

## 3.5 CULTURAL RESOURCES

This section describes the environmental and regulatory setting for cultural resources. It also describes existing conditions and potential impacts on cultural resources that would result from implementation of the proposed project, and mitigation for potentially significant impacts, where feasible. The analysis in this section is based on the reports listed below.

- A Cultural Resources Investigation for the McKay Ranch Subdivision, Located in Eureka, Humboldt County, California, prepared by Roscoe and Associates in 2017
- A Cultural Resources Investigation of the Eureka Kramer Water Tank Location Final Report, prepared by Archaeological Research and Supply Company in 2020

The cultural resources documentation supporting this section is provided in confidential Appendices D1 and D2.

### 3.5.1 Environmental Setting

#### Natural Environment

The proposed development site and sewer line project site is in Cutten, California, an unincorporated, rural community within the County, immediately south of the southern boundary of the City of Eureka. It is approximately 2.5 miles south of Humboldt Bay, 2.5 miles southeast of downtown Eureka and U.S Highway 101, and less than 0.5 mile southeast of Sequoia Park. The project is situated in a young redwood forest of mostly second and third growth trees (Roscoe & Associates 2017). The surrounding land uses include forest land to the north, east, and south of the project site, and a park and existing residences to the west of the project site. The timber lands surrounding the project site have historically been used for commercial timber uses and currently remain undeveloped. The water storage tank site is located in Eureka, California, approximately 2 miles south of the proposed development site and sewer line project site. The property is currently utilized as a municipal facility parcel with an existing community water tank (Archaeological Research and Supply Company 2020).

#### Prehistory

Evidence of prehistoric peoples in northwest California begins during the Pleistocene/Holocene transition (11,500–8000 calibrated [cal] Before Christ [BC]) with fluted point assemblages from the Clear Lake basin (Hildebrandt 2007:83). Aside from these fluted (Clovis-like) projectile points and chipped stone crescents found at the Borax Lake site near Clear Lake (LAK-36), well-defined Post Pattern assemblages dated to the Pleistocene/Holocene transition have not been found elsewhere in northwest California. Isolated artifacts possibly dating to this early period lack diagnostic items and context; because of this, very little is known about the adaptive system they represent (Hildebrandt 2007:87).

The Borax Lake Pattern, the Early Berkeley Pattern, and coastal manifestations all figure prominently during the Early Holocene (8000–5000 cal BC). The Borax Lake Pattern is characterized by large, wide-stemmed projectile points with indented bases, serrated bifaces, ovoid flake tools, hand stones, milling slabs, and edge-flaked spalls in Trinity and Humboldt Counties (Hildebrandt 2007:89–90). One Borax Lake Pattern site found near the ocean (HUM-513/H) lies on a coastal prairie about 2 kilometers from the coast. However, this site lacks shellfish or any other marine indicators, and appears to be a short-term



hunting camp, perhaps focused on the acquisition of Roosevelt elk (Hildebrandt 2007:90). The Early Berkeley Pattern provides the first evidence of more stable, long-term settlements (Fredrickson 1974, 1984; White et al. 2002). The initial Mostin Phase (ca. 6500–4300 cal BC) is defined by Houx contracting-stemmed and square-stemmed points, formalized burial patterns, pestles, and acorn macrofossils (Hildebrandt 2007:90).

The Mendocino Pattern (3000 cal BC–cal Anno Domini [AD] 500) is the most prominent cultural pattern to develop in the Middle Holocene (5000–2000 cal BC) in northwest California. It is characterized by side-notched, corner-notched, and concave-base dart points, hand stones and milling slabs, various types of flake tools, cobble tools, and some cobble mortars and pestles. The majority of Mendocino Pattern sites throughout northwest California appear to be seasonal, temporary hunting camps or short-term forager residential bases occupied by people with a largely terrestrial subsistence orientation (Hildebrandt 2007:91).

The Berkeley Pattern, recognized as far back as the Early Holocene, is the predominant cultural pattern moving into the Late Holocene (post 200 cal BC). After a hiatus in the archaeological record, this Pattern re-emerges around 1200 cal BC and continues until about cal AD 800, in a series of phases (Creager, 1200–600 cal BC; Houx, 600 cal BC–cal AD 100; and Redbud, cal AD 100–800) (White et al. 2002). However, the Berkeley Pattern does not spread north of central Mendocino County, as Mendocino Pattern indicators appear to have persisted until about 1,500 years ago in the northern counties (Hildebrandt 2007:93). However, the primary subsistence of this Pattern, fishery, contributed to the subsistence system of surrounding groups, including the upland people associated with the Mendocino Pattern (White et al. 2002; Hildebrandt 2007:92).

Toward the end of the Late Holocene, the Augustine Pattern and the Gunther Pattern (both post cal AD 500) figure prominently in northwest California. The Augustine Pattern is most prominent in the southern portion of northwest California, particularly Sonoma County. The Gunther Pattern is most prominent along the northern coast, and the artifact assemblage of this Pattern focuses on fishing-related tools, including Gunther barbed projectile points, ground and polished stone artifacts, pestles, and notched net sinkers. Gunther Pattern sites suggest a more sedentary lifestyle than the Mendocino Pattern of the Middle Holocene, with well-defined houses, cemeteries, artifact caches, and midden/refuse areas (Hildebrandt 2007:93–94).

## **Ethnography**

The project site is located within the ethnographic territory of the Wiyot. Wiyot, along with Yurok, constitutes the Algonquian language as represented in California. At some point in the distant past, the ancient forms of Wiyot (and Yurok) speech were brought into northwestern California, though not necessarily at the same time. The common ancestral form from which Wiyot, Yurok, and Proto-Algonquians derived was never spoken in California, so the ancestral forms of these languages must have been separate when they were still somewhere to the east or north (Shipley 1978:82; see Kroeber 1925:113, Figure 9).

According to Kroeber, Wiyot territory fell into three natural divisions: the lower Mad River, Humboldt Bay, and the lower Eel River, each with their own distinct names (Kroeber 1925:112). Although this territory is predominated by water, the Wiyot did not depend on the ocean as much as would seem natural for either subsistence or travel; rather, they often lived near “still waters,” such as Humboldt Bay and the mouths of the Eel and Mad Rivers (Elsasser 1978:156).



Like other northwestern Californians, the Wiyot did not have formal tribal organization or clans. They did, however, carry out elaborate ceremonies, such as the “World Renewal” or “Big Time” dance, which involved recitations, displays, and dances with elaborate costumes (Elsasser 1978:159).

In addition to sea resources, such as mollusks and sea lions, the Wiyot also fished, processed acorns, and gathered local berries (especially huckleberries) for sustenance. A typical Wiyot settlement would include residential houses (usually occupied by two or more families) and a sweathouse (Elsasser 1978:158).

The Wiyot have suffered more than other native groups of northwestern California in terms of dispossession and displacement during the past century. Wiyot tribal land, a favorable coastal area, was immediately recognized as such by settlers, who chose to use the area for modern commerce. The Wiyot were displaced much later than other Native American tribes in California (starting in the 1850s), but just as harshly. Conflicts with settlers in the early 1860s decimated nearly the entire Wiyot population (Elsasser 1978:161–162).

## History

The following historical discussion is adapted from Roscoe & Associates’ (2017) cultural resources report prepared for this project (Appendix D1), unless otherwise referenced.

Due to the densely timbered tracts of land that extended from the coast to the interior (Archaeological Research and Supply Company 2020), Euro-American and Mexican settlers did not settle as quickly in northwest California as they did in other parts of California, such as Southern California. Although European ships had been investigating California’s north coast since the early 16<sup>th</sup> century, the first record of Humboldt Bay’s discovery is from 1806, when the O’Cain, an American ship chartered by a Russian-American company, explored this portion of the coastline (Archaeological Research and Supply Company 2020).

The first permanent American frontier settlement in this area dates to 1850, when Josiah Gregg led an overland expedition into the Bay (Archaeological Research and Supply Company 2020). Shortly afterward, Humboldt and Trinidad Bays became shipping points for people and supplies heading to the interior to search for placer gold deposits along the Trinity and Klamath Rivers. Humboldt Bay also became a shipping point for redwood lumber, and as logging operations progressed inward from the coast, the methods for transporting lumber also progressed. Early “skid roads” made of parallel logs to move timber using oxen eventually made way for early “railroads” comprised of peeled poles laid end to end and pulled by oxen, horses, or mules, to the use of the “steam donkey”, which was used to pull logs to a landing to make transport easier. First applied in 1882 by Humboldt County resident John Dolbeer, the steam donkey also acted as a pile driver and could be mounted onto small locomotives called “gypsies” (Archaeological Research and Supply Company 2020).

In 1888, McKay and Company acquired timberland on Ryan Slough and began building a logging railroad up the creek to Eureka Slough (Archaeological Research and Supply Company 2020). From Eureka Slough, the logs traveled to the Occidental Mill, which was located on the Eureka waterfront. The initial 5 miles of track (from 1889) expanded after 2,400 acres of land were purchased from the Pacific Lumber Company in 1911. However, the Great Depression cut production, and the Occidental Mill ceased operation in 1932. A fire in 1934 destroyed the uninsured mill, which resulted in the termination of McKay and Company (Archaeological Research and Supply Company 2020).



In 1967, Georgia Pacific acquired the land on which the project site is located and replaced most of the former railroad grades with truck roads. Since then, the Green Diamond Resource Company has managed the timber production in this area. More recently, portions of the land were purchased by Kramer Properties.

### 3.5.2 Regulatory Setting

#### *California Environmental Quality Act*

CEQA, as codified in PRC Section 21000 et seq. and implemented via the CEQA Guidelines (14 CCR Section 15000 et seq.), is the principal statute governing the environmental review of projects in the State. The CEQA Guidelines define a historical resource as:

1. A resource in the California Register of Historical Resources (CRHR);
2. A resource included in a local register of historical resources, as defined in PRC Section 5020.1(k) or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or
3. Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the lead agency's determination is supported by substantial evidence in light of the whole record.

The CRHR is "an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC Section 5024.1[a]). The criteria for eligibility to the CRHR are based on National Register of Historic Places (NRHP) criteria and set forth in PRC Section 5024.1(b). Certain resources are determined by the statute to be automatically included in the CRHR, including California properties formally eligible for or listed in the NRHP.

Following CCR 15064.5, to be eligible for the CRHR as a historical resource, a prehistoric or historic-period resource must be significant at the local, state, and/or federal level under one or more of the following criteria:

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

For a resource to be eligible for the CRHR, it must also retain enough integrity to be recognizable as a historical resource and to convey its significance. A resource that does not retain sufficient integrity to meet the NRHP criteria may still be eligible for listing in the CRHR.



CEQA requires lead agencies to determine if a Project would have a significant effect on important historical resources or unique archaeological resources. If a lead agency determines that an archaeological site is a historical resource, the provisions of PRC Section 21084.1 and CEQA Guidelines Section 15064.5 would apply. If an archaeological site does not meet the CEQA Guidelines criteria for a historical resource, then the site may meet the threshold of PRC Section 21083 regarding unique archaeological resources. A unique archaeological resource is 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 any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC Section 21083.2 [g]).

The CEQA Guidelines note that if a resource is neither a unique archaeological resource nor a historical resource, the effects of the project on that resource shall not be considered a significant effect on the environment (CCR § 15064.5[c][4]). However, if it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require that reasonable efforts be taken to preserve these resources in place or provide mitigation measures.

## Local

### *Humboldt County General Plan*

The Humboldt County General Plan, adopted October 23, 2017, contains several policies that directly apply to cultural resources, including the following:

**Goal CU-G1. Protection and Enhancement of Significant Cultural Resources.** Protected and enhanced significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations.

- **Policy CU-P1: Identification and Protection.** The potential for impacts to significant cultural resources shall be identified during ministerial permit and discretionary project review, impacts assessed as to significance, and if found to be significant, protected from substantial adverse change per California Public Resources Code (PRC) §5020.1.
- **Policy CU-P2: Native American Tribal Consultation.** Native American Tribes (as defined below in CU-S3) shall be consulted during discretionary project review for the identification, protection and mitigation of adverse impacts to significant cultural resources. Consultation on ministerial permits shall be initiated if it has been determined the project may create a substantial adverse change to a significant cultural resource. At their request, Tribes shall be afforded the opportunity to review and provide comments to the County early in project review and planning (screening) about known or potential Tribal cultural resources located in project areas within their respective tribal geographical area of concern.



- **Policy CU-P3: Consultation with Other Historic Preservation Agencies and Organizations.** Historic preservation agencies and organizations shall be consulted during discretionary project review for the identification, protection and mitigation of adverse impacts to significant cultural resources. These include, but may not be limited to, the County’s Cultural Resources Advisory Committee, Humboldt County Public Works Department and the Planning and Building Divisions, the Northwest Information Center of the California Historical Resources Information System (NWIC), the California Office of Historic Preservation, the Native American Heritage Commission, local historical societies, museums, colleges and universities, and incorporated cities historic preservation commissions or committees for their respective LAFCO sphere of influence, and local historians, cultural resources consultants and historic preservation staff affiliated with various state and federal agencies.
- **Policy CU-P4: Avoid Loss or Degradation.** Projects located in areas known or suspected to be archeological sites or Native American burial sites shall be conditioned and designed to avoid significant impacts to significant sites, or disturbance or destruction to Indian burial grounds. Preserving Native American remains undisturbed and in place shall be selected as the preferred alternative unless substantial factual evidence is presented demonstrating that no alternative(s) are feasible. Conditions of approval shall include standard provisions for post-review inadvertent archaeological discoveries and discovery and respectful treatment and disposition of Native American remains with or without funerary objects in accordance with state law (Health and Safety Code (HSC) §7050.5 and PRC §5097.98).
- **Policy CU-P5: Findings Necessary for Loss or Destruction.** Substantial adverse changes to significant cultural resources shall not be allowed through a ministerial or discretionary action unless:
  - a. The cultural resource has been found not to be significant based on consultation with culturally affiliated Native American Tribe(s) and other historic preservation agencies and organizations as required by CU-P2 and CU-P2x; or
  - b. There is an overriding public benefit from the project, and compensating mitigation to offset the loss is made part of the project.
- **Policy CU-P6: Mitigation.** Mitigation measures shall be required for any permitted project or County action that would adversely impact significant cultural resources.

Additionally, the following standards from the Humboldt County General Plan would apply to the proposed project:

- **Standard CU-S1: Significant Cultural Resources Defined.** Significant cultural resources include, but are not limited to, any object, building, structure, site, district, area, or place that is culturally, historically, or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of Humboldt County, the State of California or the Nation. Sites, resources, or structures listed in federal, state, or local registration programs, or formally determined eligible for listing, or that meet the criteria for listing in the California Register of Historical Resources as well as those cultural resources determined to be significant by a lead agency shall also be recognized as significant cultural resources. Significant cultural resources also include Tribal Cultural Resources defined by the 2014 Assembly Bill 52 (Native Americans: CEQA), Native American Sacred Sites such as sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines and Native American Historic Resources such as any historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register, including any “historic or prehistoric ruins, any burial grounds, and any archaeological or historic sites” (PRC §5097.9 and §5097.993).



- **Standard CU-S2: Confidentiality.** As prescribed by California Public Records Act, Government Code § 6250 et seq., and the Information Practices Act of 1977, Civil Code §1798 et seq, the exact location of Native American grave sites, burial grounds, sacred sites, sensitive cultural places, and prehistoric and historic archaeological sites shall not be publicly disclosed in order to prevent the possibility of theft or vandalism.
- **Standard CU-S3: Cultural Resources Community.** The cultural resources community includes:
  - A. Native American Tribes, defined as federally recognized and non-recognized tribes and tribal organizations that have ancestral lands in Humboldt County that are on the contact list maintained by the Native American Heritage Commission; and, the appointed Tribal Historic Preservation Officer (THPO) of such tribes.
  - B. Historic preservation agencies and organizations referenced in CU-P2x.
  - C. Other interested parties who have requested in writing to be notified of such matters.
- **Standard CU-S4: Conditioning, Designing, or Mitigating Projects to Avoid Loss or Reduce Impacts to Archaeological Resources.** Conditioning, designing, and/or mitigating projects to avoid or reduce impacts to archaeological resources, significant for their cultural value to descendent communities and/or scientific value shall consider the following options:
  - A. **Avoidance.** Design projects involving any ground disturbance to avoid known archaeological sites, or
  - B. **Capping.** Provide protective cover (e.g. cap with geotextile material and/or other barrier and cover with imported fill soil using light-weight rubber tired equipment) and confine development to the protective cover for all or portions of known sites that cannot be feasibly avoided, after the site has been adequately characterized (depth, area, constituents) and reported on using appropriate scientific excavation techniques, or
  - C. **Data Recovery.** Where site avoidance or capping is infeasible, design and implement a research design guided mitigation excavation program, in consultation with culturally affiliated Tribe(s) or other descendant groups, as appropriate, under the direction of a professional archaeologist knowledgeable about regional archaeology, to recover and document significant scientific information that would otherwise be lost by project implementation. Preserving Native American remains undisturbed in place shall be selected as the preferred alternative unless substantial factual evidence is presented demonstrating that no alternative(s) is (are) feasible.
  - D. **Conservation Easements.** Voluntary deeding of the site into a permanent conservation easement.
  - E. **Standard Conditions and Notations for Inadvertent Archaeological or Native American Remains Discoveries.** In addition, for discretionary projects and ministerial permits that involve ground disturbing activities, the following measures shall be included as standard conditions of approval or as notations to be placed on development plans:

“The project site is not located within an area where known archaeological sites have been identified. However, as there exists the possibility that undiscovered archaeological resources may be encountered during construction activities, the following post-review, inadvertent archaeological discovery measures are required under state and federal laws:

If archaeological resources are encountered, all ground disturbing work at the find location plus a reasonable buffer zone must be immediately suspended, the approving County



department contacted, and a qualified professional archaeologist retained to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, and protective cover) in consultation with culturally affiliated tribes or other descendant groups, where applicable.

Pursuant to California Health and Safety Code §7050.5, if known or suspected Native American or other human remains are encountered, all ground-disturbing work must cease in the vicinity of the discovery, and the County Coroner contacted. The respectful treatment and disposition of remains and associated grave offerings shall be in accordance with PRC §5097.98.

The applicant and successors in interest are ultimately responsible for ensuring compliance with this condition.”

- **Standard CU-S5: Professional Archaeologist Qualification Standards and Practices.** For the purpose of this chapter, a professional archaeologist meets the Secretary of the Interior’s Professional Qualification standards for Archaeology Principal Investigator and the explicit education and experience qualification standards adopted by the Society for California Archaeology in 2012. The professional archaeologist shall make a good faith effort to inform and include the descendant community in all aspects of their work, as applicable, to respect sensitive or confidential information, and to integrate the community’s policies and practices in respectful handling of archaeological material.

### 3.5.3 Methodology for Analysis

The entire project (proposed development site, proposed sewer line, and water storage tank site) was considered as the limits of physical disturbance in relation to the geographical extent of where project actions could be implemented. Potential effects on significant cultural resources (historical resources and “unique archeological resources”, eligible for the NRHP or CRHR) were evaluated based on the background research and literature review conducted for the project, a review of the project description, and the archaeological field surveys completed for the proposed project.

As discussed above, under CCR §15064.5, the impact analysis focuses on impacts to historical resources and “unique archeological resources”. For this reason, non-unique archaeological resources need not be given in depth consideration; a lead agency can simply record its existence.

### Records Search and Literature Review

On November 6, 2016, Roscoe and Associates conducted a formal records search at the NWIC of the California Historical Resources Information System (CHRIS), Sonoma State University, Rohnert Park, to obtain the records for previously recorded resources and studies conducted within 0.5 mile of the project. On March 25, 2020, Archaeological Research and Supply Company conducted a formal records search at the NWIC for the water storage tank site. (Roscoe & Associates 2017; Archaeological Research and Supply Company 2020).

No resources were identified within the project sites. Two historic-era built-environment resources were identified within 0.5 mile of the project sites:

- **P-12-002316:** St. Joseph’s Hospital, located approximately 2,600 feet north of the proposed development site and proposed sewer line and over 2.5 miles north of the water storage tank site.



- **P-12-0001987:** The McKay & Co. Railroad, located approximately 1,000 feet east of the proposed development site and proposed sewer line and adjacent to but outside the water storage tank site.

Two previous cultural resource studies included portions of the project site:

- **S-42081, Launi, S. 1998.** *Confidential Archaeological Addendum for Timber Operations on Non-Federal Lands in California, Cutten Sports Complex.* This study, which included an archaeological field survey, did not identify any cultural resources.
- **S-45106, Templeton, G. 2011.** *An Archaeological Survey Report for the McKay R-5 Thin Timber Harvesting Plan, Humboldt County, California.* P-12-001987, the McKay & Co. Railroad, was formally recorded during this survey.

An additional 20 studies have been conducted within 0.5 mile of the project site. These studies are discussed fully in the Roscoe & Associates (2017) and Archaeological Research and Supply Company (2020) reports (Appendices D1 and D2).

### Native American Correspondence

On December 8, 2016, Roscoe & Associates contacted the Native American Heritage Commission (NAHC), requesting a search of their Sacred Lands File (SLF) and a list of local Native American groups and individuals who may have interests and/or concerns regarding the project (Roscoe & Associates 2017). The NAHC responded on December 14, 2016, stating that the search of the SLF yielded negative results. They also provided a list of Native American groups and individuals to be contacted regarding the project. On January 17, 2017, Roscoe & Associates sent letters to all of the contacts on this list.

Erika Cooper, THPO for the Bear River Band of Rohnerville Rancheria, and Janet Eidsness, THPO for the Blue Lake Rancheria, stated that they were not aware of any sites at the project site, but asked to be informed of the results of the archaeological field survey. Tom Torma, THPO for the Wiyot Tribe, stated that he was not aware of any sites at the project site. Roscoe & Associates contacted THPO Cooper and THPO Eidsness following the completion of the field survey to inform them that no resources had been identified during the survey. No further concerns were expressed at the time.

In early March 2020, Trevor Estlow, Humboldt County Senior Planner, contacted the Blue Lake Rancheria, Bear River Band of the Rohnerville Rancheria, and Wiyot Tribe to discuss the addition of the water storage tank site. Beyond recommending implementation of inadvertent archaeological discovery protocols, Janet Eidsness, THPO for the Blue Lake Rancheria, stated that the Blue Lake Rancheria did not require further consultation. She described the water storage tank site as previously disturbed and having a low sensitivity. Erika Cooper, THPO for the Bear River Band of the Rohnerville Rancheria, said that they do not request any further consultation for this project and requested the inclusion of the standard inadvertent discovery language. Wiyot Cultural Director and Chairman, Ted Hernandez concurred with the Blue Lake Rancheria and Bear River Band of the Rohnerville Rancheria.

Please see the Roscoe & Associates report (Appendix D1) and updated email correspondence regarding the water storage tank site (Appendix D2) for additional information and for the records of this correspondence.



## Field Survey Methods and Results

On December 2 and 10, 2016, James Roscoe, Jeremy McFarland, Michael Padian, and Walter Tovar Saldana conducted a field survey of the entire project site (Roscoe & Associates 2017). The field crew observed large burnt redwood stumps scattered throughout the project site, remnants of a former logging area. Areas of flat topography, close to the neighborhoods west of the project site, contained sparse patches of brush on a relatively bare mineral surface. A graded, overhead powerline corridor passes through the middle of the project site. The project site also contains foot paths, bike trails, and game trails. These activities have resulted in exposed mineral soil and excellent ground visibility. However, areas adjacent to these graded/maintained areas contained dense vegetation, including low lying brush and leaf litter, resulting in poor ground visibility. In areas of poor ground visibility, the field crew used a shovel to clear the duff and to better observe the ground surface (Roscoe & Associates 2017).

In early April 2020, Archaeological Research and Supply Company Principal Investigator, Nick Angeloff, MA, conducted a field survey of the entire water storage tank site. The survey utilized 5 meter transects and visibility was good at 75 to 100 percent over most of the project area. The survey did not identify cultural resources within the water storage tank site (Archaeological Research and Supply Company 2020).

No artifacts, features, sites, or other significant cultural resources were identified during the field surveys. For additional information, please see the 2017 Roscoe & Associates report and the 2020 Archaeological Research and Supply Company Report (Appendices D1 and D2).

### 3.5.4 Thresholds of Significance

The CEQA Guidelines' Appendix G Environmental Checklist was assessed during the NOP scoping process to identify the proposed project components that have the potential to cause a significant impact. The following thresholds of significance were used to determine if further evaluation within this EIR was warranted to ascertain whether the proposed project may:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- Disturb any human remains, including those interred outside of formal cemeteries.

### 3.5.5 Project Impact Analysis and Mitigation Measures

This section discusses potential impacts on cultural resources associated with the proposed project and provides mitigation measures where necessary.



## Historical Resources

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**Impact CUL-1: The proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.**

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### Impact Analysis

The archival research, NWIC records search, and archaeological field surveys completed as part of the cultural resource analysis indicated that there are no known historical resources, as identified in Section 15064.5, within the project sites. However, there is a potential for encountering previously undiscovered historical resources as identified in Section 15064.5 during project implementation.

If an inadvertent discovery were to occur, it could result in damage to the resource that would cause a substantial adverse change in its significance, thereby constituting a significant impact. Historic-period resources might include debris scatters of ceramic, glass, or metal containers; household or personal items; privy pits; or building foundations or other structural remains. Therefore, the implementation of MM CUL-1 is proposed requiring implementation of standard inadvertent discovery procedures to reduce potential impacts to previously undiscovered subsurface historical resources, and MM CUL-2 is proposed to ensure that construction personnel would be aware of the procedures to follow in the event that potential cultural resources are identified. With the implementation of MM CUL-1 and MM CUL-2, the potential impacts would reduce to a less than significant level.

### Level of Significance Before Mitigation

Potentially Significant Impact

### Mitigation Measures

**MM CUL-1 Cultural Materials Discovered During Construction.** If any cultural resource (e.g., projectile points, flakes, bottles, or cans) is encountered during ground disturbance or subsurface construction activities (e.g., trenching, grading), all construction activities within a 50-foot radius of the identified potential resource shall cease until a Secretary of the Interior qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation (DPR) 523 series forms. All forms and associated reports will be submitted to the Northwest Information Center of the California Historical Resources Information System (NWIC) of the California Historical Resources Information System (CHRIS). The archaeologist shall determine whether the resource requires further study. If after the qualified archaeologist conducts appropriate analyses, the resource is determined to be eligible for listing on the California Register of Historical Resources (CRHR) and/or unique, the archaeologist shall develop a plan for the treatment of the resource. This shall contain appropriate mitigation measures, including avoidance, preservation in place, data recovery excavation, or other appropriate measures outlined in Public Resources Code (PRC) Section 21083.2.

**MM CUL-2 Pre-Construction Worker Environmental Awareness Program (Cultural Resources).** Prior to the start of construction, all field personnel shall receive a worker environmental awareness program (WEAP) on cultural resources. The training, which may be conducted with other environmental or safety trainings (i.e. see section 3.7, Geology and Soils), will provide a description of cultural resources that may be encountered during construction and outline the steps to follow in the event that a discovery is made.



**Level of Significance After Mitigation**

Less Than Significant Impact with Mitigation Incorporated

**Archaeological Resource**


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**Impact CUL-2: The proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.**

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**Impact Analysis**

The archival research, NWIC records search, Native American outreach and Consultations, and archaeological field surveys completed as part of the cultural resource analysis did not identify any known archaeological resources pursuant to Section 15064.5 within the project sites. However, there is a potential for encountering previously undiscovered archaeological resources during project implementation, due to the proximities of Ryan Creek and Humboldt and Arcata Bays.

If an inadvertent discovery were to occur, it could result in damage to the unique archaeological resource that would cause a substantial adverse change in its significance, thereby constituting a significant impact. Prehistoric resources might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. The implementation of MM CUL-1 and CUL-2 would reduce any potential impacts from inadvertent discovery of an archaeological resource to a less than significant level.

**Level of Significance Before Mitigation**

Potentially Significant Impact

**Mitigation Measures**

MM CUL-1 and CUL-2 are required.

**Level of Significance After Mitigation**

Less Than Significant Impact with Mitigation Incorporated

**Human Remains**


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**Impact CUL-3: The proposed project would not disturb any human remains, including those interred outside of dedicated cemeteries.**

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**Impact Analysis**

There are no known human remains within the project site, and no indications that the project location has been used for burial purposes in the past. Therefore, it is unlikely that human remains would be encountered during construction. However, ground disturbance and subsurface construction activities such as trenching and grading associated with the proposed project could potentially disturb previously undiscovered human burial sites. Therefore, MM CUL-3 would be implemented to reduce impacts to a less than significant level by ensuring compliance with Section 7050.5 of the California Health and Safety Code and PRC 5097.98.



### Level of Significance Before Mitigation

Potentially Significant Impact

### Mitigation Measures

**MM CUL-3**     **Procedures for Human Burials Encountered During Construction.** If ground-disturbing activities uncover previously unknown human remains, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed:

There shall be no further excavation or disturbance of the area where the human remains were found or within 100 feet of the find until the Humboldt County Coroner is contacted. Duly authorized representatives of the Coroner shall be permitted onto the project site and shall take all actions consistent with Health and Safety Code Section 7050.5 and Government Code Sections 27460, et seq. Excavation or disturbance of the area where the human remains were found and an area within 100 feet of the find shall not be permitted to re-commence until the Coroner determines that the remains are not subject to the provisions of law concerning investigation of the circumstances, manner, and cause of any death. If the Coroner determines the remains are Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD 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 PRC Section 5097.98. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from further disturbance. If the landowner does not accept the MLD’s recommendations, the owner or the MLD may request mediation by NAHC.

### Level of Significance After Mitigation

Less Than Significant Impact with Mitigation Incorporated



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