

CULTURAL AND TRIBAL CULTURAL RESOURCES

4.4 CULTURAL AND TRIBAL CULTURAL RESOURCES

This chapter describes existing cultural resources in the Southeast Greenway Area and evaluates the potential cultural resource impacts associated with future development that could occur by adopting and implementing the proposed project. A summary of the relevant regulatory setting and existing conditions is followed by a discussion of the proposed project and cumulative impacts.

The analysis in this chapter is based on a cultural resources analysis prepared by Tom Origer & Associates on December 2, 2016.

4.4.1 ENVIRONMENTAL SETTING

4.4.1.1 REGULATORY FRAMEWORK

Federal Regulations

American Indian Religious Freedom Act and Native American Graves and Repatriation Act

The American Indian Religious Freedom Act recognizes that Native American religious practices, sacred sites, and sacred objects have not been properly protected under other statutes. It establishes as national policy that traditional practices and beliefs, sites (including right of access), and the use of sacred objects shall be protected and preserved. Additionally, Native American remains are protected by the Native American Graves and Repatriation Act of 1990.

Paleontological Resources Preservation Act

The federal Paleontological Resources Preservation Act of 2002 limits the collection of vertebrate fossils and other rare and scientifically significant fossils to qualified researchers who have obtained a permit from the appropriate state or federal agency. Additionally, it specifies these researchers must agree to donate any materials recovered to recognized public institutions, where they will remain accessible to the public and to other researchers. This Act incorporates key findings of a report, *Fossils on Federal Land and Indian Lands*, issued by the Secretary of Interior in 2000, which establishes that most vertebrate fossils and some invertebrate and plant fossils are considered rare resources.¹

¹ U.S. Department of the Interior. *Fossils on Federal & Indian Lands, Report of the Secretary of the Interior*, May 2000. https://www.blm.gov/sites/blm.gov/files/programs_paleontology_quick%20links_Assessment%20of%20Fossil%20Management%20on%20Federal%20&%20Indian%20Lands,%20May%202000.pdf, accessed June 21, 2017.

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State Regulations

California Environmental Quality Act

California State law provides for the protection of cultural resources by requiring evaluations of the significance of prehistoric and historic resources identified in documents prepared consistent with CEQA. The CEQA Statute is contained in Public Resources Code (PRC) 21000 to 21177 and the CEQA Guidelines are contained in CCR, Title 14, Division 6, Chapter 3, Sections 15000 to 15387.

Under CEQA, a cultural resource is considered a “historical resource” if it meets any of the criteria found in Section 15064.5(a) of the CEQA Guidelines. Under CEQA, the lead agency determines whether projects may have a significant effect on archaeological and historical resources. CEQA Guidelines Section 15064.5 defines what constitutes a historical resource, including: (1) a resource determined by the State Historical Resources Commission to be eligible for the California Register of Historical Resources (including all properties on the National Register); (2) a resource included in a local register of historical resources, as defined in Public Resources Code (PRC) Section 5020.1(k); (3) a resource identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (4) any object, building, structure, site, area, place, record, or manuscript that the City determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the City’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered to be historically significant if it meets the criteria for listing on the California Register.

If the lead agency determines that a project may have a significant effect on a historical resource, the project is determined to have a significant effect on the environment, and these effects must be addressed. However, no further environmental review needs to be completed if, under the qualifying criteria, a cultural resource is not found to be a historical resource or unique archaeological resource.

Public Resources Code Section 5097.5

California Public Resources Code (PRC) Section 5097.5 prohibits “knowing and willful” excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.” Public lands are defined to include lands owned by or under the jurisdiction of the State or any city, county, district, authority, or public corporation, or any agency thereof.

State Laws Pertaining to Human Remains

Any human remains encountered during ground-disturbing activities are required to be treated in accordance with California Code of Regulations Section 15064.5(e) (CEQA), Public Resources Code Section 5097.98, California Health and Safety Code Section 7050.5. California law protects Native American burials, skeletal remains, and associated grave goods regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Specifically, Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner’s authority.

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If the human remains are determined to be of Native American origin, the county coroner must contact the California Native American Heritage Commission (NAHC) within 24 hours of this identification. An NAHC representative will then identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. In addition, CEQA Guidelines Section 15064.5 specifies the procedures to be followed in case of the discovery of human remains on non-federal land. The disposition of Native American burials falls within the jurisdiction of the NAHC.

Senate Bill 18

Senate Bill (SB) 18, signed into law in September 2004, requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places through local land use planning.² The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting or mitigating impacts to cultural places. The consultation and notice requirements apply to adoption and amendment of both general plans (Government Code Section 65300 et seq.) and specific plans (Government Code Section 65450 et seq.). Specifically, Government Code Section 65352.3 requires local governments, prior to making a decision to adopt or amend a general plan, to consult with California Native American tribes identified by the NAHC for the purpose of protecting or mitigating impacts to cultural places. As previously discussed, the NAHC is the State agency responsible for the protection of Native American burial and sacred sites.

Assembly Bill 52

Assembly Bill 52 (AB 52), the Native American Historic Resource Protection Act, sets forth a proactive approach intended to reduce the potential for delay and conflicts between Native American and development interests. Projects subject to AB 52 are those that file a notice of preparation for an EIR or notice of intent to adopt a negative or mitigated negative declaration on or after July 1, 2016. AB 52 adds tribal cultural resources (TCR) to the specific cultural resources protected under CEQA. Under AB 52, a TCR is defined as a site, feature, place, cultural landscape (must be geographically defined in terms of size and scope), sacred place, or object with cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register, or included in a local register of historical resources. A Native American Tribe or the lead agency, supported by substantial evidence, may choose at its discretion to treat a resource as a TCR. AB 52 also mandates lead agencies to consult with tribes, if requested by the tribe, and sets the principles for conducting and concluding consultation.

Local Regulations

General Plan 2035

The Historic Preservation (HP) element of the General Plan 2035 includes the following goals and policies specific the cultural resources and applicable to the proposed project:

- **Goal HP-A:** Protect Native American heritage.

² SB 18 amended Government Sections 65040.2, 65092, 65351, 65352, and 65560, and added Sections 65352.3, 65352.4, and 65562.5

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- **Policy HP-A-1:** Review proposed developments and work in conjunction with the California Historical Resources Information System, Northwest Information Center at Sonoma State University, to determine whether project areas contain known archeological resources, either prehistoric and/or historic-era, or have the potential for such resources.
- **Policy HP-A-2:** Require that project areas found to contain significant archeological resources be examined by a qualified consulting archaeologist for recommendations concerning protection and preservation.
- **Policy HP-A-3:** If cultural resources are encountered during development, work should be halted to avoid the materials and their context until a qualified consulting archaeologist and Native American representative (if appropriate) have evaluated the situation, and recorded identified cultural resources and determined suitable mitigations measures.
- **Policy HP-A-4:** Consult with local Native American tribes to identify, evaluate, and appropriately address cultural resources and tribal sacred sites through the development review process.
- **Policy HP-A-5:** Ensure that Native American human remains are treated with sensitivity and dignity and assure compliance with the provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98.

4.4.1.2 EXISTING CONDITIONS

Methodology

Archival Research

Archival research included examination of the library and project files at Tom Origer & Associates. A review was completed of the archaeological site base maps and records, survey reports, and other materials on file at the Northwest Information Center (NWIC), Sonoma State University, Rohnert Park (NWIC File No. 16-0157). Sources of information included but were not limited to the current listings of properties on the National Register of Historic Places (National Register), California Historical Landmarks, California Register of Historical Resources (California Register), and California Points of Historical Interest as listed in the Office of Historic Preservation's *Historic Property Directory* (OHP 2012).

An examination of historical maps was conducted to gain insight into the nature and extent of historical development in the Southeast Greenway Area and general vicinity. Maps ranged from hand-drawn maps from the 1800s to topographic maps issued by the United States Geological Survey (USGS) and the United States Army Corps of Engineers (USACE).

Outreach to Native American Tribes

In compliance with SB 18, a letter was sent to the NAHC seeking information from the sacred lands files, which track Native American cultural resources, and the names of Native American individuals and groups that would be appropriate to contact regarding this project. The NAHC replied with a letter dated August 12, 2016, in which they indicated that the sacred land file has no information about the presence of Native American cultural resources in the immediate project area, and provided a list of Native American contacts (groups and individuals) who may have information regarding known and recorded sites. Letters were also sent to the following contacts:

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- Federated Indians of Graton Rancheria
- Lytton Rancheria of California
- Greg Sarris
- Gene Buvelot
- Marjorie Mejia
- Buffy McQuillen
- Peter Nelson

A log of contact efforts is provided in Appendix D, Cultural Resources Data, of this Draft EIR, along with copies of all responses received.

In response to AB 52, the City has not received any request from any Tribes in the in the geographic area with which it is traditionally and culturally affiliated with or otherwise to be notified about projects in the City of Santa Rosa. Nonetheless, the evaluation of potential impacts to TCRs is addressed below in Section 4.4.3, Impact Discussion, of this chapter.

On-Site Field Survey

An intensive field survey was completed by the California Department of Transportation (Caltrans) from July 10 to July 18, 2014. Approximately 90 percent of the project site was examined by walking along transects in 10-meter intervals. Visibility was generally good with 75 percent of observable ground surface. Where needed, a trowel was used to clear small patches of vegetation so that the ground surface could be inspected. Tom Origer & Associates conducted a follow-up field survey on September 27, 2016, to reexamine locations of buildings shown on historical maps. These areas were surveyed by walking along transects in 15-meter intervals. Visibility ranged from good to poor with 80 percent of observable ground surface. Where needed, a hoe was used to clear small patches of vegetation so that the ground surface could be inspected.

Paleontological Resources

Paleontological resources (fossils) are the remains and/or traces of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains such as bones, teeth, shells, and wood are found in the geologic deposits (rock formations) in which they were originally buried. Paleontological resources represent a limited, non-renewable, sensitive scientific and educational resource.

The potential for fossil remains at a location can be predicted through previous correlations that have been established between the fossil occurrence and the geologic formations within which they are buried. For this reason, knowledge of the geology of a particular area and the paleontological resource sensitivity of particular rock formations, make it possible to predict where fossils will or will not be encountered.

The natural geology of the project site is comprised of Holocene epoch (11,700 years ago to present) alluvial and terrace deposits, Holocene and/or Pleistocene (2.5 million years ago to present) alluvial fan and terrace deposits, Petaluma Formation deposits that date back to the Pliocene and Miocene epochs (23 to 2.5 million years ago), and Sonoma Volcanics that also that date back to the Pliocene and Miocene epochs. A previous study conducted by Far Western Anthropological Research Group Inc., indicated that buried prehistoric archaeological sites are likely to be found within or underneath Holocene-age depositional land forms. In addition, prehistoric settlements associated with these landforms tend to be located near San Francisco and San Pablo bays and along major, inland watercourses. Although Holocene-age landforms have the potential to contain buried archaeological deposits, the probability of encountering such resources varies significantly.

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Archaeological Resources

At the time of European settlement, the project site was included in the territory controlled by the Southern Pomo (Pomo). The Pomo were hunter-gatherers who lived in rich natural environments that allowed for dense populations with complex social structures. They settled in large, permanent villages along with seasonal camps and task-specific sites. Primary village sites were occupied continually throughout the year and other sites were visited in order to procure particular resources that were especially abundant or available only during certain seasons. Sites were often situated near sources of fresh water in ecotones where plant and animal life were diverse and abundant.

Based on the result of pre-field research, it is possible that prehistoric and, to a lesser extent, historic-period archeological resources could be found on the project site. Prehistoric archaeological site indicators expected to be found in the region include, but are not limited to: obsidian and chert flakes and chipped stone tools, grinding and mashing implements, such as slabs and handstones, and mortars and pestles, bedrock outcrops and boulders with mortar cups; and locally darkened soils containing some of the previously listed items plus fragments of bone, shellfish, and fire affected stones.

Historical Resources

Historic resources include sites, structures, districts, landmarks, or other physical evidence of past human activity generally greater than 50 years old. Santa Rosa has a rich architectural heritage spanning many periods, with Mexican Period adobes, 19th century Gothic, Greek Revival and Italianate houses, turn of the century Stick/Eastlake styles, early 20th century Craftsman and California bungalows, 1920s Spanish Revival, and 1930s art deco buildings. The city's eclectic collection of different styles and periods is represented by numerous well preserved structures, which form part of the city's character and identity.³ To recognize individual properties and whole neighborhoods as key components of the City's heritage, the City established 21 landmarks and 8 designated historic preservation districts. The project site is not recognized as a landmark nor located within a designated historic preservation district.⁴

Archival research indicated that a total of seven buildings were present on the project site between 1916 and 1968. The on-site field survey confirmed that these buildings are no longer present on the project site. However, due to the extensive history in the area, there is a high potential to find historic period site indicators such as: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits.

4.4.2 STANDARDS OF SIGNIFICANCE

Implementation of the proposed project would result in a significant cultural resource impact if it would:

1. Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5.
2. Cause a substantial adverse change in the significance of an archeological resource pursuant to 15064.5.

³ City of Santa Rosa, Santa Rosa General Plan 2035, Element 11, Historic Preservation, page 11-2.

⁴ City of Santa Rosa, Santa Rosa General Plan 2035, Element 11, Historic Preservation, page 11-2 and 11-4.

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3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
4. Disturb any human remains, including those interred outside of dedicated cemeteries.
5. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 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:
 - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 - 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 Public Resources Code 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.

4.4.3 IMPACT DISCUSSION

CULT-1	Implementation of the proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.
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The types of cultural resources that meet the definition of historical resources under CEQA Section 21084.46 generally consist of districts, sites, buildings, structures, and objects that are significant for their traditional, cultural, and/or historical associations. Under CEQA, both prehistoric and historic-period archaeological sites may qualify based on historical associations.⁵ As such, the two main historical resources that are subject to impact, and that may be impacted by implementation of the proposed project, are historical archaeological deposits and historical architectural resources. Impacts to archaeological resources are discussed under impact discussion CULT-2 below.

As discussed above, there are no existing structures on the project site. Additionally, the project site is not located within a historic preservation district nor is it identified as a historic landmark.⁶ Therefore, with no historical resources on the project site, there would *no impact* as a result project implementation.

Significance Without Mitigation: No impact.

⁵ California Code of Regulations (CCR), Title 14, Chapter 3, Section 15064.5(c), Determining the Significance of Impacts on Historical and Unique Archaeological Resources.

⁶ City of Santa Rosa, Santa Rosa General Plan 2035, Element 11, Historic Preservation, page 11-2 and 11-4.

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CULT-2 Implementation of the proposed project would not cause a substantial adverse change in the significance of an archeological resource pursuant to CEQA Guidelines Section 15064.5.

Archaeological deposits that meet the definition of historical resource under CEQA Section 21084.1 or CEQA Guidelines Section 15064.5 could be present within the project site and could be damaged or destroyed by ground-disturbing construction activities (e.g., site preparation, grading, excavation, and trenching for utilities) associated with implementation of the proposed project. Should this occur, the ability of the deposits to convey their significance, either as containing information about prehistory or history, or as possessing traditional or cultural significance to Native American or other descendant communities, would be materially impaired.

As discussed above, archival research indicated prehistoric and, to a lesser extent, historic-period archeological resources could be found on the project site. Therefore, it is possible that unknown buried archaeological materials could be found during ground-disturbing construction activities, including unrecorded Native American prehistoric archaeological materials. While the General Plan 2035 Historic Preservation policies (listed above) includes direction for the protection of archeological resources, ground-disturbing activities associated with implementation of the proposed project could have the potential to uncover and damage or destroy unknown resources. This is a *significant* impact.

Impact CULT-2: Implementation of the proposed project would have the potential to cause a significant impact to an unknown archaeological resource pursuant to CEQA Guidelines Section 15064.5.

Mitigation Measure CULT-2: If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall 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 City and the archaeologist would meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall 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 (e.g., data recovery) would be instituted. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

Significance With Mitigation: Less than significant.

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CULT-3 **Implementation of the proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature.**

As discussed above, although there is no record of paleontological resources on the project site previous research indicated that buried prehistoric archaeological resources are likely to be found within or underneath Holocene-age depositional land forms on the project site. While the General Plan 2035 Historic Preservation policies (listed above) includes direction for the protection of archeological resources, including pre-historic deposits, ground-disturbing activities associated with implementation of the proposed project could disturb unrecorded fossils of potential significance and other unique features could exist; thus, resulting in damage to, or destruction of, unknown paleontological resources or unique geological features. This is a *significant* impact.

Impact CULT-3: Implementation of the proposed project would have the potential to directly or indirectly affect a unique paleontological resources or site, or unique geological feature.

Mitigation Measure CULT-3: In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 1995), evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the City for review and approval prior to implementation.

Significance With Mitigation: Less than significant.

CULT-4 **Implementation of the proposed project would not disturb any human remains, including those interred outside of formal cemeteries.**

Human remains associated with pre-contact archaeological deposits could exist on the project site and could be encountered at the time potential future development occurs. The associated ground-disturbing activities, such as site grading and trenching for utilities, have the potential to disturb human remains interred outside of formal cemeteries. Any human remains encountered during ground-disturbing activities are required to be treated in accordance with California Code of Regulations Section 15064.5(e) (CEQA), Public Resources Code Section 5097.98, California Health and Safety Code Section 7050.5, and General Plan 2035 Policy HP-A-5, which state the mandated procedures of conduct following the discovery of human remains. Descendant communities may ascribe religious or cultural significance to such remains, and may view their disturbance as an unmitigable impact. Disturbance of unknown human remains would be a *significant* impact.

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Impact CULT-4: Implementation of the proposed project would have the potential to disturb humans remains interred outside of formal territories, the disturbance of those remains could result in a significant impact under CEQA.

Mitigation Measure CULT-4: Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e) (CEQA). According to the provisions in CEQA, if human remains are encountered at the site, all work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. The Sonoma County Coroner shall be notified immediately. The Coroner shall then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner shall notify the NAHC within 24 hours, who will, in turn, notify the person the NAHC identifies as the Most Likely Descendant (MLD) of any human remains. Further actions shall 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 owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.

Significance With Mitigation: Less than significant.

CULT-5	Implementation of the proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Sections, 21074, 5020.1(k), or 5024.1.
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As previously described in Section 4.4.1.1, Regulatory Framework, under subheading "Assembly Bill 52," a TCR is defined as a site, feature, place, cultural landscape (must be geographically defined in terms of size and scope), sacred place, or object with cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register, or included in a local register of historical resources, or if the City of Santa Rosa, acting as the lead agency, supported by substantial evidence, chooses at its discretion to treat the resources as a TCR.

As discussed under impact discussions CULT-2 and CULT-4, impacts from future development on the project site could impact unknown archaeological resources including Native American artifacts and human remains. Impacts would be reduced to a *less-than-significant* level with implementation of Mitigation Measures CULT-2 and CULT-4.

Therefore, compliance with existing federal, State, and local laws and regulations, and the General Plan 2035 Historic Preservation policies (listed above), would protect unrecorded TCR's on the project site by providing for the early detection of potential conflicts between development and resource protection, and by preventing or minimizing the material impairment of the ability of archaeological deposits to convey their significance through excavation or preservation. Furthermore, implementation of Mitigation Measures CULT-2 and CULT-4 would reduce any impacts to TCR discovered on the project site as a result implementation of the proposed project.

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Impact CULT-5: Implementation of the proposed project would have the potential to impact TCRs the disturbance of which could result in a significant impact under CEQA.

Mitigation Measure CULT-5a: Implement Mitigation Measure CULT-2

Mitigation Measure CULT-5b: Implement Mitigation Measure CULT-4

Significance With Mitigation: Less than significant.

4.4.4 CUMULATIVE IMPACTS

CULT-6	Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less-than-significant cumulative impacts with respect to cultural resources.
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The methodology used for cumulative impact analysis is described in Chapter 4.0, Environmental Analysis, of this Draft EIR. The cumulative impact for cultural resources includes potential future development under the proposed project combined with effects of development on lands within the Planning Area and region.

Future development under the proposed project, in conjunction with development on lands within the Planning Area, has the potential to cumulatively impact cultural resources including archaeological and paleontological deposits, human remains, and TCRs. As previously discussed, there are no structures on the project site; thus implementation of the proposed project would result in no impact to historic architectural resources. Impacts to archaeological resources, paleontological resources, human remains, or TCRs identified within the project site and implementation of Mitigation Measures CULT-2, CULT-3, CULT-4, and CULT-5 would reduce these impacts to a *less-than-significant* level; implementation of the proposed project would not create or contribute to a cumulative impact on cultural resources. Additionally, the existing federal, State, and General Plan 2035 Historic Preservation policies (listed above) serve to protect cultural resources in the Planning Area. For example, Policy HP-A-1 requires projects to undergo review to determine whether project areas contain known archeological resources, either prehistoric and/or historic-era, or have the potential for such resources. Continued compliance with these regulations and mitigation measures would avoid impacts to historical, archaeological, paleontological resources, human remains, and TCRs to the maximum extent practicable. Therefore, in combination with past, present, and reasonably foreseeable projects, the project would result in a *less-than-significant* cumulative impact with respect to cultural resources.

Impact CULT-6: Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, could result in a significant cumulative impact with respect to cultural resources.

Mitigation Measure CULT-6: Implement Mitigation Measures CULT-2, CULT-3, CULT-4, and CULT-5.

Significance With Mitigation: Less than significant.

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