buildout of the DCWPCP area would not combine to result in a significant cumulative impact.

Based on the above, the potential for impacts related to a cumulative loss of cultural resources, to which implementation of the proposed project might contribute, is ***less than significant***.

Mitigation Measure(s)

*None required.*

