

## 3.7 CULTURAL RESOURCES

---

### 3.7.1 INTRODUCTION

Cultural resources include historic and prehistoric archaeological sites, deposits, and features; historic and prehistoric districts; built environment resources including but not necessarily limited to buildings, structures, and objects; and traditional cultural properties and sacred sites, including human remains, and features or sites associated with significant events or practices in the traditional culture of an ethnic group.

This section describes work undertaken to identify any cultural resources that may be present within the project area itself, as well as the three off-site mitigation properties; to evaluate the significance of each identified resource in order to identify those which appear to qualify as historic properties under the National Historic Preservation Act (NHPA); and to assess the potential direct and indirect effects of the Proposed Action and alternatives on cultural resources (including potential visual effects on the setting). This section also assesses the potential for undiscovered resources (such as buried archaeological deposits or human remains) to be present within the project area and mitigation properties, and identifies measures to avoid significant effects to any such resources that might be present and could be affected by the Proposed Action, No Action, or Alternatives 1, 2, or 3.

The information provided in this section was derived from a series of archaeological surveys of the project area or portions of the project area undertaken in 2008, 2011, and 2014 and an updated California Historical Resources Information System (CHRIS) records search at the North Central Information Center (NCIC) at CSU Sacramento in 2017 (NCIC File No. PLA-17-91). A historic architectural evaluation of buildings and structures in the project area was conducted in 2011. In the course of archaeological assessment of the project area, consultants also contacted the California Native American Heritage Commission (NAHC) for a search of its Sacred Lands Files to determine whether there are recorded Sacred Sites (traditional resources of concern to the Native American community) within the project area; and a series of letters were sent to local Native American contacts identified by the NAHC and to local historical societies, to elicit any concerns about potential effects of the Proposed Action and on-site alternatives on traditional cultural properties, historical resources or historic properties. Further information provided in this section for the off-site mitigation parcels was derived from cultural studies completed in 2008, 2009, and 2015, updated CHRIS records searches completed in 2015 (NCIC File No. PLA-15-16), and updated searches of the NAHC's Sacred Lands File. Methods and results of this work are summarized in this section and are presented in detail in the reports listed at the end of this section (ECORP 2008a, 2008b, 2009, 2011, 2014, 2015a, 2015b, and 2015c; Past Forward 2011). All archaeological work was undertaken and this section was prepared under the direct supervision of archaeologists who meet the Secretary of the Interior's Professional Qualification Standards. Historic architectural assessments were undertaken by qualified architectural historians and historians who also meet the Secretary of the Interior's Qualification Standards.

## 3.7.2 AFFECTED ENVIRONMENT

### 3.7.2.1 Project Location and Area of Potential Effects (APE)

The project area is located in western Placer County within the city limit of Roseville. The northwest portion of the City where the project site is located is a transitional zone between the flat, open terrain of the Sacramento Valley to the west and the foothills of the Sierra Nevada Mountains to the east.

#### *Project Area*

The horizontal Area of Potential Effects (APE), as currently proposed, consists of the approximately 674-acre property within the project boundary, plus 644 combined acres of three non-contiguous off-site mitigation properties. The main project boundary APE is located south of Sunset Boulevard West, west of Fiddymont Road, east of Pettigrew Road, and north of Pleasant Grove Creek in western Placer County, California. The horizontal APE includes the approximately 1-acre area to be disturbed along the northern side of Sunset Boulevard West in order to widen the roadway to serve the project development. The horizontal APE also includes a 17.2-acre area within the Al Johnson Wildlife Area (AJWA), west of the project property, which is proposed for drainage improvements. The vertical APE will extend to a maximum depth of about 12 feet below the natural ground surface to allow for the installation of utilities and infrastructure and the construction of buildings.

#### *Mitigation Properties*

There are three proposed locations for off-site wetland mitigation for the Amoruso Ranch project. These are the Mourier East, Mourier West, and Skover properties (collectively “mitigation properties”). Each of the mitigation properties is discussed in more detail below.

#### **Mourier East Property**

Mourier East is a 240-acre parcel located approximately 0.5 mile west of the project area. The parcel is comprised of gently rolling to flat terrain, and has elevations that range from approximately 50 to 75 feet above mean sea level. A review of historic aerial photos (USDA 1937) indicates that portions of the parcel have been manipulated and/or altered by past land uses and appears to have been disked, but not dryland farmed. However, the parcel is currently used for cattle grazing. The horizontal APE consists of all 240 parcel acres. The subsurface vertical APE varies across the parcel but is not expected to be deeper than 5 feet below the surface, to construct wetland features (ECORP 2015a).

#### **Mourier West Property**

Mourier West is a 265-acre parcel located approximately 2 miles west of the project area. The parcel is comprised of leveled to gently rolling terrain and has elevations ranging from approximately 50 feet to 75 feet above mean sea level. The northern portion of the parcel was contoured and used for rice cultivation, but is now fallow. The contour rice check berms are still present, and have resulted in linear seasonal wetlands. A historic-aged residential complex is present in the northern portion of the parcel, but is located outside of the APE. The southern portion of the parcel has been disked, but has never been dryland farmed. The horizontal APE consists of all 265 parcel acres, and the subsurface vertical APE varies across the parcel,

but will not exceed 5 feet below the surface for soil to be removed in order to make shallow ponds that will seasonally impound water. (ECORP 2015b).

### **Skover Property**

Skover is a 139-acre parcel located approximately 2.5 miles west of the project area. The parcel is comprised of leveled terrain and has elevations of approximately 60 to 65 feet above mean sea level. Since the mid-1970s, the vast majority of the parcel has been leveled and farmed for cultivated rice production. Irrigation water is mechanically pumped into the rice fields and all of the fields are connected by culverts or ditches. The fields typically remain flooded until the late summer/fall and harvested when each field is drained into man-made ditches. Individual fields are separated by small upland checks or larger levees, some of which are used as access roads. The only structure is a segment of historic-period transmission line. The horizontal APE consists of the 139-acres of the parcel, and the subsurface vertical APE varies across the parcel, but will not exceed 5 feet below the surface for soil to be removed in order to make shallow ponds that will seasonally impound water (ECORP 2015c).

### **3.7.2.2 Regional Prehistory, Ethnography and History**

The majority of the project APE is undeveloped and was historically used for agricultural or grazing activities. The following prehistoric, ethnographic, historic, and paleontological setting sections summarize the ECORP 2008, 2009, 2011, 2014, and 2015 survey reports and study updates prepared in support of the Amoruso Ranch Specific Plan (ARSP) Environmental Impact Report (EIR) and the updated records search conducted in 2017 in support of this Draft EIS.

#### ***Prehistoric Setting***

**Paleo-Indian Period (10,000–8,500 B.C.).** The earliest occupants of California are believed to have subsisted by hunting big game, including Pleistocene megafauna such as mammoths and giant sloths. Although tools for grinding foodstuffs are occasionally found on sites dating to this period, archaeological evidence indicates that the gathering of plant material may have been only a small part of their subsistence strategy. Evidence for this wide-ranging, highly nomadic lifestyle has been found all over the West, from sites in what are today deserts, but were then inland lakes with resource-rich marshlands. Few sites from this period have been found in California.

**Early Archaic Period (8,500–4,000 B.C.).** With the end of the Pleistocene, the climate began a warming and drying trend that lasted for several thousand years. The pluvial lakes that had covered large areas of the Great Basin began to dry up, and megafauna went extinct. People adapted to these changes by shifting their foraging emphasis away from hunting and increasing their use of plant resources, as evidenced by a marked increase in stone tools (manos and metates) designed to grind plants and seeds found on sites. This, combined with a greater reliance on local stone sources, suggests that groups began to focus on smaller territories, moving seasonally to take advantage of various resources as they became available.

**Middle Archaic Period (4,000–2,000 B.C.).** Another major change in subsistence came in the Middle Archaic Period when acorns were adopted as a staple food. With this staple, an increase in group size and population densities occurred. Sedentism (permanently remaining in one place) increased and trade networks grew,

bringing in goods from a wide range of sources. Subsistence strategies expanded, and included hunting a variety of game animals, fishing, and gathering numerous types of wild plants.

**Late Archaic Period (2,000 B.C.–A.D. 500).** An increase in the number of archaeological sites dating to this period suggests an increase in population which may be linked to adoption of the acorn as a reliable food resource. People moved into environmental zones that had previously been used only marginally, such as the middle and high Sierra. Increasingly complex social and political organizations and networks evolved in this period.

**Emergent Period (A.D. 500–1769).** Bow and arrow technology were introduced, leading to increased hunting efficiency. Another major shift in technology at this time is the movement away from portable manos and metates towards the increased use of bedrock mortars and milling stations. The increasing complexity of societies continues to be seen in archaeological sites dating to this period, as does the widening of trade networks, development of food storage and redistribution systems, and the increasing intricacy of ceremonial and funerary patterns. During this period, Europeans began exploration of California, culminating with the establishment of Spanish missions and presidios along the coast.

### *Ethnographic Setting*

Ethnographically, the project APE is in the southwestern portion of the territory occupied by the Penutian-speaking Nisenan. Their territory included the drainages of the Yuba, Bear, and American Rivers, as well as the lower Feather River. The Sacramento River bounded the territory on the west, and in the east the territory extended nearly to Lake Tahoe. The Nisenan language has three main dialects: Northern Hill, Southern Hill, and Valley Nisenan. The Valley Nisenan lived along the Sacramento River, establishing large villages with populations of several hundred people each. Between there and the foothills, the grassy plains were largely unsettled, used mainly as a foraging ground by both valley and hill groups.

Politically, the Nisenan were divided into tribelets, made up of a primary village and a series of outlying hamlets, presided over by a hereditary chief. Villages typically included family dwellings, acorn granaries, a sweathouse, and a dance house.

Subsistence activities centered on the gathering of acorns, seeds, and other plant resources. The hunting of animals such as deer and rabbits, and fishing were also an important part of normal subsistence activities. Large predators, such as mountain lions were hunted for their meat and skins, and bears were hunted ceremonially. Although acorns were a staple of the Nisenan diet, they also harvested roots like wild onion and “Indian potato,” which were eaten raw, steamed, baked, or dried and processed into flour cakes to be stored for winter use. Deer hunting often took the form of communal drives, involving several villages, with killing done by the best marksmen from each village. Snares, deadfalls, and decoys were used as well. Fish were caught by using a variety of methods, including the use of hooks, harpoons, nets, weirs, traps, poisoning, and by hand.

The Spanish arrived on the central California coast in 1769 and, by 1808, Gabriel Moraga had crossed Nisenan territory. In 1833, an epidemic—most likely malaria—raged through the Sacramento Valley, killing an estimated 75 percent of the native population. The discovery of gold in 1848 at Sutter’s Mill, near the

Nisenan village of Koloma (now Coloma) on the South Fork of the American River, drew thousands of miners into the area, and led to widespread killing and the virtual destruction of traditional Nisenan culture.

### ***Historic Setting***

Colonization of California began with the Gaspar de Portolá expedition, exploring the California coast from San Diego to the Monterey Bay Area in 1769. As a result of this expedition, Spanish missions to convert the native population, presidios (forts), and pueblos (towns) were established. The missions and presidios were intended to exert Spanish control over the territory. After Mexico became independent from Spain in 1821, what is now California became the Mexican province of Alta California with its capital at Monterey. The Mexican government closed the missions in the 1830s and former mission lands, as well as previously unoccupied areas, were granted to retired soldiers and other Mexican citizens for use as ranchos.

Placer County (County) formed in 1851 from parts of Sutter and Yuba Counties. The principal economic activity in much of the County at that time was placer mining, hence the name. However, gold deposits were absent in the alluvial valley portion of the western County, and ranching (cattle and sheep) and agriculture (wheat cultivation) were the principal economic activities in those areas. The vicinity of the project APE has been used primarily for agricultural production since it was first settled. Expansive grasslands made cattle ranching and wheat farming profitable even with only seasonal rains. Demand for beef accelerated with the onset of the Gold Rush and increasing settlement and, more recently, rice farming has become a primary agricultural activity.

A growing network of roads and railroads, spurred by the need to get from Sacramento to the gold diggings, led to increased development in the region as well. Lincoln, Folsom, Marysville, and Roseville were all early depots established by the Central Pacific Railroad. On April 25, 1864, the Central Pacific Railroad was completed from Sacramento to Roseville and soon, trains were traveling to and from Sacramento on a daily basis.

### ***Local Project Setting***

#### **City of Roseville**

Roseville served as a supply and shipping point for the local farmers and ranchers. Between 1906 and 1909, Roseville became one of the fastest-growing towns in the area when the Southern Pacific Railroad repair facilities and roundhouse, originally located in Rocklin, were moved to Roseville, and by the 1920s, Roseville had one of the largest freight yards west of the Mississippi River. During the early to mid-1900s, the town remained an important railroad depot; however, the depot was closed in 1972, once Interstate 80 was completed, and other means of transportation had become common. Although Roseville was strongly affected by the decline in railroad transportation, the town has continued to grow due to the introduction of many industrial headquarters and the proximity to Sacramento.

### **The Amoruso Family**

Angelina and Thomas Amoruso, Italian immigrants living in Massachusetts, began visiting California in the 1940s and, in 1942, moved to Sacramento. Angelina purchased a house in downtown Sacramento and soon purchased orchards in several counties, as well as a chicken ranch.

In 1952, Angelina bought property in Placer County from Leslie Albert Butler, including the project area. From 1952 to 1964, the property was leased to John Mourier, Sr., who used the land to grow winter wheat and oats. In 1964, Angelina's son Peter took over the property and began using it for cattle ranching. Angelina and Peter managed the family's property until 1980, when Angelina passed away and Peter took over the family's holdings. Peter remained interested in real estate and ranching until 2006, when he, too, passed away.

### **3.7.2.3 Resource Identification Efforts**

#### *Archaeological Records Search*

##### **Amoruso Property**

The NCIC completed a cultural resources records search in 2008 for the Amoruso project APE (NCIC search # PLA-08-06), and in 2014 for the adjacent AJWA (NCIC search #PLA-14-46). In each case, the standard resources were consulted, including:

- Historic Property Data File for Placer County;
- The National Register Information System website;
- California Historical Landmarks;
- California Points of Historical Interest;
- Directory of Properties in the Historical Resources Inventory;
- Caltrans Local and State Bridge Surveys (Caltrans 2014); and
- Commonly consulted texts such as *Historic Spots in California* (Kyle 2002).

Other references examined include DataQuick Property Searches, historic General Land Office land patent records, historic U.S. Geological Survey (USGS) topographic maps and historic aerial photos taken in 1947, 1958, 1966, 1984, 1988, 1998, and 2010. No structures were depicted on any of these maps until two stock ponds showed up on the 1981 revised version of the 1967 USGS Pleasant Grove topographic quadrangle, indicating a construction date between 1967 and 1981 (ECORP 2008; 2014). Five previous archaeological surveys have been conducted within 0.5 mile of the project APE, but none included the current footprint of the Proposed Action.

In 2017 an updated records search was conducted at the NCIC. No newly-recorded resources or studies had been identified and/or conducted since the ECORP studies in 2008, 2011, and 2014.

### **Mourier East Property**

A cultural resources records search of the NCIC was completed in 2015 for the Mourier East APE (NCIC search # PLA-15-16). The standard resources were consulted, including:

- Historic Property Data File for Placer County;
- The National Register Information System website;
- California Historical Landmarks;
- California Points of Historical Interest;
- Directory of Properties in the Historical Resources Inventory;
- Caltrans Local and State Bridge Surveys (Caltrans 2015); and
- Commonly consulted texts such as Historic Spots in California (Kyle 2002).

Other references examined include DataQuick Property Searches, historic General Land Office land patent records, historic U.S. Geological Survey (USGS) topographic maps and historic aerial photos taken in 1937, 1952, 1961, 1984, 1998 and 2005. No structures were depicted within the APE on any of these maps, and the maps showed the lands had been slightly modified throughout the years to accommodate agricultural production (ECORP 2015a). Five previous archaeological surveys have been conducted within 0.5 mile of the Mourier East APE, one of which included 30 percent of the Mourier East property. This survey did not identify any cultural resources.

### **Mourier West Property**

A cultural resources records search of the NCIC was completed by ECORP in 2008 for the Mourier West APE (NCIC search # PLA-08-07). The standard resources were consulted, including:

- Historic Property Data File for Placer County;
- The National Register Information System website;
- California Historical Landmarks;
- California Points of Historical Interest;
- Directory of Properties in the Historical Resources Inventory;
- Caltrans Local and State Bridge Surveys (Caltrans 2006); and
- Commonly consulted texts such as Historic Spots in California (Kyle 2002).

Other references examined include DataQuick Property Searches, historic General Land Office land patent records, historic U.S. Geological Survey (USGS) topographic maps. Several buildings or structures were depicted within the northern part of the APE on several maps as early as 1967, and the maps showed the lands had been slightly modified throughout the years to accommodate agricultural production (ECORP 2008b). Two previous archaeological surveys have been conducted within 0.5 mile of the Mourier West APE, neither of which included the Mourier West property.

In 2015, an updated records search was conducted at the NCIC (NCIC No. PLA-15-16) that identified the three previous archaeological surveys that had been conducted directly north, east, and west of the APE, along with the 2008 ECORP study which covered 100 percent of the Mourier West APE.

### **Skover Property**

A cultural resources records search of the NCIC was completed by ECORP in 2009 for the Skover APE (NCIC search # PLA-08-02). The standard resources were consulted, including:

- Historic Property Data File for Placer County;
- The National Register Information System website;
- California Historical Landmarks;
- California Points of Historical Interest;
- Directory of Properties in the Historical Resources Inventory;
- Caltrans Local and State Bridge Surveys (Caltrans 2008); and
- Commonly consulted texts such as Historic Spots in California (Kyle 2002).

Other references examined include DataQuick Property Searches, historic General Land Office land patent records, historic U.S. Geological Survey (USGS) topographic maps. No buildings or structures were depicted on historical maps, however historic period aerial images show the land had been slightly modified throughout the years (ECORP 2009). One previous archaeological survey had been conducted within 0.5 mile of the Skover APE but did not include the Skover property.

In 2015, an updated records search was conducted at the NCIC (NCIC No. PLA-15-16), and identified the three previous archaeological surveys that had been conducted in the vicinity of the APE, along with the 2009 ECORP study which covered 100 percent of the Skover APE. The 2009 study identified P-34-3810, a segment of historic-aged electrical transmission line within the APE.

### ***Previously Recorded Resources***

#### **Amoruso Property**

One prehistoric isolate, a prehistoric mano (P-31-1170) had been previously recorded within the APE in 2000. During the 2008 intensive pedestrian survey, the isolate could not be located, despite extensive surface survey.

#### **Mourier East Property**

The records search results did not indicate any previously recorded resources within the APE.

#### **Mourier West Property**

The records search results did not indicate any previously recorded resources within the APE.



### **Skover Property**

The records search identified P-34-3810, a segment of historic-period transmission line, within the Skover APE. ECORP evaluated the segment in 2009 and reviewed the evaluation in 2015 with respect to a more robust historical context for electrical transmission in California. Both the 2009 and 2015 archaeological evaluations recommend P-34-3810 as not eligible for inclusion on the NRHP.

### ***Cultural Resources Surveys***

#### **Amoruso Property**

The following areas were surveyed for cultural resources: 674 acres within the project site boundaries, an approximately 1-acre area within the adjacent right-of-way of Sunset Boulevard West, and a 17.2-acre area within the AJWA proposed for drainage improvements. The original project footprint of approximately 571 acres was surveyed from January 14 to January 18, 2008 by archaeologists using parallel transects spaced approximately 10 to 15 meters apart. No archaeological resources were identified, but the survey team noted several pieces of farm equipment, most of which were still in use and post-dated 1973 (ECORP 2008). The ECORP team tried to find, but could not locate, the isolated prehistoric mano that had been previously recorded within the footprint of the Proposed Action.

A supplemental survey was conducted in February 2011 after the project area was enlarged in the northeastern quadrant by approximately 103 acres, including the 1-acre road right-of-way area along Sunset Boulevard West (ECORP 2011). No archaeological sites were identified; however, a ranch complex dating to 1954 was noted. The complex included a residence, barns, corral, and farming equipment. The ranch was formally recorded by Past Forward, Inc. (2011) and is recommended as not eligible for listing on the NRHP.

In 2014, ECORP conducted a cultural resources survey of the 17.2-acre AJWA to the west of the project site (ECORP 2014); however, no cultural resources were identified.

#### **Mourier East Property**

The entire 240-acre Mourier East APE was surveyed for culture resources in 2015 by archaeologists using parallel transects spaced 15 meters apart. No archaeological sites were identified; however, two isolated machinery parts were discovered within the APE and are recommended as not eligible for inclusion on the NRHP.

#### **Mourier West Property**

The 265-acre Mourier West APE was surveyed in 2008 by archaeologists using parallel surface transects spaced 15 meters apart. No cultural resources were identified within the APE.

#### **Skover Property**

The 139-acre Skover property was surveyed in 2008 by archaeologists using parallel surface transects spaced 15 meters apart. A segment of historic-period transmission line (P-34-3810) was identified and recorded during the survey effort. Archaeological evaluations recommend P-34-3810 as not eligible for inclusion on the NRHP.

### 3.7.3 REGULATORY FRAMEWORK – APPLICABLE LAWS, REGULATIONS, PLANS AND POLICIES

#### 3.7.3.1 Federal Laws and Regulations

##### *National Environmental Policy Act*

The National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190; 83 Stat. 852; 42 U.S.C. 4321, as amended) was passed in December 1969 and signed into law on January 1, 1970. In the most basic sense, NEPA required Federal officials to “stop, look, and listen” before making decisions about taking “major federal actions” (40 CFR § 1508.18) that impact the human environment, including the cultural environment. As it relates to cultural resources, federal agencies must, through the preparation of either an Environmental Assessment or Environmental Impact Statement, consider, in advance, “the degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources” (40 CFR § 1508.27[b][8]). Should an agency’s actions be reasonably expected to have a significant effect on these resources, the agency must take reasonable and appropriate measures to avoid, minimize, or mitigate such impacts.

There is a much broader scope of resources that NEPA must consider, in comparison to NEPA’s companion law, Section 106 of the National Historic Preservation Act (NHPA). Under NEPA, the types of resources in the cultural environment can be classified into two groups. First are those that are listed in or eligible for listing in the National Register of Historic Places (NRHP), as discussed in the following section. Second are those that are considered “significant scientific, cultural, or historical resources,” which may not rise to the level of significance that would warrant inclusion in the NRHP. Thus, under NEPA, the term “cultural resources” covers a wider range of resources than just “historic properties.” It includes resources like sacred sites, archaeological sites, and artifact collections that are not otherwise eligible for inclusion in the NRHP (CEQ and ACHP 2013). Accordingly, the NEPA process must take into account potential effects to both significant and non-significant resources in the cultural environment prior to making a decision on a major federal action, including new and continuing activities, projects, and programs entirely or partly financed, assisted, conducted, regulated, or approved by federal agencies (40 CFR § 1508.18).

##### *National Historic Preservation Act, Section 106*

The National Historic Preservation Act (NHPA) establishes the NRHP, and defines federal criteria for determining the historical significance of archaeological sites, historic buildings and other resources. Under Section 106 of the NHPA the federal lead agency is required to identify the Area of Potential Effects (APE) for its undertaking (which is the issuance of a DA permit for the development of the project site area under the Proposed Action; to identify any potential historic properties within the APE; to apply the National Register criteria of significance to determine whether any of the identified properties qualify as historic properties (that is, cultural resources that meet the significance criteria that determine their eligibility for listing on the NRHP); and determine whether the undertaking’s effects on eligible historic properties would be adverse. The effort to identify potential historic properties must include not only archival research and

archaeological and architectural surveys, but also outreach to the public and efforts to include potentially interested parties, such as Native American and other ethnic groups, and historical societies, which may have information about the presence of potential historic properties.

To be determined eligible for the NRHP, a potential historic property must meet one of four historical significance criteria (listed below), and also must possess sufficient deposition, architectural, or historic integrity to retain the ability to convey the resource's historic significance. Resources determined to meet these criteria are eligible for listing in the NRHP and are termed historic properties. A resource may be eligible at the local, state, or national level of significance.

A property is eligible for the NRHP if it possesses integrity of location, design, setting, materials, workmanship, feeling and association, and it:

- (a) Is associated with events that have made a significant contribution to the broad patterns of our history;
- (b) Is associated with the lives of a person or persons of significance in our past;
- (c) Embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- (d) Has yielded or may be likely to yield information important in prehistory or history.

A resource that lacks historic integrity or does not meet one of the NRHP criteria of eligibility is not considered a historic property, and effects to such a resource are not considered significant under the NHPA. Section 106 requires the federal lead agency to assess the significance of the effects of its actions upon those resources that are determined to be historic properties. Section 106 also establishes a consultation process under which the federal lead agency may consult with the Advisory Council on Historic Preservation, State Historic Preservation Officer (SHPO), and, if applicable, any relevant Tribal Historic Preservation Officer (THPO) to take these effects into account in federal decision making regarding approval of the undertaking. A process also is established for resolving (mitigating) adverse effects on historic properties.

Under NEPA, significance is met either through eligibility for inclusion in the NRHP, as discussed above, or through a determination that the resource is an important scientific, cultural, or historical resource, even if it does not rise to the level of eligibility for listing on the NRHP.

### ***Corps Responsibility for Section 106 Relative to Clean Water Act Section 404***

A project that requires a federal permit, such as a Clean Water Act Section 404 permit to address potential effects on waters of the United States, is considered a federal undertaking under Section 106 of the NHPA (as described above). In considering whether to issue a Section 404 permit, the Corps, as the federal lead agency under Section 106 of the NHPA, has a responsibility to take into account the effects of the undertaking on historic properties.

The Corps complies with the NHPA through implementing procedures set forth at 33 CFR 325, Appendix C and the Interim Guidance (33 CFR 325). The Corps drafted Appendix C in 1981 (with revisions in 1990) as

the historic properties review procedure for Corps permits. A copy of these regulations can be found at <http://www.usace.army.mil/cw/cecwo/reg/33cfr325.htm>.

### **3.7.3.2 State Laws and Regulations**

#### ***California Environmental Quality Act***

Under the California Environmental Quality Act (CEQA) Section 15064.5, 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. This section defines cultural resources as including both historical and archaeological properties, establishes the California Register of Historical Resources (CRHR), sets forth criteria for establishing the significance of historical resources, and finds that cultural resources that meet the criteria of eligibility for the CRHR are significant historical resources. The criteria for eligibility of resources to the CRHR closely mirror the NRHP criteria listed above.

The CEQA process for this project was completed by the City of Roseville in 2016.

#### ***California Health and Safety Code 7050.5 and Public Resources Code 5097.98***

Under the California Health and Safety Code, the intentional disturbance, mutilation or removal of interred human remains is a misdemeanor. The code requires that, upon discovery of human remains outside of a dedicated cemetery, the County Coroner must be notified and further ground disturbance must cease until the County Coroner makes a report determining whether the find represents a crime scene or a Native American burial. If the Coroner recognizes the remains to be those of a Native American, he must contact the Native American Heritage Commission (NAHC) within 24 hours. Public Resources Code Section 5097.98 sets forth procedures by which the NAHC may identify a Most Likely Descendant, who may inspect the remains and consult with the land owner to provide for the respectful treatment and/or re-interment of the remains.

#### ***Senate Bill 18***

Senate Bill (SB) 18 (Government Code sections 65352.3, 65352.4) requires that, prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, or prior to dedicating open space that contains Native American cultural places, a city or county must consult with Native American tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects located within that jurisdiction. The SB 18 consultation process was completed by the City of Roseville in parallel with the CEQA process in 2016.

## **3.7.4 SIGNIFICANCE THRESHOLDS AND ANALYSIS METHODS**

### **3.7.4.1 Significance Thresholds**

Under NEPA, federal agencies must consider, in advance, “the degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (NRHP) or may cause loss or destruction of significant scientific, cultural, or historical resources” that may not rise to the level of eligibility for listing on the NRHP (40 CFR § 1508.27[b][8]).

Should an agency's actions be reasonably expected to have a significant effect on these resources, the agency must take reasonable and appropriate measures to avoid, minimize, or mitigate such impact.

Evaluation of significance is addressed separately under Section 106 and NEPA. Under the NHPA, as the federal Lead Agency, the Corps is required to take into account the effects of its undertakings on historic properties. If a cultural resource is present within the project APE, and it is determined to be eligible for listing in the NRHP, then it becomes an historic property. Once the resource is determined to be an historic property, then the Corps must determine whether its actions would adversely affect the historic property.

Under federal regulations, a project has an effect on an historic property when the undertaking could alter the characteristics of the property that may qualify the property for inclusion in the NRHP. An undertaking may be considered to have an adverse effect on an historic property when it may diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Adverse effects of the Proposed Action or an alternative on historic properties include, but are not limited to,

- physical destruction, alteration, or removal of all or part of the property;
- change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- introduction of visual, audible, or atmospheric elements that diminish the integrity of the property's significant historic features;
- neglect of a property resulting in its deterioration;
- the transfer, lease, or sale of the property out of federal ownership (36 CFR 800.9)

Under NEPA, significance is met either through eligibility for inclusion in the NRHP, as discussed above, or through a determination that the resource is an important scientific, cultural, or historical resource, even if it does not rise to the level of eligibility for listing on the NRHP.

### 3.7.4.2 Analysis Methodology

Under NEPA and NHPA, identification of cultural resources impacts is a three-step process, as described under **Regulatory Framework** above: (1) Identification; (2) Assessment of resource integrity and significance; and (3) Effects assessment. Two types of potential impacts are identified and/or analyzed: direct and indirect.

Direct effects to cultural resources are those associated with project construction and operation, and usually include destruction or physical alteration of a resource. Indirect effects are usually those effects on the integrity of setting or the viewshed of the resource. Both direct and indirect effects can be adverse if they significantly alter the qualities that make a resource eligible for listing in the NRHP. Not all effects are adverse, as evidenced by a finding of no adverse effect.

This section describes the methods by which the environmental effects to cultural resources were assessed, and the results of this process.

## ***Identification and Assessment of Potential Cultural Resources within the Project Area of Potential Effects***

### **Records Search**

Records searches for the Project Area and offsite mitigation parcels were conducted at the NCIC of the CHRIS on January 02, 2008 (NCIC Search No. PLA-08-02); January 10, 2008 (NCIC Search No. PLA-08-06 and PLA-08-06); and January 27, 2015 (NCIC Search #PLA-15-16). The NCIC, an affiliate of the State of California Office of Historic Preservation, is the official state repository of archaeological and historic records and reports for a six-county area that includes Placer County.

The purpose of the records searches was to determine the extent of previous surveys within a 0.5-mile radius of the project APE, and whether previously documented prehistoric or historic archaeological sites, architectural resources, or traditional cultural properties exist within this area. The records search revealed that five cultural resource investigations have been conducted within 0.5-mile radius of the Amoruso APE. The search also revealed one previously recorded isolate located within the Amoruso APE and three previously recorded cultural resources located within a 0.5-mile radius of the Amoruso APE. An updated CHRIS records search conducted in 2017 (NCIC Search No. PLA-17-91) did not reveal any newly recorded resources since the 2008 CHRIS search.

The records search also revealed that five previous archaeological surveys have been conducted within 0.5 mile of the Mourier East APE, one of which included 30 percent of the Mourier East property. The surveys did not identify any cultural resources within 0.5 mile of the Mourier West APE.

The records search also identified the three previous archaeological surveys that had been conducted directly north, east, and west of the Mourier West APE, along with the 2008 ECORP study which covered 100 percent of the Mourier West APE.

The records search also identified the three previous archaeological surveys that had been conducted in the vicinity of the Skover APE, along with the 2009 ECORP study which covered 100 percent of the Skover APE. The 2009 study identified P-34-3810, a segment of historic-aged electrical transmission line within the APE.

Based on the results of the pre-field archival research and literature review, and in consideration of the depositional environment of the project area, ECORP identified the project APE as being moderately sensitive for prehistoric and historic cultural resources.

### **Native American Consultation**

Prior to the initiation of fieldwork, ECORP contacted the NAHC to search their Sacred Lands Inventory File and obtain a list of local Native American contacts that may have information regarding the project APE. The NAHC Sacred Lands Inventory File search failed to identify known sacred Native American sites within or adjacent to the project APE. However, the NAHC provided a list of four Native American individuals and organizations that potentially have knowledge of the project APE. Letters were sent to each contact, followed by telephone calls, inquiring about concerns for the Amoruso APE with regards to potential traditional cultural properties, burial sites, and/or archaeological sites.

One Native American contact requested to be notified only if human remains were found and a representative from the United Auburn Indian Community (UAIC) expressed a desire to see the wetland preserve restricted from public access to avoid damage. No additional responses were received by ECORP through February 2016 (City of Roseville 2016).

NAHC letters were also sent out regarding the three off-site mitigation parcels: Mourier East in 2015, Mourier West in 2008 and 2015, and Skover in 2009 and 2015. For all off-site mitigation parcels, one Native American contact requested to be notified only if human remains were found, another requested to have a monitor on site during any project activity near the creek, and several wanted updates on what if anything was found during project construction. Representatives from UAIC requested a copy of any archaeological reports completed for the Project Area.

Federal recognition of an Indian Tribe constitutes designation of a Native community as a political sovereign within the U.S. federalist system. As a result, the Corps (as part of the federal government) has a unique 'Trust relationship' with each tribe based on the U.S. Constitution, treaties, statutes, court decisions and executive orders. That 'Trust relationship' requires the Corps to coordinate and consult with Native Americans and Tribal Communities to build trust in ongoing Government-to-Government relations, which include pre-decisional and honest consultation, self-reliance, capacity building and growth, for the protection of Natural and Cultural Resources. In compliance with the NHPA and its Tribal Trust Responsibilities, the Corps will coordinate and consult with Native American Individuals and Tribal Communities to identify potential impacts to any unidentified Native American Sacred Sites, Traditional Cultural Properties, or other resources that they may be aware of within the project APE.

### **Cultural Resources Surveys and Resource Assessment**

On January 14 through 18, 2008, the entire Amoruso APE was subjected to an intensive pedestrian survey under the guidance of the Secretary of the Interiors Standard's for the Identification of Historic Properties using 10 to 15 meter transects (ECORP 2008). The general morphological characteristics of the ground surface were inspected for indications of subsurface deposits that may be manifested on the surface, such as circular depressions or ditches. Whenever possible, the locations of subsurface exposures caused by such factors as rodent activity, water or soil erosion, or vegetation disturbances were examined for artifacts or for indications of buried deposits. No subsurface investigations or artifact collections were undertaken during the pedestrian survey.

Any cultural resource that contained at least three artifacts in a ten square meter area or consisted of one or more features was considered a site. Any indications of cultural presence in the project APE that failed to meet the definition of a site were recorded as isolates or were noted on a location map. All cultural resources encountered during the survey were to be recorded using Department of Parks and Recreation (523) forms approved by the California Office of Historic Preservation.

No archaeological resources were identified during the 2008 survey. A supplemental survey was conducted in February 2011 after the Amoruso APE was enlarged to include an additional 103 acres, including a one-acre right-of-way area adjacent to Sunset Boulevard West (ECORP 2011). No archaeological sites were identified; however, a ranch complex dating to 1954 was noted. The complex included a residence, barns,

corral, and farming equipment. The ranch was formally recorded by Past Forward, Inc. (2011) and was recommended as not eligible for listing on the NRHP. In 2014, ECORP completed a cultural resources survey covering the 17.2-acre AJWA to the west of the Amoruso property (ECORP 2014); however, no cultural resources were identified (ECORP 2014).

The Mourier West, Skover, and Mourier East off-site mitigation properties were surveyed in 2008, 2009, and 2015, respectively. A segment of the historic period electrical transmission line (P-31-3810) was identified and recorded within the Skover APE and two isolated fragments of machinery were discovered in the Mourier East APE.

None of the identified cultural resources were recommended for inclusion on the NRHP by the surveying archaeologists.

### 3.7.5 ENVIRONMENTAL CONSEQUENCES AND MITIGATION MEASURES

#### Impact CR-1 Potential to Damage Undiscovered Historic Properties or Human Remains during Construction

**No Action Alt.** The presence of a water source, University Creek, along the southern portion of the Amoruso APE and the previously-located mano within the Amoruso property indicate some sensitivity for buried prehistoric resources within the Amoruso APE. The presence of Pleasant Grove Creek in the Mourier East and Mourier West properties indicate some sensitivity in the southern portions of these APEs, as archaeological sites are often found near waterways and alluvial deposition from the creeks may have obscured surface indications over time. Additionally, historic use of a portion of the Amoruso and Mourier West project APEs as a ranch and/or residence indicates that there is a potential for buried historical resources. Therefore, the potential for buried prehistoric and historic resources in the APE overall is moderate; these unidentified resources could be damaged or destroyed during ground disturbing activities during construction.

The APE for the No Action alternative is the same as the APE for the Proposed Action. Grading and excavation associated with the development of the property under the No Action alternative has the potential to encounter and damage undiscovered buried cultural deposits. For this reason, **direct** effects on undiscovered historic properties, significant cultural resources, or human remains would be **significant** under the No Action alternative. However, implementation of **Mitigation Measures CR-1a** and **CR-1b** would reduce and or avoid these effects.

Indirect effects on archaeological and historic resources, which include increased vandalism of structures or archaeological sites or unauthorized collection of artifacts resulting from improved or newly introduced access, could occur as a result of land development under the No Action alternative. No **indirect** effects to archaeological or historic resources under the No Action alternative were identified.



**Proposed Action, Alts. 1, 2, 3** As with the No Action alternative, grading and excavation associated with the development of the Amoruso property and the three off-site mitigation properties under the Proposed Action, as well as Alternatives 1, 2 and 3, have the potential to encounter and damage undiscovered buried cultural deposits. While the Proposed Action and Alternatives 1, 2 and 3, share similar ground disturbing footprints; the total area of proposed ground disturbance under these alternatives is greater than the No Action alternative. Therefore, these alternatives have a greater chance of encountering buried cultural deposits, compared to the No Action alternative.

Based on the significance criteria listed in **Section 3.7.4.1** and for the same reasons presented above for the No Action alternative, **direct** effects on undiscovered historic properties, cultural resources, or human remains would be **significant**. However, implementation of **Mitigation Measures CR-1a** and **CR-1b** would reduce and or avoid these effects.

Additionally, for the same reasons presented above under the No Action Alternative, **no indirect** effects to archaeological or historic resources under the Proposed Action, or Alternatives 1, 2, or 3, were identified.

**Mitigation Measure CR-1a: Discovery of Cultural Resources during Construction**  
(Applicability – No Action, Proposed Action, and Alternatives 1, 2, and 3)

*Should any cultural resources (e.g., wells, foundations, or debris, or unusual amounts of bone, stone or shell, artifacts, burned or baked soils, charcoal, or human remains) be encountered during subsurface excavation or construction activities, all work within a 100-foot radius of the discovery shall be suspended and the Corps shall be immediately notified. At that time, a qualified professional archaeologist shall assess the resource and provide recommendations for treatment if the resource appears to be potentially eligible for listing on the NRHP or a significant cultural resource under NEPA. Potential mitigation options or treatment recommendations could include, but are not be limited to, avoidance, construction monitoring, recordation, site testing, or data recovery excavations. The permittee shall implement any measures deemed feasible and necessary by the Corps, in consultation with a qualified archaeologist, to avoid and/or minimize adverse effects to cultural resources, prior to resuming work within the no-work radius.*

**Mitigation Measure CR-1b: Discovery of Human Remains during Construction**  
(Applicability – No Action, Proposed Action, and Alternatives 1, 2, and 3)

*If human remains are uncovered during project construction, pursuant to California Public Resource Code (PRC) § 5097.98 and § 7050.5 of the California Health and Safety Code, the Placer County Coroner shall be notified immediately. California law recognizes the need to protect interred human remains, particularly Native American burials, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in California Health and Safety Code §7050.5 and §7052 and PRC §5097. If human remains are uncovered during ground-disturbing activities, all such activities within a 100-foot radius of the find shall be suspended and Placer County Coroner shall be notified immediately by the permittee or representative. The Coroner is required to*

*examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code § 7050.5[b]). If the Coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code § 7050[c]). Upon being notified, the Corps shall contact the Most Likely Descendent (MLD), as determined by the NAHC, regarding the remains. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (PRC § 5097.94). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (PRC § 5097.98). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the Corps, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.*

---

### 3.7.6 REFERENCES

- City of Roseville. 2016. City of Roseville General Plan 2035. Adopted June 15, 2016.
- Council on Environmental Quality (CEQ) and Advisory Council on Historic Preservation (ACHP). 2013. NEPA and NHPA: A Handbook for Integrating NEPA and Section 106.
- ECORP Consulting, Inc. (ECORP). 2008a (rev. 2013). *Cultural Resources Survey Report*, Amoruso Property, Placer County, California. Report on file at ECORP Consulting, Inc., Rocklin.
- ECORP Consulting, Inc. (ECORP). 2008b. *Cultural Resources Survey Mourier West*, Placer County, California. Report on file at ECORP Consulting, Inc., Rocklin.
- ECORP 2009. *Cultural Resources Survey and Evaluation*, Skover Property. Placer County, California. Report on file at ECORP Consulting, Inc., Rocklin.
- ECORP. 2011. *Addendum to Cultural Resources Inventory for the Amoruso Ranch Project Area*, Placer County, California. Report on file at ECORP Consulting, Inc., Rocklin.
- ECORP. 2014. *Cultural Resources Inventory Report for the Al Johnson Wildlife Area Improvements Area Placer County, California*. Report on file at ECORP Consulting, Inc., Rocklin.
- Past Forward, Inc. 2011. *Buildings and Structures at 5101 Sunset Boulevard West, Roseville, CA 95747*. Report on file at Past Forward, Inc. Garden Valley.
- ECORP 2015a. *Cultural Resources Inventory Report*. Mourier East. Placer County, California. Report on file at ECORP Consulting, Inc., Rocklin.
- ECORP 2015b. Updated Cultural Resources Information and Compliance Summary for the Mourier West Property. Letter Report drafted for USACE, Sacramento, California.
- ECORP 2015c. Updated Cultural Resources Information and Compliance Summary for the Skover Property. Letter Report drafted for USACE, Sacramento, California.