

CULTURAL RESOURCES

INTRODUCTION

This chapter presents the results of the cultural resources assessment conducted by Peak & Associates, Inc. for the proposed West Landing Specific Plan Project (included as Appendix D). The study was undertaken to determine if there were any or historical, archaeological and/or paleontological resources present in the Specific Plan Area. This effort included archival research at the California Room of the California State Library, records searches, Native American consultation, and a field survey conducted on January 2, 3, and February 12, 2009.

Limitations of the Field Survey

Note that while records searches and Native American consultation were conducted for the entire Plan area, the field survey was limited by permission for access provided by the property owners. **Figure 8.1** shows the portion of the Plan area covered by previous identified field surveys and/or the field survey conducted by Peak & Associates in January and February 2009. Because the Carol Lane neighborhood is proposed to remain, access for field studies was not sought.

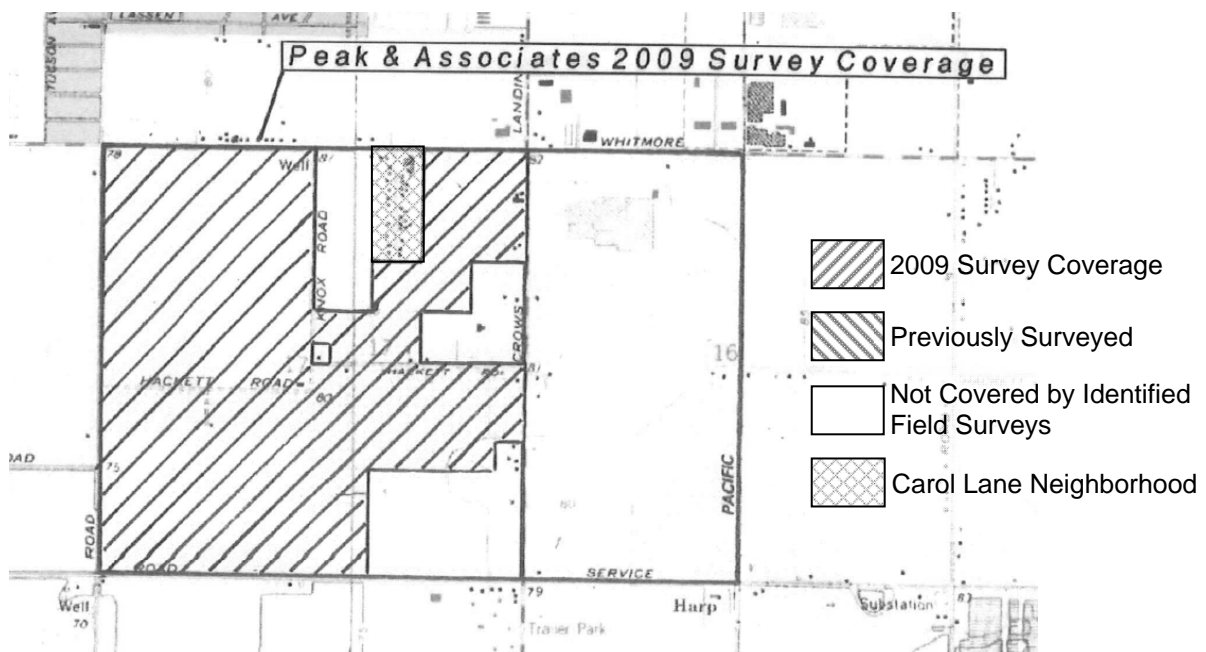


Figure 8.1: 2009 Cultural Assessment Field Survey Coverage

SETTING

ARCHAEOLOGY

The Central Valley region was among the first in the state to attract intensive fieldwork, and research has continued to the present day. This has resulted in a substantial accumulation of data.

In the early decades of the 1900s, E.J. Dawson explored numerous sites near Stockton and Lodi, later collaborating with W.E. Schenck (Schenck and Dawson 1929). By 1933, the focus of work was directed to the Cosumnes locality, where survey and excavation studies were conducted by the Sacramento Junior College (Lillard and Purves 1936). Excavation data, in particular from the stratified Windmill site (CA-Sac-107), suggested two temporally distinct cultural traditions. Later work at other mounds by Sacramento Junior College and the University of California, Berkeley, enabled the investigators to identify a third cultural tradition, intermediate between the previously postulated Early and Late Horizons. The three-horizon sequence, based on discrete changes in ornamental artifacts and mortuary practices, as well as on observed differences in soils within sites (Lillard, Heizer and Fenenga 1939), was later refined by Beardsley (1954). An expanded definition of artifacts diagnostic of each time period was developed, and its application extended to parts of the central California coast. Traits held in common allow the application of this system within certain limits of time and space to other areas of prehistoric central California.

The Windmill Culture (Early Horizon) is characterized by ventrally-extended burials (some dorsal extensions are known), with westerly orientation of heads; a high percentage of burials with grave goods; frequent presence of red ocher in graves; large projectile points, of which 60 percent are of materials other than obsidian; rectangular Haliotis beads; Olivella shell beads (types A1a and L); rare use of bone; some use of baked clay objects; and well-fashioned charmstones, usually perforated.

The Cosumnes Culture (Middle Horizon) displays considerable changes from the preceding cultural expression. The burial mode is predominately flexed, with variable cardinal orientation and some cremations present. There are a lower percentage of burials with grave goods, and ocher staining is common in graves. Olivella beads of types C1, F and G predominate, and there is abundant use of green Haliotis sp. rather than red Haliotis sp. Other characteristic artifacts include perforated and canid teeth; asymmetrical and "fishtail" charmstones, usually unperforated; cobble mortars and evidence of wooden mortars; extensive use of bone for tools and ornaments; large projectile points, with considerable use of rock other than obsidian; and use of baked clay.

Hotchkiss Culture (Late Horizon) -- The burial pattern retains the use of the flexed mode, and there is wide spread evidence of cremation, lesser use of red ocher, heavy sue of baked clay, Olivella beads of Types E and M, extensive use of Haliotis ornaments of many elaborate shapes and forms, shaped mortars and cylindrical pestles, bird-bone tubes with elaborate geometric designs, clam shell disc beads, small projectile points indicative of the introduction of the bow and arrow, flanged tubular pipes of steatite and schist, and use of magnesite (Moratto 1984:181-183). The characteristics noted are not all-inclusive, but cover the more important traits.

Schulz (1981), in an extensive examination of the central California evidence for the use of acorns, used the terms Early, Middle and Late Complexes, but the traits attributed to them remain generally the same. While it is not altogether clear, Schulz seemingly uses the term "Complex" to refer to the particular archaeological entities (above called "Horizons") as defined in this region. Ragir's (1972) cultures are the same as Schulz's complexes.

Bennyhoff and Hughes (1984) have presented alternative dating schemes for the Central California Archaeological Sequence. The primary emphasis is a more elaborate division of the horizons to

reflect what is seen as cultural/temporal changes within the three horizons and a compression of the temporal span.

There have been other chronologies proposed, including Fredrickson (1973), and since it is correlated with Bennyhoff's (1977) work, it does merit discussion. The particular archaeological cultural entities Fredrickson has defined, based upon the work of Bennyhoff, are patterns, phases and aspects. Bennyhoff's (1977) work in the Plains Miwok area is the best definition of the Cosumnes District, which likely conforms to Fredrickson's pattern. Fredrickson also proposed periods of time associated heavily with economic modes, which provides a temporal term for comparing contemporary cultural entities. It corresponds with Willey and Phillips' (1958) earlier "tradition," although it is tied more specifically to the archaeological record in California.

ETHNOLOGY

The Plan area lies within the northern portion of the ethnographic territory of the Yokuts people. The Yokuts were members of the Penutian language family which held all of the Central Valley, San Francisco Bay Area, and the Pacific Coast from Marin County to near Point Sur. The Yokuts differed from other ethnographic groups in California as they had true tribal divisions with group names (Kroeber 1925). Each tribe spoke a particular dialect, common to its members, but similar enough to other Yokuts that they were mutually intelligible (Kroeber 1925).

The Yokuts held portions of the San Joaquin Valley from the Tehachapis in the south to Stockton in the north. On the north they were bordered by the Plains Miwok and on the west by the Saclan or Bay Miwok and Costanoan peoples. Although neighbors were often from distinct language families, differences between the people appear to have been more influenced by environmental factors as opposed to linguistic affinities. Thus the Plains Miwok were more similar to the nearby Yokuts than to foothill members of their own language group. Similarities in cultural inventory co-varied with distance from other groups and proximity to culturally diverse people. The material culture of the southern San Joaquin Yokuts was therefore more closely related to that of their non-Yokuts neighbors than to that of Delta members of their own language group.

Trade was well developed, with mutually beneficial interchange of needed or desired goods. Obsidian, rare in the San Joaquin Valley, was obtained by trade with Paiute and Shoshoni groups on the eastern side of the Sierra Nevada, where numerous sources of this material are located, and to some extent from the Napa Valley to the north. Shell beads, obtained by the Yokuts from coastal people, and acorns, rare in the Great Basin, were among many items exported to the east by Yokuts traders (Davis 1961).

Economic subsistence was based on the acorn, with substantial dependency on gathering and processing of wild seeds and other vegetable foods. The rivers, streams, and sloughs that formed a maze within the valley provided abundant food resources such as fish, shellfish, and turtles. Game, wild fowl, and small mammals were trapped and hunted to provide protein augmentation of the diet. In general, the eastern portion of the San Joaquin Valley provided a lush environment of varied food resources, with the estimated large population centers reflecting this abundance (Cook 1955; Baumhoff 1963).

Settlements were oriented along the water ways, with their village sites normally placed adjacent to these features for their nearby water and food resources. House structures varied in size and shape (Latta 1949; Kroeber 1925), with most constructed from the readily available tules found in the extensive marshes of the low-lying valley areas. Housepit depressions at the village sites ranged in diameter from between 3 to 18 meters (Wallace 1978:470).

HISTORY

The study area lies away from any of the early Spanish and Mexican land grants in the region. It is fairly arid land, and would have been useful only for grazing of livestock or growing grain or hay.

The area that is now Stanislaus County was first explored by Gabriel Moraga in 1806, when he named and explored the Stanislaus River. Moraga's explorations were designed to locate appropriate sites for an inland chain of missions. Moraga explored the region again in 1808 and 1810.

Fur trappers and traders began working the streams of the San Joaquin Valley in 1828. Beaver skins may have been gathered by Hudson's Bay Company trappers in the region.

John C. Frémont, a prominent explorer, on his way leaving California in 1844, proceeded southward from Sutter's Fort, passing through what is now Stanislaus County. His party ferried the Stanislaus River, and camped on the Stanislaus side.

Stanislaus County was carved out of Tuolumne County in 1854. The County seat was moved several times, before it was placed at Ralston, now Modesto in 1872.

The construction of the Southern Pacific Railroad in 1872 brought major changes to the region. The City of Merced was laid out in January of that year, when the railroad reached the spot. Merced became the County seat in December of 1872 (Hoover, Rensch and Rensch 1990; Gudde 1969: 198-199).

The development of the railroads through the region allowed the establishment of the communities. The small communities grew up as service centers for the surrounding areas, providing a means of marketing farm products to remote destinations as well as providing supplies to the local residents. Ceres was established as a station of the Southern Pacific in 1872, and named for the Roman goddess of growing vegetation (Gudde 1969: 59). The town was set up on the lands of Daniel Whitmore, who had come to the area in 1867. The first depot was built in town in 1874, with the first store built three years later. Ceres was a "dry" town from the beginning, and Whitmore placed a clause in all the town lots prohibiting the sale, manufacture, or gifting of any intoxicating liquors, with a penalty for violating this clause (Tinkham 1921: 181-182).

Early on, crops in the area included beans, melon, alfalfa, wheat, olives, peaches, pears, apricots, berries and grapes. In 1921, the County history noted that wheat had formerly been a major crop, but was less in evidence after the completion of the irrigation district. One lateral, excavated by 1904, crossed the southeast quarter of section 17 and the southwest quarter of section 17.

The Official County Map shows the Plan area in 1895, with one half of section 17 owned by the Hatch family, and the remaining 640 acres as part of a 960 acre tract owned by the estate of William Harp. Harp's ownership is commemorated with the retention of the name "Harp" for the former railroad siding on the Union Pacific railroad line, marked just south of section 16 on the modern USGS topographic map.

By 1906, the land had been further subdivided with E. Hatch retaining the western portion, and the remainder divided between S.A. Kittrell and L. F. Hastings (Official County Map 1906). Selina Kittrell was the daughter of William Harp, who had gone to live with her father in the area after the death of her husband, William Kittrell, in 1877 (Guinn 1906:265).

In 1918, the land of the central portion of the Plan area in the east half of section 17 had been subdivided into smaller parcels, varying in size from 20 acres to 100 acres. The south half of section 16 had also been subdivided (Official County Map 1918).

The Westport and Ceres topographic maps from 1915 and 1916 covering the Plan area show five buildings within the overall 960 acre Specific Plan area, indicating very sparse settlement of the area. The period of the 1910s-1920s is an era where many large holdings throughout the Sacramento and San Joaquin Valleys were broken down for either land colonies that recruited from the Midwest, or otherwise split to offer for sale to the growing populace. Development of water delivery systems in this era made more lands productive as small farms.

HISTORIC-PERIOD BUILDINGS ON THE PLAN SITE

Several older buildings and evidence of older buildings (more than 50 years old) were located during the field survey. A summary of the 5 sites with these historic-period structures is included below. More detailed information and recordation forms are included in Appendix D.

PA-09-01

This site consists of a single family home, barn, and small outbuilding.

The residence is an example of the front-gable subtype of the Craftsman Style, popular between 1905 and 1930 (McAlester & McAlester 1996:453-463). According to the Stanislaus County Building Records, the home was constructed in 1920.

In 1918, the entire western half of section 17 was by owned by C. M. Hatch et al. (Official County Map 1918). Caroline M. Hatch, widow of Ephraim Hatch, died in 1920 (Stimmel 1988: 596). The home was likely built when the property was subdivided and sold off by her son.

PA-09-02

The site consists of a single family home, detached garage, barn, and water tower.

The home has been extensively remodeled since the current owners purchased it about 50 years ago, according to their daughter. It is difficult to assign a style to the residence for this reason. According to the Stanislaus County Building Records, the home was constructed in 1920.

The water tower is a straight-box type, the most popular example of water towers in the Sacramento and San Joaquin Valleys.

The older topographic map based on 1913 surveys shows a building at this location. In 1918, the land was owned by J. Fox (Official County Map 1918). The 1920 house may have been a replacement of the earlier home on the property, with the water tower built with the older house.

PA-09-03

This site contains a single family residence, detached garage, two barns and an outbuilding.

The residence is an example of the side-gable subtype of the Craftsman Style, popular between 1905 and 1930 (McAlester & McAlester 1996:453-463). According to the Stanislaus County Building Records, the home was constructed in 1928.

In 1918, the land was owned by M. Russell who was one of seven owners of the northeast quarter section of section 17 (Official County Map 1918). The prior map of the area (Official County Map 1909) showed the land as part of the holdings of William J. Kittrell, who held the entire northeast quarter of the section, formerly owned by his mother, and before that, his grandfather, William Harp. The subdivision of the land may have been relatively recent in 1918, and the home was the new owner's first residence on the land.

PA-09-04

This site has a single family home and detached garage.

The residence is an example of the cross-gable subtype of the Craftsman Style, popular between 1905 and 1930 (McAlester & McAlester 1996:453-463). According to the Stanislaus County Building Records, the home was constructed in 1929.

The 1918 Official County Map show the land as part of the holding of J. Fox, who built PA-09-02. The 1916 Ceres 1:31,680 topographic map of the area shows a building at this location. The modern residence is apparently a replacement home at the site.

PA-09-05

This site consists of a series of concrete pads and rubble that once apparently supported a large, irregular-shaped building and detached, smaller building that were built sometime before 1968, according to the USGS topographic map. The remaining concrete pads are no longer contiguous and have been badly disturbed. Portions of the wood mudsill remain on one of the foundations, and one foundation has a metal bar separating portions of the pad.

According to the Stanislaus County Building Records, a home was constructed on the property in 1925. No trace of this house remains today. It is not possible to discern the owner in 1918 because only the landowner's initials were shown on the relatively small parcel containing the building (Official County Map 1918).

REGULATORY SETTING

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The CEQA Guidelines define "historical resources" (in section 15064.5) as:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4850 et seq.).
- (2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4852)

CALIFORNIA REGISTER OF HISTORICAL RESOURCES

For the purposes of CEQA, an historical resource is a resource listed in, or determined eligible for listing in the California Register of Historical Resources (CRHR). When a project will impact a site, it needs to be determined whether the site is an historical resource, which is defined as any site which:

- (A.) Is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California; and
- (B) Meets any of the following criteria:
 1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 2. Is associated with the lives of persons important in our past;
 3. 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. Has yielded, or may be likely to yield, information important in prehistory or history.

IMPACT ANALYSIS

STANDARDS OF SIGNIFICANCE

The following thresholds for measuring a project's environmental impacts are based on CEQA Guidelines thresholds:

1. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5.?
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
4. Disturb any human remains, including those interred outside of formal cemeteries?

HISTORIC RESOURCES

Record searches conducted in March 2008 and February 2009 through the Central California Information Center of the California Historical Resources Information System identified no previously recorded historic sites in or near the Plan area.

Several buildings more than 50 years old are located in the Plan area and have been formally recorded with the California Resources Agency. Another site, the former location of historic period buildings, was also recorded. However, none of these buildings/sites met any of the four California Register of Historical Resources criteria for listing as a historical resource. These sites were found to not be associated with important events in history (criterion B1) or historically important people (criterion

B2), not be architecturally significant (criterion B3), and there is no reason to believe that significant subsurface historic period materials are present at the sites (criterion B4). See the full cultural assessment in Appendix D for additional details.

Given that none of these buildings meet the criteria for listing on the California Register, and thus would not qualify for listing on the National Register, the removal of these structures would be a *less than significant* impact of the Plan.

ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES

Impact Culture-1: Disturbance of Unidentified Archaeological or Paleontological Resources.

During earth-moving activities in the Plan area, it is possible that unidentified archaeological or paleontological resources could be uncovered and disturbed.

Record searches conducted in March 2008 and February 2009 through the Central California Information Center of the California Historical Resources Information System identified no previously recorded archaeological or paleontological sites in or near the Plan area.

A field survey conducted in January and February 2009 found no evidence of archaeological or paleontological cultural resources within the surveyed portion of the Specific Plan area (see **Figure 8.1** for excluded areas).

Although unlikely in this setting, there is always a possibility that a site may exist in the Specific Plan area and be obscured by vegetation or historic activities, leaving no surface evidence. If artifacts, exotic rock, or unusual amounts of shell or bone are uncovered during construction, work should stop in that area immediately and a qualified archaeologist should be contacted to evaluate the deposit.

Mitigation Measure

Culture-1: Halt Construction Activity, Evaluate Find and Implement Mitigation. In the event that any previously unidentified archaeological or paleontological resources are uncovered during construction activity, all such activity shall cease until these resources have been evaluated by a qualified archaeologist and specific mitigation measures can be implemented to protect these resources. Mitigation measures could include site evaluation, site boundary determinations, removal of isolated findings, data recovery excavations, or project re-design to protect the resource.

Incorporation of mitigation measure **Culture-1** will reduce the impacts associated with possible disturbance of unidentified archaeological resources to a level of *less than significant*.

NATIVE AMERICAN HERITAGE AND HUMAN REMAINS

Impact Culture-2: Disturbance of Unidentified Human Remains. During earth-moving activities in the Plan area, it is possible that unidentified human remains could be uncovered and disturbed.

A check of the Sacred Lands files through the Native American Heritage Commission found no reported resources of concern. Letters sent to identified groups and individuals resulted in no identification of concerns regarding resources in the Plan area. Additionally, a field survey found no evidence of cultural resources on the site.

If human remains are uncovered during construction, work should stop in that area immediately and the Stanislaus County Coroner and Native American Heritage Commission must be contacted (916-322-7791).

Mitigation Measure

Culture-2: Halt Construction Activity, Notify County Coroner and Coordinate with Native American Heritage Commission. In the event that any human remains are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these resources have been evaluated by the County Coroner, and appropriate action taken in coordination with the Native American Heritage Commission. Further actions could include removal of the remains or project re-design to afford protection.

Incorporation of mitigation measure **Culture-2** will reduce the impacts associated with possible disturbance of unidentified human remains in the Plan area to a level of *less than significant*.

UNSURVEYED AREAS

Impact Culture-3: Incomplete Field Survey Coverage. Some portions of the Plan area were not included in an identified field survey to determine potential for environmental effects on historical, archaeological or paleontological resources.

Some portions of the Plan area could not be surveyed because the owners chose not to provide permission for access, as shown in **Figure 8.1** on page 8-1. Additionally, the Carol Lane neighborhood is proposed to remain for the foreseeable future so access was not sought for cultural assessment. If/when the un-surveyed areas decide to develop, surveys will need to be conducted of their lands by qualified archaeologists to check for the presence of historical and pre-historical resources, and to determine potential Plan impacts.

Mitigation Measure

Culture-3: Full Archaeological/Paleontological Field Survey and Evaluation of Historic-Age Structures for Unsurveyed Areas. Owners or developers of the areas not included in previous field surveys shall be responsible for the following:

- A full archaeological/paleontological field survey of the development site shall be completed by a qualified professional to satisfy Section 21083.2 of the California Public Resources Code, which requires a determination be made whether the project may have a significant effect on archaeological and paleontological resources.
- Any historic-age (50 years or older) buildings on-site must be recorded and evaluated for eligibility for listing on the California Register of Historic Resources, pursuant to California Public Resources Code 21084.1.

The un-surveyed sites in the Plan area are shown on **Figure 8.1** (on page 8-1) and include the following parcels, by owner and APN:

Nayares 056-055-011-000, Amador 056-055-012-000, Richardson 056-055-003-000, Michelena 056-055-014-000, Bava 056-055-019-000, Corda 056-055-023-000, and the Marquez properties (including the El Rematito Flea Market): 056-055-003-000, 056-055-004-000, 056-055-005-000.

The Stanislaus County parcels: 086-015-005-000, 086-015-014-000, 086-015-015-000, 086-015-016-000.

The Carol Lane neighborhood (including adjacent residential lots facing Whitmore Avenue): 056-056-002-000, 056-056-004-000, 056-056-005-000, 056-056-006-000, 056-056-007-000, 056-056-008-000, 056-056-009-000, 056-056-010-000, 056-056-011-000, 056-056-012-000, 056-056-013-000, 056-056-014-000, 056-056-015-000, 056-056-017-000, 056-056-018-000, 056-056-019-000, 056-056-020-000, 056-056-021-000, 056-056-022-000, 056-056-023-000, 056-056-024-000, 056-056-025-000, 056-056-026-000, 056-056-027-000, 056-056-028-000, 056-056-029-000.

Incorporation of mitigation measures Culture-1, Culture-2, and **Culture-3** will reduce the impacts associated with the potential for archaeological or historical resources in unsurveyed portions of the Plan area to a level of *less than significant*.