APPENDIX G

CULTURAL RESOURCES STUDY

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CULTURAL RESOURCES STUDY

MADERA VILLAGE D SPECIFIC PLAN

MADERA, MADERA COUNTY, CALIFORNIA

Submitted to:

City of Madera
205 West 4th Street
Madera, California 93637

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Project No. CMD1801

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LSA

May 2020

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EXECUTIVE SUMMARY

LSA conducted this cultural resources study for the proposed Madera Village D Specific Plan (Specific Plan) in Madera, Madera County, California. Potential environmental impacts from the Specific Plan implementation are being evaluated in a program-level and project-level Environmental Impact Report (EIR), consistent with requirements of the California Environmental Quality Act (CEQA). LSA prepared this cultural resource study to inform the CEQA review for the Specific Plan.

The Specific Plan Area serves as the study area for the cultural resources study. The study consisted of background research, including a records search and a literature review of the study area, and a Sacred Lands File search request with the Native American Heritage Commission. The purpose of this study is to (1) identify cultural resources within and adjacent to the study area; (2) identify potential impacts to such resources; and (3) recommend mitigation measures to avoid or substantially reduce the sensitivity of potential impacts to such resources.

The records search identified segments of historic-period built environment cultural resource P-20-002308/CA-MAD-002649H, consisting of features associated with the Madera Irrigation District, within and adjacent to the study area.

Additionally, historic-period map and aerial imagery review identified three possible built environment cultural resources, all buildings, within the study area. Two of these buildings are associated with Madera County Assessor Parcel Number (APN) 030-170-009, with an additional building associated with APN 033-070-004. These buildings are over 50 years old and may qualify as historical resources under CEQA.

Background research identified a Yokuts village site (Chauchila Tribe village site of *Ch'ekayu*) within the southeast corner of the study area. Additionally, based on geological landforms and soil deposition, the study area is sensitive for buried precontact-period archaeological deposits. The archaeological sensitivity of the study area is surficially diminished by previous ground disturbance associated with agricultural activities, but this does not diminish the probability of encountering intact subsurface archaeological deposits.

The study includes recommendations for the evaluation of the three houses for their eligibility for inclusion in the California Register of Historical Resources, as well as for procedures in the event of an accidental discovery of archaeological deposits and/or human remains during construction.

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1.0 INTRODUCTION

The City of Madera is considering the adoption of the Madera Village D Specific Plan in Madera, Madera County, California. The study area consists of 1,934.74 acres of primarily agricultural land located in Sections 8, 16, and 17 within Township 11 South, Range 17 East of the Mount Diablo Base Line and Meridian. The Specific Plan envisions the development of a new compact mixed-use community that extends Madera's existing urban fabric, creates walkable and bikeable streets, and integrates open space throughout the area east of the current City limits. Two areas will be developed under the Village D Specific Plan, each intended to implement a residential village concept that will create opportunities for commercial development integrated with park and open space amenities.

This Cultural Resources Study was prepared by LSA Cultural Resources Analyst Mariko Falke, under direction of Cultural Resources Manager Rhea Sanchez and Senior Cultural Resources Manager Katie Vallaire. Ms. Falke, as primary author of this report, has a Bachelor of Arts degree in Anthropology from California State University, Sacramento, and over seven years of experience in California archaeology. Ms. Sanchez received her Master of Arts degree from California State University, Chico, in 2009 and has over 14 years of experience in cultural resources management. She meets the Secretary of the Interior's *Professional Qualifications Standards* for Archeology and is Registered Professional Archaeologist 17075. Ms. Vallaire received her Master of Arts degree from California State University, Sacramento, in 2011, and has over 14 years of experience in cultural resources management throughout California, Nevada, and Montana. Ms. Vallaire meets the Secretary of the Interior's *Professional Qualifications Standards* for Archeology, Architectural History, and History, and is Registered Professional Archaeologist 32791044.

2.0 PLAN SETTING

2.1 ENVIRONMENT

The study area is located within the eastern portion of San Joaquin Valley, the southern half of California's Great Central Valley. The San Joaquin Valley is structurally characterized as an asymmetrical trough bound by the Diablo Range to the west, the Sierra Nevada Range to the east, and the San Emigdio and Tehachapi Mountains to the south. Erosion of surrounding mountains have created thick, Quaternary-aged alluvial deposits which underlie the valley (Meyer et al. 2010). The study area is located just north of the lower Fresno River which drains the Sierra Nevada and has experienced extreme channelization from various canals installed by the Madera Irrigation District (MID) as part of the Central Valley Project (CVP). The Fresno River, in vicinity of the study area, does not appear to have been heavily disturbed by channelization, but has been modified for agricultural irrigation as well as has experienced accumulation of alluvial sediment. The study area is generally flat with less than 1 percent slope and is located at an elevation of 239 feet above mean sea level.

Based on historic vegetation data collected by Kuchler (1964) and adapted by the Bureau of Land Management (BLM), the native vegetation type in this region consisted of California grassland, a dry, grassy plain environment characterized by various perennial bunch grasses (DataBasin 2010). Dominant vegetation would have included California needlegrass (*Stipa pulchra*) and other related species as well as California poppy (*Eschscholtzia californica*), Purple Owl Clover (*Orthocarpus purpurascens*), and various species of lupines (*Lupinus* spp.). Several herbivores are supported by this vegetation type including antelope and elk as well as small mammals such as ground squirrel, gophers, rabbits, and mice. Historic settlement and agricultural activities have significantly altered this native environment (Olsen and Cox 2018).

2.2 PRECONTACT[1]

The Paleo-Archaic-Emergent cultural sequence developed by Fredrickson (1974) and recalibrated by Rosenthal, White, and Sutton (2007) is commonly used to interpret the prehistoric occupation of Central California. The recalibrated sequence is broken into three broad periods: the Paleoindian Period (11,550-8550 cal B.C.); the three-staged Archaic Period, consisting of the Lower Archaic (8550-5550 cal B.C.), Middle Archaic (5550-550 cal B.C.), and Upper Archaic (550 cal B.C.- cal A.D. 1100); and the Emergent Period (cal A.D. 1100-Historic) (Rosenthal, White and Sutton 2007:150).

The Paleo Period began with the first entry of people into California. These people are commonly believed to have subsisted primarily on big game and minimally processed plant foods, and presumably had no trade networks. Current research, however, indicates more sedentism, plant processing, and trading than previously believed (Rosenthal et al. 2007).

[1] The term "precontact" as used here synonymously with the term "prehistory," meaning the time prior to Euro-American contact with indigenous tribes of California. The term is exchanged to avoid pejorative implications that have previously been the subject of tribal concerns.

The Archaic period is characterized by increased use of plant foods, elaboration of burial and grave goods, and increasingly complex trade networks (Bennyhoff and Fredrickson 1994; Moratto 1984).

The Emergent Period is marked by the introduction of the bow and arrow, the ascendance of wealth-linked social status, and the elaboration and expansion of trade networks, signified in part by the appearance of clam disk bead money (Moratto 1984). Emergent Period deposits have been documented from most interior valleys and bay shore locations, as well as from upland contexts, where habitation and task-specific sites have been reported (Atchley 1994; Baker 1987; Banks and Orlins 1979; Fredrickson 1966, 1968; Holson et al. 1993; Lillard, Heizer, and Fenenga 1939; Meyer and Rosenthal 1997; Wills 1994). Buried sites dating to the Emergent Period have been found in some of the interior valleys (Fredrickson 1966; Meyer and Rosenthal 1997; Wiberg 1996), although most of the recorded sites have surface manifestations. Typically, these sites consist of well-developed midden deposits containing both cremated and intact human burials, and residential features, including house floors. Large mammals appear to have taken a more prominent role in the diet as did small-seeded resources. Marine shellfish and marine fishes were moved inland in much larger quantities during the Emergent Period (Baker 1987; Fredrickson 1968; Meyer and Rosenthal 1997). Large villages composed of hundreds of people are thought to have been located in the Delta region while small hamlets composed of one or two extended families were located in many of the smaller valleys.

The San Joaquin Valley has had many population movements and waves of cultural influence from neighboring regions. The valley was settled by native Californians at the end of the Pleistocene (approximately 11,500 to 7,500 years ago) (Moratto 1984:214-5). Hokan speakers may have been the earliest occupants of the San Joaquin Valley, eventually becoming displaced by migrating Penutian speakers (ancestral Yokuts) coming from outside of California. The Penutians most likely entered the San Joaquin Valley in several minor waves, slowly replacing the original Hokan speakers, causing the Hokan speakers to migrate to the periphery of the valley (Elsasser 1978:41; Shipley 1978:81). By about A.D. 300-500, the Penutian settlement of the San Joaquin Valley was complete.

2.3 ETHNOGRAPHY

2.3.1 Ethnolinguistic Territory and Environment

The study area is located in an area ethnographically attributed to the Northern Valley Yokuts (Wallace 1978). Northern Valley Yokuts territory extended from midway between the Mokelumne River and the Calaveras River south to near where the San Joaquin River makes a big bend toward the north (Wallace 1978). The western limit has been identified as the eastern side of the Coast Range (Milliken 1994), while the eastern limit extended to the transition from the San Joaquin Plain to the foothills of the Sierra Nevada (Wallace 1978). Yokuts settlements were typically on low mounds near the banks of large watercourses like the San Joaquin River. These mounds helped keep the inhabitants, their houses, and possessions above the spring floodwaters. The abundant riverine environment allowed a sedentary lifestyle and influenced succeeding generations to remain at the same locations (Wallace 1978:466). This geoenvironment is reflected within the study area and as such, the Chauchila Tribe village site of *Ch'ekayu* was documented within the southeast portion of the study area along the Fresno River by Kroeber (1925).

By 1776, Spanish expeditions into the interior and the establishment of the Spanish mission system had contributed to the rapid disappearance of the native inhabitants. Studies of mission records indicate that the Northern Valley Yokuts were moved to Mission San José between 1815 and 1825 (Milliken 1995:256). European diseases (e.g., smallpox, cholera, typhus and measles), particularly the epidemic of 1833, claimed thousands of lives and wiped out entire communities of San Joaquin Valley Indians (Cook 1955). By 1834, the Mexican government had disbanded the missions, by which time the language and culture of the Yokuts had been permanently disrupted. Many natives abandoned the missions and returned to their former territories where they survived by hunting and gathering; others worked on ranches as laborers or house servants (Levy 1978:401-403; Wallace 1978:459-460, 462, 469).

2.3.2 Social Organization and Settlement

According to sparse written records and documentation, Northern Valley Yokuts were organized into miniature tribes on the order of 300 individuals. The names and locations of Yokuts tribes are approximations, with the Chulamni of the delta region from the lower Calaveras River to Tom Paine slough; the Nopchinchi further south along the mouth of the Merced river to the San Joaquin River bend in Mendota; the Lakisamni in the Stanislaus area below the foothills and east of the main river; and a tribe of an unknown name in the lower Merced valley; the Chawchila south of Merced in the plains; the Hewchi on one or both banks of the lower Fresno River; the Hoyima on the north side of the San Joaquin River where it flows across the lowlands; the Pitkachi on the opposite bank to the Hoyima; and the Wakichi upstream (Wallace 1978). Tribes were guided by a headman, with second office belonging to a messenger or herald (Wallace 1978). Most tribal members lived in a principal settlement, with some smaller communities or hamlets as small as two or three houses (Wallace 1978).

Principal settlements were situated on low mounds or along banks of large watercourses where the elevated position kept inhabitants and homes above spring floodwaters. Riverine resources encouraged an inclination towards a sedentary life, with flooding posing the main threat to a fully stationary existence, as overflowing banks spurred villagers to move to higher ground (Wallace 1978). Resettlement also occurred when the group broke into smaller units with the elderly remaining behind as others relocated to harvest wild plants, acorns, and seeds (Wallace 1978).

2.3.3 Warfare

Historic-period accounts recorded in the journals and official reports of travelers, soldiers, and missionaries provide sparse details of the nature of warfare within Northern Valley Yokuts territory, but the general consensus is that of a long-established custom of retreating rather than engaging in open violence and warfare. Primarily living in peace with one another, tribes occasionally experienced petty hostilities and conflict between people living on the San Joaquin River and those on the shores of Tulare Lake (Wallace 1978). Warriors with painted faces hurled verbal insults at one another before engaging in warfare with bow and stone-tipped arrows. When Spanish missionaries and soldiers drew near, Northern Valley Yokuts often dismantled their homes and fled with their possessions into the swamps, woods, and inaccessible areas (Wallace 1978).

2.3.4 Mortuary Practices

Little is known about San Joaquin Valley Native American religious beliefs and practices. Tribes bordering the Northern Valley Yokuts provide some statements that suggest the two ritual systems of Datura and Kuksu; additionally, a Monache Indian informant claimed the Northern Valley Yokuts held a ceremony that centered on drinking a Datura plant root concoction which produced stupor and visions (Wallace 1978). The Kuksu cult, known as a vivid expression of religious life located in north-central California, was a god-impersonating cult practice that included the construction of large earth-covered structures for ceremonies (Wallace 1978). Little to no information regarding the treatment of the deceased is known beyond the cremation or flexed burial for Northern Valley Yokuts (Wallace 1978).

2.3.5 Contact

In similar fashion to the experience of tribes throughout the state, the devastating results of European contact eroded traditional Northern Valley Yokuts culture and decimated populations. Within the first decade of the 19th century, Spanish explorations in this tribal region generally had little effect on the Yokuts due to their small exploration parties that were met in varying degrees of warmth, wariness, and hostility (Wallace 1978). The breakdown of culture came with the Spanish mission system and removal of Yokuts to the missions for work. The Yokuts region of the San Joaquin Valley and delta region remained relatively pristine due to the defensive boldness of deserters and local natives who banded together, the lack of support by Spanish civil authorities to establish missions inland, and lack of development in the interior of the state in favor or cattle grazing and horse pasture (Wallace 1978). It was the secularization of the mission system during the Mexican period that released many missionized natives back to their native lands in population numbers insufficient to return their former villages and localities to their previous states. With the United States' acquisition of California in 1948, the Northern Valley Yokuts were pushed aside by incoming American prospectors spurred by the Gold Rush. Eventually, the rich soils of the Delta and Central Valley, ideal for farming, resulted in the driving of the Yokuts from their traditional hunting and gathering lands. Three Northern Valley Yokuts tribes signed treaties ceding all owned or claimed lands to U.S. government in return for reservation lands, but the state of California prevented the treaties from being ratified. The Northern Valley Yokuts were left to disperse and make what living they could as poorly paid ranch laborers. Without the promised reservations, conditions became such that the federal government recognized the situation and set aside leased land along the Fresno and Tule River Reserve (Wallace 1978). Such early decimation of Northern Valley Yokuts has resulted in relatively little that is known about them ethnographically. Likewise, the archaeological record for the Northern Valley Yokuts is also less established compared to other more developed regions of the state.

2.4 HISTORY

2.4.1 Spanish Period

The Central Valley was first introduced to Spanish exploration as early as the 1700s. In 1769, the Spanish began establishing the Franciscan missions and military presidios as vehicles for taking complete control of Alta California. Alta California was the Spanish term used for upper California as opposed to Baja California (lower California) in which the Dominican missions were situated.

Beginning in San Diego, the Spanish priests quickly moved north. One of the earliest documented expeditions of the San Joaquin Valley was led by Pedro Fages in 1772. This excursion, as well as several others, were conducted out of an effort to collect Indian neophytes for the Spanish missions. Subsequent expeditions were conducted for exploratory purposes. In 1805, Gabriel Moraga named the San Joaquin River after his father, Jose Joaquin Moraga, a Spanish commander in Baja California and Mexico. In the following year, Gabriel Moraga explored the reaches of the San Joaquin River, stopping to camp in Millerton (Ehrenburg 1949).

2.4.2 Mexican Period

After Mexico declared its independence from Spain in 1821, the Mexican government gained control of California and began secularizing the missions by 1834, while official expeditions into California's interior changed from exploration and information gathering to a more punitive nature, including raiding Native American villages for runaway mission "converts," capturing military deserters, and recovering stolen livestock. Mission lands were parceled out in the form of ranchos and awarded to California native born Spanish speakers, called *Californios*, who used the land primarily for farming and raising cattle with vineyards, fruits, and vegetables planted for personal needs (Beck and Haase 1974). The sudden release of natives from missionary control resulted in a loss of protection and support on which they had come to rely. This left them vulnerable to further exploitation by Mexican rancho owners, who employed natives as marginalized laborers (Shoup and Milliken 1999).

One of the last official excursions into the San Joaquin Valley left Monterey on December 27, 1825, led by Sergeant José Pico (Marschner 2000:257; Robinson 1948:28-30; Rosenus 1995: 11-12; Royce 2002: 17-25). Following Pico's expedition, interest in developing and strengthening Mexico's hold on California waned as the Mexican government became increasingly distracted by political developments in central Mexico. This official neglect allowed Californios to enjoy a high level of de facto autonomy in their social, political, and economic affairs. While mission landholdings were broken up into vast land grant ranchos in other parts of California, the San Joaquin Valley was largely ignored due to its relative geographic isolation. This is particularly true for Madera County which remained relatively unaffected by rancho establishment and activities. The Mexican population sharply increased following independence, while the native population steadily declined.

During the Mexican Period, French and American trappers and fur traders were also exploring the San Joaquin Valley. In February 1827, Jedidiah Smith and a group of trappers began working the rivers and streams of the valley, accumulating beaver pelts for delivery to the Hudson Bay Company's outpost at Fort Vancouver. Smith prospered and news spread quickly and soon more than 400 English, French, and American trappers hunted in the San Joaquin Valley between 1827 and 1845. Some trappers and fur traders settled in California – many times marrying Mexican citizens to become eligible to acquire land grants. Anglo-American settlers brought an influx of deadly diseases that decimated the native population (Clough and Secrest 1986; Marschner 2000:257).

2.4.3 Early American Period and Statehood

The discovery of gold at Coloma in 1848 by James Marshall solidified the Anglo-American presence in California. In just a few months, almost four out of five men in California were considered gold miners, each contributing to the state's expansive exploration and settlement. The American River

and tributaries of the Sacramento and San Joaquin rivers yielded the highest amounts of gold, and towns were quickly established nearby these sites in order to meet the growing needs of the miners and settlers. The frenzy created by the discovery of gold was short-lived as resources were quickly exhausted. The gold strike created a population surge in California. Between 1848 and 1855, over 300,000 people, mostly single men, came to California to strike it rich. Following the Mexican-American War and as part of the Treaty of Guadalupe Hidalgo, Mexico ceded Upper California and New Mexico to the United States in 1848. The stresses on California commerce and society from the Gold Rush's population flood, coupled with a weak central government, compelled the formation of a state government. In September 1850, California was admitted as the 31st state.

The Gold Rush essentially ended by 1864, but many miners remained in California and began other economic pursuits, such as ranching, agricultural cultivation, and timber harvesting. These industries were able to help sustain California's economy and support the growth of cities and towns that had initially formed because of the Gold Rush. It quickly became apparent that California's moderate climate was the perfect growing environment for a variety of nuts, grains, and produce (California Department of Water Resources 2016).

2.4.3.1 Agriculture

In the late 1860s, much of the San Joaquin Valley was rangeland for large herds of beef cattle, horses, and sheep. Cattlemen prospered during the Gold Rush by supplying beef to miners. In western Fresno County, this enterprise was dominated by the aggressive partnership of Henry Miller and Charles Lux. Following the Gold Rush, farmers began to till the fertile river soils and cultivate crops, signaling a massive shift in land use priorities. Prosperous cattlemen such as Miller and Lux suffered a series of severe financial setbacks beginning with large numbers of cattle drowning in the catastrophic floods of 1861-62, immediately followed by two years of severe drought that killed off many survivors. Cattle prices plunged, and ranches burdened with debt amassed during the boom years folded and sold substantial tracts of land. The disasters undermined the industry's formidable political clout and control over water rights, effectively signaling the emerging preeminence of crops over livestock. Coupled with this political and economic realignment, the passage of "fence laws" requiring ranchers to enclose their lands to prevent crop damage by cattle was the final blow (Parsons 1987:6; Igler 2001:173-174).

Railroads accelerated a boom in wheat farming in California, which increased land values, fueled boosterism, and created optimistic descriptions of the state's fertile agricultural industry. By the early 1860s, wheat was the main cash crop in California. The suitable climate and a high demand for cereal grains due to supply the Union Army in the American Civil War disrupted the normal wheat supply channels from international markets (Cleland 1941:127-137; Hundley 2001:88-90; Jelinek 1999:233-241). The productivity of the land compelled many to advocate for irrigation. In 1887, the California Legislature passed the Wright Act, which provided for organizing irrigation districts. These organizations could sell bonds, exercise eminent domain, sue and be sued, and levy property assessments and fees to service existing debt and finance water projects (Parsons 1987:6; Clough and Secrest 1986:174). By 1895, there were 16 irrigation systems in Fresno County taking water from the Kings, San Joaquin, and Fresno rivers, in addition to other watercourses, to provide water to over 500,000 acres in mostly the eastern and central portions of the county. The length of the principal trunk canals was over 750 miles, with thousands of miles of minor distribution canals. The

spread of irrigation made the area more prosperous. By 1903, there was an extensive network of canals delivering water to county farmers.

2.4.3.2 Central Valley Project

Irrigation districts are largely responsible for the county's rapid agricultural development in the early 20th century (Clough and Secrest 1986; Orsi 2005:61, 198; Punnett Brothers 1903; Winchell 1933:103-108). The success of irrigation districts in the San Joaquin Valley, coupled with large scale metropolitan water projects such as San Francisco's Hetch Hetchy Aqueduct and Los Angeles' Owens Valley Aqueduct, spurred government officials to envision a statewide water management plan.

In 1921, the State Legislature directed the State Engineer to come up with such a plan to address conservation, flood control, storage, and distribution. By 1932, 14 official reports detailed water flow rates, drought conditions, flood control, and irrigation issues in California. These reports formed the basis for the California State Water Plan and ultimately the CVP (Totten 2004:4-5). In 1933, the legislature authorized the Central Valley Project Act, an initiative passed by the voters to finance the construction of numerous dams, canals, pumping stations, and hydroelectric facilities. The initial phase of the plan was to store and convey Sacramento River water along the western edge of the San Joaquin Valley. This ambitious plan was stymied by poor economic conditions during the Great Depression that prevented the State from selling enough bonds to begin work. In 1935, the Roosevelt Administration released federal funds to begin construction, and the project was now administered by the United States Bureau of Reclamation (USBR). The CVP was divided into five core sections or units: Friant Dam, the Friant-Kern Canal, the Contra Costa Canal, Shasta Dam, and the Delta-Mendota Canal. Even with federal monies, legal wrangling over latent water rights issues, acquiring rights of way, subsequent design changes, and ultimately the beginning of World War II delayed construction of the CVP. In the early 1950s, the initial units of the CVP were finished; however, USBR expanded the system immensely in the following decades (Caltrans 2000).

The Madera Canal stems from Millerton Lake (Friant Dam), and although it is considered a minor part of the CVP, provides water for the MID. The MID has CPV repayment contracts providing up to 271,000 acre feet of water from Millerton Lake and approximately 24,000 acre feet of water from Hensley Lake per year.

2.4.3.3 Railroad Development

The construction rail networks further spawned economic growth in the San Joaquin Valley. In 1876, the completion of the Southern Pacific Railroad through the Valley allowed the shipment of goods to various markets, significantly bolstering economic development, agricultural production, and population growth. The establishment of this rail system was subsequently followed by new town developments including Merced, Modesto, Minturn, Berenda, and Borden, as well as other mining communities in the foothills and mountains such as Buchanan and Grub Gulch.

During the decade of the 1870s, the California Pacific Railroad went from railroad building to railroad operation. Completion of the transcontinental railroad in 1869 brought about a proliferation of small regional rail systems, usually the outgrowth of real estate schemes predicated on a population expansion that would not come until the boom of the 1880s. To limit competition, the Central Pacific Railroad began absorbing smaller lines. Such was the case with the California

Pacific Railroad, the precursor of the Southern Pacific Railroad, acquired by the Central Pacific Railroad in 1898 (Robertson 1998:90).

2.4.3.4 Madera County

The town of Madera was established at the terminus of a flume built by the California Lumber Company. The flume was built in 1874 for transporting lumber from the forest to the Central Pacific Railroad, which exported the lumber to other locations in California for use in mining and construction. The railroad laid out the town site of Madera, the Spanish word for "timber", and began auctioning lots in 1876. By 1890, Madera had become the second largest city in Fresno County, developing quickly as the railroad distribution point for a number of surrounding towns. The town of Madera became the county seat when Madera County was formed in 1893 from a portion of Fresno County. The town was incorporated in 1907, and continued to expand as land was annexed to the original town site over the ensuing years.

Early use of the area was limited to pasturelands due to the scant amount of water provided by the tributaries of the San Joaquin River. During the late 1800s and early 1900s, large landholders such as Miller and Lux, Henry C. Daulton, and W.C. Ralston ranched cattle and sheep on the lands surrounding Madera (Barcroft 1933). Early dry farming of grains in the area was supplemented by water obtained from dams and weirs in rivers and streams.

The Fresno River was the principal source of water for the Madera Canal and Irrigation Company, which supplied water to the farms surrounding the town of Madera and settlements further west. This system, which supplied water to over 10,000 acres in 1912, consisted of more than 100 miles of ditches, and also obtained water diverted from the North Fork of the San Joaquin River for year-round water supply (Pardee et al. 1913:214). The expanding interests in agricultural pursuits and land enterprises, and the demands for a more permanent water supply, brought about the organization of irrigation districts, including the MID in 1922, and the eventual construction of the Friant Dam as part of the CVP. The Dam created Millerton Lake which stores surplus water from the San Joaquin River and its tributaries, providing year-round water, electricity, and recreation to Madera (City of Madera 2017).

2.4.3.5 Early Settlement of the Study Area

John W. Mitchell held the land patent for the entirety of Section 8 as of May 15, 1869, signed by President Ulysses S. Grant. William S. Chapman held the land patent for the entirety of Section 17 as of July 20, 1869, also signed by President Ulysses S. Grant (BLM 1869). The land patent for Section 16 was held by the State of California as early as 1854.

3.0 LEGISLATIVE AND REGULATORY CONTEXT

The following is an overview of state and local regulation, laws, and codes that apply to the study area.

3.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Environmental Quality Act (CEQA) applies to all discretionary projects undertaken or subject to approval by the State's public agencies (California Code of Regulations [CCR] Title 14(3) §15002(i)). Under the provisions of CEQA, "a project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (CCR Title 14(3) §15064.5(b)).

CEQA §15064.5(a) defines a "historical resource" as a resource which meets one or more of the following criteria:

- Listed in, or eligible for listing in the California Register of Historical Resources (CRHR);
- Listed in a local register of historical resources (as defined at PRC §5020.1(k));
- Identified as significant in a historical resource survey meeting the requirements of PRC §5024.1(g); or
- Determined to be a historical resource by a project's lead agency (14 CCR §15064.5(a)).

A historical resource consists of "Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California… Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing in the California Register of Historical Resources" (CCR Title 14(3) §15064.5(a)(3)).

If the cultural resource in question is an archaeological site, CEQA (CCR Title 14(3) §15064.5(c)(1)) requires that the lead agency first determine if the site is a historical resource as defined in CCR Title 14(3) §15064.5(a). If the archaeological site does not qualify as a historical resource but does qualify as a unique archaeological site, then the archaeological site is treated in accordance with PRC §21083.2 (CCR Title 14(3) §15069.5(c)(3)). In practice, most archaeological sites that meet the definition of a unique archaeological resource will also meet the definition of a historical resource (Bass et al. 1999:105). CEQA defines a "unique archaeological resource" as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets one or more of the following criteria:

- Contains information needed to answer important scientific research questions and that 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.

- Is directly associated with a scientifically recognized important precontact or historic event or person."

CEQA requires that historical resources and unique archaeological resources be taken into consideration during the CEQA planning process (CCR Title 14(3) §15064.5; PRC §21083.2). If feasible, adverse effects to the significance of historical resources must be avoided, or the effects mitigated (CCR Title 14(3) §15064.5(b)(4)). The significance of a historical resource is impaired when a project demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for the CRHR.

3.1.1 Assembly Bill 52

Assembly Bill, which became law on January 1, 2015, provides for consultation with California Native American tribes during the CEQA process, and equates significant impacts to "tribal cultural resources" with significant environmental impacts. PRC §21074 states that "tribal cultural resources" are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe and are one of the following:

A. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are included or determined to be eligible for inclusion in the CRHR.

B. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are included in a local register of historical resources as defined in subdivision (k) of PRC §5020.1.

C. 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 PRC §5024.1. In applying the criteria set forth in subdivision (c) of PRC §5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

D. The consultation provisions of the law require that within 14 days of determining that a project application is complete, or a decision by a public agency to undertake a project, the lead agency must notify tribes of the opportunity to consult on the project. California Native American tribes must be recognized by the Native American Heritage Commission as traditionally and culturally affiliated with the study area, and must have previously requested that the lead agency notify them of projects. Tribes have 30 days following notification of a project to request consultation with the lead agency.

The purpose of consultation is to inform the lead agency in its identification and determination of the significance of tribal cultural resources. Consultation may also include a discussion of project alternatives, significant effects, and mitigation measures, and should be undertaken in good faith by

both the tribe and lead agency. If a project is determined to result in a significant impact to an identified tribal cultural resource, the consultation process must occur and conclude prior to adoption of a Negative Declaration, Mitigated Negative Declaration, or certification of an Environmental Impact Report (PRC §21080.3.1, §21080.3.2, §21082.3).

3.1.2 California Public Resources Code §5097.98

California PRC §5097.5 prohibits excavation or removal of any "vertebrate paleontological site…or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the State or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

3.1.3 California Health and Safety Code §7050.5

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

3.2 LOCAL REGULATIONS

3.2.1 City of Madera General Plan

The City of Madera General Plan, adopted in 2009, discusses policies associated with cultural resources with the overall goal to protect and preserve "Madera's significant historical, archaeological, cultural, and fossil resources." Policies which are applicable to the study area are outlined below.

3.2.1.1 Policy HC-9

The City will endeavor to protect and preserve prehistoric and historic archaeological resources, cultural resources (particularly those of importance to existing tribes), and fossils.

Action Item HC-9.1
Areas identified with a significant potential for containing archaeological artifacts, require completion of a detailed on-site study as part of the environmental review process. Implement all feasible mitigation measures.

Action Item HC-9.2
Impose the following conditions on all discretionary projects which may cause ground disturbance:

- The Planning Department shall be notified immediately if any prehistoric, archaeologic, or fossil artifact or resource is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.

- All construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed.

Action Item HC-9.3
The City will work with area tribes to develop updated standards for cultural resource surveys, as well as a process for obtaining the input of tribes in the development review process when cultural resources are involved.

4.0 STUDY METHODS AND RESULTS

LSA conducted background research to identify cultural resources within, and cultural resources studies of, the study area, and to assess the potential for subsurface archaeological deposits. The background research consisted of a records search at the Southern San Joaquin Valley Information Center (SSJVIC) and a literature and historical map review. The results of these tasks are summarized below.

4.1 RECORDS SEARCH

LSA conducted a cultural resources records search of the study area (SSJVIC File Number 18-462) on November 19, 2018, at the SSJVIC of the California Historical Resources Information System to identify previous cultural resources studies and site records for the study area and vicinity. The SSJVIC, an affiliate of the Office of Historic Preservation (OHP), is the official State repository of cultural resources records and reports for Madera County. The search consisted of a review of records for archaeological sites and built-environment resources within the study area and a 0.25-mile radius.

As part of the records search, LSA also reviewed the following State of California inventories for cultural resources in and adjacent to the study area:

- *California Inventory of Historic Resources* (OHP 1976);
- *Five Views: An Ethnic Historic Site Survey for California* (OHP 1988);
- *California Points of Historical Interest* (OHP 1992);
- *California Historical Landmarks* (OHP 1996); and
- *Directory of Properties in the Historic Property Data File* (California Office of Historic Preservation March 18, 2013). The directory includes the listings of the National Register of Historic Places, National Historic Landmarks, the California Register of Historical Resources, California Historical Landmarks, and California Points of Historical Interest.

4.1.1 Records Search Results

The SSJVIC records search identified two cultural resource investigations that were previously conducted within the study area and an additional two cultural resource investigations within 0.25 miles of the study area. These investigations and results are summarized in Table A.

Table A: Cultural Resources Studies Within the SSJVIC Search Area

Author (Year)	Title	Includes Current Study Area (Y/N)?	Results
Nissley, Claudia A., Fenenga, Gerrit L., and Wilke, Philip J. (1975)	Final Report of Archaeological Reconnaissance of the Fresno River, Ash Slough, and Berenda Slough, San Joaquin Valley, California. (MA-00260)	N	No cultural resources identified.
Kile, Mark C. (2014)	Cultural Resource Inventory for Madera ID Water Conservation 13-MPRO-11 MID Job #27-13-2, Madera County, California. (MA-01203)	N	Resource P-20-002308 was identified within study area extending into 0.25-mile search area.
Arrington, Cindy (2010)	An Archaeological Survey for the Department of Water Resources Geotechnical Levee Investigation of San Joaquin River, Fresno River North 5.25, and Fresno River South 5.25, Madera County, California. (MA-01234)	Y	No cultural resources identified within study area or 0.25-mile search area.
Cox, Beatrice (2016)	Cultural Resources Inventory Report for the Pacific Gas and Electric Company Aerial Transmission Line, Madera Canal Lateral 24.2 Project, Madera County, California. (MA-01254)	Y	Resource P-20-002308 was identified within study area extending into 0.25-mile search area.

These investigations resulted in the identification of one cultural resource, P-20-002308/CA-MAD-002649H, within the study area that extends into the surrounding area. This resource includes segments of multiple water conveyance and canal features associated with the Madera Canal and MID. The Madera Canal is listed in the Historic Property Data File with a status code of "7J", indicating it has been submitted to the OHP for evaluation but has not yet been evaluated for inclusion in the National Register of Historic Places. Features of P-20-002308/CA-MAD-002649H, consisting of various agricultural ditches, lie within the study area along the north side of Avenue 16 and 17 and along the west side of Road 23 north of Avenue 16.

4.1.2 Map Review

A map review included an examination and comparison of historic United States Geological Survey topographical quadrangles, General Land Office Plat maps, land ownership maps, and various historic-period aerial photographs of Sections 8, 16, and 17 within Township 11 South, Range 17 East of the Mount Diablo Base Line and Meridian. The study area has experienced heavy agricultural activity including the establishment of vineyards and orchards, as well as irrigation to accommodate intensive crop cultivation. Several wells and agricultural ditches run throughout the site primarily adjacent to current roadways. Settlements have been directly associated with agricultural expansion of the area. The map and aerial photograph review is summarized in Table B.

Table B: Historic-Period Topographic Map and Aerial Imagery Review Results

Map Date and Name	Results of Review
1854 Original Survey of Township 11 S, Range 17 East of the Mount Diablo Base Line and Meridian	There are no settlements depicted within the study area. The Fresno River has been depicted in a similar alignment as current and was called the "Frezno River".
1920 1:31,680 topographic map of Bonita Ranch, CA	This map depicts Benchmark (BM) 233 on the west edge of the study area and BM 240 near the intersection of Road 23 (depicted on map) and Avenue 16 (depicted on map). Road 23 extends to the current alignment of West Cleveland Avenue (also shown as Avenue 15 ½ west of Road 24) and extends farther south as an unimproved road, aligned slightly west after modern-day Avenue 15 ½ rather than following the current straight alignment of the road. The unimproved road bends west, parallel with the Fresno River. A structure is depicted southwest of the intersection of these unimproved roads. The Fresno River is depicted in a similar alignment and extent as current. Several narrow contour lines are depicted along the current alignment of Road 23 extending from the Fresno River to the midpoint between modern day Avenue 15 ½ and Avenue 16. A topographic depression is also depicted within the southwest quadrant of Section 17, approximately 500 feet north of the Fresno River.
1921 1:31,680 topographic map of Bonita Ranch, CA	This map depicts the same as the 1920 topographic map.
1922 1:31,680 topographic map of Madera, CA	No development is depicted within the study area. BM 249 is depicted along Avenue 16 (depicted on map).
1946 (1954 ed.) 1:62,500 topographic map of Madera, CA	The Madera Airport is established adjacent to the study area to the northeast by this time. One well is depicted immediately north of a current residence, just west of Road 23 and north of an unimproved, unnamed access road. The northern section of Road 23 is well developed as well as Avenue 17 (to the north), and Avenue 16 (centrally located within the study area). Other roads including Avenue 15 ½ (extension of West Cleveland Avenue), Road 23 south of Avenue 16, Road 22 ½, and several other unnamed dirt access roads are depicted as unimproved roads similar to current. One unimproved road that does not follow current alignment is depicted in the northwest corner of Section 16, where the road curves slightly before merging with Avenue 15 ½. Several structures are depicted within the study area. Four structures are in similar locations to current developments: one structure is located 650 feet east of Road 22 ½ centrally located between Avenue 15 ½ and Avenue 16; another structure is located just south of Avenue 16 approximately 700 feet east of Road 22 ½; the third is located immediately west of Road 22 ½ approximately 200 feet north of Avenue 15 ½; and the fourth is located in the southwest corner of Avenue 15 ½ and Road 24. Seven other structures depicted in this map are no longer observed in current aerial imagery: one of these structures is located in the northwest corner of the Avenue 16 and Road 23; a second structure is located

Table B: Historic-Period Topographic Map and Aerial Imagery Review Results

Map Date and Name	Results of Review
	approximately 300 feet south of the Avenue 16 and Road 23 intersection; the third is approximately 1,200 feet southeast of second (off of a curved, unimproved road connecting Avenue 15 ½ to Road 23); a fourth and fifth structure are located on the southwest corner of Road 23 and Avenue 15 ½; a sixth structure is located west of road 22 ½, just north of the Fresno River; and the seventh is centrally located in the northwest quadrant of Section 17 off of an unimproved road.
1946 (1960 ed.) 1:24,000 topographic map of Bonita Ranch, CA	This map depicts the same information as the 1946 (1954 ed.) topographic map of Madera, CA, but only includes the Sections 8 and 17.
1946 aerial imagery of Madera, CA	This image generally depicts large agricultural areas consisting of farm crops with some built structures. The entirety of Sections 16 and 17 as well as the southern half of Section 8 depict farm crops and orchards. Structures are depicted the same as in previous maps, however those that remain appear to have been modified since this imagery was taken. The only existing structure which appears similar to that within this image is located 250 feet south of Avenue 16 and east of Road 22 ½.
1947 (1947 ed.) 1:24,000 topographic map of Bonita Ranch, CA	This map depicts the same as previous maps. One additional structure is depicted on the east side of Section 8 between Avenue 16 and 17.
1958 aerial imagery of Madera, CA	Only Section 8 within the study area is depicted. A settlement is depicted west of Road 23 centrally located between Avenue 16 and 17.
1962 aerial imagery of Madera, CA	This image depicts three structures that appear to be as they are today in comparison to recent aerial imagery. One of these structures is located west of Road 23, between Avenue 16 and 17. A well was depicted here in previous topographic maps. The other is located just south of Avenue 16, near Road 22 ½. The third is located west of Road 23, between Avenue 15 ½ and 16, one structure of the initial settlement is in a similar location and footprint as current. Settlements are depicted in the same locations presented previously in topographic maps. Current structures simply do not correlate to the ones depicted in this map.
1963 (1964 ed.) 1:24,000 topographic map of Bonita Ranch, CA	This map generally depicts agricultural areas and irrigation as well as an increase of improved road infrastructure. Road 22 ½ and Avenue 15 ½ are depicted in their current alignments and extents. Other unimproved, unnamed roads are no longer depicted. A segment of the Madera Canal is depicted as an intermittent stream adjacent north of Avenue 16, in its current alignment. Six wells are scattered throughout the study area. Section 16 and the southern half of Section 17 consists of orchard by this time. The northwest quadrant of the northeast quadrant within Section 17 consists of vineyards, as well as a sliver on the east side of the northeast quadrant of Section 8.

Table B: Historic-Period Topographic Map and Aerial Imagery Review Results

Map Date and Name	Results of Review
	Three structures remain from of those depicted on previous maps: one is located east of Road 22 ½ adjacent to vineyards, another east of Road 22 ½ just north of the Fresno River, and a third south of Avenue 16 east of Road 22 ½. Two structures are depicted adjacent west of Road 23, centrally located between Avenue 16 and 17; structures are still present in this location. One additional structure (adjacent to another depicted on previous maps) is depicted off Avenue 16 approximately 700 feet east of Road 22 ½; one structure is currently present in this location. Four additional structures are depicted west of Avenue 23 between Avenue 15 ½ and Avenue 16; only one of these structures is still present.
1963 (1964 ed.) 1:24,000 topographic map of Madera, CA	Section 16 consists entirely of orchard (extending from the 1963 [1964 ed.] map of Bonita Ranch). Two wells additional well are depicted: one located north of Avenue 15 1/2 approximately 500 feet west of Road 24 and another located off of an unimproved road extending centrally between Avenue 16 and Avenue 15 ½ in the northwest corner of Section 16. The latter well is located near a structure previously identified in the 1946 (1954 ed.) map of Madera, however this road has since been modified from previously curved to straight. Structures previously depicted are still presented in this map with no additions.

Source: *Aerial Imagery by Nationwide Environmental Title Research

4.2 GEOARCHAEOLOGICAL SENSITIVITY

Geoarchaeological research was conducted for this study to determine the archaeological sensitivity of the study area. Soil and geologic formations correlate to landscape stability and can indicate the likelihood of subsurface or surficial archaeological deposits.

The San Joaquin Valley consists of a trough created by the collision of the Pacific and North American plates. The trough has been filled over time with marine sediments, which have been overlain by continental sediments during the Quaternary period. These sediments consist primarily of alluvium deposited by rivers and streams that would inundate portions of the valley floor during flooding events (Galloway and Riley 1999).

The primary stratigraphic sequence observed in the eastern portion of the San Joaquin Valley includes the Modesto Formation, a series of sedimentary deposits that superimposed Tertiary-period marine rocks and raised the ground surface in the valley to above sea level during the Pleistocene epoch. The Modesto Formation is subdivided into lower and upper formations and are correlated to the Late- to Latest- Pleistocene in the eastern San Joaquin Valley. Within the valley floor, Modesto deposits are usually overlain by younger alluvium and underlain by the older Riverbank Formation which correlates to the Late- to Middle- Pleistocene. However, this

stratigraphic sequence is topographically reversed near foothills. Particularly near the major rivers of the valley, such as the location of the study area, the upper Modesto Formation is overlain by Holocene-aged alluvial fan deposits of four ages, designated as post-Modesto I (early to middle Holocene), post-Modesto II (late Holocene), post-Modesto III (late Holocene), and post-Modesto IV (Historic). These post-Modesto deposits are generally thin and unweathered, and based on their distribution pattern appear to have fanned out in an east to west direction (Marchand and Allwardt 1981).

Radiocarbon dates were obtained by Meyer, Young, and Rosenthal (2010) to determine and refine the landform-age associated with each soil series, particularly expanding upon previous work conducted by Marchand and Allwardt (1981). The study area consists of river wash directly adjacent to the Fresno River as well as various soil series including Alamo, Grangeville, Greenfield, Hanford, Lewis, Madera, Pachappa, San Joaquin, Traver, Tujunga, and Visalia. Using previously known and revised ages of soils resulting from radiocarbon dating, soil series were analyzed for archaeological sensitivity based upon associated geological landform age as well as considering suitable environmental site conditions for settlement including proximity to water and surface slope. This information was then applied to a scoring system as presented in Meyer, Young, and Rosenthal's Geoarchaeological Overview (2010). Since the study area is located within 100 meters of the Fresno River (+1 point) and is situated on generally flat terrain with less than 10 percent slope (+1 point), the overall site score is +2 before it is applied to geologic landform potential. Overall buried site potential is calculated by adding the slope and water distance score of +2 to the correlating landform age point. Buried archaeological site potential is presented in Table C, below.

Table C: Buried Archaeological Site Potential

Soil Series	Associated Landform Age (Point)	Overall Buried Site Potential ([+2] + [Landform Point])
Alamo	-	2 – Low (by default)
Grangeville	Holocene – Historic-period (4)	6 – Very High
Greenfield	Early Holocene (1)	3 – Moderate
Hanford	Late Holocene (3)	5 – High
Lewis	Late Pleistocene (-1)	1 – Very Low
Madera	-	2 – Low (by default)
Pachappa	Middle Holocene (2)	4 – Moderately High
San Joaquin	Late – Middle Pleistocene (-1)	1 – Very Low
Traver	Early Holocene (1)	3 – Moderate
Tujunga	Historic-period – Modern (1)	3 – Moderate
Visalia	Late Holocene (3)	5 – High

Based on Table 20. Buried Site Potential Scoring System and Possible Score Combinations presented in Meyer, Young, and Rosenthal (2010).

San Joaquin and Lewis series soils are associated the Riverbank Formation, dating to the Late- to Middle- Pleistocene. This formation is observed in primarily two regions of the study area: the area north of Avenue 15 ½, south of Avenue 16, and east of Road 23 in the northeast corner as well as the western portion north of Avenue 16 and south of Avenue 17. Since the age of the landform associated with these soils predates the known period of human occupation in this area, these soils are not sensitive for buried archaeological deposits; therefore, soils from this landform have a very

low buried site potential score. Additionally, landform age information for Madera and Alamo series soils were lacking and not reviewed for archaeological sensitivity, but the default score to the region was applied based on proximity to water and general age of the landform.

Middle to Late-Holocene period deposits as well as into the Historic-period has the highest buried site potential. Based on the information presented above in Table C, the area with highest sensitivity for buried site potential is located in the southern portion of the study area south of Avenue 15 1/2, to the Fresno River.

4.3 NATIVE AMERICAN COORDINATION

LSA requested a review of the NAHC Sacred Lands File on November 8, 2018. The NAHC is the official State repository of Native American sacred site location records in California. In a letter dated November 27, 2018, provided via email, Ms. Sharaya Souza, NAHC Staff Services Analyst, responded that the search was negative for sacred lands (Appendix B). Ms. Souza also provided a list of eight local Native American representatives that would potentially be interested in consulting with the City.

5.0 STUDY FINDINGS

This study consisted of background research, including a records search, NAHC Sacred Lands File search, and a literature and map review. The results of the NWIC records search indicated that one cultural resource, P-20-002308/CA-MAD-002649H, is located within the study area. P-20-002308/CA-MAD-002649H includes segments of multiple water conveyance and canal features consisting of agricultural ditches associated with the Madera Canal and MID. Features of P-20-002308/CA-MAD-002649H lie within the study area along the north side of Avenue 16 and 17 and along the west side of Road 23 north of Avenue 16.

Historic-period maps and aerial photographs indicate that the study area has experienced heavy agricultural activity including the establishment of vineyards and orchards, as well as irrigation ditches and canals to accommodate crops. Settlements have been directly associated with agricultural expansion of the area as early as 1920. Three buildings appear to have been associated with early settlement of the area: one building in the northwest corner of APN 030-170-009 is depicted on maps as early as 1946. Two additional buildings, one in the southeast corner of APN 030-170-009 and the other in the southeast corner of APN 033-070-004, are depicted as early as 1962. These built environment cultural resources have not yet been evaluated to identify their status under CEQA (i.e., whether or not they qualify as historical resources per Public Resources Code Section 21084.1). Recommendations for further treatment of these built resources are provided in Section 6.1.1. Several locations of former historic-period once occupied the area; this indicates the potential to encounter historic-period artifacts or features, such as privies or wells that were associated with early agricultural settlements. Such resources may be encountered under the existing ground surface and may not be subject to the same surficial disturbance that likely occurred due to agricultural activities.

Based on its environmental setting, the study area possesses high sensitivity for intact precontact-period archaeological deposits. Additionally, background research indicates the Chauchila Tribe village site of *Ch'ekayu* was documented within the southeast portion of the study area along the Fresno River (Kroeber 1925). Archaeological sensitivity is slightly diminished by previous agricultural activities associated with historic-period settlement. Agricultural activity will have most likely disturbed surficial archaeological deposits; however this activity does not preclude the chances of encountering a buried archaeological deposit. Therefore, it is highly likely that an intact precontact-period archaeological deposit may be encountered within the study area.

There is a high probability of encountering potentially significant resources during construction and development of the study area. To address this possibility, recommendations are included for the identification and treatment of such deposits in Section 7.0, below.

6.0 RECOMMENDATIONS

This study identified segments of one cultural resource, P-20-002308/CA-MAD-002649H, associated with the MID, as well as a high probability to encounter precontact-period cultural resource deposits that may meet the definition of a historical resource as defined by CEQA (14 CCR §15064.5[a]).

In order to determine whether or not a development project within the study area will have a significant impact on cultural resources, additional study is recommended. Subsequent approval of projects proposed within the study area for completion of the Specific Plan should consult a qualified professional to conduct intensive background research and field survey to identify and evaluate cultural resources and to determine if they meet the definition of a historical resource or unique archaeological resource under CEQA. If a project would have a significant impact on historical or archaeological resources, guidelines set forth in 14 CCR §15126.4 should be followed.

6.1.1 Identification and Evaluation of Built Environment Resources

Segments of P-20-002308/CA-MAD-002649H have been identified by the SSJVIC records search. Additionally, three possible built environment resources have been identified via historic map and aerial imagery review. Two of these buildings are associated with APN 030-170-009 with an additional building associated with APN 033-070-004. For projects developed under the Specific Plan within APN 030-170-009 and APN 003-070-004, these canal segments and buildings should be formally evaluated by a qualified historic resources consultant for their eligibility for inclusion in the CRHR to assess whether or not they qualify as historical resources under PRC §21084.1.

6.1.2 Identification and Evaluation of Archaeological Deposits

Ethnographic studies and geoarchaeological research has determined the study area to be highly sensitive for buried archaeological deposits. Kroeber (1925) once identified a Yokuts village site (Chauchila Tribe village site of *Ch'ekayu)* within the southeast corner of the study area. Additionally, geoarchaeological overviews of the study area have resulted in the identification of various landforms ranging from Middle - Late Pleistocene to Modern. Those landforms consistent with Early Holocene to Modern-period are primarily located in the southern portion of the study area and are considered to have moderate to high sensitivity for containing buried precontact archaeological deposits. To identify if an archaeological resource is present in areas with moderate or higher sensitivity and if it meets the definition of a historical resource under CEQA, or a unique archaeological resource under PRC §21083.2 additional investigation including a field survey and an archaeological sensitivity analysis should be conducted by a qualified archaeologist. For projects developed under the Specific Plan that are located in areas with moderate or higher sensitivity for buried archaeological resources as identified by the archaeological sensitivity analysis, subsurface testing should be conducted to minimize possible disturbance to or inadvertent discoveries of archaeological deposits. If intact archaeological deposits or significant cultural constituents associated with precontact or historic-period occupation or habitation are identified, refer to paragraph 2 of Section 6.1.3.

6.1.3 Accidental Discovery of Archaeological Deposits

If deposits of precontact or historic-period archaeological materials are encountered during construction activities, all work within 25 feet of the discovery should be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel should not collect or move any archaeological materials. Archaeological materials can include flaked-stone tools (e.g., projectile points, knives, and choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, bones, and other cultural materials); and stone-milling equipment (e.g., mortars, pestles, and handstones). Precontact archaeological sites often contain human remains. Historic-period materials can include wood, stone, concrete, or adobe footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, metal, and other refuse.

If such deposits cannot be avoided, they should be evaluated in consultation with the City and a qualified archaeologist. If the discovery is precontact in nature, geographically affiliated tribal representatives should be consulted as part of this process. If the deposit meets the definition of a historical resource, unique archaeological resource, or tribal cultural resource under CEQA, significant impacts to the deposit will need to be avoided or appropriate treatment established. If treatment is required, a plan should be developed in consultation with applicable parties to mitigate, avoid, or minimize significant impacts to these types of resources. Treatment may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits; recording the resource; preparation of a report of findings; accessioning recovered archaeological materials at an appropriate curation facility; and community outreach. All reports produced as part of the evaluation and treatment of cultural resources identified during the project shall be submitted to the City and the SSJVIC.

6.1.4 Accidental Discovery of Human Remains

The following procedures should be used in the event that human remains are identified during project activities.

If human remains are encountered during project activities, work within 25 feet of the discovery should be redirected and the Madera County Coroner notified immediately. At the same time, an archaeologist should be contacted to assess the situation and consult with agencies as appropriate. Project personnel should not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

The archaeologist should prepare a report that provides recommendations for the treatment of the human remains and any associated cultural materials as well as proposed or implemented methods and results from excavation and analysis. Treatment of the remains and associated cultural materials should be done in coordination with the recommendations of the MLD and City. The final report should be submitted to the SSJVIC.

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APPENDIX A

MAPS

Figure 1: Regional Location

Figure 2: Project Location

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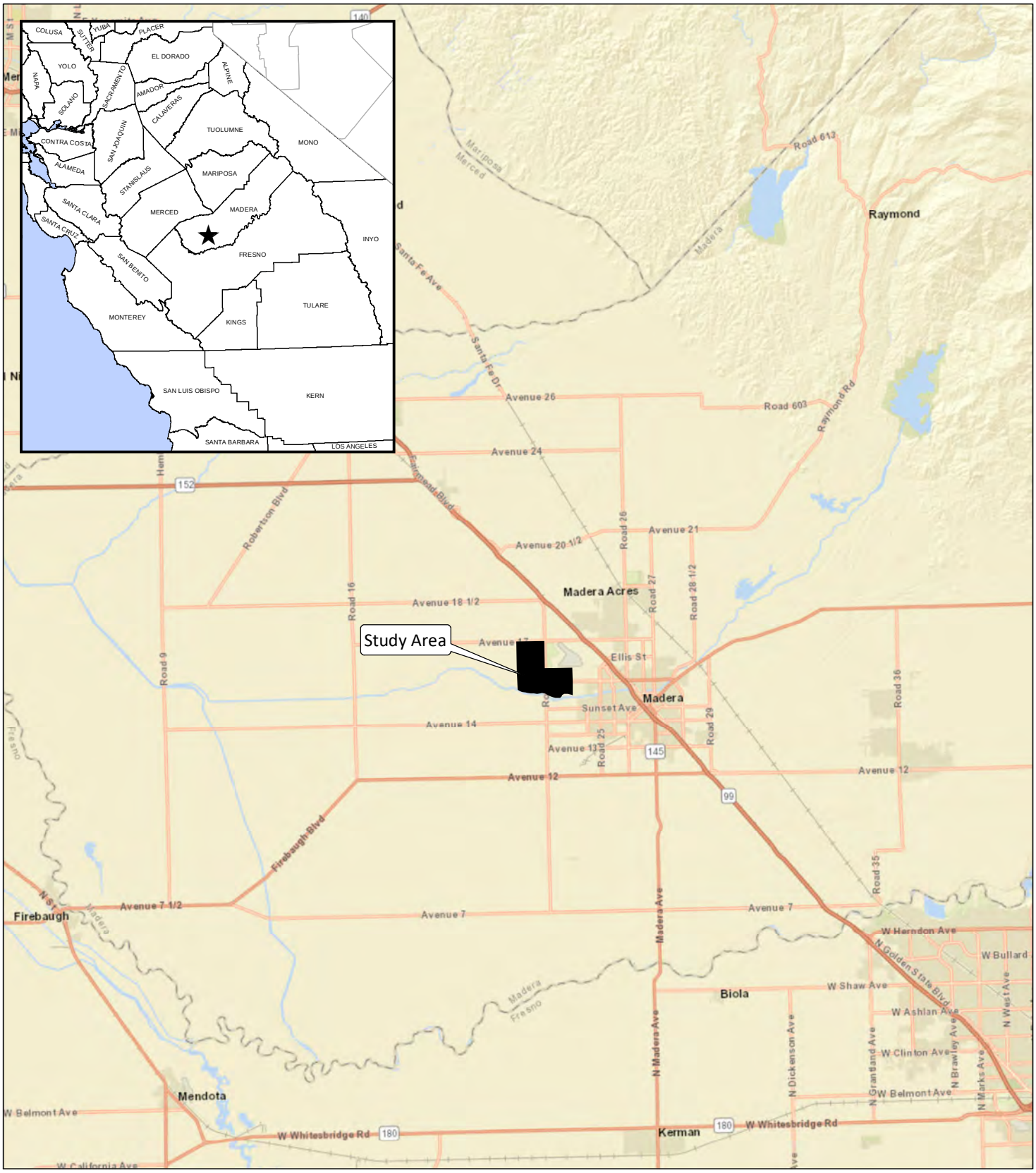

LSA

LEGEND

Plan Location

FIGURE 1

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0 2.5 5

Miles

Madera Village D Development Project
City of Madera, Madera County, California
LSA Project No. CMD1801

Regional Location

SOURCE: ESRI World Street Map (10/2018)

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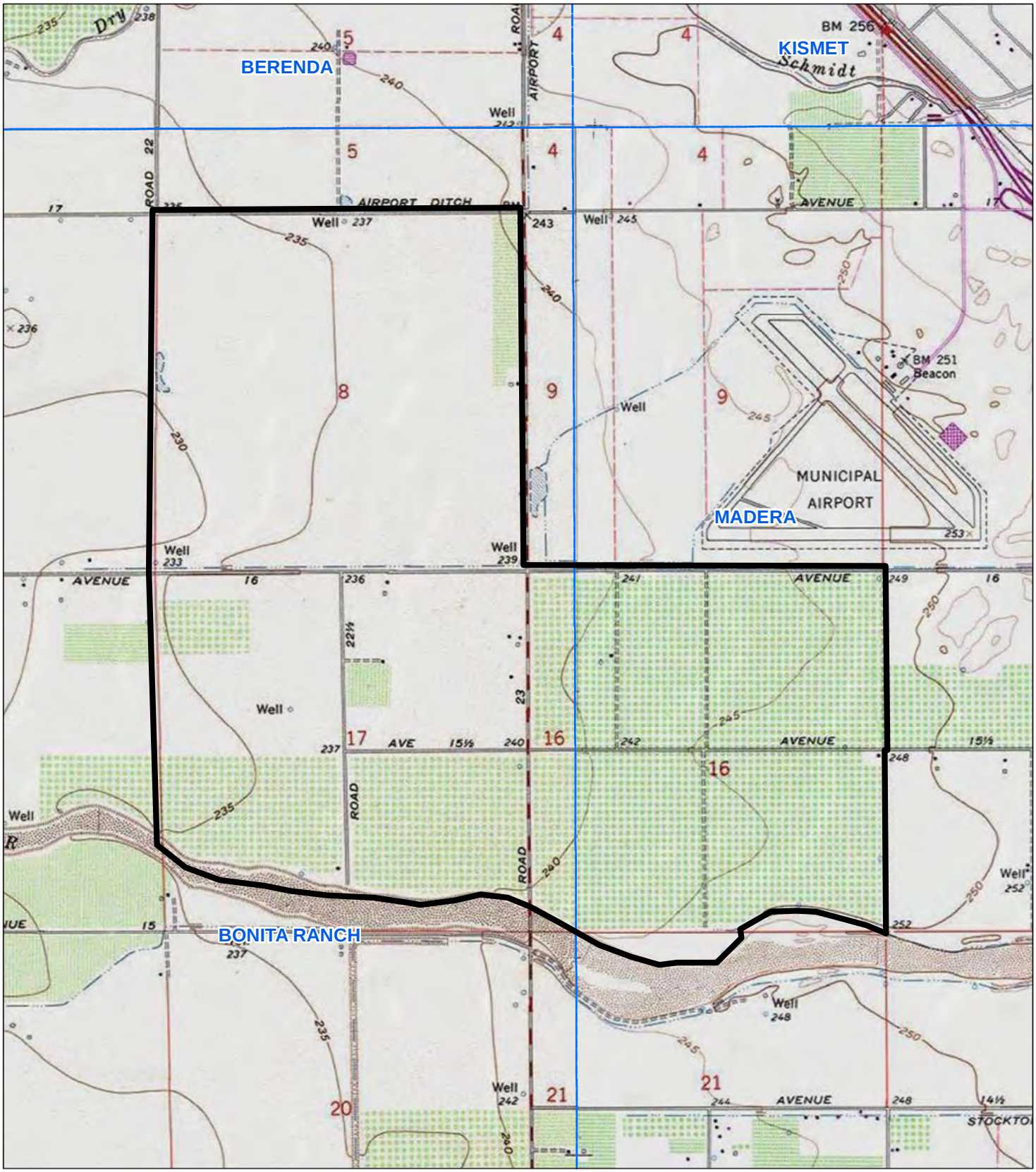

LSA

LEGEND

Study Area - (1,934.74 ac)

USGS 7.5' Quad Boundaries

FIGURE 2

N

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FEET

Madera Village D Development Project
City of Madera, Madera County, California
LSA Project No. CMD1801

Plan Vicinity

SOURCE: USGS 7.5-minute topographic quadrangle Bonita Ranch, Calif. (1963, 1983 ed.); Madera, Calif. (1963, 1981 ed.)

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APPENDIX B

NATIVE AMERICAN HERITAGE COMMISION OUTREACH CORRESPONDENCE

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NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710

November 27, 2018

Rhea Sanchez
LSA Associates

Sent by Email: rhea.sanchez@lsa.net
Number of Pages: 2

RE: Madera D Village Project CMD1801, Bonita Ranch, Madera County

Dear Ms. Sanchez:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results**. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.**

I suggest you contact all of those listed, if they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. **By contacting all those on the list, your organization will be better able to respond to claims of failure to consult.** If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: Sharaya.Souza@nahc.ca.gov.

Sincerely,

Sharaya Souza
Staff Services Analyst
(916) 573-0168

Native American Heritage Commission
Native American Contacts List
11/27/2018

California Valley Miwok Tribe
4620 Shippee Lane
Stockton ,CA 95212
(209) 931-4567 Office
(209) 931-4333 Fax
Miwok

California Valley Miwok Tribe
AKA Sheep Rancheria of Me-Wuk Indians of Ca
P.O. Box 395
West Point ,CA 95255
l.ewilson@yahoo.com
(209) 293-4179 Office
Miwok

Dumna Wo-Wah Tribal Goverment
Robert Ledger SR., Chairperson
2191 West Pico Ave.
Fresno ,CA 93705
ledgerrobert@ymail.com
(559) 540-6346
Dumna/Foothill Yokuts
Mono

North Fork Mono Tribe
Ron Goode, Chairperson
13396 Tollhouse Road
Clovis ,CA 93619
rwgoode911@hotmail.com
(559) 299-3729 Home
(559) 355-1774 - cell
Mono

North Fork Rancheria of Mono Indians
Gary Walker, Chairperson
P.O .Box 929
North Fork ,CA 93643
gwalker@nfr-nsn.gov
(559) 877-5532
(559) 877-2467 Fax
Mono

North Valley Yokuts Tribe
Katherine Erolinda Perez, Chairperson
P.O. Box 717
Linden ,CA 95236
canutes@verizon.net
(209) 887-3415
Ohlone/Costanoan
Northern Valley Yokuts
Bay Miwok

Southern Sierra Miwuk Nation
Bill Leonard, Chairperson
P.O. Box 186
Mariposa ,CA 95338
(209) 628-8603 Office
Miwok
Pauite
Northern Valley Yokut

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas ,CA 93906
kwood8934@aol.com
(831) 443-9702
Foothill Yokuts
Mono
Wuksache

This list is current as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code,Section 5097.94 of the Public Resources Code, or Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American Tribes for the proposed:
Madera D Village Project CMD1801, Bonita Ranch, Madera County.

LSA

BERKELEY
CARLSBAD
FRESNO
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

November 8, 2018

Christina Snider, JD
Executive Secretary
Native American Heritage Commission
1550 Harbor Blvd. Suite 100
West Sacramento, CA 95691
(916) 373-3710 Office (916) 373-5471 Fax
nahc@nahc.ca.gov

Subject: Madera Village D Project (LSA Project No. CMD1801)

Dear Ms. Snider:

LSA is conducting a cultural resources study for the Madera Village D Project (Project), proposed by the City of Madera (City). Please see Figures 1 and 2, attached, for the Regional Location and Project Vicinity maps. The proposed Project envisions the development of a new compact mixed-use community that creates walkable and bikeable streets and integrates open space throughout the area east of the City limits. Two areas will be developed with a village concept plan that will create opportunities for commercial development integrated with park and open space amenities. The project site is characterized as active agriculture operations with supporting residential and agriculture structures. The Fresno River is located along the southern boundary of the project site.

The Project is located in Madera, Madera County, in Sections 8, 17, 16 and 21 in Township 11 South, Range 17 East of the Mount Diablo Base Line and Meridian, as depicted on the accompanying portion of the USGS 7.5-minute topographic quadrangles of Bonita Ranch, Calif. and Madera, Calif. (Attachment: Figures 1 and 2). LSA is conducting a study to determine whether or not cultural resources are present within or near to the Project Site.

Please review the Sacred Lands File for any Native American cultural resources that may be within or adjacent to the Study Area. Additionally, we request a list of Native American individuals and organizations that may have knowledge of cultural resources inside or next to the Archaeological Study Area, an AB 52 list, and an SB 18 list for the City of Madera. If you have any questions, please contact me at the address and phone number below or via e-mail at rhea.sanchez@lsa.net. I look forward to hearing from you. Thank you.

Sincerely,

LSA Associates, Inc.

Rhea Sanchez, M.A.
Cultural Resources Manager

Attachments: Figure 1: Regional Location Map and Figure 2: Project Vicinity Map

201 Creekside Ridge Court, Suite 250, Roseville, California 95678 916.772.7450 www.lsa.net

Local Government Tribal Consultation List Request

Native American Heritage Commission
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Type of List Requested

☑ **CEQA Tribal Consultation List (AB 52)** – *Per Public Resources Code § 21080.3.1, subs. (b), (d), (e) and 21080.3.2*

☑ **General Plan (SB 18)** - *Per Government Code § 65352.3.*

Local Action Type:

___ General Plan ___ General Plan Element ✓ General Plan Amendment

___ Specific Plan ✓ Specific Plan Amendment ___ Pre-planning Outreach Activity

Required Information

Project Title: Madera D Village Project (LSA project number CMD1801)

Local Government/Lead Agency: City of Madera

Contact Person: Rhea Sanchez of LSA Associates, Inc.

Street Address: 201 Creekside Ridge Court, Suite 250

City: Roseville **Zip:** 95678

Phone: (916) 772 - 7450 **Fax:**

Email: rhea.sanchez@lsa.net

Specific Area Subject to Proposed Action

County: Madera County **City/Community:** Madera

Project Description: The City of Madera proposes the Village D Specific Plan development of a new compact mixed-use community that will create walkable and bikeable streets, integrate open space, and implement a village concept in the project site characterized as active agriculture operations with supporting residential and agricultural structures.

Additional Request

☑ **Sacred Lands File Search** - ***Required Information:***

USGS Quadrangle Name(s): Bonita Ranch, Calif
Madera, Calif.

Township: T 11 S **Range:** 17 E **Section(s):** 8, 17, 16, 21

LSA

BERKELEY
CARLSBAD
FRESNO
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

November 8, 2018

Christina Snider, JD
Executive Secretary
Native American Heritage Commission
1550 Harbor Blvd. Suite 100
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Sincerely,

LSA Associates, Inc.

Rhea Sanchez, M.A.
Cultural Resources Manager

Attachments: Figure 1: Regional Location Map and Figure 2: Project Vicinity Map

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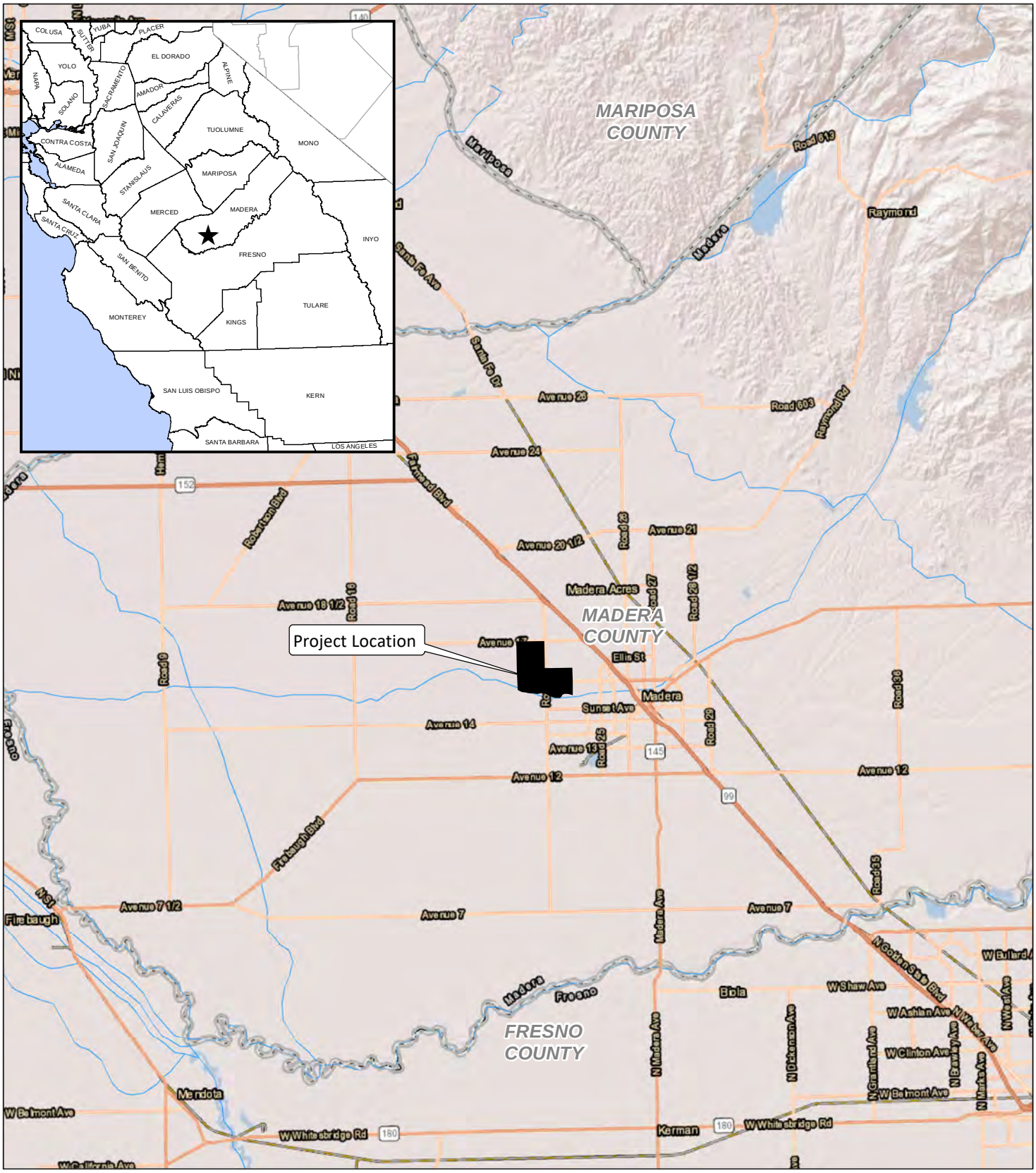

LSA

LEGEND

Project Location

FIGURE 1

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Miles

Madera Village D Development Project
City of Madera, Madera County, California
LSA Project No. CMD1801

Regional Location

SOURCE: ESRI Shaded Relief (2014)

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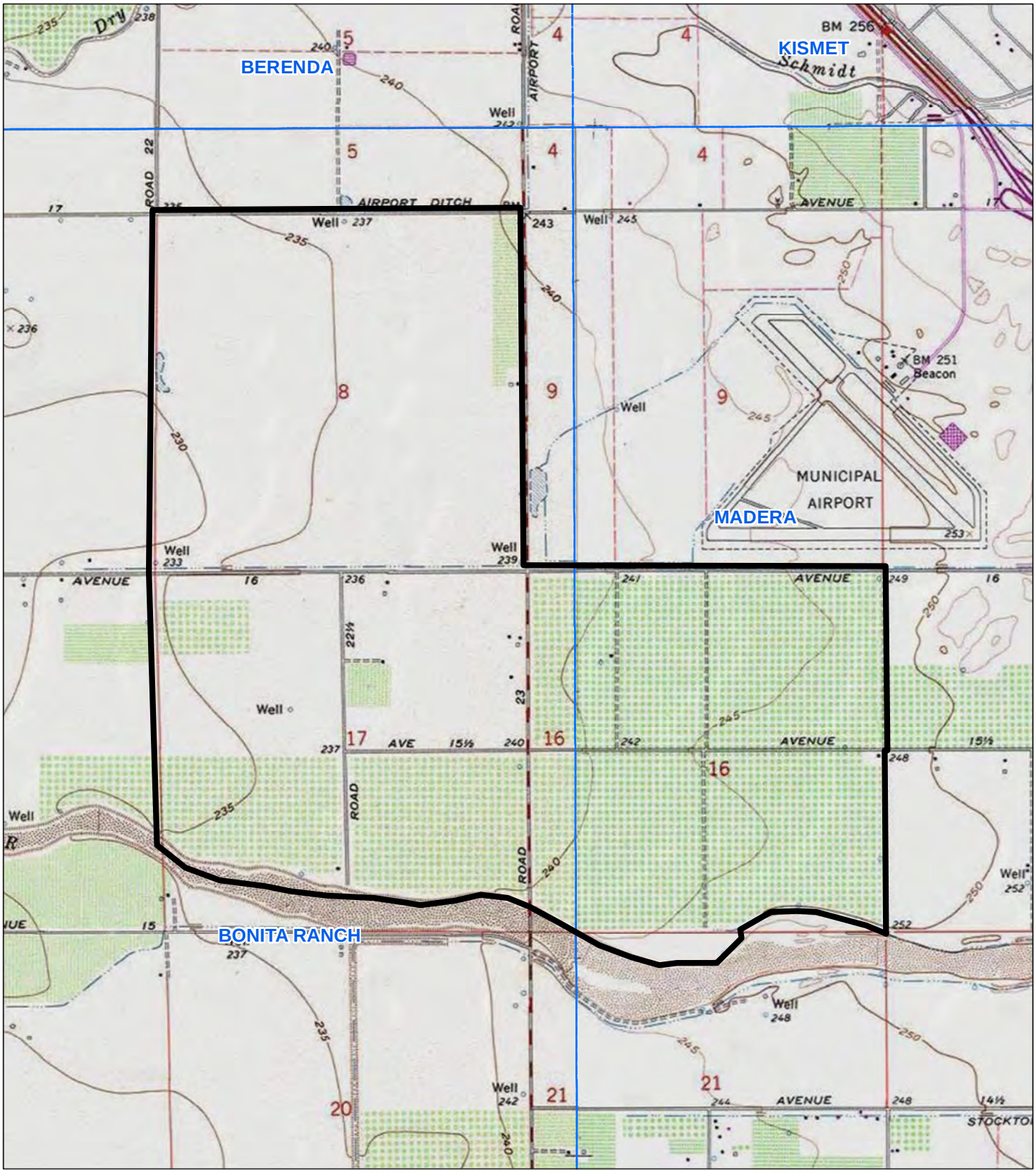

LSA

LEGEND

Project Site - (1,934.74 ac)

USGS 7.5' Quad Boundaries

FIGURE 2

N

0 1000 2000

FEET

Madera Village D Development Project
City of Madera, Madera County, California
LSA Project No. CMD1801

Project Vicinity

SOURCE: USGS 7.5-minute topographic quadrangle Bonita Ranch, Calif. (1963, 1983 ed.); Madera, Calif. (1963, 1981 ed.)

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