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CULTURAL RESOURCES

6.1 INTRODUCTION

The Cultural Resources chapter of the EIR addresses known historic and prehistoric resources in the vicinity of the proposed project area. Cultural resources can be categorized into prehistoric or historic resources. Prehistoric resources are 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 potential for paleontological and tribal resources to occur on-site is also addressed in the chapter. The chapter summarizes the existing setting with respect to cultural, paleontological, and tribal resources, identifies thresholds of significance and project-specific impacts to such resources, and sets forth mitigation measures where necessary that would be required in order to reduce impacts. Information presented in the chapter is drawn from the Placer County General Plan¹ and associated EIR,² the *Horseshoe Bar/Penryn Community Plan*,³ the Cultural Resources Survey Report⁴ and the Records Search and Literature Review⁵ prepared by the United Auburn Indian Community (UAIC), and the Paleontological Resources Report⁶ and the National and California Register Eligibility Evaluation⁷ prepared by Environmental Science Associates (ESA).

6.2 EXISTING ENVIRONMENTAL SETTING

The proposed 45-acre project site is located in an unincorporated area of Placer County, adjacent to the Town of Loomis, within the planning area of the Horseshoe Bar/Penryn Community Plan. The project site was previously used as an orchard before being partially developed for use as a bed and breakfast, as well as an event center. In general, the northern third of the project site has been subject to a relatively high level of disturbance, while the southern two-thirds is primarily undeveloped. Existing development on the northern portion of the site consists of six structures, including two buildings formerly used as a bed and breakfast, a single-story event space, a caretaker's residence, a detached garage, and a maintenance barn, as well as an associated water supply well and septic system, 65 parking spaces, and an irrigation stock pond. The following environmental setting discussion for the project site consists of the ethnography, historic context, paleontological context, and tribal resources known to exist in the project area.

¹ Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

² Placer County. *Countywide General Plan EIR*. July 1994.

³ Placer County. *Horseshoe Bar/Penryn Community Plan*. 1994 (updated 2005).

⁴ The United Auburn Indian Community. *Cultural Resources Survey Report*. September 29, 2017.

⁵ The United Auburn Indian Community. *Records Search and Literature Review for the UAIC Tribal School; PLN16-00335, Placer County PLA-16-123*. January 11, 2017.

⁶ Environmental Science Associates. *UAIC Tribal School Project Placer County, California*. June 2017.

⁷ Environmental Science Associates. *National and California Register Eligibility Evaluation of 3141/3137 Taylor Road, Loomis California*. October 2, 2017.

Ethnography

The proposed project area is located within the southwestern portion of the territory occupied by the Nisenan-speaking people of the Penutian language group. Nisenan territory extended from the area surrounding the current City of Live Oak just south of Honcut Creek on the north to a few miles south of the confluence of the American River in the south. The Sacramento River bounded the territory on the west, and in the east, extended to a general area located near Martis Valley, by the Town of Truckee. The Valley Nisenan lived along the Sacramento River, primarily in large villages with populations of several hundred each. Between the Sacramento River and the foothills, the grassy plains were largely unsettled, used mainly as a foraging ground by both valley and hill groups. Individual and extended families “owned” hunting and gathering grounds, and trespassing was discouraged. Residence was generally patrilocal, but couples actually had a choice in the matter.

Politically, the Nisenan were divided into “tribelets,” made up of a primary village and a series of outlying hamlets, presided over by a more-or-less hereditary chief. Villages typically included family dwellings, acorn granaries, a sweathouse, and a dance house, owned by the chief. The chief had little authority to act on his or her own, but with the support of the shaman and the elders, the word of the chief became virtually the law.

Subsistence activities centered on the gathering of acorns (tan bark oak and black oak were preferred), seeds, and other plant resources. Hunting animals such as deer and rabbits, and fishing were also important parts of normal subsistence activities. Large predators, such as mountain lions were hunted for meat and skins, and bears were hunted ceremonially. Although acorns were the staple of the Nisenan diet, they also harvested roots like wild onion and “Indian potato,” which were eaten raw, steamed, baked, or dried and processed into flour cakes to be stored for winter use. Wild garlic was used as soap/shampoo, and wild carrots were used medicinally. Seeds from grasses were parched, steam dried, or ground and made into a mush. Berries were collected, as were other native fruits and nuts. Game was prepared by roasting, baking, or drying. In addition, salt was obtained from a spring near modern-day Rocklin.

Deer hunting often took the form of communal drives, involving several villages, with killing done by the best marksmen from each village. Snares, deadfalls, and decoys were used as well. Fish were caught by a variety of methods including use of hooks, harpoons, nets, weirs, traps, poisoning, and by hand.

Trade was important with goods traveling from the coast and valleys up into the Sierra Nevada Mountains and beyond to the east, and vice versa. Coastal items like shell beads, salmon, salt, and Foothill pine nuts were traded for resources from the mountains and farther inland, such as bows and arrows, deer skins, and sugar pine nuts. In addition, obsidian was imported from the north.

The Spanish arrived on the central California coast in 1769, and by 1776, the Miwok territory bordering the Nisenan on the south had been explored by José Canizares. In 1808, Gabriel Moraga crossed Nisenan territory, and in 1813, a major battle was fought between the Miwok and the Spaniards near the mouth of the Cosumnes River. Though the Nisenan appear to have

escaped being removed to missions by the Spanish, the Nisenan were not spared the ravages of European diseases. In 1833, an epidemic, probably malaria, raged through the Sacramento Valley, killing an estimated 75 percent of the native population. When John Sutter erected his fort at the future site of Sacramento in 1839, he was able to get the few Nisenan survivors to settle nearby. The discovery of gold in 1848 at Sutter's Mill, near the Nisenan village of Colluma (now Coloma) on the South Fork of the American River, drew thousands of miners into the area, and led to widespread killing and the virtual destruction of traditional Nisenan culture. By the Great Depression, the Nisenan could not remember the days before the arrival of the Euro-Americans.

Historical Context

The following section includes the historic context of the project area.

Local History

The community that would become Loomis began as a mining community on Secret Ravine, east of the current town center. Mines were first established by "Messrs Post and Ripley, and William Gable" in 1850, in a community called Smithville. Smithville gradually moved westward from the foothills and became the town of Stewarts Flat. Pine Grove, a similar nearby community, was established around the same time. The two communities merged together over the first decade of California statehood, and by 1861 Pine Grove had a population of 1,500, including many permanent farms along with the mines. Pine Grove was known for a horse racing track and dance hall, and also contained a library and Post Office.

In 1864, with the arrival of the Central Pacific Railroad, the town of Pine Grove formally relocated in closer proximity to the railroad line, and the station was designated "Pino." By 1884, however, the town had been renamed "Loomis" after James Oscar "Jim" Loomis, the local railroad agent, express agent, postmaster, and saloonkeeper. The name change was instigated due to misdirected mail intended for Reno, Nevada.

By 1885, stone quarries and fruit orchards began to appear on the local landscape, and a town lot sale was conducted on the northeast side of the railroad tracks. On April 29, 1901, the Loomis Fruit Growers Association was chartered. In 1915, local farmers consolidated funds together and established the Bank of Loomis. In 1916, a large fire wiped out most of the commercial buildings in town, which were subsequently rebuilt using brick and Gladding-McBean blocks. By 1924, five fruit-packing houses existed and Loomis was, after New Castle, the largest fruit-shipping station in the County. In the 1930s and 1940s, seven fruit sheds existed in Loomis, including the High Hand packing shed, plus 15 additional sheds throughout the County.

As early as 1912, nationwide efforts began to establish the Lincoln Highway, the first transcontinental highway connecting San Francisco and New York. At the same time, local citizens in Placer County succeeded in pressuring State representatives to build a State highway from Sacramento to Lake Tahoe, and the energized citizens pushed to combine the two projects. Through Loomis, the State highway and Lincoln Highway (later Highway 40) would become the current Taylor Road, following the replacement of Highway 40 with Interstate 80 in the 1960s.

Loomis remained part of unincorporated Placer County until December 17, 1984, when the Town of Loomis officially incorporated. The Town was at risk of being annexed by Rocklin and the residents voted to incorporate to preserve local control, partly on the issue of preserving the “small town” character and historic structures such as the High Hand and Blue Goose fruit packing sheds, which sit between Taylor Road and the Union Pacific Railroad tracks.

Project Site History

At the turn of the twentieth century, the project site was owned by Isaac Erret Emerson, a local farmer, and his wife Alice. Emerson sold the property to James Jasper Day in July 1906 for \$6,000, and Day constructed the original house at 3141/3137 Taylor Road (Taylor Road House) that same year. James Jasper Day had originally moved to Placer County in 1900, where, for eight years, he acted as superintendent of the orchards for the Producers' Fruit Company in Loomis. From 1915 to 1917, Day was agent for the Earl Fruit Company in Loomis, and, beginning in 1917, served as fruit inspector of the Loomis District of Placer County. During the period where Day owned the project site, Day constructed the primary residence and at least one ancillary building, per historic topographic maps and historic building permits. Day and his family established orchards on the 80-acre site, growing peaches, plums, pears, and cherries. Over time, Day sold portions of the property until the site reached the current 45-acre size by 1940. Day sold the 45-acre property to John Cardoso and Elisa Cardoso in 1942. The Cardosas were Portuguese immigrants who continued to farm the orchards until John's death in 1953. Between 1953 and the sale of the property to Joseph L. Sorenson and James L. Sorenson in 1959, Elisa rented the property to local farmers. The property stayed within the Sorenson family until the property was purchased by UAIC in 2016.

Archival review of County building permit records and records maintained by the Placer County Archives and Research Center failed to identify any alterations or early documentation of the original house prior to the period of ownership by the Sorenson family. The house remained unaltered until the purchase of the property by Joseph and James Sorenson. County-maintained building permits indicate that in 1975, Joseph Sorenson applied for permits to conduct extensive repairs and rehabilitation to the house and outbuildings. Early building permit drawings submitted by Sorenson for the 1975 remodel show an existing “tenant house” with garage in the current location of the manufactured home. Based on Building Permit History files maintained by the Placer County Community Development and Planning Departments for the project site's associated assessor's parcel number (APN) (i.e., APN 043-013-010), Sorenson applied for a permit to remodel the home, improving plumbing, electrical, heating, and structural features. Sorenson modernized the septic system and plumbing, and completely rewired the house to code requirements of the time. Records indicate that during that time, the lapped wood siding and shake shingle roof on the two-story, four-bedroom house was introduced. The permit does not describe the materials that were replaced. Sorenson also constructed a 720-square-foot, detached den/bath/carport addition immediately southeast of the primary residence, along with a 116-square-foot storage addition to the main house. The detached den/carport was noted as constructed of plywood and composite shingle on a concrete slab foundation.

In 1977, Sorenson applied for a permit to build guest quarters on his property in the location of the current reception and event space. The quarters had a slab foundation, Masonite siding, and a metal roof. Work on the guest quarters and associated garage was completed by 1980.

Joseph Sorenson died in 1992, leaving the property to his son James. In 1996, James Sorenson applied for a permit to replace the existing tenant house with a manufactured home on concrete foundation, retaining the single-car garage. During that same year, Sorenson transferred ownership of the property to his company, Loomis Ranch, LLC.

Between 1996 and 1998, Sorenson initiated building alterations to the primary residence in order to convert the house into a bed and breakfast. Building permits on file at the County indicate that Sorenson applied for a permit to demolish an existing guest quarters and build a current reception center. The new structure was proposed to include 2,756 square feet of assembly hall with a 361-square-foot trellis. Additional permits on file for the property include permits for a 557-square-foot living room addition, 613-square-foot building remodel, and a 184-square-foot covered porch. In 1997, Sorenson applied for a permit to remodel 50 square feet of living room space and construct the rear deck on the primary residence. From 2004 to 2006, the kitchen was extensively remodeled with a 238-square-foot rear addition for a commercial kitchen, built on the existing wooden deck.

A field survey of the project site was conducted on September 22, 2017 by ESA. The field survey indicated that the project site includes several built resources, predominantly dating to the modern period. Identified buildings include the 1906 residence and the following seven buildings constructed by the Sorenson family in the modern period: the 1975 detached addition (“carriage house”), 1998 Emma’s Place Reception Center, a 1996 manufactured home, a modern barn, and three modern ancillary sheds (see Figure 6-1).

According to ESA architectural historian Katherine Anderson, who conducted the field survey of the site, the residence at 3137 Taylor Road is a two-story Folk Victorian residence built on a concrete slab foundation, with a cross-gable roof and full length covered porch on the north façade facing Taylor Road. The exterior of the building is covered with a lapped wood siding, with wooden shingle siding under the primary gable. Decorative wooden attic vents, along with exposed eaves and decorative brackets, are located under the gables on the north, south, and east façades. A brick chimney extends above the roofline on the west elevation.

The raised porch is accessed by concrete steps flanked with decorative metal railings, and has a hipped composite shingle roof, lapped siding, supported by square wooden columns. A full length, raised, modern wooden deck extends the length of the south façade, accessed via wide wooden stairs flanked by the same decorative metal railings as found on the porch (note: the same metal railings are also found on the 1998 Emma’s Place Reception Center). The 1997 kitchen addition is situated on the rear deck, and extends the length of the façade, with a hipped roof with composite shingles and lapped siding.

**Figure 6-1
On-Site Buildings**



Source: ESA, 2017.

Fenestration consists of modern decorative wooden French doors at the primary entrance on the porch, flanked by matching sidelights with decorative etched glass lights, and carriage lantern light fixtures. The rear entrance to the raised deck consists of a pair of modern glass French doors, flanked by multi-pane and single pane side lights, and carriage lantern light fixtures. Windows consist predominantly of eight-pane, single hung windows, along with picture windows flanked by single hung windows on the north and west facades, and a fixed stained-glass window on the second story west façade. The eight-pane windows match those on the 1975 detached addition and are presumed to date to the same period.

Known Cultural Resources

Record searches and field surveys were conducted for the proposed project site and the off-site improvement area for the proposed Taylor Road/Penryn Road signal project, as described in further detail in the Method of Analysis section below. Based on the records searches, previously documented prehistoric or historic archaeological sites, architectural resources, cultural landscapes, or ethnic resources do not exist within the project site or signal improvement area. In addition, cultural resources were not identified in the project area or recorded as a result of the field surveys. The records searches did indicate that 11 cultural resources within 0.25-mile of the project site (one archaeological site and 10 resources from the historic period) have been previously recorded; however, the previously recorded resources are not located within the boundaries of the project site.

CAPLA-00096 (P-31-001211), Red Ravine Canal, an historic site, was observed outside but adjacent to the signal improvement area and runs east-west along Taylor road. The canal is between Penryn Road north and south, and approximately 4-5 feet below the roadway surface.

Paleontological Context

According to the Placer County General Plan EIR, the sedimentary rocks and volcanic rock sedimentary materials that are present throughout the County could contain fossil remains of prehistoric animal and plant life. Fossilized animal remains could be present in caves associated with the limestone geology that is found in the Sierra Nevada foothills.

The surface of the project area is situated upon the medium and light-colored phases of the Penryn Pluton. The Penryn Pluton is a body of plutonic igneous rock that was emplaced in the Mesozoic Era. Plutonic rocks form from cooled magma, and, therefore, fossil resources are not preserved. Thus, the project site has low paleontological sensitivity.⁸

In addition, the University of California Museum of Paleontology database search performed on January 9, 2017 by Dr. Alyssa Bell, Consulting Paleontologist, did not identify any known vertebrates or plant localities within the project site or in similar rocks around the project vicinity.

⁸ Environmental Science Associates. *UAIC Tribal School Project Placer County, California*. June 2017.

Native American History

The project site is located within the UAIC's ancestral homelands. The UAIC descend from both Miwok and Maidu Indians.

The reestablishment of the UAIC began when the Department of Interior documented the existence of a separate, cohesive band of Maidu and Miwok Indians, occupying a village on the outskirts of the City of Auburn in Placer County.

In 1917, the U.S. acquired land in trust for the Auburn Band near the City of Auburn and formally established a reservation, known as the Auburn Rancheria. Tribal members continued to live on the reservation as a community despite great adversity.

In 1953, the U.S. Congress enacted the Rancheria Acts, authorizing the termination of federal trust responsibilities to a number of California Indian tribes including the Auburn Band. With the exception of a 2.8-acre parcel containing a tribal church and a park, the government sold the land comprising the Auburn Rancheria. The U.S. terminated federal recognition of the Auburn Band in 1967.

Finally, in 1970, President Nixon declared the policy of termination a failure. In 1976, both the U.S. Senate and House of Representatives expressly repudiated the policy in favor of a new federal policy entitled Indian Self-Determination.

In 1991, surviving members of the Auburn Band reorganized the Tribe as the UAIC and requested the U.S. to formally restore the Tribe's federal recognition. In 1994, Congress passed the Auburn Indian Restoration Act, which restored the Tribe's federal recognition.

Tribal Resources

Based on a record search of the Native American Heritage Commission (NAHC) Sacred Land files, as described in further detail in the Method of Analysis section below, known tribal resources do not exist for the project area or adjacent lands.

In compliance with Assembly Bill (AB) 52 (Public Resources Code Section 21080.3.1), a project notification letter was distributed by the County to those Native American tribes who have previously requested notification under AB 52 of projects within the County subject to CEQA. The letters were distributed on April 28, 2017, explaining the nature of the project and soliciting comments and any additional information the individuals might have regarding tribal resources in the project area. The County did not receive any responses within the mandatory 30-day response period for consultation under AB 52 (Public Resources Code Section 21080.3.1[b]).

6.3 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 National Historic Preservation Act (NHPA) and the California Environmental Quality Act

(CEQA) are the basic federal and State laws governing preservation of historic and archaeological resources of national, State, regional, and local significance.

Federal Regulations

The following are the applicable federal regulations relevant to cultural resources.

Section 106 for the National Historic Preservation Act of 1966 (NHPA)

Federal regulations for cultural resources are governed primarily by Section 106 of the 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 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 Section 106 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 can be listed on the NRHP. However, properties under 50 years of age that are of exceptional significance or are contributors to a district can 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.

State Regulations

The following are the applicable State regulations 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 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.

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]). The significance of an historical resource is materially impaired when a project:

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

- C. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

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 descendent, 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.

Assembly Bill 52

Assembly Bill (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 (CRHR).
 - (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).

Local Regulations

Applicable goals and policies from the Placer County General Plan and the Horseshoe Bar/Penryn Community Plan are discussed below.

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.1. The County shall assist the citizens of Placer County in becoming active guardians of their community's cultural resources.

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.

Horseshoe Bar/Penryn Community Plan

The following applicable goals and policies related to cultural resources are from the Natural Resources Management Element of the Horseshoe Bar/Penryn Community Plan.

- Goal D.2.a. Preserve and protect the significant paleontological prehistoric, historical, and natural resources, individually and collectively for future generations.
- Goal D.2.b. Assist the citizens of the plan area in becoming active guardians of their community's cultural resources. Explore incentive programs to encourage the preservation and enhancement of the cultural resources.
- Goal D.2.d. Initiate contact with local Native American organizations and representatives to assure that the Native American community has early access to the planning process.
- Policy D.3.a. Identify and protect from damage, destruction and abuse, Placer County's important historical, archaeological, and cultural sites and their contributing environment (i.e. setting). When possible, incorporate these resources, particularly historical vegetation or vista points, into Open Space areas.
- Policy D.3.b. Create and implement a Placer County Cultural Resources Ordinance to identify, evaluate, and mitigate impact to all categories of significant cultural and natural resources.
- Policy D.3.c. Require site-specific studies as part of the environmental review process, for paleontological, prehistoric, historical and natural elements in all instances where land development or property demolition has the potential to have a detrimental impact on a possibly significant cultural

resource or historic structure (i.e. buildings aged 45 years or older). Whenever possible, projects should be planned to avoid adverse impacts to cultural resources. Avoidance strategies are preferred over mitigation of the impacts.

- Policy D.3.d. Develop an effective program of landmark designation, utilizing the standards of the existing state and national programs, and develop local criteria to assure that significant cultural resources are recognized and protected. All documentation of cultural resources shall conform to the standards and formats recommended by the California Office of Historic Preservation.

- Policy D.3.e. Develop an effective educational program which stresses the importance of the County's cultural resources, and purports ways to maintain the integrity of these resources. Encourage the owners of both identified and unidentified cultural resources to perceive these resources as assets rather than liabilities.

- Policy D.3.f. Develop a master plan for the acquisition and management of cultural and natural resources that are either very significant to the region, or are in imminent danger of destruction.

- Policy D.3.g. Structures of historic or architectural significance shall be identified and documented, and efforts shall be made for their preservation.

- Policy D.3.j. Protect portions of Taylor Road from the east entrance of the Newcastle tunnel to Callison Road, and Sisley Road from Callison Road to Taylor Road, as historical resources that should be maintained in their historic concrete fabric. (Board of Supervisors' Resolution #93-289)

6.4 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 resources. In addition, a discussion of the project's impacts, as well as mitigation measures where necessary, is also presented.

Standards of Significance

For the purposes of this EIR, based on Appendix G of the CEQA Guidelines, the County's Initial Study Checklist, and professional judgement, an impact is considered significant if the proposed project would:

- Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5;
- Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5;
- Have the potential to cause a physical change, which would affect unique ethnic cultural values;
- Restrict existing religious or sacred uses within the potential impact area;
- Disturb any human remains, including those interred outside of formal cemeteries;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resource Code, Section 21075.

Method of Analysis

Determinations of impacts to cultural resources were based on the Cultural Resources Survey Report and the Records Search and Literature Review prepared by UAIC, and the Paleontological Resources Report and the National and California Register Eligibility Evaluation prepared by ESA. Preparation of the reports included a records search, contact with the NAHC, and field surveys. Local tribes were also contacted by the County pursuant to AB 52.

Records Search Methods

A records search for the project area was completed at the North Central Information Center of the California Historical Resources Information System at California State University Sacramento. The purpose of the records search was to determine the extent of previous surveys within a 0.25-mile (400-meter) radius of the project site, and whether previously documented prehistoric or historic archaeological sites, architectural resources, cultural landscapes, or ethnic resources exist within the area. Materials reviewed included survey reports, archaeological site records, historic maps, and listings of resources on the NRHP, CRHR, California Points of Historical Interest, California Historical Landmarks, and National Historic Landmarks. The North Central Information Center search did not identify any previously recorded cultural resources located within the project area, but the search did generate six cultural resources within 0.25-mile of the project. The identified resources include prehistoric-era sites and historic-era sites.

A second records search was conducted on March 7, 2018 for the Taylor Road/Penryn Road signal improvement area plus a 0.25-mile radius. The search did not identify any previously recorded cultural resources located within the project area, but the search did generate six

cultural resources within 0.25-mile of the signal improvement area, five of which are the same as those identified in the initial records search for the project site. The identified resources all include historic-era sites.

In addition, on January 9, 2017, ESA requested a database search from the University of California Museum of Paleontology for records of fossil localities in the project area. The purpose of the museum records search was to determine whether any previously recorded fossil localities occur in the project area, assess the potential for disturbance of the localities during construction, and evaluate the paleontological sensitivity in the project area.

Sacred Lands File Search

The UAIC contacted the NAHC to request a search of the Sacred Lands File for the project area, including the off-site signal improvement 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, UAIC solicited information from the Native American community regarding tribal cultural resources, but the responsibility to formally consult with the Native American community lies exclusively with the federal and local agencies under applicable State and federal law. As discussed above, the County conducted tribal consultation consistent with the requirements of AB 52.

Field Survey Methods

On June 30, 2016 and June 20, 2017, the UAIC subjected the project site to an intensive pedestrian survey under the guidance of the Secretary of the Interior's Standards for the Identification of Historic Properties using 10-meter transects, depending upon visibility. At that time, the ground surface was examined for indications of surface or subsurface cultural resources. The general morphological characteristics of the ground surface were inspected for indications of subsurface deposits that may be manifested on the surface, such as circular depressions or ditches. Whenever possible, the locations of subsurface exposures caused by such factors as rodent activity, water or soil erosion, or vegetation disturbances were examined for artifacts or for indications of buried deposits. Subsurface investigations or artifact collections were not undertaken during the pedestrian survey.

In addition, on March 5, 2018, the off-site signal improvement area was subjected to an intensive pedestrian survey under the guidance of the Secretary of the Interiors Standards for the Identification of Historic Properties (National Parks Service 1990, 1983) using 5 meter transects, depending upon visibility.

Architecture of Buildings

Additionally, ESA architectural historian Katherine Anderson conducted a pedestrian survey of the project site on September 22, 2017. Digital photos were taken of each building on the proposed project site, along with field notes describing key architectural features and components of the existing on-site structures. The 1906 residence is the only on-site structure

over 50 years old. As a result, the 1906 residence was documented on appropriate Department of Parks and Recreation 523 forms.

Project 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.

6-1 Substantially cause an adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5. Based on the analysis below, the impact is *less than significant*.

As discussed previously, the majority of the existing on-site structures are modern developments. However, the Taylor Road House was constructed in 1906, and, therefore, meets the typical 45-year age threshold for potential eligibility for listing in the CRHR and the 50-year age threshold for listing in the NRHP. In addition to meeting the age thresholds, under Section 15064.5 of the CEQA Guidelines, a resource is considered “historically significant” if the resource meets one or more of the CRHR or NRHP criteria outlined in the Regulatory Context section above. A resource must be considered historically significant and possess “integrity” in order to qualify for listing in the NRHP and CRHR.

For NRHP and CRHR eligibility under CRHR Criterion 1 (NRHP Criterion A), the Taylor Road House must be associated with one or more events or historic themes of importance. Research conducted by ESA determined that the building is not significantly associated with historic fruit orchards or fruit distribution in Loomis or Placer County. As noted above, while the property was owned by the Day and Cardosa families from 1906 to 1959, and both of the families maintained fruit orchards on the property, research did not indicate that the use was a significant component of the property’s history. Loomis and south Placer County were well known for fruit production and distribution, and the Taylor Road House is typical in the association with local economic trends. Additionally, the orchards on the project site were removed following the purchase of the property by the Sorenson family, and aerial photographs indicate that the orchards were nearly entirely gone by 1966. The association between the residence and the local fruit industry does not rise to a significant level in the broad patterns of history. Although the Taylor Road House is related to local agriculture, mere association is not sufficient for eligibility. Thus, the Taylor Road House would not be eligible under CRHR Criterion I or NRHP Criterion A.

Under CRHR Criterion 2 (NRHP Criterion B), 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. The importance of the individual, and the length and nature of his or her association with the site must be determined. Archival research identified the Day family as the primary owners of the Taylor Road House from the construction in 1906 through the property’s sale to the Cardosa family in 1942. James Jasper Day, who constructed the residence following his purchase of the

property from Isaac Emerson in 1906, was a local figure associated with the fruit packing industry through both the production of his orchards and his work with the Producers' Fruit Company, the Earl Fruit Company, and as fruit inspector of the Loomis District of Placer County. However, archival research does not indicate that Day received any significant renown for the aforementioned associations. The Producers' and Earl Fruit Company were not the most significant packing houses in Loomis, and archival review of Day's tenure as the fruit inspector did not reveal any significant accomplishments. As such, he would not be considered a person significant in the region's past. Thus, the Taylor Road House would not be eligible under CRHR Criterion 2 or NRHP Criterion B.

Under CRHR Criterion 3 (NRHP Criterion C), the site could be eligible for the CRHR or NRHP if the on-site building 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. The Taylor Road House reflects the typical Folk Victorian style of the early 20th century farmhouse, with minimal decorative ornamentation or architectural distinction. The lack of elaborate ornamentation and symmetrical design separate the Taylor Road House from a more intricate Queen Anne style, while the decorative brackets and under gable shingle siding elevate the house to a minimum Victorian pattern. The building lacks architectural distinction to associate the design with a type or period, or to elevate the building to high artistic value. Additionally, archival records do not remain of an architect or builder; therefore, the building is not considered significant as the work of a master. Therefore, the Taylor Road House would not be eligible under CRHR Criterion 3 or NRHP Criterion C.

To be eligible under CRHR Criterion 4 (NRHP Criterion D), the site must have yielded or have the potential to yield information important to pre-history or history. The Taylor Road House would not yield significant information that would expand current knowledge or theories of design, methods of construction, operation, or other information that is not already known about early twentieth century farmhouses. As such, the site would not be considered historically significant under CRHR under Criterion 4 or NRHP Criterion D.

While the Taylor Road House retains the integrity of location and some integrity of design, the house has undergone several significant modifications since the 1970s, including the introduction of new fenestration throughout, a new rear deck and kitchen additions, and the introduction of new structures in the immediate vicinity of the house (the 1975 detached addition, the 1996 manufactured home, and the 1998 Emma's Place Reception Center). The exterior alterations have substantially detracted from the structure's original design. In addition, the surrounding orchard was completely removed in the 1960s, and the association of the site with the historic local fruit industry has been lost. As such, the property overall does not retain integrity of design, material, workmanship, or feeling. Therefore, the Taylor Road House does not possess sufficient physical integrity necessary to reflect historical significance and eligibility for listing in the CRHR or NRHP.

Overall, based on the above, the Taylor Road House would not be considered eligible for inclusion on the CRHR or NRHP and is not considered a significant historic resource.

With respect to the off-site improvement area for the Taylor Road/Penryn Road signal, CAPLA-00096 (P-31-001211), Red Ravine Canal, an historic site, is located outside of but adjacent to the improvement area. Subsurface construction activities associated with signal installation would not impact the canal.

Because the Taylor Road House is not considered a historical resource and Red Ravine Canal would not be disturbed during off-site signal installation, the proposed project would not substantially cause an adverse change in the significance of a historic resource as defined in CEQA Guidelines Section 15064.5, and a *less-than-significant* impact would occur.

Mitigation Measure(s)

None required.

6-2 Substantially cause an adverse change in the significance of a unique archeological resource as defined in CEQA Guidelines, Section 15064.5. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.

As discussed above, the northern portion of the site has been subject to a relatively high level of disturbance associated with the previous development of a bed and breakfast and event center. However, the southern portion of the site is primarily undeveloped. While the field surveys and record searches did not reveal any evidence of archaeological resources on the project site or off-site signal improvement area, a number of cultural resources have been identified within 0.25-mile of the project area. The identified resources include prehistoric-era sites and historic-era sites. Given that archeological resources were found nearby, the possibility exists for undiscovered archeological resources to occur on the project site (primarily within the undeveloped portion of the site), and the off-site signal improvement area. Therefore, although unique archeological resources have not been identified on the project site or in the immediate vicinity, the possibility exists that previously unknown resources could be discovered on the project site and off-site signal improvement area during construction activities. Therefore, construction activities associated with buildout of the proposed project could substantially cause an adverse change in the significance of a unique archeological resource as defined in CEQA Guidelines, Section 15064.5, 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.

- 6-2 *If cultural resources are discovered during construction, then all work must halt within a 100-foot radius of the discovery. A qualified archaeologist, meeting the Secretary of the Interior's Professional*

Qualification Standards for prehistoric and historic archaeologists, will be called to evaluate the significance of the find. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the National Register of Historic Places/State Register. If a potentially-eligible resource is encountered, then the archaeologist, Placer County, and UAIC will arrange for either 1) total avoidance of the resource, if possible; 2) test excavations or total data recovery; or 3) other alternative forms of mitigation. The determination shall be formally documented in writing and submitted to the Placer County as verification that the provisions in CEQA for managing unanticipated discoveries have been met.

6-3 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Based on the analysis below, the impact is *less than significant*.

As previously mentioned, the northern portion of the site has been substantially disturbed, and evidence of paleontological or unique geological features were not identified on the project site or in the immediate project vicinity during field surveys. In addition, the University of California Museum of Paleontology database search did not identify any known vertebrates or plant localities within the project site or in similar rocks around the project vicinity. Furthermore, as noted above, the project area is situated upon the medium and light-colored phases of the Penryn Pluton, a body of plutonic igneous rock, within which fossil resources are not preserved. Thus, the project site has low paleontological sensitivity and is not expected to contain any paleontological resources or unique geologic features. Based on the above, the proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, and, impacts would be considered *less than significant*.

Mitigation Measure(s)

None required.

6-4 Disturb any human remains, including those interred outside of formal cemeteries. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.

The presence of Native American cultural resources or evidence for human remains or burials on the project site or in the immediate project area, including the off-site signal improvement area, was not identified during field surveys. Cultural sites or artifacts of ceremonial significance have not been found or recorded within the project site or vicinity. Although human remains or evidence thereof was not identified, the potential for unknown human remains to be discovered during construction cannot be eliminated given the known prehistoric occupation of the vicinity by Native American tribes. As a result, the proposed project could disturb human remains, including those interred outside of formal cemeteries, and impacts would be considered *significant*.

Mitigation Measure(s)

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

6-4 *In the event that evidence of human remains is discovered, construction activities within 100 feet of the discovery will be halted or diverted and the requirements of Mitigation Measure 6-2(a) will be implemented. In addition, the provisions of Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the California Public Resources Code will be implemented. When human remains are discovered, State law requires that the discovery be reported to the County Coroner (Section 7050.5 of the Health and Safety Code). If the Coroner determines the remains are Native American, the Coroner notifies the Native American Heritage Commission, which then designates a Native American Most Likely Descendant (MLD) for the project (Pub. Res. Code § 5097.98). The designated MLD then has 48 hours to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Pub. Res. Code § 5097.94). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Pub. Res. Code § 5097.98).*

6-5 Have the potential to cause a physical change, which would affect unique ethnic 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*.

In compliance with AB 52, notification letters were distributed by the County on April 28, 2017 to the necessary Native American tribes. The County did not receive any responses to the letters during the mandatory 30-day response period for consultation under AB 52.

As noted previously, the NAHC indicated that Sacred Land listings for the project area or adjacent lands do not exist. Nonetheless, although portions of the project site and the off-site signal improvement area have been previously developed and highly disturbed, given similar environmental factors of these areas to known Native American resource sites within Placer County, a potential exists for unrecorded Native American resources to be discovered within the project area. Thus, the possibility exists that construction of the proposed project could uncover previously unknown tribal cultural resources, particularly during grading or other ground-disturbing activities. Consequently, the proposed project could have the potential to cause a physical change, which would affect unique ethnic 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, and a *significant* impact could occur.

Mitigation Measures(s)

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

6-5 *Implement Mitigation Measures 6-2 and 6-4.*