

9 HISTORICAL AND CULTURAL RESOURCES

This chapter provides an evaluation of the potential environmental effects of implementing the proposed 2030 Merced County General Plan (2030 General Plan) on historical and cultural resources. As established in the Notice of Preparation for the proposed 2030 General Plan (see Appendix A, *Notice of Preparation*), urban development and other activities subject to the updated General Plan may result in adverse changes to the historical and cultural resources within Merced County.

The following environmental assessment includes a review of historical and cultural resources potentially affected by the implementation of the 2030 General Plan, including a description of existing known historical and cultural resources within the project area. Also assessed are the effects that could result from urban development that would be allowed under the 2030 General Plan.

This analysis also includes a review of applicable regulations, requirements, plans and policies from the following federal, state, and County sources:

- National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.)
- National Environmental Policy Act of 1969 (16 U.S.C. 4321, and 4331-4335) (NEPA)
- American Indian Religious Freedom Act of 1978 (42 U.S.C. 1996 and 1996a)
- Native American Graves and Repatriation Act of 1990 (25 U.S.C. 3001 et seq.)
- U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties. (36 CFR, Part 68)
- Antiquities Act of 1906 (16 U.S.C. 431-433)
- Archeological Resources Protection Act of 1979 (ARPA)
- Historic Sites Act of 1935 (16 U.S.C. 461-467)
- National Register of Historic Places (NRHP)
- California Register of Historical Resources (CRHR)
- California Environmental Quality Act (CEQA)
- Planning and Zoning Law, Government Code Section 65351
- State OPR Tribal Consultation Guidelines (2005)
- Native American Historic Resource Protection Act (PRC Sections 5097.995-5097.996)
- Health and Safety Code Sections 7050.5 – 7055
- State Laws Pertaining to Human Remains
- Certified Local Government Program
- Merced County General Plan

The existing status of the historical and cultural resources within Merced County was determined by a review of the County's General Plan goals and policies, cultural resource documents, and historical records, such as those included in the National Register of Historic Places (NRHP), the Historic American Building Survey/Historic American Engineering Record (HABS/HAER), the California Register of Historical Resources (CRHR), California Historical Landmarks, the Merced County Historical Society list of historic resources, and the files of the Central California Information Center (CCIC), California State University, Stanislaus, Turlock. Existing conditions were also assessed

through site visits, surveys, local knowledge, and photographic record. Potential impacts related to historical and cultural resources, compiled and analyzed based on CEQA assessment criteria, were determined by comparing potential urban development that would likely be constructed under the total buildout of the 2030 General Plan to the existing environment using guidelines adopted by Merced County.

9.1 SETTING

The environmental and regulatory setting of Merced County with respect to historical and cultural resources is described in detail in the Recreation and Cultural Resources section of the General Plan Background Report (Merced County 2007; updated 2012). That document is incorporated by reference into this Draft PEIR pursuant to State CEQA Guidelines Section 15150 as though fully set forth herein. The updated Background Report is available for download from the Merced County General Plan website at:

<http://www.co.merced.ca.us/index.aspx?NID=1926>.

Copies of the Background Report may be viewed during standard business hours (8:30 a.m. to 4:30 p.m.), Monday through Friday, at the Merced County Planning and Community Development Department, 2222 M Street, Merced, California 95340, and at the Main Branch of the Merced County Library located at 2100 O Street, Merced California 95340.

9.1.1 ENVIRONMENTAL SETTING

The Background Report's discussion of the historical and cultural resources setting describes how Merced County occupies an archeologically and historically rich part of the San Joaquin Valley. Due to the sensitivity of recorded historical and cultural resources, the Background Report only lists resources available for public disclosure, as summarized in Table 9-1. Historical and cultural resources discussed in the Background Report summarize the following paleontological, archaeological, ethnographic, and historical setting information:

- **Paleontological Setting.** The Sierra Nevada was formed during the Mesozoic Era (208-65 million years ago), but the region that would become the San Joaquin Valley lay several thousand feet below the surface of the Pacific Ocean. After the basic form of the Great Central Valley took shape during the Cenozoic period, the Sierra Nevada eroded to hills, the Coast Ranges rose, and the San Joaquin Valley began to form. The paleontological setting includes the Palocene Epoch, Eocene Epoch, Oligocene Epoch, Pliocene Epoch, and the Pleistocene Epoch (2 million to 10,000 years ago) when the Sierra Nevada range became increasingly elevated and glaciations occurred, resulting in the formation of features such as Yosemite Valley. It was not until the Holocene Epoch (10,000 years ago to the present) that the San Joaquin Valley was above sea level and attained its present day appearance.

Records of paleontological finds maintained by the University of California Berkeley Museum of Paleontology state that there are 12 localities (places where fossil remains have been found) in Merced County. These occur in three major formations: the Moreno, Panoche, and Kreyenhagen formations, which are exposed primarily in the western part of the county in the Coast Range.

- **Archaeological Setting.** Little is known concerning the earliest occupants of the Merced County region, although it is likely that the San Joaquin Valley and Sierra foothills were

occupied by humans throughout most of the latter part of the Holocene Epoch. Several important archaeological sites in Merced County are located near Pacheco Pass on the west side of the county. Other prehistoric sites are located on the floor of the Central Valley near Dos Palos. Additional archaeological resources were discovered when excavations were conducted at a site known as “Wolfsen Mound” on the west side of the San Joaquin River approximately 30 miles downriver from the Dos Palos site. The “Wolfsen Mound” is the only comprehensively excavated prehistoric occupation site in the lower Central Valley part of Merced County.

- **Ethnographic Setting.** Merced County was part of the former territory of the Penutian-speaking Northern Valley Yokuts. Information regarding the Yokuts in Merced County is based primarily on what was known prior to 1925 regarding the Southern Valley Yokuts, the “northerners” having been virtually wiped out by malaria and smallpox epidemics in the 1830s. Ethnographic evidence indicates that Merced County archaeological sites, features, and artifacts may include house floors, bedrock mortars, portable milling implements, chipped stone tools, pottery, baked clay balls, burials, and other remains. These occur in a variety of archaeological sites and as individual, isolated finds.
- **Historical Setting.** Catholic missionaries and soldiers entered California in 1776 and established a chain of missions and presidios. The Spanish explored the Central Valley in a cursory way, but did not establish missions there and did not venture into the Sierra Nevada. American exploration of the Central Valley began with the arrival of explorers and traders, including Jedediah Smith, Ewing Young, and J. R. Walker. In 1844, John Frémont and his party, heading south, crossed present-day Merced County. Following John Marshall’s discovery of gold in the tailrace of Sutter’s Mill in January of 1848, miners flocked to California. News of the find brought thousands of Argonauts to the Valley en route to the Sierra Nevada “Mother Lode” region. One of the indirect consequences of the Gold Rush was the presence in the Central Valley of ferry operators, storekeepers, innkeepers, and others who supplied miners with goods and services.

During the 1850s the more productive parts of the Central Valley were settled and later, in 1872, the Central Pacific Railroad entered Merced County. The railroad connected the San Joaquin Valley with markets in the north and south, and importantly, the east. By 1874 much of Merced County was under cultivation, and as controlled irrigation developed in the Central Valley in 1888, most of the Valley floor was broken up into numerous small farms. The Valley began to take on its present densely settled, highly productive aspect. U.S. 99 was paved through the county in about 1913, later resulting in an expanded network of paved roads, which represent the on-going trend toward increased urbanization, urban centers, and reduction of agricultural land in favor of sprawling “planned communities.”

Table 9-1 Historic Properties of Merced County

Site/Building	Location	Year Constructed	Designation	National Register /CAL Register Status
Temporary Detention Camp	Merced	1942	CA SHL 934	NRHP & CRHR
Pacheco Pass	Los Banos	--	CA SHL 829	NRHP & CRHR
Masonic Temple	Merced	1917	NRHP	NRHP & CRHR
Bank of Italy	Merced	1928	NRHP	NRHR & CRHR
Bank of Los Banos	Los Banos	1923	NRHP	NRHP & CRHR
Buhach Grammar School	Merced	1907	NRHP	NRHP & CRHR
Church of St. Joseph	Los Banos	1923	NRHP	NRHP & CRHR
Maj. George Beecher House	Merced	1891	NRHP	NRHP & CRHR
George Bloss Mansion	Atwater	1914	NRHP	NRHP & CRHR & POI
Rector Home	Merced	1891	NRHP	NRHP & CRHR
Legget House	Merced	1884	NRHP	NRHP & CRHR
Thomas Leggett House	Merced	1890	NRHP	NRHP & CRHR
Merced Co. Courthouse	Merced	1874	NRHP & POI 3	NRHP & CRHR
Merced Co. High School	Merced	1897	NRHP	NRHP & CRHR
Tioga Hotel	Merced	1928	NRHP	NRHP & CRHR
US Post Office Bell Station	Merced	1891	NRHP	NRHR & CRHR
Merced Theatre	Merced	1931	NRHP	NRHP & CRHR
430 W. 20 th Street	Merced	--	Determined Eligible	CRHR
Bull Sheds Sunshine Dairy	Merced	1927	Determined Eligible/ District ¹	CRHR
Bunkhouse Sunshine Dairy	Merced	1927	Determined Eligible/ District	CRHR
Hay Barn Sunshine Dairy	Merced	1927	Determined Eligible/ District	CRHR
Main Residence Sunshine Dairy	Merced	1927	Determined Eligible/ District	CRHR
Milk Barn Sunshine Dairy	Merced	1927	Determined Eligible/ District	CRHR
Quonset Hut Sunshine Dairy	Merced	--	Determined Eligible/ District	CRHR
Residence Sunshine Dairy	21 Coffee, Merced	1930	Determined Eligible/ District	CRHR
Residence Sunshine Dairy	46 Coffee, Merced	1930	Determined Eligible/ District	CRHR
Residence Sunshine Dairy	3144 Childs Ave., Merced	1927	Determined Eligible/ District	CRHR
Sunshine Dairy District	Merced	1927	Determined Eligible/ District	CRHR

¹ A “district” possesses a significant concentration, linkage, or continuity of sites, building structures, or objects, united historically or aesthetically by plan of physical development (Office of Historic Preservation, 1995).

Table 9-1 Historic Properties of Merced County

Site/Building	Location	Year Constructed	Designation	National Register /CAL Register Status
Shop Building, Sunshine Dairy	Merced	1927	Determined Eligible/ District	CRHR
Tank House Sunshine Dairy	Merced	1927	Determined Eligible/ District	CRHR
Bridge 39C-13	Winton	1912	Determined Eligible	CRHR
Bridge 39C-3	Gustine	1910	Determined Eligible	CRHR
Bridge 39-44	Merced	1931	Determined Eligible	CRHR
Bridge 39-200	Los Banos	1950	Determined Eligible	CRHR
Delta Mendota Canal	Los Banos	1946	Determined Eligible	CRHR
Fagundas Barn	Los Banos	1925	Determined Eligible	CRHR
Gustine Municipal Water Works	Gustine	1910	Determined Eligible	CRHR
State Route 152	Los Banos	--	Determined Eligible	CRHR
Station #3 Water Tower	Merced	1934	Determined Eligible	CRHR
Yosemite Lake	Merced	1883	Determined Eligible	CRHR
W. Saunders House	Merced	1907	Determined Eligible	CRHR
G.B. Neighbors Home	Snelling	1870	POI 4	--
Gwin Post Office	Le Grand	1855	POI 5	--
Lake Yosemite Water Tower	Merced	1888	POI 6	--
Los Banos (City)	Los Banos	--	CA SHL 550	--
Los Banos Creek	Los Banos	--	POI 2	--
Merced Co. Justice Courthouse	Gustine	1911	POI 8	--
Canal Farm Inn	Los Banos	1879	CA SHL 548	--
Snelling Courthouse	Snelling	1857	CA SHL 409	--
Snelling Community Recreation Hall	Snelling	1871	POI 1	--
Merced Main Canal	--		Determined Eligible	NRHP & CRHR
San Luis Gonzaga Archaeological District	5 Prehistoric Sites	--	NRHP	NRHP & CRHR

CA SHL = California State Historic Landmark

CRHR = California Register of Historical Resources

NRHP = National Register of Historic Places

POI = Point of Historical Interest

Source: *Office of Historic Preservation Historic Property Data File, Merced County, 2011.*

The major findings of the Background Report with respect to historical and cultural resources are set forth below.

- Unincorporated Merced County covers 1.2358 million acres, 610,866 acres of which are listed as important farmlands, which means that nearly 50 percent of the land area of the county is, or has been, cultivated or constitutes “farmland.” Data obtained from the CCIC indicates approximately 77,626 acres (6.3 percent of land area) in Merced County have been surveyed for historical and cultural resources. Therefore, it is evident that many sites, prehistoric and historic, found on the surface as well as in subsurface contexts, remain to be discovered.
- A recent study (Rosenthal and Meyer 2004) focused on the relative probability of finding buried archaeological deposits in the San Joaquin Valley and adjacent foothills, including Merced County. The study evaluated 9,600 square miles for buried site potential. Of this total, 2,850 square miles were considered to have moderate to very high potential for buried archaeological sites. Only landform age was considered in this study, and it is likely that other environmental characteristics, such as the distribution of economically important plants and animals and the occurrence of surface water, may be predictive of potential site locations within Merced County.
- Significant cultural remains may exist in the subsurface of farmland. Archaeological investigations, such as those conducted near the City of Dos Palos, have demonstrated that significant, unique cultural remains can exist below the plow zone in Merced County.
- According to the Office of Historic Preservation Directory of Properties in the Historic Property Data File for Merced County, 1,459 historic properties have been recorded throughout the county, primarily within cities; of these 19 are listed on the NRHP, 43 on the CRHR, five are listed as California State Historical Landmarks (SHL) and eight as POI, or Places of Interest.
- Paleontological specimens of the type found in western Merced County may be unearthed elsewhere in the county during project activities. The Rosenthal and Meyer study states that 12 localities in Merced County (places where fossil remains have been found) have yielded Late Pleistocene-Age large mammals. These occur in three major formations: the Moreno, Panoche, and Kreyenhagen formations, which are exposed primarily in the western part of the county in the Coast Range.

9.1.2 REGULATORY SETTING

The Background Report’s discussion of historical and cultural resources regulatory setting includes the following federal, state, and local regulations.

FEDERAL

- **National Historic Preservation Act of 1966** (16 U.S.C. 470 et seq.). The National Historic Preservation Act is a federal law created to avoid unnecessary harm to historic properties. The NHPA includes regulations that apply specifically to federal land-holding agencies, but also includes regulations (Section 106) that pertain to all projects funded, permitted, or approved by any federal agency that have the potential to affect historical and cultural resources. Provisions of NHPA establish a National Register of Historic Places, or NRHP (the National Register is maintained by the National Park Service), the Advisory Council on Historic Preservation, State Historic Preservation Office (SHPO), and federal grants-in-aid programs.

- **National Environmental Policy Act of 1969** (16 U.S.C. 4321, and 4331-4335) (NEPA). The National Environmental Policy Act establishes guidelines to “preserve important historic, cultural, and natural aspects of our national heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice.” All projects that are subject to NEPA are also subject to compliance with Section 106 of the NHPA and NEPA requirements concerning historical and cultural resources.
- **American Indian Religious Freedom Act of 1978** (42 U.S.C. 1996 and 1996a) The American Indian Religious Freedom Act of 1978 and Native American Graves and Repatriation Act of 1990 (25 U.S.C. 3001 et seq.) establish that traditional religious practices and beliefs, sacred sites, and the use of sacred objects shall be protected and preserved.
- **U.S. Secretary of the Interior’s Standards for the Treatment of Historic Properties.** The Secretary of the Interior is responsible for establishing professional standards and providing guidance related to the preservation and protection of all historical and cultural resources listed in, or eligible for listing, in the NRHP.
- **National Park Service Certified Local Government Program.** The Certified Local Government (CLG) Program is a national program designed to encourage the direct participation of a local government in the identification, registration, and preservation of historic properties located within the jurisdiction of the local government. A local government may become a CLG by implementing a historic preservation program and commission, based on federal and state standards.
- **Other Federal Legislation.** Historic preservation legislation was initiated by the Antiquities Act of 1906 (16 U.S.C. 431-433) to protect historic and archaeological sites. The law established the procedure for issuing permits to conduct archaeological studies on federal land, and setting penalties for noncompliance.

STATE

- **California Register of Historical Resources.** The California Register of Historical Resources is restricted to properties that are to be protected from substantial adverse change (Public Resources Code Section 5024.1). A historical resource may be listed in the CRHR if it meets any of the following criteria:
 1. It is associated with events that have made a significant contribution to the broad patterns in California’s history and cultural heritage.
 2. It is associated with the lives of persons important in California’s 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 value.
 4. It has yielded or is likely to yield information important in prehistory or history.

The CRHR lists properties that have been formally determined to be eligible for listing in the NRHP, State Historical Landmarks, and listed as eligible as Points of Historical Interest. All other resources require nomination in order to be included on the Register.

- **California Environmental Quality Act** (Public Resources Code Section 21000 et seq.). Public Resources Code Section 21083.2 and Section 15064.5 of the State CEQA Guidelines require that lead agencies determine whether projects may have a significant effect on archaeological and historical resources. This determination applies to those resources that meet significance criteria qualifying them as “unique” or “important,” listings on the CRHR, or determined eligible for listing on the CRHR. Potential eligibility is also based on the integrity of the resource. Integrity is defined as the retention of the resources’ physical condition that existed during its period of significance. It is determined through careful consideration of a resource’s design, workmanship, materials, location, feeling, and association to important events in history.
- **California Public Resources Code Section 5097.** As part of the Native American Historic Resource Protection Act, Code Section 5097 specifies the archaeological, paleontological, and historical site and sacred site procedures that must occur both prior to and during construction of any major public works project on state or public lands. Specifically, it describes the procedures in the event there is a discovery of human remains.
- **California Health and Safety Code Sections 7050.5 - 7055.** Division 7 of the Health and Safety Code governing dead bodies states that the disturbance of Native American cemeteries is a felony. Health and Safety Code Sections 7050.5 - 7055 require that construction or excavation must be stopped in the vicinity of discovery of human remains until the County Coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission.
- **Native American Consultation (California Planning and Zoning Law).** Sections 65351 and 65352.3 of the Government Code requires the local governments to consult with Native American tribes during the preparation, adoption or amendment of their general plans in order to better protect tribal resources. The State OPR Tribal Consultation Guidelines (2005) offer local governments specific guidance for implementing this law.

COUNTY

- **Merced County General Plan.** The Merced County General Plan contains numerous goals and policies related to the protection of historical and cultural resources that are outlined in Table 9-2 later in this chapter.

9.2 ENVIRONMENTAL EFFECTS

The historical and cultural resources analysis evaluates whether implementation of potential urban and rural development and construction of infrastructure that would occur from total buildout under the 2030 General Plan project could result in adverse effects to historical, cultural, and paleontological, and unique geologic resources.

9.2.1 SIGNIFICANCE CRITERIA

The following criteria have been established to quantify the level of significance of an adverse effect being evaluated pursuant to State CEQA Guidelines Appendix G: Environmental Checklist Form, Section V. Cultural Resources. Implementation of the 2030 General Plan would result in a significant historical and cultural resource impact if the Plan would:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. (V.a)
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. (V.b)
- Directly or indirectly destroy a unique paleontological resource or site, or a unique geologic feature. (V.c)
- Disturb any human remains, including those interred outside of formal cemeteries. (V.d)
- Interfere with Native American customs and traditions or result in the loss or degradation of traditional cultural properties without consultation as required by Section 65351 of the Government Code.

9.2.2 ANALYSIS METHODOLOGY

The following historical and cultural resources evaluation includes a review of the existing recorded historical and cultural resource conditions within Merced County, potentially affected by the implementation of the 2030 General Plan project, and the total buildout envisioned under the Plan. To determine impacts, the evaluation relies on comparing total buildout conditions by 2030 to existing and known historical and cultural resource conditions. Merced County's known and recorded historical and cultural resources were identified through a records search of several historical databases conducted in 2007 and updated in 2011. Databases include the NRHP, the Historic American Building Survey/Historic American Engineering Record (HABS/HAER), the CRHR, California Historical Landmarks (CHL), the Merced County Historical Society list of historic resources, and the files of the Central California Information Center (CCIC), California State University, Stanislaus, Turlock. Given the programmatic level of the proposed 2030 General Plan, specific project-level impacts are not identified nor discussed since the exact locations of future development projects are not known. Impacts have only been assessed based on whether the 2030 General Plan goals and policies protect historical, cultural, and paleontological resources, and unique geologic features, and incorporate adequate measures and provisions to reduce impacts to these resources.

9.2.3 ENVIRONMENTAL IMPACTS

The following discussion examines the potential historical and cultural resource impacts of the proposed project based on the impact threshold criteria described above.

Impact CUL-1: Cause a substantial adverse change in the significance of a historical resource.

Implementation of the proposed 2030 General Plan would lead to urban and rural development, and the construction of infrastructure that could lead to substantial adverse changes in the significance of historical resources within the unincorporated county, specifically existing and identified historical resources, or those considered eligible for National Register or California Register listing. Although the proposed 2030 General Plan contains goals and policies to maintain and protect historical resources, the increase in development and construction anticipated under total buildout of the 2030 General Plan could affect known and unknown historical sites within the county during ground-disturbing activities, or destroy or alter historic buildings or structures, resulting in a potentially significant impact.

Implementation of the proposed 2030 General Plan would involve future population growth within the unincorporated county that could result in substantial changes to significant identified historical resources, or those resources considered eligible for National Register or California Register listing. According to the State CEQA Guidelines Section 15064.5 (b)(1), a substantial adverse change in the significance of a historical resource involves the “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.” Data obtained from the CCIC indicates that approximately 77,626 acres in Merced County have been surveyed for historical and cultural resources. This area represents approximately six percent of the total county land area, making it likely that many historic sites, found both on the surface and in subsurface contexts, remain to be discovered.

Urban and rural development, and the construction of infrastructure that would be allowed under total buildout of the 2030 General Plan could cause substantial adverse changes to significant historical resources that remain to be discovered. Potential adverse changes could be due to ground disturbance related to construction activities (i.e. excavation, grading, trenching) and from alterations of potentially historic buildings or structures that could impair the physical characteristics of a resource that convey its historical significance. Urbanized areas that have been developed are unlikely to contain significant sub-surface historical resources due to previous development activity. However, redevelopment activities within existing urbanized areas that contain known historical resources, some that date between the late 1800s and the early 1900s, such as resources listed in Table 9-1 within the cities of Merced, Los Banos, and Gustine and the communities of Snelling, Le Grand, and Winton, could be altered due to physical changes to a structure. Similarly, agricultural and open space lands that have not been developed for urban uses at the time of this Draft PEIR could contain historical resources. For example, studies indicate that significant, unique historic remains can exist below the plow zone in Merced County. Future development in these undeveloped areas could unearth and potentially damage historical resources.

During the development of the 2030 General Plan, the County designed specific goals and policies intended to preserve and protect significant cultural and historical resources within the county. There are several proposed goals and policies under the 2030 General Plan contained in the Natural Resources and Recreation and Cultural Resources Elements that would minimize potential impacts to historical resources. Table 9-2 lists goals and policies that support historical resource protection.

Table 9-2 Merced County 2030 General Plan Goals and Policies Relating to Historical Resource Protection		
Goal or Policy	Goal or Policy Text	How the Goal or Policy Avoids or Reduces Impact
Natural Resources Element		
Goal NR-4	Protect scenic resources and vistas.	States the overall goal for the county is to protect scenic resources. Reduces potential impacts to historical and cultural resources by limiting development at locations that contain recreation or open space lands valued as scenic resources, thereby also protecting significant historical and cultural resources in the area.

Table 9-2 Merced County 2030 General Plan Goals and Policies Relating to Historical Resource Protection

Goal or Policy	Goal or Policy Text	How the Goal or Policy Avoids or Reduces Impact
Policy NR-4.1: Scenic Resources Preservation	Promote the preservation of agricultural land, ranch land, and other open space areas as a means of protecting the County's scenic resources.	Minimizes impacts to significant historical resources by encouraging the protection of agricultural, ranch, and open spaces lands since the rural character of these types of land uses define some of the scenic resources within the county. The management and protection of the rural landscape would also protect historical resources.
Recreation and Cultural Resources Element		
Goal RCR-2	Protect and preserve the cultural, archeological, and historic resources of the County in order to maintain its unique character.	Reduces historical resource impacts by setting an overall goal to preserve the cultural, archaeological, and historic resources in the county.
Policy RCR-2.2: Historical Area Preservation	Support the preservation of historical structures and areas, particularly those listed on the National Registrar of Historic Places and California Registrar of Historic Places.	Minimizes impacts to historical resources by ensuring the preservation of historical structures listed on the NRHP and the CRHP.
Policy RCR-2.3: Architectural Character Preservation	Require that the original architectural character of significant State- and Federally-listed historic structures be maintained in compliance with preservation standards and regulations.	Reduces historical resource impacts by requiring the maintenance of the original architecture of significant state- and federally-listed historic structures.
Policy RCR-2.4: Park and Open Space Historic Resource Preservation	Require the preservation of historic resources located in parks and publicly-owned open space areas.	Minimizes impacts to historical resources by preserving historic resources located in parks and publicly-owned open space areas.
Policy RCR-2.6: Historic Buildings and Areas	Identify and preserve buildings and areas with special and recognized historic, architectural, or aesthetic value during the Community Plan update process. New development should respect architecturally and historically significant buildings and areas.	Reduces impacts to historical resources by protecting buildings and areas (i.e. districts) that are recognized for their historic, architectural, or aesthetic value.
Policy RCR-2.7: Historic Preservation	Support the efforts of local preservation groups and community property owners to preserve or improve building facades and exteriors consistent with the historic and visual character of the specific building or area.	Avoids impacts to historical resources by supporting rehabilitation efforts of historic buildings and exteriors by local preservation groups and property owners.
Policy RCR-2.8: Historical Preservation Area/Site Designations	Allow sites of historical and archeological significance to be designated as historical preservation areas or sites during the Community Planning process or on individual sites in rural areas.	Avoids historical resource impacts by designating significant archaeological or historical sites during the planning processes for Community Plans and at individual sites located in rural areas.

Source: Merced County, 2011; Planning Partners, 2012.

The Natural Resources Element contains Goal NR-4 that explains that one overall goal for the County is to protect scenic resources and vistas. As an overarching goal, this measure reduces potential impacts to historical resources by limiting development at locations that contain recreation or open space lands that would protect valuable scenic resources, thereby also protecting significant historical and cultural resources in the area. This goal contains various policies designed to encourage and support the restoration and protection of historical and cultural resources, particularly in agricultural and open space areas, where evidence has shown many of the undiscovered historical and cultural resources may remain.

A similar goal and several policies in the Recreation and Cultural Resources Element are designed to protect historic resources and preserve the county's historical character and heritage. The Recreation and Cultural Resources Element contains Goal RCR-2 to protect and preserve the cultural, archeological, and historic resources of the county in order to maintain its unique character. This goal contains eight policies, seven of which would specifically avoid and minimize impacts to significant historical resources by supporting the preservation of historical structures and areas, and by encouraging the official designation of eligible and historical significant sites.

Together, the goals and policies outlined under both the Natural Resources and Recreation and Cultural Resources Elements in the 2030 General Plan would reduce potential historical resource impacts. However, even with the implementation of these policies, additional project-specific measures need to be implemented to further reduce impacts to historical resources. For instance, even if all resources are carefully recorded and formally documented during a discretionary approval process for development projects, permanent removal and destruction of the location from which historical resources originated could reduce their value and integrity. Therefore, the potential permanent loss or degradation of historical resources would result potentially significant impact.

Significance of Impact: Potentially significant.

Mitigation Measure CUL-1a:

Add the following policy:

Policy RCR-2.9: Historical and Cultural Resources Investigation, Assessment, and Mitigation Guidelines

Establish and adopt mandatory guidelines for use during the environmental review processes for private and public projects to identify and protect historical, cultural, archaeological, and paleontological resources, and unique geologic features.

Mitigation Measure CUL-1b:

Add the following program:

Program RCR-B: Historic and Cultural Resources Investigation, Assessment and Mitigation Guidelines

Prepare and formally adopt guidelines and standards for the preparation of assessments of historical, cultural, archaeological, and paleontological resources, and unique geologic features prepared pursuant to Policy RCR-2.9. At a minimum, the guidelines shall include resource survey guidelines covering personnel qualifications, research and field techniques, investigation and documentation, data collection and

recording, and resource preservation, avoidance, minimization, and mitigation strategies. The guidelines shall specify broad categories of acceptable mitigation consistent with Public Resources Code Section 21083.2 and State CEQA Guidelines Section 15126.4(b), as they may be amended for any identified adverse effects to historic and cultural resources, paleontological resources, or unique geologic features.

Mitigation Measure CUL-1c:

Amend Policy RCR-2.6: Historic Buildings and Areas as follows:

Identify ~~and preserve~~ buildings and areas with special and recognized historic, architectural, or aesthetic value to be preserved and rehabilitated during the Community Plan update process. New development should respect architecturally and historically significant buildings and areas, and conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, and incorporate adaptive reuse practices, where feasible, to preserve the County's historical heritage and rural character.

Environmental Effects of Measures: Because these mitigation measures would result in the additional protection of historical and cultural resources and potentially lead to additional mitigation for effects to such resources arising from the development of urban uses and infrastructure identified in the 2030 General Plan, there would be no additional impacts beyond those identified for such development in Chapters 5 through 22 of this Draft PEIR.

Level of Significance After Mitigation: Less than significant.

Implementation of Mitigation Measures CUL-1a through CUL-1c, together with the requirements of state and federal regulations, would reduce the potential that new development and related infrastructure projects within the unincorporated portion of Merced County would substantially damage or permanently destroy significant known or unknown historical resources. Each measure would ensure that the County applies a variety of protective measures and preservation efforts towards all future development and infrastructure projects to minimize impacts to historical resources.

Impact CUL-2: *Cause a substantial adverse change in the significance of archaeological resources, paleontological resources, unique geologic features, or disturbances to human remains.*

Implementation of the proposed 2030 General Plan would lead to construction activities such as grading and sub-surface excavation due to urban or rural development, or the construction of infrastructure associated with the buildout of existing and new communities that could cause a substantial adverse change in archaeological and paleontological resources, unique geologic features, or disturbance of human remains. This would be a potentially significant impact.

Future development would not impact identified archaeological sites within the county that are currently under protection through state or local programs, nor any formal cemeteries or known burial areas outside formal cemeteries. However, recent studies focused on the relative probability of finding buried archaeological deposits in the San Joaquin Valley and adjacent foothills, including

Merced County, determined that Merced County had a moderate to very high potential for discovering buried archaeological sites. Thus, it is likely that potentially significant archaeological resources may be discovered due to excavation activities related to future development and construction. Most of the development projected to occur by 2030 would be directed towards incorporated cities, cities’ spheres of influence (SOI), and designated urbanized communities within the unincorporated county that may have already undergone some development activity and excavation. Still, some development could occur on previously undeveloped sites, or sites such as agricultural and open space lands that have not had sub-surface soil removal below the plow line. Studies indicate that significant, unique cultural remains can exist below the plow zone in Merced County. Further, evidence suggests that paleontological resources may be encountered virtually anywhere within Merced County, including the valley floor and particularly in formations in the Coast Range.

For these reasons, development impacts due to construction and other ground-disturbing activities, vandalism, or the collection of archaeological, paleontological or geological specimens could cause substantial adverse changes to cultural resources. However, a variety of proposed goals and policies in the Recreation and Cultural Resource Element under the 2030 General Plan would minimize the potential for development anticipated under total buildout to cause a substantial adverse change in the significance of cultural resources. Table 9-3 lists goals and policies that support archaeological, and paleontological resource protection.

Table 9-3 Merced County 2030 General Plan Goals and Policies Relating to Archaeological, Paleontological, and Unique Geologic Resource Protection		
Goal or Policy	Goal or Policy Text	How the Goal or Policy Avoids or Reduces Impact
Recreation and Cultural Resources Element		
Goal RCR-2	Protect and preserve the cultural, archeological, and historic resources of the County in order to maintain its unique character.	Reduces the potential for urban development to adversely change the significance of cultural resources by setting an overall goal to preserve the cultural, archaeological, and historic resources in the County.
Policy RCR-2.1: Archeological Site and Artifact Protection	Require development projects that affect archeological sites and artifacts to avoid disturbance or damage to these sites.	Reduces impacts to archaeological resources by requiring development projects to avoid disturbance or damage to sensitive sites.
Policy RCR-2.5: Human Remains Discovery	Require that, in the event of the discovery of human remains on any project construction site, all work in the vicinity of the find will cease and the County Coroner and Native American Heritage Commission will be notified.	Minimizes impacts to archaeological resources by requiring all work to cease if such resources, including human remains are discovered during construction activities.
Policy RCR-2.8: Historical Preservation Area/Site Designations	Allow sites of historical and archeological significance to be designated as historical preservation areas or sites during the Community Planning process or on individual sites in rural areas.	Avoids historical resource impacts by designating significant archaeological or historical sites during the planning processes for Community Plans and at individual sites located in rural areas.

Source: Merced County, 2011; Planning Partners, 2012.

The Recreation and Cultural Resources Element contains Goal RCR-2 designed to protect and preserve the cultural, archeological, and historic resources of the county in order to maintain its unique character. This goal contains several policies, several of which would avoid and minimize substantial adverse changes to significant archaeological resources by requiring development projects that affect archeological sites and artifacts to avoid disturbance or damage to these sites; and requiring all work to cease if archaeological resources, including human remains, are discovered during construction activities. Specifically, Policy RCR-2.5 requires that all work in the vicinity of the find shall cease and the County Coroner and Native American Heritage Commission must be consulted prior to resuming any work. Further, state legislation, specifically the California Health and Safety Code Sections 7050.5 – 7055 require that construction or excavation must be suspended in the vicinity of the discovery of human remains until the County Coroner can determine whether the remains are those of a Native American.

Together, these goals and policies would reduce but not avoid potential effects to archaeological resources. Additionally, no policies expressly seek to study or preserve paleontological resources or unique geologic features. While the combination of the goals and policies and state requirements would reduce impacts to known cultural resources, additional mitigating policies would be required as part of the planning process for future project-specific development proposals to ensure that archaeological, paleontological resource, or unique geologic features impacts, and disturbances to undiscovered human remains are minimized. The likelihood the 2030 General Plan would result in a substantial change to archaeological and paleontological resources, and unique geologic features is considered to be potentially significant.

Significance of Impact: Potentially significant.

Mitigation Measure CUL-2:

Implement Mitigation Measures CUL-1a and CUL-1b.

Environmental Effects of Measure: Because this mitigation measure would result in the additional protection of archaeological and paleontological resources, and unique geologic features, and potential disturbance of human remains, and potentially lead to additional mitigation for effects to such resources arising from the development of urban uses and infrastructure identified in the 2030 General Plan, there would be no additional impacts beyond those identified for such development in Chapters 5 through 22 of this Draft PEIR.

Level of Significance After Mitigation: Less than significant.

Implementation of Mitigation Measure CUL-2 would reduce the potential that new development and related infrastructure projects within the unincorporated portion of Merced County would substantially damage or permanently destroy significant known or unknown archaeological and paleontological resources, unique geologic features, or undiscovered human remains.

Impact CUL-3: Result in the degradation or loss of traditional cultural properties where Native American customs and traditions are practiced.

Implementation of the proposed 2030 General Plan would lead to construction activities such as grading and sub-surface excavation due to urban or rural development, or the construction of infrastructure that could occur where Native American customs and traditions are practiced, resulting in the degradation of traditional cultural resource properties. This would be a potentially significant impact.

Written notification and consultation with Native Americans was conducted during the Draft PEIR preparation process. There were no responses received, and no sacred lands sites were identified as areas of concern with implementation of the 2030 General Plan. However, development impacts due to construction and other ground-disturbing activities could cause substantial adverse changes to traditional cultural properties that have not been identified in the consultation process. Table 9-4 lists 2030 General Plan goals and policies that support Native American traditional customs and areas where such customs are practiced.

Table 9-4 Merced County 2030 General Plan Goals and Policies Relating to Native American Traditions and Customs		
Goal or Policy	Goal or Policy Text	How the Goal or Policy Avoids or Reduces Impact
Recreation and Cultural Resources Element		
Goal RCR-2	Protect and preserve the cultural, archeological, and historic resources of the County in order to maintain its unique character.	Reduces impacts to traditional cultural properties by setting an overall goal to preserve the cultural, archaeological, and historic resources in the county.
Policy RCR-2.1: Archeological Site and Artifact Protection	Require development projects that affect archeological sites and artifacts to avoid disturbance or damage to these sites.	Reduces impacts to archaeological resources where traditional cultural resources could be located by requiring development projects to avoid disturbance or damage to sensitive sites.
Policy RCR-2.5: Human Remains Discovery	Require that, in the event of the discovery of human remains on any project construction site, all work in the vicinity of the find will cease and the County Coroner and Native American Heritage Commission will be notified.	Minimizes the potential for improper handling of human remains should they be discovered during construction activities by requiring that all work in the vicinity of the remains cease and requiring consultation with NAHC.
Policy RCR-2.8: Historical Preservation Area/Site Designations	Allow sites of historical and archeological significance to be designated as historical preservation areas or sites during the Community Planning process or on individual sites in rural areas.	Avoids impacts to archaeological resources where traditional cultural resources could be located by designating significant archaeological or historical sites during the planning processes for Community Plans and at individual sites located in rural areas.

Source: Merced County, 2011; Planning Partners, 2012.

The Recreation and Cultural Resources Element contains Goal RCR-2 designed to protect cultural, archaeological, and historic resources in the County. This goal contains several policies that could minimize adverse changes to significant Native American cultural customs and traditions. While Planning and Zoning Law at Government Code Section 65351, and the OPR Tribal Consultation Guidelines (2005) specify steps to be taken to ensure that Native American consultation takes place regarding activities related to the adoption or amendment of the General Plan in order to better protect tribal resources, the 2030 General Plan does not contain any policies to ensure these actions take place.

With implementation of proposed 2030 General Plan policies and state regulations, there would be little potential that traditional cultural properties or practices would be inadvertently impacted due to nearby urban development. However, while the 2030 General Plan contains goals and specific policies to protect cultural resources, including Native American customs and traditions, specific measures are necessary to ensure the protection of traditional cultural resource properties.

Significance of Impact: Potentially significant.

Mitigation Measure CUL-3:

Add the following policy:

Policy RCR-2.10: Tribal Consultation

Consult with Native American tribes regarding proposed development projects and land use policy changes consistent with Planning and Zoning Law at Government Code Section 65351, and the OPR Tribal Consultation Guidelines (2005).

Environmental Effects of Measures: Because these mitigation measures would result in the additional protection of historical and cultural resources and potentially lead to additional mitigation for effects to such resources arising from the development of urban uses and infrastructure identified in the 2030 General Plan, there would be no additional impacts beyond those identified for such development in Chapters 5 through 22 of this Draft PEIR.

Level of Significance After Mitigation: Less than significant.

Implementation of Mitigation Measure CUL-3 would minimize impacts to important Native American cultural sites where traditional customs are practiced by requiring the County to contact and consult with appropriate Native American tribes and follow all requirements consistent with the Planning and Zoning Law at Government Code Section 65351, and the OPR Tribal Consultation Guidelines (2005). Implementation of this policy would ensure that all appropriate Native American tribes are contacted and consulted with prior to any proposed development activity, thereby reducing the likelihood that such activities would result in potential impacts.

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