

3.14 Cultural Resources

This section provides background information regarding cultural resources within the county, the regulations and programs that provide for their protection, and an assessment of the potential impacts of implementing the proposed General Plan Update. The following key issues relating to cultural resources have been identified through the General Plan Update process: the protection of cultural resources and historic structures. These key issues will be discussed in the evaluation of impacts below. Additional information on cultural resources can be found in Chapter 6, Cultural Resources, of the *Natural Resources and Hazards Report*, September 2002 (Appendix D), which includes a background discussion of Native American settlements in Humboldt County and summarizes both historic and prehistoric cultural resources in the county. This report, which is available for review at the Planning Division public counter at 3015 H Street in Eureka or for download at <http://co.humboldt.ca.us/gpu/documentsbackground.aspx>, is incorporated by reference, and summarized below. Where any discrepancies may exist between the referenced material and the material presented here, the material presented here should be considered as the most up to date and is to be relied on for the environmental setting and analyses.

3.14.1 Cultural Resources - Environmental and Regulatory Setting

Cultural Resources - Native American and Archaeological Sites

Before European settlement, the Humboldt County area was one of the most culturally diverse regions of California, and was home to nearly a dozen distinct peoples. In large part, Native American tribes occupied distinct areas conforming largely to the natural watershed basins. The majority of tribes were Athabascan speakers and hill people who built permanent homes along rivers. The Yurok and Wiyot spoke Algonquian languages and settled along both coasts and rivers. The Karuk were Hokan-speaking and lived in mountainous territory.

Peoples that settled north of the Eel complex watersheds are grouped together as Northwest California cultures. This group includes the Hokan- and Algonquian-speaking tribes, as well as the Hoopa, Chilula, and Whilkut.

Villages were clustered around lagoons, sloughs, and river mouths along the coast. Inland settlements were usually along streams, sometimes on terraces above floodways; the Yurok sometimes built on steep slopes. Seasonal migration was common; for example, the Chilula built permanent villages on flats along Redwood Creek, but moved up to higher ridges in summer and fall. Most groups tended to build along the side of a river or hill that received more sun and on hillsides where timber was less dense.

Although some tribes to the south practiced cremation, Northwest California tribes generally buried their dead and cemeteries were established near the permanent (wintertime) villages. Bodies were buried in plank-lined graves, although it is believed that the Mattole cremated people killed in war and buried all others.

The Hoopa claimed food-rich lands (where acorns and manzanita were plentiful), but shared right-of-way with other groups; the Yurok established privately owned land. Tribes

located along the coast or near rivers, and relied on fish and sea mammals as their primary source of food.

Food was obtained by a variety of means, including hunting, fishing, and gathering greens, depending on seasonal availability. Archaeologically significant sites have been identified by the presence of refuse from marine life, debris from stone toolmaking, mortar, and tools.

Culturally Sensitive Areas

Culturally sensitive areas include sites and regions of special importance to Native Americans, primarily coastlines and riverbanks with outstanding religious or resource-producing importance. Over 32,000 acres of land in Humboldt County are designated as culturally sensitive, with notable concentrations along the Lower Klamath, the Lower Trinity, the lower end and North Fork of the Mad, and the Van Duzen Rivers, and the eastern shore of Humboldt Bay. Culturally sensitive areas exist on both public and private lands. While some locations are publicly identified, others are held as confidential information by local Native American organizations.

The North Coastal Information Center of the California Historical Resources Information System (NCIC of CHRIS) is the regional information center holding confidential records for Humboldt County and is currently operated by the Yurok Tribe in Klamath under contract agreement with the State Office of Historic Preservation. The North Coastal Information Center has records for approximately 2,040 cultural resource sites, including cemeteries, villages, and lithic scatters: surface-visible concentrations of stone chips, flakes, and tools. Three-quarters of these sites are located along rivers and major tributaries; the remaining sites are located in flat mountainous areas or prairies. High-density sites (villages, cemeteries, and ceremonial and gathering areas) are concentrated in the Hoopa and Yurok reservations and riverine areas. Ridgelines along rivers and creeks, where traveling between villages likely occurred, and lithic scatters around Trinidad, Humboldt Bay, the Eel River delta, and Shelter Cove are considered medium-density resource sites.

A provision of State law, commonly referred to as SB 18 (Chapter 905, Statutes of 2004), requires local governments to consult with tribes during general plan amendments. Humboldt County contacted tribes early in the process and held a tribal summit meeting, and had following up meetings with tribes desiring them. Letters of invitation to consult were sent to all tribal representatives included on the list supplied by the Native American Heritage Commission, per the provisions of SB 18. (See Appendix T for documentation of consultations.)

Historic Districts, Sites, Structures and Landmarks

Historic resources include districts or areas, sites, structures, landmarks, or other physical evidence associated with past human activity greater than 50 years old. Humboldt County is home to a large number of historical sites, having been one of the first areas in California to be explored and settled by Europeans. Thirteen Humboldt County locations are California State Historical Landmarks and 51 sites are listed on the National Register of Historic Places, 13 of which are in the unincorporated area. The sites recognized on the National Register of Historic Places include architecturally significant nineteenth-century homes, banks, hotels, libraries, public buildings, bridges, schools, churches, lighthouses, and the historic districts of Ferndale, Eureka, Hoopa, and Bald Hills in Orick.

The following tables contain listings of historic resources established by the federal and state governments as well as Humboldt County.

Table 3.14-1. National Register of Historic Places within the Unincorporated Area.

Resource Name	Address	Community	Year Listed
Bald Hills Archeological District	Address Restricted*	Orick	7/9/1982
Bank of Loleta	358 Main St.	Loleta	2/28/1985
Benbow Inn	445 Lake Benbow Dr.	Garberville	9/15/1983
Carlotta Hotel	Central Ave.	Carlotta	5/23/1978
De-No-To Cultural District	Address Restricted	Hoopa	4/24/1985
Fern Cottage Historic District	2099 Centerville Rd.	Ferndale	1/7/1988
Fernbridge	CA 211	Fernbridge	4/2/1987
Grizzly Bluff School	E of Ferndale on Grizzly Bluff Rd	Ferndale	11/27/1979
Humboldt Bay Life-Saving Station	S of Samoa on Samoa Rd	Samoa	10/30/1979
Lower Blackburn Grade Bridge	NW of Bridgeville on CA 36	Bridgeville	6/25/1981
Old Jacoby Creek School	2212 Jacoby Creek Rd.	Bayside	2/28/1985
Prairie Creek Fish Hatchery	Milepost 124.83 on US 101, N of Orick	Orick	2/4/2000
Punta Gorda Light Station	10.5 mi. SW of Petrolia	Petrolia	9/1/1976

Source: Humboldt County Planning Division.

*State law requires that the location of certain sensitive cultural resources remain confidential.

Table 3.13-2. California State Historical Landmarks within the Unincorporated Area.

Resource Name	Address	Community
No. 164 The Old Arrow Tree	0.8 mi E of Korbelt	Korbelt
No. 173 Centerville Beach Cross	Centerville Beach	Centerville
No. 543 California's First Drilled Oil Wells	NE corner Mattole Rd and Front St	Petrolia
No. 882 Humboldt Harbor Historical District	Harold Larsen Vista Pt, Humboldt Hill Rd off Hwy 101	Humboldt Hill

Source: Humboldt County Planning Division.

Table 3.14-3. Humboldt County Local Register of Historic Landmarks, Unincorporated Area.

Resource Name	Address	Community	Year Listed
Garberville Civic Clubhouse	477 Maple Lane	Garberville	5/23/1989
Andreasen, F. W.--John Rossen House	Port Kenyon Rd. and Bush St.	Ferndale	6/6/1989
Myers Flat Hotel	Myers Flat	Myers Flat	6/20/1989
Southport Landing - Charles Heney House	Phelan Rd. / Table Bluff	Table Bluff	10/04/1988
Petersen-Machado Centerville Dairy	Centerville Road	Centerville	6/17/2008

Source: Humboldt County Planning Division.

In addition to the resources listed in the tables above, the State Historic Preservation Office (SHPO) maintains the California Historical Resources Inventory, which has been managed by the State since 1975.

The California Historical Resources Inventory includes resources evaluated or formally determined eligible for listing in national, State or local registries. Properties in the listing are given a status code which provides a tentative indication of their eligibility for listing in the National and/or California Registers, local significance, ineligibility, or lack of evaluation. SHPO's Historical Resources Inventory for Humboldt County contains 1247 records, about 80% of which are within incorporated cities.

Pursuant to current general plan policy and CEQA, the County conducts cultural resource surveys in connection with discretionary projects. These surveys may recommend that a site or structure be designated special status, and thereby become eligible for protection and other benefits. The designations relate to eligibility for inclusion on the National Register of Historic Places, a federal list maintained by the National Park Service or the State of California Register of Historical Resources. The California Register differs from the National Register in that its focus is on resources specific to California history. The County also has its own Local Official Register of Historic Resources, which provides protective status to resources that have local significance. Unlike the California Register, properties cannot be listed on the County Inventory or the National Register without the owner's consent.

3.14.2 Cultural Resources - Standards of Significance

This analysis uses the significance criteria from the CEQA Guidelines Appendix G. The proposed General Plan Update would result in a significant impact on cultural resources if it does any of the following:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. Substantially degrade the existing visual character or quality of the site and its surroundings.
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- d) Disturb any human remains, including those interred outside of formal cemeteries.

Item "a", with respect to substantial adverse change in the significance of a historical resource, is discussed in Impact 3.14.3.1, Historical Resources. Items "b" and "c", with respect to adverse change in the significance of an archaeological resource pursuant to §15064.5 or the indirect destruction of a unique paleontological resource or site or unique geologic feature, are discussed as Impact 3.14.3.2, Archaeological and Paleontological Resources. Item "d", with respect to significant impacts from the disturbance to any human remains, including those interred outside of formal cemeteries, is discussed in Impact 3.14.3.3, Human Remains Outside Formal Cemeteries.

3.14.3 Cultural Resources – Impacts and Mitigation Measures

Impact 3.14.3.1. Historical Resources

Implementation of the General Plan Update would result in additional development that could adversely impact historical resources.

Based on Appendix G of the CEQA Guidelines the proposed County General Plan Update would have a significant impact if it would:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.

Adverse changes to the significance of a historical resource could occur if a resource is removed, if alterations are made and the historic character of a property is not retained and preserved, or if alterations are made to their immediate surroundings which change the historic character of the resource. Impacts to historical resources would be significant if the General Plan Update would allow such alterations or removals of historical resources.

The significance of historic resources is formally determined by a Cultural Resource Report, a study designed to identify and evaluate properties in a defined area. The methods and criteria for these reports follow guidelines established by the State Office of Historic Preservation. There are two different levels of surveys. An intensive survey is one in which the entire site is closely inspected, with detailed research. A reconnaissance survey does not require extensive research, but simply provides a visual assessment of buildings or structures that might be significant. The majority of the vast unincorporated area of the County has never been systematically surveyed.

The findings of a cultural resource report may recommend that a site or structure be designated special status, thereby becoming eligible for protection and other benefits. The designations relate to eligibility for inclusion on the National Register of Historic Places, a federal list maintained by the National Park Service or the State of California Register of Historical Resources. The California Register differs from the National Register in that its focus is on resources specific to California history. The County also has its own Local Official Register of Historic Resources which provides protective status to resources that have local significance. Unlike the California Register, properties cannot be listed on the County Inventory or the National Register without the owner's consent.

Growth in the next 20 years as contemplated by the General Plan Update has the potential to impact historic resources either through direct impacts to resources themselves or impacts to their immediate surroundings. Because of the widespread distribution of historic resources in Humboldt County, the potential for significant impacts on resources and/or their immediate surroundings exists in community centers, rural centers, rural lands, agricultural lands and public lands.

Development within Urban Development Areas has the greatest potential to impact resources because of the intensity of development planned to occur in such areas. Also, future development within other portions of community planning areas or in rural centers, rural lands, or agricultural lands, though at a relatively lower density, has the potential to adversely impact historic resources. Impact could occur as a result of development on existing legal lots of record. Developing such lots or modifying structures on such lots could be done as ministerial projects that require only a building permit, and therefore are not subject to additional CEQA

environmental review. The county currently checks the state and local listed historic resources (including those determined to be eligible for listing) prior to issuing building permits.

Precise impacts of future development in any of the community planning areas cannot be identified at this time. Comprehensive inventories of historic resources have not been completed on a community-wide basis. Potential impacts must be identified at the project level at the time site-specific plans for each of these areas are prepared along with their accompanying environmental documentation.

Impacts to historic resources can occur as a result of neglect. Potentially historic structures can become obsolete due to changes in ownership, changes in the use of the land, and eventual abandonment. For those projects that involve potentially historical structures (more than 50 years old), the County makes a referral to the local Historical Society for a determination on whether the project may qualify for an official historical designation. If the project qualifies for such a designation, the County encourages the applicant to pursue that designation.

Another potential source of impact is the development of infrastructure and facilities to support future growth under the proposed General Plan, including projects contemplated by the Circulation Element. Such improvements may include constructing roads, highways, public water systems, wastewater facilities, storm drain systems, and other amenities associated with urban land use. The nature and extent of impacts that might result from infrastructure improvements cannot be identified at this time inasmuch as the characteristics and locations of these facilities have not been identified. These impacts must be further delineated during subsequent environmental analysis at the project or master plan level, when plans for various facilities and infrastructure are developed.

The proposed policies of the General Plan Update enhance methods and procedures for protecting historic resources and avoiding or mitigating actions related to development that might otherwise result in destruction, relocation or alteration of historic resources or their surroundings. However, proposed policies may not fully protect resources from demolition through actions unrelated to discretionary development permits and review.

Analysis of Relevant General Plan Update Policies

The General Plan Update contains several policies, standards, and implementation programs intended to address potential impacts to historic resources. CU-P1, Identification and Protection, would require that cultural resources be identified during ministerial and discretionary project review and if found to be significant, protected from substantial adverse change. CU-P2, Native American Tribal Consultation, requires consultation with Tribes during discretionary project review for the identification, protection and mitigation of adverse impacts of cultural resources. CU-P2 also requires consultation during ministerial projects if it has been determined that the project may result in adverse changes to a significant cultural resource. CU-P3, Avoid Loss or Degradation, requires that projects located in areas known or suspected to be archaeological sites or Native American burial sites to be conditioned to avoid potential impacts (CU-S4 provides standards on conditioning, designing and/or mitigating projects to avoid the loss of cultural resources). CU-P4, Findings Necessary for Loss or Destruction, prohibits cultural resources from being substantially altered through a permit approval without a determination that the resource is not significant or where overriding public benefits and mitigations would occur. CU-P5, Mitigation, requires mitigations when development would adversely impact cultural resources.

The General Plan Update includes policies CU-P1 through CU-P5 which establish that the County will scrutinize development projects to identify and protect cultural resources, as well as cooperate with Native American groups where potential Native American resources could be affected by development proposals. This will lead to the identification of resources and the application of mitigation measures for both ministerial and discretionary projects on a project-by-project basis. Additionally, Standard CU-S1, Significant Cultural Resources Defined, broadly defines cultural resources to include buildings, structures, sites, districts, areas, places that are culturally, historically, or archeologically significant. CU-S3, Cultural Resources Community, specifies that the cultural resources community includes: a) Native American Tribes, defined as federally recognized and non-recognized tribes and tribal organizations that have ancestral lands in Humboldt County that are on the contact list maintained by the Native American Heritage Commission; and, the appointed Tribal Historic Preservation Officers (THPOs) of such tribes; b) Historic preservation organizations, including the Native American Heritage Commission, the California State Office of Historic Preservation, the North Coastal Information Center, the Northwest Information Center, Humboldt County Public Works Department and the Planning and Building Divisions, and local historical societies and museums; and c) Other interested parties who have requested in writing to be notified of such matters.

CU-S5, Assessment and Treatment of Impacts to Significant Historic Structures, Buildings and Districts, provides that a records check will be conducted for all ministerial projects. If a project site and/or structure is found to be listed on the local, State, or federal register, or has been surveyed and determined to be eligible for listing on the local, State, or federal register, it will be considered a significant cultural resource. Projects then must either be modified to ensure continued protection of the significant historical resources, or subjected to a discretionary review process where a Cultural Resources Report may be required if it is determined that cultural (including historic) resources may be significantly impacted by the project. To assist in identifying historical resources of significance, CU-S5 specifies that the County encourage the cultural resources community to utilize the nomination process for the California Register of Historic Places, which provides notice and comment opportunities for local government and the property owner, in determining eligibility for register listing.

Implementation Measure CU-IM1, Cultural Resources Ordinance and Advisory Committee, provides for the process of reviewing existing ordinances in order make necessary amendments that assures the protection of cultural resources. CU-IM1 also specifies the adoption of a comprehensive Cultural Resources Ordinance and the establishment of (an) advisory Cultural Resources Committee(s). The purpose of the Ordinance is to implement the goals, policies and standards of the cultural resources policies found in Chapter 10.7. These policies outline a clearly prescribed process for the identification, evaluation, assessment and treatment (mitigation) of cultural resource impacts for County permitted projects or actions that could result in significant adverse impacts and on recommendations.

Implementation Measure CU-IM3, Cultural Resources Designation, requires the development of a program that encourages and actively supports the nominations to the federal, state, and local cultural resource registration programs. Implementation Measure CU-IM4, Historic Building Code, promotes the use of the Historic Building Code of the State of California for historical sites. And Implementation Measure CU-IM5, Historic Building Identification, will establish and maintain a system for identifying significant historic buildings and structures (individually or as part of districts or landscapes).

The proposed General Plan Update includes a policy and standard (AG-P5 and AG-S5) to mitigate the loss of historic structures on agricultural land due to neglect.

The General Plan Update also includes Implementation Measure CU-IMx, Map Resource Areas. Under this Implementation Measure, the County, in consultation with the cultural resources community (as defined earlier by CU-S3), will map Overlay Zones for culturally sensitive areas (including potentially significant cultural landscapes) especially in rural, inland areas outside the Coastal Zone. This will serve to expand the County's review of projects that may affect known and unknown cultural resources to facilitate Initial Project Screening (CU-P1). CU-IMx also requires the development of a confidential database that identifies the location of sites of archaeological or cultural heritage sensitivity to prevent destruction from permitted activity. Lastly, CU-IMx requires the development of a list of listed, eligible or potentially eligible historical resources including architectural sites, districts and cultural landscapes, within the County's jurisdiction. Prior to the development of this list, CU-IMx requires the County to continue to contract with the NCIC and NWIC to provide rapid-response, reduced fee initial review of project locations for purposes of determining if known cultural resources are recorded on or near project areas, and for opinions on cultural resources sensitivity with appropriate recommendations.

Conclusion

The General Plan Update contains policies, standards and implementation measures which generally protect historical and archaeological resources or mitigate impacts to them. The General Plan Update policies and measures referenced above would reduce the anticipated impacts but not to a less-than-significant level. Historic structures may still be removed or substantially altered when building sites are prepared for new construction. Therefore, impacts to historic structures would **remain a significant and unavoidable impact** of the General Plan Update.

Impact 3.14.3.2. Archaeological and Paleontological Resources

Implementation of the General Plan Update would result in additional development that could adversely impact archaeological and paleontological resources.

Based on Appendix G of the CEQA Guidelines the proposed County General Plan Update would have a significant impact if it would:

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5, or
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Ground-disturbing activities, such as clearing, excavation and grading, have the potential to damage or destroy archaeological and paleontological resources that may be present on or below the ground surface, particularly in areas that have not previously been developed. The proposed General Plan Update could result in an adverse change in the significance of archaeological resources by the designation of land uses that would result in ground-disturbing activities without proper regulation and monitoring. Such adverse changes may result in a loss of valuable information that could be gained from the resources, or prevent potentially eligible sites from being listed on a register of cultural resources.

Cultural resources exist in many undeveloped and developed areas, within communities and forest lands, mountain areas, and under agricultural lands. Although the potential exists for cultural resources to exist in all proposed land use designations, the intensity of development associated with some land uses have a greater potential to impact cultural resources than

others. The proposed General Plan Update would designate higher density land uses within Urban Development Areas and Water Service Areas located in Community Planning Areas. Therefore, the Community Planning Areas would experience higher potential for impacts to archaeological resources as compared to other parts of the County, because higher density land uses are more likely to result in development that requires extensive excavation or grading activities. However, areas outside of Community Planning Areas would also experience potential impacts to archaeological resources from development allowable under the proposed General Plan Update and the installation of septic tanks or access roads, although to a lesser extent than areas within Community Planning Areas.

Although most land uses proposed under the General Plan Update would allow for excavation and grading activities during development, some land uses would result in greater land disturbance activities than others, and would therefore be more likely to result in impacts to archaeological resources. For example, areas designated for urban uses, such as industrial, commercial, mixed use, and low to medium density residential would be more likely to result in construction activities that involve extensive excavation or grading activities than some of the lower intensity land use designations. Impacts to archaeological resources in areas designated for higher intensity land uses would be likely to occur. In contrast, open space recreation or open space conservation land use designations would generally not allow land uses that would involve excavation or grading activities during construction. Therefore, impacts to archaeological resources in areas with these land use designations would generally not occur.

Humboldt County has established special review procedures for projects mapped with an A-Archaeological Resources Combining Zone for areas within the Coastal Zone. The County uses different review procedures for each of three categories of development projects to reduce impacts of proposed development on archaeological resources. These are described in the following paragraphs.

First, before approving any discretionary permit for development, the County obtains a response from the Northwest Information Center of the California Archaeological Inventory at Sonoma State University on whether the proposed project may affect any mapped archaeological sites. If the records of that agency show the project may affect an archaeological resource, an on-site investigation and appropriate mitigation measures are required as necessary to protect the resource (e.g., project relocation, excavation plan, and protective cover).

Secondly, for other non-discretionary projects in areas with an "Archaeological" zone district, the Natural Resources Division of the County Public Works Division is consulted prior to project approval. That agency also has information on virtually all mapped sites throughout the County. In cases where the ministerial project is determined to potentially affect archaeological resources, a site investigation and appropriate mitigation measures are required prior to project approval (e.g., project relocation, excavation plan, and protective cover).

Existing requirements administered by the County also protect historical resources. Projects that involve designated historical sites may have their building permits processed under an alternative set of building codes, the Historical Building Code (Part 8 of the California Building Standards Code pp. 8-1 through 8-607). These alternative standards relax many of the typical building code requirements that would otherwise make maintenance or remodeling of historical structures infeasible.

For the third category of development projects, ministerial projects outside mapped archaeological resource areas, the County applies 21083.2 of the Public Resources Code which identifies the following criteria for identifying unique archaeological resources:

"...(g) As used in this section, "unique archaeological resource" means 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:

(1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

(2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.

(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

If cultural resources are encountered during construction, all work must cease and a qualified cultural resources specialist must be contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, and protective cover)."

While many archaeological sites are known and have been recorded, there is the potential these unknown archaeological resources exist within the County, particularly in areas that have not previously been surveyed for resources. The County has some mapped cultural resource areas, and the permit review process for new residential construction references these maps to avoid impacts on cultural resources, and to ensure new residential construction does not conflict with policies or ordinances protecting cultural resources. The location of past discoveries of archaeological resources can be useful in determining where potential impacts to unknown archaeological resources may occur.

The review procedures for the three categories of development projects identified in Impact 3.14.3.1 above are intended to reduce impacts of proposed development on historic resources and are also intended to reduce impacts to archaeological resources.

Analysis of Relevant General Plan Update Policies

The General Plan Update includes policies requiring review of development projects under CEQA and the National Historic Preservation Act, as well as cooperation with Native American groups where potential Native American resources could be affected by development proposals. This will lead to the identification of resources and the application of mitigation measures on a project-by-project basis. The General Plan Response to Impact 3.14.3.1 and this section 3.14.2.2 describe the policies and standards contained in the Cultural Resources Chapter of the Conservation and Open Space Element that are intended to address potential impacts to archeological and paleontological resources that could result from the implementation of the General Plan Update. It is noted that some archeological and paleontological resources also have an historic component, so in such cases both policy sets are applicable.

Prehistoric and historical archaeological deposits, some of which may qualify as historical or unique archaeological or paleontological resources under CEQA, are known to exist in Humboldt County. Development actions that could occur consistent with the General Plan Update could result in a substantial adverse change (e.g., damage or destruction) in the significance of archaeological deposits that meet either definition. Therefore, this impact could be significant. The General Plan Update proposed the addition of CU-S4 that specifically addresses this issue. CU-S4 requires that ministerial and/or discretionary projects must be re-

designed, conditioned and/or mitigated to avoid or reduce impacts to archaeological resources. CU-S4 also requires that any discretionary and/or ministerial projects that involve ground disturbing activities, provide a notation on development plans to read as follows:

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

If archaeological resources are encountered, all ground disturbing work at the find location plus a reasonable buffer zone must be immediately suspended, the approving County department contacted, and a qualified professional archaeologist retained to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, and protective cover) in consultation with culturally affiliated tribes or other descendant groups, where applicable.

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

Conclusion

It is anticipated that conflicts would occur between land development and the preservation of significant archaeological deposits. Situations would occur in which significant archaeological deposits could be damaged or destroyed as result of development that is consistent with the General Plan Update. Policies and implementation programs contained in the General Plan Update address these situations and partially provide for the identification, evaluation, and mitigation of impacts on archaeological deposits. The programs contained in the General Plan Update would reduce potential impacts on archaeological deposits to **a less-than-significant level**.

Mitigation

None required.

Impact 3.14.3.3. Human Remains Outside Formal Cemeteries

Implementation of the General Plan Update would result in additional development that could disturb human remains, including those interred outside of formal cemeteries. Based on Appendix G of the CEQA Guidelines the proposed County General Plan Update would have a significant impact if it would:

- d) Disturb any human remains, including those interred outside of formal cemeteries.

Sensitive archaeological sites with the potential for human remains are known and mapped, and would be avoided through the existing review process. There is a possibility that some unknown burial sites would be discovered as a consequence of ground disturbing activities resultant from development. Impacts to unknown burial sites would be significant if the General

Plan Update would allow such ground disturbing activities without any protection for the buried remains.

Although the potential exists for unknown burials to exist in all proposed land use designations, the intensity of development associated with some land uses have a greater potential to impact unknown burials than others. The proposed General Plan Update would designate higher density land uses within Urban Development Areas and Water Service Areas located in Community Planning Areas. Therefore, the Community Planning Areas would experience higher potential for impacts to unknown burials as compared to other parts of the County, because higher density land uses are more likely to result in development that requires extensive excavation or grading activities. However, areas outside of Community Planning Areas would also experience potential impacts to unknown burials from development allowable under the proposed General Plan Update and the installation of septic tanks or access roads, although to a lesser extent than areas within Community Planning Areas.

Although most land uses proposed under the General Plan Update would allow for excavation and grading activities during development, some land uses would result in greater land disturbance activities than others, and would therefore be more likely to result in impacts to unknown burials. For example, areas designated for urban uses, such as industrial, commercial, mixed use, and low to medium density residential would be more likely to result in construction activities that involve extensive excavation or grading activities than some of the lower intensity land use designations. Impacts to unknown burials in areas designated for higher intensity land uses would be likely to occur. In contrast, open space recreation or open space conservation land use designations would generally not allow land uses that would involve excavation or grading activities during construction. Therefore, impacts to unknown burials in areas with these land use designations would generally not occur.

Humboldt County has established special review procedures for projects mapped with an A-Archaeological Resources Combining Zone for areas within the Coastal Zone. The County uses different review procedures for each of three categories of development projects to reduce impacts of proposed development on archaeological resources, which would also protect unknown burials in those areas. These are described in the following paragraphs.

First, before approving any discretionary permit for development, the County obtains a response from the Northwest Information Center of the California Archaeological Inventory at Sonoma State University on whether the proposed project may affect any mapped archaeological sites. If the records of that agency show the project may affect an archaeological resource, an on-site investigation and appropriate mitigation measures are required as necessary to protect the resource (e.g., project relocation, excavation plan, and protective cover).

Secondly, for other non-discretionary projects in areas with an "Archaeological" zone district, the Natural Resources Division of the County Public Works Division is consulted prior to project approval. That agency also has information on virtually all mapped sites throughout the County. In cases where the ministerial project is determined to potentially affect archaeological resources, a site investigation and appropriate mitigation measures are required prior to project approval (e.g., project relocation, excavation plan, and protective cover).

Existing requirements administered by the County also protect historical resources. Projects that involve designated historical sites may have their building permits processed under an alternative set of building codes, the Historical Building Code (Part 8 of the California Building Standards Code pp. 8-1 through 8-607). These alternative standards relax many of the typical

building code requirements that would otherwise make maintenance or remodeling of historical structures infeasible.

For the third category of development projects, ministerial projects outside mapped archaeological resource areas, the County applies 21083.2 of the Public Resources Code which identifies the following criteria for identifying unique archaeological resources:

"...(g) As used in this section, "unique archaeological resource" means 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:

(1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

(2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.

(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

If cultural resources are encountered during construction, all work must cease and a qualified cultural resources specialist must be contacted to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, and protective cover)."

While many burial sites are known and have been recorded, there is the potential unknown burials exist within the County, particularly in areas that have not previously been surveyed for archaeological resources. The County has some mapped cultural resource areas, and the permit review process for new residential construction references these maps to avoid impacts on cultural resources, and to ensure new residential construction does not conflict with policies or ordinances protecting cultural resources. These review processes would protect unknown burials in these cultural resource areas as well.

The review procedures for the three categories of development projects identified in Impact 3.14.3.1 above are intended to reduce impacts of proposed development on historic resources and are also intended to reduce impacts to unknown burials.

Analysis of Relevant General Plan Update Policies

The General Plan Update includes policies requiring review of development projects under CEQA and the National Historic Preservation Act, as well as cooperation with Native American groups where potential Native American resources, including unknown burials, could be affected by development proposals. This will lead to the identification of unknown burials and the application of mitigation measures on a project-by-project basis. The General Plan Response to Impact 3.14.3.1 and this section 3.14.2.2 describe the policies and standards contained in the Cultural Resources Chapter of the Conservation and Open Space Element that are intended to address potential impacts to historic resources and archeological resources, including Native American burial sites, that could result from the implementation of the General Plan Update. It is noted that some archeological resources, including Native American burial sites may have an historic component, so in such cases both policy sets are applicable.

Unknown burial sites, some of which may qualify as historical or unique archaeological or paleontological resources under CEQA, are likely to exist in Humboldt County. Development actions that could occur consistent with the General Plan Update could result in a substantial adverse change (e.g., damage or destruction) to the burial sites. Therefore, this impact could be significant. The General Plan Update proposed the addition of CU-S4 that specifically addresses this issue. CU-S4 requires that ministerial and/or discretionary projects must be re-designed, conditioned and/or mitigated to avoid or reduce impacts to archaeological resources, including Native American burial sites. CU-S4 also requires that any discretionary and/or ministerial projects that involve ground disturbing activities, provide a notation on development plans to read as follows:

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

If archaeological resources are encountered, all ground disturbing work at the find location plus a reasonable buffer zone must be immediately suspended, the approving County department contacted, and a qualified professional archaeologist retained to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, and protective cover) in consultation with culturally affiliated tribes or other descendant groups, where applicable.

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

Conclusion

It is anticipated that conflicts would occur between land development and the preservation of unknown human burial sites. Situations would occur in which the burial sites could be damaged or destroyed as result of development that is consistent with the General Plan Update. Policies and implementation programs contained in the General Plan Update address provide for the identification, evaluation, and mitigation of impacts on archaeological deposits, which may include burial sites. The programs contained in the General Plan Update would reduce potential impacts on buried human remains to **a less-than-significant level**.

Mitigation

None required.