

4.8 CULTURAL RESOURCES

4.8.1 INTRODUCTION

This section provides a review of the prehistoric, ethnographic, and historic contexts of the project site based on both primary and secondary research. The various events and chronologies discussed below aid in the analysis of cultural resources identified on and adjacent to the project site. These overviews are followed by a review of previous investigations conducted within and in the vicinity of the project area, and cultural resources documented within the project site, including an assessment of their significance for inclusion in the California Register of Historical Resources (CRHR). Impacts on paleontological resources are discussed in Section 4.9, “Geology and Paleontology.”

4.8.2 ENVIRONMENTAL SETTING

PREHISTORIC SETTING

Fredrickson (1973, 1974) proposed a sequence of cultural patterns for the central districts of the North Coast Ranges, placing them in a framework of cultural periods that he believed were applicable to California as a whole. He proposed and utilized the concept of the cultural pattern as an adaptive mode shared generally by several analytically separable cultures. These different cultural patterns could be characterized by similar technological skills and devices; similar economic modes, including participation in trade networks and practices related to wealth; and similar mortuary and ceremonial practices. Fredrickson argued that the dating and definition of particular patterns should be kept separate from temporal periods because more than one cultural pattern operated at any particular time. Thus, his framework of prehistoric periods is based on general technological and cultural horizons operating throughout California over appreciable lengths of time. The general elements of this framework are outlined below.

Paleo-Indian Period

The first demonstrated entry and spread of humans into California occurred during the Paleo-Indian Period (12,000–8000 years Before Present [B.P.]). Known sites from this period are situated along lake shores and a developed milling tool technology may exist at this time depth. The social units did not depend heavily on exchange of resources; exchanges occurred on an ad hoc, individual basis. Characteristic artifacts include fluted projectile points and flaked stone crescents. Traditionally, Paleo-Indians are viewed exclusively as big-game hunters. However, more recent research suggests that they pursued much more varied subsistence and economic systems than previously thought.

Lower Archaic Period

The beginning of the Lower Archaic Period (8000–5000 B.P.) coincides with the middle Holocene climatic change to generally drier conditions and the disappearance of the pluvial (rain-created) lakes that likely influenced earlier land-use patterns. Subsistence appears to have been focused on the consumption of plant foods as opposed to those obtained by hunting or trapping. Settlement appears to have been semisedentary, with little emphasis on wealth. Most tools were manufactured of local materials, and exchange continued to occur on an ad hoc basis. Distinctive artifact types included large dart points and the milling slab and hand stones.

Middle Archaic Period

The Middle Archaic Period (5000–3000 B.P.) begins at the end of mid-Holocene climatic conditions, when the climate became similar to present-day conditions. Cultural change likely was, in part, a response to changing environmental conditions. Economies were more diversified, and possibly included the introduction of acorn-processing technology. Hunting remained an important source of food, as evidenced by faunal remains recovered from sites from this period. Sedentism appears to have been more developed, and the area’s population generally

grew and expanded. Little evidence exists that regularized exchange relations developed during the Middle Archaic Period. Artifacts that distinguish or identify this period include the bowl mortar and pestle, which first appear in the archaeological record during this time, and the continued use of large projectile points.

Upper Archaic Period

The growth of sociopolitical complexity marks the Upper Archaic Period (3000–1500 B.P.). The development of status distinctions based on wealth is well documented and group-oriented religions emerge. Some indications suggest that these may represent the origins of the Kuksu religious system at the end of the period. Exchange systems grew more complex; evidence exists of regular, sustained exchanges between groups. Shell beads gained in significance as possible indicators of personal status and as important trade items. During this period, large projectile points are still found in lithic assemblages, and the bowl mortar and pestle replace the milling stone and hand stone throughout most of the state.

Emergent Period

Several technological and social changes distinguish the Emergent Period (1500–200 B.P.). The bow and arrow were introduced during this period, ultimately replacing the dart and atlatl. Territorial boundaries between groups became well established and closely resemble those documented in the ethnographic literature. Distinctions in individual social status became increasingly linked to acquired material wealth. Exchange of goods between groups becomes more regularized with more material, including raw materials, entering into the exchange networks. In the latter portion of this period, exchange relations become highly regularized and sophisticated. The clam disk bead became a monetary unit for exchange, and increasing quantities of goods were moved greater distances. Craft specialization arose and individuals or groups of craftsmen governed various aspects of production and exchange of trade goods in particular.

ETHNOGRAPHIC SETTING

Ethnographically, the Northern Valley Yokuts occupied the project vicinity—that is, the land on either side of the San Joaquin River from the Sacramento–San Joaquin Delta to south of Mendota. The Diablo Range probably marked the Yokuts' western boundary (Wallace 1978:462); the eastern edge would have lain along the Sierra Nevada foothills. Milliken (1997 in Davis-King 1999:11) places the *Yatchicumne* Yokut group in the area now encompassed by the city of Stockton, and the *Passasime* Yokuts in the French Camp and Duck Creek slough areas.

Occupation of the northern parts of the range by the Yokuts may be relatively recent; linguistic evidence points toward an earlier Miwok occupation. The Yokuts gradually expanded their range northward and clearly occupied the area during the Spanish Colonial period, as evidenced by mixed assemblages of prehistoric and historic artifacts. The late prehistoric Yokuts may have been the largest ethnic group in precontact California. The triblet, populated by a few hundred to a few thousand occupants, served as the basic political unit (Moratto 1984:173). Structures ranged from single-family dwellings to multifamily communal structures and included sweatshops and ceremonial lodges.

Euro-American contact with the Northern Valley Yokuts began with infrequent excursions by Spanish explorers traveling through the Sacramento and San Joaquin Valleys in the late 1700s to early 1800s. Many Yokuts were lured or captured by missionaries and scattered among the various missions, although some escaped and returned to the valley. Yokuts frequently raided parties targeting Spanish (and later Mexican) cattle herds, leading to retaliatory action by settlers. The malaria epidemic of 1833 decimated the Yokuts population, killing thousands of tribesmen. The influx of Europeans during the Gold Rush era further reduced the population through disease and violent relations with miners. Although there was no gold in the Yokuts territory, miners passing through on their way to the diggings caused a certain amount of upheaval. Many former miners who had seen the richness of the San Joaquin Valley on their way east later returned to settle and farm the area (Wallace 1978:469).

The Northern Valley Yokuts in the Stockton region are currently represented by the Nototonme/North Valley Yokut Tribe, Inc., a group of native people whose spokesperson is Katherine Erolina Perez. The group is dedicated to the preservation of their cultural heritage, which involves preserving, documenting, and interpreting its past, including archaeological and human remains.

HISTORIC SETTING

The earliest nonnative inhabitants of the San Joaquin County area consisted of a small number of Hudson's Bay Company trappers, mostly of French descent. Although their small settlement, known today as French Camp, represented the first Euro-American foothold in the region, substantial European influence was not necessarily felt in the area until the establishment of the Spanish *Ranchos* in the 1830s and 1840s.

The project area is situated immediately south of what was originally the *Campo de los Franceses* land grant. This grant was made to Guillermo Gulnac in 1843 and consisted of more than 48,000 acres near French Camp (Beck and Haase 1974:28. Mexican Land Grants-Sacramento, San Joaquin, Amador). Gulnac entered into a partnership with Captain C. M. Weber, a German immigrant. Weber stayed briefly in New Orleans and Salt Lake City before making his way to Sutter's Fort in what is now Sacramento, where he was employed as an overseer and general assistant to John Sutter. After receiving a half interest in the rancho from Gulnac, Weber moved to Stockton in 1847 and later purchased the other half interest. Weber actively encouraged settlement and convinced others to move to the region by offering them land, ultimately laying the groundwork for future and more intensive settlement and economic development (Prouty 1980).

In 1847 Captain Weber laid out the town of Tuleburg on the south side of the Laguna, now known as the Stockton Channel. Weber tried his hand at mining, forming the Stockton Mining and Trading Company, but then realized that he could reap large rewards by establishing a town and supply center to cater to the miners. The town was resurveyed and the name was changed to Stockton, after Commodore Robert F. Stockton. With the Gold Rush the town developed rapidly, with ships arriving with cargo and passengers bound for the southern gold fields. Roads were established to link the mining communities in Mariposa, Tuolumne, Calaveras, and Amador Counties. One of the first roads—and probably the most important—was the Mariposa Road, located north of the present-day project site and established in 1851.

By the winter of 1850 the population of the town had increased to 5,000 (Marvin 1998:3 in Davis-King 1999:11–12). After the Gold Rush, additional growth in the area came with the railroads, the first of which was the Central Pacific, whose locomotive “Governor Stanford” arrived in August 1869. The San Francisco & San Joaquin Valley Railway Company began construction of a line from Stockton to Bakersfield in 1895. Today this line is located less than 1 mile east of the project site and is owned by Burlington Northern Santa Fe (Holterhoff 1914:5–11 in Davis-King 1999:13–14).

Stockton has continued to grow, becoming a hub of transportation via rail, water, and later highways that link the rich agricultural industries to world markets. The need for agricultural workers has led to the presence of today's ethnically diverse population (Johnson, Haslam, and Dawson 1993:69 in Davis-King 1999:12).

ANALYSIS OF CULTURAL RESOURCES IN THE PROJECT VICINITY

EDAW conducted an evaluation in 2008 to determine the presence of cultural resources on the project site and in the vicinity. The analysis was based on a records search completed by the Central California Information Center (CCIC) of the California Historical Resources Information System and general background research, consultation with Native Americans, and field reconnaissance, as described below.

Prefield Research

Before conducting field surveys, EDAW submitted a request for a records search to the CCIC, located at California State University, Stanislaus, in Turlock. The records search included reviews of previous investigations

within the current project area and in the vicinity, and historic information pertinent to the project site listed in the following sources, all available at the CCIC:

- ▶ *National Register of Historic Places* (National Park Service 1996, and computerized information from 1966 through July 2000)
- ▶ *California Register of Historical Resources* (State of California 2001)
- ▶ *California Points of Historical Interest* (State of California 1992 and updates)
- ▶ *California Historical Landmarks* (State of California 1996 and updates)
- ▶ *Directory of Properties in the Historical Resources Inventory* (State of California 1976)
- ▶ Historic Property Data File (the California Office of Historic Preservation’s current computer lists dated March 7, 2008, and March 20, 2008)
- ▶ *Caltrans State and Local Bridge Inventory* (Caltrans 1987, 2000)
- ▶ *Survey of Surveys* (CCIC 1989)
- ▶ General Land Office plat map for Township 1 North, Range 7 East (GLO 1851)
- ▶ Burnham 1:31,680 scale map (USGS 1912)
- ▶ Stockton East USGS 7.5-minute quadrangle map (USGS 1952)
- ▶ Map 2 in *History of San Joaquin County, California* (Gilbert [1879] 1968)

The records search indicated that previous cultural resources investigations had been completed within the project area and in the vicinity (see Table 4.8-1).

| Table 4.8-1 Inventories of Cultural Resources at the Project Site | | |
|---|-----------------------------------|---------------|
| Title | Author (Date) | CCIC File No. |
| <i>Cultural Resource Investigations of the State of California Proposed 400-Bed Women’s Prison, San Joaquin County, California</i> | Napton (1984) | SJ-00770 |
| <i>An Archeological Survey of the Proposed Northern California Youth Center Expansion, San Joaquin County, California</i> | Seldner (1986) | SJ-00832 |
| <i>Cultural Resources Study Austin Road Landfill Expansion Project Near Stockton, San Joaquin County, California</i> | Werner, Gerike, and Carter (1991) | SJ-1766 |
| <i>Historical Resources Survey Report for the Stockton Intermodal Facility, Burlington Northern Santa Fe Railway, San Joaquin County, California</i> | Davis-King (1999) | SJ-03601 |
| Note: CCIC = Central California Information Center Source: Data obtained from the Central California Information Center at California State University, Stanislaus, and compiled by EDAW in 2008 | | |

An inventory associated with a proposed women’s prison (Napton 1984), included a small portion of the area proposed for construction of the new California Health Care Facility and an inventory was also conducted adjacent to the proposed stormwater-catchment basin associated with the expansion of the Austin Road Landfill (Werner, Gerike, and Carter 1991). No cultural resources were identified during either investigation. A survey conducted southwest of the project area for the proposed Northern California Youth Center Expansion Project identified a sparse distribution of historic debris that did not appear to qualify for significance and inclusion in the

CRHR (Seldner 1986:6). Shelly Davis-King conducted investigations east of the project site. Although 10 resources were identified, consisting of building complexes, a section of the Burlington Northern Santa Fe Railway, historic roads, and archaeological sites (Shelly Davis King 1999:19-23), none are located within or adjacent to the current project site.

A review of historic maps indicates that several structures, a windmill, and roads are located in the project area or in the vicinity; however, none appear to be located directly within the current project site. Houses appear on a 1879 map (Gilbert [1879] 1968:Map 2) within the area defined in Exhibit 3-4 in Chapter 3 as a construction staging area, and in areas west of the project site. One of these residences belonged to a J. Kaller and was located in the southeast corner of Section 27 of the 1879 map (see Exhibit 3-3 for general references to the locations of Sections 27 and 33). Records indicate that J. Kaller was a farmer who came to this country in 1849 and to California in 1850. In 1879 he was reported to own 160 acres, which included at least a portion of the project site. Another structure, labeled “J. Pratt,” is to the west in the northeast quarter of Section 33, and an additional house apparently belonging to “A. Horn” was situated to the south in the southwest corner of Section 34 of the 1879 map. Also noted on the 1879 map was the residence of G. W. Voorhees in the southeast corner of Section 26. In 1912 a structure at the end of a north-south road was located in the southeast corner of Section 34 (USGS 1912), and appeared at or very near the location of the Kaller house depicted on the 1879 map. The Stockton East USGS quadrangle (1952) depicts another building in the southeast corner of Section 27, but this one is slightly further north and east, suggesting that the Kaller house was either moved or replaced. The map also indicates a well in the southeast corner of Section 27.

Consultation with Native Americans

Before conducting field surveys, EDAW also consulted with the Native American Heritage Commission (NAHC) regarding the potential for important cultural resources and properties to be located within or adjacent to the project site. A response from the NAHC noted that a search of the Sacred Lands File failed to indicate the presence of Native American cultural resources or traditional cultural places in or near the project site (Pilas-Treadway pers. comm.. 2008). Input was also solicited from local Native American groups and individuals: the Ione Band of Miwok Indians, the Heritage Cultural Committee, and Katherine Erolinda Perez. No response has been received from these groups to date; consultation is ongoing. Copies of this correspondence are provided in the cultural resources technical report (EDAW 2008), and is included as Appendix E to this DEIR.

Cultural Resources Identified during Field Reconnaissance

Overview

This section provides a summary and evaluation of cultural resources identified on the project site. Field investigations conducted by EDAW in 2008 consisted of walking the entire project site and proposed off-site infrastructure rights-of-way in parallel pedestrian transects spaced at intervals varying from 10 to 30 meters. The following specific areas were investigated:

- ▶ The existing Karl Holton Youth Correctional Facility
- ▶ Undeveloped agricultural fields east and west of Austin Road
- ▶ The area south of Arch Road to be used for construction staging
- ▶ Rights-of-way for proposed infrastructure improvements:
 - Underground utilities extending north from the existing facilities and along the north side of Arch Road
 - A force main to be constructed north and east of the O. H. Close Youth Correctional Facility
 - A storm water detention basin located west of Austin Road, and south of the proposed project site

A detailed description of the methods and results can be found in the cultural resources technical report *CPR Stockton Medical Bed Facility Cultural Resources Inventory Assessment, San Joaquin County, California* (CPR 2008), included as Appendix E of this DEIR.

These methods resulted in the identification of the archaeological remains of a historic building with associated refuse (temporary resource designation CPR1), two isolated chert flaked stone artifacts (temporary resource designations ISO1 and ISO2), and the structures and associated facilities of the Karl Holton Youth Correctional Facility. The Karl Holton facility was constructed in 1967 and is not greater than 50 years old. The structures are not considered to be of “exceptional importance,” which is the criteria for listing of a structure under 50 years old on the National Register of Historic Places (CFR § 60.4, Title 36, Chapter I). Furthermore, the structures would not meet the eligibility criteria for listing on the State Register of Historical Resources because these structures are not associated with events that have made a significant contribution to local, regional, or California history, they are not associated with a person of local or state importance, they do not embody a distinct architectural type, period, construction method, or high artistic value, and they have not yielded, nor have they the potential to yield information important to local or state history. The remaining two resources are discussed below.

CPR1

This structure is a rectangular wood frame building with pole supports and a corrugated metal roof. The site also includes foundation remains and a widely distributed refuse deposit associated with a structure that was in place in 1952 but has since been demolished. Features consist of a concrete pad, driveway, and smaller concrete slab; the associated refuse consists of marbles, bottle glass fragments and two whole bottles, fragmented ceramics, and burned butchered faunal bone. Although the remains of an apparently older structure dating to as early as 1879 are known to have been located near the remains of this site, historic maps indicate that a building was situated at this location no earlier than 1912 and no later than 1952.

One complete aspirin bottle displays a maker’s mark postdating 1954, suggesting that the building continued to be occupied for at least some time after 1952. Based on the associated artifact types, the date of construction is most likely closer to 1952 than to 1912. Demolition and subsequent grading have compromised the integrity of the archaeological remains severely enough that they lack direct association with each other.

The remains of this historic building and associated refuse were assessed for significance under the State CEQA Guidelines for their archaeological value (Criterion 4, as listed in Section 4.8.3 below), more specifically their ability to provide information not otherwise available on the area’s historic land uses during the 20th century. Demolition and subsequent grading and disking of the site have completely compromised and otherwise obliterated any research potential that may have existed at this locale. Therefore, because of a lack of integrity the site is recommended not eligible for inclusion in the CRHR.

ISO1

This isolated find, consisting of a gray/green chert interior flake measuring 3.8 centimeters by 2.5 centimeters, is situated on the east side of a single-lane paved road that exists south of Arch Road and ends at the existing Karl Holton Youth Correctional Facility. Although the artifact was located within dirt dug by rodents, careful scrutiny of abundant rodent activity in the area failed to identify additional prehistoric constituents.

ISO2

The isolated find is situated on the north side of a single lane gravel road that is orientated east/west parallel to the existing Karl Holten Youth Correctional Facility fence line. It is a multi-directional gray/green chert core with approximately 30% cortex on one side. The core measures 4.2 centimeters by 3.6 centimeters in size. The artifact was located within a plow zone and, after thorough examination of the area, no additional prehistoric constituents were observed.

Because these isolated artifact lack association with other cultural constituents (e.g. artifacts, occupation debris), they possess limited potential to further contribute to an understanding of prehistory. Therefore, neither artifact qualifies under Criterion 4 of the CRHR, nor do they qualify as a unique archaeological resource. Consequently, these isolated artifacts do not qualify as a historical resource under CEQA.

4.8.3 REGULATORY CONSIDERATIONS

FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

No federal plans, policies, regulations, or laws are applicable to the proposed project.

STATE PLANS, POLICIES, REGULATIONS, AND LAWS

CEQA and Impacts on Historic and Prehistoric Cultural Resources

CEQA offers guidelines regarding impacts on historic and prehistoric cultural resources. CEQA states that if implementation of a project would result in significant impacts on important cultural resources, then alternative plans or mitigation measures must be considered. However, only significant cultural resources need to be addressed. The State *CEQA Guidelines* define a significant historical resource as “a resource listed or eligible for listing on the California Register of Historical Resources” (CRHR) (California Public Resources Code, Section 5024.1). A historical resource may be eligible for listing on the CRHR if it meets any 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; or
2. is associated with the lives of persons important in our past; or
3. embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possess high artistic values; or
4. has yielded, or may be likely to yield, information important in prehistory or history.

The State *CEQA Guidelines* also require the consideration of unique archaeological sites (Section 15064.5). If an archaeological site does not meet the criteria for inclusion in the CRHR but does meet the definition of a unique archaeological resource as outlined in the Public Resources Code (Section 21083.2), it may be treated as a significant historical resource. Treatment options under Section 21083.2 of CEQA include activities that preserve such resources in place in an undisturbed state. Other acceptable methods of mitigation under Section 21083.2 include excavation and curation, or study in place without excavation and curation (if the study finds that the artifacts would not meet one or more criteria for defining a “unique archaeological resource”).

For historic buildings, Section 15064.5(b)(3) of the State *CEQA Guidelines* indicates that a project that follows the *Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*, or the *Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (State of California 1995), shall mitigate impacts to a level of less than significant. Potential eligibility also rests upon the integrity of the resource. Integrity is defined as the retention of the resource’s physical identity that existed during its period of significance. Integrity is determined by considering the setting, design, workmanship, materials, location, feeling, and association of the resource.

Protection of Interred Human Remains

California law also recognizes the need to protect interred human remains, particularly Native American burials and associated items of patrimony, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in Sections 7050.5 and 7052 of the California Health and Safety Code and Section 5097 of the California Public Resources Code. If human remains are uncovered during ground-disturbing activities, all such activities in the vicinity of the find shall be halted immediately and the agency or the agency’s designated representative shall be notified. The agency shall immediately notify the county coroner and a qualified professional archaeologist. The coroner is required to examine all discoveries of human remains within

48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code, Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code, Section 7050[c]). The responsibilities of the agency for acting upon notification of a discovery of Native American human remains are identified in detail in Section 5097.9 of the California Public Resources Code.

LOCAL PLANS, POLICIES, REGULATIONS, AND ORDINANCES

San Joaquin County 2010 General Plan

The following objective and policies in the adopted San Joaquin County General Plan 2010 relating to identified historic and prehistoric resources are applicable to the proposed project.

Heritage Resources

- ▶ **Objective 1:** To protect San Joaquin County’s valuable architectural, historic, archaeological and cultural resources.
 - **Policy 1:** The County shall continue to encourage efforts, both public and private, to preserve its historical and cultural heritage.
 - **Policy 2:** Significant archaeological and historical resources shall be identified and protected from destruction. If evidence of such resources appears after development begins, an assessment shall be made of the appropriate action to preserve or remove the resources.
 - **Policy 3:** No significant architectural, historical, archaeological or cultural resources shall be knowingly destroyed through County action.
 - **Policy 4:** Reuse of architecturally interesting or historical buildings shall be encouraged.
 - **Policy 5:** The County shall promote public awareness of and support for historic preservation.

City of Stockton General Plan 2035

The following goal and policies in the *City of Stockton General Plan 2035* relating to cultural resources are applicable to the proposed project.

Natural and Cultural Resources

- ▶ **Goal NCR-3:** To encourage the identification, protection, and enhancement of the city’s archaeological, historical, cultural, and paleontological resources for their cultural values.
 - **Policy NCR-3.5: Archaeological Resource Surveys.** Prior to project approval, the City shall require project applicant to have a qualified archeologist conduct the following activities: (1) conduct a record search at the Central California Information Center located at California State University Stanislaus and other appropriate historical repositories, (2) conduct field surveys where appropriate, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archeological Resource Management Reports).
 - **Policy NCR-3.6: Discovery of Archaeological Resources.** Consistent with Stockton Municipal Code Section 16-310.050—Cultural Resources, in the event that archaeological/paleontological resources are discovered during site excavation, the City shall require that grading and construction work on the project site be suspended until the significance of the features can be determined by a qualified

archaeologist/paleontologist. The City will require that a qualified archeologist/paleontologist make recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recovery, excavation, analysis, and curation of archaeological/paleontologist materials. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the City.

- **Policy NCR-3.8: Discovery of Human Remains.** Consistent with Stockton Municipal Code Section 16-310.050—Cultural Resources and the CEQA Guidelines (Section 15064.5), if human remains of Native American origin are discovered during project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission.

4.8.4 IMPACTS AND MITIGATION MEASURES

SIGNIFICANCE CRITERIA

In accordance with Appendix G of the State *CEQA Guidelines*, an impact of the proposed project on cultural resources would be considered significant if project implementation would:

- ▶ cause a substantial adverse change in the significance of a unique archaeological resource or a historical resource as defined in Section 21083.2 of CEQA and Section 15064.5 of the State *CEQA Guidelines*, respectively, or
- ▶ disturb any human remains, including those interred outside formal cemeteries.

Section 15064.5 of the State *CEQA Guidelines* defines “substantial adverse change” as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings.

ISSUES NOT DISCUSSED FURTHER

As mentioned above, the Karl Holton facility was constructed in 1967 and is not greater than 50 years old. The structures are not considered to be of “exceptional importance,” which is the criteria for listing of a structure under 50 years old on the National Register of Historic Places (CFR § 60.4, Title 36, Chapter I). Furthermore, the structures would not meet the eligibility criteria for listing on the State Register of Historical Resources, as described in section 15064.5 of the State *CEQA Guidelines*, because these structures are not associated with events that have made a significant contribution to local, regional, or California history; they are not associated with a person of local or state importance; they do not embody a distinct architectural type, period, construction method, or high artistic value; and they have not yielded, nor have they the potential to yield information important to local or state history. Therefore, impacts to historic resources resulting from the demolition of the existing structures are not discussed further.

As mentioned above, impacts on paleontological resources are discussed in Section 4.9, “Geology and Paleontology.”

PROJECT IMPACTS AND MITIGATION MEASURES

IMPACT CUL-1 Substantial Adverse Change in the Significance of a Historic or Archaeological Resource As Defined in Section 15064.5 of the State CEQA Guidelines. *Resources identified on the project site are not considered significant because of a lack of integrity and/or association and limited research potential. (Less than significant)*

Significant resources located within the project area may be affected by a number of activities including grading, excavation, and demolition. The two resources identified for the California Health Care Facility Stockton project have been evaluated for significance. Both have been recommended as not significant based on a lack of integrity and/or association, and limited research potential. Therefore, the proposed project would not cause an adverse change in the significance of an historic or archaeological resource. This impact would be less than significant.

Mitigation Measure(s) for Impact CUL-1:

No significant impacts would occur, so no mitigation measures are required.

IMPACT CUL-2 Substantial Adverse Change in the Significance of a Unique Archaeological Resource as Defined in Section 15064.5 of the State CEQA Guidelines. *The potential exists for previously unidentified unique archaeological remains to be discovered below the ground surface during project implementation. A unique archaeological resource could be adversely affected by project implementation. (Significant, less than significant with mitigation)*

Although no “unique” or “historic” cultural resources (as defined in CEQA and the State *CEQA Guidelines*) have been documented on the project site, the potential exists for unrecorded cultural resources to be unearthed or otherwise discovered at the project site during ground-disturbing construction activities. If such resources were determined to meet CRHR eligibility criteria, this impact would be significant.

Mitigation Measure(s) for Impact CUL-2:

If cultural materials (e.g., unusual amounts of shell, animal bone, bottle glass, ceramics, structure/building remains) are inadvertently discovered during project-related construction activities, ground disturbances in the area of the find will be halted and a qualified professional archaeologist will be notified of the discovery. The archaeologist will determine whether the resource is potentially eligible for listing in the CRHR. If additional as-yet-unidentified resources are determined to be eligible for listing, the archaeologist will develop appropriate avoidance measures and assist with project redesign and/or monitoring; or if construction cannot be planned to avoid impacts, the archaeologist will develop appropriate mitigation, which could include such actions as preservation in place, documentation of the find, or data recovery. Mitigation will be fully implemented before construction activities resume in the vicinity of the find.

Significance after Mitigation

Implementation of the mitigation measure for Impact CUL-2, designed to avoid or capture archaeological values through data recovery, would reduce the impact to a less-than-significant level.

IMPACT CUL-3 Disturbance of Human Remains, Including Those Interred Outside of Formal Cemeteries. *Although unlikely, it is possible that unidentified archaeological resources, including human remains, may be uncovered during ground-disturbing activities. (Significant, less than significant with mitigation)*

Although no evidence of prehistoric or early historic interments was found in the project site on the ground surface, this does not preclude the existence of buried subsurface human remains. California law recognizes the

need to protect historic-era and Native American human burials, skeletal remains, and items associated with Native American interments from vandalism and inadvertent destruction. If any human remains were unearthed during project construction, this impact would be significant.

Mitigation Measure(s) for Impact CUL-3:

In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, all such activities in the vicinity of the find will be halted immediately and CPR or its designated representative will be notified. CPR will immediately notify the county coroner and a qualified professional archaeologist. The coroner will examine all discoveries of human remains within 48 hours of receiving notice of the discovery. If the coroner determines that the remains are those of a Native American, he or she will contact the NAHC by phone within 24 hours of making that determination. CPR or its appointed representative and the professional archaeologist will consult with a Most Likely Descendant (MLD) designated by the NAHC regarding the removal or preservation and avoidance of the remains and determine whether additional burials could be present in the vicinity.

Significance after Mitigation

Assuming that an agreement can be reached between the MLD and CPR or its representative with the assistance of the archaeologist, the steps included in the mitigation measure for Impact CUL-3 would minimize or eliminate adverse impacts on the uncovered human remains, and thus would reduce the impact to a less-than-significant level.