

4.4 CULTURAL AND TRIBAL CULTURAL RESOURCES

4.4.1 INTRODUCTION

This section evaluates the potential impacts to cultural resources (historical and archaeological) and tribal cultural resources from the implementation of the proposed Scott Ranch Project inclusive of the Davidon (28-lot) Residential Project component and the Putnam Park Extension Project component (proposed project). It also presents potential impacts to cultural resources from the construction and operation of the Helen Putnam Regional Park Trail (regional park trail), which is considered a related project because it would provide a connection from proposed trails in the Putnam Park Extension Project component to existing trails in Helen Putnam Regional Park. The regional park trail would extend from the western boundary of the project site to the existing Ridge Trail on Helen Putnam Regional Park (see **Section 4.4.4.4** below).

Information presented in this section is based on site surveys, and archaeological literature and archival searches prepared for the project site by Archaeological Resources Service (ARS), Anthropological Studies Center (ASC), William Self Associates (WSA), Inc., and Gouvis Engineering Consulting Group.

4.4.2 ENVIRONMENTAL SETTING

The project site consists of two parcels totaling approximately 58.6 acres, located at the northwestern and southwestern corners of Windsor Drive and D Street intersection. Situated immediately north of Windsor Drive, the northern parcel is vacant and characterized by portions of two knolls reaching elevations of approximately 210 and 216 feet above mean sea level (amsl), as well as a small cluster of coast live oak woodland and annual grassland that is disked each year for fire hazard abatement. The southern parcel, located immediately south of Windsor Drive and west of D Street, contains a mobile home and a barn complex. This parcel contains annual grassland which is used for grazing cattle, and a rock outcropping, wetlands, a stock pond, intermittent drainages, and Kelly Creek, which runs from east to west through the parcel. Elevations on the southern parcel range from approximately 100 feet amsl at Kelly Creek to 380 feet amsl at the southwest corner of the site.

The barn complex on the southern parcel is composed of three barns and an old dairy equipment cleaning shed. The large barn is the oldest structure on the project site and likely dates from the late 19th or early 20th century, as indicated by the cut nails used for its construction. The two other barns and the old dairy equipment cleaning shed, likely date to the early 20th century. In addition, the remnants of the farm house that belonged to the Scott family home was constructed on the project site in the mid-1920s and burned

during the early 1970s. Other structures on the project site include three unused brick-lined hand wells and an unoccupied mobile home.

4.4.2.1 Archaeological Resources

Prehistoric Overview

Analytic framework for the interpretation of Sonoma County prehistory is provided by Fredrickson, who divides human history in California into three broad periods: the Paleo-Indian period, the Archaic period, and the Emergent period. This scheme uses sociopolitical complexity, trade networks, population, and the introduction and variations of artifact types to differentiate between cultural units. The scheme remains the dominant framework for prehistoric archaeological research in this region.

The Paleo-Indian period (10,000 to 6,000 B.C.) was characterized by small, highly mobile groups occupying broad geographic areas. Only a few indications of Paleo-Indian occupation have been recovered from interior Sonoma County. However, the period is represented at Clear Lake by an archaeological culture named the Post pattern, whose artifact assemblage includes fluted pointes and an inferred use of the atlatl, chipped-stone crescentics, and the absence of milling technology. During the Archaic period, which encompasses the Lower Archaic period (1,000 B.C. to A.D. 500), geographic mobility may have persisted, although groups began to establish longer-term base camps in localities from which a more diverse range of resources could be exploited. The addition of milling tools, obsidian and chert concave-base points, along with the occurrence of sites in a wider range of environments, suggest that the economic base was more diverse during this period. By the Upper Archaic period (500 B.C. to A.D. 1,100), mobility was replaced by a more sedentary adaptation as seen in the development of numerous small villages, and the emergence of a more complex society and economy. During the Emergent period (A.D. 500 to 1,800), social complexity developed toward the ethnographic pattern of large, central villages where political leaders resided with associated hamlets and specialized activity sites. Artifacts associated with the period include the bow and arrow, small corner-notched points, mortars and pestles, and a diversity of beads and ornaments.

Ethnographic Overview

The project area is within the traditional territory of the Coast Miwok. Evidence gathered from archaeological sites in this portion of Sonoma County indicates that the Coast Miwok occupied the surrounding territory. According to ethnographers, the people collectively referred to as the Coast Miwok were in fact several distinct groups who spoke different dialects of one of California's Penutian languages. Coast Miwok territory was centered in Marin and Sonoma counties. The largest autonomous sociopolitical unit was the tribelet, which held a defined territory and exercised control over its resources. The tribelet, or village community, consisted of a principal village, which was the residence of the tribelet chief and the

center of ceremonial activities, and several outlying villages and camps. The project site was within the territory of the *Lekahtewut*, who occupied the area from Freestone to Petaluma. The nearest reported villages to the project area are *Etem*, located approximately one mile to the north, and *Tuchayelin* and *Likatiut* just north of *Etem*. The total Coast Miwok population prior to missionization was relatively small, consisting of around 2,000 individuals. In general, the Coast Miwok were culturally similar to their Pomo neighbors to the north.

Records and Literature Search

Sonoma State University Anthropological Studies Center (ASC) personnel conducted a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) on February 14, 2003. The NWIC, an affiliate of the State of California Office of Historic Preservation, is the official state repository for archaeological and historical records and reports for a 16-county area that includes Sonoma County. Additional research was conducted using files and literature of the ASC. Background research indicated that no prehistoric or historic cultural resources had been previously recorded on or adjacent to the project site.

A new literature search was conducted by the information center staff on February 4, 2015 (File No. 14-0845). The recent research indicates three reports have been completed on the subject property (S-27644, -26921, and -1110), an additional 19 have been undertaken within a 0.5-mile radius, and an additional thirteen minor investigations have occurred within the 0.5-mile study area. The research indicates that one cultural resource (P-49-3054, the barns and structures at the project site) has been recorded within the project area and eight cultural resources have been recorded within the 0.5-mile study area.

The records searches and literature reviews were conducted to: (1) gather information regarding the known archaeological or historical resources on the project site and surrounding area, (2) assess the likelihood of finding cultural resources on the project site based on a review of the environmental setting and historical references, and (3) to develop regional background and context information for making preliminary evaluations of the distribution and significance of previously identified resources that might extend into the project site.

Included in the literature review were the *California Inventory of Historic Resources* (California Department of Parks and Recreation) and several publications of the California Office of Historic Preservation: *Five Ethnic Historic Site Survey for California*, *California Historical Landmarks*, *California Points of Historical Interest*, and *Historic Properties Directory Listing*. The *Historic Properties Directory Listing* includes the listings of the National Register of Historic Places (National Register), State Historic Landmarks, and California Points of Historical Interest. Additionally, the search included the Cultural Resource Database, the reports database,

historical maps, and the General land Office maps. The City of Petaluma list of local historic landmarks was also reviewed. Following an examination, it was determined that no properties within or adjacent to the project site are listed in these inventories.

The 2015 literature review produced the same result from these indexes. As noted, additional inventories and evaluations have occurred since the previous inventory of the project site. Only the 2003 inventories by the ASC and WSA are directly applicable to the project site.

Native American Consultation

Native American consultation was conducted in 2003 in conjunction with the environmental review of the previously proposed Davidon/Scott Ranch project. As the project analyzed in the 2017 EIR included a General Plan amendment, additional consultation was commenced in 2014 to address the requirements of SB18. In August 2014, the City of Petaluma (City) contacted the Native American Heritage Commission (NAHC) to request a Tribal Consultation List with contact information for the tribes identified by the NAHC as having traditional lands or cultural resources within the project vicinity. The NAHC responded and provided a list of Native American Tribal Governments. The City sent a notice to request consultation pursuant to SB18 to all the tribes on the list provided by NAHC. One Native American tribe, the Federated Indians of Graton Rancheria (FIGR), responded that it would consult with the City regarding this project and also put forth mitigation measures to address accidental discovery of human remains, including the preferred method to be used for handling of human remains. That information was considered by the City during the preparation of this RDEIR. In addition, in compliance with Assembly Bill (AB) 52, which became effective on July 1, 2015, the City contacted the local tribe FIGR, on January 9, 2020, notifying them of the proposed project. On February 4, 2020, the FIGR responded requesting consultation. The City responded on February 7, 2020 providing additional information and requesting a meeting to proceed with the AB 52 consultation. With no received response, the City sent a follow up request to consult on March 17, 2020. No further response from the tribe has been received as of the date of publishing this RDEIR.

Field Surveys

Survey Conducted by ASC

In May 2003, ASC personnel conducted a field survey of the project site to determine the presence of any prehistoric and/or historic-period cultural resources. Prehistoric archaeological site indicators include obsidian and chert-flaked stone tools (e.g., projectile points, knives, choppers), “midden” (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), and/or stone milling items such as mortars and pestles. Historic site indicators include, but are not limited to, backfilled

privies, wells, and trash pits; concrete, stone, or adobe walls or foundations; and concentrations of metal, glass, and ceramic refuse.

A pedestrian survey was performed by ASC staff in not more than 15-meter-wide (approximately 50-foot-wide) transects. The field crew visually inspected all exposed ground surfaces for signs of prehistoric or historic-period deposits. Visibility was very poor (less than five percent overall, with areas of zero visibility) due to the presence of thick bunch grasses. Efforts were made to ascertain what might be present below the ground cover. Rodent back-dirt piles were inspected when encountered and hoes were used to clear ground cover periodically in order to better examine surface soils. No evidence of Native American, prehistoric artifacts or culturally- modified soil deposits were discovered within the surveyed area.

Survey Conducted by William Self Associates

On August 20, 2003, William Self Associates (WSA) conducted an additional inventory of the project site. WSA examined the previously observed cultural resources and reported additional features associated with the Scott Ranch. No indications of prehistoric cultural resources were observed within the project area.

Survey Conducted by Archaeological Resources Service (ARS)

On October 8, 2014, William Roop and Jacquie Prescott Frazier reexamined the project site for indications of prehistoric settlement or use within the project area. Particular attention was paid to the land north of Windsor Drive where a potential was raised for the presence of the southern extension of CA-SON-1082. Pedestrian surveys concluded that CA-SON-1082 does not extend on to the northern parcel of the project site (for more information on this site, see below).

On April 15, 2015, ARS examined the proposed regional park trail route within Helen Putnam Regional Park. No cultural resources were observed at any location within or adjacent to the proposed regional park trail alignment.

Based on these findings it can be concluded that no known prehistoric cultural resources are present in the project site.

Archaeological Resources

The CHRIS records search indicated that, as of February 2003, 10 cultural resources studies have been conducted within 0.5 mile of the project site. Several of these reports were reviewed by ASC to prepare a cultural resource overview on the project vicinity and assess the archaeological sensitivity, based on the distribution of known archaeological sites and the environmental setting of the general area. Three of these

documents present an evaluation of a substantial prehistoric habitation site (CA-SON-1082) with midden soil located in close proximity to the project site.

The first report (Orlins 1977) involved the survey of a 2.5-mile long section of D Street, where CA-SON-1082 and two other sites (CA-SON-1083, a small site with a basalt flaked stone tool assemblage, and CA-SON-1084, a chert quarry) were discovered. CA-SON-1082 and CA-SON-1083 showed prior disturbance from the construction of D Street, while CA-SON-1084 was located a sufficient distant from D Street to avoid any effects. Of the three sites, CA-SON-1082 is the largest and located nearest to the project site.

The second study, which was conducted in 1998, evaluated cultural resources in the area in conjunction with a residential subdivision project planned for a large property in the Western Avenue/Windsor Drive vicinity. This study by Tom Origer & Associates resulted in the recordation of a historic-era house.

The remaining five survey reports examined by the ASC did not record any cultural resources but the researchers did note the presence of the prehistoric resource CA-SON-1082 on D Street. All of the ASC researchers felt that the presence of CA-SON-1082 contributed to the general archaeological sensitivity of the project site.

The surveys of CA-SON-1082 recorded the observance of numerous artifacts on the surface, including chert, obsidian, and quartz flakes, cores, and flaking waste; midden consisting of bone fragments, marine and freshwater shell, seed remains, chunks of vesicular basalt, and fire-affected angularly-cracked rock; chert and obsidian cutting tools; a reworked projectile point fragment of obsidian, two small obsidian projectile points, one small corner-notched point, and a small Excelsior-style point. Limited testing and site excavation resulted in the discovery of a shell midden deposit (in which 13 different taxa were represented) containing burned and unburned animal bones, at least one Olivella shell bead, Franciscan chert and basalt, exotic obsidian waste material, flakes, and at least seven distinct tools that included projectile points, bifaces, and utilized flakes. Artifact analysis indicated that the site was occupied during Phase I and II of the Late Horizon period, from about A.D. 900 to 1800.

ARS staff conducted a pedestrian survey in March 2005 and October 2014 to assess the potential presence of redeposited material from CA-SON-1082 on the project site. Based on these surveys, ARS concluded that CA-SON-1082 does not extend on to the project site. Nor is there a potential to encounter redeposited cultural materials from CA-SON-1082 on the project site.

4.4.2.2 Historic Resources

The project area historically comprised rural agricultural and ranching lands. The approximately 60-acre project site (Arnold Scott estate) was originally part of the Rancho Arroyo de San Antonio, more commonly

known as the Miranda land grant. Juan Miranda settled on the west side of Petaluma Creek in 1838 and built a home approximately two miles from the City of Petaluma. By 1844, Miranda made an application to the Mexican government for title to the property he had settled in and around the city.¹ Governor Micheltorena ordered that the title be issued in October of that same year, although political unrest kept the official title from being executed. Miranda's ownership was further complicated when his son-in-law, Antonio Ortega, filed a claim to the land that conflicted with his own. Both claims were presented for adjudication before the land commission established by the American government after the time of statehood. Ultimately, both were rejected. The Miranda claim was disposed of quickly, while the Ortega title was not rejected by the U.S. Supreme Court until 1863.²

The property remained contested until as late as March 1866, when the citizens of Petaluma held a mass meeting protesting legislation introduced to the California legislature by Senator George Pearce of Sonoma. Pearce proposed "An Act to Quit Titles in the City of Petaluma," and citizens believed it was an attempt to unsettle their land claims as well as reinstate the Miranda claim in court. Their response to the legislation was clear, "Resolved, that we do not desire to purchase the so-called Miranda claim, that we are satisfied with our titles, and request that Senator to cease his solicitude on our behalf." The protest was effective and the legislation went no further. With the Miranda and Ortega claims settled, the portions of the grant that lay within the boundaries of the incorporated limits of Petaluma were ceded to the city by an Act of Congress on March 1, 1867.

The property that now makes up the Scott estate was part of the land purchased by Carl Johannes Wiese. Wiese received a patent for the 160-acre parcel on January 10, 1868. When Wiese died on April 22, 1876, all of his property was bequeathed to his wife Catherine Assion Wiese. At that time, the estate consisted of the acreage, twenty cows, two horses, and the family dwelling. Catherine Weise transferred the property to Mary and Julius Petersen and by 1900, Mary and Julius became the property's owners although the date of transfer could not be confirmed (Brunzell Historical 2014). Although the exact nature of the Wiese and Petersen families' agricultural or other land uses are unknown, it is likely that their property was used primarily for hay, grain, dairy, or poultry farming, like many of Petaluma's farms during the last half of the nineteenth century. In addition, it has been reported that the large barn still in existence on the property was used as a carriage-making factory while owned by the Wiese or Petersen families.³ According to historian J.P. Munro-Fraser, Petaluma's principal products in 1870 included hay, grain, fruit, potatoes,

1 There is no evidence that Miranda ever lived on the project site.

2 Land claim disputes, especially during the transition from the Mexican to the American eras, are common in the history of California.

3 This information is based on a personal communication with Richard Lewis (August 13, 2003). No written records confirming that the barn was used for making carriages were found.

hops, butter, cheese, eggs, wine, cattle, poultry, and lumber. No less than eleven blacksmith and wagon making shops were reported to exist in Petaluma in that same year.

It was not until the early twentieth century that the 160-acre parcel was divided. The largest division went to the Scott family. On March 1, 1915, C. Scott was deeded 133.3 acres. The Scott family now owned all of the Petersen property except that lying “east of the center line of the Main County Road, passing through said property, and being the continuation of ‘D’ Street of and from the City of Petaluma.” The Scott family ran dairy and poultry operations on the newly acquired farm but was forced to sell portions of their land in the mid-1930s during the Great Depression, reducing the property to its current 60 acres. After that time, cattle continued to be grazed on the property, but other farming activities ceased. Arnold Scott was deeded the property by his parents and maintained his ownership until he bequeathed the land to the University of the Pacific at the time of his death in 1999.

Historic-Period Resources

ASC, WSA, and ARS conducted surveys of the project site to identify cultural resources, including historic period resources. While the ASC survey did not identify any prehistoric materials onsite, historic-period material and architectural resources were identified and recorded. Elements found on the project site during the ASC survey include a large red barn, three out-buildings, a burnt-out shell of a house, two wells, a reservoir and earthen dam, and isolated historic-period artifacts. Since several of the identified features could potentially qualify as significant historical properties, ASC recommended that the structures undergo further evaluation by a qualified architectural historian to record and determine the historical significance of the structures under the criteria of the California Register of Historic Resources (CRHR) (ASC 2003). In 2003, WSA conducted a follow-up survey of a three-acre portion of the project site that contained the barn complex. This survey revealed two additional features not mentioned in the ASC survey: a hand-dug well and a footbridge. Additionally, several historic artifacts were found on the project site (WSA 2003).

Each of the historic-period features on the project site is described below.

Large Barn. The large red barn is a 2.5-story building measuring 54 feet by 26 feet. It has a steeply pitched, gabled roof covered with composite asphalt shingles. The barn is covered with channel siding with end boards at the corners. There is a plain frieze around the whole building and projecting eaves. The western gable end has a hay trolley at the apex of the roof. The barn is constructed with cut nails (except for areas that have been repaired) and is set on a concrete pier foundation. The western side, first floor, gable end has one wooden sliding door in the center and one small fixed window with plain molding, a slip sill, a single sash, and six panes located to the right side. On the second floor, an identical window is located in

the upper left side. In the center above the sliding door is a plain, square molding, indicative of a boarded-up window. Above the boarded-up window and below the hay trolley is a hayloft door with hinges at the bottom so that the door is lowered down to open. The eastern gable end has two windows positioned on an even plane. They are both tall, have plain molding, lug sills, and two sashes with six panes per sash. The south side has two window frames similar in shape to those on the east side, but they do not have their sashes (i.e., the glass is missing). The northern side of the barn has one ground-level sliding wooden door and is a large, square, hinged wooden double-door with plain molding, similar in size, height, and shape to the empty molding on the west gable side (ASC 2003).

The barn's construction techniques were analyzed to determine when it was constructed. Based on the analysis it was determined that the barn was constructed in the 19th century. Additionally, the barn may be the building shown on the 1877 map. The other two barns (discussed below) were probably constructed in the early twentieth century, either by the Petersens or shortly after the Scotts purchased the property (Brunzell Historical 2014).

Hay Barn. The hay barn is 20 feet by 32 feet. It is a single-story building covered with channel siding, with end boards at the corners, a plain frieze, and a steeply pitched roof with composite asphalt shingles. The building was constructed using wire nails and is on a concrete-pier foundation. The entrance on the south side of the barn is a large wooden sliding door. To the left of the door is a tall window with plain molding and lug sills; it has a double sash and six panes each. A galvanized-metal pipe is attached at an angle as a handrail to enter the barn. On the western gable end is one small window with plain molding, a slip sill, and a single, fixed sash with six panes. The eastern gable end has one window identical to the one on the west end. The northern side has no doors or windows (ASC 2003).

Garage/Storage Barn. The garage/storage barn is 24 feet by 44 feet. It is a single-story building covered with channel siding with end boards at the corners, a plain frieze, and a steeply pitched roof with composite asphalt shingles. The building was constructed using wire nails and is on a concrete-pier foundation. The northern gable end has no doors or windows, while the southern gable end has one wooden door located on the southwest corner. There are two windows, one is tall with a double sash, plain molding, and a lug sill; the other is similar but slightly smaller. Each sash had six panes. The western side has a large, wooden, double sliding door, and one window to the right of the door with plain molding, double sash, and a slip sill. There were once six panes per sash (several were missing). The eastern side also has a large, wooden, double sliding door directly opposite the other one. To the left of these doors is another set of wooden-paneled sliding doors, and to the left of them is a single, wooden hinged door located in the southeast corner (ASC 2003).

Old Dairy Equipment Cleaning Shed (Pump House). The old dairy equipment cleaning shed is a small building located about 20 feet west of the large barn and measures 8 feet by 6 feet. It has channel siding, end boards at the corners, wire nails, plain frieze, and a steeply pitched gable roof with wooden shake shingles. The door is located on the north side and is wooden which five rectangular panels and plain molding. The west side has one window with plain molding, a lug sill, one fixed sash, and six panes. The south side has an identical window to that on the west, and the east side has no windows or doors but does have a two-inch-diameter meal pipe protruding from the bottom left corner (ASC 2003).

Collapsed Farm House. This is a California Bungalow-style farm house, located south of the barn complex on the south side of Kelly Creek, and has nearly burned down. There is no glass left in any of the windows and all the doors are gone. All that remains of the house are portions of the exterior walls. It is a rectangular, one-story house with a ground-level basement. The foundation is made of concrete blocks, and the walls are stucco over wood frame. What can be discerned from the roof is that it was low-pitched, and the projecting rafters were exposed on all sides. The east side, at the northeast corner, has a stucco porch with characteristic archways leading to the front door. The doorframe is flat and the door has rectangular window panels and a window on either side. There are also two tall windows located on the east side, each with two sashes that are divided by a vertical bar. The south side of the house has a small addition built onto the southeast corner with a door that may provide access to the basement. There is a small, fixed window to the left of the addition and a side doorway with another window to the left of the door, which has two sashes divided by a vertical bar. The west side has two small, fixed windows and one large picture window on the northwest corner. The north side has another large picture window adjacent to the one on the west side. There is an attached brick chimney (stucco-covered) with two small, fixed decorative windows (possibly stained glass) on either side of the chimney (ASC 2003). The ruins of the house indicate that it was originally constructed in the Craftsman style, which was popular until about 1930, and was probably constructed by the Scott family (Brunzell Historical 2014).

Well with Concrete Piers. This well is located north of the barn complex near the intersection of Windsor Drive and D Street. It consists of a dirt mound with a wooden cover, which is enclosed in a 9-foot by 6-foot area surrounded by barbed-wire fencing. Beginning at the northeast corner of the fence is a row of three concrete piers running east at 3-foot intervals. Another row of concrete piers begins at the southeast corner, paralleling the first rows of piers. There is another concrete pier located within the fenced area in between the two rows of piers. These piers may have served as a foundation to a pump house. A curved earthen berm is located east of the piers and may have been used to re-direct water flow. It is approximately 40 feet long and 2 feet high (ASC 2003).

Brick Well. The brick well is approximately 150 feet west of the barn complex on the south bank of Kelly Creek at its junction with another small drainage. The well was constructed of brick and mortar, is about 4 feet in diameter, and stands 18 inches above the ground. The visible depth is about 10 feet (ASC 2003).

Reservoir/Stock Pond and Earthen Dam. Located in the southern portion of the property is a water reservoir/stock pond. It uses a natural drainage and steep topography as well as an earthen dam at its northern side to catch and hold water. It is approximately 100 feet long and 50 feet wide (ASC 2003).

Historic-Period Artifacts. Located 25 feet east of the brick well at the junction of Kelly Creek and a small drainage, are pieces of a historic-period stove. There are at least 10 miscellaneous pieces noted within the secondary drainage, two of which are ornately decorated and may be temporarily diagnostic. Historic artifacts were also found in the creek bed, scattered near the family home, and on the southern side of the footbridge that provides access to the home. Historic artifacts found on-site included bottles, glass, fragments of ceramic tableware, an old-lamp base, and two large porcelain insulators. Most revealed no diagnostic information except the glass bottles found on site were determined to have been manufactured between 1920 and 1964 and post-1940 and the porcelain insulators were likely to have been used while the Scott family generated its own electrical power on the site (ASC 2003, WSA 2003).

Refuse Deposit. Located approximately 25 feet west from the garage/storage barn is a pile of dirt about 3 feet high and 8 feet across. Within this dirt pile are brick fragments, metal fragments, and window glass. Where these materials originated is unknown (ASC 2003).

Water Holding Tank (Well). The remnants of a water holding tank, part of the collapsed farm house, is located south of Kelly Creek, approximately 400 feet upslope to the southwest of the collapsed farm house. It consists of two semi-subterranean, adjoining concrete-aggregate walls (the other two collapsed in on it) dug partially into the adjacent hillside. The remaining walls stand 3 feet above the sloping ground surface and cut into the hillside to a depth of 8 feet. The two remaining walls measure 10 feet in length and 8 feet in height (ASC 2003, WSA 2003).

Hand-Dug Well: A hand-dug well was observed approximately 70 feet southeast of the southeast corner of the garage/storage barn and approximately 15 feet north of Kelly Creek. The well was covered with what appeared to be a heavy plywood box and was inaccessible. Thus, the structural components of the well could not be observed. Also, thick vegetation covered the area and portions of the well (WSA 2003).

Footbridge: Located approximately 6 to 8 feet southwest of the hand dug well is a dilapidated footbridge that crosses Kelly Creek. The bridge angles northeast to southwest and is located almost directly between the collapsed farm house and the outbuildings on the northern side of the creek. The footbridge measures

approximately 15 feet long, 3 feet wide, and is 5 feet above the creek bed. The footbridge appeared to be supported only by wooden planking and appeared no longer safe to use (WSA 2003).

All of the historic-period structures and artifacts described above were formally evaluated by WSA to determine whether they qualified for listing on the CRHR and if so, could qualify as historic resources under CEQA. WSA concluded that the overall integrity of the structures located on the project site is good to very good. By all appearances, few alterations have been made since their original construction in the early 20th century (including the hay barn, old dairy equipment cleaning shed (pump house) garage/storage barn, remnants of a collapsed farm house, well with concrete piers, brick well, and the remnants of a water holding tank for the collapsed farm house). The older, large red barn retains external integrity and appears to be part of the Petersen-era ownership (1893 to 1915). However, while the barn was reportedly used to make carriages during the ownership of the Weiss or Petersen families, the interior of the large barn has been significantly altered to accommodate a dairy operation and is no longer representative of its original function. An investigation into the history of the property and previous owners indicate that the existing structures are not associated with persons or events important to history. While the Petersen or Scott families were well known in the local area, none of the landowners appears to have been instrumental in local politics, business, society, etc., sufficiently to be considered historically significant under CEQA (WSA 2003).

Similarly, WSA concluded that, although the structures are good examples of rural farming and ranching architecture, they are not the work of a master architect, nor do they exhibit either important or unique characteristics. They are typical of a style and type of structure common to rural Sonoma County (the ubiquitous ranch building) and although the numbers of such properties have dropped in previous decades due to expanding urban development, they still exist in substantial numbers in Sonoma and adjoining counties. WSA concluded that the structures will not yield information of importance to local history beyond that gathered for the assessment (WSA 2003).

In summary, the evaluation by WSA concluded that although associated with the late 19th and early 20th century diversified farming and ranching activities that shaped the rural landscape of Sonoma County, the project site structures and associated features (brick well, refuse deposit, footbridge, etc.) do not appear to meet the significance criteria for the CRHR and therefore are not historic resources pursuant to CEQA.

In 2014, Brunzell Historical was retained by the City to conduct a peer review of the previous reports related to historic period resources on the project site. This peer review included a review of the reports, a site visit and research into the findings of the previous reports. Brunzell Historical concluded that the previous studies were adequate and agreed with their findings that structures and features onsite do not meet the significance criteria to be considered historic resources (Brunzell Historical 2014).

4.4.3 REGULATORY CONSIDERATIONS

4.4.3.1 Federal Regulations

National Historic Preservation Act, Section 106

The National Historic Preservation Act (NHPA) establishes the National Register of Historic Places (NRHP) and defines federal criteria for determining the historical significance of archaeological sites, historic buildings, and other resources. To be determined eligible for the NRHP, a potential historic property must meet one of four historical significance criteria (listed below), and also must possess sufficient deposition, architectural, or historic integrity to retain the ability to convey the resource's historic significance. Resources determined to meet these criteria are eligible for listing in the NRHP and are termed historic properties. A resource may be eligible at the local, state, or national level of significance.

A property is eligible for the NRHP if it possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and it:

1. is associated with events that have made a significant contribution to the broad patterns of our history;
2. is associated with the lives of a person or persons of significance in our past;
3. embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components may lack individual distinction; or
4. has yielded or may be likely to yield information important in prehistory or history.

A resource that lacks historic integrity or does not meet one of the NRHP criteria of eligibility is not considered a historic property, and effects to such a resource are not considered significant under the NHPA.

4.4.3.2 State Regulations

California Environmental Quality Act

Under CEQA, public agencies must consider the effects of their actions on both "historical resources" and "unique archaeological resources." Pursuant to California Public Resources Code (PRC) Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." PRC 21083.2 requires agencies to determine whether a proposed project would have an effect on "unique archaeological resources."

“Historical resource” is a term of art with a defined statutory meaning (see PRC 21084.1 and *State CEQA Guidelines* Sections 15064.5(a) and 15064.5(b)). The term embraces any resource listed in or determined to be eligible for listing in the California Register of Historic Resources (CRHR). The CRHR includes resources listed in or formally determined eligible for listing in the NRHP, as well as some California State Landmarks and Points of Historical Interest.

Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the CRHR and are presumed to be “historical resources” for purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC 5024.1 and 14 CCR 4850). Unless a resource listed in a survey has been demolished or has lost substantial integrity, or there is a preponderance of evidence indicating that it is otherwise not eligible for listing, a lead agency should consider the resource potentially eligible for the CRHR.

In addition to assessing whether historical resources potentially impacted by a proposed project are listed or have been identified in a survey process, lead agencies have a responsibility to evaluate them against the CRHR criteria prior to making a finding as to a proposed project’s impacts to historical resources (PRC 21084.1 and *State CEQA Guidelines* Section 15064.5(a)(3)). In general, a historical resource, under this approach, is defined as any object, building, structure, site, area, place, record, or manuscript that:

- 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 (*State CEQA Guidelines* Section 15064.5(a)(3)).

These factors are known as “Criteria 1, 2, 3, and 4” and parallel Criteria A, B, C, and D under the NHPA (discussed earlier). The fact that a resource is not listed or determined to be eligible for listing does not preclude a lead agency from determining that it may be a historical resource (PRC 21084.1 and *State CEQA Guidelines* Section 15064.5(a)(4)).

CEQA also distinguishes between two classes of archaeological resources: archaeological sites that meet the definition of a historical resource, as described above, and “unique archaeological resources.” Under CEQA, an archaeological resource is considered “unique” if it:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information;
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC 21083.2(g)).

CEQA states that if a proposed project would result in an impact that might cause a substantial adverse change in the significance of a historical resource, then an EIR must be prepared and mitigation measures should be considered. A “substantial adverse change” in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (*State CEQA Guidelines* Section 15064.5(b)(1)).

The *State CEQA Guidelines* (Section 15064.5(c)) also provide specific guidance on the treatment of archaeological resources, depending on whether they meet the definition of a historical resource or a unique archaeological resource. If the site meets the definition of a unique archaeological resource, it must be treated in accordance with the provisions of PRC 21083.2.

State CEQA Guidelines Section 15126.4(b) sets forth principles relevant to means of mitigating impacts on historical resources. It provides as follows:

- (1) Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer, the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus is not significant.
- (2) In some circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur.
- (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 and discussed in an EIR for a project involving such an archaeological site:

- (A) Preservation in place 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:
1. Planning construction to avoid archaeological sites;
 2. Incorporation of sites within parks, greenspace, or other open space;
 3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.
 4. 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. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.
- (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 in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center.

Section 15064.5(f) deals with potential discoveries of cultural resources during project construction. That provision states that, “[a]s part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.”

State CEQA Guidelines Section 15064.5(e), requires that excavation activities be stopped whenever human remains are uncovered and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of Native Americans, the NAHC must be contacted within 24 hours. At that time, the lead agency must consult with the appropriate Native Americans, if any, as identified in a timely manner by the NAHC. Section 15064.5 of the *State CEQA Guidelines* directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

Senate Bill 18

Senate Bill (SB) 18 requires cities and counties to contact and consult with California Native American tribes prior to making land use decisions. The bill requires local governments to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of general plans (defined in Government Code §65300 et seq.). For projects proposed on or after March 1, 2005, the city or county shall conduct consultations with California Native American tribes that are on the contact list maintained by the Native American Heritage Commission (NAHC) for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.995 of the Public Resources Code that are located within the city or county's jurisdiction.

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government.

Assembly Bill 52

AB 52, which was approved in September 2014 and became effective on July 1, 2015, requires that CEQA lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so requested by the tribe. A provision of the bill, chaptered in CEQA Section 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a Tribal Cultural Resource (TCR) is a project that may have a significant effect on the environment.

Defined in Section 21074(a) of the Public Resources Code, TCRs are:

1. Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the CRHR; or
 - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

TCRs are further defined under Section 21074 as follows:

- a. A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and
- b. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe(s) pursuant to Section 21080.3.2 and Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TRCs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

4.4.3.3 Local Plans and Policies

City of Petaluma Resolution No. 2005-198 as Amended in 2017

In 2005, the City of Petaluma adopted Resolution No. 2005-198 to protect buildings constructed in 1945 or earlier from demolition. The resolution contains policies and procedures as follows:

1. All requests* for demolition of structures built in 1945 or earlier shall require discretionary review and approval prior to issuance of an associated building permit.
2. Demolition means the removal of 50 percent or more of the exterior walls of a building or structure. Demolition may also include the addition of a second story if not appropriately designed and differentiated from the original structure to convey its history as determined by the Planning Manager. Demolition also includes the relocation of a building from one parcel of land to another or the raising of an existing structure beyond what is required for construction of a new foundation.

The removal and replacement in kind of deteriorated, non-repairable material required for the restoration or rehabilitation of a building which results in no change to its exterior appearance or character is not considered a demolition.

The initial determination of whether a project meets the above definition shall be made by the Planning Manager or their designee. Any dispute over whether a project meets this definition will be mediated by the Historic and Cultural Preservation Commission.

3. For proposed demolitions that are part of a larger project submittal that requires other entitlements from the City Council or Planning Commission, a determination regarding the proposed demolition shall be made in advance of any other entitlements being scheduled for review.

4. Application for demolition of a building built more than 45 years ago must be made in one of the following ways:
 - **Building Permit.** Application for demolition that includes adequate evidence that the building proposed for demolition is not historically significant may be approved with a building permit at the discretion of the Planning Manager. The applicant shall submit the required planning plan check fee as well as any applicable building permit fees as established by the most current City Council approved fee schedule.
 - **Administrative Site Plan and Architectural Review.** Applications for demolition that may benefit from public notice due to community interest or location or involve a building that may have historic significance but may have lost its integrity may be approved through Administrative SPAR at the discretion of the Planning Manager. The applicant shall submit the required application and materials for Administrative SPAR, including applicable fee as established by the most current City Council approved fee schedule.
 - **Major SPAR.** Applications for demolition that involve a building that may be considered historically significant, have architectural or visual features important to Petaluma, located in a designated Historic District, or be a designated a Local Landmark shall be at the discretion of the Historic and Cultural Preservation Committee and processed as a Major SPAR. The applicant shall submit the required application and materials for Major SPAR, including applicable fee as established by the most current City Council approved fee schedule.
 - The Planning Manager maintains discretion to require the level of review for all demolition applications involving buildings built more than 45 years ago based on the specifics of the application, as appropriate to maintain the intent of the demolition resolution, and to minimize the incremental loss of the city' s historic building stock.
5. All applications for demolition shall include appropriate documentation to verify the date of construction and evaluation of historic significance for the applicable structure. Application may be required to include the following: application form, cost recovery form, application processing fees, historic and /or structural evaluations of subject building(s), complete site plans, floor plans and elevations of subject building and its environs, current title report and /or other appropriate documentation regarding the age of the subject building. The City reserves the right to peer review any or all of the submitted materials at the applicant's expense.
6. The City shall recover the full cost of time expended and materials used to process the application for demolition through the established cost recovery program when an Administrative SPAR or Major SPAR is required as outlined above.
7. Requests for demolition will be subject to the applicable provisions of the California Environmental Quality Act (CEQA). The applicable provisions in Chapter 15 of the Implementing Zoning Ordinance (Preservation of the Cultural and Historic Environment) and Section 7 of the SMART Code (Historic Resource Conservation) also remain in effect.
8. At least ten days prior to a decision by the Planning Manager (Administrative SPAR) or a public hearing by the Historic and Cultural Preservation Committee (Major SPAR) on a demolition request, a

notice shall be published in the locally designated newspaper and mailed to all property owners within 500 feet of the subject site. If necessary, the notice period will be extended as required by CEQA.

9. Prior to approval of demolition of a building more than 45 years old, regardless of its formal designation on a local, state, or federal register, the following findings must be made to support the request:
 - a) The building is not listed or eligible for listing as a significant national, state or local historic resource.
 - b) The building does not represent or convey important architectural, visual or cultural features that are important in preserving the character of an existing neighborhood.

If both of the above referenced findings cannot be made, the request for demolition shall be denied.

Final decision on the demolition request may be appealed in accordance with Implementing Zoning Ordinance Section 24.070.

Ancillary structures such as garages, sheds and other small outbuildings, but not including barns, more than 45 years old, existing on lots developed with single family uses shall be exempt from this policy and procedure. Planning Division staff will continue to process demolition requests for these types of structures administratively. The City reserves the right to forward any proposed demolitions to the Cultural and Historic Preservation Committee as stipulated in Chapter 15 of the Implementing Zoning Ordinance (Preservation of the Cultural and Historic Environment) and Section 7 of the SMART Code (Historic Resource Conservation). The appropriate provisions of the California Environmental Quality Act (CEQA) apply to these administrative procedures.

City of Petaluma 2025 General Plan

The City of Petaluma General Plan 2025 contains goals and policies relating to cultural resources. General Plan goals and policies relevant to the proposed project are as follows:

Chapter 2 Community Design, Character, and Green Building

2.1 City Form and Identity

Policy 2-P-3: Maintain landmarks and aspects of Petaluma’s heritage that foster its unique identity.

Policy 2-P-68: Preserve the uniqueness of the property at the intersection of D Street and Windsor Drive (Scott Ranch) through incorporation of the following criteria in the future development process:

- Respect the gateway value with a minimum 100'-setback from D Street with no sound walls.
- Maintain a minimum of a 100'-setback along Kelly Creek and its tributaries.
- Preserve the unique property at Scott Ranch through preserving the red barns in place, designating them historic, and encouraging the incorporation of a nature study area.⁴
- Preserve and maintain habitat areas and trees.
- Avoid slide areas and minimize grading.
- Provide a minimum 300'-wide Urban Separator.
- Provide a minimum of a 3-acre park site.
- Include the provision of trailhead facilities with restrooms and parking with a connection to Helen Putnam Regional Park.
- Respect City hillside regulations.

Chapter 3 Historic Preservation

3.1 Benefits of Historic Preservation

Policy 3-P-1: Protect historic and archaeological resources for the aesthetic, cultural, educational, environmental, economic, and scientific contribution they make to maintaining and enhancing Petaluma's character, identity and quality of life.

- J. Ensure the protection of known and unrecorded archaeological resources in the city by requiring a records review for any development proposed in areas that are considered archeologically sensitive for Native American and/or historic remains.

⁴ As described in **Section 3.4.1, General Plan Amendments**, of this document, the Scott Ranch project proposes amending this policy to allow small accessory structures, within the 100-foot setback from D Street, as part of the public park amenities. Proposed policy amendment would be also to recognize that existing barns may remain within the 100-foot setbacks from the centerline of Kelly Creek and to allow the relocation of the barns complex within the same general area for purpose of stabilization and preservation.

K. In accordance with CEQA and the State Public Resources Code, require the preparation of a resource mitigation plan and monitoring program by a qualified archaeologist in the event that archaeological remains are discovered.

Policy 3-P-6: Ensure that new development adjacent to eligible historic and cultural resources is compatible with the character of those resources.

City of Petaluma 2008 Implementing Zoning Ordinance

Chapter 15 Preservation of the Cultural and Historic Environment

15.010 - Purpose

- A. The protection, enhancement, perpetuation, and use of buildings, structures, sites, objects, and districts, including archaeological sites, that are reminders of past eras, events, and persons important to local, state, or national history, or which provide significant examples of architectural styles of the past or area landmarks in the history of architecture, or which are unique and irreplaceable assets to the City and its neighborhoods, or which provide for this and future generations examples of the physical surroundings in which past generations lived.
- B. The development and maintenance of appropriate settings and environments for such structures.
- C. The enhancement of property values, the stabilization of neighborhoods and areas of the City, the increase of economic and financial benefits to the City and its inhabitants, and the promotion of tourist trade and interest.
- D. The enrichment of human life in its educational and cultural dimensions by serving aesthetic as well as material needs and fostering knowledge of the living heritage of the past.

15.040 - Designation of Landmarks and Historic District by Ordinance

- A. The City Council may designate by ordinance:
 - 1. One or more individual structures or other features, or integrated groups of structures and features on one or more lots or sites, having a special character or special historical, architectural, or aesthetic interest or value, as landmarks, and shall designate a landmark site for each landmark.
 - 2. One or more areas containing a number of structures having special character or special historical architectural or aesthetic interesting value, and constituting distinct sections of the City, as historic districts.

- B. Each designating ordinance includes a description of the characteristics of the landmark or historic district which justify the designation, and a list of any particular feature in addition to those features which would be affected by work described in Section 15.050(A1-2) that are to be preserved, and shall specify the location and boundaries of the landmark site or historic district.

4.4.4 IMPACTS AND MITIGATION MEASURES

4.4.4.1 Significance Criteria

The impacts of the proposed project on cultural resources would be considered significant if they would exceed the following Standards of Significance, in accordance with Appendix G of the *State CEQA Guidelines*:

- cause a substantial adverse change in the significance of a historical resource pursuant to *State CEQA Guidelines* §15064.5;
- cause a substantial adverse change in the significance of an archaeological resource pursuant to *State CEQA Guidelines* §15064.5; or
- disturb any human remains, including those interred outside of formal cemeteries;
- Cause a substantial adverse change in the significance of a tribal cultural resource defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native America tribe, and that is:
 - a. Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or
 - b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision(c) of the Public Resources Code Section 5024.1. In applying criteria set forth in subdivision (c) of the Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.4.4.2 Methodology

This section is based primarily on the following cultural resources technical reports and the consultation with Native American tribes:

- *A Cultural Resources Study of 60 Acres of APN 120-040-041, Petaluma, Sonoma County, California*, prepared by Don Bignell, Project Coordinator, Anthropological Studies Center, May 13, 2003.
- *Cultural Resources Assessment of Structures and Historic Artifact Feature (APN 120-040-041) Located at 1860 D Street, Petaluma, Sonoma County, California*, prepared by William Self, Principal, William Self Associates, Inc., August 20, 2003.

- Peer Review of WSA’s Cultural Resources Assessment of Structures and Historic Artifact Feature (APN 120-040-041) Located at 1860 D Street, Petaluma, Sonoma County, California, prepared by Katherine Flynn-Roop, Archaeological Resource Service, October 28, 2004.
- *Evaluation of Main Barn, Garage and Small Storage Structures*, prepared by Sal Dayeh, Director of Field Operations, Gouvis Engineering Consulting Group, May 21, 2008.
- *Peer Review of Previous Studies of the Scott Ranch in Petaluma, California*. Prepared by Kara Brunzell, Architectural Historian, Brunzell Historical, August 26, 2014.

ARS peer reviewed all existing cultural reports for the project site. ARS agreed generally that the methodologies used and conclusions drawn in the reports were sound but concluded that the importance of and proximity of CA-SON-1082 to the project site should have been more strongly noted. In addition, as noted earlier in this section, in 2014, Brunzell Historical conducted a peer review of all previous reports concerning historic-period resources on the project site and concluded that the reports are adequate and that their findings regarding the historic status of the structures are correct. Because the reports listed above include sensitive and confidential information about recorded cultural resource sites, they have not been included in the appendices to this RDEIR and are only available for review by qualified individuals at the City. However, the *Evaluation of Main Barn, Garage and Small Storage Structures* is included in **Appendix 4.4** to the RDEIR.

4.4.4.3 Project Impacts and Mitigation Measures

Impact CUL-1: **The proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5. (Potentially Significant; Less than Significant with Mitigation)**

The existing historic-period features identified on the project site are described above in **Section 4.4.2.2**. These include the large red barn, the hay barn, old dairy equipment cleaning shed, garage/storage barn, collapsed farm house, well with concrete piers, brick well, a hand-dug well, and the remnants of a water holding tank for the collapsed farm house, as well as historic-period artifacts. As noted in **Section 4.4.2.2**, although associated with the late 19th and early 20th century diversified farming and ranching activities that shaped the rural landscape of Sonoma County, the project site structures and associated features (brick well, refuse deposit, footbridge, etc.) do not meet the significance criteria for listing on the CRHR. Furthermore, none of the structures on the project site, including the large red barn, is on any local list of historic buildings compiled by the City of Petaluma. Additionally, no known NRHP or other local, state, or federally-listed or recognized properties are known to exist in the immediate project area. Therefore, the resources present on the project site do not meet the definition of a historical resource as defined in the *CEQA Guidelines*.

The proposed project would retain and renovate the existing barn complex and the old dairy equipment cleaning shed. One of the barns would be converted into an agricultural museum. However, as necessary the barns may be relocated farther away from the creek to ensure structural stability of the barns, provide a sound foundation, and/or prevent the barns from eventually collapsing into the channel. In addition, the proposed project would preserve and enhance the stock pond by planting native understory and canopy vegetation. All historic-period features could be disturbed or removed during construction and operation of the project.

As mentioned above, no structures on the project site are currently on any local list of historic buildings compiled by the City of Petaluma and none of the existing historic-period features on the project site were determined to be a historic resource under CEQA. However, General Plan Policy 2-P-68, which applies to the project site, requires preservation of the uniqueness of the project site: “Preserve the red barns and designate them historic and encourage the incorporation of a nature study area.” In compliance with this General Plan policy (see **Table 4.9-2, City of Petaluma 2025 General Plan Policy Consistency Analysis**), the proposed project would develop a barn center that would include the renovation of the existing barn complex and the old dairy equipment cleaning shed. One of the barns would be converted into an agricultural museum that would display antique farm equipment and a hand pump. The agricultural museum would also highlight the history of the site, as documented above in the **Section 4.4.2.1, Archaeological Resources**. The proposed barn center renovations would also include vegetable gardens, demonstration and working corrals, and an amphitheater for outdoor learning activities.⁵ In addition, the proposed project includes amending General Plan Policy 2-P-68 to relocate the barn complex within the same general area for purposes of stabilization and preservation. Upon project completion, the existing barn structures would be designated as locally important by the City. In the event that barn structures are relocated for preservation, impact associated with the relocation the structures, planned for local designation as historic buildings, would be significant. **Mitigation Measures Cul-1a** and **CUL-1b**, set forth below, would require review of the relocation plans and oversight of relocation activities by a qualified historic preservation architect. With implementation of **Mitigation Measures Cul-1a** and **CUL-1b**, the proposed project impact to historic resources would be less than significant.

Mitigation Measures:

CUL-1a Prior to the relocation of the barn structures, a qualified historic preservation architect shall be selected by the City of Petaluma to review the relocation plans and verify that the relocation is not affecting the building structures and character defining features. To ensure the barn

⁵ Consistent with IZO 15.010(d): “The enrichment of human life in its educational and cultural dimensions by serving aesthetic as well as material needs and fostering knowledge of the living heritage of the past.”

structures would retain their eligibility for the local designation, the barn structures shall be relocated within the same general area and the new location shall be compatible with their original character and use.

CUL-1b The Applicants shall retain a qualified preservation architect to oversee the relocation process and ensure that all the relocation activities are implemented in compliance with the relocation plans reviewed under **Mitigation Measure CUL-1a**.

Significance after Mitigation: Implementation of **Mitigation Measures CUL-1a** and **CUL-1b** would reduce impacts to historical resources to a less than significant level.

Impact CUL-2: The proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to *CEQA Guidelines* §15064.5. (*Potentially Significant; Less than Significant with Mitigation*)

Known Archaeological Resources

As discussed in Section 4.4.2.1, no archaeological resources were encountered during a pedestrian survey of the project site and additional surveys of the west side of D Street in the project vicinity. Although there was some concern that pre-historic site CA-SON-1082 might extend on to the project site, a pedestrian survey of the area revealed that the site does not extend to the project site. As there are no known unique or historic archaeological resources present on the project site, there would be no impact to known archaeological resources.

Unknown Archaeological Resources

The possibility of disturbance to unrecorded cultural deposits found during excavation and grading of the project however remains, especially because of the presence of a known pre-historic site to the north of the project site and the presence of a water source (Kelly Creek) within the project site.⁶ Additional prehistoric cultural sites and objects may exist in the project area, but may be obscured by vegetation or buried by fill or natural sediments. Without proper care during the grading and excavation phases of the proposed project, unknown and potentially significant historic and prehistoric archaeological resources could be damaged or destroyed, if present. Therefore, project impacts to unknown historic and prehistoric archaeological resources would be potentially significant. Implementation of **Mitigation Measure CUL-2a**,

⁶ Archaeological studies in the region indicate a record of occupation with sites focused along watercourses and similarly habitable areas.

CUL-2b, and CUL-2c would ensure that impacts to unknown archaeological resources, if present onsite, would be reduced to less than significant levels.

Mitigation Measures:

CUL-2a Prior to excavation and construction on the proposed project site, the prime construction contractor and any subcontractor(s) shall be informed by a qualified archaeologist retained by the project Applicants, on the legal and/or regulatory implications of knowingly destroying cultural resources or removing historic or prehistoric artifacts, human remains, and other cultural materials from the project site as outlined in **Mitigation Measure CULT-2b** below.

CUL-2b Prior to commencing any demolition, excavation or other ground-disturbing activities, the project Applicants shall retain a qualified archaeologist to monitor construction activity. The City shall approve the selected project archaeologist prior to issuance of the grading and/or demolition permit. The selected project archaeologist shall be present at the preconstruction meeting to discuss what protocols should be followed with respect to the potential discovery of prehistoric or historic artifacts of possible significance. The selected project archaeologist shall have the authority to perform full time or spot check monitoring of subsurface construction and watch for and evaluate artifacts or resources that may be uncovered.

The selected project archaeologist shall have the authority to halt excavation and construction activities in the immediate vicinity (distance to be determined by the project archaeologist) of a find if significant or potentially significant cultural resources are exposed and could be adversely affected by construction operations. Construction activities could continue in other areas of the project site where no cultural resources have been identified.

CUL-2c Should archaeological resources be encountered during ground-disturbing activities (i.e., grading and excavation), the project archaeologist shall initiate sampling, identification, and evaluation of the resources. If the archaeological resources are found to be significant, the archaeologist shall take appropriate actions in conjunction with the City for preservation and/or data recovery, including recordation with the California Historic Resources Information System (CHRIS) and professional museum curation as appropriate. Following the completion of evaluation and data recovery, the archaeologist shall prepare a professional report detailing the results of the find and submit it to the City of Petaluma

Community Development Department and to CHRIS along with a DPR form to ensure that resource inventories are accurately updated.

Significance after Mitigation: Implementation of **Mitigation Measures CUL-2a** through **CUL-2c** would reduce impacts to archaeological resources to a less than significant level.

Impact CUL-3: **The proposed project could disturb any human remains, including those interred outside of formal cemeteries. (Potentially Significant; Less than Significant with Mitigation)**

No known human burials have been identified on the project site or within recorded resources located in the vicinity. However, it is possible that unknown human remains could occur on the project site, and if proper care is not taken during the project's grading and excavating phases, damage to or destruction of these unknown remains could occur, if present. Therefore, project impacts on human remains would be potentially significant. Implementation of **Mitigation Measure CUL-3** would ensure that impacts to buried human remains, if present onsite, would be reduced to less than significant levels.

Mitigation Measures:

CUL-3 Procedures to be implemented following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e) (CEQA). According to the provisions in CEQA, if human remains are discovered at the project site during construction, work at the specific construction area at which the remains have been uncovered shall be suspended, and the City of Petaluma and County of Sonoma coroner shall be immediately notified. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, who will, in turn, notify the person the NAHC identifies as the most likely descendent ("MLD") of any human remains. The guidelines of the NAHC shall be adhered to in the treatment and subsequent disposition of the remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, re-inter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.

Significance after Mitigation: Implementation of **Mitigation Measure CUL-3** would reduce the impact to human remains to a less than significant level.

Impact CUL-4: **The proposed project could cause a substantial adverse change in the significance of a tribal cultural resource. (Potentially Significant; Less than Significant with Mitigation)**

AB 52 requires that lead agencies consider the effects of projects on tribal cultural resources and conduct consultation with federally and non-federally recognized Native American tribes early in the environmental review process. According to AB 52, it is the responsibility of the tribes to formally request of a lead agency that they be notified of projects in the lead agency’s jurisdiction so that they may request consultation. On January 9, 2020, the City contacted local tribe, Federated Indians of Graton Rancheria, notifying the tribe of proposed project. On February 4, 2020, the Federated Indians of Graton Rancheria responded requesting consultation and the City responded on February 7, 2020 providing additional information and requesting a meeting to proceed with the AB 52 consultation. With no response, the City sent a follow up request to consult on March 17, 2020. No further response was received as of the date of publishing this RDEIR. Should FIGR respond at a later date during the CEQA process, the City will participate in consultation with the tribe. Having followed up with the request to consult with no response, the City has determined that with the **Mitigation Measures CUL-2a** through **CUL-2c**, and **CUL-3**, outlined above, that require avoiding inadvertent impacts to prehistoric resources and human remains, should they be encountered during excavation and grading, the proposed project would not affect any known or unknown tribal cultural resources in the area. Therefore, with mitigation the proposed project would result in a less than significant impact on tribal cultural resources.

Significance after Mitigation: Implementation of **Mitigation Measures CUL-2a** through **CUL-2c**, and **CUL-3** would reduce the impacts to a less than significant level.

4.4.4.4 Regional Park Trail Impacts and Mitigation Measures

Environmental Setting

The proposed regional park trail passes through areas with moderate to steep slopes and dense tree coverage along the proposed path. The regional park trail alignment is not developed and no structures currently exist. On April 15, 2015, ARS examined the proposed regional park trail route within Helen

Putnam Regional Park. No cultural resources were observed at any location within or adjacent to the proposed regional park trail alignment.

Impacts and Mitigation Measures

RPT Impact CUL-1: **The implementation of the proposed regional park trail project would not cause a substantial adverse change in the significance of a historical resource but could significantly affect unknown archaeological resources, human remains, and tribal cultural resources. (Potentially Significant; Less than Significant with Mitigation)**

Historical Resources

There are no standing structures on the proposed regional park trail alignment, and therefore no impacts to historical resources would occur.

Archaeological Resources

Although there are no known archaeological resources on the regional park trail site, there is always a possibility of disturbance to unrecorded cultural deposits, especially because of the presence of a known pre-historic site to the northeast of the project site and the presence of a water source (Kelly Creek) adjacent to the regional park trail alignment. Implementation of **Mitigation Measure RPT CUL-1a** would ensure that impacts to archaeological resources would be less than significant.

Human Remains

It is also possible that unknown human remains could occur on the project site. Implementation of **Mitigation Measure RPT CUL-1b** would reduce impacts to a less than significant level.

Tribal Cultural Resources

On January 9, 2020, the City contacted the local tribe FIGR notifying them of the proposed project and the proposed regional park trail project. On February 4, 2020, FGIR responded requesting consultation and the City responded on February 7, 2020 providing additional information and requesting a meeting to proceed with the AB 52 consultation. With no response, the City sent a follow up requesting to consult on March 17, 2020. No further response was received as of the date of publishing this RDEIR. Should FGIR respond at a later date during the CEQA process, the City and Sonoma County Regional Parks District, as necessary, will participate in consultation with the tribe. Having followed up with the request to consult with no response, the County has determined that with the mitigation measures outlined above that would avoid

inadvertent impacts to prehistoric resources and human remains, should they be encountered during excavation and grading, the proposed regional park trail project would not affect any known or unknown tribal cultural resources in the area. This impact would be less than significant with implementation of **Mitigation Measure RPT CUL-1a** and **Mitigation Measure RPT CUL-1b**.

Mitigation Measures:

RPT CUL-1a If archaeological materials, artifacts, culturally modified soil deposits, or other indicators of a potentially significant cultural resource are encountered anywhere in the project site, all work should be halted in the vicinity and an archaeologist consulted immediately.

RPT CUL-1b If human remains are encountered anywhere on the property, all work must stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed.

If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” can be designated.

Significance after Mitigation: Implementation of **Mitigation Measures RPT CUL-1a** and **-1b** would reduce the impacts to a less than significant level.

4.4.4.5 Cumulative Impacts and Mitigation Measures

The study area for cumulative impacts on cultural resources is the City of Petaluma and adjoining areas of unincorporated Sonoma County because, to the extent that there are any pre-historic and historic resources within the project site or regional park trail alignment, their significance is generally expected to be confined to the local area, and they are generally not expected to have a broader significance to the State of California.

Cumulative Impact CUL-1: **The proposed Scott Ranch project and the regional park trail project, in conjunction with other past, present and reasonably foreseeable future development, would not result in significant cumulative cultural resource impacts. (*Less than Significant*)**

Implementation of the proposed project in conjunction with the cumulative projects listed in **Table 4.0-1, Approved and Pending Projects**, would result in the continued development in the City of Petaluma. The

approved and pending projects are within the scope of the General Plan. As analyzed in the General Plan EIR, new development has the potential to adversely affect historical resources and previously undiscovered archaeological resources. Compliance with General Plan Policies under the Historic Preservation goal1 would reduce impacts to historic and archaeological resources to less than significant. Analysis of the proposed project's individual impacts to cultural resources concluded that with the implementation of the mitigation measures prescribed above, project impacts to cultural resources would be less than significant. Similarly, the regional park trail impacts related to cultural resources would also be reduced to a less than significant level with mitigation. Therefore, with mitigation the proposed project's and regional park trail's contributions to a cumulative impact on cultural resources would not be cumulatively considerable. The cumulative impact would be less than significant.

Mitigation Measures: No mitigation measures are required.

4.4.5 REFERENCES

- Anthropological Studies Center (ASC). May 13, 2003. *A Cultural Resources Study of 60 Acres of APN 120-040-041, Petaluma, Sonoma County, California.*
- Archaeological Resource Service (ARG). October 28, 2004. *Peer Review of WSA's Cultural Resources Assessment of Structures and Historic Artifact Feature (APN 120-040-041) Located at 1860 D Street, Petaluma, Sonoma County, California.*
- Brunzell Historical. August 26, 2014. *Peer Review of Previous Studies of the Scott Ranch in Petaluma, California.*
- William Self Associates, Inc. (WSA). August 20, 2003. *Cultural Resources Assessment of Structures and Historic Artifact Feature (APN 120-040-041) Located at 1860 D Street, Petaluma, Sonoma County, California.*
- Gouvis Engineering Consulting Group. May 21, 2008. *Evaluation of Main Barn, Garage and Small Storage Structures.*