

## 4.5 CULTURAL RESOURCES

This section analyzes the Tuolumne County General Plan Update's impacts with respect to cultural resources.

### 4.5.1 Setting

Cultural resources include prehistoric resources, historic resources, Native American resources, and paleontological resources. Prehistoric resources represent the remains of human occupation prior to European settlement. Historic resources represent remains after European settlement and may be part of a "built environment," including man-made structures used for habitation, work, recreation, education and religious worship, and may also be represented by houses, factories, office buildings, schools, churches, museums, hospitals, bridges, and other structural remains. Native American resources include ethnographic elements pertaining to Native American issues and values. Paleontological resources include fossils, pollen, and spores that provide evidence of prehistoric ecology and evolution.

**a. Prehistoric and Historical Background.** Tuolumne County has a rich past beginning with prehistoric habitation which began more than 10,000 years ago and extending back conceivably more than 11,000 years (Tuolumne County, Multi-Jurisdiction Hazard Mitigation Plan, 2004). The County's indigenous peoples, the Central Sierra Me-Wuks, arrived between 2,000 and 600 years ago.

Year-round Me-Wuk villages were usually located on ridges near a major spring or drainage confluence below the heavy snow line (about 3,500-4,000 feet in elevation). Summer brought movement into higher elevations where seasonal camps were established convenient to summer gathering and hunting. Tuolumne County's lower elevations were known as an area used intensely for gathering. There were numerous temporary camps that existed for hunting, fishing, and gathering locales throughout the County. It is estimated that there were 35 pre-1848 villages in this part of the Sierra Nevada. This number of villages indicates that the County was a significant residential and resource procurement area for the Central Sierra Me-Wuk.

Few pre-1848 accounts of historic excursions into Tuolumne County have survived. Gabriel Moraga and his fellow explorers are the earliest known non-Indians to venture into what became Tuolumne County. Little information remains about any historic settlements or other resources from this era, or remains of any settlements of the early Sonoran miners. Historic activity began intensely soon after the widely publicized 1848 discovery of gold. This discovery forever changed the face of Tuolumne County's physical and cultural landscape.

Non-Indian intrusions into the Central Sierra Me-Wuk territory probably occurred sporadically prior to the Gold Rush of 1848. By the Gold Rush period, valley tribes had been seriously reduced in numbers and the foothills were affected by movement of surviving Indian refugees into their areas. Former traditions were completely disrupted and settlement patterns were altered due to high mortality and the encroachment of white settlers on the land. Villages were abandoned or moved because of the decreased number of residents or because of forced removal by non-Indians. During the post-Gold Rush period, villages contracted and consolidated.



It is believed that gold was discovered in Tuolumne County in 1848 by Benjamin F. Wood and his party in Jamestown. However, there is conflicting information stating that gold was discovered on Mormon Creek near Tuttletown by a group of Mormons before the arrival of Mr. Wood in the County. Miners invaded the area, developed water systems, and constructed settlements in the rich mining areas. The most visible remnants of the County's past are found in its Gold Rush Era buildings and artifacts dating from 1848 (Tuolumne County, 2004). In the early 1850s, Columbia, known as "The Gem of the Southern Mines," was established as a "tent and shanty" town. What started as home to a handful of miners, grew into a community of several thousand with more than 500 buildings and over 150 businesses serving Columbia and nearby mining camps. The County has identified the townsite at Columbia State Historic Park as an outstanding historic resource that demonstrates life during the California Gold Rush.

When the easily mined gold gave out, Jamestown remained a trade and supply depot for mining higher in the foothills, with a prime location on the roads from the Central Valley. Due to the depletion of gold fields and six major fires between 1854 and 1866, Columbia's population dwindled from more than 10,000 to less than 500. By the mid-1860s the placer gold deposits were exhausted, and the technology for extracting deep veins of gold was not yet well-developed. The mining industry leveled off in Tuolumne County, and many mining families moved to other settlements outside the County. During this time the County's population decreased by nearly 50 percent between the years 1860 and 1870.

From the late 1880s to World War I, advancements in mining technology and an infusion of foreign capital produced a second Gold Rush in Tuolumne County. Renewed mining efforts allowed for the influx of settlers into Sonora and Jamestown. Other locations within the booming towns were reopened with investment capital and large modern stamp mills were erected. Mining was once again a profitable venture in Tuolumne County and its supporting industries developed closely behind. A large increase of assessed valuation allowed the County to construct new public services and generally stimulate County services. Businesses and commerce prospered, agriculture became a major local industry, many homes were built to house the increased population, and whole communities were established or enlarged.

The timber industry emerged in response to a need for timbers to support the hard rock mines, to build stamp mills and to construct buildings in the mining camps. By 1900 the industry developed into a major industrial base in the County. It provided the momentum for growth and development of the Sierra, Sugar Pine, West Side and Cherry Valley railways. The industry also created hundreds of jobs for loggers and other professions closely intertwined with the timber industry. The agriculture industry was also initially created to support the mining operations and its workforce. Railroads for logging, freight and passenger services created more economic opportunities and made it possible for the expansion of the agriculture industry. The Sierra Railroad was constructed in 1897 and hauled machinery and supplies to the mines, ore, lumber, a variety of agricultural products, passengers and merchandise for stores and businesses.

The driving force of tourism in the County was the construction of the railroads from Stockton to Milton in 1871. The railroad greatly increased tourism by reducing traveling time while increasing traveling comfort. The influx of tourism was seasonal and after the completion of the Sierra Railway, many locations in the County became destinations for vacationers. As the demand for tourist facilities increased, recreational home subdivisions began to be developed in



the hills east of Sonora in the 1920's. There was not a great demand for full public services until the 1980's when the trend began for the conversion of these vacation homes into year-round residences.

By World War I most of the mines in Tuolumne County were once again inactive and many people moved to work in war-related industries in the San Francisco Bay Area. The arrival of automobiles and truck transportation shifted the balance of imports and exports in the agriculture industry. Many agricultural products and manufactured items were imported instead of being produced locally. The Great Depression which began in 1929 hindered the productivity of local industry including agriculture and timber. Due to the increased price of gold and low operating costs during the Depression, a small mining boom occurred again during the mid to late 1930s. However, the start of World War II effectively put an end to any major reopening. All mines were then ordered closed in 1942 by the federal government, and thus ended the historic presence of mining operations in the County.

Table 4.5-1 presents historical resources in Tuolumne County. Included in the table are sites listed on the National Register of Historic Places and the Tuolumne County Register of Cultural Resources and designated as California State Historic Landmarks. Due to the sensitivity of many prehistoric, ethnohistoric, and historic archaeological sites, the resources listed in the following table include only those that are available for access by the general public. In unincorporated Tuolumne County, there are 21 National Register listings, 12 listings on the County Register, and 19 California Historical Landmarks. In honor of its historic resources, the federal government has named Tuolumne County a Preserve America Community, which recognizes the County's efforts to protect and celebrate its heritage, use historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources.

**Table 4.5-1  
 Tuolumne County Historical Resources**

Location	Resource Name	National Register	State Landmark	TC Register <sup>1</sup>
Big Oak Flat	Big Oak Flat		X	
Big Oak Flat	Gamble Building	X		
Chinese Camp	Chinese Camp		X	
Chinese Camp area	Jacksonville		X	
Chinese Camp area	Montezuma		X	
Chinese Camp	Wells Fargo Express Company Building		X	
Columbia	1925 Craftsman Bungalow and 1940 Garage			X
Columbia	Columbia Historic District	X		
Columbia	Columbia State Historic Park		X	
Columbia area	Parrotts Ferry		X	
Columbia area	Sawmill Flat		X	
Columbia area	Shaw's Flat		X	
Columbia area	Springfield		X	
East Sonora	Belli Ranch House			X
East Sonora	Sullivan Creek Park (Elseys Pool)			X



**Table 4.5-1  
 Tuolumne County Historical Resources**

<b>Location</b>	<b>Resource Name</b>	<b>National Register</b>	<b>State Landmark</b>	<b>TC Register<sup>1</sup></b>
Groveland area	Second Garrote		X	
Groveland	Groveland		X	
Groveland	Groveland Hotel	X		
Groveland	Hotel Charlotte	X		
Groveland	Watts & Tannahill Company Store	X		
Jamestown	Emporium	X		
Jamestown	Jamestown		X	
Jamestown	Jamestown Community Hall (Old Justice Court)			X
Jamestown	Ramirez-Preston Building			X
Long Barn	Quail Site	X		
Pinecrest area	Leighton Encampment	X		
Soulsbyville	Gessford Home			X
Soulsbyville	Soulsbyville		X	
Strawberry	Baker Highway Maintenance Station	X		
Strawberry	Chinaman Mortar Site	X		
Strawberry	Cooper Cabin	X		
Strawberry	Old Strawberry Road Bridge			X
Strawberry	Stanislaus Branch, California Forest and Range Experiment Station	X		
Sugar Pine	Sonora-Mono Road		X	
Tuolumne area	Cherokee		X	
Tuolumne	Dungan House			X
Tuolumne	Niagara Camp	X		
Tuolumne	Summersville (Tuolumne)		X	
Tuolumne	Superintendent's House			X
Tuolumne	Veterans Memorial Hall			X
Tuolumne	West Side Memorial Park			X
Tuttletown	Ewert/Aguire/Jackson Property (Tuttletown Stage Stop)			X
Tuttletown area	Mark Twain Cabin		X	
Tuttletown	Tuttletown		X	
Yosemite National Park	Frog Creek Cabin	X		
Yosemite National Park	Glen Aulin High Sierra Camp	X		
Yosemite National Park	Lake Vernon Snow Survey Shelter	X		
Yosemite National Park	Parsons Memorial Lodge	X		
Yosemite National Park	Sachse Spring Snow Survey Shelter	X		
Yosemite National Park	Tuolumne Meadows	X		
Yosemite National Park	Tuolumne Meadows High Sierra Camp	X		



**Table 4.5-1  
 Tuolumne County Historical Resources**

Location	Resource Name	National Register	State Landmark	TC Register <sup>1</sup>
Yosemite National Park	Tuolumne Meadows Ranger Stations and Comfort Stations	X		

1. TC Register = Tuolumne County Register of Cultural Resources.

Sources: National Park Service, National Register of Historic Places, 2014; California Office of Historic Preservation, website, 2015; Tuolumne County Register of Cultural Resources, 2010.

**b. Paleontological Background.** Tuolumne County is located primarily within the Sierra Nevada geomorphic province, with an extremely small portion (less than 10%) of the western boundary creeping into the Great Valley province. Based on geologic mapping, the majority of the County, especially in the Sierra Nevada Mountains, is underlain by granitic and volcanic rocks which are generally not fossil-bearing (Ludington et al., 2007). Paleozoic marine rocks occur in the western portion of the County and may contain fossils of marine invertebrates. A pocket of Plio-Pleistocene and Pliocene loose consolidated deposits also occurs along State Route 108 to southwest of Jamestown and northwest of Chinese Camp. This area may contain evidence of Pleistocene-era large mammals.

**c. Regulatory Setting.** A cultural resource may be designated as significant by National, State, or local authorities. In order for a resource to qualify for listing in the National Register of Historic Places (NHRP) or the California Register of Historical Resources (CRHR), it must meet one or more identified criteria of significance. If the designation is for a building, the structure should also retain sufficient architectural integrity to continue to evoke the sense of place and time with which it is historically associated. An explanation of these designations follows.

National Register of Historic Places. The National Register of Historic Places (NRHP), which is administered by the National Park Service, is “an authoritative guide to be used by federal, state, and local governments, private groups, and citizens to identify the nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment.” However, federal regulations explicitly provide that National Register listing of private property “does not prohibit under federal law or regulation any actions which may otherwise be taken by the property owner with respect to the property.”

Listing in the National Register assists in preservation of historic properties through the following actions: recognition that a property is of significance to the nation, the state, or the community; consideration in planning for Federal or federally assisted projects; eligibility for Federal tax benefits; consideration in the decision to issue a federal permit; and qualification for Federal assistance for historic preservation grants, when funds are available. Properties may qualify for NRHP listing if they:

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



According to the NRHP guidelines, the essential physical features of a property must be present for it to be considered significant. Further, in order to qualify for the NRHP, a resource must retain its integrity, or the “ability to convey its significance.” The seven aspects of integrity are:

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

The relevant aspects of integrity depend upon the NRHP criteria applied to the property. For example, a property nominated under the location criterion would be likely to convey its significance primarily through integrity of location, setting, and association. A property nominated solely under the design criterion would usually rely primarily on integrity of design, materials, and workmanship. The California Register procedures include similar language with regard to integrity.

California Register of Historic Resources. The California Register of Historic Resources (CRHR) is an authoritative guide in California used by State and local agencies, private groups, and citizens to identify the State’s historical resources and to indicate which properties are to be protected, to the extent prudent and feasible, from substantial adverse change. A resource is eligible for listing on the California Register if it meets any of the following criteria for listing:

- A. *It is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;*
- B. *It is associated with the lives of persons important in our past;*
- C. *It embodies the distinctive work of an important creative individual, or possesses high artistic values; or*
- D. *It has yielded, or may be likely to yield, information important in prehistory or history.*

The California Register may also include properties listed in “local registers” of historic properties. A “local register of historic resources” is broadly defined in Public Resources Code Section 5020.1(k) as “a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.” Local registers of historic properties come in two forms: (1) surveys of historic resources conducted by a local agency in accordance with Office of Historic Preservation procedures and standards, adopted by the local agency and maintained as current; and (2) landmarks designated under local ordinances or resolutions (Public Resources Code Sections 5024.1, 21804.1, 15064.5).



By definition, the CRHR also includes all “properties formally determined eligible for, or listed in, the [NRHP],” and certain specified State Historical Landmarks. The majority of formal determinations of NRHP eligibility occur when properties are evaluated by the State Office of Historic Preservation in connection with federal environmental review procedures (Section 106 of the Historic Preservation Act of 1966). Formal determinations of eligibility also occur when properties are nominated to the NRHP, but are not listed due to owner objection. The minimum age criterion for the NRHP and the California Register is 50 years. Properties less than 50 years old may be eligible for listing on the NRHP if they can be regarded as “exceptional”, as defined by the NRHP procedures, or in terms of the California Register, if “it can be demonstrated that sufficient time has passed to understand its historical importance.”

Tuolumne County Register of Cultural Resources. Since the Tuolumne County Board of Supervisors adopted requirements for the County Register of Cultural Resources in July 1992, it has designated 17 properties on this register. The twelve properties that occur in the unincorporated County are listed in Table 4.5-1. Pursuant to Implementation Program 9.C.e in the County’s Cultural Resources Management Element, the County Register of Cultural Resources applies to all properties contained within cultural resources inventories which have been or are assigned a National Register designation of 1 (listed on the National Register), 2 (determined eligible for listing by formal process involving federal agencies), 3 (appears to be eligible for listing in the judgment of the person completing the form), 4 (might become eligible for listing) or 5 (ineligible for listing, but of local interest and eligible for the Tuolumne County Register of Cultural Resources). Inclusion on the register qualifies properties to use the State Historical Building Code, to enter into a Mills Act Contract for qualifying rehabilitations and maintenance, and for alternative development standards.

## 4.5.2 Impact Analysis

**a. Methodology and Significance Thresholds.** The significance of a cultural resource, and subsequently the significance of any impacts, is determined by whether or not that resource can increase our knowledge of the past. The determining factors are site content and degree of preservation. Where the significance of a site is unknown, it is presumed to be significant for the purposes of this EIR. A finding of archaeological significance follows the criteria established in the *State CEQA Guidelines*.

According to Appendix G of the CEQA Guidelines, the proposed project would have significant impacts on cultural resources if the project would:

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

According to the CEQA Guidelines § 15126.4(b)(3) public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered for a project involving such an archaeological site:



- A. *Preservation in place (avoidance) is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.*
- B. *Preservation in place may be accomplished by, but is not limited to, the following:*
- *Planning construction to avoid archaeological sites;*
  - *Incorporation of sites within parks, greenspace, or other open space;*
  - *Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.*
  - *Deeding the site into a permanent conservation easement.*
- C. *When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code.*
- D. *Data recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented and that the studies are deposited with the California Historical Resources Regional Information Center.*

If development facilitated under the General Plan Update causes damage to a significant archaeological resource, implementation of the General Plan Update may have a significant effect on the environment. Section 15064.5 of CEQA pertains to the determination of the significance of impacts to archaeological and historic resources. Section 15126.4 of CEQA provides guidelines for administering to archaeological resources that may be adversely affected by development. Achieving CEQA compliance with regard to treatment of impacts to significant cultural resources requires that a mitigation plan be developed for the resource(s). Preservation in place is the preferred manner of mitigating impacts to significant archaeological resources.

Direct impacts may occur by:

- (1) *Physically damaging, destroying, or altering all or part of the resource;*
- (2) *Altering characteristics of the surrounding environment that contribute to the resource's significance;*
- (3) *Neglecting the resource to the extent that it deteriorates or is destroyed. Indirect impacts primarily result from the effects of project-induced population growth. Such growth can result in increased construction as well as increased recreational activities that can disturb or destroy cultural resources; or*
- (4) *The incidental discovery of cultural resources without proper notification.*

Direct impacts can be assessed by identifying the types and locations of development facilitated under the General Plan Update, determining the exact locations of cultural resources, assessing





the potential significance of the resources that may be affected, and determining the appropriate mitigation.

Indirect impacts primarily result from the effects of buildout upon implementation of the General Plan Update. Such growth can result in increased construction as well as increased recreational activities that can disturb or destroy cultural resources.

**b. Project and Cumulative Impacts.**

**Impact CR-1 Development facilitated by the General Plan Update could adversely affect identified and previously unidentified historic, archaeological, and paleontological resources, as well as human remains. The General Plan Update includes policies to protect historic and archaeological resources on a case-by-case basis, and adherence to State regulations would preserve human remains unearthed during construction. However, paleontological resources would require additional protections. Impacts on cultural resources would be Class II, *significant but mitigable*.**

The General Plan Update could facilitate development in areas of cultural resource sensitivity. Grading activities during construction could disturb archaeological resources and human remains from prehistoric or historic populations, in addition to paleontological resources (i.e., fossils). Development also could have direct or indirect adverse effects on known historic resources – including 28 National Register listings and 18 California Historical Landmarks – and previously unidentified sites that may be eligible for historic designation. Designated historic resources occur in the communities of Columbia, Groveland, Jamestown, and Tuolumne, where development on infill and underutilized sites may occur under the General Plan Update.

Proposed policies in the General Plan Update and existing regulations pertaining to the discovery of cultural resources would partially reduce impacts to such resources. The updated Cultural Resources Management Element includes the following policies and implementation programs intended to reduce potential impacts to historic and archaeological resources.

*Policy 9.A.1                      Initiate, adopt, and promote the availability of monetary and other incentive programs to encourage the retention, reuse and restoration of historic structures.*

*Policy 9.B.2                      Assist in retaining the special character of historic districts and promote compatible development within historic districts by reducing, adapting and/or modifying some development standards within historic districts.*

*Implementation  
Program 9.B.g                      Project Review Procedures. Continue to utilize written procedures for establishing when to conduct cultural resources reviews based on guidelines in Appendices 9.A, 9.B and 9.C; listing available resources to be consulted for existing cultural resources information (include GLO Plat Maps, pre-1950 United States Geological Survey (U.S.G.S.) topographic quadrangle*



*maps, 1907 Thom Map, 1882 Beauvais Map, official townsite maps, Sanborn Insurance Maps, Skidmore Plats, GIS database) and including a list of advisory agencies to be notified during the CEQA consultation process including, at a minimum, the Tuolumne Band of Me-Wuk Indians, the Chicken Ranch Band of the Me-Wuk Indians, the Tuolumne County Historical Society Landmarks Committee, the Tuolumne Southern County Historical Society, the Tuolumne Heritage Committee and the Central California Information Center. These updated procedures are located in the Cultural Resources Ordinance.*

*Implementation  
Program 9.B.h*

*CEQA Exempt Projects. Continue to provide for well, septic, building, and other ministerial permits to become discretionary for the purposes of CEQA when a significant cultural resource may be impacted.*

*Implementation  
Program 9.B.i*

*Demolition Permits. Continue to require approval of a new development plan and issuance of required Grading and/or Building Permits and review by the Historic Preservation Review Commission or documentation of an imminent safety hazard (as defined by the Health and Safety Code) prior to issuance of a demolition permit in the H and HDP zoning districts. The Historic Preservation Review Commission shall also review all demolition permits for buildings 50 years of age or older in any zoning district or a cultural resource study shall be required prior to approval of a demolition permit.*

*Implementation  
Program 9.B.k*

*Professional Qualifications Standards for Resource Investigations. Require that cultural resource studies be conducted by qualified professionals with experience appropriate to the study being conducted and included on the County's consultants list to contain only certified professionals with these qualifications*

*Implementation  
Program 9.B.m*

*Secretary of the Interior Standards for Treatment of Historic Properties With Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings. Continue to require the Secretary of the Interior's Standards for Treatment of Historic Properties With Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings as a guide for evaluating development proposals involving cultural resources, such as restoration, alteration of, and additions to existing historic structures.*

*Implementation  
Program 9.B.o*

*Enforcement of Cultural Resource Management Requirements for Projects and Resource Discovery During Construction. Include, for projects with conditions of approval related to management of cultural resources, a requirement for preconstruction meetings with project contractors, the developer or his representative, Native American representatives, the project's qualified cultural resources professional, the Community Resources*



*Agency and other agencies responsible for overseeing the construction phase of a development project as part of written procedures for conducting cultural resources investigations in Tuolumne County as required in Implementation Program 9.B.g. Further, continue to require, as part of the County Ordinance Code, the existing requirement for stopping work and evaluating a resource pursuant to CEQA when a cultural resource is identified during the construction phase of a project.*

*Implementation  
Program 9.B.q*

*Subsurface Cultural Resources. Continue to condition discretionary entitlements for any new development which requires review under CEQA and which has the potential to impact subsurface cultural resources to require such development to comply with the provisions of Sections 21083.2 and 21084.1 of CEQA. Also require that if subsurface cultural resources are discovered during the construction process, construction shall cease until a qualified professional as defined in Title 14 of the Tuolumne County Ordinance Code has evaluated the site. If the resource is determined to be a unique archaeological resource, then the provisions of mitigation for impacts to archaeological resources contained in Section 21083.2 of CEQA shall be implemented. Construction work may continue on other parts of the construction site while archaeological evaluation and mitigation are being implemented.*

*Goal 9.C*

*Maintain Tuolumne County's cultural heritage, through the identification, management, preservation, use, enhancement, restoration and study of its cultural resources.*

*Policy 9.C.1*

*Survey, record, inventory, maintain and regularly update databases and archives of historic, cultural, architectural, and archeological resources for informational purposes.*

*Policy 9.C.3*

*Identify historic districts and structures.*

*Implementation  
Program 9.C.e*

*Additions to the Tuolumne County Register of Cultural Resources. Add to the Tuolumne County Register of Cultural Resources, by resolution, all properties contained within existing and future cultural resources inventories which have been or are assigned a National Register designation of 1 (listed on the National Register), 2 (determined eligible for listing by formal process involving federal agencies), 3 (appears to be eligible for listing in the judgment of the person completing the form), 4 (might become eligible for listing) or 5 (ineligible for listing, but of local interest and eligible for the Tuolumne County Register of Cultural Resources). The resolution shall specify that inclusion on the Register qualifies properties to use the State Historical Building Code, to enter into a Mills Act Contract for qualifying rehabilitations and maintenance, and for alternative development standards. Individual property owners shall be notified of the Resolution prior to public hearing and those submitting written notifications to withhold properties from the Register shall be honored.*



*Implementation  
Program 9.C.f*

*National Register of Historic Places Nominations. Upon completion of each cultural resource inventory, create a list of properties within Tuolumne County eligible for nomination to the National Register of Historic Places and provide written notice to property owners of these historic properties advising them of the benefits of the National Register program and of local incentives available for their properties.*

*Goal 9.E*

*Promote community appreciation for Tuolumne County's cultural resources through community education and involvement to insure the continued proper private and public stewardship of cultural resources in Tuolumne County.*

*Policy 9.E.1*

*Provide cultural resources education and enhancement programs targeting those who work with, have knowledge of, can benefit from ownership of, can learn from, and can enjoy the recreational, aesthetic and social benefits of cultural resources.*

In addition, Policy 13.A.2 in the proposed Community Identity Element would “encourage retention of features important to the context or setting of cultural resources such as mature trees, retaining walls, viewsheds, hills, bridges and old rock fences.”

The proposed Jamestown Community Plan includes the following policies intended to reduce potential impacts to historic and archaeological resources.

*Policy 14.I.1*

*Encourage all new development within the Design Review and Historic Design Preservation Districts and along State Highway 49/108 to be designed in a manner that is compatible with Jamestown’s historic ambiance.*

*Policy 14.I.2*

*Evaluate all historic buildings or structures, significant archaeological sites and other landmarks that provide a tie with the past and, where appropriate, preserve, and/or monument the significance of, these cultural resources.*

*Policy 14.I.3*

*Encourage the rehabilitation and restoration of historic buildings or structures.*

The proposed Columbia Community Plan includes the following policies intended to reduce potential impacts to historic and archaeological resources.

*Policy 15.E.6*

*Evaluate all historic buildings, significant archaeological sites and other community landmarks that provide a tie with the past and, where appropriate, preserve, and/or monument the significance of these cultural resources.*

*Policy 15.E.7*

*Encourage the rehabilitation, restoration and adaptive reuse of existing historic buildings and structures.*



The proposed Tuolumne Community Plan includes the following goals and policies intended to reduce potential impacts to historic and archaeological resources.

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| <i>Goal 17.B</i>     | <i>Maintain the historic company-town character and re-establish the commercial and mixed-use vitality of the Tuolumne Planning Area.</i>  |
| <i>Policy 17.B.6</i> | <i>Encourage commercial and mixed-use land uses and associated storefronts on a scale consistent with historic uses and design.</i>  |
| <i>Goal 17.I</i>     | <i>Retain, preserve and restore the historic company-town character and setting of the Tuolumne Planning Area.</i>   |
| <i>Policy 17.I.2</i> | <i>Encourage rehabilitation and adaptive reuse of historic structures that contribute to the revitalization of the Tuolumne Planning Area consistent with its historic character.</i>        |
| <i>Policy 17.I.4</i> | <i>Evaluate historic buildings, significant archaeological sites and other landmarks that provide a tie with the past and, where appropriate, preserve, and/or monument these resources.</i> |
| <i>Policy 17.I.7</i> | <i>Encourage new development throughout the Tuolumne Planning Area to reflect ties to the historic Tuolumne Townsite.</i>  |

In addition to the above policies, appendices 9.A and 9.B in the proposed Cultural Resources Management Element outline procedures for ministerial and discretionary projects to follow in order to evaluate and protect cultural resources. If, after a site inspection, a presumed ministerial project is anticipated to have an impact on cultural resources, then such a project would become discretionary. The proposed process for cultural resource investigations for discretionary projects requires that if significant impacts to cultural resources are identified, any of the following measures be adopted as conditions of project approval: preservation of cultural resources, data recovery, project redesign, or other mitigation measures. Furthermore, pursuant to Implementation Program 9.B.f, the County would continue to utilize the classification system and corresponding development standards contained in Appendix 9.D to prioritize historic and potentially historic buildings and structures for protection.

To implement policies and procedures in the updated Cultural Resources Management Element for preservation of cultural resources, Goal 9.C, Policy 9.C.1, and Implementation Program 9.C.a direct the County to amend Title 14 of its Ordinance Code. Chapter 14.10 establishes consistent procedures pertaining to cultural resources during project review and provides standard conditions for managing cultural resources. The requirements in this chapter are applicable to land development projects that require discretionary entitlements and, with certain exceptions, to projects that require a well permit, sewage treatment and disposal permit, grading permit or building permit. Section 14.10.070 of the Ordinance Code outlines the process for preparing cultural resource studies when necessary for discretionary projects. In addition, Chapter 14.08 of the Ordinance Code establishes procedures for reviewing building permit applications for demolition of buildings, structures, or objects at least 50 years old. Future development under buildout of the General Plan Update would be subject to these procedures, as amended for consistency with the proposed General Plan Update. Therefore, implementation of the proposed policies, procedures, and implementation programs to protect historic and



archaeological resources on a project-by-project basis would minimize impacts to historic and archaeological resources.

In the event that human remains are unearthed during construction of any project facilitated by the General Plan Update, State Health and Safety Code Section 7050.5 would require that no further disturbance occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner would have 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC would identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Native American, who would then help determine what course of action should be taken in dealing with the remains. Continued compliance with State regulations would minimize potential impacts to human remains.

However, the proposed policies and procedures for cultural resources would not address potential impacts to unique paleontological resources. While the majority of Tuolumne County is unlikely to harbor unique paleontological resources, the area around State Route 108 to the southwest of Jamestown and northwest of Chinese Camp is underlain by Plio-Pleistocene and Pliocene loose consolidated deposits, which may contain evidence of Pleistocene-era large mammals. New rural residential development in this area could potentially unearth unique fossil evidence from the Pleistocene era. These impacts would be significant but mitigable.

Mitigation Measures. Mitigation Measure CR-1 is required to minimize impacts to paleontological resources and human remains.

**CR-1 Paleontological Resources.** Implementation Program 9.C.1, as follows, shall be added to the Cultural Resources Management Element of the Tuolumne County General Plan:

**9.C.1** *Protect Paleontological Resources*

If determined necessary by the Planning Director, the developer of a project site shall be responsible for investigating the site to determine the existence and extent of paleontological resources. A qualified paleontologist approved by the County shall perform this investigation, consisting of:

- 1) A walk-over site survey;
- 2) A review of publications and reports on the geology or paleontology of the area;
- 3) Analysis of all available soils information; and
- 4) Evaluation of the relationship of the project site to known or potential fossil-producing areas identified in available records.

The paleontologist shall submit to the County a written report describing findings and making recommendations to minimize impacts on any identified resources. This report shall be considered as part of the CEQA



review process and, if appropriate, its recommendations shall be included as mitigation measures and conditions of approval for the project. Provision shall be made for the deposit of scientifically valuable paleontological materials which are removed from the site with responsible public or private institutions. Title 14 of the Tuolumne County Ordinance Code shall be amended to incorporate this program to protect paleontological resources.

Significance after Mitigation. Impacts would be less than significant with implementation of proposed policies to protect historic and archaeological resources and Mitigation Measure CR-1 to minimize potential adverse effects from development on paleontological resources.



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