

3.5 Cultural Resources

Table 3.5-1 Cultural Resources Checklist

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.5.1 Setting

Historical Context

The Konkow Maidu Native Americans occupied the foothills east of Chico and Oroville, as well as a portion of the Sacramento Valley (Riddell 1978). Around the turn of the twentieth century several small rancherias were created, establishing a legal land base for the Konkow. The Konkow remain active in cultural preservation in and around the Palermo/Feather River area (Riddell 1978).

The Valley Nisenan, or Southern Maidu Native Americans, occupied lands located in the project area. The western boundary of Nisenan territory was the western bank of the Sacramento River. The eastern boundary was the crest of the Sierra Nevada (Wilson and Towne 1978:387).

During the first half of the nineteenth century, an influx of activity from natural resource exploitation and the establishment of early settlements in Sacramento and Yuba and Sutter Counties expanded the Central Valley's population. In the mid nineteenth century, a boom in mining activities brought in great numbers of American and Chinese migrants and, later, the construction of increasingly large-scale water conveyance and storage systems for hydraulic mining operations. Railroads arrived in the region by 1858. Spurred in part by railroad shipping, agriculture became an increasingly important in the region (Rawls and Bean 2003).

Mining and milling operations in the Sierra Nevada developed small hydroelectric generators for production of light and for powering equipment in the late nineteenth century. In Plumas and Butte counties, the Great Western Power Company (GWPC) constructed one of the largest of the early hydroelectric systems that spread across the Sierra Nevada Mountains

Pacific Gas and Electric Company (PG&E) was incorporated in 1905. The Palermo–East Nicolaus Transmission Line and supporting alignment of steel lattice towers originally served as a segment of GWPC's Las Plumas Transmission Line, constructed in 1908. The tower alignment of PG&E's single-circuit 115-kV Palermo–Rio Oso No. 2 Transmission Line originally served as a segment of GWPC's 186-mile Caribou Transmission Line, constructed in the late summer and fall of 1919. GWPC built the Caribou Line as part of its Caribou Hydroelectricity Project.

Between April 1941 and May 1942 the current East Nicolaus Substation was constructed at the southeast corner of Nicolaus Avenue and State Route 70 (El Centro Boulevard). In 1959 PG&E began acquiring property and rights-of-way for the Palermo Substation and transmission lines northwest of Palermo, Butte County. The Palermo Substation and substation building were constructed ca. 1960.

Paleontological Setting

Section 3.6, *Geology and Soils*, discusses the geological setting of the region, which includes paleontological resources and the rock formations/lithologic units underlying portions of the project that would contain paleontological resources.

Regulatory Setting

Federal

Section 106 of the National Historic Preservation Act

Portions of the project would cross or result in fill being placed in wetland features, requiring the applicant to apply to the U.S. Army Corps of Engineers (USACE) for a permit under Section 404 of the Clean Water Act. The requirement of a permit from a federal agency qualifies the applicant's project as a federal undertaking, obligating the USACE to comply with Section 106 of the National Historic Preservation Act (Section 106).

State of California

California Environmental Quality Act (CEQA)

CEQA requires that alternative plans or mitigation measures be considered if a project would result in significant impacts on important cultural resources. However, only impacts on significant cultural resources need to be addressed.

Methods and Findings

Native American Consultation

ICF Jones & Stokes sent letters to 22 local Native American representatives identified by the Native American Heritage Commission (NAHC) as potentially having information or concerns regarding the project. The NAHC indicated that the Sacred Lands File contained no record of cultural resources in the project area.

Two of the replies came from Ren Reynolds, Environmental Protection Agency Planner and Site Monitor for the Enterprise Rancheria Estom Yumeka Maidu Tribe. Mr. Reynolds requested that work be ceased if any cultural materials were uncovered during ground-disturbing activities and that examination of the site and materials be conducted by a qualified archaeologist and a tribal site monitor. He also requested that if human remains are unearthed, the human remains provisions of the California Health and Safety Code shall be enforced and adhered to.

Correspondence with Historical Societies and Local Governments

Through online searches, ICF Jones & Stokes identified several historical societies and local government planning divisions with which to initiate consultation. ICF Jones & Stokes mailed letters describing the proposed undertaking and requested information about local-area cultural resources to each of the organizations. To date, no response has been received by the historical societies or local governments.

Records Search and Literature Review

A records search conducted on behalf of the applicant at the Northeast Information Center of the California Historical Resources Information System (CHRIS) and at the North Central Information Center of CHRIS indicated that a total of 39 previous cultural resource studies have been conducted in the project area. The records search indicated that five previously recorded cultural resources are located in the project area.

Pedestrian Survey

ICF Jones & Stokes archaeologists and historians performed a pedestrian survey of the project area and identified eight cultural resources: the Palermo–East Nicolaus Transmission Line, Palermo–Rio Oso No. 2 Transmission Line, Palermo irrigation ditches, a segment of the abandoned Southern Pacific Railroad, a segment of the Western Pacific Railroad, Browns Valley Grade Levee, Rio Oso Brick Company Kiln, and remnants of a historic ranch.

Applicant Proposed Measures

The applicant has incorporated the following applicant proposed measures (APMs) into the project to minimize or avoid impacts on cultural resources. See Chapter 1.0 for a complete list of APMs that the applicant has incorporated into the project to avoid or minimize impacts on all resources.

APM CR-1: Stop work if previously unknown cultural resources are discovered

APM CR-2: Stop work if previously unknown paleontological resources are discovered

APM CR-3: Stop work if human remains are discovered

3.5.2 Environmental Impacts and Mitigation Measures

a. *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

NO IMPACT. Construction vehicles would need to cross a segment of the Western Pacific Railroad (site number P-58-1372) that has been identified as eligible for listing in the National Register of Historic Places. This would occur at paved crossings that are in current use, such as at Kempton Road. The crossing would require no modification to the Western Pacific Railroad. The other cultural resources identified as potentially eligible for listing in the National Register of Historic Places (e.g., the Palermo–East Nicolaus and Palermo–Rio Oso No. 2 transmission lines) are not considered to be of historical significance under Section 106 of the National Historic Preservation Act or CEQA. Therefore, the project would result in no impact under this criterion.

b. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

LESS THAN SIGNIFICANT. Ground-disturbing activities associated with construction of the project, such as access road grading, preparation of staging areas, and the excavation of footings for tower removal and installation, have the potential to damage or destroy archaeological resources that were not evident during the cultural resources survey. Such damage or destruction of archaeological resources would constitute an adverse effect under Section 106 and a significant impact under CEQA. Implementation of APM CR-1 would reduce this impact to a less than significant level as work would be stopped if cultural resources are discovered during site preparation and construction activities while a qualified archeologist assesses the find.

c. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

LESS THAN SIGNIFICANT WITH MITIGATION. The proposed transmission towers and pole replacement locations over most of the project area are in underlying geological formations (Laguna, Riverbank, and Modesto) of high sensitivity for paleontological resources. Thus, ground disturbing activities such as construction of access roads, auguring for tower supports and pole replacement, and construction of staging areas have the potential to impact unknown paleontological resources.

Implementation of APM CR-2 would reduce potential impacts because construction personnel would receive paleontological resources awareness training. Additionally, APM CR-2 would reduce potential impacts as all work would stop if paleontological resources were discovered during construction.

The Palermo–East Nicolaus 115-kV Transmission Line Project area has both high and low sensitivity for paleontological resources that may be present on the surface or would be exposed during ground disturbing construction activities. Thus, ground disturbing activities throughout almost the entire project area have the potential to impact paleontological resources.

The following mitigation measure applies to project areas with high sensitivity for paleontological resources (Scott and Springer 2003; Wagner 1990, 1995). Areas with high paleontological sensitivity are the Quaternary Modesto, Quaternary Riverbank, and Tertiary Laguna Formations. With implementation of the following mitigation measure, impacts would be reduced to less than significant levels.

MM CR-1: Paleontological Resources Treatment Plan. Prior to construction, a Paleontological Resources Treatment Plan will be prepared that addresses the treatment of paleontological resources that may be discovered during construction. This plan, prepared by a qualified paleontologist, will include procedures for paleontological onsite monitoring, significance testing, and data recovery. Paleontological monitor(s) must be present during all ground disturbing activities where the underlying geology has high sensitivity for fossil resources unless the vertical disturbance will not impact the underlying geology or is located in a highly disturbed area as identified by a qualified paleontologist.

d. Would the project disturb any human remains, including those interred outside of formal cemeteries?

LESS THAN SIGNIFICANT. Ground-disturbing activities associated with construction of the project, such as access road grading, preparation of staging areas, and the excavation of footings for tower removal and installation, have the potential to damage or destroy human remains that were not evident during the cultural resources survey. Such damage or destruction of human remains would constitute an adverse effect under Section 106 and a significant impact under CEQA. Implementation of APM CR-3, which stops work if human remains are discovered, would reduce this impact to a less than significant level.

References

- Berg, J. 1994. DPR 523 Forms for P-51-81/CA-SUT-81-H (HWY 70-2, Brick Kiln Site). November 14. Prepared by Far Western Anthropological Research Group, Davis, CA. On file at Northeast Center, California Historical Resources Information System, Chico, CA.
- Berg, J. E., J. G. Costello, and S. R. Wee. 1995. Archaeological Survey Report and Historic Study Report for the State Route 70 Project, Sutter and Yuba Counties, California. June. Prepared by Far

- Western Anthropological Research Group, Davis, CA; Foothill Resources, Mokelumne Hill, CA; JRP Historical Consulting Services, Davis, CA. Prepared for Woodward-Clyde Consultants, Oakland, CA. On file at North Central Information Center, California Historical Resources Information System, Sacramento, CA.
- California Office of Historic Preservation. 2006a. Archeological Determinations of Eligibility, Yuba County. March 17. Sacramento, CA: Office of Historic Preservation. On file at North Central Information Center, California Historical Resources Information System, Sacramento, CA.
- _____. 2006b. Directory of Properties in the Historic Property Data File for Yuba County. March 17. Sacramento, CA: Office of Historic Preservation. On file at North Central Information Center, California Historical Resources Information System, Sacramento, CA.
- ICF Jones & Stokes. 2008. Cultural Resources Inventory and Evaluation Report for the Proposed Palermo-East Nicolaus 115-kV Transmission Line Reconductoring Project, Butte, Sutter, and Yuba Counties, California. November. Prepared by ICF Jones & Stokes, Sacramento, CA. Prepared for: Pacific Gas & Electric Company, Sacramento, CA.
- Jones & Stokes. 2001. Historic Resources Evaluation Report for the Western Pacific Railroad Segment along SR 70, EA# 2A270K, Yuba County, California. January. Prepared by Jones & Stokes, Sacramento, CA. Prepared for District 3, California Department of Transportation, Marysville. On file at North Central Information Center, California Historical Resources Information System, Sacramento, CA.
- Rawls, J. J., and W. Bean. 2003. California: An Interpretive History. 8th ed. Boston, MA: McGraw Hill.
- Riddell, F. A. 1978. Maidu and Konkow. Pages 370–386 in R. F. Heizer (ed.), California. Handbook of North American Indians, Vol. 8, W. C. Sturtevant (ed.). Washington D.C.: Smithsonian Institution.
- Scott, E. and Springer, K. 2003. CEQA and Fossil Preservation in California: The Environmental Monitor. Association of Environmental Professionals. Fall 2003.
- Wagner, H. M. 1990. Paleontologic resources. Pages 11-37 in Moratto, M. J. Cultural and paleontologic resources in the Santa Susanna and Santa Monica Mountains: Los Angeles County, California. Submitted to Brown and Caldwell, Walnut Creek, CA.
- _____. 1995. Paleontologic resource assessment of the Tuscarora Natural Gas Pipeline Route from Malin, Oregon to Tracy, Nevada. Submitted to Tuscarora Gas Transmission Company, Reno, NV. 1-38.
- Wilson, N. L., and A. H. Towne. 1978. Nisenan. Pages 387–397 in R. F. Heizer (ed.), California. Handbook of North American Indians, Vol. 8, W. C. Sturtevant (ed.). Washington, D.C.: Smithsonian Institution.

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