

## **4.8 CULTURAL RESOURCES**

The information presented in this section is based on a large-scale records search of documents at the North Central Information Center (California State University, Sacramento) and the Northwest Information Center (Sonoma State University) of the California Historical Resources Information System that was conducted for the Water Forum EIR. Cultural resources for the 2002 Zone 40 WSMP are described in greater detail in the Water Forum EIR, Section 4.12 (1999).

In accordance with CEQA, a cultural resource is distinguished as a historical resource or an archaeological resource as per criteria set forth in the State CEQA Guidelines and statutes. A historical resource includes an object, building, structure, site, area, place, record, or manuscript that has been determined eligible for listing on the California Register of Historical Resources and/or a local register of historical resources, or has been determined significant as per the State CEQA Guidelines. An archaeological site can be found to be an historical resource or a unique or nonunique archaeological resource, as per the appropriate State CEQA Guidelines and associated statutes. CEQA requires that applicants take into account the effect(s) their undertaking could have on significant historical or archaeological resources.

### **4.8.1 EXISTING CONDITIONS**

The project area is located within the central and southern portion of Sacramento County. A summary of the prehistory and ethnography of northern California and the Central Valley is included in the Water Forum EIR, Section 4.12. Several documented cultural resources and recorded sites lie within the 2030 Study Area area of potential effect (APE). The following summarizes the cultural resources that occur or are likely to occur in the APE.

#### **PREHISTORIC CONTEXT**

The earliest known use of the Central Valley and the Sacramento County region probably occurred around 12,000 years before present (BP). Although evidence for their habitation in the valley is sparse at best (Fagan 2003, Moratto 1984) Native American groups now referred to as Paleo-Indians likely resided in and traveled throughout the region. Paleo-Indians have traditionally been viewed as a people who relied almost exclusively on Pleistocene mega-fauna such as mammoth and mastodon as their economic mainstay. More likely their patterns of land use and subsistence were far more diverse than early research suggests and they exploited a wide variety of flora and smaller faunal species. Group size during this earliest known period of human habitation in the region was probably fairly small and mobile in nature to allow for rapid access to resources available seasonally throughout the valley.

As glaciers receded from the Sierra Nevada and the Central Valley gradually became warmer and drier, pine and riparian forests were slowly replaced with vegetation similar to the grasslands and oak forests found in the valley today. As Native American populations increased over the centuries and group territories became more defined, the population of the Delta region exceeded many other areas of North America (Chartkoff and Chartkoff 1984).

Social, economic, belief, subsistence, and technological systems continued to develop and evolve during the times following the initial Paleo-Indian settlement of the valley. The descendents of those early Sacramento-region inhabitants include the Valley Nisenan, the Northern Valley Yokut, and the Plains Miwok.

## **HISTORIC CONTEXT**

By the late 18th century, Spanish explorers made their first incursions into the Central Valley in search of suitable inland mission sites. In 1772, Pedro Fages passed through the San Francisco Bay and Delta regions and reached as far as the mouths of the San Joaquin and Sacramento rivers. By the early decades of the 19th century, similar expeditions were fairly commonplace and European contact with the Native American inhabitants was occurring on a somewhat regular basis. Between 1806 and 1817, several exploratory expeditions were conducted including those by Gabriel Moraga in which he traveled as far as the American, Mokelumne and Cosumnes rivers. Jose Antonio Sanchez also traveled into the Sacramento region in 1811 and Father Narciso Duran led a punitive expedition into the area in 1817 in search of stolen cattle and horses and to forcibly return runaways to the coastal missions. By the late 1820s, trappers and traders, including Jedediah Smith and contingents from the Hudson's Bay Company, were engaging in the fur trade and as a result established new transportation routes and aided in opening the valley for subsequent permanent European settlement (Gudde 1969, Kyle 1990).

During the 19th century, ranching and agriculture were quickly established on the fertile valley landscape. One of the earliest and largest ranching and farming operations was the 1840s Mexican land grant Omochumnes Rancho (granted to William Daylor and Jared Sheldon) and Rancho Cazadores (granted to Ernesto Rufus). The southern portion of Zone 40 borders and partially lies within the original boundaries of these ranchos. The ranchos and farms that developed in the area in the 1800s mainly involved stock raising, dairy operations and grain cultivation. By the 1860s, most areas that were not under cultivation were occupied by grazing cattle and sheep. During this period, cattle (over one million) vastly outnumbered the human population in the state and 40% of the domestic herds could be found in the Sacramento and San Joaquin valleys. Much of this ranching grew out of the demand from a population explosion in the foothills during the Gold Rush of the mid-1800s. Although the foothill regions to the east possessed the richest deposits, the Sacramento region also had its share of mining operations. These typically involved various hydraulic and dredge techniques that persisted in the region until as late as the 1960s in the Folsom and Mather Field areas.

The discovery of gold and the rise of the ranching, agriculture and timber industries led to Sacramento and its environs developing as a major overland transportation hub. After the completion of the transcontinental railroad in 1869 with the City of Sacramento as its western terminus, California's agricultural products quickly found markets throughout the country. Throughout the latter decades of the 19th century and well into the twentieth, agriculture and ranching remained as the economic foundation of the Sacramento region.

## **PROJECT RESEARCH METHODOLOGY**

Due to the long periods of human occupation and activity in the project area, and the intensity of land use patterns over thousands of years, numerous prehistoric and historic cultural resources can be found throughout the region. Despite the importance of the region in prehistoric and more recent times, no systematic archaeological survey of either Sacramento County or the 2030 Study Area has been conducted. However, numerous smaller studies have occurred within and in the vicinity of Zone 40 in recent years. As a result, general levels of cultural resource sensitivity in the study area and the general region can be discussed.

## **CULTURAL RESOURCE SENSITIVITY**

Cultural resources in Zone 40 vary widely in terms of their cultural and temporal associations, locations, size, and significance. Prehistoric and historic sites, features and artifacts found in the project area and in the Sacramento region in general range from early Native American village and cemetery sites to historic residences and structures dating to as early as the 1840s. The significance of these resources is also variable with many being eligible for listing on the California Register of Historical Resources (CRHR) and the National Register of Historic Places (NRHP).

Zone 40 is located in the immediate vicinity of two major waterways: the Sacramento and American rivers, and the presence of numerous smaller perennial and seasonal drainages (i.e., Deer Creek and Cosumnes River). These waterways made the area an important center for habitation in prehistoric times. Larger village sites, resource procurement and processing locales, and other activity areas tend to concentrate along the more substantial water sources such as the Sacramento River and many habitation and burial sites have been identified in this area since as early as the 1930s. However, important sites can also occur away from such areas where other natural resources such as oak groves or specific raw material sources may have been present. In addition, even small springs, vernal pools and seeps have been used as habitation and activity areas. As a result, development projects in the vicinity of even smaller seasonal water sources have the potential to affect Native American settlement areas that could include earthen mounds, village sites, small encampments, stone artifact scatters, and cemeteries.

Historic resources do not necessarily occur in close proximity to surface water sources and can occur in virtually any setting or landform. The status of the County of Sacramento and the surrounding region as an important agricultural, ranching, and transportation hub since the middle of the 19th century has resulted in the construction of numerous residences, commercial buildings, rail and roadway facilities, and public structures since the 1840s. Specifically within the Zone 40 project area and its general vicinity, many important traces of the region's industrial, commercial and agricultural past can be found. These can include sites, structures and other historic period resources such as railroad grades, early railroad bridges, irrigation canals, houses, farm and ranch buildings, cemeteries, and the traces of early hydraulic and dredge mining operations.

## REGULATORY SETTING

### State Requirements

CEQA requires that public agencies having authority to finance or approve public or private projects assess the effects of the projects on cultural resources. Cultural resources include buildings, sites, structures, objects, or districts, each of which may have historical, architectural, archaeological, cultural, or scientific significance. CEQA states that if a proposed project would result in an effect that may cause a substantial adverse change in the significance of a significant cultural resource (termed a “historical resource”), alternative plans or environmental mitigation guidelines must be considered. Because only significant cultural resources need to be addressed, before environmental mitigation guidelines are developed, the significance of cultural resources must be determined.

CEQA §5024.1 (Public Resources Code [PRC] 5024.1) and §15064.5 of the State CEQA Guidelines (14 California Code of Regulations [CCR] 15064.5) define a historical resource as “a resource listed or eligible for listing on the California Register of Historical Resources.” A historical resource may be eligible for inclusion in the California Register of Historical Resources (CRHR) if it

- ▶ is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- ▶ is associated with the lives of persons important to our past;
- ▶ embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values; or
- ▶ has yielded, or may be likely to yield, information important to prehistory or history.

In addition, CEQA also distinguishes between two classes of archaeological resources: archaeological sites that meet the definition of a historical resource as above, and “unique archaeological resources.” An archaeological resource is considered “unique” if it:

- ▶ is associated with an event or person of recognized significance in California or American history or of recognized scientific importance in prehistory;
- ▶ can provide information that is of demonstrable public interest and is useful in addressing scientifically consequential and reasonable research questions;
- ▶ has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind;
- ▶ is at least 100 years old and possesses substantial stratigraphic integrity; or
- ▶ involves important research questions that historical research has shown can be answered only with archaeological methods (PRC 21083.2).

The State CEQA Guidelines (14 CCR 15064.5[c]) specify that the lead agency must treat an archaeological resource that meets the definition of a historical resource according to the provisions of PRC 21084.1, 14 CCR 15064.5, and 14 CCR 15126.4. If an archaeological resource does not meet the definition of a historical resource, but does meet the definition of a unique archaeological resource, then the lead agency is obligated to treat the resource according to the provisions of PRC 21083.2 (14 CCR 15064.5[c][3]).

According to the State CEQA Guidelines, a project with an effect that may cause a substantial adverse change in the significance of a historical resource or a unique archaeological resource is a project that may have a significant effect on the environment (14 CCR 15064.5[b]). CEQA further states that a substantial adverse change in the significance of a resource means the 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. Actions that would materially impair the significance of a historical resource are any actions that would demolish or adversely alter those physical characteristics of a historical resource that convey its significance and qualify it for inclusion in the CRHR or in a local register or survey that meet the requirements of PRC 5020.1(k) and 5024.1(g).

The State CEQA Guidelines (14 CCR 15064.5[e]) also require that excavation activities be stopped whenever human remains are uncovered, and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of a Native American, the Native American Heritage Commission (NAHC) must be contacted within 24 hours, and the provisions for treating or disposing of the remains and any associated grave goods as described in CCR 15064.5 must be followed.

The steps normally taken in a cultural resources investigation for CEQA compliance are as follows:

- ▶ identify cultural resources,
- ▶ evaluate the significance of the resources,
- ▶ evaluate the effects of a project on all cultural resources, and
- ▶ develop and implement measures to mitigate the effects of the project on significant resources.

### **Federal Requirements**

Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations (36 Code of Federal Regulations [CFR] Part 800, as amended in 1999) requires federal agencies, or those they fund or permit, to consider the effects of their actions on the properties that may be eligible for listing or are listed in the NRHP. To determine whether an undertaking could affect NRHP-eligible properties, cultural resources (including archaeological, historical, and architectural properties) must be inventoried and evaluated for

listing in the NRHP. Although compliance with Section 106 is the responsibility of the lead federal agency, the work necessary to comply can be undertaken by others.

The Section 106 review process involves a four-step procedure:

- ▶ Initiate the Section 106 process by establishing the undertaking, developing a plan for public involvement, and identifying other consulting parties.
- ▶ Identify historic properties by determining the scope of efforts, identifying cultural resources and evaluating their eligibility for inclusion in the NRHP.
- ▶ Assess adverse effects by applying the criteria of adverse effect to historic properties (resources that are eligible for inclusion in the NRHP).
- ▶ Resolve adverse effects by consulting with the State Historic Preservation Officer and other consulting agencies, including the Advisory Council on Historic Preservation if necessary, to develop an agreement that addresses the treatment of historic properties.

#### **4.8.2 ENVIRONMENTAL IMPACTS**

##### **THRESHOLDS OF SIGNIFICANCE**

Based on the State CEQA Guidelines, a project would have a significant impact on cultural resources if it would:

- ▶ cause a substantial adverse change in the significance of a historical resource;
- ▶ cause a substantial adverse change in the significance of an archeological resource;
- ▶ directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- ▶ disturb any human remains, including those interred outside of formal cemeteries.

In addition, the significance of prehistoric cultural resources is judged in accordance with the criteria for eligibility for nomination to the CRHR (as contained within the criteria for eligibility to the NRHP Places as defined in 36 CFR 60.4). If resources are determined to be significant, and therefore eligible for CRHR listing, they are afforded some degree of regulatory protection. Those resources determined not significant, that is, ineligible for CRHR listing, are subject to recording and documentation only and are afforded no further protection under state or federal law. Occasionally certain resources, although they may not be assessed as “significant,” may nonetheless be of local or regional importance such that mitigation may be warranted or may result from public comment regardless of their assessed significance.

The NRHP criteria state that “eligible historic properties” are:

districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that (a) are

associated with events that have made a significant contribution to the broad patterns of our history; or (b) that are associated with the lives of persons significant in our past; or (c) that embody the distinctive characteristics of 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 distinguishable entity whose component may lack individual distinction; or (d) that have yielded, or may be likely to yield, information important to history or prehistory.

To evaluate cultural resource sites against such broad criteria requires consideration, among other things, of the overall integrity of the site, the regional cultural history (the types, ages and distribution of other sites in the region), and the nature of questions that researchers are attempting to address regarding the history or prehistory of the region.

Cultural site evaluation assesses the potential of each site to meet one or more of the criteria for “importance,” based upon visual surface and subsurface evidence (if available) at each site location, information gathered during the literature and records searches and the researcher’s knowledge of and familiarity with historic or prehistoric context associated with each site.

#### **IMPACT ANALYSIS**

**Impact 4.8-1: Disturbance of Cultural Resources.** Development of the 2002 Zone 40 WSMP (water treatment plant, wells, storage facilities, groundwater treatment facilities, and pipelines) would include the removal of vegetation and soils, through grading and excavation activities. Because historical cultural resources may be present within subsurface soils, these grading and excavation activities could cause the disturbance of these resources. The disturbance of previously unidentified cultural resources would be a potentially significant impact.

It is possible that previously unidentified cultural resources may be present throughout the 2030 Study Area but are obscured by vegetation or are buried. Native American human remains may also be buried in the 2030 Study Area. Development of the project facilities could cause the disturbance of these, as of yet, unidentified cultural resources and/or human remains. Disturbance of cultural resources in the 2030 Study Area would be a potentially significant impact.

**Impact 4.8-2: Effect of Varying Flows/River Stage on Cultural Resources along the Lower Sacramento River Bank Near Freeport.** Implementation of the 2002 Zone 40 WSMP would result in Sacramento River flows at Freeport that differ slightly from existing conditions. These flow variations are not of sufficient frequency or magnitude to cause either significant exposure or inundation of cultural resources and thus represent a less-than-significant impact on cultural resources.

Implementing the 2002 Zone 40 WSMP would divert a maximum of 78,000 acre-feet of water per year from the Sacramento River, consistent with amount identified in the Water Forum EIR. Based on analysis presented in the Water Forum EIR, implementing the 2002 Zone 40

WSMP is not expected to adversely affect cultural resources on this stretch of the Sacramento River. River flows under the proposed project, as part of the larger WFP planning project, would only slightly differ from existing conditions. These flow variations are not of sufficient frequency or magnitude to cause either significant exposure or inundation of cultural resources. Moreover, the lower Sacramento River is bordered by levees that act to stabilize the riverbank during low and high flows; this means that changes in river flows of the magnitude expected with the project would not affect the adjacent riverbanks, where cultural sites may occur. Therefore, impacts to cultural resources located along this stretch of the Sacramento River would be less than significant.

#### **4.8.3 ENVIRONMENTAL MITIGATION GUIDELINES**

No environmental mitigation guidelines are necessary for the following less-than-significant impacts.

##### **4.8-2: Effect of Varying Flows/River Stage on Cultural Resources along the Lower Sacramento River Bank near Freeport**

Environmental mitigation guidelines are recommended for the following significant impacts.

##### **4.8.1: Disturbance of Cultural Resources.** SCWA shall:

- ▶ comply with all federal, state, and local regulations regarding the protection and preservation of cultural and paleontological resources;
- ▶ complete project-specific cultural resources record searches and field surveys, as needed;
- ▶ include consideration of paleontological resources during record searches and field surveys;
- ▶ plan construction activities to avoid important cultural sites identified by record searches and field surveys, as feasible;
- ▶ develop and implement an appropriate treatment plan to evaluate affected archaeological sites that cannot be avoided by construction;
- ▶ develop and implement a paleontological resources treatment plan to evaluate paleontological resources that may be discovered during construction; and
- ▶ develop and implement a cultural resources and paleontological resources training program for construction personnel.

#### **4.8.4 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Adherence to the above mitigation would reduce impacts on cultural resources to a less-than-significant level.