

## **4.5 Cultural Resources**

## 4.5 Cultural Resources

### 4.5.1 INTRODUCTION

Cultural resources are defined as buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, and/or scientific importance. This evaluation of potential impacts to cultural resources focuses on improvements categorized as “widening” projects because these would require an increase in the area of disturbance from that identified (and previously evaluated) in the current 2020 CIP.

The proposed 2020 CIP Update (proposed project) has identified 10 intersections and 3 roadway segments throughout Roseville and a small area of Placer County where improvements would occur that require widening beyond the right-of-way area identified in the current 2020 CIP. These areas of proposed widening are identified on **Tables 3-4 and 3-5** and shown on **Figure 3-3** in Chapter 3, Project Description. New lanes could be up to 14 feet wide, with construction disturbance up to 17 feet from the existing roadway. For intersection widenings, the new lanes would typically affect a distance less than 600 feet in length from the existing intersection.

Impacts to cultural resources are evaluated on a programmatic level in this Draft EIR. It is anticipated that subsequent environmental review may be required when site-specific plans are prepared and more specific roadway alignments and areas of disturbance are identified.

### 4.5.2 ENVIRONMENTAL SETTING

#### 4.5.2.1 Archaeological Setting

The Roseville vicinity lies directly adjacent to one of the most intensively studied areas in California—the Sacramento/San Joaquin River Delta and adjoining sections of the Sacramento and San Joaquin Valleys. Beginning in the last decade of the nineteenth century, avocational archaeologists recovered thousands of artifacts from numerous sites in the Delta vicinity. A general synthesis of these early works is found in Schenk and Dawson (1929).

The next series of excavations in the general region were conducted by student crews from Sacramento Junior College (SJC). Beginning in 1931, various sites adjacent to the Cosumnes River and Deer Creek confluence were excavated. Joined a few years later by crews from the University of California (UC), the SJC archaeologists continued their excavations within the Delta region. These efforts culminated in the milestone works of Lillard and Purves (1936) and Lillard, Heizer, and Fenenga (1939), both of which identified a sequence of cultural change within the Delta and adjacent vicinities.

The cultural sequence identified by Lillard and his colleagues (1936; 1939) contained three cultural periods (Early, Intermediate/Transitional, Late). These periods were identified based on changes observed within the mortuary patterns and grave furniture recovered from their sample of sites. Lillard, Heizer, and Fenenga (1939) believed that the sequence represented a single cultural progression, the Early Period evolving into the Transitional Period, the Transitional Period evolving into the Late Period.

As more archaeological work was conducted within central California during the 1940s and 1950s, the cultural sequence developed by Lillard and his colleagues (1936; 1939) was refined and expanded to accommodate the additional data. After many debates and numerous revisions, the cultural

sequence for the central California region, first defined by Lillard and his colleagues (1936; 1939), currently stands as follows:

#### **Windmill Pattern (ca. 3000 B.C. - 500 B.C.)**

The artifact assemblage characteristic of this cultural manifestation includes a variety of flaked stone, ground stone, baked clay, and shell items reflecting exploitation of diverse subsistence resources and acquisition of materials from distant geographic areas through trade. The burial pattern of Windmill cemeteries and grave plots is unique in that virtually all of the interments are ventrally extended, with the head oriented to the west. The primary exception to this burial pattern is that aged females were buried in a flexed position. Social stratification can be inferred from the burial practices of Windmill peoples. Males appear to generally have higher status than females, as evidenced in their deeper and artifactually richer graves. Social status may have been at least partially inherited, for some female, child, and infant burials contained elaborate grave furniture, while others lacked such wealth (Moratto, 1984:201-207).

#### **Berkeley Pattern (ca. 500 B.C. - A.D. 500)**

The Berkeley Pattern represents a gradual shift in adaptation and material culture that appears to have originated within the San Francisco Bay region. The subsistence practices of Berkeley peoples differs from that of the Windmill peoples in that the use of acorns for food seems to have increased dramatically. The reliance on acorns is evidenced in the increase in mortars and pestles recovered from Berkeley Pattern sites. Other differences in material culture include the occurrence of an extensive bone tool kit, unique knapping techniques, and certain types of shell beads and pendants within Berkeley Pattern sites. Burial practices of Berkeley peoples also differed from those of Windmill Pattern sites. No longer were corpses placed into graves extended towards the west. Instead, Berkeley Pattern burials are flexed with variable orientation (Moratto, 1984:207-211).

#### **Augustine Pattern (ca. A.D. 500 - A.D. 1880)**

The Augustine Pattern reflects local innovation in technology, as well as the incorporation of new developments with traits of the Berkeley Pattern. The artifact assemblages of Augustine Pattern sites indicate an increased reliance on hunting, gathering, and fishing. Acorns appear to have become particularly important. Many burials were flexed; however, cremation became the mortuary practice for high-status burials. Extensive trade networks developed to accommodate the resource and social needs of the burgeoning populations (Moratto, 1984:211-214).

#### **4.5.2.2 Ethnographic Setting**

The Roseville vicinity is within the ethnographic territory of the Nisenan, one of three Maidu speaking tribelets inhabiting the north-eastern half of the Sacramento Valley and the adjoining western slopes of the Sierra Nevada. Also known as the Southern Maidu, the Nisenan inhabited the named villages of *Pichiku* and *Bamuma* near present day Roseville and Lincoln, respectively (Wilson and Towne, 1978: Figure 1).

The Nisenan were the southernmost of three groups (Konkow, Nisenan, and Maidu) who spoke a Maidu language. Maidu is one of California's four Penutian languages, the others being Wintuan, Utian, and Yokutsan.

The Nisenan specifically inhabited the area within the American, Bear, Yuba, and lower Feather River watersheds. The region is bordered by the Sierra Nevada crest on the east and the Sacramento

River on the west. The northern boundary is ill-defined due to linguistic and cultural similarities between the Nisenan and their northern neighbors, the Konkow. The southern boundary is also vaguely defined, being situated somewhere between the American and Cosumnes Rivers (Kroeber, 1925; Levy, 1978; Riddell, 1978; Wilson and Towne, 1978).

As stated above, the Nisenan inhabited a village near Roseville (*Pichiku*) and another near Lincoln (*Bamuma*). It is unknown whether these were permanent settlements, although they are both referred to as being a “major village” (Wilson and Towne, 1978: Figure 1). Nisenan villages varied considerably in size, with a large village containing from 40 to 50 houses and more than 500 people. A typical settlement within the lowland areas of the Nisenan territory would be situated upon natural rises along the major rivers and streams (Kroeber, 1925:395; Powers, 1877:316; Wilson and Towne, 1978:388). In addition to the above-mentioned houses, structures occurring within major villages would include brush shelters, sweat house(s), acorn granaries, and a dance house (Kroeber, 1925:407-409; Wilson and Towne, 1978: 388-389).

The principal subsistence activities of the Nisenan were hunting, fishing, and the gathering of wild plants. Subsistence practices relied upon a large variety of food sources, rather than being dependent on a limited number of staples (Kroeber, 1925: 409-411; Wilson and Towne, 1978: 389-390).

The Nisenan were organized similarly to many California Indians in that a certain territory was identified as belonging to a group and that group recognized themselves as a unit (i.e., tribelet). Several affiliated villages may have occurred within the tribelet territory (Kroeber, 1925: 396-398; Wilson and Towne, 1978: 393).

Warfare, though rare, did occur. Fighting could take place between Nisenan tribelets as well as with non-Nisenan peoples. Generally, conflict occurred following trespass or similar territorial violations. An example of intertribelet conflict involved Nisenan from the Roseville area in the 1820s. Evidently, men from the Auburn/Nevada City area were killed in the Roseville vicinity. The hatred and distrust between these peoples lasted for several years (Wilson and Towne, 1978: 388 citing Payen 1961: 23; Wilson 1957-1963).

The Nisenan were affected little by the Spanish and Mexican incursions into California’s interior (Wilson and Towne, 1978: 396). They were, however, greatly affected by the above-mentioned epidemic, which ravaged parts of California during the 1830s. Believed to have been brought by fur trappers, this pestilence often killed the population of entire villages. It is estimated that 75 percent of the population died as a result of the epidemic, with many of the survivors retreating to mountain locations (Cook, 1955).

The Nisenan who survived the epidemic were among the most highly affected California groups by the Gold Rush of 1849. It was within Nisenan territory that John Marshall discovered gold at Coloma in 1848. Soon afterwards, hoards of fortune seekers descended on Nisenan and adjoining territories. Within a short time, the lands of the Nisenan were overrun and the wholesale killing of Nisenan by whites began (Chartkoff and Chartkoff, 1984: 279-282; Powers, 1877: 317; Wilson and Towne, 1978: 396).

### **4.5.2.3 Historic Setting**

A review of historic and historical materials revealed that the Roseville area witnessed a great amount of Euro-American use in the early nineteenth century. Although it was not until after the discovery of

gold at Sutter's Mill in 1848 that Euro-American people began entering the region en masse, the general area was visited by non-native peoples prior to that year. Gabriel Moraga, under the flag of Spain, led an expedition from Mission San Jose up to the Cosumnes and Feather Rivers in 1808. In 1813, Jose Arguello reached the Cosumnes River, where he battled a band of hostile Miwok. Narciso Duran and Luis Arguello left San Francisco in 1817 and passed through the region on their expedition (Beck and Haase, 1974; McGowan, 1961). Following the Spanish, this region of California was visited by American trappers looking for new areas to exploit.

Captain John Sutter was granted his roughly 1,000 square mile "New Helvetia" ranch near present-day Sacramento in 1839. It was from Sutter's Mill, near present-day Coloma, that John Marshall discovered gold in 1848. Soon afterwards, the famous gold rush began and the region became quickly populated with prospectors, entrepreneurs, and others seeking easy fortunes (Bean, 1977; Lavender, 1972; McGowan, 1961).

It was not until after these fortune seekers realized that riches were not so easy to come by that the Roseville vicinity became populated by non-native peoples. Many of the prospectors had been farmers prior to their exodus and many returned to agriculture as a means to survive. It was as an agricultural community (primarily the cultivation of fruit trees) that Roseville initially developed. Nearly all fruit production during this period in Placer County was of deciduous fruits such as oranges, apples, peaches and pears. Citrus fruits were not planted extensively until the 1880s. The original orchards were small and usually limited to the grower's personal use.

Railroad development became the next catalyst for growth in the Roseville area. The first railroad through southwestern Placer County was the California Central, started by Marysville businessman Charles Lincoln Wilson in 1857 (whom the community of Lincoln is named after). The goal of the proposed railway was to connect Marysville with Sacramento. Grading for the tracks was completed by 1860, by the autumn of 1861 the tracks were in present-day Roseville, and by the end of the year had reached Lincoln. Unfortunately for the residents of Marysville, the original plan was never realized. Besides dwindling funds, the Central California began having to compete with the Central Pacific Railroad when it reached the Roseville area from Sacramento in January of 1864 (Davis, 1964).

In August 1864, O.D. Lombard drew up the plans for a town centered around the junction of the Central Pacific and California Central Railroads. The site was simply known as the "Junction," and was not referred to as Roseville until the presidential election of 1864. The new community witnessed slow but steady growth through the 1860s. By the close of the decade, the California Central was part of the Central Pacific, which in turn merged with the Southern Pacific Railroad (Davis, 1964).

As noted above, during the early period in Placer County, most horticulturalists raised fruit only as an avocation, earning their living by focusing on more profitable products. However, the transcontinental railroad through Placer County provided a major stimulus for fruit growing. By the 1880s, refrigerated cars, better and faster schedules, and reduced freight rates stimulated the expansion of commercial fruit development in the County, thus allowing for shipments to eastern markets. Successful irrigation programs in Placer County provided adequate amounts of water for fruit-growing production, and Placer County promoted its products through fairs and various other advertising campaigns.

The Pacific Fruit Express Company, a cold storage plant and ice manufacturer founded in 1909, resulted from a successful partnership venture between the Southern and the Union Pacific Railroads. Headquartered in San Francisco, Pacific Fruit Express (PFE) made possible the mass shipment of

perishable fruit and vegetables, opening up California for greater agricultural development. This company lent its name to the road bordering the southern edge of the study area.

Roseville grew into a city during the first decade of the twentieth century. Its sudden growth was due to the Southern Pacific Railroad's decision to move its roundhouse, repair facilities, and switching yard from nearby Rocklin to Roseville. The construction of these railroad facilities in Roseville took two years, from 1906 to 1908. During this period, many railroad employees in Rocklin moved to Roseville, and the latter's population grew to more than 2,000. The downtown business district swelled, and new subdivisions were laid out to accommodate the larger population (Davis, 1964; 1993).

Growth stimulated a need for public services, such as fire protection, a sewer system, an electric power system, and a bridge across Dry Creek. In 1909, Roseville citizens voted to incorporate, giving them power to levee taxes on themselves and to choose a Board of Trustees and a mayor. In 1910, a bond measure was passed to provide city services (Davis, 1975; 1993).

Roseville continued to grow, from 2,600 in 1910 to nearly 4,500 in 1920. The Southern Pacific Railroad facilities, and the ability of the railroad to serve agriculture, continued to be the main reasons for this growth. Perhaps the largest employer in Roseville, other than the railroad, was the PFE plant located next to the railroad tracks. Railroads loaded with California produce would pull alongside PFE facilities for supplies of ice before continuing east, across the Sierra Nevada mountains and on to eastern markets. In 1913, PFE doubled its cold storage capacity from 15,000 to 30,000 tons, making it, according to one source, the largest ice plant in the world. PFE expanded its Roseville plant again in 1924 and built another plant between Roseville and Antelope in 1926/1927. Southern Pacific kept pace with PFE, laying many miles of new track for PFE use. In 1926, Southern Pacific also began construction of a \$1.5 million car shop. By the end of the 1920s, the Southern Pacific shops and yards in Roseville employed 1,225 men and was perhaps the largest rail complex west of the Mississippi (Davis, 1975; 1993).

The depression dampened construction activity during the 1930s, and during World War II construction all but ceased, with two exceptions. Roseville suffered a housing shortage during the war, and so a few housing developments were built for war workers. Due to large troop movements and the moving of war material through Roseville during the war, the Southern Pacific Railroad also expanded its rail yards at this time (Davis, 1975; 1993).

Roseville remained primarily a railroad town through the 1940s, but major changes came in the 1950s. Automobiles and interstate trucks began to displace trains. New transportation projects were auto-oriented; these included the Seawall Underpass (which provided tunnel access underneath the Southern Pacific tracks, connecting the two sides of Roseville) and the improvement of Highway 40 (now Interstate 80) to freeway status. In 1955, Folsom Dam was enlarged as part of the state's Central Valley Project. At PFE, refrigerated cars replaced icing machines in the 1960s (Davis, 1975; 1993).

As rail jobs declined, jobs were created in other areas of commerce and industry. These included the construction of retail shopping centers and corporate headquarters along Douglas Boulevard and Harding Boulevard, east of the old center of town, and industry along Highway 65, north of the old city. In general, there has been a major shift in population and construction to outlying areas of Roseville, especially to the east. The railroad is still an important part of Roseville's economy, but it is far from the dominant factor that it was from 1906 through the 1940s (Davis, 1975; 1993).

### 4.5.3 EXISTING CONDITIONS

In order to establish baseline conditions, a record search was completed at the North Central Information Center (NCIC) in October of 2006 (NCIC File No. PLA-06-122). The record search indicated that two cultural resources have been previously identified within the areas proposed for widening; these are discussed individually below.

#### 4.5.3.1 Fiddymment Road

The course of Fiddymment Road was recorded by Derr (1997) and was subsequently given the State Trinomial CA-PLA-1102/H. Fiddymment Road is approximately eight miles in length from Baseline Road at the south to Moore Road at the north. This two-lane rural road has very narrow shoulders and is lined by ditches on both the east and west sides of the road. The current 8-mile length of the road was established by 1913.

This historic-era resource bisects the footprint of three components of the proposed project: the widening of Fiddymment Road from four to six lanes between Pleasant Grove Boulevard and Baseline Road, and improvements to Intersections 69 (Fiddymment Road/Pleasant Grove Boulevard) and 165 (Fiddymment Road/Westlake). Fiddymment Road was previously determined to be ineligible for inclusion to the California Register of Historic Resources (CRHR) (JRP, 2004).

#### 4.5.3.2 Spring Valley Ranch Rock Walls

A number of rock walls, collectively given the State Trinomial CA-PLA-647/H, have been recorded in the vicinity of Intersections 100 (Roseville Pkwy/Reserve) and 104 (Roseville Pkwy/West Mall) as well as the two proposed areas for widening along the Roseville Parkway. These walls of local volcanic boulders were reportedly constructed between 1875 and 1880 (Miller, 1969) and subdivided George Whitney's Spring Valley Ranch.

A recent cultural resource investigation along the course of the Roseville Parkway found no evidence of the previously documented rock walls (Leach-Palm and Waechter, 2006a, 2006b). The authors suggest that they may have been destroyed by modern development (Leach-Palm and Waechter, 2006b: 16).

#### 4.5.3.3 Previous Cultural Resources Surveys

The record search also revealed that the most of the project locations where widening is proposed have not been previously inventoried for cultural resources. Of the 10 intersections and 3 roadway sections subject to proposed improvements, neighboring Intersections 100 and 104 as well as the road widenings along Roseville Parkway were subjected to inventory efforts by Far Western (Leach-Palm and Waechter, 2006) while Intersections 69 and 165 as well as the proposed widening of Fiddymment Road were inventoried by Cultural Resource Unlimited (Derr, 1996) and Jones & Stokes (Jones & Stokes, 2002).

#### 4.5.3.4 Native American Consultation

To acquire more information about potential cultural resources located in or near the areas proposed for widening, a request for information was submitted to the Native American Heritage Commission (NAHC) (Appendix H). In their response, the NAHC stated that the Sacred Land Files did not indicate the presence of cultural resources in the immediate vicinity of the individual project areas. In

their transmittal, the NAHC also enclosed a list of Native American individuals and/or organizations that might have knowledge of cultural resources in the project area and suggested that all on the list be contacted. URS notified all those listed, as suggested by the NAHC (Appendix H). A single response was received from the United Auburn Indian Community of the Auburn Rancheria. The response did not identify any known areas of importance to their community; the response requested copies of project-related archaeological studies and environmental documents (Appendix H).

#### **4.5.4 REGULATORY SETTING**

##### **4.5.4.1 Historical Resources and Unique Archaeological Resources**

Numerous laws, regulations, and statutes on both the federal and state levels seek to protect and target the management of cultural resources. These include the Antiquities Act of 1906; Historic Sites Act of 1935; Reservoir Salvage Act of 1960; National Historic Preservation Act of 1966; National Environmental Policy Act of 1969; Executive Order 11593 (Projection and Enhancement of the Cultural Environment, 1971); 36 CFR 800 and CFR 60 (Advisory Council on Historic Preservation: Protection of Historic and Cultural Properties, Amendments to Existing Regulations, 1/30/1979; National Register of Historic Places, Nominations by States and Federal Agencies, Rules and Regulations, 1/9/1976); Revisions to 36 CFR 800 (Protection of Historic Properties, 1/10/1986); Archaeological and Historical Preservation Act of 1974; American Indian Religious Freedom Joint Resolution of 1978; Archaeological Resources Protection Act of 1979; Native American Graves Protection and Repatriation Act of 1990; and the California Environmental Quality Act (1970). Collectively these regulations and guidelines establish a comprehensive program for the identification, evaluation, and treatment of cultural resources.

##### **4.5.4.2 Federal Significance Criteria**

The four evaluation criteria to determine a resource's eligibility to the NRHP, in accordance with the regulations outlined in 36 CFR 800, are identified by 36 CFR 60.4. These evaluation criteria, listed below, are used to help determine what properties should be considered for protection from destruction or impairment resulting from project-related activities (36 CFR 60.2).

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- Resources that are associated with events that have made a significant contribution to the broad patterns of our history; or
- Resources that are associated with the lives of persons significant in our past; or
- Resources that 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
- Resources that have yielded, or may be likely to yield, information important in prehistory or history (36 CFR 60.4).

#### 4.5.4.3 State Significance Criteria

In considering impact significance under CEQA, the significance of the resource itself must first be determined. At the state level, consideration of significance as a unique archaeological resource is measured by cultural resource provisions considered under Public Resources Code Section 21083.2, CEQA Guidelines Sections 15064.5 and 15126.4, and the criteria regarding resource eligibility to the CRHR.

Generally under CEQA, a historical resource (these include built-environment historic and prehistoric archaeological resources) is considered significant if it meets the criteria for listing on the CRHR. These criteria are set forth in CEQA Section 15064.5 and defined as any resource that:

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- Is associated with lives of persons important in our past;
- 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
- Has yielded, or may be likely to yield, information important in prehistory or history.

Section 15064.5 of CEQA also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are detailed under California Public Resources Code (PRC) Section 5097.98. Specifically, CEQA Guidelines Section 15064.5, subdivision (e), requires that excavation activities be stopped whenever human remains are uncovered and that the coroner be called in to assess the remains. If the coroner determines that the remains are those of Native Americans, the Native American Heritage Commission must be contacted within 24 hours. At that time, Section 15064.5, subdivision (d), directs the lead agency to consult with the appropriate Native Americans as identified by the Native American Heritage Commission and directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

Impacts to “unique archaeological resources” are also considered under CEQA, as described under PRC 21083.2. If an archaeological site does not meet the criteria for inclusion on the CRHR but does meet the definition of a unique archeological resource as outlined in the California Public Resource Code (Section 21083.2), it is entitled to special protection or attention under CEQA. A unique archaeological resource implies an archaeological artifact, object, or site about which it can be clearly demonstrated that—without merely adding to the current body of knowledge—there is a high probability that it meets one of the following criteria:

- The archaeological artifact, object, or site contains information needed to answer important scientific questions, and there is a demonstrable public interest in that information;
- The archaeological artifact, object, or site has a special and particular quality, such as being the oldest of its type or the best available example of its type; or
- The archaeological artifact, object, or site is directly associated with a scientifically recognized important prehistoric or historic event or person.

A non-unique archaeological resource indicates an archaeological artifact, object, or site that does not meet the above criteria. Impacts to non-unique archaeological resources and resources that do not qualify for listing on the CRHR receive no further consideration under CEQA.

Under CEQA Section 15064.5, a project potentially would have significant impacts if it would cause substantial adverse change in the significance of one of the following:

- A historical resource (i.e., a cultural resource eligible for the CRHR);
- An archaeological resource (defined as a unique archaeological resource which does not meet CRHR criteria);
- A unique paleontological resource or unique geologic feature (i.e., where the project would directly or indirectly destroy a site or resources); or
- Human remains (i.e., where the project would disturb or destroy burials).

A non-unique archaeological resource is given no further consideration, other than the simple recording of its existence, by the lead agency.

Section 15065.4(e)(1) and (2) of the CEQA Guidelines provides the following guidance with regard to the accidental discovery of human remains:

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
  - a. The coroner of the County must be contacted to determine that no investigation of the cause of death is required, and
  - b. If the coroner determines the remains to be Native American:
    - i. The coroner shall contact the Native American Heritage Commission within 24 hours.
    - ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
    - iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

- a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
- b. The descendent identified fails to make a recommendation; or
- c. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Senate Bill (SB)-18 (Government Code Section 65352.3) now requires local governments to consult with Native American tribes before the adoption or amendment of a general plan or specific plan proposed on or after March 1, 2005. The Governor's Office of Planning and Research recommends that local government should send a written request to the Native American Heritage Commission asking for a list of tribes with whom to consult at the earliest opportunity. A tribal consultation list request form is available on the Native American Heritage Commission website. A sample form is also available from the Office of Planning and Research.

#### **4.5.4.4 Conformity of Federal and State Evaluation Criteria**

The criteria for eligibility for the California Register of Historic Resources (CRHR) are very similar to those that qualify a property for the National Register of Historic Properties (NRHP), which is the significance assessment tool used under the National Historic Preservation Act of 1966 (NHPA). The criteria of the NRHP apply when a project has federal involvement that includes issuance of permits. State cultural resources significance criteria may also apply when resources fall under the jurisdiction of a state and/or local agency.

A property that is eligible for the NRHP is also eligible for the CRHR. All potential impacts to significant resources under a federal agency must be assessed and addressed under the procedures of Section 106 of the NHPA, set forth at 36 CFR 800. All resources encountered during the project, with the exception of isolate artifacts and isolate features that appear to lack integrity or data potential, will be evaluated for significance vis-à-vis Section 106.

### **4.5.5 LOCAL REGULATIONS**

#### **4.5.5.1 City of Roseville General Plan**

In addition to cultural resources as recognized by Section 106 of the NRHP and CEQA, the City of Roseville's General Plan contains policies addressing cultural resources including:

**Policy OD-1** When items of historical, cultural or archaeological significance are discovered within the City, a qualified archaeologist or historian shall be called to evaluate the find and to recommend a proper action.

**Policy OD-2** Significant archaeological sites shall, when feasible, be incorporated into open space areas.

**Policy OD-3** Subject to appropriate Federal, State and local agencies, artifacts which are discovered and subsequently determined to be "removable," shall be offered for dedication to Maidu park Native American Interpretive Center.

**Policy OD-5** Establish standards for the designation, improvement and protection of buildings, landmarks and sites of cultural and historic character.

#### 4.5.6 IMPACTS

This section identifies and discusses the environmental impacts resulting from the proposed project, and suggests mitigation measures to reduce the levels of impact. A detailed discussion of Mitigation Measures is included in Section 4.5.7.

##### 4.5.6.1 Significance Criteria

For the proposed project, potential significant impacts to cultural resources including inadvertent discoveries have been evaluated using the criteria listed below. Under criteria based on CEQA Guidelines, the project would be considered to have a significant impact on cultural resources if it would result in any of the following:

- A substantial adverse change in the significance of a historical resource that is either listed or eligible for listing on the National Register of Historic Places, the California Register of Historic Resources, or a local register of historic resources;
- A substantial adverse change in the significance of a unique archaeological resource;
- Disturbance or destruction of unique paleontological resource or site or unique geological feature; or
- Disturbance of any human remains, including those interred outside of formal cemeteries.

Under CEQA, only those archaeological resources deemed important (e.g., CRHR- or NRHP-eligible) or unique can be significantly affected (i.e., impacted) with project implementation. As archaeological sites are generally only physically affected, only impacts resulting from project-related construction are discussed. Indirect impacts from project operation are not expected to occur.

##### 4.5.6.2 Impacts and Mitigation Measures

<b>IMPACT 4.5-1:</b>	<b>Damage to Previously Unrecorded, Potentially Important Cultural Resources</b>
APPLICABLE ORDINANCES AND STANDARDS:	California Environmental Quality Act, National Historic Preservation Act
SIGNIFICANCE WITH ORDINANCES AND STANDARDS:	Potentially Significant
MITIGATION MEASURE:	Mitigation Measure 4.5-1: Conduct archaeological pedestrian survey of intersections that have not been subject to previous archaeological survey (Intersections 15, 19, 91, 105, 178, and 179) when final design has been developed
RESIDUAL SIGNIFICANCE:	Less than Significant

As many of the proposed project locales have not been previously subject to cultural resources inventory efforts, it is recommended that such studies, including establishment of Areas of Potential Effect (APE),

Native American consultation, pedestrian surveys, and recommendations for additional work, if necessary, be completed prior to construction activities in compliance with both federal and state regulations. It should be noted if cultural resources are identified within the APE of any of the proposed project components during these studies, additional measures may be necessary, including resource avoidance, evaluation (i.e., determine CRHR and/or NRHP eligibility), and data recovery excavation. With implementation of Mitigation Measure 4.5-1, impacts to previously unrecorded, potentially important cultural resources identified during such studies would be reduced to a **less-than-significant** level.

<b>IMPACT 4.5-2</b>	<b>Damage to Previously Unidentified, Potentially Important, and/or Unique Archaeological Resources Inadvertently Exposed During Construction</b>
APPLICABLE ORDINANCES AND STANDARDS:	California Environmental Quality Act; California Public Resources Code (PRC) Sections 5097.98 and 21083.2; National Historic Preservation Act; City of Roseville General Plan Policy OD-1
SIGNIFICANCE WITH ORDINANCES AND STANDARDS:	Potentially Significant
MITIGATION MEASURE:	Mitigation Measure 4.5-2: Comply with the recommendations of a qualified professional archaeologist if cultural resources are inadvertently exposed during construction
RESIDUAL SIGNIFICANCE:	Less than Significant

During construction of any of the proposed project improvements, previously undiscovered cultural resources could be inadvertently exposed during grading or excavation activities. This would be a **potentially significant** impact of the proposed project.

This potential impact would be mitigated to a **less-than-significant** level by halting ground-disturbing activities temporarily until a qualified professional archaeologist is consulted. If the discovery includes human remains, the Coroner and Native American Heritage Commission must also be contacted. As stated in the City of Roseville’s General Plan, a qualified archaeologist or historian called to evaluate the find must recommend a proper action. This action could include resource evaluation (i.e., determine CRHR and/or NRHP eligibility), data recovery excavations, or some form of further resource avoidance.

**4.5.7 MITIGATION MEASURES**

**Mitigation Measure 4.5-1: Conduct archaeological pedestrian survey of intersections that have not been subject to previous archaeological surveys (Intersections 15, 19, 91, 105, 178, and 179) when final design has been developed**

This Mitigation Measure applies to Impact 4.5-1.

As many of the proposed widening locations have not been previously subject to cultural resources inventory efforts (i.e., Intersections 15, 19, 91, 105, 178, and 179), it is recommended that cultural resources inventory surveys be completed prior to construction activities in compliance with both federal and state regulations. The studies must include establishment of APE or formalized study

areas, Native American consultation, pedestrian surveys, and a technical report that includes recommendations for additional work, if necessary. Additional measures, including resource avoidance, evaluation (i.e., determine CRHR and/or NRHP eligibility), and data recovery excavation, may be necessary if cultural resources are identified within the APE of any of the proposed project improvements as a result of these studies.

Implementation of Mitigation Measure 4.5-1, including those measures recommended in the requisite technical report, will reduce this potential impact to a less-than-significant level.

**Mitigation Measure 4.5-2: Comply with the recommendations of a qualified professional archaeologist if cultural resources are inadvertently exposed during construction**

This Mitigation Measure applies to Impact 4.5-2.

In the event of the discovery of buried archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone (including human remains), City of Roseville General Plan Policy OD-1 requires that a qualified archaeologist or historian shall be called to evaluate the find and to recommend a proper action. Mitigation Measure 4.5-2 requires that construction activities in the vicinity of the find be immediately stopped until this consultation occurs, and management recommendations are provided and implemented. If the find is determined to be a historical or unique archaeological resource, contingency funding and a time allotment to allow for implementation of avoidance measures or appropriate mitigation shall be made available, as provided in Section 15064.5 of the CEQA Guidelines.

The archaeologist shall evaluate any potential effects on any historical resource or unique archaeological resource and, where such effects would be significant, shall recommend potential mitigation to the City for its consideration. The City will assess the feasibility of any proposed mitigation (e.g., avoidance of the historical resource) and impose the mitigation where feasible in light of factors such as the nature of the find, project design, costs, General Plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. If the discovery includes human remains, the Coroner and Native American Heritage Commission must also be contacted.