

4.5 CULTURAL AND TRIBAL CULTURAL RESOURCES

4.5.1 INTRODUCTION

The Cultural and Tribal Cultural Resources chapter of the EIR addresses known historic and precontact-era cultural resources, including tribal cultural resources, in the site vicinity, as well as the potential for previously unknown resources to occur within the project site/Biological Resources Preservation Alternative (BRPA) site. Precontact resources are those sites and artifacts of or related to a time period, generally prior to contact with people of European descent. Historic resources include structures, features, artifacts, and sites that date from Euroamerican settlement of the region. The chapter summarizes the existing setting with respect to cultural and tribal cultural resources, identifies thresholds of significance, evaluates potential impacts to such resources, and sets forth mitigation measures, as necessary. The information presented in this chapter is primarily drawn from the Cultural Resources Study prepared for the Proposed Project by Tom Origer & Associates (Origer),¹ as well as the City of Davis General Plan² and the associated General Plan EIR.³

4.5.2 EXISTING ENVIRONMENTAL SETTING

According to the City of Davis General Plan, 12 known precontact-era archaeological resource sites are located in the City's General Plan planning area. Historic archaeological sites have not been recorded in the Davis planning area. However, less than 10 percent of the total planning area has been archaeologically surveyed. In addition, the City of Davis General Plan notes that seven historic sites within the planning area are listed on the National Register of Historic Places (NRHP) and seven are listed on the California Register of Historical Resources (CRHR). The City also has an inventory of 31 historic landmarks, notable entries of which include the Jerome and Mary Chiles Davis Homestead at University of California, Davis (UC Davis), the Davis Junction train station of the California Pacific Railroad, and the Richards Underpass.

The following sections provide further details regarding the precontact overview, ethnographic overview, and historic overview of the project area, as well as a description of any identified cultural or tribal cultural resources associated with the project site/BRPA site.

Prehistoric Overview

The concept of history prior to contact with people of European descent refers to the period of time before events were recorded in writing, and varies worldwide. Because a written record does not exist, the current understanding of precontact California relies on archaeological materials and oral histories passed down through generations. Early archaeological research began with Max Uhle, who is credited with the first scientific excavation in California at the Emeryville Shellmound in 1902, and Nels Nelson, who surveyed the San Francisco Bay margins and California coast for archaeological sites from 1906 to 1908.

¹ Tom Origer & Associates. *Cultural Resources Study for the Village Farms Davis Project, Davis, Yolo County, California*. March 20, 2024.

² City of Davis. *City of Davis General Plan*. Adopted May 2001, Amended January 2007.

³ City of Davis. *Final Program EIR for the City of Davis General Plan Update and Final Project EIR for Establishment of a New Junior High School*. Certified May 2001.



In the 1930s, archaeologists began piecing together a sequence of cultures primarily based on burial patterns and ornamental artifacts from sites in the lower Sacramento Valley. The resulting cultural sequence became known as the Central California Taxonomic System (CCTS), which identified three periods known as the Early, Middle, and Late Horizons, which did not feature specific date ranges. Refinement of the CCTS became a chief concern of archaeologists as the century progressed.

In 1973, David Fredrickson synthesized prior work in combination with his own research to develop a chronology still used today, albeit modified for locality-specific circumstances. Fredrickson's scheme shows that Native Americans have occupied Central California for over 11,000 years and outlines the social, political, and ideological shifts that took place over time. In addition, Fredrickson defined cultural patterns pertinent to the Central Valley, known as the Windmiller, Berkeley, and Augustine patterns.

Obsidian hydration as a dating tool for archaeologists was first published in 1960 and showed that temperature and the chemical composition of the obsidian affected the hydration process. Research into this dating method was not conducted until the 1980s, though the focus of the study was on obsidian from the North Bay Area (which features four major obsidian sources). In 1987, Thomas Origer devised a hydration chronology for the North Bay Area by pairing micron readings taken from obsidian specimens with radiocarbon-dated artifacts and features. As a result of his study, Origer was able to develop a hydration rate for the Annadel and Napa Valley obsidian sources. In the following years, Tremaine was able to develop comparison constants among the four primary obsidian sources in the North Bay Area, which allowed for the calculation of dates for obsidian specimens from sources with unknown hydration rates. Since the studies of the 1980s and 1990s, much work has been done to evaluate obsidian sourced from other parts of California.

Overall, the development of obsidian hydration rates for Central California obsidian sources has provided archaeologists the ability to obtain dates from sites that could not previously be dated, due to a lack of artifacts or organic material suitable for radiocarbon dating. Origer was able to support and refine Fredrickson's chronology dating tools diagnostic of certain periods.

Precontact archaeological site indicators expected to be found in the region include but are not limited to the following: obsidian and chert flakes; chipped stone tools; grinding and mashing implements, such as slabs and hand-stones; mortars and pestles; fragments of bone or shellfish; fire-affected stones; and locally darkened midden soils containing any of the previously listed items. Archaeological sites within the Central Valley are typically found on high spots on the landscape that would be unaffected by the seasonal flooding that was prevalent throughout the region prior to land reclamation efforts.

Ethnographic Overview

Linguists and ethnographers tracing the evolution of languages have found that most of the indigenous languages of the California region belong to one of five widespread North American language groups: the Hokan and Penutian phyla, and the Uto-Aztecan, Algic, and Athabaskan language families. Only languages of the Hokan phylum can plausibly be traced back to populations inhabiting parts of this core region of California during the Archaic period. In addition, there are hints of connections between certain branches of Hokan, such as between Salinan and Seri, that suggest some of the Hokan languages could have been brought into California by later immigrants from the American Southwest and northwestern Mexico. The distribution and internal diversity of the remaining four groups suggest that their original centers of dispersal were outside,



or peripheral to, the Central Valley, Sierra Nevada, Coast Range, and the Southern California coast and islands.

Linguistic evidence shows that, between 10,000 and 8,000 years ago, native inhabitants in the area were pre-Yukian speakers. By 6,000 years ago, Yukian languages had developed in the northern San Francisco Bay Area. Between 4,000 and 2,000 years ago, Penutian (proto-Miwok) speakers are hypothesized to have begun migrating into the area from the lower Sacramento Valley. Ancient Wintuans may have also entered the Sacramento Valley from the north about 1,500 years ago, reaching the lower Sacramento Valley approximately 1,300 years ago, leading the Patwin spreading westward toward the North Coast Ranges about 1,000 years ago. By the time Europeans arrived in California, Penutian speakers made up the majority of the State.

At the time of European settlement, the area that is now the City of Davis was included in the southwestern-most portion of the territory controlled by the Patwin, who were hunter-gatherers living in rich environments that allowed for dense populations with complex social structures. The Patwin settled in large, permanent villages with seasonal camps and task-specific sites scattered in the immediate area. Primary village sites were occupied throughout the year, while the other sites were visited in order to procure particular resources that were only available or especially abundant during certain seasons. Such sites often were situated near freshwater sources and in areas where plant and animal life were both diverse and abundant.

The Rumsey Indian Rancheria was established in eastern Yolo County in 1907 and hosts the Yocha Dehe Wintun Nation. In 1982, the Bureau of Indian Affairs expanded the rancheria to 260 acres. Members of the Rumsey Indian Reservation established agricultural farms, a grocery store, a gas station, and a bingo casino over the years. The bingo casino was built in 1985 and was renovated and expanded into a destination resort in 2002. The combined revenue from agricultural pursuits, commercial pursuits, and casino revenues currently supports the Yocha Dehe Wintun Nation.

Historic Overview

The City of Davis and the surrounding area, including the project site/BRPA site, were historically part of a Mexican land grant given to Victor Prudon and Marcos Vaca in 1845 known as the Rancho Laguna de Santo Calle.

In the early 1850s, a man named Jerome C. Davis settled and operated a ranch in the modern-day City of Davis. His house was leased to William Dresbach in 1867, who turned the house into a hotel called the Yolo House. As the settlement grew, Dresbach named the growing area Davisville, which temporarily thrived as a grain-shipping point with the arrival of the railroad. However, Davisville's importance as a trade center was short lived once the railroad was extended. Meanwhile, the surrounding farmlands continued to be developed.

The University Farm was established in 1905, offering courses for adult farmers and, soon thereafter, a farm school for young men and boys. Around this time, the name of the local post office was shortened to Davis. In 1922, the University Farm was officially recognized as a branch of the agriculture college at the University of California. As the years passed, the school grew and shifted focus, ultimately becoming a general campus of the University of California in 1959.

Like many places in California, population and construction experienced a boom in Davis during the post-World War II era; however, unlike other communities, the City's leaders sought to keep



a core city center and avoid the growth of shopping centers. Though the town continued to grow and develop, modern-day Davis remains surrounded by land dedicated to agricultural pursuits.

Historic-period site indicators generally include the following: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains, such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).

Project Site History and Current Uses

The approximately 497.6-acre project site/BRPA site is located north of East Covell Boulevard, east of F Street, and west of Pole Line Road in a currently unincorporated portion of Yolo County, north of the Davis City limits. The project site/BRPA site consists of generally flat, agricultural land with one agricultural structure located in the southern portion of the site. The site is bisected by a north-to-south private access road that pivots to proceed in an east-to-west direction through a portion of the site. A City of Davis drainage course (Channel A) also flows east to west through the site. Additionally, a Pacific Gas and Electric Company (PG&E) easement occurs along the western and northern site boundaries.

The area evaluated within the Cultural Resources Study (i.e., the study area) encompasses the entire project site/BRPA site, as well as three extensions of the site boundaries included in the study area to accommodate the conceptual landing area for a future grade-separated crossing west of the project site, a proposed undercrossing east of the project site, and the potential intersection improvements at East Covell Boulevard and Pole Line Road (see Figure 4.5-1). The study area consists of approximately 553 acres situated on level land with a slope of less than one percent.

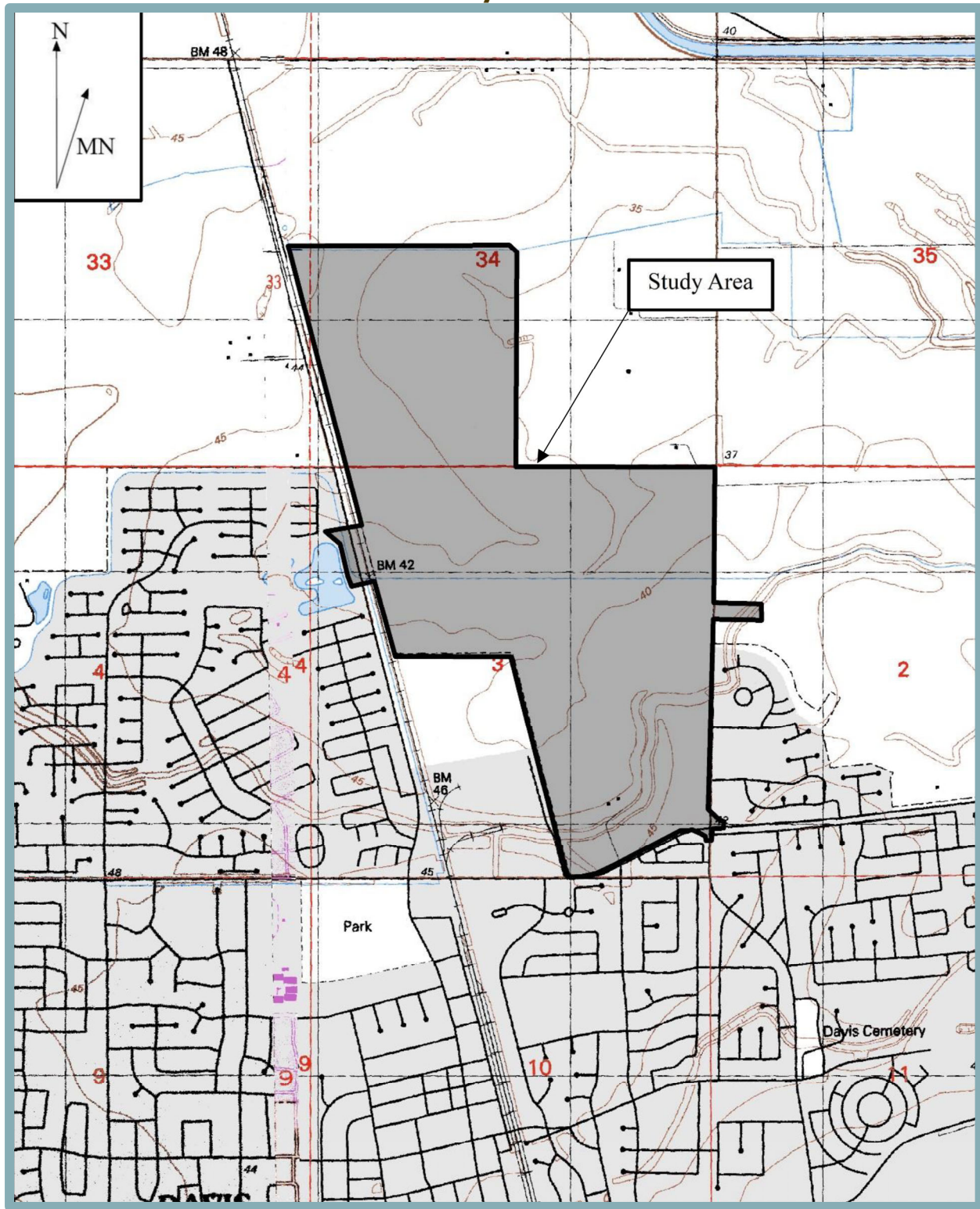
County maps show that the project site/BRPA site was owned by Frank Mires and R. S. Carey in 1879. Subsequent maps show that the portion of the project site/BRPA owned by Mires (also spelled Meyers or Meyer) remained in the family through 1939. Carey sold their land to H.P. Merritt by 1891, and the eastern portion of the property remained in the Merritt family through 1926. Merritt sold the western portion to Florence Gardner by 1900, which she retained through 1926. By 1939, J.A. Harby acquired the lands of both Merritt and Gardner. In general, according to Census records, most people historically associated with the site were farmers.

The study area is located within the southern portion of the Sacramento Valley, which is located in the northern portion of the Central Valley. The Central Valley is drained by the San Joaquin River and the Sacramento River, the latter of which is located approximately 14.5 miles east of the project site/BRPA site. Prior to European contact, freshwater lakes, rivers, marshes, riparian forests, and grasslands speckled with vernal pools in the Sacramento Valley provided a diverse and rich landscape that supported large populations of fish, birds, and mammals. After European contact, the Sacramento Valley floor was transformed into a mosaic of irrigated agriculture, wetlands, and riparian habitats.

Upon annexation of the State into the U.S., the Swamp and Overflowed Land Act of 1850 was applied to the vast wetlands of the Sacramento-San Joaquin River Delta and associated tributaries. "Swamp and overflowed land" was a legal term used to identify land too wet to cultivate. The Swamp and Overflowed Land Act gave states the power to sell such land to encourage development. A review of historical maps shows that most of the site was historically classified as swamp and overflowed land and, thus, would likely have been inundated at times. The nearest freshwater source is a seasonal creek in the southern portion of the study area.



**Figure 4.5-1
Study Area**



A review of 19th and 20th century maps and aerial photos shows a segment of the California Pacific Railroad through a small portion of the study area as early as 1907. Also shown on the 1907 U.S. Geological Survey (USGS) map is a bridge or trestle and a single creek flowing through the southeast portion of the study area. In addition, a house and outbuilding are shown in the 1949 aerial photo, and a windmill appears in the northwest portion of the study area from 1952 to 1981.

Known Historic and Archaeological Resources

As part of the Cultural Resources Study conducted for the Proposed Project, a review of the archaeological site base maps and records, survey reports, and other materials on file at the Northwest Information Center (NWIC) was completed for the study area on October 12, 2023 (NWIC File No. 23-0479). Further details on the records search are provided in the Method of Analysis section below.

Archival research found that approximately 70 percent of the study area was included in six previous cultural resources studies conducted between 1990 and 2015, and four studies were conducted within 0.25-mile of the study area in 2002, 2003, and 2005. Based on the findings of the 10 previously conducted studies, two resources have been documented within the study area.

The first previously documented historic resource consists of a building complex located in the southern portion of the project site/BRPA site. The complex includes a residence, barn, tank house, chicken house, and a nearby concrete monument (P-57-000199). As discussed in the Cultural Resources Study, the complex was originally recommended ineligible for inclusion on the CRHR in a previous study conducted by Jones and Stokes Associates, Inc. in 1996, a conclusion which was reiterated in a subsequent study conducted by Peak and Associates, Inc. in 2004. It should be noted that nearly all major buildings on-site were demolished between 2014 and 2015, including the windmill shown on maps reviewed as part of the Cultural Resources Study. The tank house is the only remaining building. According to the Cultural Resources Study, the now-demolished building complex does not appear on maps or aerial photos until the mid-20th century, based on a lack of buildings shown in a 1937 aerial photograph. The concrete monument is a relatively late construction, though the exact date and purpose is unknown. While considered unlikely to mark a human grave, the previous studies recommended that preconstruction excavation occur in and around the area of the monument to confirm. The monument is located at the bottom of a former creek bed that runs through the southern portion of the project site/BRPA site in a generally southwest to northeast direction (see Figure 4.5-2).

The second resource is a segment of the California Pacific Railroad Route through Yolo County (P-57-000977). A review of historic maps and aerial photos shows the segment of the California Pacific Railroad is located in a small portion of the study area just outside the project/BRPA site boundaries, within a portion of the railroad segment located within the conceptual landing footprint of the western grade-separated crossing. The California Pacific Railroad segment was identified on historic maps as early as 1907, although it should be noted the railroad was constructed in 1869. The railroad line was recommended as eligible for inclusion on the CRHR in a previous study conducted in 2015. In addition, the 1907 USGS map also shows a bridge or trestle structure located in the southeast portion of the study area.

An intensive field survey of the project site/BRPA site was completed on December 4, 5, and 6, 2023, as well as on February 2, 2024, as part of the Cultural Resources Study, the details of which are provided in the Method of Analysis section below. When the Central Pacific Railroad segment was examined, a trestle and rails were present (see Figure 4.5-2). The line is still actively used.



**Figure 4.5-2
Trestle and Former Creek Location**



View of a portion of the study area on the 1907 USGS map showing a trestle and a creek.

The field survey also found two obsidian isolates on-site, consisting of a biface fragment and a flake. Both were made from Napa Valley obsidian and showed wear from water tumbling.

Tribal Cultural Resources

Origer contacted the Native American Heritage Commission (NAHC) requesting a search of the Sacred Lands File (SLF) for Native American cultural resources within or near the study area. The NAHC returned the results on November 13, 2023, and indicated that known Native American cultural resources are not present within the study area.

Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, invitations to consult were sent to tribes who requested notification of proposed projects within the geographic area of the project site/BRPA site on November 1, 2023. Further details on the tribal notification letters are provided in the Methods of Analysis section of this chapter.

4.5.3 REGULATORY CONTEXT

Federal, State, and local governments have developed laws and regulations designed to protect significant cultural and tribal cultural resources that may be affected by actions that they undertake or regulate. The following section contains a summary of basic federal and State laws governing preservation of historic, archaeological, and tribal cultural resources of national, State, and local significance.

Federal Regulations

The following are the federal environmental laws and policies relevant to cultural and tribal cultural resources.

Section 106 for the National Historical Preservation Act of 1966

Federal regulations for cultural resources are governed primarily by Section 106 of the National Historic Preservation Act (NHPA) of 1966. Section 106 of NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and affords the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The Council's implementing regulations, "Protection of Historic Properties," are found in Title 36 of the Code of Federal Regulations (CFR) Part 800. The goal of the Section 106 review process is to offer a measure of protection to sites, which are determined eligible for listing on the NRHP. The criteria for determining NRHP eligibility are found in 36 CFR Part 60. Amendments to the NHPA (1986 and 1992) and subsequent revisions to the implementing regulations have, among other things, strengthened the provisions for Native American consultation and participation in the Section 106 review process. While federal agencies must follow federal regulations, most projects by private developers and landowners do not require this level of compliance. Federal regulations only come into play in the private sector if a project requires a federal permit or uses federal funding.

National Register of Historic Places

The NRHP is the nation's master inventory of known historic resources. The NRHP includes listings of resources, including buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, State, or local level. Resources over 50 years of age can be listed on the NRHP. However, properties under 50 years of age that are of exceptional significance or are contributors to a district can also be included on the NRHP. Four criteria are used to determine if a potential resource may be considered significant and eligible for listing on the NRHP. The criteria include resources that:



- A. Are associated with events that have made a significant contribution to the broad patterns of history; or
- B. Are associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period, or method of construction, 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; or
- D. Have yielded or may likely yield information important in prehistory or history.

A resource can be individually eligible for listing on the NRHP under any of the above four criteria, or can be listed as contributing to a group of resources that are listed on the NRHP. A resource can be considered significant in American history, architecture, archaeology, engineering, or culture. Once a resource has been identified as significant and potentially eligible for the NRHP, the resource's historic integrity must be evaluated. Integrity is a function of seven factors: location, design, setting, materials, workmanship, feeling, and association. The factors closely relate to the resource's significance and must be intact for NRHP eligibility.

Historical buildings, structures, and objects are usually eligible under Criteria A, B, and C based on historical research and architectural or engineering characteristics. Archaeological sites are usually eligible under Criterion D, the potential to yield information important in prehistory or history. An archaeological test program may be necessary to determine whether the site has the potential to yield important data. The lead federal agency makes the determination of eligibility based on the results of the test program and seeks concurrence from the State Historic Preservation Officer (SHPO).

Effects to NRHP-eligible resources (historic properties) are adverse if the project may alter, directly or indirectly, any of the characteristics of an historic property that qualify the property for inclusion on the NRHP in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

State Regulations

The following are the State environmental laws and policies relevant to cultural and tribal cultural resources.

California Environmental Quality Act and California Register of Historical Places

Applicable State historic preservation regulations to the Proposed Project and BRPA include the statutes and guidelines contained in CEQA (Public Resources Code [PRC] Sections 21083.2 and 21084.1 and Sections 15064.5 and 15126.4[b] of the CEQA Guidelines). CEQA requires lead agencies to consider the potential effects of a project on historic resources and unique archaeological resources. A "historic resource" includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript that is historically or archaeologically significant (PRC Section 5020.1). Under Section 15064.5 of the CEQA Guidelines, a resource is considered "historically significant" if one or more of the following CRHR criteria have been met:

- 1) The resource is associated with events that have made a significant contribution to the broad patterns of California history;
- 2) The resource is associated with the lives of important persons from our past;



- 3) The resource 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) The resource has yielded, or may be likely to yield, important information in prehistory or history.

In addition, the resource must retain integrity. Cultural resources determined eligible for the NRHP by a federal agency are automatically eligible for the CRHR.

CEQA requires preparation of an EIR if a proposed project would cause a “substantial adverse change” in the significance of a historical resource. A “substantial adverse change” would occur if a proposed project would result in physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (CEQA Guidelines Section 15064.5[b][1]).

In addition to historically significant resources, which can include archeological resources that meet the criteria listed above, CEQA also requires consideration of “unique archaeological resources.” If a site meets the definition of a unique archaeological resource, the site must be treated in accordance with the provisions of PRC Section 21083.2. Under PRC Section 20183.2(g), an archaeological resource is considered “unique” if it:

- 1) Is associated with an event or person of recognized significance in California or American history or recognized scientific importance in prehistory;
- 2) Can provide information that is of demonstrable public interest and is useful in addressing scientifically consequential and reasonable research questions;
- 3) Has a special kind or particular quality such as oldest, best example, largest, or last surviving example of its kind;
- 4) Is at least 100 years old and possesses substantial stratigraphic integrity; or
- 5) Involves important research questions that can be answered only with archaeological methods.

CEQA also includes specific guidance regarding the accidental discovery of human remains. Specifically, CEQA Guidelines Section 15064.5(e) requires that if human remains are uncovered, excavation activities must be stopped and the county coroner be contacted. If the county coroner determines that the remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC identifies the most likely descendant, and that individual or individuals can make recommendations for treatment of the human remains under the procedures set forth in CEQA Guidelines Section 15064.5.

The SHPO maintains the CRHR. Properties that are listed on the NRHP are automatically listed on the CRHR, along with State Landmarks and Points of Interest. The CRHR can also include properties designated under local ordinances or identified through local historical resource surveys.

Assembly Bill 52

AB 52 adds tribal cultural resources to the categories of cultural resources in CEQA, which had formerly been limited to historic, archaeological, and paleontological resources. “Tribal cultural resources,” pursuant to PRC Section 21074(a), are defined as either:

- (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:



- (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- (2) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Under AB 52, a project that may cause a substantial adverse change in the significance of a tribal cultural resource is defined as a project that may have a significant effect on the environment. Where a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact. AB 52 (PRC Section 21080.3.1) requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe(s) requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe(s). Consultation may include discussing the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and alternatives and mitigation measures recommended by the tribe(s).

Senate Bill 18

Signed in September 2004, SB 18 amended Section 815.3 of the Civil Code, amended Sections 65040.2, 65092, 65351, 65352, and 65560 of the PRC, and added to Sections 65352.3, 65352.4, and 65562.5 of the Government Code, relating to traditional tribal cultural places. SB 18 requires local (city and county) governments to consult with California Native American tribes, when amending or adopting a general plan or specific plan, or designating land as open space, in order to aid in the protection of traditional tribal cultural places ("cultural places"). The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code Section 65300 et seq.) and specific plans (defined in Government Code Section 65450 et seq.). Because the Proposed Project and BRPA requires City approval of a General Plan Amendment, each development scenario is subject to SB 18 consultation requirements.

Local Regulations

The following are the local environmental laws and policies relevant to cultural and tribal cultural resources.

City of Davis General Plan

The relevant goals, policies, and actions from the adopted City of Davis General Plan related to cultural and tribal cultural resources are presented below.



Historic and Archaeological Resources Chapter

Goal HIS 1 Designate, preserve, and protect the archaeological and historic resources within the Davis community.

Policy HIS 1.2 Incorporate measures to protect and preserve historic and archaeological resources into all planning and development.

Policy HIS 1.3 Assist and encourage property owners and tenants to maintain the integrity and character of historic resources, and to restore and reuse historic resources in a manner compatible with their historic character.

4.5.4 IMPACTS AND MITIGATION MEASURES

The following section describes the standards of significance and methodology used to analyze and determine the potential impacts of the Proposed Project and BRPA related to cultural and tribal cultural resources. In addition, a discussion of the impacts associated with the Proposed Project and BRPA, as well as mitigation measures where necessary, is also presented.

Standards of Significance

Consistent with Appendix G of the CEQA Guidelines, a significant impact related to cultural or tribal cultural resources would occur if the Proposed Project or the BRPA would result in any of the following:

- Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5;
- Disturb any human remains, including those interred outside of dedicated cemeteries;
- Cause a substantial adverse change in the significance of a tribal cultural resource as defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - (a) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC 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 PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Method of Analysis

The impact analysis contained in this chapter is primarily based on the Cultural Resources Study prepared by Origer. The Cultural Resources Study included archival research, a field survey, and consultation with the NAHC. The methodology of the Cultural Resources Study is discussed further below, as well as a discussion of the tribal consultation efforts conducted by the City, pursuant to AB 52 and SB 18.



Archival Research

A cultural resources records search for the study area was completed at the NWIC on October 12, 2023. The records search was conducted to determine the extent of previous surveys within 0.25-mile radius of the project site/BRPA site, and whether previously documented precontact or historic archaeological sites, architectural resources, or traditional cultural properties exist within the area. As previously discussed, according to records from the NWIC, approximately 70 percent of the study area was subjected to previous cultural resources studies conducted between 1990 and 2015. Several additional investigations have been conducted within 0.25-mile of the project site.

The archival searches of archaeological and historical records, national and State databases, and historic maps included review of the NRHP, California Historical Landmarks, CRHR, and California Points of Historical Interest. Archival research found that approximately 70 percent of the study area has been previously subjected to a cultural resources study and four studies have been conducted within 0.25-mile of the study area (see Table 4.5-1).

| Table 4.5-1 Previous Studies Within and Near the Study Area | | |
|--|-------------|-----------|
| Previous Studies within Study Area | | |
| Author | Date | S# |
| Anderson and Baxter | 2014 | 46673 |
| Crull | 2015 | 46943 |
| Derr | 1990 | 12219 |
| Jones and Stokes Associates, Inc. | 1996 | 18788 |
| Peak and Associates, Inc. | 2004 | 29706 |
| Wohlgemuth | 1992 | 20867 |
| Previous Studies within 0.25-Mile of Study Area | | |
| Billat | 2005 | 29661 |
| Derr and Brown | 2002 | 25674 |
| Dice | 2003 | 27964 |
| Losee | 2003 | 26573 |
| Source: Tom Origer and Associates, March 2024. | | |

In addition, as the Office of Historic Preservation (OHP) has determined that structures in excess of 45 years of age could be important historical resources and former building and structure locations could be important archaeological sites, archival research also included an examination of 19th and 20th century maps and aerial photographs to gain insight into the nature and extent of historical development in the general project vicinity and within the study area.

Finally, a modeling for predicting a location's sensitivity for buried archaeological sites was formulated by Byrd et al. based on the age of the landform, slope, and proximity to water. A location is considered to have the highest sensitivity if the landform dates to the Holocene, has a slope of five percent or less, is within 150 meters of fresh water (492.1 feet), and 150 meters of confluence. The Holocene Epoch is the current period of geologic time, which began approximately 11,700 years ago, and coincides with the emergence of human occupation of the area. A basic premise of the model is that archaeological deposits will not be buried within landforms that predate human colonization of the area. Calculating such factors using the buried site model, a location's sensitivity is scored on a scale of 1 to 10 and classified, as follows: lowest (<1), low (1 to 3), moderate (3 to 5.5), high (5.5 to 7.5), highest (>7.5).



Field Survey

An intensive field survey of the project site/BRPA site was completed by Origer on December 4, 5, and 6, 2023, as well as a follow-up survey on February 2, 2024. Approximately 69 hours were spent in the field, and field conditions were cool and sunny to partly sunny. Surface examination consisted of walking in corridors spaced 15 meters (49.2 feet) apart. Ground visibility was excellent for the majority of the study area, as the site had been recently disced. Vegetation was still present in a few places, but visibility remained very good. The visibility of the adjacent off-site locations was generally poor due to the amount of development that has taken place.

Native American Heritage Commission Consultation

Origer contacted the NAHC to request a search of the SLF to determine whether known tribal cultural resources are located within or near the project site/BRPA site. The NAHC returned the results on November 13, 2023, which were negative, indicating that known tribal cultural resources are not present within the study area.

Assembly Bill 52 and Senate Bill 18 Tribal Consultation

In compliance with AB 52 (PRC Section 21080.3.1) and SB 18, project notification letters were distributed by the City on November 1, 2023 to the applicable tribes who had previously requested notification of new development projects within the study area. Specifically, project notification letters were sent to representatives of the Lone Band of Miwok Indians, the Yocha Dehe Wintun Nation, and the Cortina Band of Indians. A request for consultation was received from the Yocha Dehe Wintun Nation on January 2, 2024. In response, the City sent a copy of the Cultural Resources Study to the tribe. The City also met with a representative of the Yocha Dehe Wintun Nation on May 3, 2024, to commence the requested consultation. When following up with the City after the meeting, the tribe provided written correspondence which recommended monitoring during ground-disturbing activities. The tribe also requested that the Yocha Dehe Wintun Nation's Treatment Protocol be incorporated into the mitigation measures for the proposed project, and the mitigation measures be submitted to the tribe's Cultural Resources Department once completed. The City did not receive additional responses from the aforementioned tribes in response to the notification letters.

Project-Specific Impacts and Mitigation Measures

The following discussion of impacts is based on implementation of the Proposed Project or the BRPA in comparison with the standards of significance identified above.

4.5-1 Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5. Based on the analysis below, and with implementation of mitigation, the impact is *less than significant*.

The following discussion includes an analysis of potential impacts to historical resources associated with development of the Proposed Project and the BRPA. Because the Proposed Project and BRPA would be developed within the same overall site boundaries and would have similar potential to impact such resources, the following evaluation applies to both development scenarios.



Proposed Project, Biological Resources Preservation Alternative

Historical resources are features that are associated with the lives of historically important persons and/or historically significant events, that embody the distinctive characteristics of a type, period, region or method of construction, or that have yielded, or may be likely to yield, information important to the pre-history or history of the local area, California, or the nation. Examples of typical historical resources include, but are not limited to, buildings, farmsteads, rail lines, bridges, and trash scatters containing objects such as colored glass and ceramics. Cultural resources determined eligible for the NRHP by a federal agency are automatically eligible for the CRHR.

The previously documented building complex (P-57-000199) has been largely demolished. The tank house is the only remaining on-site building. According to the Cultural Resources Study, the complex, including the concrete monument, has been recommended as ineligible for inclusion on the CRHR. The concrete monument is discussed in further detail below under Impact 4.5-3.

In addition, Channel A, which was created within the study area between 1957 and 1968, is part of water runoff management instead of a major infrastructure project. As such, the channel would not meet Criterion 1 of the CRHR criteria. The ranch complex was also found ineligible; therefore, the channel as a structure related to the ranch would not meet the standard for inclusion under Criterion 2, given that the people associated with the ranch were not historically important. The channel does not embody distinctive characteristics of a type, period, region, or method of construction and, thus, does not meet Criterion 3. Finally, Criterion 4 applies to archaeological sites and to resources where the study of physical construction could yield important analytical data. According to the Cultural Resources Study, the channel does not meet Criterion 4 of the CRHR.

Finally, as previously discussed, a segment of the California Pacific Railroad (P-57-000977) is located in a small portion of the study area, along the northern portion of the western project site/BRPA site boundary. According to the Cultural Resources Study, a previous cultural resources study prepared in 2015 by S. Crull concluded that the railroad segment was eligible for inclusion on the CRHR. During the field survey conducted for the Cultural Resources Study, the segment of railroad line was confirmed to be active. In addition, the field survey confirmed the presence of the existing trestle first identified on a 1907 USGS map within the foot print of the conceptual landing area for the future potential grade-separated crossing that would traverse F Street at the location of the trestle. As discussed further in Chapter 3, Project Description, of this EIR, a grade-separated crossing is not a component of the Proposed Project or BRPA, but rather, this EIR evaluates the landing area for the crossing should it be developed in the future. According to the Cultural Resources Study, the integrity of the California Pacific Railroad segment should be considered by an architectural historian when off-site improvements are proposed.

Based on the above, with regard to P-57-000977, development of the Proposed Project and BRPA could cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. Thus, a **significant** impact could occur.



Mitigation Measure(s)

Implementation of the following mitigation measure is applicable to both the Proposed Project and the BRPA and would reduce the above potential impact to a *less-than-significant* level.

Proposed Project, Biological Resources Preservation Alternative

4.5-1 *Prior to construction of any off-site improvements that could alter the railroad segment (P-57-000977), improvement plans shall be reviewed by an architectural historian to ensure that the improvements are designed consistent with the guidelines outlined in The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings. Proof of compliance with the aforementioned standards shall be submitted to the City of Davis Department of Community Development for review and approval.*

4.5-2 Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.

The following discussion includes an analysis of potential impacts to unique archaeological resources associated with development of the Proposed Project and the BRPA. Because the Proposed Project and BRPA would be developed within the same overall site boundaries and would have similar potential to impact such resources, the following evaluation applies to both development scenarios.

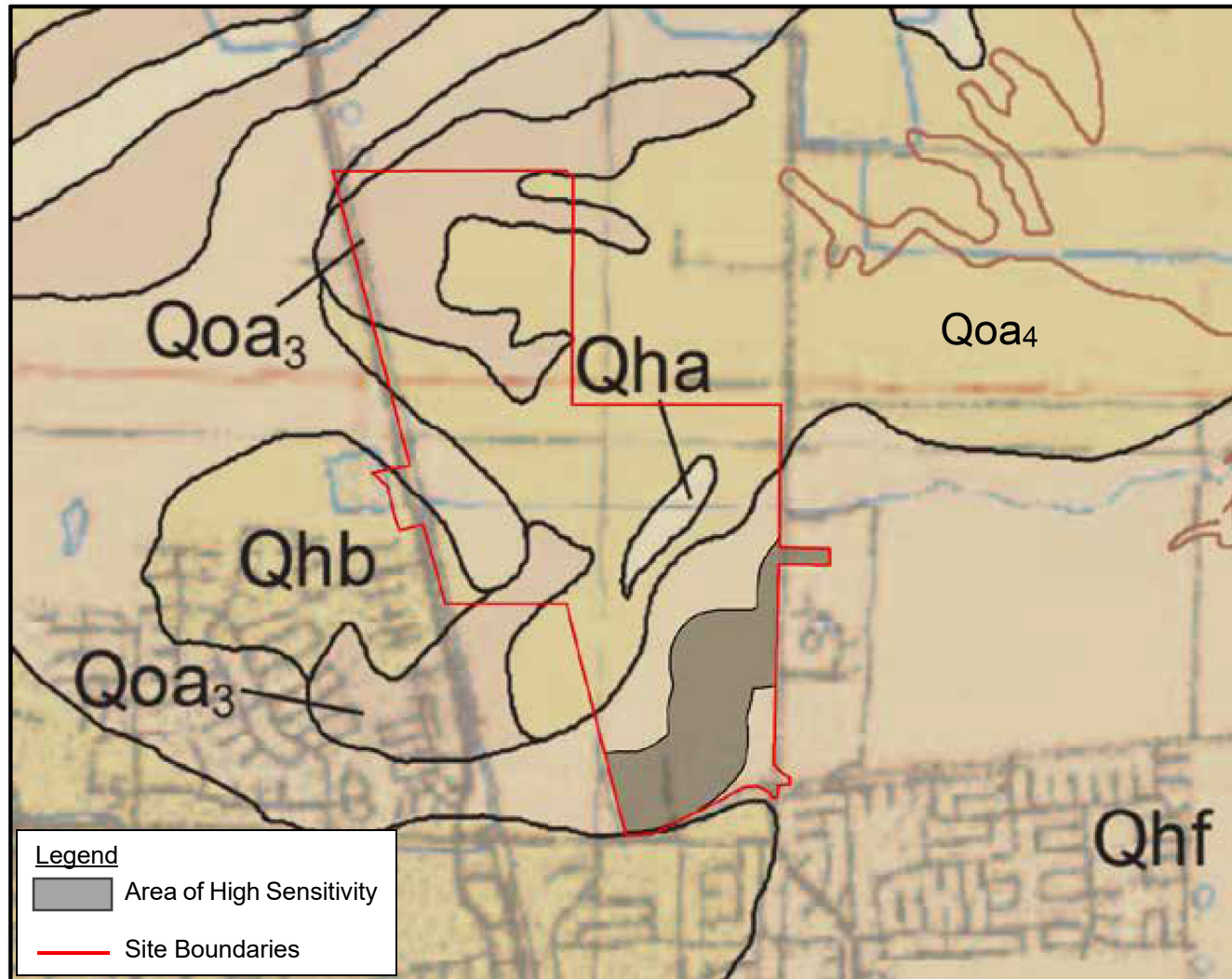
Proposed Project, Biological Resources Preservation Alternative

During the field survey, two obsidian isolates were found. As previously noted, one was a biface fragment, and the other was a flake. Both isolates were made from Napa Valley obsidian and showed wear from water tumbling. Isolated finds can contribute some information about precontact land use and hunting patterns. However, according to the Cultural Resources Study, once the presence of such isolates is documented, further work is not warranted. In addition, because the finds were isolated items, neither isolate meets the applicable CRHR criteria.

Based on landform age, the existing setting, and an analysis of sensitivity for buried archaeological site indicators, the Cultural Resources Study concluded that the study area has variable potential for buried sites, with portions of the site identified as having low potential and others as having high potential. Based on the Byrd et al. modeling for predicting a location's sensitivity for buried archaeological sites, which is discussed further in the Method of Analysis section of this chapter, the sensitivity of the study area ranges from the lowest (0.5) to high (6.6). The high-sensitivity area within the study area includes the building complex located in the southern portion of the project site/BRPA site and the nearby on-site channel, which runs in a generally east-to-west direction (see Figure 4.5-3).



**Figure 4.5-3
High Sensitivity Areas Within Study Area**



Because the Proposed Project and BRPA include development of the West Park South residential village, as well as portions of the West Park North, Parkside Village East, and Central Village within the high sensitivity area, ground-disturbing activities associated with construction of the Proposed Project or the BRPA could uncover unknown archaeological resources.

Overall, with the exception of two obsidian isolates, which were not determined to be eligible on the CRHR, the Cultural Resources Study did not identify known archaeological resources within the study area. However, given the high sensitivity of portions of the project site/BRPA site, unknown archaeological resources could exist beneath the ground surface. In the event that on-site ground-disturbing activities encounter such resources during development of the Proposed Project or BRPA, a substantial adverse effect could occur.

It should be noted that the BRPA would have a reduced potential (relative to that of the Proposed Project) to inadvertently impact unknown archaeological resources due to the preservation of the 47.1-acre Natural Habitat Area. It should be noted that the Natural Habitat Area is located outside the area of high sensitivity identified by the Cultural Resources Study.

Based on the above, the Proposed Project and BRPA could cause a substantial adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines Section 15064.5. Therefore, a **significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure is applicable to both the Proposed Project and the BRPA and would reduce the above potential impact to a *less-than-significant* level.

Proposed Project, Biological Resources Preservation Alternative

4.5-2 *If archaeological resources are encountered during subsurface excavation activities, the City and Yocha Dehe Wintun Nation (Tribe) shall be notified immediately and all construction activities within a 100-foot radius of the resource shall cease. In accordance with the Tribe's Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation, treatment of all cultural items, including ceremonial items and archeological items shall reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and archeological items, which may be found at the project site shall be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court or agency of competent jurisdiction. The project proponent shall waive any and all claims to ownership of tribal ceremonial and cultural items, including archeological items, which may be found on the project site, in favor of the Tribe. If any intermediary is necessary (for example, an archaeologist retained by the project proponent), said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.*



If additional significant sites or sites not identified as significant in the project environmental review process, but later determined to be significant, are located within the project impact area, such sites shall be subjected to further archeological and cultural significance evaluation by the project proponent, the City of Davis, and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner, consistent with CEQA requirements for mitigation of impacts to cultural resources. If human remains are present that have been identified as Native American, all work shall cease for a period of up to 30 days in accordance with federal Law.

The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of the foregoing requirements. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified cultural resources specialist and Native American Representative from the Tribe. If the resource is determined to be significant under CEQA, the City and Native American Representative from the Tribe shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the Native American Representative from the Tribe shall prepare and implement a research design and archaeological data recovery plan for the resource. The Native American Representative from the Tribe shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System), and provide for the permanent curation of the recovered materials.

4.5-3 Disturb any human remains, including those interred outside of dedicated cemeteries. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.

The following discussion includes an analysis of potential impacts to human remains associated with development of the Proposed Project and the BRPA. Because the Proposed Project and BRPA would be developed within the same overall site boundaries and would have similar potential to impact such resources, the following evaluation applies to both development scenarios.

Proposed Project, Biological Resources Preservation Alternative

As previously discussed, the Proposed Project and the BRPA would include ground-disturbing activities within the high sensitivity area identified by the Cultural Resources Study, including excavation associated with the new residences and trenching for new utility lines. In addition, the concrete monument identified by the Cultural Resources Study is located within the high sensitivity area, as the monument is associated with the former building complex. Although the exact date and purpose of the monument is



unknown, the concrete monument is a relatively late construction. Based on the location at the bottom of the former creek bed, which still collects water that would interfere with a gravesite, the Cultural Resources Study concluded that the monument is unlikely to mark a human grave. In addition, given the concrete monument's modern appearance, the monument would have been established after laws regarding the treatment of human remains were adopted. Such laws required humans to be buried in a designated cemetery or treated through other authorized means, further reducing the potential for the concrete monument to mark a grave.

Furthermore, the monument is located in a portion of the project site/BRPA site planned for Heritage Oak Park, and would not be disturbed by residential or other development included as part of the Proposed Project or the BRPA. Additionally, because neither development scenario would include construction near the concrete monument, physical changes to the monument or the ground beneath the monument would not occur. Finally, according to the Cultural Resources Study, previous cultural resource studies that included the project site/BRPA site did not identify human remains within the site or its vicinity.

Nevertheless, the project site/BRPA site contains areas that are highly sensitive for buried archaeological site indicators, including those associated with the Native American peoples whose territory encompassed the project site. Precontact sites often contain human remains. Given the known precontact occupation of the project vicinity by Native American tribes, the potential for human remains to be discovered during construction cannot be eliminated. Thus, ground-disturbing activities associated with the Proposed Project or BRPA could encounter human remains, including those interred outside of formal cemeteries. It should be noted that the BRPA would have a reduced potential (relative to that of the Proposed Project) to inadvertently impact human remains due to the preservation of the Natural Habitat Area.

Based on the above, the Proposed Project and BRPA could disturb human remains, including those interred outside of dedicated cemeteries, and a **significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure is applicable to both the Proposed Project and the BRPA and would reduce the above potential impact to a *less-than-significant* level.

Proposed Project, Biological Resources Preservation Alternative

4.5-3 *In accordance with the Tribe's Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation, if Native American human remains are found during the course of the proposed Project, the determination of Most Likely Descendant ("MLD") under California PRC Section 5097.98 shall be made by the Native American Heritage Commission ("NAHC"), upon notification to the NAHC of the discovery of said remains at the project site. If the location of the site and the history and prehistory of the area is culturally-affiliated with the Tribe, the NAHC shall contact the Tribe. A tribal member shall be designated by the Tribe to consult with the*



landowner and/or project proponents. Should the NAHC determine that a member of an Indian tribe other than Yocha Dehe Wintun Nation is the MLD, and the Tribe is in agreement with this determination, the terms of this protocol relating to the treatment of such Native American human remains shall not be applicable; however, that situation is very unlikely.

In the event that Native American human remains are found during development of the proposed project and the Tribe or a member of the Tribe is determined to be MLD pursuant to the above requirements of the Protocol, the following provisions shall apply. The Medical Examiner shall immediately be notified, ground-disturbing activities in that location shall cease, and the Tribe shall be allowed, pursuant to California PRC Section 5097.98(a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods should be treated and disposed of with appropriate dignity.

The Tribe shall complete its inspection and make its MLD recommendation within 48 hours of getting access to the site. The Tribe shall have the final determination as to the disposition and treatment of human remains and grave goods. Said determination may include avoidance of the human remains, reburial on-site, or reburial on tribal or other lands that will not be disturbed in the future.

The Tribe may wish to rebury said human remains and grave goods or ceremonial and cultural items on or near the site of their discovery, in an area which will not be subject to future disturbances over a prolonged period of time. Reburial of human remains shall be accomplished in compliance with the California PRC Sections 5097.98(a) and (b).

The term "human remains" encompasses more than human bones because the Tribe's traditions call for the burial of associated cultural items with the deceased (funerary objects), and/or the ceremonial burning of Native American human remains, funerary objects, grave goods, and animals. Ashes, soils and other remnants of these burning ceremonies, as well as associated funerary objects and unassociated funerary objects buried with or found near the Native American remains are to be treated in the same manner as bones or bone fragments that remain intact.

4.5-4 Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074. Based on the analysis below and with implementation of mitigation, the impact is less than significant.

The following discussion includes an analysis of potential impacts to tribal cultural resources, as defined in PRC Section 21074, associated with development of the



Proposed Project and the BRPA. Because the Proposed Project and BRPA would be developed within the same overall site boundaries and would have similar potential to impact such resources, the following evaluation applies to both development scenarios.

Proposed Project, Biological Resources Preservation Alternative

A search of the SLF conducted by the NAHC for Native American cultural resources within the study area returned negative results, indicating known tribal cultural resources are not within the project site/BRPA site or the immediate vicinity. In addition, as previously discussed, the City sent project notification letters on November 1, 2023, to tribes who requested notification within the geographic area of the City, pursuant to AB 52, as well as pursuant to SB 18. As discussed previously, the City consulted with the Yocha Dehe Wintun Nation, which recommended monitoring during ground-disturbing activities and requested the incorporation of the Yocha Dehe Wintun Nation's Treatment Protocol into the mitigation measures.

Based on the findings of the Cultural Resources Study, as well as the results of the NAHC SLF search, known tribal cultural resources do not occur within the project site/BRPA site or in its vicinity. Nevertheless, while background research and the field surveys did not indicate the presence of known tribal cultural resources, subsurface Native American resources could potentially be identified on the site and the off-site improvement areas during construction activities associated with the Proposed Project or BRPA. In the event that tribal cultural resources are discovered during such activities, without inclusion of appropriate measures for unanticipated discoveries of potential, subsurface tribal cultural resources, the Proposed Project and BRPA could cause a substantial adverse change in the significance of a tribal cultural resource, as defined in PRC Section 21074. Therefore, a **significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure is applicable to both the Proposed Project and the BRPA and would reduce the above potential impact to a *less-than-significant* level.

Proposed Project, Biological Resources Preservation Alternative

- 4.5-4(a) *Prior to commencement of ground disturbing activities, the applicant shall arrange for a member of Yocha Dehe Wintun Nation to conduct Cultural Sensitivity Training to the construction crew. Generally, the training would consist of a presentation to the construction crew about types of resources and evidence thereof, role of the Tribe, what to do if resources are uncovered, etc. To schedule Cultural Sensitivity Training prior to commencement of construction, the applicant shall contact the Cultural Resources Department Administrative Staff, Yocha Dehe Wintun Nation, Office (530) 796-3400, Email: THPO@yochadehe-nsn.gov. Proof of compliance with this measure shall be provided to the Davis Community Development Department.*
- 4.5-4(b) *Prior to commencement of construction activities, the applicant shall retain an archaeologist to prepare a written monitoring plan that describes the role of the tribal monitors, archaeological monitors, and*



developer's representatives, timelines for advanced notification to Yocha Dehe Wintun Nation prior to grading, and the procedures to follow in the event archaeological/tribal remains are uncovered. The procedures shall comply with Yocha Dehe Wintun Nation's "Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation." Proof of compliance shall be provided to the Davis Community Development Department.

- 4.5-4(c) *During grading, excavating, and trenching of soils within the project site, a tribal monitor and archaeological monitor shall be present on-site, as determined in the monitoring plan.*

During deep excavation/trenching for sewer mains, storm drains, waterlines, etc. in all portions of the project site, a tribal monitor and archaeological monitor shall be present on-site, as determined in the monitoring plan.

The foregoing measures shall be included in the project's written monitoring plan, required in Mitigation Measure 4.5-4(b).

Cumulative Impacts and Mitigation Measures

As defined in Section 15355 of the CEQA Guidelines, "cumulative impacts" refers to two or more individual effects which, when considered together, are considerable, compound, or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Additional detail regarding the cumulative project setting can be found in Chapter 5, Statutorily Required Sections, of this EIR.

4.5-5 Cause a cumulative loss of cultural and tribal cultural resources. Based on the analysis below, the cumulative impact is *less than significant*.

The following discussion includes an analysis of potential cumulative impacts to cultural and tribal cultural resources associated with development of the Proposed Project and the BRPA. Because the Proposed Project and BRPA would be developed within the same overall site boundaries and would have similar potential to impact such resources, the following evaluation applies to both development scenarios.

Proposed Project, Biological Resources Preservation Alternative

Generally, while some cultural and tribal cultural resources may have regional significance, the resources themselves are site-specific, and impacts to them are project-specific. For example, impacts to a subsurface archeological find at one project site would not generally be made worse by impacts to a cultural or tribal cultural resource at another site due to development of another project. Rather, the resources and the effects upon them are generally independent. A possible exception to the aforementioned general conditions would be where a cultural or tribal cultural resource represents the last known example of its kind or is part of a larger resources site. For



such a resource, cumulative impacts, and the contribution of a project to them, may be considered cumulatively significant.

As described throughout this chapter, the project site/BRPA site contains known resources that would be eligible for inclusion on the CRHR or considered significant pursuant to CEQA. However, implementation of Mitigation Measure 4.5-1 would ensure that any impacts to the identified resources would be reduced to a less-than-significant level. Furthermore, Mitigation Measures 4.5-2 and 4.5-3 would reduce impacts to previously unknown, subsurface resources and tribal cultural resources, respectively that are discovered on-site during construction activities to a less-than-significant level, including human remains.

Similarly, future development projects throughout the project region would be required to implement project-specific mitigation to ensure any potential impacts to identified cultural and tribal cultural resources are reduced to a less-than-significant level, where possible. Therefore, given that cultural and tribal cultural resource impacts are generally site-specific and each future project within the project region would be required to mitigate such impacts, any potential impacts associated with cumulative buildout of the City of Davis would not combine to result in a significant cumulative impact.

Based on the above, the potential for impacts related to a cumulative loss of cultural and tribal cultural resources, to which implementation of the Proposed Project or the BRPA could contribute, is ***less than significant***.

Mitigation Measure(s)

None required.

