

Section 3.4

Cultural Resources

This section discusses the cultural resources for the project area, including the results of project-specific background research and a cultural resources field inventory of the project area. This section also discusses the potential to find cultural resources during construction activities.

Methods

The methods used to identify potential cultural resources in the study area included pre-field research and field surveys. Each of these elements is described below.

Pre-Field Research

A qualified archaeologist conducted a cultural resources investigation for the project. The investigation included a records search for previously recorded cultural resources and previously conducted cultural resources investigations, contact with community representatives who may have knowledge of cultural resources, and a field investigation.

The records search was conducted at the Northwest Information Center of the California Historical Resources Information System, housed at Sonoma State University, Rohnert Park, California. The records search was conducted for the project area and a ½-mile radius of the project area. No cultural resources were reported within the project area. One cultural resource, the Old Shiloh Church and cemetery, lies within a ½-mile radius of the project area (see Figure 2-2 in Chapter 2).

The Old Shiloh Church and associated cemetery is located at 2595 & 2597 Shiloh Road, approximately 2.75 miles northwest of Birds Landing and outside of the Facility area. According to the Solano County Historical Society records, in 1870 members of the Cumberland Presbyterians built the church with proceeds from burial plot sales on the property. The church was destroyed by fire in 1875 and rebuilt in 1876. The cemetery served as the final resting place for many of the area's early pioneers, including John Bird, after whom Bird's Landing is

named. In 1955 the church was restored and in 1969 the Old Shiloh Church was named a Solano County Point of Historical Interest.

The Native American Heritage Commission (NAHC) was contacted to obtain information about cultural resources in the project area or referrals to representatives who may have such information. Four contacts were identified by the NAHC, all of whom were contacted. To date, none of the contacts have responded to requests for information.

Unless otherwise noted, the pre-field research approach was identical for each of the project alternatives considered.

Field Surveys

Jones & Stokes archaeologists conducted an archaeological survey of the field facility and pipeline area of potential effect (APE) on May 27, 2005. Two archaeologists walked a 75-foot-wide path along the northern portion of the proposed pipeline route in the majority of the APE. The southern portion of the pipeline was blocked by a fence, and property access was not granted by the property owner. The field facility portion of the APE was completely surveyed. In areas where nonagricultural vegetation obscured the ground surface, small patches occasionally were cleared to increase ground visibility. Unpaved roadways, furrows, drainage banks, and rodent burrows also were examined for evidence of past human activity.

No cultural resources, either previously recorded or newly identified, were located in the project area. The Old Shiloh Church was observed but this cultural resources lies outside of the Facility area.

Environmental Setting

The Montezuma Hills cover an area of approximately 100 square miles—an isolated and unique formation just north of the confluence of the Sacramento and San Joaquin Rivers. Gently rolling ridges between 10 and 200 feet above sea level dominate the landscape. These hills are surrounded by the Coast Ranges to the west, the fragmented islands and dendritic sloughs and channels of the Sacramento-San Joaquin River Delta (Delta) to the south and east, and the Central Valley to the north.

Geologically, the Montezuma hills are unique. The regional substrate consists of Quaternary non-marine sediments formed by inland swamps or possibly alluvial deposition (Bailey 1966). These Quaternary age deposits (1.6 million years BP [before present] to present) were folded, faulted, and raised by movement in the San Andreas Fault system (Dickinson 1981, USFS 1998). These hills were subsequently shaped by fluvial erosion (USFS 1998). Today, the geomorphology is largely undisturbed and conforms to prehistoric conditions.

The hills are arid, with only seasonal and ephemeral drainages crossing the landscape (USFS 1998).

Historically, the dominant native vegetation in the hills consisted of *Nasella pulchra*, or purple needlegrass (Heady 1977). This perennial grass is the distinctive and characteristic species for the Central Valley prairie. Plant succession cycles in the prairie tended toward perennial bunchgrasses such as *Nasella pulchra* on all well-drained upland sites (Heady 1977). The arid Montezuma hills thus contained a quintessential California prairie plant community. Today, wheat cultivation (*Triticum* sp.) replaces the native flora. The present dearth of native trees in the region suggests that taxa of economic importance to aboriginal populations, such as *Quercus* sp., were absent during prehistoric times as well—but this absence may be due to agriculture rather than natural distribution.

Native fauna in the region included pronghorn antelope (*Antilocarpa americana*), deer (*Odocoileus hemionus*), jackrabbits (*Lepus californicus*), Beechey ground squirrels (*Spermophilus beecheyi*), kangaroo rats (*Dipodomys heermanni*), pocket gophers (*Thomomys bottae*) and possibly tule elk (*Cervus elophus nannodes*). The development of subspecies and strains unique to the Central Valley among these fauna suggest a long association between the floristic and faunal communities (Heady 1977).

The Holocene environment of the region was characterized by a general warming trend that subsumed episodes of relatively cool climates. Most paleoclimatic reconstructions for the Central Valley are based on Ernst Antevs' (1948, 1953, 1955) three-part global climatic sequence. The sequence spans the Holocene, consisting of the moderately cool/moist Anathermal (ca. 10,000–7500 BP), the warm and dry Altithermal (ca. 7500–4000 BP), and the Medithermal (ca. 4000 BP to present). Tree ring growth chronologies from central eastern California, glacial chronologies, and pollen cores generally corroborate Antev's sequence—with the caveat that California's Holocene environment exhibited regional variation (Adam 1967; Birkeland et al. 1976; Birman 1964; Curry 1969, 1970; Moratto et al. 1990; Orceļj and Adam 1975). Pollen diagrams from the Lake Tahoe and Yosemite areas indicate a vegetation shift that suggests a general increase in temperature from 9000 to 2900 BP, although six relatively cool/moist periods—each lasting 400–1,500 years—punctuated the general warm/dry trend (Moratto et al. 1990:150–151). Today, the Montezuma Hills enjoy a typically Californian temperate climate. Modern average temperatures vacillate between 58° and 62° Fahrenheit annually. Most precipitation occurs as rain—16–20 inches a year (USFS 1998).

Prehistoric Setting

The proposed project area is located within the boundaries of the Delta subregion of the Central Valley archaeological region, as defined by Michael Moratto (1984). Little is known of human occupation of the Delta region before 4500 BP. As a result of rapid alluvial and colluvial deposition in the valley over

the past 10,000 years, ancient cultural deposits have been deeply buried in many areas. The earliest evidence of widespread occupation of the lower Delta region is evident at archaeological deposits assigned to the Windmill Pattern (Early Horizon), dated between 4500 and 2500 BP. The Windmill Pattern has been associated by some archaeologists with the arrival of Utian peoples from outside California (see “Ethnographic Context”), who were adapted to riparian and wetland environments (Moratto 1984).

Windmill subsistence-settlement patterns are poorly understood because of the paucity of known archaeological sites ascribed to this archaeological pattern. Available data indicate that Windmill Pattern sites typically are located on low rises or knolls in the floodplains of creeks or rivers. Such locations would have provided protection from seasonal floods but were proximal to riparian, marsh, and grassland biotic communities. Most known Windmill Pattern sites contain cemeteries, which implies some degree of sedentism. Windmill people typically buried the deceased in a ventrally extended position with abundant grave goods, and oriented the head to the west. Subsistence needs were met through hunting and fishing, as evidenced by large projectile points (spear or dart tips), baked clay net sinkers, bone fish hooks and spears, and the character of faunal remains at Windmill Pattern sites. Windmill Pattern ground stone tools, such as mortars and milling slabs, indicate that Windmill Pattern people collected plant foods (seeds, nuts, and perhaps roots). Other artifacts characteristic of the Windmill Pattern include charmstones, quartz crystals, bone awls and needles, and shell beads and ornaments manufactured from abalone (*Haliotis* sp.) and olive snails (*Olivella* sp.) (Beardsley 1948, Heizer 1949, Heizer and Fenenga 1939, Lillard et al. 1939, Ragir 1972, Schulz 1970).

The succeeding Berkeley Pattern (Middle Horizon) dates from 2500 to 1500 BP, overlapping in time at least some Windmill Pattern manifestations. Archaeologists have identified more Berkeley Pattern sites than Windmill Pattern sites, and sites representing the former pattern are also more widespread. Berkeley Pattern sites are characterized by deep midden deposits, suggesting larger residential group size, greater frequency of site reuse, and/or a greater degree of sedentism.

Ethnographic Setting

The proposed project area is located in a portion of the Delta that was most likely used by several Native American groups in recent prehistory and the historic period. Anthropologists and Native Americans have drawn conflicting pictures of Native American use of the Montezuma Hills—some include the region in Southeastern Patwin territory (Bennyhoff 1977:164; Johnson 1978: Figure 1; Kroeber 1925: Plate 1), Plains Miwok (Levy 1978: Figure 1; Theodoratus et al. 1980: Map 2), and Bay Miwok (Bennyhoff 1977:164; Levy 1978: Figure 1; Theodoratus et al. 1980: Map 2). Given that the Bay Miwok village *Ompin* was located approximately 2 miles south of the present project area (Levy 1978), it is likely that Bay Miwok used the Montezuma Hills most intensively up to the historic period, although Plains Miwok, Southern Patwin, and possibly Northern

Yokuts and Ohlone/Costanoan groups made periodic visits to the Montezuma Hills as well (Theodoratus et al. 1980). The following discussion is a summary description of Bay Miwok culture.

The southern portion of the project area was occupied by the *Ompin* tribelet of the Bay Miwok. Bay Miwok territory encompassed the southeastern portion of the Montezuma Hills near Rio Vista and extended west to encircle the town of Walnut Creek. The southern part of Bay Miwok land included Mount Diablo and extended east as far as Plains Miwok territory in the vicinity of Sherman Island (Levy 1978: Figure 1).

The Bay Miwok distributed themselves into tribelet groups that consisted of a village or groups of villages that shared linguistic or kinship affinities. Theodoratus et al. (1980:78) estimated the average population of Bay Miwok tribelets at 300 persons. The Montezuma Hills were not occupied permanently by the *Ompin* or their closest neighbors, the Southern Patwin and Plains Miwok (Bennyhoff 1977:146). Settlements were located near permanent watercourses, near intermittent streams (in drier areas), and on high ground when near the Delta (Theodoratus et al. 1980). The Bay Miwok probably followed a seasonal pattern to acquire necessary food and other materials. The *Ompin* tribelet in particular would have visited the Montezuma Hills in spring and summer to hunt pronghorn antelope, jackrabbit, and possibly tule elk (Theodoratus et al. 1980); seed-bearing grasses and sedges may have been available during this interval as well. Resources available in the Delta and the surrounding marshlands included deer, pronghorn antelope, tule elk, rodents, waterfowl, freshwater mussels and clams, fish, and various insects (Levy 1978).

The Bay Miwok constructed several types of structures. Conical thatch structures covered with tule mats were commonly used as residences both along the Delta and in uplands such as the Montezuma Hills. The Bay Miwok constructed semi-subterranean earth-covered lodges that served as winter homes. Other structures included acorn granaries, menstrual huts, sweathouses, and assembly houses. Assembly houses comprised two types: a semi-subterranean earth lodge and a circular brush enclosure. The Bay Miwok made the former structure a ritual and social focal point. The brush enclosure, on the other hand, provided space for ceremonies (Levy 1978).

Miwok technology included bone, stone, antler, wood and textile tools. Hunting was accomplished with the use of the bow and arrow, in addition to traps and snares. Basketry items included seed beaters; cradles; sifters; rackets used in ball games; and baskets for storage, winnowing, parching, and carrying burdens. Other textiles included mats and cordage. Tule balsas were constructed for navigation on rivers and in the Delta (Levy 1978).

The Eastern Miwok first came into contact with Europeans in the second half of the 18th century, when Spanish explorers entered the area. The Bay groups were the first of the Eastern Miwok to undergo conversion by Spanish missionaries. The first baptisms took place in 1794 and the last in 1827. A majority of the Bay and Plains converts were taken to Mission San Francisco and the Mission San

Jose. It appears that many Bay and Plains Miwok tribelets disappeared through the combined effects of population removal to the missions and epidemics. Accounts exist of Miwok individuals who resisted missionization and fled to their villages. As a consequence, the Spanish formed military expeditions to recapture the fugitives. Initially, the Miwok remained hidden within Delta lands, but they eventually learned to emulate Spanish warfare tactics. As a result, several tribelets initiated counter attacks in the form of raids on missions and ranchos, thereby invoking significant cultural changes (Heizer 1941).

With the arrival of trappers, gold miners, and settlers to California, the Miwok suffered exposure to new varieties of introduced diseases they had previously not experienced. Although this early contact with settlers resulted in a destructive impact on the Miwok population, relationships with settlers varied. While some hostilities occurred between the Sierra Miwok and miners, some of the Plains Miwok became involved in agricultural operations on the large land grants that were coming into existence then. After the United States annexed California, some of the Miwok were displaced to Central Valley locations, yet many remained on the rancherías established in the Sierra Nevada foothills. During the final decades of the 19th century and early years of the 20th century, the Miwok living on the foothill rancherías adapted to a new lifestyle. Subsistence through hunting and gathering was now augmented by seasonal wage labor on ranches and farms. As the reliance upon a cash income increased, traditional subsistence practices suffered. Several persons of Miwok descent still survive and maintain strong communities and action-oriented organizations (Levy 1978).

Historic Setting

Exploration

The Delta was visited frequently by Spanish explorers. Pedro Fages scouted the shores of San Francisco Bay in search of a suitable mission site and by 1772 had traveled as far inland as the San Joaquin River (Kyle 1990, Thompson 1958). Colonel Juan Bautista de Anza explored the same territory in 1776. The Spanish began explorations of the Sacramento River as well, beginning with Francisco Eliza's expedition up that river. Between 1806 and 1817, mission site reconnaissance expeditions were conducted by a number of explorers, including Gabriel Moraga (1806, 1808), Father Ramon Abella (1811), Jose Antonio Sanchez (1811), and Father Narciso Duran (1817) (Beck and Haase 1974).

Early Euro-American Settlement

Euro-American encroachment into Montezuma Hills began in 1844, when John Bidwell (1819–1900) petitioned the Mexican government for a land grant in southeastern Solano County (Kyle 1990). Manuel Micheltoarena, the 13th governor of Mexican Alta California, made the grant to Bidwell that same year

for the 17,726-acre *Rancho Los Ulpinos*. The grant was located on the west bank of the Sacramento River and extended east into the eastern portion of the proposed project area (Beck and Haase; Kyle 1990; Gregory 1912; Hunt 1926). Bidwell built an adobe house in the vicinity of present-day Rio Vista, and attempted to cultivate the land. Bidwell's efforts at agriculture, as well as those of subsequent settlers on the ranch, were unsuccessful; although one settler went on to establish the town that became Rio Vista (Hunt 1926).

The second thrust of Euro-American settlement occurred in 1846, with the establishment of the Hastings Adobe, approximately 0.5 mile southwest of the project area. The adobe is named for Lansford W. Hastings, a lawyer who arrived in California from Oregon in 1843. Active in early American settlement of the Montezuma Hills region, he traveled extensively in an attempt to draw new settlers. Hastings returned to the East Coast in 1844 and published a book titled *The Emigrant's Guide*. Upon his return to California, Hastings was chosen as an agent for the Mormon Church to locate a suitable location for a colony in Mexican California. He chose a site at the head of Suisun Bay, and in 1846 laid out plans for a town at this location. Hastings constructed an adobe for himself, which he named Montezuma House. The American occupation of California in 1846 dashed Hastings' hope for a land grant from the Mexican government. The annexation of California as a territory of the United States also prompted Mormons to lose interest in the Montezuma Hills area as a colony site, because they had suffered previous mistreatment from non-Mormons elsewhere in the country. Three years later, Hastings abandoned the adobe (Hunt 1926, Kyle 1990, Theodoratus et al. 1980).

The adobe was reoccupied in 1853 by Lindsay Powell Marshall, Sr. and his sons John and Charles Knox. Marshall, a native of Booneville, Missouri, was a land speculator and cattle rancher who had acquired land in Benicia in 1852. Marshall and his sons took possession of the Hastings Adobe as squatters, although they purchased the property from Hastings in 1854 (Gregory 1912, Kyle 1990, Theodoratus et al. 1980). The Marshall's raised livestock on the ranch and expanded their landholdings by systematically acquiring additional acreage. Through a combination of cash entry patents, a homestead patent, and patents of swamp and overflow land, the Marshall family added more than 1,000 acres to their holdings by 1873. From 1866 to 1873, the Marshall's shifted the emphasis of their agricultural enterprise from cattle ranching to small-scale farming and dairying. Winter wheat was a prominent product of the Marshall ranch. Portions of the Marshall ranch were sold to John Kierce and Edward Jenkins by 1880, and Samuel Stratton acquired the adobe in the 1890s. Stratton continued to farm the property, dairying and cultivating grain, until 1964 (Theodoratus et al. 1980).

Agriculture

Further development of agriculture in the Montezuma Hills area was stimulated by Delta reclamation efforts from the 1850s to the early 20th century. Following the precedent of a similar act in Arkansas (Arkansas Swamp Land Act), the California State Legislature passed an act to provide for the sale of overflow and

swamp land in 1855, the proceeds of which sales were to facilitate land reclamation. Under this act, up to 320 acres of land per person could be sold at \$1 per acre. Swamp and overflow land could be bought on credit, although the purchaser was obligated to reclaim half the land purchased within 5 years. The attempts of individual landowners to build levees and reclaim swamp and overflow land in the 1850s proved futile in most cases. Individual shoestring levees were not sufficient to hold waters at bay; a network of levees and drains was required, necessitating a large amount of capital investment beyond the scope of most individual landholders.

In 1861, the state legislature created the State Board of Reclamation Commissioners and authorized it to form reclamation districts (McGowan 1961). In an attempt to enclose large areas within natural levees, 32 districts were formed. After the board was dissolved in 1866, control of swamp and overflowed land fell to the counties (Thompson 1958). Acreage limitations were removed and incentive programs were instituted. When a landowner certified that \$2 per acre had been spent on reclamation, the purchase price of the land was refunded to the deed holder. Speculators took advantage of this offer and a period of opportunistic and, often irrational, levee building followed (McGowan 1961, Thompson 1958).

Among the agriculturists to take advantage of the availability of land was Emery Upham. Upham began acquiring land and established a large livestock and ranching operation just north of Collinsville in 1865. By 1870, Upham owned 6,500 acres of the Montezuma Hills and adjacent slough areas. Upham increased his acreage through 1880, by which time his holdings comprised 8,100 acres, including the town of Collinsville. Upham grew wheat and raised swine, sheep, and dairy and beef cattle. Upon his death in 1897, Upham's land was divided and sold to private landowners, who continued to farm and ranch on the land (William Self Associates 1993).

Transportation

Transportation to and from the Montezuma Hills was limited to two means until approximately 1913. Smaller Delta towns such as Collinsville relied on river ferries to connect them to rail transportation and other river towns. L. W. Hastings established a ferry near Collinsville in the late 1880s. The ferry connected Collinsville with the opposite shore of the Delta (Hunt 1926). To reach inland destinations such as Fairfield, residents of the Montezuma Hills region were dependent on a network of roads. Through 1870s, road development was limited in this area, comprising a few tracks and unimproved roads (GLO 1862, Henning 1872). The present system of roads from Montezuma Hills to Fairfield, Rio Vista, and Dixon was established between 1872 and 1890 (Henning 1872, Eager 1890).

The 1870s saw the expansion of railroads throughout California. Several different routes connected the major towns of the Delta area, such as Benicia, Vallejo, Fairfield, and Pittsburg to the rest of California. The Oakland, Antioch,

& Eastern Railway Co. (established March 28, 1911), a predecessor to the Sacramento Northern Railway, extended its Oakland-to-Sacramento line through the Montezuma Hills between 1913 and 1914. The Oakland, Antioch, & Eastern line connected Montezuma Hills and the surrounding area to Pittsburg, Oakland, Fairfield, Vacaville, and Sacramento, enabling rapid transport of agricultural products to a wide market (C. F. Weber & Co. 1914; Robertson 1998).

Regulatory Setting

State Legislation

The cultural resources investigation was conducted in compliance with CEQA, regarding the requirements for identification and treatment of historic and prehistoric cultural resources.

As the designated lead agency under CEQA for approval of this action, the CPUC is responsible for complying with CEQA's requirements regarding the identification and treatment of historic and prehistoric cultural resources. The State CEQA Guidelines (Pub. Res. Code Section 5097) also specify the procedure to be followed in the event of the unexpected discovery of human remains on nonfederal land. The disposition of Native American burials falls within the jurisdiction of the NAHC.

CEQA requires public agencies that finance or approve public or private projects to assess the effects of the project on cultural resources (i.e., buildings, sites, structures, or objects that may have historical, architectural, archaeological, cultural, or scientific importance). CEQA states that, if a project would result in significant effects on important cultural resources, alternative plans or mitigation measures must be considered; however, only important cultural resources need to be addressed. Therefore, before mitigation measures can be developed, the importance of cultural resources must be determined.

Impact Analysis

Significance Criteria

The State CEQA Guidelines define a significant historical resource as "a resource listed or eligible for listing on the California Register of Historical Resources" (Pub. Res. Code Section 5024.1). A historical resource may be eligible for inclusion in the California Register of Historical Resources (CRHR) if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in the state's past;
- 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
- Has yielded, or may be likely to yield, information important in prehistory or history.

Further, CEQA emphasizes that evaluations take into consideration the historic integrity of a resource, combining its location, design, setting, materials, workmanship, feeling, and association.

Properties that are listed in or eligible for listing in the National Register of Historic Places (NRHP) are considered eligible for listing in the CRHR and thus are significant historical resources for the purpose of CEQA (Pub. Res. Code Section 5024.1[d][1]).

Impacts

IMPACT 3.4-1: POTENTIAL DISTURBANCE TO PREVIOUSLY UNIDENTIFIED CULTURAL RESOURCES DURING PROJECT CONSTRUCTION

Although no known cultural resources were identified during the research or fieldwork completed to date, there is some potential that buried cultural resources could be inadvertently unearthed during ground-disturbing activities associated with project construction. This potential impact is considered significant. Implementation of Mitigation Measure CR-1 will reduce this impact to a less-than-significant level.

IMPACT 3.4-2: INADVERTENT DISCOVERY OF NATIVE AMERICAN HUMAN REMAINS

According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the NAHC (see Mitigation Measure CR-2).

No human remains are known to be located in the project corridor. However, there is always the possibility that unmarked burials may be unearthed during construction. This impact is considered potentially significant. Implementation

of Mitigation Measure CR-2 will reduce this impact to a less-than-significant level.

IMPACT 3.4-3: POTENTIAL EFFECTS ON HISTORICAL RESOURCES

While the project area contains no known cultural resources, the Old Shiloh Church and associated cemetery lie immediately west of the project area (see Figure 2-2 in Chapter 2). The Old Shiloh Church was named a Solano County Point of Historical Interest in 1969 after being completely restored in 1955. The gas pipeline would be placed on the east side of Shiloh Road, approximately 300 feet from the Old Shiloh Church. No construction activities would occur on the church property or in the natural setting around the property.

Therefore, construction activities would not result in direct or indirect effects to the setting of the Old Shiloh Church. The proposed project would not cause a substantial adverse change in the significance of a historic resource and therefore this impact is considered less than significant. No mitigation is required.

Mitigation Measures

MM CR-1: STOP WORK IF BURIED RESOURCES ARE DISCOVERED INADVERTENTLY

Lodi Gas Storage and its construction contractor will take the steps specified below during project construction. If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone are discovered inadvertently during ground-disturbing activities, work will stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with Solano County, the State Historic Preservation Officer, and other appropriate agencies. In the event that human remains are encountered, Mitigation Measure CR-2 will be implemented.

MM CR-2: COMPLY WITH STATE LAWS RELATING TO NATIVE AMERICAN REMAINS

If human remains of Native American Origin are discovered during project construction, it will be necessary to comply with state laws relating to the disposition of Native American burials, which fall under the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resources Code, Section 5097). If any human remains are discovered or recognized in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent human remains, until:

The Solano County Coroner has been informed and has determined that no investigation of the cause of death is required and

If the remains are of Native American origin,

- The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code, Section 5097.98, or
- NAHC is unable to identify a descendant or the descendant fails to make a recommendation within 24 hours after being notified by the NAHC.