

4.5 Cultural Resources

This section analyzes the impacts to cultural resources, including potential impacts to archaeological and historic resources in accordance with CEQA Guidelines Section 15064.5 due to the project. Potential impacts to tribal cultural resources are addressed in Section 4.12, *Tribal Cultural Resources*. Potential impacts to paleontological resources are addressed in Section 4.15, *Paleontological Resources*.

4.5.1 Setting

a. Precontact Setting

During the twentieth century, many archaeologists developed chronological sequences to explain precontact cultural changes within portions of northern California (Moratto 1984; Jones and Klar 2007). The city of Ukiah lies within the Northwest California archaeological region. The following chronology for the region is based on work by Hildebrandt (2007) and Fredrickson (1984) and can be generally divided into four periods: the Pleistocene- Holocene transition (11,500 to 8,000 Before Common Era [B.C.]), the Early Holocene (8,000 to 5,000 B.C.), the Middle Holocene (5,000 to 2,000 B.C.), and the Late Holocene (Post 2,000 B.C.). Archaeologists have identified certain cultural patterns that coincide with the time periods in this chronology.

Pleistocene-Holocene Transition (ca. 11,500 to 8,000 B.C.)

Although little is known about this period in the Northwest region, the cultural pattern that coincides with this period is referred to as the Post Pattern. Material culture of the Post Pattern includes flaked stone crescents and fluted projectile points. Archaeological sites representative of the Pleistocene-Holocene transition have been found in the Northwest California region near Clear Lake and near Cache Creek in Lake County. Isolated finds dating to this period have been found in Mendocino County and at Bodega Head (Fredrickson 1984; Hildebrandt 2007).

Early Holocene (8,000 to 5,000 B.C.)

The Early Holocene in Northwest California is primarily categorized by the Borax Lake Pattern, a cultural pattern archaeologists noted throughout the interior of Northwest California that suggests early people were foragers who moved seasonally to find food and supplies (Hildebrandt 2007). This pattern is categorized by large, wide-stemmed projectile points, flake tools, handstones, and millingslabs and is found in a variety of contexts; however, only one Borax Lake Pattern site has been identified near the ocean: HUM-513/H. Site HUM-513/H is a hunting camp located approximately two kilometers from the coast that appears to have focused on hunting Roosevelt elk (Fredrickson 1984; Hildebrandt 2007). Around 6,500 B.C., archaeologists noted another cultural pattern, the Berkeley Pattern, early representations of which appear around the Clear Lake area. The Berkeley Pattern is characterized by stable, long-term settlements, formal burial patterns, the use of a pestle to process acorns, and a separation of daily living areas and burial sites (Hildebrandt 2007).

Middle Holocene (5,000 to 2,000 B.C.)

The Middle Holocene is poorly represented in the Northwest California archaeological record, particularly the early part of the period (Hildebrandt 2007). North of Cape Mendocino, no evidence

of humans has been identified until after 3,000 B.C., when the Mendocino Pattern begins. Artifacts representing this cultural pattern include various projectile points, handstones and millingslabs, and several types of flake tools. Most Mendocino Pattern sites appear to be temporary camps or short-term residential bases where people lived seasonally, gathering food and other resources from nearby.

Late Holocene (Post 2,000 B.C.)

The Late Holocene in the North Coast region of Northwest California exhibits a continuation of the Mendocino Pattern of the Middle Holocene, though by A.D. 500 it does not spread north of Central Mendocino County. After A.D. 500, archaeologists note a significant change in the archaeological record represented by the emergence of the Gunther Pattern in the north and the Augustine Pattern in the south. The Gunther Pattern, which spans from the Sonoma-Mendocino County line to the California-Oregon border, is represented by Gunther barbed projectile points and concave-based points used on harpoons, ground and polished stone artifacts, and artistic items. Archaeologists interpret this pattern as evidence of specialized riverine and coastal adaptation by indigenous groups. Gunther Pattern sites have defined living spaces, cemeteries, storage spaces, and midden areas for discarding refuse. South of the Sonoma-Mendocino county line, the Augustine Pattern is not as tightly defined. Some sites appear to have been visited seasonally (SON-458, SON-250/H, and SON-670/H) while others seem to have been lived in year-round, like sites that have characteristics of the Berkeley Pattern (SON-159 and SON-348/H). Common aspects of the Augustine Pattern include the presence of Olivella and clamshell disk beads and Haliotis ornaments, and partial or full cremations of deceased individuals (Hildebrandt 2007).

b. Ethnographic Background

The City of Ukiah is in the traditional ancestral lands of the Northern Pomo, which early ethnographers described as spanning along the coast from Fort Bragg to the Navarro River and stretching eastward to Clear Lake. Ethnographers referred to the people in this indigenous group as the Northern Pomo because they spoke of one of the seven Pomo language dialects that ethnographers distinguished based on geographic location (McLendon and Oswalt 1978; Golla 2007). Thus, the Northern Pomo lands were bordered to the south by the Central Pomo and to the east by Eastern Pomo. Ethnographers noted Yukian groups living to the north (Welch 2013).

The ethnographic Pomo lived in a series of independent groups of several hundred to 1,000 people that ethnographers referred to as tribelets. Most tribelet groups were named after the geographical area where they lived. Ethnographers also described smaller Pomo village communities with fewer people, who moved between different territories as the seasons changed and existed with a variety of land and resources including coastal areas, forests, riversides, and valleys. They built dome-shaped winter shelters with sunken floors covered in thick grass, and summer shelters from brush and light grasses. Pomo villages usually had a sweat house and meeting house (Barrett 1908).

Ethnographic Pomo villages were governed by councilmen or captains called *tca ka-li* who largely acted as advisors and had limited authority. Ethnographers classified two types of captains in Northern Pomo villages, the Lesser Captain and the Big Captain. The Lesser Captain was charged with considering the general community welfare of the larger family units, while the Big Captain served to assist with more overarching decisions, such as settling feuds and disputes (Barrett 1908).

Obtaining food and other resources were part of the overall lifeways for the ethnographic Pomo, and typically involved hunting, gathering, and fishing. Acorns were a primary staple, and they were gathered in the fall and stored for winter (Bean and Theodoratus 1978). Other important plants

included Buckeye nuts, berries, and seeds from at least 15 types of grasses, roots, and bulbs. Big game included deer, elk, and antelope. Pomo material goods included obsidian and chert tools, intricate basketry, and other tools, games, and other implements made from bone and shell (Bean and Theodoratus 1978).

c. Historic Setting

Post-Contact history for the state of California is generally divided into three periods: the Spanish Period (1769–1822), Mexican Period (1822–1848), and American Period (1848–present). Although Spanish, Russian, and British explorers visited the area for brief periods between 1529 and 1769, the Spanish Period in California begins with the establishment in 1769 of a settlement at San Diego and the founding of Mission San Diego de Alcalá, the first of 21 missions constructed between 1769 and 1823. Independence from Spain in 1821 marks the beginning of the Mexican Period, and the signing of the Treaty of Guadalupe Hidalgo in 1848, ending the Mexican-American War, signals the beginning of the American Period when California became a territory of the United States.

Spanish Period (1769 – 1822)

Spanish explorers made sailing expeditions along the coast of California between the mid-1500s and mid-1700s. In 1542, Juan Rodriguez Cabrillo led the first European expedition to observe what was known by the Spanish as Alta (upper) California. For more than 200 years, Cabrillo and other European explorers sailed the Alta California coast and made limited inland expeditions, never establishing permanent settlements (Bean 1968; Rolle 2003). In 1769, the Spanish crown laid claim to Alta California based on the surveys conducted by Cabrillo and Sebastian Vizcaíno (Bancroft 1885; Gumprecht 1999).

By the 18th century, Spain developed a three-pronged approach to secure its hold on the territory and counter against other foreign explorers with the institution of military forts known as presidios, missions (churches), and pueblos (towns) throughout Alta California. The missions and presidios were constructed to integrate the Native American populations into Christianity and communal enterprise, as well as to establish settlements for Spanish settlers. In 1769, Captain Gaspar de Portola led overland expeditions of California, establishing Spanish settlements along the way. At the same time, Franciscan Father Junípero Serra founded Mission San Diego de Alcalá, the first of the 21 missions established in Alta California between 1769 and 1823. The closest mission to the City of Ukiah was Mission San Francisco Solano founded in 1823 in Sonoma, California as the 21st California Mission (California Missions 2022). The mission is approximately 70 miles south of Ukiah.

Spain began issuing land grants for vast swaths of land known as ranchos in 1784. The ranchos were typically granted to retiring soldiers. The grantees were only permitted to inhabit and work the land as the land titles technically remained property of the Spanish king (Livingston 1914). Alta California was eventually referred to as the colony of New Spain by the Spanish.

Mexican Period (1822 – 1848)

Several factors kept growth within New Spain to a minimum, including the threat of foreign invasion, political dissatisfaction, and unrest among the indigenous population. After more than a decade of intermittent rebellion and warfare, New Spain won independence from Spain in 1821. In 1822, the Mexican legislative body in California ended isolationist policies designed to protect the Spanish monopoly on trade, and decreed California ports open to foreign merchants (Dallas 1955).

Extensive land grants were established in the interior during the Mexican Period, in part to increase the population inland from the more settled coastal areas where the Spanish had first concentrated their colonization efforts.

American Period (1848 – Present)

The United States went to war with Mexico in 1846. The war ended in 1848 with the Treaty of Guadalupe Hidalgo, ushering California into its American Period (Kyle 2002). California officially became a state with the Compromise of 1850, which also designated Utah and New Mexico (with present-day Arizona) as U.S. territories (Waugh 2003). Horticulture and livestock, based primarily on cattle as the currency and staple of the rancho system, continued to dominate the California economy through 1850s. The discovery of gold in the northern part of the state led to the Gold Rush beginning in 1848, and with the influx of people seeking gold, cattle were no longer desired mainly for their hides but also as a source of meat and other goods.

A severe drought in the 1860s decimated cattle herds and drastically affected rancheros' source of income. In addition, property boundaries that were loosely established during the Mexican era led to disputes with new incoming settlers, problems with squatters, and lawsuits. Rancheros often were encumbered by debt and the cost of legal fees to defend their property. As a result, much of the rancho lands were sold or otherwise acquired by Americans. Most of these ranchos were subdivided into agricultural parcels or towns (Dumke 1944).

Local History

The area surrounding Ukiah was historically part of the Yokayo Rancho, granted in 1845 by Governor Pío Pico to Cayetano Juarez. Juarez, captain of a militia, was already in possession of the land grant for Rancho Tocolay, located in present-day Napa County. The City of Ukiah was within the Yokayo land grant boundary and the city derived its name phonetically from Yokayo in the 1850s. Sam Lowery is the first individual of record to have established a settlement in the area by 1856, which he sold to A.T. Perkins within a year (Kyle 2002). One of the earliest establishments in the area was the Vichy Hot Springs, east of Ukiah. The hot springs were originally used by the Pomo tribes but were taken over by settlers who established a resort in 1854, which is still in operation today (Kyle 2002). The resort made Ukiah into a popular stopping point and was visited by several notable people, including Jack London, Mark Twain, and Presidents Grant and Harrison (Bergere 2009).

Mendocino County was formed with the creation of California in 1850, and Sonoma County officials administered the affairs of both counties until 1859 when Ukiah was selected as the county seat. At the time only 100 people were living in the Russian River Valley (Kyle 2002). By 1860 the town was surveyed and mapped, and it was incorporated in 1876. The rich river-bottom soils of the Ukiah Valley made the area well-suited for farming; therefore, Ukiah's early economy was largely based on agriculture. The Johnson, Cunningham, and Thomas families established the earliest farms and pear orchards in the valley (Bergere 2009). As the area was also rich in dense forests, lumber was also a dominant economic driver in the area (Bergere 2009). The arrival of the railroad in 1889 led to increased residential and commercial development (ACHP 2022). Expanding beyond the original town settlement along State Street, Ukiah now extended west to Thompson Street and north to Todd Street (ProQuest 2022).

Into the late 1800s and early 1900s, Ukiah continued to grow as a city. The Ukiah Latitude Observatory was established in 1899 as part of a worldwide network located on the 39th parallel to measure variation in latitude, because of the wobble of the earth's axis. By 1911, the city had

expanded north to Low Gap Road and west to South Highland Avenue (ProQuest 2022). With special excursion-rate train tickets and, in the 1920s, the promotion of the Redwood Highway (U.S. Highway 101), tourism took hold. Several wineries opened in the area in the 1930s including the Parducci Winery in 1931, which was the northern-most winery in California for several years (Kyle 2002). Along with tourism, wineries became a viable economic source for the city up to the present. After World War II, the lumber boom of the late 1940s supported a large part of Ukiah's early population, as the logging of redwoods was a major industry at that time (ACHP 2022). To support the expanding population, post-war Federal Housing Administration housing tracts were constructed south, east, and north of downtown, but their development was limited compared to other cities in California (UCSB 2022). Development was limited until the 1980s when U.S. Highway 101 was expanded and former agricultural fields around the highway were developed with housing and commercial uses (NETR Online 2022).

d. Previously Identified Cultural Resources

A review of the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR) shows that Ukiah contains five historic properties listed on the NRHP, two resources listed as California State Landmarks, and no resources listed as California Points of Historical Interest. Resources listed on the NRHP are automatically listed on the CRHR, and no additional resources are listed on the CRHR.

- **NRHP and CRHR Listed Resources**

- Held-Poage House
- Charles Hofman House
- Palace Hotel
- Sun House
- Ukiah Main Post Office

- **California State Landmarks**

- Sun House
- Ukiah Vichy Springs Resort

A review of the State Office of Historic Preservation Built Environment Resource Directory (BERD) shows approximately 250 built environment resources have been surveyed within the City of Ukiah and each have been given one or more of the following status codes:

- 1S: "Individual property listed in NR [National Register] by the Keeper. Listed in the CR [California Register]."
- 3S: "Appears eligible for NR as an individual property through survey evaluation."
- 5S2: "Individual property that is eligible for local listing or designation."
- 6Y: "Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing."
- 7N: "Needs to be reevaluated (Formerly NR Status Code 4)".

Though resources have been recommended eligible for local listing, the City of Ukiah does not have a local preservation ordinance or adopted register, as further discussed below.

Local Inventory of Historic Resources

The City of Ukiah’s 1985 “Historic Resources Survey” (prepared by Historic Environmental Consultants), which was updated in 1999 by the “City of Ukiah Architectural Survey” (prepared by P.S. Preservation Services) identified 23 properties (both residential and commercial) with local historic importance within the City limits. Although the survey was updated in 1999, it was never adopted by the City Council.

Ukiah 2040 (Environment and Sustainability Element, Section 6.2) lists four historic-period properties in the Planning Area: the City of 10,000 Buddhas, two miles east of Ukiah; the Vichy Springs Resort, a California Historical Landmark; and the former Finnish colony in Calpella; and the Palace Hotel.

A records search of the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC) was conducted in August 2022. The search identified a total of 216 cultural resources within the Planning Area. These resources can be divided into the following categories:

- Nine of these resources are archaeological sites (three precontact sites, three historic-era sites, and three multicomponent sites with both historic and precontact elements).
- One resource (Leslie Street) is a stand-alone structure.
- One resource (the Northwestern Pacific Railroad) is a structure, object, and a contributing element to a district.
- Five historic districts are listed as resources within the Planning Area, with three located within the City: The Ukiah Vichy Springs Mineral Resort, the Bench and Bar Historic District, The Albertimun School Historic District (City), The Ukiah Cemetery Historic District (City), and the Todd Grove Municipal Park Historic District (City). The Ukiah Vichy Springs Mineral Resort district has an archaeological component. The McGarvey Park Cemetery (City) is itself also listed as a resource.
- The remaining 199 resources are buildings, eight of which are contributing elements to one of the five historic districts.

4.5.2 Regulatory Setting

Cultural resources, including built environment and archaeological resources, may be designated as significant by National, State, or local authorities. In order for a resource to qualify for listing in the NRHP and the CRHR, it must meet one or more identified criteria of significance. The resource must also retain sufficient historic integrity, defined in *National Register Bulletin 15* as the “ability of a property to convey its significance” (National Park Service [NPS] 1990).

a. Federal Regulations

National Register of Historic Places

Although the project does not have a federal nexus, properties which are listed in or have been formally determined eligible for listing in the NRHP are automatically listed in the CRHR. The following is therefore presented to provide applicable regulatory context. The NRHP was established by the National Historic Preservation Act of 1966 as “an authoritative guide to be used by Federal, state, and local governments, private groups and citizens to identify the Nation’s cultural resources and to indicate what properties should be considered for protection from destruction or

impairment” (36 Code of Federal Regulations 60.2). The NRHP recognizes properties that are significant at the national, state, and local levels. To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. A property is eligible for the NRHP if it meets any one of the following criteria:

- **Criterion A:** Are associated with events that have made a significant contribution to the broad patterns of our history.
- **Criterion B:** Are associated with the lives of persons significant in our past.
- **Criterion C:** Embody the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.
- **Criterion D:** Have yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting at least one of the above designation criteria, resources must also retain integrity. The National Park Service recognizes seven aspects or qualities that, considered together, define historic integrity. To retain integrity, a property must possess several, if not all, of these seven qualities, defined in the following manner:

- **Location:** The place where the historic property was constructed or the place where the historic event occurred.
- **Design:** The combination of elements that create the form, plan, space, structure, and style of a property.
- **Setting:** The physical environment of a historic property.
- **Materials:** Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
- **Workmanship:** The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- **Feeling:** A property’s expression of the aesthetic or historic sense of a particular period of time.
- **Association:** The direct link between an important historic event or person and a historic property.

b. State Regulations

California Register of Historical Resources

The California Register of Historic Resources (CRHR) is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The CRHR helps government agencies identify, evaluate, and protect California’s historical resources, and indicates which properties are to be protected from substantial adverse change (Public Resources Code, Section 5024.1(a)). The CRHR is administered through the State Historic Preservation Office that is part of the California State Parks system.

A cultural resource is evaluated under four CRHR criteria to determine its historical significance. A resource must be significant at the local, state, or national level in accordance with one or more of the following criteria set forth in the *CEQA Guidelines* Section 15064.5(a)(3):

1. It is associated with events that have made a significant contribution to the broad pattern of California's history and cultural heritage;
2. It is associated with the lives of persons important in our past;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. It has yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting one or more of the above criteria, the CRHR requires that sufficient time must have passed to allow a "scholarly perspective on the events or individuals associated with the resource." Fifty years is used as a general estimate of the time needed to understand the historical importance of a resource according to SHPO publications. The CRHR also requires a resource to possess integrity, which is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association." Archaeological resources can also qualify as "historical resources" (*CEQA Guidelines*, Section 15064.5(c)(1)).

According to CEQA, all buildings constructed over 50 years ago and that possess architectural or historical significance may be considered potential historical resources. Most resources must meet the 50-year threshold for historic significance; however, resources less than 50 years in age may be eligible for listing on the CRHR if it can be demonstrated that sufficient time has passed to understand their historical importance.

In addition, if a project can be demonstrated to cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to permit any or all these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (Public Resources Code [PRC], Section 21083.2[a], [b], and [c]).

PRC, Section 21083.2(g) defines a unique archaeological resource as an 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; or
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Two other programs are administered by the state: California Historical Landmarks and California "Points of Historical Interest." California Historical Landmarks are buildings, sites, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other historical value. California Points of Historical Interest are buildings, sites, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other historical value.

Impacts to significant cultural resources that affect the characteristics of any resource that qualify it for the NRHP or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from

physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings, such that the significance of an historical resource would be materially impaired (CEQA Guidelines Section 15064.5 [b][1], 2000). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register... (CEQA Guidelines Section 15064.5[b][2][A]).

Codes Governing Human Remains

CEQA Guidelines Section 15064.5 also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. The disposition of human remains is governed by Health and Safety Code Section 7050.5 and PRC Sections 5097.94 and 5097.98, and falls within the jurisdiction of the Native American Heritage Commission (NAHC). If human remains are discovered, the County Coroner must be notified within 48 hours and there should be no further disturbance to the site where the remains were found. If the remains are determined by the coroner to be Native American, the coroner is responsible for contacting the NAHC within 24 hours. The NAHC, pursuant to PRC Section 5097.98, will immediately notify those persons it believes to be most likely descended from the deceased Native Americans so they can inspect the burial site and make recommendations for treatment or disposal.

Senate Bill 18

Enacted on March 1, 2005, Senate Bill 18 (SB 18) (California Government Code Sections 65352.3 and 65352.4) requires cities and counties to notify and consult with California Native American tribal groups and individuals regarding proposed local land use planning decisions for the purpose of protecting traditional tribal cultural places (sacred sites), prior to adopting or amending a General Plan or designating land as open space. Tribal groups or individuals have 90 days to request consultation following the initial contact. SB 18 is further discussed in Section 4.15, *Tribal Cultural Resources*.

Assembly Bill 52

As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, "tribal cultural resources." Assembly Bill 52 establishes that "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3). PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and meets either of the following criteria:

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. AB 52 requires that lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the project if the tribe has requested notice of projects proposed within the jurisdiction of the lead agency. AB 52 is further discussed in Section 4.15, *Tribal Cultural Resources*.

Ukiah City Code

The Downtown Zoning Code (Ukiah City Code Section 9227.1) contains development standards and regulations pertaining to demolition, rehabilitation, conversion, and alteration of buildings located on the City's local historical inventory and for buildings over the age of 50 years old within the Downtown Zoning Code district(s). All proposed modifications to buildings listed on the City's inventory must comply with these standards, and demolition requires review in accordance with Ukiah City Code 3016, as described below.

Pursuant to Ukiah City Code Section 3016(b), buildings over 50 years old proposed for demolition that do not meet the exemption criteria of being either an immediate safety hazard, or an accessory building that is not listed on the local historic inventory, shall be reviewed for their historic or architectural significance. Specifically, the City's Demolition Review Committee shall review the proposal and make a recommendation to the Ukiah City Council. Per Ukiah City Code Section 3016(e), which stated the following:

In reviewing proposed permits, and formulating recommendations to the city council, the demolition review committee shall consider any information provided during the meeting, and shall use the following criteria. The structure:

- 1. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind; or
- 2. Exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, or architectural history; or
- 3. Is strongly identified with persons or events significant in local, state, or national history.

Per Ukiah City Code Section 3016(f), if the Demolition Review Committee finds that any of the criteria listed in subsection (e) apply to the building proposed for demolition, it shall recommend denial of the permit to the City Council. This section of the Ukiah City Code also describes procedures for review by the City Council.

4.5.3 Impact Analysis

c. Significance Thresholds and Methodology

Significance Thresholds

According to Appendix G of the *CEQA Guidelines*, impacts related to cultural resources from implementation of the project would be significant if it would:

1. Cause a substantial adverse change in the significance of an historical resource pursuant to Section 15064.5;

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
3. Disturb any human remains, including those interred outside of dedicated cemeteries.

Methodology

The significance of a cultural resource and subsequently the significance of an impact to a resource is determined by consideration of whether that resource can increase our knowledge of the past and the importance of that resource to cultural groups, among other things. The determining factors are site content and degree of preservation. A finding of archaeological significance follows the criteria established in the *CEQA Guidelines*. *CEQA Guidelines* Section 15064.5 (Determining the Significance of Impacts to Archaeological Resources) states the following:

- (3) [...] Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code, Section 5024.1, Title 14 CCR, Section 4852).
 - (4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.
- (b) A project with an effect 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.

Historical resources are “significantly” affected if there is demolition, destruction, relocation, or alteration of the resource or its surroundings. Generally, impacts to historical resources can be mitigated to below a level of significance by following the *Secretary of the Interior’s Guidelines for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* or the *Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* [Guidelines Section 15064.6(b)]. Documentation of a historical resource by way of historic narrative photographs or architectural drawings will not mitigate the impact of demolition below the level of significance [Guidelines Section 15126.4(b)(2)]. Preservation in place is the preferred form of mitigation for archaeological resources, as it retains the relationship between artifact and context, and may avoid conflicts with groups associated with the site [Guidelines Section 15126.4 (b)(3)(A)]. If an archaeological resource does not meet either the historical resource or the more specific “unique archaeological resource” definition, impacts do not need to be mitigated [Guidelines Section 15064.5(e)]. Where the significance of a site is unknown, it is presumed to be significant for the purpose of this EIR investigation.

Project Impacts and Mitigation Measures

Threshold 1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Impact CUL-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD HAVE THE POTENTIAL TO IMPACT HISTORICAL RESOURCES. EXISTING UKIAH CITY CODE AND CEQA REGULATIONS, IN ADDITION TO PROPOSED UKIAH 2040 POLICIES AND MITIGATION WOULD REDUCE IMPACTS TO HISTORIC RESOURCES. NONETHELESS, IMPACTS WOULD BE SIGNIFICANT AND UNAVOIDABLE.

Based on *CEQA Guidelines* Section 15064.5, development facilitated by Ukiah 2040 would have a significant impact on historical resources if it would cause a substantial adverse change in the significance of a historical resource.

In the Planning Area, there are five historic districts with three located within the City, 199 historic-era buildings, two structures identified by the CHRIS records search, and an additional 51 buildings identified by the BERD. Because these districts and properties contain buildings and/or structures 50 years or older, they have the potential to qualify as historical resources. Future development projects could potentially impact historical resources throughout the City. Other buildings may reach 50 or more years of age over the lifetime of Ukiah 2040. As such, future studies may identify properties eligible for listing in the NRHP or CRHR and would qualify as historical resources pursuant to CEQA.

The Environment and Sustainability Element of Ukiah 2040 contains the following proposed goals and policies related to historical resources:

Goals ENV-3: To preserve and protect historic and archaeological resources in Ukiah.

Policy ENV-3.1: Historic Designations. The City shall support the listing of eligible properties, sites, and structures as potential historic designations and their inclusion in the California Register of Historical Resources and National Register of Historic Places.

Policy ENV-3.5: Educational Outreach. The City shall coordinate with the museum to provide education to the public on how to protect sites and structures.

Policy ENV-3.6: City-Owned Historic Sites and Structures. The City shall maintain, preserve, and improve City-owned historic structures and sites in an architecturally and environmentally sensitive manner.

Policy ENV-3.7: Adaptive Reuse. The City shall encourage appropriate adaptive reuse of historic resources.

These proposed goals and policies are intended to support designation and protection of cultural resources. Impacts on built environment historical resources can only be determined once a specific project has been proposed. This is because the effects are highly dependent on both the individual resource and the characteristics of the proposed activity. As such, impacts would be potentially significant. Adherence to the Ukiah City Code (Sections 3016 and 9227.1) ensures that buildings listed on the City's local inventory are reviewed and protected for their historic significance. Specifically, Section 9227.1 contains development standards and regulations pertaining to demolition, rehabilitation, conversion and alteration of buildings located on the City's local inventory and for buildings over the age of 50 years old within the Downtown Zoning Code district(s), where many of the City's locally-historic buildings are located. Ukiah City Code Section

3016 requires review by both the Demolition Review Committee and City Council for demolition or significant alteration of a building over the age of 50 years old or those listed on the City's local inventory. Lastly, Mitigation Measure CUL-1 would require a historical resources study for built environment resources and specific measures to reduce impacts to the maximum extent feasible. Archaeological resources that may be considered historical resources are addressed in Impact CUL-2.

Mitigation Measures

CUL-1 Historical Resources Study Program

The City shall require project applicants for discretionary projects to investigate the potential to impact historical resources. For a project involving a property that contains buildings structures, objects, sites, landscape/site plans, or other features that are 50 years of age or older, a historical resources study shall be conducted to determine if the project would demolish or otherwise alter the characteristics that make a historical resource eligible for inclusion in the CRHR. The study shall, at a minimum, be conducted by a qualified professional meeting the Secretary of the Interior's (SOI) Professional Qualifications Standard (PQS) for architectural history (NPS 1983). The study shall include a pedestrian survey of the project site and background research including a records search at the Northwest Information Center (NWIC), building permit research, and/or research with the local historical society(ies). The subject property(ies) and/or structures shall be evaluated for federal (as applicable), and state significance on California Department of Parks and Recreation 523 series forms, included as an appendix to the study.

If historical impacts are identified, the study shall include recommendations to avoid or reduce impacts on historical resources and the project sponsor shall implement the recommendations or conduct additional environmental review. Application of mitigation shall generally be overseen by a qualified architectural historian or historic architect meeting the PQS, unless unnecessary in the circumstances (e.g., preservation in place). In conjunction with any development application that may affect the historical resource, a report identifying and specifying the treatment of character-defining features and construction activities shall be provided to the implementing agency for review.

Efforts shall be made to the greatest extent practical to ensure that the relocation, rehabilitation, or alteration of the resource is consistent with the Secretary of the Interior's Standards for the Treatments of Historic Properties (Standards). In accordance with CEQA, a project that has been determined to conform with the Standards generally would not cause a significant adverse direct or indirect impact to historical resources (14 CCR Section 15126.4(b)(1)). Application of the Standards shall be overseen by a qualified architectural historian or historic architect meeting the PQS. In conjunction with any development application that may affect the historical resource, a report identifying and specifying the treatment of character-defining features and construction activities shall be provided to the implementing agency for review and concurrence.

If significant historical resources are identified on a development site and compliance with the Standards and/or avoidance is not possible, appropriate site-specific mitigation measures shall be established and undertaken. Mitigation measures may include documentation of the historical resource in the form of a Historic American Building Survey (HABS) report. The report shall comply with the Secretary of the Interior's Standards for Architectural and Engineering Documentation and shall generally follow the HABS Level III requirements, including digital photographic recordation, detailed historic narrative report, and compilation of historic research. The documentation shall be

completed by a qualified architectural historian or historian who meets the PQS and submitted to the implementing agency prior to issuance of any permits for demolition or alteration of the historical resource. Copies of the report shall be provided to a local library and/or other appropriate repositories.

Significance After Mitigation

Development facilitated by the Ukiah 2040 would have the potential to impact historical resources. Existing Ukiah City Code and CEQA regulations, in addition to proposed Ukiah 2040 policies and Mitigation Measure CUL-1 would minimize site specific impacts to historic structures. However, redevelopment or demolition that may be required to implement projects facilitated by Ukiah 2040 may result in the permanent loss or damage to historic structures. Although implementation of Mitigation Measure CUL-1 would reduce impacts to the extent feasible, some project-specific impacts could result in the demolition or other impairments of a historical resource's historical significance. Therefore, impacts would be significant and unavoidable.

Threshold 2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Impact CUL-2 DEVELOPMENT FACILITATED BY THE PROJECT WOULD HAVE THE POTENTIAL TO IMPACT ARCHAEOLOGICAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

As discussed in the Section 4.5.1, *Setting (Previously Identified Cultural Resources)*, the CHRIS records search identified nine archaeological sites within the City, which include both precontact and historic-era archaeological components. Additionally, the Ukiah Vichy Springs Mineral Resort also includes an archaeological component. The Northern Pomo, Spanish, Mexican, and American settlers historically inhabited the Planning Area, including the areas within City limits and Annexation Areas; therefore, in addition to known resources, remnants of these past cultures could be buried or obscured in undeveloped portions of the City and Annexation Areas, or in areas that were developed before environmental regulations and cultural resource protection laws were passed. Implementation of the project therefore has potential to impact known and unknown archaeological resources. Effects on archaeological resources can only be determined once a specific project has been proposed. This is because the effects are highly dependent on both the individual project site conditions and the characteristics of the proposed ground-disturbing activity. Ground-disturbing activities have the potential to damage or destroy previously-unknown historic or precontact archaeological resources, particularly in areas that have not been previously developed with urban uses or studied in a cultural resources investigation, or when excavation depths exceed those from past projects. Consequently, damage to or destruction of previously unknown sub-surface cultural resources could occur because of Ukiah 2040.

The Environment and Sustainability Element of Ukiah 2040 contains the following proposed goals and policies related to reducing impacts on archaeological resources.

Goals ENV-3: To preserve and protect historic and archaeological resources in Ukiah.

Policy ENV-3.2: Archaeological Resource Impact Mitigation. The City shall ensure appropriate and feasible mitigation for new development that has the potential to impact sites likely to contain archaeological, paleontological, cultural, or tribal resources.

Policy ENV-3.3: Protect Archaeological Resources. The City shall require any construction, grading, or other site altering activities cease if cultural, archaeological, paleontological, or cultural resources are discovered until a qualified professional has completed an evaluation of the site.

Policy ENV-3.4: Tribal Consultation. The City shall proactively engage local Native American tribes in the planning process, particularly when matters related to Native American culture, heritage, resources, or artifacts may be affected.

Development associated with Ukiah 2040 would largely be infill projects on undeveloped or underutilized sites that have previously been disturbed. The proposed goals and policies ENV-3.2, ENV-3.3, and ENV-3.4 would protect important cultural and archaeological resources. Nonetheless, impacts on archaeological resources can only be determined once a specific project has been proposed. Therefore, impacts on archaeological resources, including those that may be considered historical resources would be potentially significant and Mitigation Measure CUL-2 would be implemented, requiring preparation of cultural resource studies.

Mitigation Measures

CUL-2 Archaeological Resources Study Program

The City shall require project applicants for discretionary projects to investigate the potential to disturb archaeological resources. If preliminary reconnaissance suggests that cultural resources may exist, a Phase I cultural resources study shall be performed by a qualified professional meeting the Secretary of the Interior's (SOI) Professional Qualifications Standard (PQS) for archaeology (NPS 1983). A Phase I cultural resources study shall include a pedestrian survey of the project site and sufficient background research and, as necessary, field sampling to determine whether archaeological resources may be present. Archival research shall include a records search at the Northwest Information Center (NWIC) and a Sacred Lands File (SLF) search with the Native American Heritage Commission (NAHC), and coordination with Native American tribes listed by the NAHC. The Phase I technical report documenting the study shall include recommendations to avoid or reduce impacts on archaeological resources, such as establishing environmentally-sensitive areas excluded from project activities, archaeological and/or Native American monitoring, or redesign of the project to avoid known cultural resources. The project sponsor shall implement the recommendations prior to and during construction.

Significance After Mitigation

Implementation of Mitigation Measure CUL-2 would reduce impacts on archaeological resources by requiring archaeological resource studies for projects within the City, and the implementation of further requirements to avoid or reduce impacts on those resources, on a project-by-project basis. With the required project-level review, it is expected that impacts on archaeological resources would be less than significant with mitigation incorporated.

Threshold 3: Would the project disturb any human remains, including those interred outside of formal cemeteries?

Impact CUL-3 GROUND-DISTURBING ACTIVITIES ASSOCIATED WITH DEVELOPMENT FACILITATED BY THE PROJECT COULD RESULT IN DAMAGE TO OR DESTRUCTION OF HUMAN BURIALS. HOWEVER, COMPLIANCE WITH EXISTING REGULATIONS ON HUMAN REMAINS WOULD ENSURE LESS THAN SIGNIFICANT IMPACTS.

Human burials outside of formal cemeteries often occur in precontact archeological contexts. Although much of the City is built out, the potential still exists for human burials to be present. Excavation during construction activities would have the potential to disturb these resources, including Native American burials.

Human burials, in addition to potentially being associated with archaeological resources, have specific provisions for treatment in Section 5097 of the California Public Resources Code. The California Health and Safety Code (Sections 7050.5, 7051, and 7054) has specific provisions for the protection of human burial remains. Existing regulations address the illegality of interfering with human burial remains; protects them from disturbance, vandalism, or destruction; and established procedures to be implemented if Native American skeletal remains are discovered. Public Resources Code Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and gives responsibility to the NAHC to resolve any related disputes.

Development facilitated by the project would be required to adhere to existing regulations regarding the treatment of human remains. Therefore, impacts related to disturbing human remains due to Ukiah 2040 would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.