

8. Cultural and Tribal Cultural Resources

This chapter describes the cultural and tribal cultural resources in the proposed project study area and evaluates potential impacts to cultural and tribal cultural resources associated with Plan Concept 1 and Plan Concept 2 of the Renewable Placer: Waste Action Plan.

8.1 Environmental Setting

A cultural resource is defined in *California Public Resources Code* (PRC) Section 21074(a)(1) as any object or specific location of past human activity, occupation, or use that may be tangible or intangible, and identifiable through historical documentation, inventory, or oral evidence. For the purposes of the California Environmental Quality Act (CEQA), cultural resources consist of archaeological resources, historic resources, Native American human remains, and tribal cultural resources.

Archaeological resources include both historic- and prehistoric-era remains of human activity. Historic-era archaeological resources can consist of the remains of structures (for example, cement foundations), features (for example, privies or wells), and sites (for example, trash dumps). Prehistoric archaeological resources can consist of stone tool debris scatters, quarries, habitation sites, temporary camps or rock rings, ceremonial sites, and trails.

Historic resources are elements of the built environment and can include old houses, bridges, historic roads and trails, canals, cemeteries, and electrical infrastructure, such as transmission lines, substations, and generating facilities.

Tribal cultural resources, as defined in PRC Section 21074(a)(1), are resources with cultural value to a California Native American tribe. Tribal cultural resources may include Native American archaeological sites and may therefore be both archaeological and tribal cultural resources but may also include other types of resources such as sacred places or cultural landscapes. The identification and appropriate treatment of tribal cultural resources is determined through consultation with tribes.

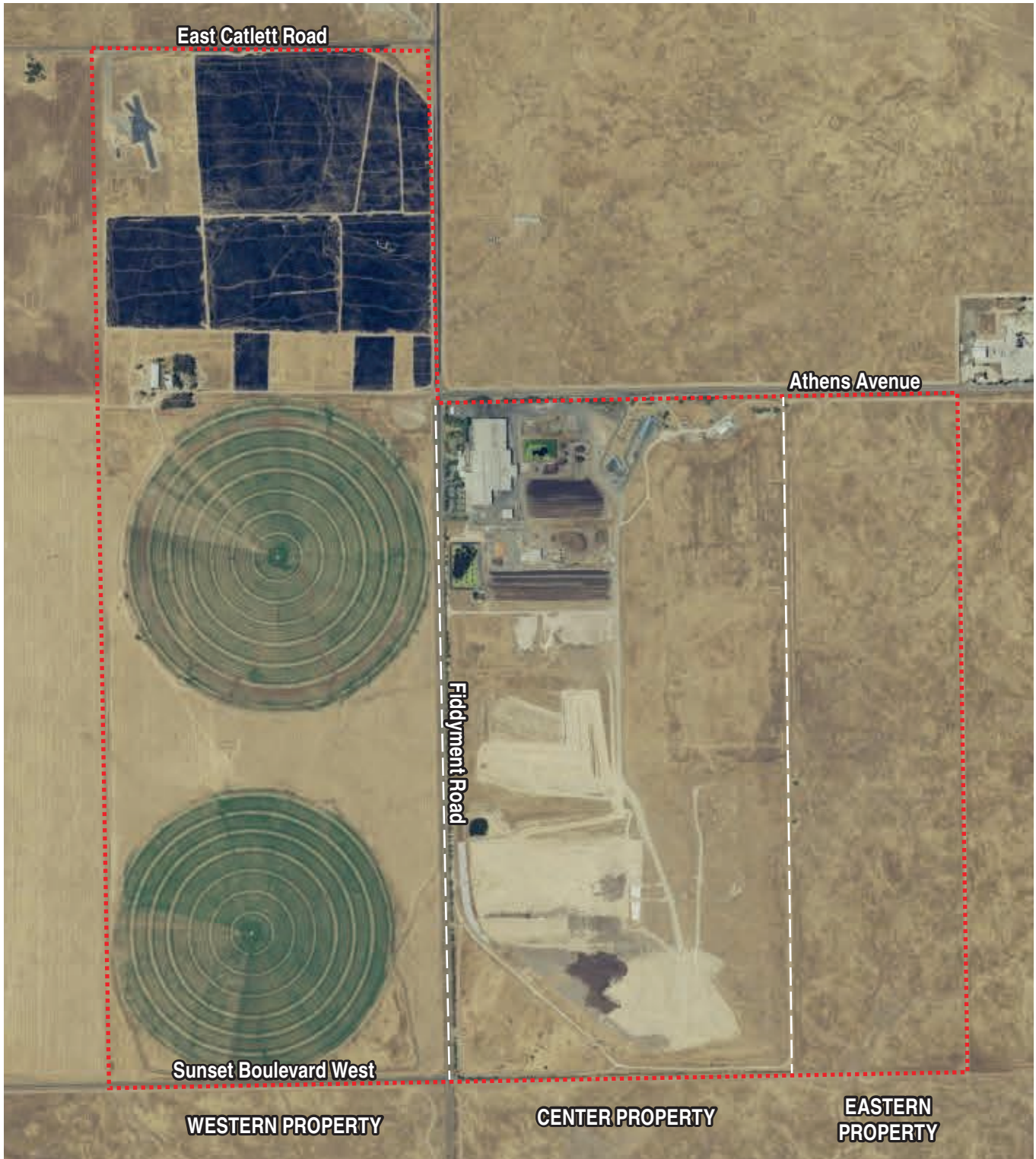
This Chapter is based on the *Cultural Resources Technical Report* completed by Jacobs Engineering Group Inc. (Jacobs 2020).

8.1.1 Area of Potential Effects

The proposed project's Area of Potential Effects (APE) encompasses the Western Placer Waste Management Authority's (WPWMA) existing properties, which comprise three sections totaling approximately 928 acres (Figure 8-1). The eastern property, approximately 155 acres, is used for cattle grazing. The central property, approximately 314 acres, encompasses the Western Regional Sanitary Landfill and associated solid waste infrastructure. The western property, approximately 459 acres, is separated into two parts: one is leased to the City of Lincoln for discharge of reclaimed water and is irrigated to grow alfalfa, and the other is leased for model airplane operations and houses a miniature airstrip. The western property also houses a residential complex with a residence, garage, barn, shed, and landscaping.

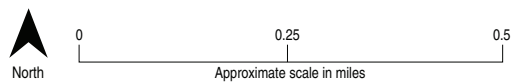
8.1.2 Methodology

The methods for inventorying cultural resources comprised a literature search, intensive pedestrian survey, and Native American outreach and consultation.



- - - - - Project Boundary/
- - - - - Area of Potential Effects

Figure 8-1. Area of Potential Effects
 Draft Environmental Impact Report
 Renewable Placer: Waste Action Plan
 Placer County, California



Literature Search.

The preliminary record search of the North Central Information Center (NCIC) of the California Historical Resources Information System (CHRIS) at California State University, Sacramento, was conducted on August 21, 2017 (File # SAC-17-127). The search area included the APE and a 1-mile buffer surrounding the APE. The record search was updated December 13, 2019 (File # PLA-19-120). To complement the CHRIS database of cultural resource studies and resources, a search of the relevant archives provided by NCIC was performed, which included the following:

- Office of Historic Preservation Historic Property Data File and Archaeological Determinations of Eligibility for Placer County (2013)
- California Inventory of Historical Resources (1976 and updates)
- California Historical Landmarks (1996 and updates)
- California Points of Historical Interest (1992 and updates)
- California Department of Transportation (Caltrans) Bridge Survey
- 1855 Government Land Office Plat for Township 11 North, Range 6 East
- 1910 and 1953 Roseville, California United States Geological Survey (USGS) 7.5-minute quadrangle (quad) maps
- Historic Spots in California, Placer County chapter (Kyle 1990)
- Map of Ethnographic Territories prepared by the NCIC based on Wilson and Towne (1978)

Previous cultural resource, ethnographic, and historical studies of relevance to the project area were reviewed, many of which exist as unpublished technical reports and are available through various sources, including NCIC, libraries, and online. Published archaeological syntheses, ethnographic histories, and historical atlases were examined. Historical aerials available from Google Earth and Nationwide Environmental Title Research, LLC (2019) were analyzed for past evidence of cultural modification of the APE. Additional research on the Placer County Tax Assessor's website provided information about the age of buildings in the APE.

Pedestrian Survey.

Archaeologists conducted an intensive pedestrian survey of accessible portions of the APE on December 4, 5, 6, and 11, 2019, in collaboration with two tribal heritage representatives from the United Auburn Indian Community of the Auburn Rancheria (UAIC). Under CEQA PRC Section 21080.3.1, also known as Assembly Bill 52 (AB 52), the lead agency must provide notice to tribes that are traditionally and culturally affiliated with the geographic area of the proposed project if the tribes have requested notice of projects proposed within that area. If tribes request consultation within 30 days upon receipt of the notice, the lead agency must consult with them. Consultation may include discussing the type of environmental review necessary, the identification of tribal cultural resources or sensitive areas in the project area, the significance of the project's impacts to the tribal cultural resources, and alternatives and mitigation measures recommended by the tribes. The UAIC requested consultation and participated in the pedestrian survey as part of the consultation process.

Survey transects were spaced at intervals of 15 meters (49 feet) or less. The ground surface was examined for indications of surface or subsurface cultural materials. Visible ground surface was examined for Native American cultural material (for example, flaked stone tools or tool-making debris, groundstone artifacts, fire-affected rock, dark soil with charcoal or shell, and animal bone), and historic-era evidence such as

structural debris (for example, glass, metal, brick, wood, nails). Exposures of the native soil such as dirt roadbeds, agricultural furrows, and animal disturbance (such as cow hoofprints, trails and wallows, and animal burrows) were examined.

Outreach and Consultation.

A Sacred Lands File search from the Native American Heritage Commission (NAHC) and a list of Native American tribes with traditional and cultural affiliation within the project area was requested on February 14, 2020. Letters requesting information about cultural resources in the project area were sent to three of the four tribal representatives provided in NAHC's response. The outreach was conducted with the following three tribal representatives:

- Regina Cuellar, Chairperson of the Shingle Springs Band of Miwok Indians
- Grayson Coney, Cultural Director of the Tsi Akim Maidu
- Clyde Prout, Chairperson of the Colfax-Todds Valley Consolidated Tribe

No response was received from any of the three identified tribes. Consultation with UAIC, the fourth tribe provided by the NAHC, is in progress. As part of the consultation, UAIC members participated in the pedestrian survey (Section 8.1.2.2) and reviewed the survey results. The UAIC Preservation Department reviewed the survey report and indicated they had no comments or additional concerns (Starkey pers. comm. 2020).

8.1.3 Cultural Resources Setting

Prehistoric Setting.

Little archaeological evidence exists of the Paleoindian Period (11500 to 8550 Before Common Era [BCE]) in the Central Valley (Rosenthal et al. 2007; Dillon 2002). In part, this dearth of evidence is due to the burial or removal of large segments of the Late Pleistocene landscape throughout the central California lowlands by periodic episodes of deposition or erosion (Meyer and Rosenthal 2008; Rosenthal and Meyer 2004a, 2004b; White 2003). Periods of climate change and associated alluvial deposition occurred at the end of the Pleistocene (approximately 9050 BCE) and at the beginning of the early Middle Holocene (approximately 5550 BCE). Holocene alluvium up to 10 meters (33 feet) thick was deposited in some places during the last 5,000 to 6,000 years (Moratto 1984). Evidence from this early period has either been washed away or lies deeply buried, which may in part explain its rarity. The archaeological evidence that is available for the Paleoindian Period primarily consists of basally thinned, fluted projectile points. These points are morphologically similar to the well-dated Clovis points found elsewhere in North America. In the Central Valley, only three archaeological localities have yielded fluted points, which were recovered from remnant features of the Pleistocene landscape. These are the Woolfsen Mound (CA-MER-215) in Merced County, Tracey Lake in San Joaquin County, and Tulare Lake basin in Kings County. All three are quite distant from the project APE.

Archaic Setting.

Similar to the Paleoindian Period in the Central Valley, depositional contexts that might have preserved archaeological evidence from the Lower Archaic Period (8550 to 5550 BCE) have been deeply buried or washed away. The period is represented by a single site: CA-KER-116 in Kern County on the ancient shoreline of Buena Vista Lake. Stratified cultural deposits at the site have yielded a stemmed projectile point, chipped stone crescents, and the remains of fish, birds, and shellfish. Although abundant milling slabs and handstones have been recovered from Lower Archaic Period foothill sites in eastern Contra Costa County (CA-CCO-637; Meyer and Rosenthal 1998) and Calaveras County (Skyrocket site

CA-CAL-629/630; LaJeunesse and Pryor 1996), no milling tools or plant remains have been found in the valley.

For the first 3,000 years of the Middle Archaic Period (5550 to 550 BCE), archaeological sites on the valley floor are relatively scarce, in part because of natural geomorphic processes that also obscured the land surfaces from the Lower Archaic and Paleoindian periods. Valley sites are more common after 600 BCE. By contrast, Middle Archaic archaeological deposits were preserved in foothill contexts and provide information about the material culture of this period (Rosenthal et al. 2007).

The archaeological record in the valley and foothills indicates that the subsistence system during this period included a wide range of natural resources (for example, plants, small and large mammals, fish, and waterfowl), which suggests that people followed a seasonal foraging strategy (Fredrickson 1973; Heizer 1949; Ragir 1972; Moratto 1984). Some researchers, such as Moratto (1984), suggest populations may have occupied lower elevations during the winter and shifted to higher elevations in the summer. Others (Rosenthal et al. 2007) also suggest there was increasing residential stability along Central Valley river corridors during the Middle Archaic.

Upper Archaic Period (550 BCE to Common Era [CE] 1100) sites are more plentiful throughout the valley and the foothills (Rosenthal et al. 2007). Preference for technology to process plant materials shifted, and groundstone mortars and pestles became more plentiful than slab milling stones and handstones. Archaeobotanical remains from buried deposits also increase. The shift in processing technology has been interpreted as a shift from a preference for wild grass grains and seeds (milling slabs and handstones) to acorns (mortars and pestles) as a dietary staple (Fredrickson 1974; Moratto 1984; Wohlgemuth 2004). Populations continued to exploit a variety of natural resources, pursuing hunting as well as plant food processing. Large, mounded villages that developed around 2,700 years ago in the Sacramento Delta region included accumulations of habitation debris and features, such as hearths, house floors, rock-lined ovens, and burials (Rosenthal et al. 2007). The remains of a variety of aquatic resources in the large shell mounds that developed near salt- and freshwater include the intensive exploitation of shellfish.

The number of archaeological sites increases in the Emergent Period (CE 1100 to Historic) in the lower Sacramento Valley and Delta region, as do the number and diversity of artifacts (Moratto 1984; Rosenthal et al. 2007). The Emergent Period was shaped by cultural innovations. Dart and atlatl technologies were replaced by the introduction of the bow and arrow. Fishing technology diversified and became more elaborate. The social and ceremonial organization also became more elaborate, as seen in differences in the number and diversity of grave goods associated with burials. The material culture and cultural patterns discovered in the Emergent Period archaeological record are reflected in the cultural traditions ethnographically known from historic period Native American groups (Rosenthal et al. 2007).

The faunal and botanical remains recovered at Emergent Period archaeological sites indicate the use of a diverse assortment of mammals, fish, and plant parts, including acorns and pine nuts. Hopper mortars, shaped mortars and pestles, and bone awls used to produce coiled baskets are among the variety of artifacts recovered from Emergent Period sites. The toolkit during this period also included bone fish hooks, harpoons, and gorge hooks for fishing, as well as the bow and arrow for hunting. Small, Gunther-barbed series projectile points have been found at sites dating to the early part of the period, while desert-side notched points appear later in the period (Rosenthal et al. 2007). The Stockton serrated arrow point also appears in archaeological assemblages dating to this period. Pottery appears for the first time, representing a development from the uses of clay in previous periods.

Numerous villages, ranging in size from small (housing 8 to 10 individuals) to large (housing as many as 500 individuals), were established along the valley floor sloughs and river channels and along the streams

in the foothills. House floors or other structural remains have been preserved at some sites dating to this period (Rosenthal et al. 2007). The large village size and density of associated occupational debris and burials have been interpreted as an increase in sedentism and population growth. This trend appears related to the development of social stratification, with an elaborate social and ceremonial organization most clearly seen in the differential density, distribution, and elaboration of grave goods associated with Emergent Period burials. Examples of items associated with rituals and ceremonials include flanged tubular pipes and baked clay effigies representing animals and humans. Mortuary practices changed to include flexed burials, cremation of high-status individuals, and pre-internment burning of offerings in a burial pit (Fredrickson 1973; Moratto 1984). Currency, in the form of clamshell disk beads, also developed during this period together with extensive exchange networks.

Ethnographic Setting.

This discussion of the ethnographic setting is compiled from the *Final Environmental Impact Report for the Sunset Area Plan/Placer Ranch Specific Plan* (Sunset Area Plan) (Placer County 2019b) and ethnographic sources (such as Kroeber 1925; Lightfoot and Parrish 2009; Mead 2014; Wilson and Towne 1978). The project APE lies in the plains of the Central Valley in the territory of the Nisenan, also known as the southern Maidu. The Maidu group comprises three tribelets associated with different languages. These are the Maidu, Konkow, and southern Maidu. The southern Maidu refer to themselves as Nisenan (Kroeber 1925). The ethnographically documented Nisenan territory extends from the plains of the Sacramento Valley, east of the Sacramento River between the North Fork Yuba River and Cosumnes River on the north and south, respectively, and extends east into the foothills of the Sierra Nevada Range. Maidu and Konkow territories lie to the north. The geographic distribution suggests that Nisenan spread south from the linguistic homeland of the Maidu, and this is supported by the presence in the Nisenan language of a significant number of widespread central California loan words that are not present in Maidu or Konkow (Golla 2007).

The spread of the Nisenan south into Miwok territory is believed to have occurred only within the past few centuries and may have been in progress at the time of contact with non-Indigenous people. The spread likely occurred after the traditional differences between the valley and foothill Maidu had developed.

The Nisenan language has three main dialects, consisting of the Northern Hill, Southern Hill, and Valley Nisenan. The dialects correspond with distinct Hill and Valley material culture traditions. The project area is associated with the Valley Nisenan, known from ethnographic studies to have occupied both large village sites with as many as 500 individuals, and small clusters of villages of closely related families (Wilson and Towne 1978). Villages were generally on low, natural rises along streams and rivers or on gentle, south-facing slopes. The semipermanent or winter villages, as well as seasonally occupied campsites, were used at various times during the seasonal round of subsistence activities associated with hunting, fishing, and gathering plant resources. The location of the village known as *Ba ka cha*, which was apparently occupied at the time of contact with non-Indigenous peoples in the early 1800s, correlates with the recorded location of an archaeological site in the southeastern section of the City of Rocklin. No ethnographically documented village sites on Wilson and Towne's map (1978) are located within or in the immediate vicinity of the project APE.

Traditional village structures included conical, circular, or dome-shaped houses, as well as acorn granaries, winter grinding houses, ceremonial or dance houses, and sweathouses. Structures were made by covering a pole framework with bunches of grass, woven fiber (reed) mats, earth, or any combination thereof. The floors of some structures were excavated below ground surface as much as a meter (a little over 3 feet), and granaries were sometimes raised above the ground surface to discourage pests such as rodents from

eating the food stores. Nisenan mortuary practices included cremation and burial in a separate cemetery area.

Like the majority of Native Californians, the Nisenan relied on acorns as a staple food, which were collected in the fall and then stored in granaries, but they are known to have practiced polyphagy, relying on multiple staple foods (Kroeber 1929). The Nisenan maintained individual or family-level ownership over some oak trees and the fruit they bore (Lightfoot and Parrish 2009). Large and small mammals, such as pronghorn antelope, deer, tule elk, black bears, cottontails, and jackrabbits, among other species, were hunted by individuals or by communal groups. Game birds, waterfowl, and fish, particularly salmon, were also important components of the Nisenan diet. In addition to acorns, plant resources included pine nuts, buckeye nuts, hazelnuts, fruits, berries, seeds, and underground tubers such as *Brodiaea*. Many of these important plant resources would have been available seasonally in the project area, associated with the vernal pool and seasonal wetland plant communities.

The Nisenan employed a variety of tools, implements, and enclosures for hunting and collecting natural resources. The bow and arrow, snares, traps, nets, and enclosures or blinds were used for hunting land mammals and birds. For fishing, they made canoes from tule reeds, balsa, or logs, and used harpoons, hooks, nets, and basketry traps. To collect plant resources, the two groups used sharpened digging sticks, long poles for dislodging acorns and pinecones, and a variety of woven tools (seed beaters, burden baskets, and carrying nets). Foods were processed with a variety of tools, such as bedrock mortars, cobblestone pestles, anvils, and portable stone or wooden mortars that were used to grind or mill acorns and seeds. Additional tools and implements included knives, leaching baskets and bowls, woven parching trays, and woven strainers and winnowers. The Nisenan and neighboring groups participated in an extensive east-west trade network between the coast and the Great Basin. From coastal groups, marine shell (*Olivella* and *Haliotis*) and steatite moved eastward, while salt and obsidian traveled westward from the Sierras and Great Basin. Basketry, an important trade item, moved in both directions (Wilson and Towne 1978).

The traditional culture and lifeways of the Valley Nisenan were disrupted beginning in the early 1800s. Although Spanish explorers entered Nisenan territory as early as 1808, records do not exist of the forced movement of Nisenan to the missions. During the Mexican period, native peoples were affected by land grant settlements and decimated by foreign disease epidemics that swept through the densely populated Central Valley. An epidemic that swept the Sacramento Valley in 1833 caused the death of an estimated 75 percent of the Valley Nisenan population, wiping out entire villages (Kroeber 1929). In the heart of Nisenan territory, the discovery of gold in 1848 at Sutter's Mill on the American River near Coloma had a devastating impact on the remaining Nisenan, as well as other groups of Native Americans in the Central Valley and along the Sierra Nevada foothills. By 1850, the Nisenan lands, resources, and way of life was overrun by the steady influx of nonnative people stimulated by the Gold Rush. The surviving Nisenan retreated to the foothills and mountains or labored for the growing ranching, farming, and mining industries. Nisenan descendants reside on the Auburn, Berry Creek, Chico, Enterprise, Greenville, Mooretown, Shingle Springs, and Susanville rancherias, as well as on the Round Valley Reservation. The UAIC, a federally recognized Miwok and Nisenan Maidu tribe, maintains active ties to the land in the project area, which they have identified as part of a geographic area with which the tribe is traditionally and culturally affiliated. Those ties include cultural, land stewardship, investment, and infrastructure projects. The UAIC and some members of various rancherias specialize in tribal heritage preservation and actively participate by consulting in the project planning process and by monitoring construction and other ground-disturbing projects within their area of affiliation.

Historic Setting.

The earliest settlers in the general project vicinity arrived in the late 1840s, as miners poured into the region in search of placer deposits. Gold was discovered by Claude Chana in Auburn Ravine, north of the project APE, in 1848. Placer County was organized in 1851 from parts of neighboring Sutter and Yuba counties and was named after its principal economy at that time, placer mining. Auburn was named as the County seat.

By the mid-1850s, the area was sparsely settled and dotted with small-scale ranches. By the mid-1860s, the construction and development of the railroad industry played a significant role in the region's development. The tracks of the Central Pacific Railroad (later Southern Pacific Railroad [SPRR]) reached Roseville and Rocklin in 1864 (Hoover et al. 2002). Rocklin became the principal granite-producing point in the Sacramento Valley, with the first quarry opening in 1863 and operations blossoming into 15 separate quarrying companies by 1904. Roseville prospered as a principal rail head that provided the frontier towns with goods and services. When the SPRR moved its major locomotive terminal from Rocklin to Roseville in 1908, that town expanded to one of the largest railroad centers in the country.

The railroad also contributed to the growth of Placer County's agricultural industry of mainly fruits and nuts, since the rail line provided access to a large market east of the Sierra Nevada Range (Lardner and Brock 1924). Incorporated in 1906, the Pacific Fruit Express Company was a joint SPRR and Union Pacific Railroad enterprise (Online Archive of California 2009). The company operated ice plants and docks, as well as car and repair shops throughout the west, and shipped produce in railcars refrigerated with ice. The first units of the Pacific Fruit Express Ice Plant were erected in 1909, and by 1920, it was known as the world's largest artificial ice plant (Oliver 2006).

Regional developments in the gold industry related to dredge mining, conducted from 1898 through 1962, had no apparent impact on the project APE. The area surrounding the APE was primarily agricultural. Except for the Western Regional Sanitary Landfill, which was established in 1978, the project APE has been used for agriculture, including cattle grazing and cultivation of grains.

8.2 Regulatory Setting

8.2.1 Federal

Section 106 of the National Historic Preservation Act requires federal agencies to consider the effects of federally funded or federal permit-approved undertakings that have the potential to have an impact on historic properties (any district, site, building, structure, or object that is listed in, or eligible for listing in, the National Register of Historic Places [NRHP], and provides the State Historic Preservation Officer [SHPO], affected tribes, and other consulting parties an opportunity to comment). An adverse effect on a historic property is defined by an activity that may alter, directly or indirectly, any of the characteristics of the historic property that render it eligible for inclusion in the NRHP. The alteration of characteristics is considered an adverse effect if it may diminish the integrity of the historic property's location, design, setting, materials, workmanship, feeling, or association. The Section 106 process is presented in 36 *Code of Federal Regulations* (CFR) 800 and consists of four basic steps:

- A. Initiate process by coordinating with other environmental reviews, consulting with the SHPO, identifying and consulting with interested parties, and identifying points in the process to seek input from the public and to notify the public of proposed actions (36 CFR 800).
- B. Identify cultural resources and evaluate them for NRHP eligibility, resulting in the identification of historic properties (36 CFR 800.4).

- C. Assess effects of the project on historic properties by applying the criteria of adverse effect (36 CFR 800.5).
- D. Resolve adverse effect (36 CFR 800.6) through continued consultation with the SHPO and interested parties regarding adverse effects on historic properties, often resulting in a memorandum of agreement.

The following conditions must be met for a property to be considered for NRHP eligibility:

- The property is at least 50 years old (however, properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP).
- It retains integrity of location, design, setting, materials, workmanship, feeling, and associations. Archaeological resources are often evaluated in terms of the integrity of the spatial and temporal associations between the individual elements of the deposit or feature that contribute to interpretations of chronology and past behavioral associations.

In addition, the property must possess at least one of the following criteria (36 CFR 60.4) for determining NRHP eligibility:

- A. Association with events that have made a significant contribution to the broad patterns of history (events).
- B. Association with the lives of persons significant in the past (persons).
- C. Distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant, distinguishable entity whose components may lack individual distinction (architecture).
- D. Has yielded, or may be likely to yield, information important to prehistory or history (information potential).

Listing in the NRHP does not entail specific protection or assistance for a property, but it does guarantee recognition in planning for federal or federally assisted projects, eligibility for federal tax benefits, and qualification for federal historic preservation assistance. Additionally, project effects on properties listed in the NRHP must be evaluated under CEQA.

The National Register Bulletin also provides guidance on the evaluation of archaeological site significance. If a heritage property cannot be placed within a theme or period, and thereby lacks focus, it is considered not eligible for listing in the NRHP. In further expanding upon the generalized NRHP criteria, evaluation standards for linear features (such as roads, trails, fence lines, railroads, ditches, and flumes) are considered in terms of four related criteria that account for specific elements that define engineering and construction methods of linear features: (1) size and length, (2) presence of distinctive engineering features and associated properties, (3) structural integrity, and (4) setting. The highest probability for NRHP eligibility exists within the intact longer segments where multiple criteria coincide.

8.2.2 State

California Environmental Quality Act.

CEQA requires public agencies to consider the effects of their actions on historical resources, unique archaeological resources, and tribal cultural resources. Under PRC Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a

significant effect on the environment.” Section 21083.2 requires agencies to determine whether proposed projects would have effects on unique archaeological resources.

Historical Resources.

Historical resource is a term with a defined statutory meaning (PRC, Section 21084.1 and State CEQA Guidelines, Section 15064.5[a]). Under State CEQA Guidelines Section 15064.5(a), historical resources include the following:

- A. A resource listed in or determined to be eligible by the State Historical Resources Commission for listing in, the California Register of Historical Resources (CRHR) (PRC, Section 5024.1).
- B. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- C. 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 may be considered to be a historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource will be considered by the lead agency to be historically significant if the resource meets the criteria for listing in the CRHR (PRC Section 5024.1), including one or more of the following:
 - a) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.

Is associated with the lives of persons important 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.

Has yielded, or may be likely to yield, information important in prehistory or history.

The fact that a resource is not listed in, or determined to be eligible for listing in, the CRHR, not included in a local register of historical resources (under Section 5020.1[k] of the PRC), or identified in a historical resources survey (meeting the criteria in Section 5024.1[g] of the PRC) does not preclude a lead agency from determining that the resource may be a historical resource as defined in PRC Section 5020.1(j) or 5024.1.

Unique Archaeological Resources.

CEQA requires lead agencies to consider whether projects will affect unique archaeological resources. PRC Section 21083.2(g) defines a unique archaeological resource as 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:

- A. Contains information needed to answer important scientific research questions, and there is a demonstrable public interest in that information.
- B. Has a special quality, such as being the oldest of its type or the best available example of its type.
- C. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Tribal Cultural Resource.

AB 52, signed by the California governor in September 2014, establishes a new class of resources under CEQA: tribal cultural resources. AB 52, as provided in PRC Sections 21080.3.1, 21080.3.2, and 21082.3, requires that lead agencies undertaking a CEQA review must, upon written request of a California Native American tribe, begin consultation prior to the release of a draft environmental impact report or notice of intent to adopt a negative declaration or mitigated negative declaration. CEQA requires lead agencies to consider whether projects will affect tribal cultural resources. PRC Section 21074 defines tribal cultural resources as either of the following:

- A. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - 1) Included or determined to be eligible for inclusion in the CRHR.
 - 2) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- B. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant under criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- C. A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- D. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a nonunique archaeological resource as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

California Register of Historical Resources.

Properties in California that are listed in or formally determined eligible for listing in the NRHP are eligible for listing in the CRHR. The CRHR is a listing of State of California resources that are significant within the context of California's history. The CRHR is a statewide program with a scope and with criteria for inclusion that are like those of the NRHP. In addition, properties designated under municipal or county ordinances are also eligible for listing in the CRHR.

A historical resource must be significant at the local, state, or national level under one or more of the criteria defined in the *California Code of Regulations* Title 15, Chapter 11.5, Section 4850 to be included in the CRHR. The CRHR criteria are like the NRHP criteria and are tied to CEQA, because any resource that meets the following criteria is also considered a significant historical resource under CEQA.

The CRHR uses four evaluation criteria for determining the significance of a cultural resource:

- A. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the U.S.
- B. It is associated with the lives of persons important to local, California, or national history.
- C. It embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of a master; or possesses high artistic values.
- D. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Similar to the NRHP, a resource must meet one of these criteria and retain integrity to be considered significant, and thus, a historical resource. The CRHR uses the same aspects of integrity as the NRHP.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity cease and the County Coroner be notified. If the remains are of a Native American, the coroner must notify the NAHC, which notifies and has the authority to designate the Most Likely Descendant (MLD) of the deceased. The act stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

Health and Safety Code, Sections 7052 and 7050.5

Section 7052 of the *Health and Safety Code* states that the disturbance of Native American cemeteries is a felony. Section 7050.5 requires that construction or excavation be stopped near discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be those of a Native American, the coroner must contact the NAHC.

Public Resources Code, Section 5097

PRC Section 5097 specifies the procedures to be followed if human remains are unexpectedly discovered on nonfederal land. The disposition of Native American burial falls within the jurisdiction of the NAHC. Section 5097.5 of the code states the following:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

8.2.3 Local

The WPWMA is a Joint Powers Authority (JPA) composed of Placer County and the cities of Lincoln, Rocklin, and Roseville to own and operate a regional recycling facility and sanitary landfill. As a JPA, the WPWMA considers local regulations and consults with local agencies, but the County and city regulations are not applicable, because the County and cities do not have jurisdiction over the proposed project. Accordingly, the following discussion of local goals and policies associated with cultural resources is provided for informational purposes only.

Placer County General Plan.

The Recreation and Cultural Resources section (Section 5) of the *Placer County General Plan* (Placer County 2013) includes a goal to “identify, protect, and enhance Placer County’s important historical, archaeological, paleontological, and cultural sites and their contributing environment.” This plan also includes policies to protect and enhance cultural resources through various means, including implementing incentive programs for private property owners, educating the public, avoiding and mitigating cultural resource impacts in discretionary development projects, coordinating with the local Native American community and the NAHC, and assisting private citizens seeking historic landmark

designations for their property. The following policies pertaining to cultural resources contained in the *Placer County General Plan (2013)* are relevant to the project:

Policy 1.I.1. The County shall require that significant natural, open space, and cultural resources be identified in advance of development and incorporated into site-specific development project design. The Planned Residential Developments and the Commercial Planned Development provisions of the Zoning Ordinance can be used to allow flexibility for this integration with valuable site features.

Policy 5.D.3. The County shall solicit the views of the NAHC, State Office of Historic Preservation, North Central Information Center, and/or the local Native American community in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.

Policy 5.D.6. The County shall require that discretionary development projects identify and protect from damage, destruction, and abuse, important historical, archaeological, paleontological, and cultural sites and their contributing environment. Such assessments shall be incorporated into a countywide cultural resource data base, to be maintained by the Department of Museums.

Policy 5.D.7. The County shall require that discretionary development projects are designed to avoid potential impacts to significant paleontological or cultural resources whenever possible. Unavoidable impacts, whenever possible, shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data. Determinations of impacts, significance, and mitigation shall be made by qualified archaeological (in consultation with recognized local Native American groups), historical, or paleontological consultants, depending on the type of resource in question.

Placer County Code.

Article 15.60, Cultural and Historic Resources Preservation, of the *Placer County Code* is intended to promote the general welfare of the public through one or more of the following:

- The protection, enhancement, perpetuation and use of historic structures and/or other cultural resources (a) that represent past eras, events, and persons important in prehistory or history, (b) which provide significant examples of architectural styles of the past or are landmarks in the history of architecture, (c) which are unique and irreplaceable assets to the county and its communities, or (d) which provide for this and future generations examples of the physical surroundings in which past generations lived.
- The development and maintenance of complementary settings and environment for such structures and/or districts.
- The preservation and encouragement of the county's varied architectural styles, reflecting the cultural, social, economic, political, and architectural phases of its history.
- The enhancement of property values, the stabilization of communities and areas of the county, the increase of economic and financial benefits to the county and its inhabitants, and the promotion of the tourist trade and interest.
- The integration of the preservation of cultural resources into public and private land use management and development processes.
- The educational and cultural enrichment of this and future generations by fostering knowledge of our heritage.

- The promotion and encouragement of continued private ownership and utilization of such structures so the objectives listed above can be attained under this policy.
- The identification and resolution of conflicts between the preservation of cultural resources and alternative land uses, as early as possible in the planning process.
- The promotion of public awareness of the benefits of preservation and the encouragement of public participation in identifying and preserving historic, architectural and archaeological resources thereby increasing community pride in the county's cultural heritage.
- The establishment of a basis for coordinating the goal of the preservation of cultural resources, historic structures and historic districts with the need to set standards for and implement other elements of the county's plans, policies, and programs.

Sunset Area Plan.

The goals and policies of the Cultural Resources section of the Sunset Area Plan aim to identify a framework by which cultural resources are determined to be present or absent and to provide direction on how cultural resources are to be protected if they are identified. The following goal and policies pertaining to cultural resources contained in the *Sunset Area Plan* (Placer County 2019a) are relevant to the project:

Goal

CR-1: To identify and protect the significant cultural resources of the Sunset Area, including paleontological, archaeological, historical, and tribal cultural resources.

Policies

CR-1.1: Cultural Resource Coordination and Education. In areas with a moderate to high degree of sensitivity for cultural resources, based on location or previous investigations or in areas where buildings and structures are more than 45 years old, the County shall require a cultural resource assessment of the site by a qualified professional before construction activities begin. The assessment would include preparing archaeological and historical survey reports and conducting a paleontological record search using an appropriate database, such as the University of California, Museum of Paleontology. Archaeological and historical sites and materials shall be evaluated and recorded on standard DPR 523-series forms in accordance with NRHP/CRHR criteria. The evaluation report shall be completed by a qualified archaeologist, architectural historian, or historical architect who meets the Secretary of the Interior's Professional Qualifications for Archaeology and Historic Preservation, as appropriate, and submitted to Placer County. Project sponsors shall follow recommendations identified in the survey.

CR-1.5: Sensitive Locations for Cultural Resources. The County shall consider, at a minimum, the following areas to be sensitive areas for the presence of cultural resources:

- A. Areas with existing riparian resources.
- B. Areas with a clear and distinct floodplain.
- C. Areas with identifiable historical remains (e.g., old foundations, rock walls, old abandoned equipment).
- D. Areas adjacent to properties which have previously had cultural resource assessments which resulted in the identification of significant resources.

- E. Areas with a Modesto, Riverbank, Turlock Lake/Mehrten Formation geologic condition (in descending order of sensitivity).

CR-1.6: Minimize Cultural Resource Impacts. The County shall require that discretionary development projects are designed to avoid potential impacts to significant cultural resources whenever possible. Determinations of impacts, significance, and mitigation shall be made by qualified archaeological, tribal cultural, historical, or paleontological consultants (in consultation with recognized local Native American groups), depending on the type of resource in question.

- A. If archaeological resources eligible for inclusion in the NRHP or CRHR are identified, an assessment of project impacts on these resources as well as detailed measures to avoid or minimize impacts to these resources will be included in an evaluation report. These measures could include project redesign, construction monitoring by a qualified archaeologist, avoidance of sites, preservation in place, or data recovery. These measures shall be developed and implemented in coordination with the Placer County Planning Services Division and Native American representatives, as appropriate.
- B. If historical resources eligible for inclusion in the NRHP or CRHR are identified, an assessment of project impacts on these resources will be included in an evaluation report that also will identify detailed measures to avoid impacts. If avoidance of a significant architectural/built environment resource is not feasible, additional mitigation options include specific design plans for historic districts or plans for alteration or adaptive reuse of a historical resource that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings. If a significant historic building or structure is proposed for major alteration or renovation, or to be moved and/or demolished, a qualified architectural historian shall be retained to thoroughly document the structure and associated landscaping and setting. Documentation shall include still and video photography and a written documentary record of the building to the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site-specific and comparative archival research and through oral history collection as appropriate.
- C. If tribal cultural resources eligible for inclusion in the NRHP or CRHR are identified in the proposed assessment of project impacts, then detailed measures to avoid or minimize impacts to these resources shall be included. These measures could include dedicated conservation easements per SB18; project alternatives, or redesign; additional construction monitoring by a qualified tribal monitor; avoidance of sites; preservation in place; or data recovery. These measures shall be developed and implemented in coordination with the Placer County Planning Services Division and Native American representatives, as appropriate.

CR-1.7: Discovery of Cultural Resources During Construction. The County shall require all new development to suspend construction activities and contact the County when any cultural resources (e.g., shell, artifacts, architectural remains, significant paleontological resources) are discovered. In the event archaeological, tribal cultural, historical, or paleontological resources are discovered, the County shall retain a qualified cultural resources specialist or paleontologist to assess the finds and develop mitigation measures for the protection, recordation, or removal of the cultural resources or paleontological resources. These measures may also include consultation with local Native American communities and the Native American Heritage Commission on the cultural find, if warranted. If the appropriate specialist determines that the find does not meet standards of significance for cultural resources (as defined in the State CEQA Guidelines Section 15064.5), construction may proceed. If the appropriate specialist

determines that the find does meet the standards of significance for cultural resources, SAP Policy CR-1.6, Minimize Cultural Resource Impacts, shall be implemented.

CR-1.8 Discovery of Burials During Construction. The County shall require all new development to suspend construction activities in the area of the discovery and contact the County when human remains are discovered. In such cases, County shall contact the County Coroner, the Native American Heritage Commission (NAHC), and, if the remains are determined to be Native American, the most likely descendant (MLD). The County and the applicant will coordinate the appropriate treatment and disposition of the remains with the MLD assigned by NAHC.

8.3 Impact Analysis and Mitigation Measures

8.3.1 Thresholds of Significance

The thresholds of significance for assessing impacts to cultural resources come from the CEQA Environmental Checklist. The CEQA Checklist asks whether the project would do the following:

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

State regulations affecting cultural resources include PRC Sections 21083.2 and 21084.1, and CEQA Guidelines Section 15064.5 and Appendix G. CEQA requires the lead agency to carefully consider the effects a project may have if it causes a substantial adverse change in the significance of a historic or archaeological resource.

Cultural resources as defined in CEQA include prehistoric- and historic-era archaeological sites, districts, and objects; historic buildings, structures, objects, and districts; and traditional and cultural sites or the locations of important historical events. CEQA Guidelines Section 15064.5 states that a project may have a significant environmental effect if it causes a substantial adverse change in the significance of a historical resource. Additionally, the lead agency must consider properties eligible for listing in the CRHR or that are defined as a unique archaeological resource in PRC Section 21083.2.

For tribal cultural resources, the CEQA Checklist asks whether the project would do the following:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is
 - i) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k).
 - ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of *Public Resource Code* Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

8.3.2 Findings

The cultural resources technical inventory comprised the literature search (including CHRIS records search), intensive pedestrian survey, and Native American consultation. The inventory and assessment identified two built environment resources and two isolated archaeological artifacts within the APE that are recommended as not eligible for listing in either the NRHP or the CRHR (Table 8-1).

Table 8-1. NRHP and CRHR Eligibility of Cultural Resources Identified within the APE

Resource Name	Identifier	Description	Evaluation of Eligibility	Reference
Fiddymment Road	P-31-001422 CA-PLA-1102H	Two-lane paved road segment	Not eligible	Autry 2004a; Jacobs 2020
PG&E Rio Oso-Hurley/Rio Oso-Tesla Transmission Line	P-31-005857	Transmission line segment	Not eligible	Autry 2004b; Jacobs 2020
Prehistoric flake	Iso-1	Chert flake	Not eligible	Jacobs 2020
Prehistoric scraper	Iso-2	Chert scraper	Not eligible	Jacobs 2020

Fiddymment Road (P-31-001422).

The combined 2017 and 2019 NCIC CHRIS record searches yielded a single cultural resource, a segment of Fiddymment Road (P-31-001422; CA-PLA-1102H), within the APE. The resource, a two-lane, paved road with graveled shoulders and parallel roadside ditches, was first recorded between Pleasant Grove Crossing in the south and Moore Road in the north, including the segment in the project APE that extends between Sunset Boulevard West in the south, and East Catlett Road in the north (Derr and Derr 1996). According to Derr, the road was established by at least 1908, the date of survey for the 1910 USGS Roseville 7.5-minute quad map. The road was named for a prominent local ranching family and serves as a major roadway for the farming area (Derr and Derr 1996). Segments of Fiddymment Road were in place as early as 1887 (Uren 1887). Autry (2004a) resurveyed and evaluated the road and recommended the resource be considered ineligible for listing in either the NRHP or the CRHR. Autry further found that the road did not appear to be locally significant, did not serve as a thoroughfare, providing only local access, and was not associated with trends or events in transportation development or regional or local economic development (Criterion A/1).

Though named for a prominent ranching family, the road itself does not have any significant association with the family (Criterion B/2). The road is a simple two-lane paved road of a ubiquitous type and does not represent an engineering achievement at the time it was laid out (Criterion C/3). Further, the road has not yielded, nor does it appear likely to yield, information important in prehistory or history (Criterion D/4) (Autry 2004a). The narrow road has been repeatedly maintained and improved by widening, upgrading, and repaving, and no indications of the original road segment are observable. Pappas and Webb (2015) reviewed a 1-mile segment of the road immediately to the south of the project APE in Section 7 of T11N, R6E, and also concluded that it was not eligible for listing in either the CRHR or the NRHP.

PG&E Rio Oso-Hurley/Rio Oso-Tesla Transmission Line (P-31-005857).

A second cultural resource, the PG&E Rio Oso-Hurley/Rio Oso-Tesla Transmission Line, was established in 1958, and passes through the APE. The segment documented and evaluated by Autry (2004b) lies just

southeast of the APE. Autry found that the resource did not meet the eligibility criteria for listing in either the NRHP or the CRHR. The pedestrian survey for the present-day project identified the transmission line continuing through and beyond the APE from southeast to northwest. The transmission line construction and materials are consistent with the segment recorded by Autry (2004b), and Jacobs concluded that the segment within the APE does not meet the eligibility criteria for listing in either the NRHP or the CRHR (Jacobs 2020).

Isolated Archaeological Artifacts.

Iso-1 is a small interior flake of red chert that was identified on the surface of a plowed field in the southern half of the western property. No other artifacts, cultural soils, or features were associated with the artifact.

Iso-2 is a small orange chert scraper found among the imported gravel on a farm road on the western border of the western property. No other artifacts, cultural soils, or features were associated with the artifact.

Neither isolate is considered eligible for either the CRHR or the NRHP (Jacobs 2020).

8.3.3 Impacts

This section describes the cultural resource impacts associated with the two plan concepts, mitigation measures for identified significant impacts, and the level of impact significance following implementation of the identified mitigation measures.

IMPACT 8-1	Disturbance of Historic Resources. The APE does not contain any historic resources that would be considered significant for the purposes of CEQA. Project implementation would have no impact to historic resources.
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Plan Concept 1

The records search and pedestrian survey revealed two historical resources in the APE: a segment of Fiddymont Road (P-31-001422) and a segment of the PG&E Rio Oso-Hurley/Rio Oso-Tesla Transmission Line (P-31-005857). These sites do not appear to meet the criteria for the NRHP or the CRHR and are therefore not considered to be significant for the purposes of CEQA. In addition, the pedestrian survey did not reveal any additional historical sites. Therefore, the APE does not contain any historical resources that would be considered significant for the purposes of CEQA. Plan Concept 1 would have no impact to historical resources.

Plan Concept 2

Impacts associated with implementation of Plan Concept 2 would be the same as identified for Plan Concept 1 because the APE does not contain historical resources considered to be significant for the purposes of CEQA. Plan Concept 2 would have no impact to historical resources.

IMPACT 8-2	Disturbance of Tribal Cultural Resources Discovered during Construction. Ground disturbance from project construction activities could disturb, disrupt, or destroy unknown tribal cultural resources. Impacts to previously undiscovered tribal cultural resources as a result of ground-disturbing construction activities would be significant .
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Plan Concept 1

No known tribal cultural resources are located in the project APE. However, there is a low to moderate potential for encountering isolated Native American artifacts or buried archaeological deposits, associated human remains, and tribal cultural resources during proposed project-related ground disturbance. Goal CR-1 of the Sunset Area Plan (Placer County 2019a) is to identify and protect the significant cultural resources of the Sunset Area. This includes Policy CR-1.5: Sensitive Locations for Cultural Resources, which directs the County to consider areas with existing riparian resources as being sensitive locations for cultural resources. The WPWMA took this policy into consideration when evaluating the impacts of Plan Concept 1.

Riparian areas include streams, rivers, lakes, wetlands, and vernal pools. The APE has existing vernal pools, and therefore, it would be defined as a sensitive location for cultural resources, according to Policy CR-1.5. The presence of Native American artifacts, including the two isolates discovered during the intensive pedestrian survey of the APE and the identification of two surface lithic scatters and seven isolated milling tools found within 1 mile of the APE, also indicates the site is a sensitive area for cultural resources. Although this relative frequency of prehistoric-era artifacts and sites is low within 1 mile of and including the APE, their presence, when considered together with the location of the APE between the Auburn Ravine and Pleasant Grove watersheds, and the presence of the vernal pool complex and associated plant communities within the APE, suggest that Native Americans traveled through the area and may have left behind traces of past use of seasonally available resources that now lie buried beneath the ground surface. Based on this potential for prior Native American activity within the project area, ground-disturbing activities associated with the solid waste project elements and complementary and programmatic elements could result in the disturbance, disruption, or destruction of tribal cultural resources as defined in PRC section 21074. This impact would be considered significant.

Plan Concept 2

Impacts associated with implementing Plan Concept 2 would be the same as identified for Plan Concept 1 because of the potential for undiscovered tribal cultural resources to be disturbed, disrupted, or destroyed during project-related, ground-disturbing activities. This impact would be considered **significant**.

Mitigation Measure 8-2: Disturbance of Tribal Cultural Resources Discovered during Construction.

If any suspected tribal cultural resources are discovered during ground-disturbing construction activities, work will cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from UAIC will be immediately notified and will determine whether the find is a tribal cultural resource (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary. Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may include processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. UAIC does not consider curation of tribal cultural resources to be appropriate or respectful and requests that materials not be permanently curated unless approved by the tribe.

The WPWMA's contractors will implement any measures deemed by the WPWMA to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a tribal cultural resource may include tribal monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work at the discovery location

cannot resume until the necessary investigation and evaluation of the discovery pursuant to CEQA and AB 52 has been satisfied.

Level of Significance after Mitigation.

Implementation of Mitigation Measure 8-2 establishes the required procedures to be followed if tribal cultural resources are discovered during construction activities, including immediately stopping work within 100 feet of the discovery and coordinating with a Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with the geographic area. Because this mitigation would result in the avoidance of tribal cultural resources if they are discovered, or other appropriate measures (for example, reburial of cultural objects) would be implemented if avoidance is not possible, the impact would be reduced to **less than significant** after mitigation.

IMPACT 8-3	Disturbance of Archaeological Resources Discovered during Construction. Ground disturbance from project construction activities could disturb, disrupt, or destroy unknown buried archaeological resources. Impacts to previously undiscovered archaeological resources as a result of ground-disturbing construction activities would be significant .
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Plan Concept 1

Archival research indicated that there are no archaeological sites or ethnographic village sites in the project APE. However, as indicated for Impact 8-2, there is a low to moderate potential for encountering isolated Native American artifacts or buried archaeological deposits, associated human remains, and tribal cultural resources during proposed project-related ground disturbance. Based on this potential for prior Native American activity within the project area, ground-disturbing activities associated with the solid waste project elements and complementary and programmatic elements could result in the disturbance, disruption, or destruction of previously undiscovered archaeological resources as defined in State CEQA Guidelines 15064.5. This impact would be considered significant.

Plan Concept 2

Impacts associated with implementing Plan Concept 2 would be the same as identified for Plan Concept 1 because of the potential for undiscovered archaeological resources to be disturbed, disrupted, or destroyed during project-related, ground-disturbing activities. This impact would be considered significant.

Mitigation Measure 8-3: Disturbance of Archaeological Resources Discovered during Construction.

If any prehistoric-era or historic-era archaeological resources are discovered during ground-disturbing activities, work within 100 feet of the resources will be halted, and a qualified archaeologist will be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, representatives from the WPWMA and the archaeologist would determine the appropriate avoidance measures or other appropriate mitigation. If the archaeologist determines that the find is potentially a tribal cultural resource (for example, a prehistoric-era archaeological site), the archaeologist will notify representatives from the WPWMA, and the procedures described in Mitigation Measure 8-2 will be followed. All significant cultural materials recovered will be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, curation (unless it is a tribal cultural resource), and documentation according to current professional standards. In considering any

suggested mitigation proposed by the consulting archaeologist to mitigate impacts to archaeological resources, the WPWMA will determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (for example, data recovery) will be instituted. Work may proceed on other parts of the project site while mitigation for historical or unique archaeological resources is being carried out.

Level of Significance after Mitigation

Implementation of Mitigation Measure 8-3 establishes the required procedures to be followed if archaeological resources are discovered during construction activities, including immediately stopping work within 100 feet of the discovery and retaining a qualified archaeologist to evaluate the find and recommend appropriate treatment. Because this mitigation would result in the avoidance of archaeological resources if they are discovered, or other appropriate measures (such as data recovery) if avoidance is not possible, the impact would be reduced to **less than significant** after mitigation.

IMPACT 8-4	Disturbance of Human Remains. Construction and excavation activities associated with project implementation could unearth previously undiscovered human remains. Impacts related to the disturbance of human remains would be significant .
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Plan Concept 1

Based on documentary research, no evidence suggests that any marked or unmarked human interments or human remains are present within the APE. However, ground-disturbing construction activities associated with the solid waste project elements and complementary and programmatic elements of Plan Concept 1 could uncover previously unknown human remains. Grave sites and Native American remains can be located outside of dedicated cemeteries or burial sites.

California law recognizes the need to protect Native American human burials, skeletal remains, and items associated with Native American burials from vandalism and inadvertent destruction. The procedures for the treatment of Native American human remains are contained in the California *Health and Safety Code* Sections 7050.5 and 7052, PRC Section 5097, and the *California Code of Regulations* Section 15064.50 (CEQA). The disturbance of previously unknown human remains would be considered a significant impact.

Plan Concept 2

Impacts associated with implementing Plan Concept 2 would be the same as identified for Plan Concept 1. The disturbance of previously unknown human remains would be considered a significant impact.

Mitigation Measure 8-4: Disturbance of Human Remains.

As required by the provisions of California's *Health and Safety Code* Section 7050.5, PRC Section 5097.98, and the *California Code of Regulations* Section 15064.5 (CEQA), if human remains are encountered at the site, work in the immediate vicinity of the discovery will cease, and necessary steps to secure the integrity of the immediate area will be taken. The Placer County Coroner will be notified immediately. The coroner will then determine whether the remains are Native American. If the coroner determines the remains are Native American, the coroner will notify the NAHC within 24 hours, who will, in turn, notify the person the NAHC identifies as the MLD of any human remains. Further actions will be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make

recommendations within 48 hours, the WPWMA will, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the WPWMA does not accept the MLD's recommendations, the WPWMA or the MLD may request mediation by the NAHC.

Level of Significance after Mitigation.

Implementation of Mitigation Measure 8-4 establishes the required procedures to be followed if human remains are discovered during construction activities. Because this mitigation requires notifying the NAHC if human remains are discovered and coordinating with the MLD, if applicable, for proper disposition of the remains, the impact would be reduced to **less than significant** after mitigation.

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