

## 2.7 Cultural Resources

### 2.7.1 Regulatory Setting

The term *cultural resources* as used in this document refers to all “built environment” resources (e.g., structures, bridges, railroads, and water conveyance systems), culturally important resources, and archaeological resources (both prehistoric and historic), regardless of significance. Laws and regulations dealing with cultural resources include the following.

The National Historic Preservation Act (NHPA) of 1966, as amended, sets forth national policy and procedures for *historic properties*, defined as districts, sites, buildings, structures, and objects included in or eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on such properties and to allow the Advisory Council on Historic Preservation (ACHP) the opportunity to comment on those undertakings, following regulations issued by the Advisory Council on Historic Preservation (36 CFR 800). On January 2014, the Section 106 Programmatic Agreement that governs Caltrans cultural resources actions on federally-assisted state and local projects was amended, becoming the First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer (SHPO), and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act as it Pertains to the Administration of the Federal-Aid Highway Program in California (Section 106 PA). The amended PA implements the Advisory Council’s regulations, 36 CFR 800, streamlining the Section 106 process and delegating certain responsibilities to Caltrans. FHWA’s responsibilities under the PA have been assigned to Caltrans as part of the Surface Transportation Project Delivery Program (23 USC 327) as amended by Moving Ahead for Progress in the 21st Century Act (MAP-21).

Historic properties may also be covered under Section 4(f) of the U.S. Department of Transportation Act, which regulates the “use” of land from historic properties. See Appendix A for specific information about Section 4(f).

NEPA mandates the protection of cultural resources within its general policy for environmental protection. It requires preservation of important historic, cultural, and natural aspects of our national heritage, and maintenance—wherever possible—of an environment that supports diversity and a variety of individual choice. Regulations promulgated by the ACHP provide for the coordination of NEPA and NHPA compliance, under 36 CFR Part 800.14(a). Regulations for implementing the procedural provisions of NEPA are available at 40 CFR Parts 1500–1508.

Historical resources are considered under the CEQA, which considers a substantial adverse effect on a historical resource as a significant environmental impact, as well as California PRC Section 5024.1, which established the California Register of Historical Resources. California PRC Section 5024 requires state agencies to identify and protect state-owned resources that meet NRHP listing criteria. It further specifically requires Caltrans to inventory state-owned structures

in its rights-of-way. The CEQA Guidelines provide that preservation in place is the preferred method of mitigating impacts on archaeological resources. (14 CCR 15126.4(b)(3)) When preservation in place is not feasible and another form of mitigation is chosen, the CEQA document must explain why that is the case.

## **2.7.2 Affected Environment**

The analysis in this section is based on the *Historic Property Survey Report*, which includes the *Archaeological Survey Report* (ICF International 2014a), *Historical Resources Evaluation Report* (ICF International 2014b), *Extended Phase I Report* (ICF International 2015a) and *Archaeological Evaluation Report (Phase II)* (ICF International 2015b) prepared for the project. The reports are available on the project website at: <http://8065interchange.org/>.

### **2.7.2.1 Area of Potential Effects**

The Area of Potential Effects (APE) for this undertaking was established by Caltrans in accordance with Stipulations VI.B.8 and VIII.A of the PA. The APE encompasses the area of impact resulting from all activities associated with all three build alternatives, including all construction activities, easements, and staging areas. The APE for archaeological and built environment resources is the same for this project. The APE includes the project footprint and follows the maximum possible area of direct impact resulting from the proposed project, including all new construction and easements. The vertical APE (the maximum extent of ground disturbance) ranges from 2–3 feet for grading to 50 feet below grade for pile installation. Depths vary at different structure locations as well, depending on foundation type.

### **2.7.2.2 Research Methodology**

An investigation for the cultural resources located in the project APE was conducted beginning in 2013. The investigation included a records search, Native American consultation, archaeological and architectural field surveys, archaeological investigations, and additional archival research.

#### ***Archival Research and Records Search***

Maps, photographs, books, and articles at the Roseville Historical Society and the California Room of the California State Library were used to evaluate the historical significance of three built environment resources within the APE, which include the Edwin Purdy House, a segment of the Lincoln Highway, and a segment of the First Transcontinental Railroad.

A records search conducted in March 2013 at the North Central Information Center (NCIC) at California State University, Sacramento, indicated that 36 previous cultural resources studies have been conducted within portions of the APE. Of these, 3 have been conducted in the last 10 years. Thirteen additional cultural resources studies have been conducted within 0.5 mile of the APE. The NCIC records search indicates that 21 previously recorded cultural resources (both archaeological and built environment) are located within the APE and another 69 are located within a 0.5-mile radius of the APE.

### **Consultation with Interested Parties**

Letters describing the project and requesting any information on potential cultural resources in the APE were sent to the City of Lincoln Library, Placer County Historical Society, Placer County Museum, Rocklin Branch Library, Roseville Historical Society, and the Roseville Public Library. To date, only one response has been received from the Roseville Historical Society providing historical information about the Edwin Purdy House located within the APE.

The Native American Heritage Commission (NAHC) conducted a Sacred Lands File database search for the APE on March 13, 2013. On March 22, the NAHC responded that the Sacred Lands File did not indicate any recorded sacred lands in the immediate vicinity of the APE. They also provided a list of 11 Native American contacts who may be interested in the project.

On April 5, 2013, letters were sent, including maps of the APE, to the 11 identified Native American contacts, informing them of the project and its proposed activities, and requesting any information they may have pertaining to cultural resources within or in the vicinity of the APE. Gene Whitehouse, Chairman of the United Auburn Indian Community (UAIC), responded via letter on April 9, 2013. The UAIC indicated that their preservation committee had identified cultural resources within and close to the APE. The UAIC requested a site visit to confirm the locations of the cultural resources and to discuss the project. Mr. Whitehouse also requested that UAIC monitors be present for the pedestrian survey and that the tribe be provided with copies of studies that have been or will be completed for the project. A site visit was conducted with the UAIC on June 27, 2013. Josh Stewart, a Native American monitor representing the UAIC, was present for Extended Phase I testing (XPI) and Phase II evaluation activities conducted between December 2014 and March 2015, including locating and recording excavation units.

Shingle Springs Ranchería Cultural Resources Director Daniel Fonseca sent a letter on July 11, 2013, stating that the Shingle Springs Band of Miwok Indians does not know of any cultural resources within the APE. Mr. Fonseca provided the contact information for Andrew Godsey, the tribe's assistant cultural resources director, and requested to be kept informed regarding the status of the project and to be provided copies of any records searches or reports prepared for the project.

Letters of invitation were sent to the remaining nine Native American representatives regarding the field visit. Follow-up telephone calls were made to each of the nine, as well. None responded to offers to participate in the intensive archaeological field survey conducted in March 2014.

### **Field Methods**

#### **Pedestrian Survey**

An architectural survey of the APE was conducted on May 8, 2013. The survey was conducted according to guidelines established in Caltrans' *Standard Environmental Reference*, Volume 2 – Cultural Resources, Chapter 7, “Built Environment Resources Evaluation and Treatment,” revised January 2, 2014. Monte Kim conducted the survey. Dr. Kim meets the qualifications of an Architectural Historian per Attachment 1 of the Section 106 PA. The survey effort included formal recordation of built-environment cultural resources in the architectural APE with digital photographs and handwritten notes.

An intensive pedestrian archaeological survey of the APE was conducted on March 18, 21, and 25, 2014, by a qualified archaeologist. Transects spaced at no wider than 15 meters were walked to ensure maximum ground coverage in a timely manner. Areas with cut banks, exposed soils, or disturbance by rodents were closely inspected for cultural materials. Rock outcrops also were inspected for indications of cultural use. Attempts were made to find the 19 archaeological resources indicated by the records search as present within the APE. All portions of the APE were surveyed.

### **Extended Phase I Testing**

One previously identified site, P-31-1399, was recorded in 1980 as a prehistoric “occupation site with midden deposit.” For the current study, archaeologists surveyed the mapped location of the site and, although no artifacts were observed due to poor ground visibility, the area appeared relatively undisturbed. The site is likely associated with P-31-1443.

Site P-31-1443 was recorded in 1982 as a “small mound with chipped and ground stone artifacts.” For the current study, archaeologists surveyed the mapped location of the site along with the location of P-31-1399 and, although no artifacts were observed due to poor ground visibility, the area remains relatively undisturbed. Due to their close proximity, P-31-1399 and P-31-1443 are likely related to each other and both recorded boundaries are within the project APE. Therefore, XPI testing was recommended to try to verify site boundaries for both sites.

A crew of three archaeologists and one Native American monitor from the UAIC conducted the XPI field work. Shovel test probes (STPs) were excavated in an effort to identify the presence or absence of the existence of the two sites, P-31-1399 and P-31-1443, as well as the site boundaries, within the APE. Twenty eight STP locations were placed along transects, north to south and east to west, approximately 10 meters apart, located on the east and west sides of the existing Antelope Creek tributary where the original archaeological sites were recorded. STPs, 0.5 x 0.5 meter in size, were excavated to either a depth of 40 centimeters, bedrock (impeding further depth), or the presence of cultural material. Soil from the STPs was excavated by shovel, placed in a screen with ¼ inch mesh, and sifted, to remove granular soil and leave behind potential cultural residues or artifacts. The location of the STPs were recorded using a sub-meter Trimble GPS unit. It was determined, as a result of the XPI, that the location of P-31-1399 was incorrectly mapped in the 1980 Archaeological Site Survey Record. In 1982, site P-31-1443 was identified and mapped on an Archaeological Site Survey Record. This location has now been identified as the true location of P-31-1399. Updated records will be submitted to the California Historical Resources Information Center’s (CHRIS) NCIC location and references to P-31-1399 have been dropped from further discussion.

### **Phase II Evaluation**

Phase II work at site P-31-1443 included excavation of seven surface transect units (STUs) measuring 1.0 by 0.5 meters and one control unit (CU) measuring 1.0 x 1.0 meters, for a total of 2.8 cubic meters of excavated soil. Soils excavated from STUs were passed through ¼-inch mesh, while the CU soils were reduced using 1/8-inch mesh.

All recovered artifacts were placed in Ziploc bags labeled with the relevant provenience information and boxed for transport to the ICF laboratory in Sacramento, California. Details regarding cultural constituents, methods, and observations regarding soil texture, were recorded

for each 20 centimeters excavated for all units. Munsell color charts were used to standardize soil information gathered in the field. Digital photographs were taken to document the excavation process.

### **2.7.2.3 Cultural Resources Identified**

#### ***Architectural/Built Environment***

Three architectural/built environment resources were evaluated for the current project, as follows.

The first resource, a 300-foot-long segment of the First Transcontinental Railroad, passes under the SR 65/East Roseville Viaduct and parallels Taylor Road, and is currently in use by the Union Pacific Railroad. Built originally by the Central Pacific Railroad, the entire segment within the state is California State Historic Landmark (No. 780), and was automatically listed in the California Register of Historical Resources.

The second resource, the Edwin Purdy House, is a residence that was originally part of a 240-acre ranch established by Edwin F. Purdy in 1872. Purdy constructed a masonry vernacular residence on his ranch using stones quarried in the nearby railroad community of Rocklin. The Purdy ranch was located approximately half-way between Rocklin and Roseville. The residence, located on a 2.7-acre parcel at the end of Stonehouse Court in the City of Roseville, has been subject to various modifications over the years as early as 1928 and as recent as the 1950s.

The third resource is a segment of the former Lincoln Highway (US 40), and includes sections of Taylor Road and Atlantic Street. Beginning near Taylor Road and Plumber Way on the north side of SR-65, the segment runs in a southeasterly direction under SR-65 to present-day I-80. At this juncture, the original route is subsumed into the I-80 freeway for approximately 3,300 feet. The incorporation of this segment into the freeway resulted in the realignment of the Lincoln Highway along Taylor Road to the east side of the I-80 during the early 1960s. The Lincoln Highway returns to its original alignment at the curve near the Atlantic Street exit, before proceeding west through Roseville along Atlantic Street. The subject segment ends approximately 140 feet east of the Galleria Boulevard overpass on Atlantic Street. This segment, located in the project area, is a conventional, paved roadway constructed with a concrete bed and an asphalt surface. It is a two-lane road with a substantial portion of it widened to accommodate center and right turn lanes. Sections of the route are lined with concrete sidewalks, while other segments feature little to no paved shoulders.

The cultural resources studies were submitted to SHPO on May 4, 2015. As a result of consultation, SHPO concurred in a letter dated July 2, 2015, that the segment of the Lincoln Highway within the project APE is not eligible for listing in the NRHP due to a lack of integrity. In the letter, SHPO further agreed that the evaluated segment of the First Transcontinental Railroad and the Edwin Purdy House would be assumed eligible for the NRHP for the purposes of this undertaking in accordance with Stipulation VII.C.4 of the Section 106 PA. Subsequent research into the Edwin Purdy House history supported a conclusion that the stone house is not eligible for listing in the NRHP. Caltrans provided the additional information to the SHPO, and received concurrence with the revised determination on July 28, 2015. Copies of the consultation correspondence are included in Appendix F.

## **Archaeological**

No previously unrecorded archaeological resources were observed during the pedestrian survey. Of the 19 archaeological resources identified in the records search as still remaining within the APE, 12 have been destroyed or displaced by development, one was not located, and 6 were determined exempt from evaluation under the terms of the Section 106 PA. The boundaries of the remaining two sites (P-31-1399 and P-31-1443) were assessed during XPI testing. Results of the XPI effort indicate that P-31-1399 and P-31-1443 are the same site and P-31-1399 is misplotted on the NCIC base maps. Site boundaries resulting from the XPI excavation are very similar to the boundaries previously recorded for P-31-1443, which extend into the APE. As a result of the XPI, it appeared that P-31-1443 was likely eligible for listing on the NRHP. It was determined that Phase II testing and evaluation would be conducted in order to verify the NRHP eligibility of the site.

The Phase II effort identified a rich, intact prehistoric deposit at site P-31-1443 and was recommended eligible for listing on the NRHP. The results of the evaluation were submitted to SHPO on May 4, 2015. The SHPO responded in a letter of concurrence dated July 2, 2015, concurring that site P-31-1443 is eligible for listing on the NRHP. The concurrence letter is included in Appendix F.

## **2.7.3 Environmental Consequences**

### **2.7.3.1 Build Alternatives**

Caltrans is in the process of preparing a Finding of Effects document to continue consultation with the SHPO on project effects in accordance with Stipulations IX, X, and XI of the Section 106 PA. The discussion below includes the proposed effect findings, which are pending concurrence from SHPO.

#### **Identified Cultural Resources**

A portion of prehistoric archaeological site P-31-1443 is located within the project footprint for, and would be affected equally by, all three build alternatives. Project engineers have considered design alternatives and concluded that avoiding the site is not a viable option; therefore, avoidance of impacts to portions of the site within the APE is not possible and the project would result in an Adverse Effect under Section 106. Pending concurrence from SHPO, Caltrans will prepare a Memorandum of Agreement (MOA) stipulating appropriate mitigation measures for the project effect (discussed further below). Additionally, because the site is eligible for its data potential only and has minimal value for preservation in place, the site is not a protected resource under Section 4(f). See Appendix A for additional discussion of Section 4(f).

A 300-foot-long segment of the First Transcontinental Railroad runs under the East Roseville Viaduct and adjacent to Taylor Road within the project area. None of the build alternatives would directly affect the railroad or be located within railroad right of way. The project would widen the East Roseville Viaduct in the northbound and southbound directions, spanning the UPRR (former First Transcontinental Railroad segment) tracks at the same elevation as the existing structure, and widen Taylor Road, including construction of curb, gutter, and sidewalk along the south side of the road. All work on Taylor Road would be within the existing road right

of way. The railroad alignment is currently active; therefore, project activities would not encroach on the railroad or railroad right of way. Construction would be coordinated with UPRR to ensure that no disruption of train services or damage to the railroad facility would occur. Caltrans is proposing a finding of No Historic Property Affected under Section 106 for this resource. In addition, although the railroad is a protected resource type under Section 4(f), the proposed project would not result in a “use” of the resource. See Appendix A for additional discussion of Section 4(f).

### **Unidentified Cultural Resources**

The existence of known archaeological sites and historic activities in the area make the project area moderately sensitive for archaeological resources. As a result, it is possible that previously unknown archaeological resources could be uncovered during ground-disturbing construction activities for any of the build alternatives. The MOA prepared for the project will include a plan for the treatment of previously unidentified cultural resources encountered during construction, including steps for evaluating the resource for NRHP eligibility and consultation with SHPO.

#### **2.7.3.2 No Build Alternative**

The No Build Alternative would not result in project-related effects on either known or as-yet-unidentified archaeological resources because there would be no project-related excavation within archaeologically sensitive areas. Similarly, the no build alternative would have no effect on architectural/built-environment cultural resources.

#### **2.7.4 Avoidance, Minimization, and/or Mitigation Measures**

##### **Install Fencing to Protect Cultural Resources**

Prior to construction, the construction contractor will install high-visibility orange construction fencing and/or flagging, as appropriate, along the perimeter of the area of direct impact (ADI) located within the APE to restrict access to the portion of P-31-1443 outside the ADI. Prior to installation, an ESA Action Plan will be prepared as required by Caltrans.

##### **Conduct Mandatory Cultural Resources Awareness Training for Construction Personnel**

Before any ground disturbing work occurs in the project area, a qualified archaeologist will be retained to conduct mandatory contractor/worker cultural resources awareness training for construction personnel. The awareness training will be provided to all construction personnel (contractors and subcontractors) to brief them on the need to avoid effects on cultural resources adjacent to and within construction areas and the penalties for not complying with applicable state and federal laws and permit requirements.

##### **Retain a Qualified Archaeologist and a Native American Monitor to Conduct Monitoring During Construction in Areas Sensitive for Cultural Resources**

A qualified archaeologist and a Native American monitor will be retained to monitor all construction activities that involve ground disturbance (e.g., vegetation removal, grading,

excavation, bridge construction) adjacent to ESAs. The purpose of the monitoring is to ensure that measures identified in the environmental document are properly implemented to avoid and minimize effects on cultural resources and to ensure that the project complies with all applicable permit requirements and agency conditions of approval. The archaeologist will ensure that fencing around ESAs remains in place during construction and that no construction personnel, equipment, or runoff/sediment from the construction area enters ESAs. The monitor will prepare daily logs recording the results of monitoring, and a final monitoring report will be prepared at the end of each construction season.

### **Implement Avoidance and Notification Procedures for Cultural Resources**

It is Caltrans' policy to avoid cultural resources whenever possible. If cultural materials are discovered during construction, all earthmoving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find. All reasonable measures will be implemented to avoid, minimize, or mitigate further harm to the resource. If appropriate, the project proponent will notify Indian tribes or Native American groups that may attach religious or cultural significance to the affected resource.

If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the county coroner shall be contacted. Pursuant to PRC Section 5097.98, if the remains are thought to be Native American, the coroner will notify the NAHC, which will then notify the Most Likely Descendent (MLD). The project proponent will work with the MLD to avoid the remains, and if avoidance is not feasible, to determine the respectful treatment of the remains. Further provisions of PRC Section 5097.98 are to be followed as applicable.

### **Conduct Phase III Data Recovery on P-31-1443**

Because site P-31-1443 has been determined eligible for listing on the NRHP and project construction cannot avoid a portion of the site, data recovery will be necessary. The potential contribution of a prehistoric site to archaeological research can be preserved, at least in part, through an excavation program designed to recover the materials that constitute important data. This research program is referred to as data recovery, or a Phase III study. Under 36 CFR 800, data recovery at an archaeological site is no longer the basis for a finding of "no adverse effect" to the site. However, data recovery continues to be an important measure to mitigate adverse effects, when avoidance of impacts is not feasible. The data recovery (or Phase III) study will consist of:

- Preparation of a Data Recovery Plan (DRP)
- Preparation of a Phase III Proposal
- Fieldwork
- Laboratory work and analysis
- Reporting the study's results

The MOA will document any agreements made about the timing, nature, and extent of the data recovery effort. Signatories on the MOA will be SHPO, Caltrans, and the project proponent. Native American groups consulting on the project can be invited to sign the MOA as concurring parties.

The DRP will be attached to the MOA and serves to document agreement between Caltrans and SHPO that the objectives and scope of the proposed Phase III study are appropriate. The DRP will be prepared in accordance with guidelines given in the Caltrans Standard Environmental Reference (SER) and Attachment 6 of the Section 106 PA. The DRP will, at a minimum, provide for results and interpretation of research questions and proposed investigations, including how the public might benefit from the information gathered. The DRP will also include provisions for Native American consultation, qualifications of key personnel, field methods and techniques, and describe appropriate arrangements for curation of archeological materials and records.

Following approval of the DRP, a Phase III Proposal will be prepared, which is primarily an in-house document that builds on the DRP; it may reference appropriate portions of the plan or include them as attachments, if they have been adequately developed. The Phase III Proposal will differ from the DRP in that it will include the specifics of personnel, schedule, and cost.

Intensive fieldwork and detailed laboratory analyses are needed to realize the objectives of the data recovery program. Data recovery fieldwork will be conducted with a Native American monitor present. Recovered materials will be curated at an appropriate repository in accordance with 36 CFR Part 79, “Curation of Federally Owned and Administered Archaeological Collections,” and the Office of Historic Preservation’s “Guidance for the Curation of Archaeological Collections.”

Once fieldwork and laboratory analysis are completed, a Data Recovery Report will be prepared that details the methods and results of the effort. The final report will describe the contributions the excavation made toward creating a more complete picture of regional prehistory. The SER guidelines for preparing Data Recovery Reports will be followed by the archaeologist. The archaeologist will also prepare a revised archaeological site record that documents the changed information about the site as a result of the Phase III studies, a copy of which will be submitted to the CHRIS NCIC located at California State University, Sacramento.

## 2.7.5 References Cited

ICF International. 2014a. *Historical Resources Evaluation Report for the I-80/SR 65 Interchange Improvements Project, California Department of Transportation, District 3, Placer County, California*. Prepared for CH2M HILL. Sacramento, CA. November.

ICF International. 2014b. *Archaeological Survey Report for the I-80/SR 65 Interchange Improvements Project, Placer County, California*. Prepared for CH2M Hill. Sacramento, CA. October.

ICF International. 2015a. *Extended Phase I Report: P-31-1399, P-31-1443 for the I-80/SR 65 Interchange Improvements Project*, Placer County, California. Prepared for Caltrans District 3. Sacramento, CA. November.

ICF International. 2015b. *Archaeological Evaluation Report (Phase II): P-31-1443 for the I-80/SR 65 Interchange Improvements Project*, Placer County, California. Prepared for Caltrans District 3. Sacramento, CA. April.