3.5: CULTURAL RESOURCES

Introduction

This section provides a condensed overview of the cultural history of the project area, results of the cultural resources studies conducted for the project and mitigation measures for those cultural resources identified that may be affected by the project components. Cultural resources include prehistoric and historic archaeological sites, districts, and objects; standing historic structures, buildings, districts, and objects; and locations of important historic events or sites of traditional/cultural importance to various groups (WGSI PEA 2001). The analysis of cultural resources can provide valuable information about the cultural heritage of both local and regional populations. The information contained in this chapter was summarized from several reports[1] referenced by the Applicant in the PEA.

Environmental Setting

REGIONAL SETTING

Prehistory

The project study area is part of the northern Sacramento Valley, an area with a long history of human occupation from 12,000 years ago to the present. This region includes valley floor and associated wetlands and riverine settings and foothill areas. The ecological zones of the project study area provided a favorable environment during the prehistoric period with both riverine and upland resources available to the native population (Moratto 1984; Kowta 1988; and Basgall and Hildebrandt 1989 provide regional overviews of the Sacramento Valley). The lifeways of the mobile, early people focused on hunting and the collection of resources offered by the wetlands. A change in climate to more arid conditions around 8000 years ago resulted in an emphasis on the

[1] The reports referenced in the PEA from which information in this chapter was summarized are listed under 8.0 References.

collection and processing of small hard seeds and perhaps the entry of Hokan-speaking Native Americans. Between 5000 and 3000 years ago, a Penutian-speaking Native American group entered the area and focused on salmon and acorns as primary foods. A cooler climate some 3000 to 1500 years ago saw movement from the uplands to the river and foothill areas and an increase in the acorn as a food resource. The time from 1500 to 200 years ago saw the entry of the ethnographic Wintu and Nomlaki in the northern Sacramento Valley and the development of a sedentary, storage-based economy focused on the acorn and villages.

The project study area is situated in the area claimed by the Patwin and an "unclaimed" area between the Patwin, Valley Maidu, and Konkow (also known as the Valley or Northwestern Maidu) (Kroeber 1925, 1932; Riddell 1978). The Patwin occupied the southern part of the Sacramento Valley to the west of the river from the town of Princeton south to San Pablo and Suisun bays (Johnson 1978:350). The main Valley Maidu settlement of Pinhuk, located near Butte City (about four miles north of the project study area), was the nearest Native American settlement on the east side of the Sacramento River. A number of River Patwin settlements were located on the west side of the Sacramento River near Colusa.

Native American groups who may have used the project area occupied a specific home territory with several semi-permanent settlements. In addition, a larger number of seasonal campsites were used for an annual round of subsistence activities focused on gathering plants and hunting animals. The project study area includes a portion of the Butte Sink, which is part of a 3- to 4-mile-wide hunting and fishing area that extends along Butte Creek (Kroeber 1932:268).

During the Hispanic Period, Native Americans worked with former neighboring groups at the missions and later, after the secularization of the missions by Mexico in 1834, the majority gradually moved to ranches to work as agriculturists and manual laborers. Additional information on Native Americans in the study area is included in Kroeber (1925, 1932), Johnson (1978) and Riddell (1978).

Historic

Hispanic Period. The northern Sacramento Valley region was explored and lightly settled late in the Spanish-Mexican colonial era. The Spanish did not enter the area until 1808, and it was not mapped in any detail until 1843. From the late 1820s through the mid-1840s, Canadian and American fur trappers passed through the region. After an initial period of exploration, the Spanish concentrated on the founding of presidios, missions, and secular towns with the land held by the Spanish Crown (1769-1821). In contrast, the later Mexican policy stressed individual ownership of the land.

Six ranchos were established for raising cattle in 1844-47 at the end of the Mexican period. These vast land grants, ranging in size from 17,000 to 26,000 acres, were located for the most part along the Sacramento and Feather rivers to the east and north of the project study area.

The Larkins Children Rancho was located on the west side of the Sacramento River from about present-day Codora (west and slightly south of Butte City) south to Compton Landing. This 44,364-acre rancho was finally confirmed to Francis Larkin et al. Following the Mexican War of 1846-48, California was ceded to the United States (McGie 1970; Talbitzer 1987).

American Period. The history of the project area is closely linked to the natural setting (WGSI 2001). Primary themes in the area's development during this period include agriculture, land reclamation, irrigation, hunting, and wildlife management, with secondary motifs of mining, transportation, and urbanism.

Gold Rush. The first wave of settlement in the region occurred during the Gold Rush, beginning in 1848 and tapering off by the mid-1850s (WGSI 2001). Numerous mining camps sprang up along the Feather River and its tributaries, giving rise to permanent towns such as Oroville and Chico. By 1860, hydraulic mining companies dominated gold mining along the Feather River. These large-scale operations required elaborate systems of dams, reservoirs, ditches, and pipelines to deliver water to high-pressure hoses that washed away bluffs and hillsides to reach gold-bearing strata. Debris and slickens from the mines washed downstream, causing floods and inundating farmland with sand and gravel. Litigation by agricultural interests led to an 1884 court order halting most hydraulic mining in the region (Wells and Chambers 1882; Gilbert 1917; Talbitzer 1987; Kelley 1989).

Butte/Colusa Counties. California achieved statehood in 1850 at the height of the Gold Rush (WGSI 2001). Butte County (named for the Sutter Buttes) was established in that year as one of the state's original 27 counties. Originally much larger, Butte lost most of its territory to other counties, with the current boundaries finally set by 1856. Colusa County, originally known as Colusi, was created but not separately organized in 1850. Between 1851 and 1855, public land in the County was surveyed and subdivided into townships and sections and gradually came under private ownership (United States Surveyor General's Office 1856; United States General Land Office 1856-1881; Coy 1923; Robinson 1948).

Agriculture. The general land survey was completed just as the project study area was beginning to make the transition from a mining-oriented economy to one based on agriculture and lumber (WGSI 2001). Early settlers in the study area established farms and ranches for cultivating grain (primarily wheat and barley) and raising livestock (primarily cattle and sheep). Dry farming of grain and the ranging of livestock remained predominant in the region through the first decade of the 20th century.

Railroad. The project study area remained sparsely settled through the 1860s (WGSI 2001). The first permanent towns in the area, Gridley and Biggs, were laid out around stations on the line of the California and Oregon Railroad in 1870. The railroad, which eventually consolidated with the Central/Southern Pacific system, had a key role in the development of the region by carrying out agricultural products and bringing in materials and supplies needed to build up the area (McGie 1970; Robinson 1948).

Irrigation and Drainage Systems. Irrigation and drainage systems had a fundamental role in the development of the region by transforming farming practices (WGSI 2001). The year-round availability of water meant that large holdings could be subdivided into smaller parcels for resettlement and recultivation, a process that began at the turn of the century and accelerated in the 1910s and 1920s.

Rice. By World War I, the agricultural economy had expanded and diversified beyond grain and livestock to include a variety of irrigation-based crops (WGSI 2001). The most important of these new crops was rice. California's rice industry originated in southwest Butte County in the early years of the century. A wartime boom in the rice market fueled a

rapid expansion of rice farming in the Sacramento Valley. The intensive development of irrigation and drainage systems during this period was closely linked to rice farming (Mansfield 1918; California Blue Book 1932; Talbitzer 1987; Johnson, Haslam, and Dawson 1993; Bradford 1996 personal communication). The rice market collapsed after the war, but then slowly stabilized. Between 1929 and 1981, California's total rice harvest increased from 82,500 acres to 590,00 acres, with 80 percent of the crop produced in the Sacramento Valley.

Because of the enormous amounts of water used in flood irrigation, rice farming had a significant impact on the region's wetlands by releasing water from the rice fields during the dry summer season. The proliferation of wetlands, in tandem with rice cultivation, increased waterfowl populations throughout the region, particularly in the vicinity of the Butte Sink. The bird populations attracted sport hunters, and a number of gun clubs were established in the area around Butte Sink and in other wetland areas of the Sacramento Valley during the 1910s and 1920s (Kerhoulas 1996 personal communication; Meredith 1996 personal communication).

Since the 1920s, the project study area has been characterized by a continuity of uses that include large-scale reclamation systems, hunting, wildlife and habitat management, and rice farming. The major new development during this period involved the production of natural gas. The Wild Goose Gas Field was discovered in 1951 and ultimately developed with nine primary wells. Production ceased in 1988 when the field was depleted.

LOCAL SETTING

Literature Search

In general, the project study area is considered to be sensitive for cultural resources, primarily unrecorded historic resources, based on historic cartographic information on file with the Northeast (NEIC) and Northwest (NWIC) Information Centers of the California Historical Resources Information Centers.

A number of compliance reports on file with the information centers include portions of the project area. Primarily, Johnson and Johnson (1974), Russo (1979a-b), and Maniery and Maniery (1986) review resources along the Sacramento River. These reports summarize field surveys at specific locations – most of which are not in the project study area – or in the vicinity of known or suspected cultural resources. Studies completed for the Wild Gas Storage project include those by Basin Research Associates and W.C. Minor (1996), Basin Research Associates (1997), and Busby (1996, 1997a, 1997b, 1998, 2001). A supplementary record search was conducted in 2001for the Line 400/401 Connection Pipeline and Delevan Interconnect sites. Studies within 0.5 mile of the project area include those by Arnold (1964), Moratto et. al. (1990), Neuenschwander (1997), Orlins (1988), Peak and Associates (1997), and Treganza et. al. (1965). One previously recorded resource, CA-COL-158, is located within 0.5 mile of the pipeline.

Known sites include the Reclamation District 833 Main and Cherokee Canals which are crossed by the proposed Line 400/401 Connection Pipeline and Storage Loop Pipeline routes. Studies conducted during initial project development in 1996 identified these features as contributing elements to a potentially eligible historic district/landscape comprising Reclamation District 833. The district may be eligible for the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR) under

criterion A (36 CFR Part 60). Additional research was recommended to document the extent and integrity of this reclamation district and confirm its significance within the context of irrigation, reclamation, agricultural development, and wetlands stabilization. Two other drainage ditches, the Colusa Basin Drain and the Glenn-Colusa Canal, are crossed by the Line 400/401 Connection Pipeline.

A Historic Properties Management Plan (HPMP) was completed during initial project development (Basin Research Associates 1997) as part of a Memorandum of Agreement (MOA) prepared by U.S. Army Corps of Engineers, Sacramento District and signed in July 1997. Consulting parties included the U.S. Army Corps of Engineers, Sacramento District, California State Office of Historic Preservation, and the Advisory Council on Historic Preservation. Concurring parties included the CPUC and Wild Goose Storage, Incorporated. The HPMP stipulates the compliance measures to be followed for any additional work or expansion associated with the project. The HPMP contains provisions for Historic Properties Review, Archaeological Data Recovery, Reporting, Monitoring and Historic Property Protection and Curation. The HPMP also contains an Unexpected Discoveries Plan and Native American Burial Protection Plan.

Results of Literature Search. The following resources were identified during the archival research as potentially present within or adjacent to the proposed project components. Further, in January of 2002, a landowner along the Line 400/401 Connection Pipeline disclosed that he had found artifacts close to or within the pipeline alignment.

Well Pad Site

- Site is adjacent to Reclamation District 833.
- Site is adjacent to Gray Lodge Wildlife Management Area.
- Site is very near Tule Goose Gun Club.

Storage Loop Pipeline

- Alignment is within Reclamation District 833.
- Alignment is adjacent to Gray Lodge Wildlife Management Area.
- Alignment is adjacent to Tule Goose Gun Club.

Remote Facility Site

- Location is adjacent to Gray Lodge Wildlife Management Area.
- Location is within Reclamation District 833.
- Informant indicates that potential prehistoric resource with the pipeline alignment.

Line 400/401 Connection Pipeline

- Recorded historic era site, P-06-000249, the ca. 75-mile-long Colusa Basin Drain in Colusa County dating to 1919 and administered by Reclamation District 2047 (Neuenschwander 1997).
- Probable Native American trail.
- Eleven Mile House recorded historic site.
- Road along west bank of Sacramento River from Colusa to Shasta City from the early 1850s.

- Old railroad grade adjacent to State Route 45.
- Reclamation District 833
- Glenn-Colusa Canal in the Glenn-Colusa Irrigation District (Adams 1929)/Reclamation District 2047.
- The alignment is also adjacent to the Gray Lodge Wildlife Management Area at the east end of the route and the Sacramento and Delevan National Wildlife Refuges near the west end of the route.
- Stegeman siding on the old railroad grade. This location would be avoided by the pipeline alignment.

Delevan Interconnect Site

- Location is east of the Glenn-Colusa Canal in the Glenn-Colusa Irrigation District (Adams 1929)/Reclamation District 2047.

Results of Field Reconnaissance. Since 1996, several studies have been completed. The studies included in pedestrian surveys of the project components and associated facilities for prehistoric, historic, and architectural resources. While the literature search had identified several potential resources within a larger study area, the pedestrian survey focused on the right-of-way or property needed for construction of the facilities. WGSI studies include those by Basin Research Associates and W.C. Minor (1996), Basin Research Associates (1997), and Busby (1996, 1997a, 1997b, 1998, 2001). A summary of identified resources for each facility is given below.

Well Pad Site. A pedestrian survey of the 8.5-acre Well Pad Site (Basin Research Associates and W.C. Minor 1996) did not result in the discovery of any prehistoric or historic archaeological resources.

Storage Loop Pipeline. The Storage Loop Pipeline has been the subject of two cultural resource studies. The initial survey was conducted in 1996 (Basin Research Associates and Minor 1996). A supplementary study was conducted in 1998 (Busby 1998). This study included portions of the pipeline, which had not been surveyed in 1996. No prehistoric or historic archaeological resources were reported within the surveyed area. The proposed pipeline is noted in both reports as within the Gray Lodge Wildlife Management Area. However, no features (e.g. cabins, blinds) associated with the wildlife management area were noted within the proposed pipeline alignment. The Tule Goose Gun Club is adjacent to the proposed pipeline corridor at the western edge and can be avoided. The proposed alignment is within Reclamation District 833, which has been proposed as a NRHP district/landscape.

Remote Facility Site. The 5-acre Remote Facility Site was surveyed in 1996 (Basin Research Associates 1996) with negative results for prehistoric and historic archaeological resources. The facility is within Reclamation District 833 identified as a potential NRHP District (Basin Research Associates 1996:13).

Line 400/401 Connection Pipeline. Approximately 16.7 miles (66%) of the proposed pipeline was subjected to an in-field pedestrian survey. The survey encompassed an area 200 feet in width and transect spacing did not exceed 30 meters (Busby 2001). The remaining 8.7 miles of proposed pipeline was not surveyed due to flooding of the rice fields or denial of rights-of-entry by property owners.

The Line 400/401 Connection pipeline would be located within two reclamation districts identified as potentially eligible for the NRHP (Busby 2001). This includes Reclamation District 833 and Sutter-Butte Canal Company Water System. The survey resulted in the discovery of four resources within the proposed pipeline right-of-way. All four resources are canals with associated levees. The resources include the Cherokee and Main Drainage Canals of Reclamation District 833, the Colusa Basin Drain at the Willows Creek crossing and the Glenn-Colusa Canal. Basin Research Associates and W.C. Minor (1996:12-14) and Busby (2001:4) identify Reclamation District 833 as being potentially eligible for the NRHP as a historic district/landscape under Criterion A of 36 CFR 60.4 (Basin Research Associates and W.C. Minor 1996:13; Busby 1998:3). The Cherokee and Main Drainage Canals of the Reclamation District 833 would be contributing elements of the potential NRHP eligible District.

That section of the Colusa Basin Drain at the Willow Creek crossing has not been evaluated for NRHP eligibility. However, a segment of the drain located approximately less than one mile south of the crossing has been evaluated (Nuenschwander 1977 and Peak and Associates 1997:8 cited in Busby 2001) and determined not to be eligible for the NRHP or CRHR. The resource is recorded with the California Historical Resources Information System as site P-06-000249. The Glenn-Colusa Canal has not been evaluated for the NRHP and CRHR. None of the resources has been formally documented within the project area.

No cultural resources were noted within the proposed Delevan Interconnect site footprint. The approximately 100-foot x 160-foot lot which would house the interconnect site is located to the east of the Glenn-Colusa Canal in the Glenn-Colusa Irrigation District (Busby 2001: Figure 13).

Native American Consultation

Consultation and research conducted for the project has not identified any known sites within or adjacent to the project study area that would qualify for listing on the NRHP/CRHR as traditional/cultural properties (e.g., Parker and King n.d.). The Chico Band of Meechoopda Indians, the Mooretown Rancheria of the Maidu Indians, and the Round Valley Reservation/Covelo Indian Community were consulted during initial project development. No resources of interest were noted as a result of this consultation.

On July 18, 2001, Basin Research Associates requested a review of the Sacred Lands Inventory on file with the Native American Heritage Commission (NAHC) in Sacramento. The inventory was reviewed for potential conflicts with proposed project components. The NAHC responded on August 10, 2001 indicating that they did not have any record of Native American resources in the project area. On August 23, 2001 letters were sent to 11 Native American individuals in Butte County and five individuals in Colusa County requesting further information. The names were taken from a list provided by the NAHC. Those parties contacted in Butte County included Patsy Seek of the KonKow Valley Band of Maidu, Beryle Cross, Joe Marine, Jewell Pavalunas of the Butte Tribal Council, Aart Angle of the Enterprise Rancheria of Maidu Indians, Farral Cunnigham of the Maidu Cultural and Development Group, Clara LeCompte of the Maidu Nation, Gary Archuleta of the Mooretown Rancheria of Maidu Indians, Steve Santos and Rod Clements of the Mechoopda Indian Tribe of Chico Rancheria and J.D. Smith of the Berry Creek Rancheria of Maidu Indians. Groups contacted in Colusa County include Grant Smith, Everitt Freeman of the Paskenta Band of Nomlaki Indians, Delbert Benjamin of the Colusa Indian

Community, Elaine Paterson of the Cortina Band of Indians and the Wintun Environmental Protection Agency. The individuals and organizations listed above were contacted via telephone during the week of September 10th, 2001. Voice mail or messages were left for the contacts.

Mr. Ren Reynolds of the Butte Tribal Council responded via letter on August 2, 2001. He indicated that he was checking to determine if any archaeological sites were in the project area. He also forwarded the letter to Grindstone Rancheria, Cortina Reservation, and Colusa Rancheria. No further response has been received from Mr. Reynolds.

Consultation and research completed for the Wild Goose Gas Storage Project did not identify any locations that would qualify for listing on the NRHP as traditional/cultural properties. There are no contemporary Native American rancherias (or communities) or notable geographic points of interest/concern present within or adjacent to the project study area.

Regulatory Setting

FEDERAL SETTING

The regulations implementing Section 106 (36 CFR Part 800 or Agency counterpart regulations) of the National Historic Preservation Act of 1966 (as amended) (NHPA) require federal agencies to identify all cultural properties on land under its control or jurisdiction that meet the criteria for inclusion in the National Register of Historic Places (NRHP) and to afford the Advisory Council on Historic Preservation an opportunity to comment on those actions that may affect them (WGSI 2001).

The NHPA established the federal government's policy on historic preservation and the programs, including the NRHP, through which that policy is implemented. Under the NHPA, historic properties include "... any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places" (16 United States Code [USC] 470w (5)). Section 106 (16 USC 470f) of the NHPA requires federal agencies, prior to implementing an "undertaking" (e.g., issuing a federal permit), to consider the effects of the undertaking on historic properties and to afford the Advisory Council on Historic Preservation (ACHP) and the State Historic Preservation Office (SHPO) a reasonable opportunity to comment on any undertaking that would adversely affect properties eligible for listing on the NRHP.

Since a permit would be obtained from the US Army Corps of Engineers (Corps) for the construction, operation and maintenance of several proposed project components, the NHPA of 1966 (as amended) and its implementing regulations (16 USC 470 et seq., 36 CFR Part 800, 36 CFR Part 60, and 36 CFR Part 63) apply to the project, requiring the Corps to consider whether the project would affect historic properties listed on or meeting the criteria for listing in the NRHP. The Corps would be the lead agency for NHPA Section 106 compliance and consultation with the SHPO and ACHP would be conducted.

STATE/REGIONAL SETTING

A basis for defining the significance of historical resources is found at, for example, Public Resources Code 5020.1, 5024.1, and California Code of Regulations 4851, 4852, and 15064.5. A California Register of Historical Resources (CRHR) is established "to identify

the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change." Historical resources may be listed in the CRHR if they meet the eligibility criteria for listing in the CRHR as defined at PRC 5024.1, Title 14 CCR Section 4850.3. According to CEQA Guidelines Section 15064.5(a)(3), "Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource has integrity and meets the criteria for listing in the CRHR (Pub. Res. Code §5024.1, title 14 CCR, Section 4850.3) as follows:

> (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
>
> (B) Is associated with lives of persons important in our past;
>
> (C) 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
>
> (D) Has yielded, or may be likely to yield, information important in prehistory or history.

Historical Resource Significance

Applicable California regulations are found in the California Public Resources Code (PRC Sections 5020 through 5029.5 and Section 21177), and in the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations Sections 15000 through 15387) (WGSI PEA). CEQA equates a substantial adverse change in the significance of a historical resource with a significant effect on the environment (PRC Section 21084.1) and defines substantial adverse change as demolition, destruction, relocation, or alteration that would impair historical significance (PRC Section 5020.1). PRC Section 21084.1 stipulates that any resource listed in, or eligible for listing in, the California Register of Historical Resources (CRHR) is presumed to be historically or culturally significant.

Resources listed in a local historic register or deemed significant in a historical resource survey (as provided under PRC Section 5024.1g) are presumed historically or culturally significant unless the preponderance of evidence demonstrates they are not. A resource that is not listed in, or determined to be eligible for listing in, the CRHR, not included in a local register of historic resources, or not deemed significant in a historical resource survey, may nonetheless be historically significant (PRC Section 21084.1).

A resource identified as significant in a historical resource survey may be listed in the CRHR if the survey meets all of the following criteria:

- The survey has been or would be included in the State Historic Resources Inventory.
- The survey and the survey documentation were prepared in accordance with Office of Historic Preservation procedures and requirements.
- The resource is evaluated and determined by the Office of Historic Preservation to have a significance rating of Category 1 to 5 on Department of Parks and Recreation Form 523.
- If the survey is five or more years old at the time of its nomination for inclusion in the CRHR, the survey is updated to identify historical resources that have become eligible or ineligible due to changed circumstances or further documentation and those that have been demolished or altered in a manner that substantially diminishes the significance of the resource.

Other state-level requirements for cultural resources management are written into the PRC Chapter 1.7, Section 5097.5 (Archaeological, Paleontological, and Historical Sites), and Chapter 1.75, beginning at Section 5097.9 (Native American Historical, Cultural, and Sacred Sites) for lands owned by the state or a state agency.

Archaeological Resource Significance

Where a project may adversely affect a "unique" archaeological resource, PRC Section 21083.2 requires the CEQA Lead Agency to treat that effect as a significant environmental effect (WGSI PEA). CEQA Guidelines sections 15064.5 and 15126.4 take a broader approach, using the term "important" in place of "unique," and suggesting additional criteria to guide the Lead Agency in making a determination of uniqueness (the resource must be at least 50 years old and possess "substantial stratigraphic integrity" and the resource involves "important" research questions that historical research has shown can be answered only with archaeological methods). To resolve conflicts between the narrow and limiting statutory provision for mitigation of archaeological resources and the broadly protective statutory provision for determining the significance of historical resources, CEQA Guidelines Section 15064.5(c) provides that to the extent an archaeological resource is also an historical resource, the provisions regarding historical resources apply.

The CEQA provisions endorse a set of standardized mitigation measures for historic resources by providing that projects following the U.S. Secretary of the Interior's Standards for Treatment of Historic Properties shall be considered as mitigated to a less-than-significant level.

Native American Burials

The disposition of Native American burials is governed by Section 7050.5 of the California Health and Safety Code and Sections 5097.94 and 5097.98 of the PRC, and falls within the jurisdiction of the Native American Heritage Commission (NAHC) (WGSI PEA). If human remains are discovered, the County Coroner must be notified within 48 hours and there should be no further disturbance to the site where the remains were found. If the remains are determined by the coroner to be Native American, the coroner is responsible for contacting the NAHC within 24 hours. The NAHC, pursuant to PRC Section 5097.98, would immediately notify those persons it believes to be most likely descended from the deceased Native American so they can inspect the burial site and make recommendations for treatment or disposal.

LOCAL SETTING

Butte County. The Butte County General Plan addresses cultural issues in its Land Use (LU) Element (Butte Co General Plan 1984). Land Use Policy 6.7.a states that all cultural resources impacted by proposed projects would be identified and evaluated before approval and development of the proposed project.

Colusa County. The Conservation (CO) Element of the Colusa County General Plan outlines policies for cultural resources (Colusa County General Plan 1989). The policies include:

> CO-24: The county shall encourage and cooperate with cities, special districts, state and federal agencies, and private landowners in acknowledging and preserving the county's cultural heritage, historical and archaeological structures, sites and landmarks.

CO-25: An archaeological survey should be required prior to approval of any project which would require excavation in an area known to contain archaeological resources.

Environmental Analysis

AREAS OF POTENTIAL ENVIRONMENTAL CONCERN

Construction of the proposed Wild Goose Storage project components would include ground-disturbing activities. The activities could result in the loss of integrity of cultural deposits, the loss of information, and the alteration of site setting to cultural resources, which may be potentially eligible for listing on the NRHP and CRHR. The degradation of the cultural resource would be considered a significant impact if the resource is considered eligible for the NRHP and CRHR. For those sites determined eligible for the NRHP and CRHR, altering their current condition would be considered an impact.

For all project components requiring ground disturbance, it is possible that site preparation (i.e., grading, filling) and construction could disturb unknown and potentially important cultural resources, both prehistoric and historic. There is always the possibility that buried or otherwise obscured cultural resources would be discovered during project construction. Construction impacts to cultural resources could occur if unanticipated cultural resources were encountered during construction and such resources were determined to be eligible for listing in the NRHP and CRHR.

Evaluation of known or undiscovered resources can be completed on a site-specific basis depending on construction plans as provided for in the Memorandum of Agreement for the Wild Goose Storage Project and Historic Properties Management Plan for the Wild Goose Gas Storage Project. In the case of prehistoric archaeological sites, examining existing records and reports, detailed recording, and/or excavation to determine data potential of the sites may complete evaluation. Historic resource mitigation measures may include further study to evaluate the sites, detailed recording, and/or excavation.

The following are areas of potential environmental concern that may be associated with implementation of the proposed project:

- The potential to encounter or disturb the context of any deposit or materials of archaeological value;
- The potential to encounter any human remains, burials, or cemetery.

THRESHOLDS OF SIGNIFICANCE

The proposed project would be considered to have a significant effect on the environment if it would:

- Result in damage to, the disruption of, or adversely effect a property that is listed or potentially eligible for the NRHP or CRHR or a local register of historic resources per Section 5020.1 of the Public Resources Code;
- Cause damage to, disrupt, or adversely effect an important prehistoric or historic archaeological resource such that its integrity could be compromised or eligibility for future listing on the NRHP or CRHR is diminished; and

- Cause damage to or diminish the significance of an important historic resource such that its integrity or eligibility for future listing on the NRHP or CHRP could be compromised.

IMPACT DISCUSSION

Impact 3.5-1: Potential for Loss of Integrity and/or Alteration of Identified Resources Potentially Eligible for the NRHP and CRHR.

Construction and maintenance operations of the proposed components would include ground-disturbing activities. The activities could result in the loss of integrity of cultural deposits, the loss of information, and the alteration of site setting to cultural resources that have been identified or may be potentially eligible for listing on the NRHP or CRHR. Degradation of the cultural resource would be considered a significant impact if the resource is considered eligible for the NRHP and CRHR.

Well Pad Site. No known NRHP- or CRHP-listed or potentially eligible resources are located within the area of disturbance for the well pad.

Storage Loop Pipeline. The proposed alignment is within Reclamation District 833, which has been proposed as a NRHP district/landscape. Two irrigation ditches associated with the Reclamation District, the Cherokee and Main Drainage Canals, would be crossed by the pipeline. As required by the Reclamation District, present project plans call for these resources to be avoided by boring under the canals beginning at least 15 to 20 feet from the toe of the canal (C. Busby personal communication to J. Holson).

Remote Facility Site. The site is located within Reclamation District 833 proposed as a NHRP district/landscape. No features associated with the district would be affected by the project. No features associated with historic property would be affected by the project.

Line 400/401 Connection Pipeline: Two contributing elements of the potentially eligible Reclamation District 833, the Cherokee and Main Drainage Canals, are within the proposed construction corridor. Two other irrigation canals, the Colusa Basin Drain and Glenn-Colusa Canal, which have not been documented or evaluated for this project, are within the proposed construction corridor. No known NRHP or CRHP listed or potentially eligible resources are within the Delevan Interconnection Site.

Level of Significance Without Mitigation. The proposed pipeline construction across the Reclamation District and the canals would be a significant impact. The impacts can be mitigated to a level that is less than significant.

Mitigation Measures. WGSI-proposed mitigation measures for impacts on properties listed under or potentially eligible for the NRHP or CRHR or a local register of historic resources per Section 5020.1 of the Public Resources Code are listed below.

> **WGSI Measure 3.5-1.** WGSI shall seek to avoid cultural resources as the preferred mitigation measure. Avoidance of cultural resources would result in less-than-significant levels of impacts to identified cultural resources. The pipelines would be buried and construction techniques would avoid any of the known cultural resources by boring under the resources (e.g. canal/levee). If the resources cannot be avoided then documentation and data recovery efforts consistent with Section 5, Archaeological Data Recovery Plan in HPMP would be implemented to reduce impacts to less than significant levels. Historic resource mitigation measures may include further study to evaluate the sites, detailed recording, and/or excavation.

WGSI Measure 3.5-2: Protection measures for NRHP or CRHR eligible sites would be implemented prior to any subsurface disturbance. This may include a passive protection program (e.g. barrier fencing, signage, etc), construction personnel education, and/or archaeological monitoring. To ensure that no inadvertent damage occurs to avoided cultural resources, the cultural resource boundaries shall be marked as exclusion zones both on the ground and on construction maps. Construction supervisory personnel shall be notified of the existence of these resources and required to keep personnel and equipment away from these areas. A WGSI-assigned qualified archeologist shall be notified prior to initiation of construction activities. Periodic monitoring of cultural resources to be avoided shall be completed by a qualified archeologist to ensure that no inadvertent damage to the resources occurs as a result of construction or construction-related activities. The timing and frequency of this monitoring shall be at the discretion of the archaeologist.

WGSI Measure 3.5-3. Language would be included in the General Specifications section of any subsurface construction contracts regarding trespass on known or potential cultural resources.

The measures listed below would further mitigate impacts on properties listed under or potentially eligible for the NRHP or CRHR or a local register of historic resources per Section 5020.1 of the Public Resources Code:

Mitigation Measure 3.5-1. The contractor shall observe reclamation district requirement that a minimum distance of 15 feet be maintained between the toe of any canal/levee and the construction right-of-way to or 10-foot distance indicated in Section 7.1, Resource Protection of the HPMP (whichever is applicable) to insure protection of the resources.

Mitigation Measure 3.5-2: The project proponent shall retain a qualified archaeologist to conduct the appropriate studies as required by the HPMP. Qualifications for the archaeologist would be consistent with those found in the HPMP.

Impact 3.5-2: Potential for Disturbance to Previously Unidentified Cultural Resources during Project Construction, Operations, and Maintenance.

Well Pad Site. Subsurface excavation could reveal previously unidentified cultural resources.

Storage Loop Pipeline. Subsurface excavation could reveal previously unidentified cultural resources.

Remote Facility Site: Subsurface excavation could reveal previously unidentified cultural resources.

Line 400/401 Connection Pipeline: Subsurface excavation could reveal previously unidentified cultural resources**.** Subsurface excavation in unsurveyed areas could reveal previously unidentified cultural resources. A local resident has reported the potential presence of a prehistoric site within the pipeline corridor which had not be surveyed as of January 2002. Subsurface excavation at the Delevan Interconnection Site could reveal previously unidentified cultural resources.

Level of Significance Without Mitigation. If previously unidentified cultural resources are identified during project construction, operations, or maintenance, and the resources are eligible for the NRHP or the CRHR, the impact would be significant. These potential impacts can be mitigated to a level that is less than significant.

Mitigation Measures. The WGSI-proposed mitigation measure for impacts on previously unidentified cultural resources is listed below.

> **WGSI Measure 3.5-4.** WGSI shall complete the remaining inventory of unsurveyed areas 60 days prior to the start of construction. This would include the reported location of the prehistoric site which, as of January 2002, is inundated. Any design changes that cause a change in the alignment would be inventoried at least 60 days prior to construction. A final report would be completed. Field survey methods and reporting would be consistent with the terms and conditions found in Section 6, Project Changes of the HPMP.

The measures listed below would further mitigate impacts to previously unidentified cultural resources to less than significant.

> **Mitigation Measure 3.5-3.** Prior to the initiation of construction or ground disturbing activities, all construction personnel shall be alerted to the possibility of buried cultural remains, including prehistoric and/or historic resources. Personnel shall be instructed that upon discovery of buried cultural materials, work in the immediate area of the find shall be immediately halted and the WGSI project manager shall be notified. Once a qualified archaeologist has identified the find, then archaeologist, in conjunction with the WGSI project manager, shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts consistent with Section 7.3, Discoveries During Construction of HPMP. If the resource is found to be eligible for the NRHP or CRHP, then Mitigation Measures 3.5-1 through 3.5-5 would apply.
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> **Mitigation Measure 3.5-4.** If buried human remains are encountered during construction, work shall be immediately halted, and the appropriate state or county agency and county coroner shall be immediately notified. If the remains are determined to be Native American, then the Native American Heritage Commission (NAHC) would be notified within 24 hours as required by Public Resources Code 5097. The NAHC shall designate a Most Likely Descendants that would provide recommendations for the treatment of the remains within 24 hours. Protection procedures would follow those found in Section 7.4, Discovery of Native American Skeletal Remains and Appendix 1, Native American Burial Plan of the HPMP.