

8 CULTURAL AND PALEONTOLOGICAL RESOURCES

INTRODUCTION

This chapter describes the environmental and regulatory setting for cultural resources and paleontological resources in the Coyote Creek Agrivoltaic Ranch project (project) area, identifies and analyzes impacts related to cultural resources and paleontological resources from implementation of the project, and recommends mitigation measures to reduce or eliminate significant impacts. Tribal cultural resources (TCRs) are separate and distinct from cultural resources, and are discussed separately in Chapter 13, “Tribal Cultural Resources”. In addition, because construction of the proposed project may have significant effects on unique paleontological resources, the paleontology analysis has been included in this EIR chapter.

This discussion of cultural resources in this chapter is based on, and contains portions of, the *Built Environment Inventory and Evaluation Report for the Coyote Creek Agrivoltaic Ranch Project, Sacramento County, California*, dated February 2024, prepared by ECORP Consulting, Inc. (ECORP) (ECORP 2024), and the *Archaeological Resources Inventory Report for the Coyote Creek Agrivoltaic Ranch Project, Sacramento County, California*, dated February 2024, prepared by Dudek (Dudek 2024a). These reports contain confidential information regarding the location of archaeological resources. Historical, archaeological, and paleontological resources are nonrenewable resources. In accordance with state and federal law, and to deter vandalism, artifact hunting, and other activities that can damage such resources, these studies are confidential and are, therefore, not included as appendices to the EIR. California Government Section Code 6254.10 exempts archaeological sites from the California Public Records Act, which requires that public records be open to public inspection.

ENVIRONMENTAL SETTING

The project site is generally south of U.S. Route 50, northwest of Rancho Murrieta, southeast of the Prairie City State Vehicular Recreation Area (SVRA), and south of White Rock Road in the Cosumnes community in unincorporated Sacramento County, California. Specifically, the project site is on what is known as the “Barton Ranch”, adjacent to 3830 Scott Road, in a rural setting and is surrounded primarily by agricultural parcels. A majority of the project site consists of non-irrigated open space pasture. The project site is intersected by Coyote Creek, Carson Creek, and Little Deer Creek such that a portion of the project site consists of riparian areas. Several structures are present in the center of the project site, most obviously the ranch home and outbuildings associated with Barton Ranch. The northwestern portion of the project site intersects the Prairie City SVRA.

The region surrounding the project site would have been near the nexus of Plains Miwok and Nisenan tribal territories. Tribal participants in this project include the United Auburn

Indian Community (UAIC), Lone Band of Miwok Indians (IBMI), Shingle Springs Band of Miwok Indians (SSBMI), and Wilton Rancheria (WR). See Chapter 13, “Tribal Cultural Resources,” for additional information.

PRECONTACT SETTING

The following text has been extracted from the *Archaeological Resources Inventory Report for the Coyote Creek Agrivoltaic Ranch Project*, prepared by Dudek in February 2024 (Dudek 2024a).

THE PALEO-INDIAN PERIOD (11,550-8550 CAL BC)

Occupation of the Central Valley and Sierra Foothills is likely to have occurred at least 9,000 years ago, but only a handful of Paleoindian period lithic bifacial points have been recorded. The nearest of these fluted points were found in the Sierra Valley (west of Reno, Nevada) (Foster and Betts 1996), Ebbett’s Pass (south of Lake Tahoe) (Dillon 2002), and at the Sailor Flat site (in the Tahoe National Forest). Fluted points from this area have generally been recorded as isolated finds or recovered from contexts of mixed provenience. The primary examples of the Paleoindian pattern, to which such fluted and stemmed points are generally assigned, have been recorded east of the Sierra Nevada. The typical assemblage includes large stemmed projectile points, high proportions of formal lithic tools, bifacial lithic reduction strategies, and relatively small proportions of ground stone tools. Some of the most pertinent of such sites were studied by Emma Lou Davis (Davis 1978) on China Lake Naval Air Weapons Station, near Ridgecrest, California. These sites contained fluted and unfluted stemmed points and large numbers of formal flake tools (e.g., shaped scrapers, blades). Other typical Paleoindian sites include the Komodo site (MNO-679)—a multi-component fluted point site—and MNO-680—a single-component Great Basined Stemmed point site (Basgall et al. 2002). At MNO-679 and MNO-680, ground stone tools were rare, but finely made projectile points were common. Fluted points and other Paleoindian period sites are particularly rare in the Central Valley due to the dearth of Late Pleistocene–age surficial deposits in the region because of periodic episodes of erosion and deposition during the Holocene that have removed or deeply buried large segments of the Late Pleistocene landscape that would contain Paleoindian sites; although fluted points have been found in isolated contexts in the Sacramento and San Joaquin Valleys.

ARCHAIC PERIOD (8550 CAL BC–CAL AD 1100)

The Archaic period in the Central Valley is subdivided into three phases: the Lower Archaic (8550–5550 cal BC), the Middle Archaic (5550–550 cal BC), and the Upper Archaic (550 cal BC–cal AD 1100). As with the Paleoindian period, Lower Archaic deposits in the Central Valley tend to be isolated finds lacking stratigraphic context. Stemmed projectile points, flaked stone crescents, and other distinctive flaked stone artifact types are associated with this period, several of which have been found in the vicinity of Tulare Lake (Fenenga 1992).

The onset of the Middle Archaic in Central California marked a substantial change in the climate, with warmer, dryer conditions resulting in the shrinking and eventual drying out

of Tulare Lake, a phenomenon common among other Pleistocene lakes throughout the western United States during this time. This also coincided with the formation of new wetland habitats as rising sea levels pushed inland, forming the Sacramento and San Joaquin deltas. These climatic processes resulted in substantially more stable landforms as fans and floodplains stabilized within the delta, making buried Middle Archaic deposits much more common than those from the Early Archaic. Middle Archaic sites are typified by the distinct adaptive pattern of logistically organized subsistence practices and residential stability along river corridors (Rosenthal et al. 2007). The prevalence of ground stone tools, including early examples of mortars and pestles, suggests an increased reliance on vegetal resources, likely the result of greater residential stability driving resource intensification (e.g., Basgall 1987). Fishing was also an important component of subsistence, as new fishing technologies (including gorge hooks, composite bone hooks, and spears) along with abundant ichthyofaunal remains have been identified at Middle Archaic sites in Contra Costa, Sacramento, and San Joaquin Counties (Heizer 1949; Rosenthal et al. 2007). Regional variations of the Middle Archaic pattern include the Windmill Pattern, first identified on old levee ridges at the confluence of the Mokelumne and Cosumnes Rivers. The transition to the Upper Archaic period coincides with the onset of late Holocene environmental conditions, during which time the climate was markedly cooler, wetter, and more stable.

The archaeological record from the Upper Archaic is better understood and represented and is marked by an increase in cultural diversity, with numerous regional distinctions in burial posture, artifact styles, and other elements of material culture (Bennyhoff and Fredrickson 1994; Rosenthal et al. 2007). The Upper Archaic record is marked by the development and proliferation of numerous bone tools and implements, as well as widespread production and trade of manufactured goods, including Olivella shell beads, Haliotis ornaments, and obsidian bifacial roughouts and ceremonial blades (Bennyhoff and Fredrickson 1994; Moratto 1984). Subsistence economies during the Upper Archaic focused on seasonally structured resources that could be harvested and processed in bulk, including acorns, salmon, shellfish, deer, and rabbits. The proliferation of mortars and pestles and archaeobotanical remains indicate that the first widespread reliance on acorns occurred during this period (Wohlgemuth 1996). Large, mounded village sites also first occurred in the delta region during this period (Bennyhoff and Fredrickson 1994; Rosenthal et al. 2007).

On the whole, the Archaic period in the Central Valley is characterized by increasing residential stability, cultural diversity, and subsistence intensification through time.

THE EMERGENT PERIOD (CAL AD 1100–HISTORIC CONTACT)

The archaeological record for the Emergent period is the most substantial and well-documented of any period in the Central Valley, and the assemblages and adaptations represented therein are the most diverse. The Emergent period also marks the onset of cultural traditions consistent with those documented at European contact and the disappearance of several previous archaeological traditions. Large villages developed in areas of the Sacramento Valley, and the number of mound villages and smaller hamlets increased across the region. Subsistence economies during the Emergent period were

increasingly reliant on fishing and plant gathering, with increased subsistence intensification evident in the increased reliance on small seeds and a more diverse assortment of mammals and birds (Broughton 1994; Rosenthal et al. 2007). Perhaps the most notable technological change during the Emergent period is the introduction of the bow and arrow, which replaced atlatl technology as the favored hunting implement sometime between AD 1100 and AD 1300 (Bennyhoff and Fredrickson 1994). The material record during the Emergent period is also marked by the introduction of new Olivella bead and Haliotis ornament types, and eventually the introduction of clamshell disk beads (Groza 2011; Moratto 1984; Rosenthal et al. 2007). The Emergent period in general is marked by an increase in population size and the number of residential sites and villages throughout the region, with increasing regional variability and resource intensification.

ETHNOHISTORIC SETTING

The following text has been extracted from the *Archaeological Resources Inventory Report for the Coyote Creek Agrivoltaic Ranch Project*, prepared by Dudek in February 2024 (Dudek 2024a).

The region surrounding the project site would have been near the nexus of Plains Miwok and Nisenan tribal territories during the Ethnohistoric period (Barrett 1908; Barrett and Gifford 1933; Bennyhoff 1977; Kroeber 1925, Wilson and Towne 1978). The Plains Miwok inhabited the region of the lower Mokelumne and Cosumnes rivers, roughly bounded by the Yolo Basin to the west, the American River to the north, the Sierra Nevada to the east, and the Calaveras River to the south. Nisenan speaking groups inhabited the Yuba, Bear, and American River watersheds, extending from the Sierra Nevada summit to the Sacramento River. The nearest ethnographically documented group was the Walltown Nisenan, who lived in a village near Walltown, approximately two miles east of the project site (Payen 1961).

For both Nisenan and Plains Miwok groups, lower-elevation habitation areas in the valley were most commonly situated along rivers, often on natural levees, while Nisenan habitation areas in the foothills were most commonly situated near primary drainages and along ridgelines with mild slopes and south-facing exposures (Wilson and Towne 1978). Traditional village features included bedrock milling stations, acorn granaries, conical house structures, and sweat and ceremonial houses. The indigenous subsistence strategy was centered on fishing, hunting, and collecting vegetative resources. Groups were logistically mobile, with larger central habitation areas surrounded by satellite sites used during hunting excursions and for pre-processing of collected plant resources, such as acorns. Common food items included acorns, small seeds, pine nuts, fish, deer, rabbits, birds, bears, rodents, other mammals of small and moderate size, and various insects. Common tools included the bow and arrow, traps, harpoons, hooks, nets, portable and stationary grinding implements, and pestles and hand stones. In the valley, mortars for processing acorns and seeds were occasionally made from wood due to the dearth of suitable tool stone (Bennyhoff 1977). A number of goods were made using fibrous plants, including canoes constructed from tule balsa or logs. Imported items included shell ornaments and beads (particularly disk beads as a

monetary unit), green pigment, tobacco, steatite items, and obsidian (Barrett and Gifford 1933; Levy 1978). Exported items included bows and arrows, animal skins, pine nuts, and other local resources (Kroeber 1925).

Among Nisenan, the dead were typically cremated and buried within the boundaries of the habitation area or village (Payen 1961) or sometimes within dedicated cemeteries (Beals 1933). In both cases there was a preference to be buried near one's relatives, such that people dying away from their natal villages were brought back prior to cremation if nearby, or else were cremated and the ashes were brought back and buried (Beals 1933). Among the Plains Miwok, burial practices varied, with flexed burial being the most common practice; however, primary cremation was occasionally practiced by wealthier families (Bennyhoff 1977). Among both groups, it was common to burn, bury, or otherwise destroy the personal property of the deceased.

The basic social unit of the Plains Miwok was the patrilineal extended family with preferred patrilocal residence (Bennyhoff 1977). These units were grouped into larger moieties (Bennyhoff 1977; Levy 1978). The largest political unit was the tribelet, defined by Kroeber (1925) as a group characterized by a sense of cohesion, local autonomy, and use and ownership of a certain territory. Plains Miwok tribelet areas could be represented by a single village or a primary village with up to six smaller and subsidiary settlements. The tribelet took its name from the tribelet center, which represented the natal village of the hereditary headman or "chief" of the unit, and which was the site of the principal assembly house used for ceremonial dances (Bennyhoff 1977). Ethnographic and mission records have identified 28 independent Plains Miwok tribelets, 8 of which occupied territories along the Cosumnes River (Bennyhoff 1977; Levy 1978). Although tribelets were autonomous, they would join together to occasionally form larger cooperative groups.

The prevalent political unit among the Nisenan was the community group, which generally consisted of a number of settlements or villages under one or two chiefs, and which owned a defined territory (Beals 1933), an organization generally consistent with description as a tribelet. In the foothills, the community group was named after the principal village, although group or unit names were not universally employed (Beals 1933). Individual villages or settlements within the community were generally composed of patrilineally related individuals who acted in unison with the other groups of the community except in minor matters. In the vicinity of the project site, among the Walltown Nisenan, the chiefs' sphere of influence was smaller, extending over a single village (Payen 1961). In either case, the chiefs possessed little direct authority but had a greater or lesser degree of influence over the community, depending on their support by public opinion (Beals 1933). The primary function of the chiefs was to direct groups in hunting expeditions, ceremonies, and warfare (Payen 1961).

Central California indigenous populations derived their linguistic roots from a common Penutian stock. The degree of internal variation among the three decedent language groups (Yokutian, Maiduan, and Wintuan) is similar to Indo-European, suggesting a time depth of approximately 6,500 years (Golla 2007). The language spoken by the Plains Miwok is one of the five classified languages of the Miwok family, a branch of the

Yokutian stock, with several distinct regional dialects. The language falls into two distinct branches: Western Miwok, which is subdivided into Coast and Lake Miwok, and Eastern Miwok, which includes Bay, Plains, and Sierra Miwok. Lexostatistical calculations suggest that the two branches of the Miwok language began to diverge at approximately 500 BC (Golla 2011). Plains Miwok is a distinct language that is quite different from adjoining Sierra Miwok vocabulary. Meanwhile, Nisenan is one of four closely related Maiduan languages, along with Konkow, Chico Maidu, and Mountain Maidu. Distinct dialects of Nisenan include Valley, Northern Hill, Central Hill, and Southern Hill Nisenan. The Maiduan language structure suggests that all four Maiduan languages were descended from the same proto-Maiduan speaking population to the north, which subsequently branched into distinct languages and dialects as populations spread southward, with the Nisenan encroaching into areas previously occupied by Miwok tribal groups sometime in the past few centuries (Golla 2007). This later population movement is further substantiated by the high frequency of Miwok loan words found within Nisenan vocabulary, a trait that is not shared with the other three Maiduan languages. The frequency of loan words is indicative not only of the timing of the arrival of the Nisenan language to the area, but also of frequent interaction between Nisenan- and Miwok-speaking groups.

HISTORICAL SETTING

The following text has been extracted and edited from the *Built Environment Inventory and Evaluation Report for the Coyote Creek Agrivoltaic Ranch Project* prepared by ECORP in February 2024 (ECORP 2024). See Appendix CR-1 for the non-confidential version of the report.

EARLY DEVELOPMENT OF CARSON CREEK AREA

In the northeastern corner of Sacramento County, in Natoma Township, placer mining during the Gold Rush occurred primarily along the South Fork of the American River in the vicinity of Mormon Island—located below current day Folsom Lake, approximately seven miles north of the project site. To the south, along Carson Creek, hard rock mining took hold after 1855. At Wall's Diggings, located midway between Carson Creek and Deer Creek—just east of the project site—prospectors located rich quartz leads in exposed rock. Crushing ore with arastras and steam mills, they produced \$20 to \$30 in gold per ton in 1857. A settlement called Walltown developed in the vicinity of Wall's Diggings. At its peak, during the late 1850s, Walltown had a population of 200, enough to support three general stores, two taverns, two butcher shops, two billiards saloons, a clothing store, and a bakery. Walltown declined after 1860. By 1890, "the town had gradually faded from the landscape."

After 1860, farming and ranching eclipsed mining along Carson Creek. Farmers in the northern half of Natoma Township grew hay and grain while those in the southern half grew wheat and barley and engaged in dairy farming, almost all raised livestock. The State Agricultural Society in 1903 described the "up, or red, lands" of eastern Sacramento County between the Mokelumne River and the American River as "devoted largely to the growing of grain and hay and to stock-raising and dairying." By 1900, the southern half of Natoma Township became colloquially identified by its school district, Carson Creek.

In local newspapers, farmers and ranchers living in the southern half of Natoma Township were said to live at “Carson Creek.”

CATTLE RANCHING AND DAIRY FARMING

Expansive grasslands, benign winter weather, and steady demand for beef and dairy products made cattle ranching and dairy farming the leading land use activities in eastern Sacramento County. Demand was never higher than during the Gold Rush, as cattle prices jumped from four dollars a head to several hundred dollars for the highest quality steers. Prices for beef and dairy increased at corresponding rates, prompting some miners to abandon the gold fields and take up ranching at lower elevations along tributaries of the American, Cosumnes, and Mokelumne rivers.

After the Gold Rush, demand for beef and dairy products in California shifted from gold camps to cities and towns. Eastern Sacramento County ranchers who previously supplied the mines now sent their goods to creameries and butchers in Folsom, Sacramento, and San Francisco. Disaster struck in 1862-1865, when drought conditions in California reduced herds by 50 percent. No-fence laws, which favored farmers by shifting the burden of fencing rural properties to livestock owners, also became implemented during this time, causing ranching to move away from the free-range style of Mexican ranchos to the European style of feedlots and fenced areas. No-fence laws became established in Sacramento County in 1870. Cattle ranchers, however, remained permitted to drive their cattle over uncultivated, unfenced lands to reach fresh water and grass at higher elevations.

Ranchers in eastern Sacramento County responded by annually driving cattle to mountain pastures in the Sierra Nevada, a practice called *transhumant grazing*. Summer grasses in the Sierra Nevada exceeded those of eastern Sacramento County, and cooler temperatures facilitated dairying. Many ranchers established twin ranches: a winter ranch in northeastern Sacramento County and a summer ranch in the mountains. Each spring, ranchers rounded up their livestock and drove them up mountain wagon roads to mountain summer pastures. Then each fall, before the first snowfall, ranchers returned their herds to northeastern Sacramento County, where winter temperatures rarely dropped below freezing. An October 1901 issue of *Dairy and Produce Review* discussed the practice: “A number of dairymen in the vicinity of Folsom, Sacramento County, take their herds to the Sierra mountains during the summer for pasturage, and winter them at Folsom. Their milking season is on during their stay in the mountains, the milk being made into butter, which is pickled and held until fall. This system furnishes these dairymen with cheap pasturage of an exceedingly good quality with ideal dairy conditions at small expense. It is reported from Folsom that the herds of Carduff & Speck, Scott Bros., J. Perazzo and J. Fleckstein have already returned from the mountain pastures.”

Local newspapers such as the *Folsom Telegraph* also reported on the seasonal departures and arrivals of ranchers and their herds, including those of the Sales and Barton families. Both families had a hand in shaping the property now known as the Barton Ranch located at 3830 Scott Road in eastern Sacramento County.

THE SALES AND BARTON FAMILIES

Barton Ranch Headquarters is located at 3830 Scott Road in Sacramento County, California within the project site. The headquarters is a concentration of buildings and structures that form the nucleus of a cattle ranch and dairy farm established by the Sales family in 1873 and substantially developed by the Barton family after 1911.

William Sales was born in England in 1819 and arrived in the U.S. in 1843. He married Elvira Balsover of Evansville, Indiana in 1849. The couple toured with Gilbert Spaulding's North American Circus before settling in California in 1853. William and Elvira acquired the southeast quarter of Section 6, T8N R8E along Carson Creek using Morrill Act land scrip in 1873. The couple later acquired adjoining acreage in sections 5 and 8, forming the basis of a cattle ranch. William Sales died in 1888. Probate records show that he left behind 400 acres, a farmhouse, 25 cows, 20 calves, 20 yearlings, three horses, a mowing machine, and other farm equipment, indicating a small but well-established ranching operation. His wife, Elvira Sales, passed away in January 1890.

The Folsom Telegraph reported in 1892 that the "Sales Brothers" had "disposed of their dairy stock" in favor of planting grain, an indication that William and Elvira's three sons maintained the ranch at Carson Creek following their parents' deaths. The Sales family owned the property through 1899. W. H. Johnson acquired it in 1900, followed by W. F. Sperry and then the Barton family. William and Elvira's oldest son, George Sales, may have continued working on the ranch after 1899. When George Sales died in 1945, the Folsom Telegraph observed that George had, "for the greater part of his life [worked as a] cattleman, dairying on the old Sales ranch near Wall Town, Sacramento County".

Sometime between 1911 and 1917 (some reports suggest 1914), William Delos "Will" Barton and his wife, Ouida (Kyburz) Barton acquired the Sales ranch at Carson Creek. Will Barton, a lifelong northeastern Sacramento County rancher, grew up on his family's cattle ranch along Deer Creek, 2 miles east of the Sales Ranch. His father, Hiram E. Barton, was a contemporary of William Sales. By 1880, Hiram Barton's herd numbered more than 300 head of cattle. Like many of their contemporaries, the Barton family annually drove their livestock into the Sierra Nevada for summer grazing. The family operated a dairy on the south shore of Lake Tahoe and also owned 580 acres in Alpine County. Immersed in ranching and dairy farming from a young age, Will Barton took great pride in "his record of taking cattle to Lake Tahoe every year of his life".

Will Barton's wife, Ouida (Kyburz) Barton, descended from an old California family. Her grandparents, Samuel and Rebeca Kyburz, traveled to California in 1847 with the Donner Party but avoided the group's infamous winter ordeal. Samuel Kyburz managed John Sutter's business affairs at Sutter's Fort in 1847. A year later he played a role in locating the sawmill at Coloma where James Marshall discovered gold. After the Gold Rush, Samuel and Rebecca Kyburz established a cattle ranch at Clarksville in western El Dorado County. Years later their son, John Daniel "Dan" Kyburz, and his wife, Jennie (Finch) Kyburz, established their own cattle ranch near White Rock in Natoma Township and raised two children. Their daughter, Ouida, was born in 1880. The Kyburz family, like other ranchers in eastern Sacramento County, annually drove their livestock into the Sierra Nevada for summer grazing and dairying.

Will Barton and Ouida Kyburz wed in 1902. Their oldest daughter, Faye, was born in 1903 in Clarksville. Their youngest daughter, Alva, was born in 1906 in Sierra Valley at Weber Lake, 25 miles northwest of Lake Tahoe, where Will and Ouida operated a summer dairy farm. In 1910, the family lived with Ouida's parents at their Kyburz ranch. Sometime between 1911 and 1917, the couple acquired the Sales Ranch at Carson Creek.

Each year in the late spring, the Barton family rounded up their livestock, gathered their essential belongings, and drove their cattle up what is now the U.S.50 corridor to the south shore of Lake Tahoe for summer grazing. Ouida Barton drove a chuckwagon and cooked for the family and their employees. At Lake Tahoe, the Barton family operated the Lake Valley Creamery. Dairy stables, pack mule rentals, chickens, lambs, and beef cattle were all part of the operation. Sisters Alva and Faye recalled taking turns milking cows and delivering milk, cream, butter, and eggs to customers who maintained summer homes on the south shore of the lake.

Each fall, before the first snowfall, the family packed up and drove their herd back to Carson Creek. Winter months were a time of school for the children and work for Will, Ouida, and their employees. In February 1919, the Folsom Telegraph reported that "W. D. Barton" was "making extensive improvements to his ranch property near Folsom." By 1922, the Barton family had amassed a herd of more than 600 head of cattle and (according to family lore) managed to ship "more cream to the creamery than any other producer" (a claim that remains unsubstantiated by research). Much of the cream went to the Crystal Dairy in the city of Sacramento.

The Barton Ranch's increased output followed countywide patterns of growth: dairying in Sacramento County expanded rapidly between 1920 and 1923 as dairy farmers increased their herds and alfalfa yields. Multiple creameries and an evaporative milk condensery became operational in Sacramento County during the early 1920s. By one account, the overall dairying output in Sacramento County tripled during the period.

The Barton Ranch was a home but also a workplace. Through the years, the family employed several ranch hands and cowboys. Longtime employees included Dan McLain, who supervised the Barton Ranch during its quiet summer months. The family's longest-tenured cowboy, Jesse J. "Jess" Riola, began working for the Barton family as a 10-year-old orphan in 1914; Will and Ouida Barton eventually adopted him. Riola played a key role in the annual cattle drive to and from Lake Tahoe; he also supervised the transportation of cream from the Barton Ranch to the Crystal Dairy in Sacramento.

Faye Barton married Lester Ledbetter and moved to Sloughhouse in 1924. Will and Ouida Barton died nine months apart in 1956 and 1957. After her parents' deaths, Alva Barton, who remained unmarried, took on a supervisory role at the ranch and became an active member of the Nevada-California Cattlemen's Association. Her adopted brother, Jess Riola, died in 1984 and her sister Faye passed away in 1999. Alva Barton, a resident of Barton Ranch at Carson Creek for 90 years, died in 2004. In January 2022, Huth Ranch LLC of Galt, California acquired the Barton Ranch property. Huth Ranch LLC is not associated with descendants of the Barton family.

A number of historic-age resources associated with cattle ranching and grazing were identified within the project site on the Barton Ranch including earthen dams and reservoirs, wells, and ditches.

RURAL TRANSPORTATION ROUTES

The project site is traversed by several historic-age roadways. Scott Road originated as a Gold Rush wagon road that facilitated traffic from the Placerville and Sacramento Road (today's White Rock Road) to mining camps near the Cosumnes River such as Live Oak and Michigan Bar. The road later served eastern Sacramento County farmers and ranchers and became identified by its principal destination, Scott Ranch, a cattle ranch established by John P. Scott on the south side of Deer Creek. Boys Ranch Road in eastern Sacramento County is a two-lane rural county road paved with asphalt built circa 1960 to facilitate traffic from the Scott Road to Boys Ranch, a juvenile detention facility, which is located outside of the project site. Payen Road is a 12-foot-wide, private dirt access road built circa 1940 to facilitate traffic from Scott Road to Payen Ranch.

ELECTRICAL TRANSMISSION LINES

The project site is traversed by several historic-age Pacific Gas & Electric Company (**PG&E**) transmission lines. The Gold Hill-Bellota-Lockford 115kV line, a north-south oriented line running through the project site west of Scott Road, was built in the early 1940s. A high-tension 230kV line was built by SMUD in 1957 and a parallel high-tension 230kV line was built by ~~Pacific Gas & Electric Company~~ in 1958 at the western edge of the project site.

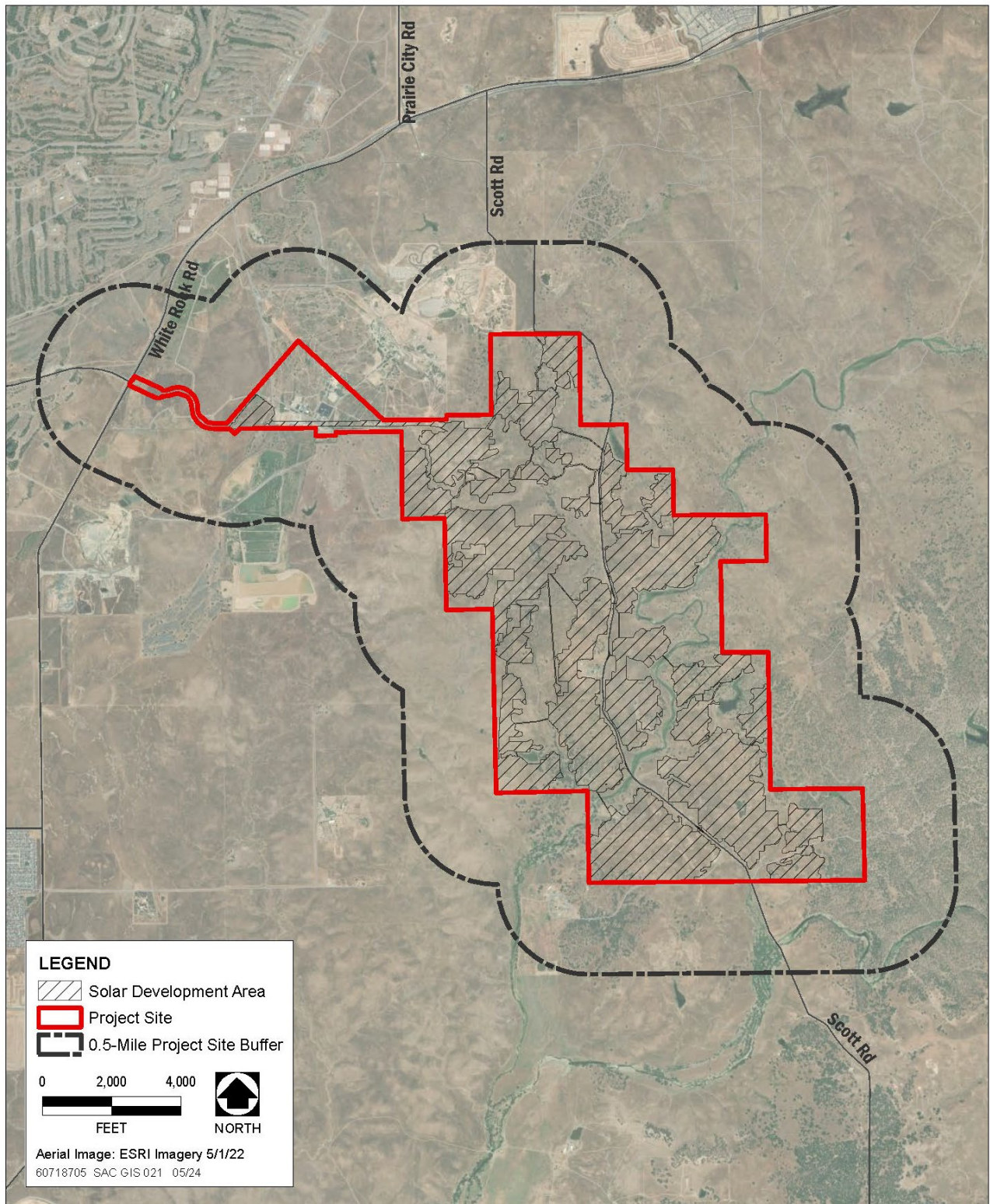
CULTURAL RESOURCES IDENTIFICATION

Research to identify cultural resources within the project site included records searches, historic map analysis, examination of data collected from earlier archaeological investigations, Native American consultation, and project-related archaeological and built environment field surveys of the project site. (See Appendix CR-1 for more details.)

BACKGROUND RESEARCH

A records search of the Coyote Creek Agrivoltaic Ranch project site and a 0.5-mile radius (Plate CR-1) was completed by staff at the North Central Information Center (NCIC) of the California Historic Resources Information System, located at California State University, Sacramento, on June 17, 2021 to identify cultural resources, historic-age built environment resources, and TCRs. The records search included reviews of previously conducted studies, the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), the California Inventory of Historic Resources (1976), California Historical Landmarks (1996), California Points of Historical Interest (1992 and updates), the Historic Property Data File, and historic General Land Office and USGS maps. The NCIC records search identified 31 previously recorded cultural resources (built environment and archaeological) within the project site and an additional 61 cultural

Plate CR-1: Cultural Resources Study Area



Source: ECORP 2024, adapted by AECOM 2024

resources within 0.5-mile of the project site. Of these, 10 historic-age built environment resources are within the solar development area.¹

The 31 cultural resources previously recorded within the project site include precontact habitation sites containing reported human burials, precontact bedrock milling sites, an indigenous lithic scatter, and numerous historical mining sites and features, including three mining districts. Of the previously recorded cultural resources, only the Walltown Historic Mining District (P-34-002157) and the Capital Dredging Company Diggings (P-34-002299) had been evaluated for eligibility for listing in the NRHP and/or CRHR. Walltown Historic Mining District (P-34-002157) was found eligible for listing in both registers and the Capital Dredging Company Diggings (P-34-002299) was found ineligible for listing in both registers.

The 10 historic-age built environment resources previously recorded within the solar development area include a rock fence, bridge abutment, a well, an earthen dam, Capital Dredging Company Dredge Tailings, three transmission lines, an earthen dam and reservoir, and an unlined ditch. One transmission line (P-34-2195) and the Capital Dredging Company Dredge Tailings (P-34-2299) were previously found ineligible for listing in the NRHP and/or CRHR.

SURVEY RESULTS

ARCHAEOLOGY

Dudek archaeologists conducted intensive pedestrian surveys of the project site between June 24 and August 9, 2021, and February 8 and March 21, 2021, to identify archaeological cultural resources. In total, 140 resources (31 identified in the records search [with only one (P-34-1399) not re-located during the survey] and 109 newly recorded resources) were identified within the larger project site, including precontact bedrock milling features and historic-era dams, homesteads, and mining-related features. In total, 73 of these resources (nine previously recorded and 64 newly recorded) intersect the solar development area (i.e., the area of direct impacts), most of which are historic-era features related to mining activities that occurred in the late nineteenth and early twentieth centuries. These mining features are related to the adjacent previously recorded mining districts (P-34- 000335, P-34-002157, and P-34-002299). P-34-002157, the Walltown Historic Mining District, appears to be the most pertinent of these districts, because features observed in the central and southern portions of the project site do

¹ The project site consists of 2,704 acres which exceeds the limits of impact for the proposed photovoltaic facility. The “solar development area” is the 1,412-acre portion of the project site where project components and site disturbance activities related to construction and operation of the proposed photovoltaic solar energy facility could occur (i.e., the limits of direct impact). The solar development area is synonymous with the “Project Area of Potential Effects (APE)” in the Archaeological Resources Inventory Report for the Coyote Creek Agrivoltaic Ranch Project (Archaeological Resources Inventory Report) prepared by Dudek in February 2024. As part of the Built Environment Inventory and Evaluation Report for the Coyote Creek Agrivoltaic Ranch Project prepared by ECORP in February 2024, ECORP staff only recorded and evaluated historic-age built environment resources located in the solar development area.

appear to be consistent with those documented as part of this district, which lies to the east. The Walltown Historic Mining District represents an extensive complex of mining features, water conveyance systems, and residential sites dating to the 1870s and 1880s and associated with California's immigrant Chinese population. It has potential to be a significant resource based on the following themes: ethnicity, nineteenth-century regional mining history, and mining technology.

A total of 73 historic-era resources intersect the solar development area or are immediately adjacent. These include mining sites and features, earthen berms and dams, rock alignments, and ditches. These resources are largely functional and/or activity specific; no resources with evident artifacts or cultural deposits intersect the solar development area. Appendix CR-1 lists those resources identified in or immediately adjacent to the solar development area.

BUILT ENVIRONMENT

ECORP architectural historians conducted a field visit of the project site on May 27, 31, and June 16, 2022, and August 8, 2023, to revisit 10 previously recorded built environment resources and documented 9 newly recorded built environment resources. The nine newly recorded historic-age built environment resources were the Barton Ranch Headquarters, a well, Scott R, Boys Ranch Road, Payen Road, and four reservoir/water feature resources. Table CR-1 lists those historic-era built environment resources identified within the solar development area.

Table CR-1. Built Environment Resources Recorded and Evaluated by ECORP

Resource ID	Site Description	NRHP/CRHR Eligible?
P-34-1573/CA-SAC-950H	Rock fence line	No
P-34-1575	Bridge abutment on Coyote Creek	No
P-34-1576	Stone lined well located east of Coyote Creek	No
P-34-1577/CA-SAC-951H	Earthen dam on Coyote Creek	No
P-34-2195	Transmission Line	No
P-34-2299	Capital Dredging Company Dredge Tailings	No
P-34-5264/CA-SAC-1258H	Ditch	No
P-34-5265/CA-SAC-1259H	Ditch	No
P-34-5267/CA-SAC-1261H	PG&E 230 kV Transmission Line	No
P-34-5268/CA-SAC-1262H	PG&E 230 kV Transmission Line	No
CC-01	Barton Ranch Headquarters District (consists of 16 buildings and structures)	No
CC-02	Well	No
CC-03	Scott Road	No
CC-04	Boys Ranch Road	No
CC-05	Payen Road Dirt Road	No
CC-07	Earthen dam and reservoir	No
CC-08	Earthen dam and reservoir	No
CC-09	Earthen dam and reservoir	No
CC-10	Earthen dam and reservoir	No

Source: ECORP 2024

CRHR = California Register of Historical Resources; ID = identification; kV = kilovolt; NRHP = National Register of Historic Places;
PG&E = Pacific Gas & Electric Company

NATIVE AMERICAN CONSULTATION

The County conducted government-to-government consultation with traditionally culturally affiliated tribes in accordance with Assembly Bill 52. During government-to-government consultation, culturally affiliated tribes identified TCRs within the project site and outlined the importance of the Tosewin Region and its contribution to past tribal activities and history. This information from the tribes resulted in a Proposed Tribal Cultural Resources Avoidance and Minimization Plan (TCR AMP), prepared by ECORP in July 2023 on behalf of the County, which directed the preparation of an ethnography of the Tosewin Region based on oral interviews and archival information from the United Auburn Indian Community, Shingle Springs Band of Miwok Indians, Lone Band of Miwok Indians, and Wilton Rancheria culturally affiliated tribes. Please see Chapter 13 for details related to TCRs. See Chapter 13, “Tribal Cultural Resources” for more information regarding AB 52 consultation and the evaluation of effects on TCRs.

PALEONTOLOGICAL RESOURCES

REGIONAL AND LOCAL GEOLOGY

Most of the project site is situated within the gently rolling foothills along the west side of the Sierra Nevada (in the Sierra Nevada geomorphic province). The northwestern corner of the project site is situated at the eastern margin of the Sacramento Valley (in the Great Valley geomorphic province).

The Sierra Nevada trends north-northwest from Bakersfield to Lassen Peak, and includes the Sierra Nevada Mountain range and a broad belt of western foothills. The Sierra Nevada block is composed of northwest-trending belts of metamorphic, volcanic, and igneous rocks that have undergone intense deformation, faulting, and intrusion. Active faults that mark the eastern edge of the Sierra Nevada have resulted in upthrusting and tilting of the entire Sierra Nevada block in the last 5 million years—steeply on the eastern edge (adjacent to the Mono Basin), and gently along the western edge (where the project site is located). The gently rolling Sierra Nevada foothills are comprised of metamorphosed sedimentary rocks that have been intruded by igneous rocks. The rock formations that make up the western edge of the Sierra Nevada block likely originally formed as a volcanic arc that was later accreted (added) to the western margin of the continent during the Jurassic period.

The Sacramento Valley forms the northern third of the Great Valley, which includes approximately 33,000 square miles and fills a northwest-trending structural depression bounded on the west by the Great Valley Fault Zone and the Coast Ranges, and on the east by the Sierra Nevada and the Foothills Fault Zone. The Great Valley is composed of thousands of feet of sedimentary deposits that have undergone periods of subsidence and uplift over millions of years. During the Jurassic and Cretaceous Periods of the Mesozoic era (206–144 million years Before Present [B.P.]), the Great Valley existed in the form of an ancient ocean. By the end of the Mesozoic era (144 million years B.P.), the northern portion of the Great Valley began to fill with sediment as tectonic forces caused uplift of the basin. By the time of the Miocene epoch, approximately 24 million

years B.P., sediments deposited in the Sacramento Valley were mostly of terrestrial origin. Most of the surface of the Great Valley is covered with Holocene (11,700 years B.P. to present day) and Pleistocene (11,700–2.6 million years B.P.) alluvium. This alluvium is composed of sediments from the Sierra Nevada to the east and the Coast Ranges to the west that were carried by water and deposited on the valley floor. Siltstone, claystone, and sandstone are the primary types of sedimentary deposits. Older Tertiary deposits underlie the Quaternary alluvium in the Great Valley.

Based on a review of regional geologic maps (Guterriez 2011, Helley and Harwood 1985, and Wagner et al. 1981), the project site is underlain by several different rock formations of varying compositions and ages, as shown in Plate CR-2 and described in Table CR-2.

PALEONTOLOGICAL SENSITIVITY ASSESSMENT CRITERIA

A paleontologically sensitive geologic formation is one that is rated high for potential paleontological productivity (i.e., the recorded abundance and types of fossil specimens, and the number of previously recorded fossil sites) and is known to have produced unique, scientifically important fossils. Exposures of a specific geologic formation at any given project site are most likely to yield fossil remains representing particular species or quantities similar to those previously recorded from that geologic formation in other locations. Therefore, the paleontological sensitivity determination of a rock formation is based primarily on the types and numbers of fossils that have been previously recorded from that formation.

In its standard guidelines for assessment and mitigation of adverse impacts on paleontological resources, the Society of Vertebrate Paleontology (SVP 2010) established four categories of sensitivity for paleontological resources: high, low, no, and undetermined. Areas where fossils have been previously found are considered to have a high sensitivity and a high potential to produce fossils. Areas that are not sedimentary in origin and that have not been known to produce fossils in the past typically are considered to have low sensitivity. Areas consisting of high-grade metamorphic rocks (e.g., gneisses and schists) and plutonic igneous rocks (e.g., granites and diorites) are considered to have no sensitivity. Areas that have not had any previous paleontological resource surveys or fossil finds are considered to be of undetermined sensitivity until surveys are performed. After reconnaissance surveys, a qualified paleontologist can determine whether the area of undetermined sensitivity should be categorized as having high, low, or no sensitivity. In keeping with the SVP significance criteria, all vertebrate fossils are generally categorized as being of potentially significant scientific value.

PALEONTOLOGICAL SENSITIVITY ASSESSMENT

Table CR-2 presents the results of the paleontological sensitivity assessment based on a review of regional geologic maps, a literature review, and a paleontological resources records search performed at the University of California, Berkeley Museum of Paleontology (UCMP) on February 14, 2024.

Table CR-2. Paleontological Sensitivity Assessment

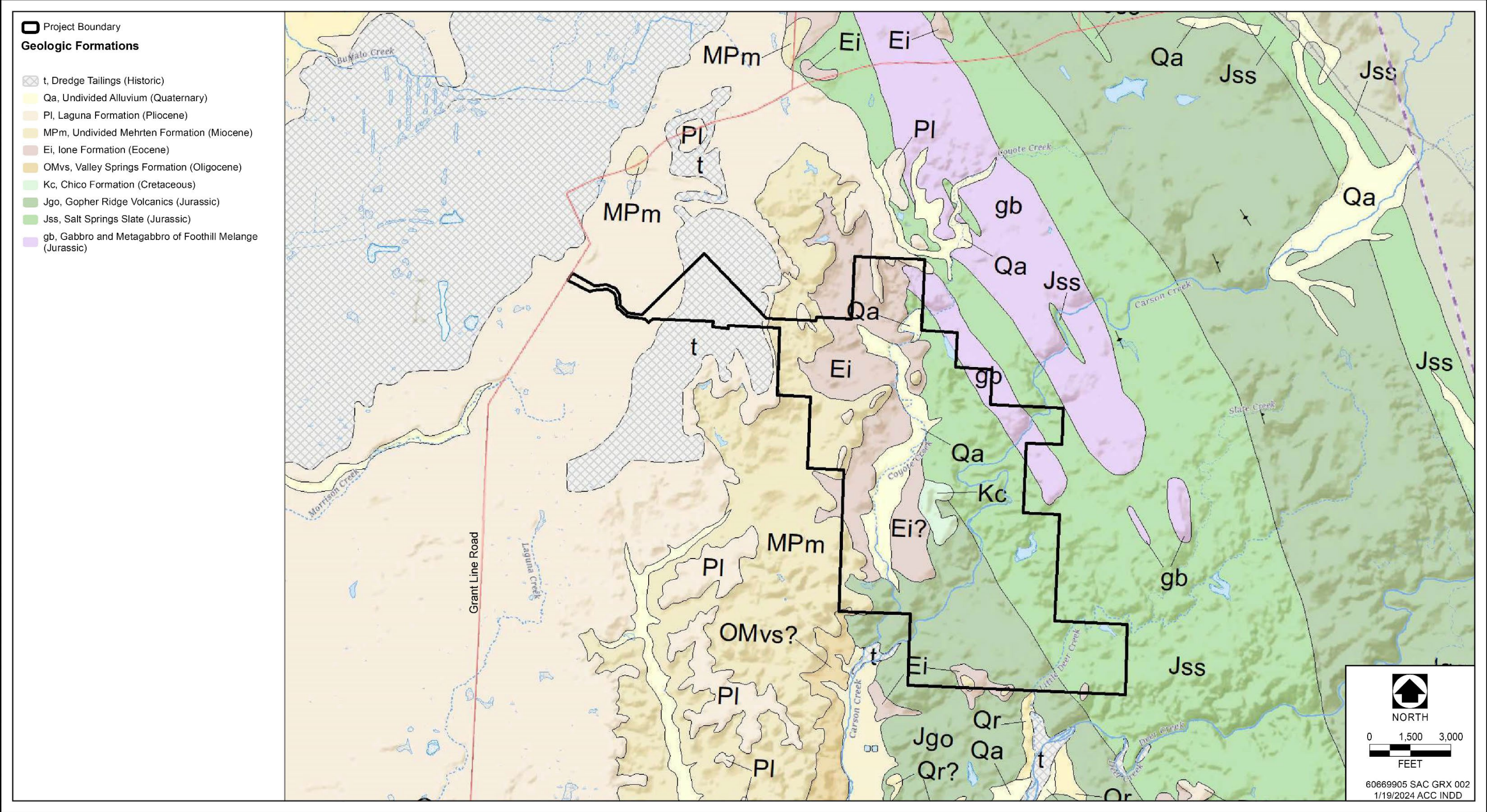
Formation Name and Age	Composition	Fossils	Sensitivity
Dredge tailings, Historic (the last 200 years)	Gravel, cobbles, boulder, sand, and silt resulting from historic mining operations.	Dredge tailings are the result of historic, machine-operated mining. Any fossil resources that may have been present in the original materials were destroyed during the dredging process; thus, there are no vertebrate fossils or fossil plant assemblages.	No
Alluvium, undivided, late Pleistocene (129,000 to 11,700 years B.P.) to Holocene (11,700 years B.P. to Present Day)	Undivided alluvium consisting of flat, relatively undissected fan, terrace, basin deposits, and small active streams.	This formation consists primarily of Holocene-age alluvium. Holocene deposits contain only the remains of extant, modern taxa (if any resources are present), which are not considered “unique” paleontological resources. Given the small amount and the very young age of Pleistocene-age deposits included in this formation, it is unlikely that unique paleontological resources are present.	Low
Laguna Formation, Pliocene (approximately 5 million years B.P.)	Reddish to yellowish brown silt to sandy silt and clay with minor lenticular gravel beds, deposited on broad floodplains by meandering, slow-moving streams. These deposits originate from granitic Sierra Nevada basement complex rocks.	There is only one published reference to a Pliocene-age vertebrate fossil specimen from the Laguna Formation in Northern California: Stirton (1939) refers to a Pliocene-age fossil specimen of a horse tooth found in clayey silt, probably of the Laguna Formation although not definitely identified as such, in a well near the town of Galt, in Sacramento County.	Low
Mehrten Formation, Early Pliocene–Late Miocene (approximately 5–9 million years B.P.)	Consists predominantly of very hard, cemented, lehar (volcanic mudflow) deposits with occasional beds of volcanic ash derived from andesitic volcanic sources in the Sierra Nevada. Contains lenticular deposits of weakly to strongly cemented, well rounded, andesitic boulders, cobbles, and gravels in a fine- to medium-grained andesitic sandstone matrix.	Several specimens of plant fossils have been recovered from the Mehrten Formation in Granite Bay, Roseville, and Rocklin. Vertebrate mammal and plant fossils have been reported from the Mehrten Formation throughout the Sierra Nevada foothills and the eastern margin of the Central Valley. The closest recorded vertebrate fossil locality within the Mehrten Formation is near Camanche Reservoir, where a specimen of <i>Pliohippus</i> (horse) was recovered. Other vertebrate fossils have been recovered from the Mehrten Formation from over 40 locations in Calaveras, San Joaquin, Stanislaus, Tuolumne, and Merced Counties.	High
Valley Springs Formation, Early Miocene–Late Oligocene (22–26 million years B.P.)	Pumice, rhyolitic tuff, sandstone, and conglomerate from volcanic lava flows that occurred in the Sierra Nevada, were washed into streams, and transported downstream to form fluvial deposits.	A few isolated plant fossils have been recovered in El Dorado and Calaveras Counties. No vertebrate fossils have been recorded.	Low

Formation Name and Age	Composition	Fossils	Sensitivity
Ione Formation, Eocene (35–55 million years B.P.)	Primarily light-colored sandstone and claystone (kaolin clay) in the southeastern Sacramento Valley, with minor conglomerate. Extends in a belt over 200 miles along the western edge of the Sierra Nevada. Likely of deltaic and/or estuarine origin.	Numerous large assemblages yielding hundreds of plant fossils have been recovered throughout the Sierra Nevada foothills, particularly from Ione, Iowa Hill, and Camanche Reservoir.	High
Chico Formation, Upper Cretaceous (65–99 million years B.P.)	Marine sandstone, siltstone, shale, and conglomerate.	Twelve different localities in Contra Costa, Monterey, Alameda, Tehama, Butte, and Placer Counties have yielded over 30 vertebrate fossil specimens from species including shark, bony fish, sea turtles, reptiles, and birds.	High
Salt Springs Slate, Jurassic (151–159 million years B.P.)	Dark gray slate with subordinate tuff, greywacke, rare conglomerate and mica schist. Metamorphosed from shale.	Believed to have originated near an oceanic island volcanic arc that was later accreted (added) to the continental margin during the Jurassic period (approximately 150–200 million years ago) and subsequently deformed. Because these rocks were metamorphosed, they do not contain vertebrate fossils or fossil plant assemblages.	No
Gopher Ridge Volcanics, Jurassic (162 million years or more B.P.)	Metamorphosed mafic to andesitic pyroclastic rocks, lava and pillow lava with subordinate felsic porphyritic and pyroclastic rocks.	Believed to have originated near an oceanic island volcanic arc that was later accreted (added) to the continental margin during the Jurassic period (approximately 150–200 million years ago) and subsequently deformed. Because these rocks were metamorphosed, they do not contain vertebrate fossils or fossil plant assemblages.	No
Gabbro and Metagabbro of Foothill Mélange, Mesozoic (200 million years B.P.)	The Foothill Mélange is a chaotic mixture of metasedimentary and metavolcanic rocks of varying lithologies and ages. Gabbro is a mafic intrusive igneous rock formed from the slow cooling of magnesium-rich and iron-rich magma into a crystalline mass deep beneath the Earth's surface. Metagabbro is a metamorphosed variant of gabbro.	Because of the way in which these rocks were formed, gabbro and metagabbro do not contain fossils.	No

Notes: B.P. = Before Present

Sources: Creely and Force 2007, Helley and Harwood 1985, Jefferson 1991a and 1991b, Marchand and Allwardt 1981, Olmsted and Davis 1961, Piper et al. 1939, Sierra College Natural History Museum 2011, Springer and Day 2005, Stirton 1939, The Paleontology Portal undated, Wagner et al. 1981, UCMP 2024

Plate CR-2: Geologic Formations



Source: Dudek 2024b based on Gutierrez 2011; adapted by AECOM in 2024

REGULATORY SETTING

FEDERAL

No federal plans, policies, regulations, or laws related to paleontological resources apply to the proposed project.

SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT, 1966

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to take into account the effects of their undertakings on historic properties and affords the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings. The ACHP's NHPA-implementing regulations are the "Protection of Historic Properties" 36 Code of Federal Regulations (CFR) Part 800. The federal agency first must determine whether it has an undertaking that is a type of activity that could affect historic properties. Historic properties are those that meet the criteria for or are listed in the NRHP.

NATIONAL REGISTER OF HISTORIC PLACES

"Historic properties," as defined by the ACHP, include any "prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the NRHP maintained by the Secretary of the Interior" (CFR Section 800.16(l)). Eligibility for inclusion in the NRHP is determined by applying the following criteria, developed by the National Park Service in accordance with the NHPA:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded, or may be likely to yield, information important in prehistory or history.

Integrity is defined in NRHP guidance as "the ability of a property to convey its significance. To be listed in the NRHP, a property must not only be shown to be significant under the NRHP criteria, but it also must have integrity" (National Parks

Service 2024). NRHP guidance further asserts that properties must have been completed at least 50 years before evaluation to be considered for eligibility. Properties with construction completed fewer than 50 years before evaluation must be proven to be “exceptionally important” (criteria consideration G) to be considered for listing.

STATE

CALIFORNIA ENVIRONMENTAL QUALITY ACT AND THE CALIFORNIA REGISTER OF HISTORICAL RESOURCES

Under the California Environmental Quality Act (CEQA), lead agencies must consider the effects of their projects on historical resources. CEQA defines a “historical resource” as a resource listed in, or determined to be eligible for listing in, the CRHR, a resource included in a local register of historical resources, and any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant (Section 15064.5[a] of the Guidelines). Sacramento County does not currently have a local register. Public Resources Code Section 5024.1 requires that any properties that can be expected to be directly or indirectly affected by a proposed project be evaluated for CRHR eligibility. According to Public Resources Code Section 5024.1(c) (1–4), a resource may be considered historically significant if it retains integrity and meets at least one of the following criteria. A property may be listed in the CRHR if the resource:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region or method of installation, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

To be considered eligible, a resource must meet one of the above stated criteria and also retain integrity. Integrity has been defined by the National Park Service as consisting of seven elements: location, design, setting, materials, workmanship, feeling, and association.

Impacts to historical resources that materially impair those characteristics that convey its historical significance and justify its inclusion or eligibility for the NRHP or CRHR are considered a significant effect on the environment (CEQA Guidelines 15064.5).

In addition to historically significant resources, which can include archaeological resources that meet the criteria listed above, an archeological site may meet the definition of a “unique archeological resource” as defined in Public Resources Code Section 21083.2(g):

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 any of the following criteria:

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

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (Public Resources Code Section 21083.2 [a], [b] and [c]). CEQA Guidelines Section 15064.5, subdivision (e), requires that excavation activities be stopped whenever human remains are uncovered, and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of Native Americans, the NAHC must be contacted within 24 hours. At that time, the lead agency must consult with the appropriate Native Americans, if any, as timely identified by the NAHC. Section 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

PUBLIC RESOURCES CODE, SECTION 5097.5

Public Resources Code Section 5097 specifies the procedures to follow in the event of the unexpected discovery of human remains on nonfederal land. The disposition of Native American burial falls within the jurisdiction of the NAHC. Public Resources Code Section 5097.5 states the following:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

PUBLIC RESOURCES CODE, SECTION 5097.98

Public Resources Code Section 5097.98 states that, whenever the NAHC receives notification of Native American human remains from a county coroner, the NAHC shall immediately notify the most likely descendant (MLD). The MLD may, with permission from the owner of the land in which the human remains were found, inspect the site and recommend to the owner or the responsible party conducting the excavation work a means for treating and/or disposing of the human remains and any associated grave

goods. The MLD is required to complete their site inspection and make their recommendation within 48 hours of their notification from the NAHC.

HEALTH AND SAFETY CODE, SECTION 7052 AND 7050.5

Section 7052 of the Health and Safety Code states that the disturbance, mutilation, or removal of interred human remains is a felony if the remains are within a dedicated cemetery and a misdemeanor if interred outside of a dedicated cemetery. Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner examines the find and determines whether the remains are subject to various laws, including recognizing whether the remains are or may be those of a Native American. If determined to be Native American, the coroner must contact the NAHC.

CALIFORNIA NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT, HEALTH AND SAFETY CODE SECTION 8010 THROUGH 8030

In the California Health and Safety Code, Division 7, Part 2, Chapter 5 broad provisions are made for the protection of Native American cultural resources. The Act sets the state policy to ensure that all California Native American human remains and cultural items are treated with due respect and dignity. Likewise, the Act outlines the mechanism with which California Native American tribes not recognized by the federal government may file claims to human remains and cultural items held in agencies or museums.

CALIFORNIA NATIVE AMERICAN HISTORICAL, CULTURAL, AND SACRED SITES ACT

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. This law requires that if human remains are discovered, construction or excavation activity must cease, and the County Coroner must be notified. If the remains are of a Native American, the coroner must notify the NAHC. The NAHC then notifies those persons most likely to be descended from the Native American whose remains were discovered. The California Native American Historical, Cultural, and Sacred Sites Act stipulates the procedures the descendants may follow for treating or disposing of the remains and associated grave goods.

CALIFORNIA HEALTH AND SAFETY CODE SECTION 7050.5

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains can occur until the county coroner has examined the remains (Section 7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the California NAHC within 24 hours (Section 7050.5c). The NAHC will notify the MLD. With the permission of the landowner, the MLD may inspect the site of discovery. The inspection must be completed within 48 hours of notification of the MLD by the NAHC. The MLD may recommend means of treating or

disposing of, with appropriate dignity, the human remains, and items associated with Native Americans.

CALIFORNIA GOVERNMENT CODE SECTION 6254.10

The California Public Records Act, described in Government Code Sections 6250 through 6270 requires that public records be accessible to the public at large for inspection purposes. Government Code Section 6254.10 clarifies that the California Public Records Act does not require disclosure of records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the NAHC, another State agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a State or local agency.

LOCAL

SACRAMENTO COUNTY GENERAL PLAN

CULTURAL RESOURCES

The *Sacramento County General Plan of 2005–2030* (Sacramento County 2011, as updated in 2017) Conservation Element, states under Section VIII, Cultural Resources, the following goal and six objectives:

Goal: Promote the inventory, protection and interpretation of the cultural heritage of Sacramento County, including historical and archaeological settings, sites, buildings, features, artifacts and/or areas of ethnic historical, religious or socio-economical importance.

1. Comprehensive knowledge of archeological and historic site locations.
2. Attention and care during project review and construction to ensure that cultural resource sites, either previously known or discovered on the project site, are properly protected with sensitivity to Native American values.
3. Structures with architectural or historical importance preserved to maintain contributing design elements.
4. Known cultural resources protected from vandalism unauthorized excavation, or accidental destruction.
5. Properly stored and classified artifacts for ongoing study.
6. Public awareness and appreciation of both visible and intangible historic and cultural resources.

To implement the primary goal and the objectives, the Conservation Element contains the following policies relevant to the project:

- Policy CO-150:** Utilize local, state and national resources, such as the [*North Central Information Center*] NCIC, to assist in determining the need for a cultural resources survey during project review.
- Policy CO-152:** Consultations with Native American tribes shall be handled with confidentiality and respect regarding sensitive cultural resources on traditional tribal lands.
- Policy CO-153:** Refer projects with identified archeological and cultural resources to the Cultural Resources Committee to determine significance of resource and recommend appropriate means of protection and mitigation. The Committee shall coordinate with the NAHC in developing recommendations.
- Policy CO-154:** Protection of significant prehistoric, ethnohistoric and historic sites within open space easements to ensure that these resources are preserved in situ for perpetuity.
- Policy CO-155:** Native American burial sites encountered during preapproved survey or during construction shall, whenever possible, remain in situ. Excavation and reburial shall occur when in situ preservation is not possible or when the archeological significance of the site merits excavation and recording procedure. On-site reinterment shall have priority. The project developer shall provide the burden of proof that off-site reinterment is the only feasible alternative. Reinterment shall be the responsibility of local tribal representatives.
- Policy CO-156:** The cost of all excavation conducted prior to completion of the project shall be the responsibility of the project developer.
- Policy CO-157:** Monitor projects during construction to ensure crews follow proper reporting, safeguards, and Policy procedures.
- Policy CO-158:** As a condition of approval of discretionary permits, a procedure shall be included to cover the potential discovery of archaeological resources during development or construction.
- Policy CO-159:** Request a Native American Statement as part of the environmental review process on development projects with identified cultural resources.
- Policy CO-164:** Structures having historical and architectural importance shall be preserved and protected.
- Policy CO-165:** Refer projects involving structures or within districts having historical or architectural importance to the Cultural Resources Committee to recommend appropriate means of protection and mitigation.

Policy CO-166: Development surrounding areas of historic significance shall have compatible design in order to protect and enhance the historic quality of the areas.

Policy CO-169: Restrict the circulation of cultural resource location information to prevent potential site vandalism. This information is exempt from the “Freedom of Information Act”.

Policy CO-171: Design and implement interpretive programs about known archeological or historical sites on public lands or in public facilities. Interpretation near or upon known sites should be undertaken only when adequate security is available to protect the site and its resources.

PALEONTOLOGICAL RESOURCES

The *Sacramento County General Plan of 2005–2030* (Sacramento County 2011, as updated in 2017) Conservation Element states under Section VIII the following policies related to paleontological resources that apply to the proposed project.

Policy CO-161: As a condition of approval for discretionary projects, require appropriate mitigation to reduce potential impacts where development could adversely affect paleontological resources.

Policy CO-162: Projects located within areas known to be sensitive for paleontological resources, should be monitored to ensure proper treatment of resources and to ensure crews follow proper reporting, safeguards and procedures.

Policy CO-163: Require that a certified geologist or paleoresources consultant determine appropriate protection measures when resources are discovered during the course of development and land altering activities.

IMPACTS AND ANALYSIS

SIGNIFICANCE CRITERIA

CULTURAL RESOURCES

The significance criteria used to evaluate a project’s impacts to cultural resources under CEQA are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to cultural resources would occur if the project would:

- cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

- cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- disturb any human remains, including those interred outside of formal cemeteries.

PALEONTOLOGICAL RESOURCES AND UNIQUE GEOLOGIC FEATURES

Based on Appendix G of the CEQA Guidelines, the proposed project would have a significant impact on paleontological resources or unique geologic features if it would:

- directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

A “unique paleontological resource or site” is one that is considered significant under the following professional paleontological standards. An individual vertebrate fossil specimen may be considered unique or significant if it is identifiable and well preserved, and it meets one of the following criteria:

- a type specimen (i.e., the individual from which a species or subspecies has been described);
- a member of a rare species;
- a species that is part of a diverse assemblage (i.e., a site where more than one fossil has been discovered) wherein other species are also identifiable, and important information regarding life history of individuals can be drawn;
- a skeletal element different from, or a specimen more complete than, those now available for its species; or
- a complete specimen (i.e., all or substantially all of the entire skeleton is present).

The value or importance of different fossil groups varies, depending on several factors: the age and depositional environment of the rock unit that contains the fossils; their rarity; the extent to which they have already been identified and documented; and the ability to recover similar materials under more controlled conditions (such as for a research project). Marine invertebrates generally are common, the fossil record is well developed and well documented, and they would generally not be considered a unique paleontological resource. Identifiable vertebrate marine and terrestrial fossils generally are considered scientifically important because they are relatively rare.

Unique geologic features consist of outstanding natural landforms such as mountain peaks, deep scenic canyons and gorges, scenic rock formations, large waterfalls, volcanic cinder cones, lava fields, or glaciers.

METHODOLOGY

CULTURAL RESOURCES

As described above and in the technical reports prepared for archaeological and historic-era built environment resources (Appendix CR-1), archival research, Native American consultation, and fieldwork were conducted to establish what cultural resources may be present within the project site and, furthermore, may be impacted as a result of the implementation of the proposed project. The impact analysis for archaeological, historical resources, and human remains is based on the findings and recommendations of the Archaeological Resources Inventory Report (Dudek 2024a) and the Built Environment Inventory and Evaluation Report (ECORP 2024) which include eligibility evaluations of identified resources. The analysis is also informed by the provisions and requirements of federal, state, and local laws and regulations that apply to cultural resources.

RESULTS

As previously discussed, a records search was completed for the project site and a 0.5-mile buffer by staff at the NCIC at California State University, Sacramento, on June 17, 2021. The NCIC records search identified 31 cultural resources within the project site, of which 9 resources are within the solar development area; all but one of the 31 resources previously recorded within the project site were located during Dudek's pedestrian survey. During the survey, 109 new resources were identified within the project site. Of these, 64 newly recorded resources intersect the project site and 11 are within a 50-foot buffer. In summary, the 73 resources intersecting the solar development area are historic-era resources including mining sites and features, earthen berms and dams, rock alignments, and ditches. No complex historic-era resources, such as homesteads or other sites with evident potential for buried archaeological resources intersect the solar development area. The eligibility of these resources as historical resources and/or unique archaeological resources under CEQA are discussed below.

HISTORIC-ERA BUILT ENVIRONMENT RESOURCES

Evaluations for NRHP and CRHR eligibility were prepared for 18 of the 19 built environment resources identified within the solar development area, as part of the Built Environment Inventory and Evaluation Report (ECORP 2024). These historic-age built environment resources include a rock fence line, mining tailings, bridge abutments, two wells, two ditches, three transmission lines, three roads, and five earthen dams. Eighteen resources were found to be ineligible for listing in the NRHP and CRHR (see Table CR-2). The 19th resource, the Capital Dredging Company Dredge Tailings (P-34-2299), was previously assessed and found ineligible for listing in the NRHP and CRHR (JRP Historical Consulting 2019); ECORP agreed with the previous analysis and finding.

HISTORIC-ERA ARCHAEOLOGICAL RESOURCES

A total of 73 historic-era archaeological resources intersect the solar development area or are immediately adjacent. These include mining sites and features, earthen berms and dams, rock alignments, and ditches. These resources are largely functional and/or activity specific; no resources with evident artifacts or cultural deposits intersect the solar

development area. All remaining resources located outside of the solar development area remain unevaluated.

CRHR-ELIGIBLE ARCHAEOLOGICAL RESOURCES

P-34-002157 is the Walltown Historic Mining District, an extensive complex of mining features, water conveyance systems, and residential sites dating to the 1870s and 1880s and associated with California's immigrant Chinese population (Baxter and Allen 2008). The previously documented district boundary borders the northeastern portion of the project site, but does not enter into it; however, the district boundary was defined by the project limits of the archaeologists evaluating the district at the time rather than the full spatial extent of sites and features associated with the district.

Previously recorded sites that were considered to be contributing features to the district included sites with a complex of placer mining activity, water conveyance ditches, and possible residences and associated features. These sites were largely tied together via roads, ditches, or similar infrastructure and could thus be considered a part of the same mining landscape. Non-contributing sites included hardrock mines, prospect pits, and other rock alignments or cairns that were not clearly related to mining activities. Based on the integrity of the overall landscape and the potential to address research themes related to placer mining and the social environment, technology, and architecture of marginalized Chinese immigrant communities, the district appears eligible for the CRHR (Baxter and Allen 2008; Dudek 2024a).

In summary, P-34-002157 adds to the regional understanding of California's immigrant Chinese mining population lifeways and history during the late nineteenth century (Criterion 1). Due to the absence of historical documentation focusing on this community, it does not appear that the district is associated with the lives of specific persons important to history (Criterion 2). This resource represents an extensive complex of mining features, water conveyance systems, and residential sites dating to the 1870s and 1880s. District features, deposits, and archaeological assemblage may inform an understanding of social organization, residential habitation activities, and other elements that are specific to California's immigrant Chinese mining population during the late nineteenth century have been documented to fall within this district (Criterion 3 and Criterion 4).

Dudek (2024) expanded the boundary of the Walltown Historic Mining District, to include resources identified during field surveys that appear to be contemporaneous and associated with the district. There are 59 individual sites and features intersecting or near the Coyote Creek solar development area that fall within the expanded P-34-002157 district boundary (Table CR-2). These sites are considered CRHR eligible as contributors to the district, because they may contribute to significance-defining themes associated with Criterion 1. While the observable physical characteristics of these individual resources do contribute to the larger Walltown district significance (i.e. as these attributes pertain to Criterion 3 and Criterion 4 values) they appear to have been appropriately captured through the field recording and documentation provided in the Archaeological Resources Inventory Report (Dudek 2024a).

CRHR-INELIGIBLE ARCHAEOLOGICAL RESOURCES

In addition to the 60 CRHR-eligible resources (the Walltown Historic Mining District and 59 associated/contributing individual sites) discussed above, 13 additional resources (two mining districts and 11 individual historic-era archaeological resources) were identified within or adjacent to the solar development area. None of these 13 resources are considered eligible for the CRHR through formal evaluation (Table CR-1). (Dudek 2024a).

P-34-000335, the Folsom Mining District, encompasses the region historically dredge mined in the area around the American River, including parts of Folsom, Natoma, and Rancho Cordova. At present, the Folsom Mining District itself is primarily an organizational mechanism for consolidating and synthesizing individual resources relating to the region's mining history. The district encompasses numerous other formally recorded "subdistricts," sites, and features that incorporate both historical information and extant archaeological remains of mining activities. Among the resources encompassed by the Folsom Mining District are the Natomas-Aerojet Dredge Fields, the Prairie Diggings Placer Mining District, the Alder Creek Corridor Mining District, the American River Gold Mining District, the Capital Dredging Company Diggings, the Willow Springs Hill Locus, and numerous other mining properties, sites, and features. The Capital Dredging Company Diggings (P-34-2299) intersect the current project site. Aside from the Capital Dredging Company Diggings (P-34-2299, discussed below), no previously recorded elements of the Folsom Mining District intersect the project site. The Folsom Mining District is an organization mechanism and does not have formal NRHP or CRHR status or eligibility determinations.

P-34-002299 is the site of the former Capital Dredging Company Diggings, which operated from 1927 through 1952. The site is located in the Prairie City SVRA property and the property to the immediate south. The site borders much of the northwestern portion of the project boundary and intersects a portion of the project boundary. The Capital Dredging Company Diggings is a large gold-dredging field comprising mostly tailings, ponds, ditches, and berms associated with dredging operations. The resource is located within the conceptual Folsom Mining District (P-34-000335; discussed above). Evaluation of the resource has previously determined that P-34-002299 is not eligible for listing in either the NRHP or CRHR (Melvin et al. 2019). The elements of P-34-002299 are not considered significant individually within the context of dredge mining in the Folsom area, as it followed existing patterns and trends in development (Criterion 1); is not associated with the lives of persons important to history or a significant example of a type, period, or method of construction (Criterion 2); and it is not a significant or likely source of important information regarding historical construction materials or technologies that is not otherwise available through documentary evidence (Criterion 3); and, is not a significant or likely source of important information about historic construction materials or technologies that is not otherwise available through documentary evidence (Criterion 4). The resource is also not eligible as a contributor to a larger district, as the Folsom Mining District is not listed in the NRHP or CRHR. No sites assigned to this district are documented in the solar development area.

Eleven additional historic-era archaeological resources fall within or near the solar development area. These include: a fence alignment (P-34-001573); earthen berm and

pond (P-34-005261); placer mine tailings (CCAR-S-36); a concrete-lined well (CCAR-S-37); and mechanically-excavated mining pits, ditches, and tailings piles (CCAR-S-38; CCAR-S-39; CCAR-S-41; CCAR-S-45; CCAR-S-49; CCAR-S-50; and CCAR-S-100). These fall outside of and are not associated with the above-discussed mining districts. All of these individual resources were found not eligible to the NRHP or CRHR (Dudek 2024a). These resource does not appear eligible for the CRHR because they are not associated with events that have made a significant contribution to broader patterns in history (Criterion 1); research failed to indicate any associations with significant persons (Criterion 2); they do not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction (Criterion 3); and such resources are common throughout the region, and not likely to yield any information important in prehistory or history (Criterion 4), beyond what has already been identified as a result of the Archaeological Resources Inventory Report (Dudek 2024a).

PRECONTACT NATIVE AMERICAN ARCHAEOLOGICAL RESOURCES

No precontact Native American archaeological resources are documented within the solar development area. A total of 14 precontact sites were identified within or adjacent to the larger project site but were excluded from the solar development area through project design.

All precontact archaeological resources are considered eligible for the CRHR. The applicant will be required to avoid and preserve-in-place all recorded precontact indigenous archaeological sites through implementation of management recommendations related to precontact archaeological sites and Tribal Cultural Resources contained in the *Proposed Tribal Cultural Resources Avoidance and Minimization Plan for the Coyote Creek Agrivoltaic Ranch Project* (TCR AMP) (ECORP 2024; see Chapter 13 of this EIR for more detail). Two of the precontact indigenous sites were last documented in the 1930s (summarized in the 1950s) as habitation sites (P-34-000250 and P-34-000253) with reported human remains. The remaining previously recorded precontact indigenous resource, P-34-001578, is composed of a sparse lithic scatter and a bedrock milling feature identified by Dudek. The precise boundaries of P-34-000250 and P-34-000253 are unclear, since they were recorded prior to present reporting standards and the invention of more accurate GPS technology; however, review of available documentation, as supplemented by further technical study efforts, indicates that the sites fall in the same general area as initially recorded. Given the uncertainties associated with the boundaries of these resources, the maximum possible recorded site boundaries have been recorded for these areas (Dudek 2024a). These boundaries also encompass all potential resources identified during forensic canine investigations conducted as a part of ongoing tribal consultation. In addition to these previously recorded resources, one precontact bedrock milling feature was also documented within the boundary of a historic-era homestead (CCAR-S-35) that was identified during Dudek archaeological surveys.

PALEONTOLOGICAL RESOURCES

The evaluation of potential impacts related to unique paleontological resources was based on a review of published geologic literature and maps, and a records search at the U.C. Berkeley Museum of Paleontology (2024). The information obtained from these sources was reviewed and summarized to document existing conditions and to identify the potential environmental effects of the proposed project.

ISSUES NOT DISCUSSED FURTHER

All potential archaeological and historical resources issues identified in the significance criteria are evaluated below.

There are no unique geologic features within or adjacent to the project site. Thus, there would be **no impact** on unique geologic features and this topic is not evaluated further in this EIR.

IMPACT CR-1: CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE PURSUANT TO SECTION 15064.5

All 19 built environment resources identified within the solar development area were found ineligible for listing in the NRHP and CRHR (see Table CR-1, ECORP 2024), therefore; there are no known built environment historical resources in the solar development area. Historical resources include any properties listed in or found eligible for inclusion in the National Register of Historic Places, California Register of Historical Resources, or those included in a local register of historical resources. The fact that a resource is not listed in, or determined to be eligible for listing in, National Register of Historic Places, the California Register of Historical Resources, or not included in a local register of historical resources shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of CEQA. In addition to assessing whether historical resources potentially impacted by a proposed project are listed or have been identified in a survey process, lead agencies have a responsibility to evaluate them against the California Register criteria prior to making a finding as to a proposed project's impacts to historical resources (Public Resources Code Section 21084.1, CEQA Guidelines Section 15064.5[3]).

According to the CEQA Guidelines, if the lead agency finds that a resource is neither an historical resource nor a unique archaeological resource, the effects of the project on the resource shall not be considered significant.

As no historical resources have been identified, **no impact** would occur.

The impact associated with the Reduced Footprint Project would be the same or reduced when compared to the original proposed project evaluated in the public review Draft EIR.

IMPACT CR-2: CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO SECTION 15064.5

While none of the identified precontact archaeological sites have been formally evaluated under CEQA, all precontact indigenous sites identified through background research and field inventory were determined to be TCRs and have been excluded from the solar development area through project design. As is further discussed in Chapter 13, “Tribal Cultural Resources” traditionally and culturally affiliated Native American tribes have been contacted by the County to provide input on precontact indigenous resources in close proximity to the solar development area, particularly P-34-000250 and P-34-000253. Site visits were also completed with tribal representatives in these areas. CEQA defines TCRs as a distinct resource type under CEQA. TCRs may include non-unique archaeological resources. The applicant will be required to avoid and preserve in place all recorded precontact indigenous archaeological sites, consisting of 14 sites in total. In addition to avoidance of known archaeological resources, management strategies related to precontact indigenous archaeological sites and TCRs are contained in the TCR AMP (ECORP 2024). These 14 resources are assumed to be NRHP/CRHR eligible. Given the presence of significant precontact archaeological resources, geomorphic and topographic conditions suited for some areas to contain buried features and/or deposits, and the conditions during fieldwork (variable ground surface visibility during survey), it is assumed possible that additional, unrecorded precontact resources could be present. Impacts to such resources, left unmitigated, would have potential to result in a significant impact.

There are 73 historic-era resources that intersect the solar development area, including mining sites and features, earthen berms and dams, rock alignments, and ditches. No complex historic-era resources, such as homesteads or other sites with evident potential for buried archaeological resources have been identified in solar development area. The vast majority of historic-era features are related to mining activities that occurred in the late nineteenth and early twentieth centuries. These resources are largely functional and/or activity specific; no resources with substantial evident artifact or cultural deposits intersect the solar development area. Most documented archaeological sites intersecting or near the solar development area (n=59) are related to the CRHR-eligible Walltown Historic Mining District (P-34-002157), previously mapped to the northeast of the project site, and are considered contributors to the eligibility of the historic district. The remaining historic-era archaeological resources (n=14) identified within or adjacent to the solar development area are recommended to be ineligible for NRHP/CRHR listing. Observable characteristics of these resources have been fully documented to best practice standards through research, field documentation, high-accuracy post-field mapping, and recordation within the present report and Department of Parks and Recreation (DPR) forms. Given that no artifacts or artifact-bearing features were identified at any of the sites during recordation, there is a very low chance for additional deposits or features to be impacted or otherwise exposed during project activities. However, absent additional mitigation, there remains some minimal potential for project activities to result in a significant impact to undocumented historical resources.

As previously discussed, historic-era mining sites associated with the Walltown Historic Mining District (P-34-002157) should be assumed potentially eligible for NRHP/CRHR listing under Criterion A/1, Criterion C/3, and Criterion D/4. District features, deposits, and archaeological assemblage that may inform our understanding of social organization, residential/habitation activities, and other elements that are specific to California's immigrant Chinese mining population during the late nineteenth century have been documented to fall within this district (Criterion C/3 and Criterion D/4). Dudek's inventory of mining features has resulted in detailed recordation and mapping of all mining sites in the solar development area and adjacent areas. None of the sites or features associated with P-34-002157 in the solar development area were found to contain artifacts or likely cultural deposits (and, thus, would not benefit from additional archaeological excavations). While the observable physical characteristics of these individual resources do contribute to the larger Walltown district significance, they appear to have been appropriately captured through existing documentation. Additional field documentation would be unlikely to yield substantial additional information. That said, there remains a limited potential for as-yet unidentified deposits or features to be impacted or otherwise exposed during project activities. As such, absent additional mitigation, there remains some potential for project activities to result in a significant impact to these individual mining sites.

Additional mitigation directed at significance-defining characteristics associated with broader patterns in nineteenth-century mining history and Chinese mining ethnicity (Criterion A/1) is required. Absent this mitigation, the project may result in a significant impact.

Therefore, impacts to the above archaeological resources, and unanticipated archaeological resource discoveries during construction, are considered **potentially significant**.

MITIGATION MEASURES

CR-2a. Cultural Resource Management Plan (CRMP).

In order to mitigate impacts to known archaeological resources and those resources that may inadvertently be encountered during construction-related activities, a Cultural Resource Management Plan (CRMP) shall be prepared and implemented. The CRMP shall be reviewed by the County and finalized prior to construction permit issuance. The CRMP shall, at a minimum, include the following components:

- Recorded sites with precontact indigenous components within the project site shall be avoided by project design. Specific avoidance buffers and management strategies pertaining to precontact indigenous resources shall be addressed in the *Tribal Cultural Resources Avoidance and Minimization Plan* (TCR AMP). The CRMP and TCR AMP shall act as a pre-construction record of the recorded boundaries of these resources and ensure compliance with regulatory requirements pertaining to both precontact indigenous resources and/or TCRs.

- Definition of environmentally sensitive area (ESA) and methods of delineation (e.g., exclusion fencing, signage, definition on project design drawings) to ensure that both precontact and unevaluated historic-era sites outside of the solar development area remain undisturbed. ESAs will be established around all precontact and historic-era archaeological resources, including an appropriate buffer, adjacent to the solar development area and must be physically delineated prior to construction. The ESAs shall be clearly delineated and marked using methods that do not conflict with other resource or construction styles. The ESAs shall not detail the cultural nature of that avoidance area on signage or plans. The ESAs shall be maintained through the duration of construction.
- Construction monitoring protocol (*see Mitigation Measure CR-2b, below*).
- To the extent construction activities uncover previously unknown or unanticipated cultural resources, all such activities will stop in the vicinity of the resource until the significance of the resources is determined. An appropriate buffer for avoidance during construction is typically 100 feet, which may be adjusted at the recommendation of a qualified archaeologist meeting Secretary of the Interior Qualifications, so that the exclusion buffer allows key areas of construction to proceed while ensuring that no ongoing project activities will affect the find. Where complete avoidance is determined infeasible, archaeological resources shall be evaluated for eligibility to the CRHR by a qualified archaeologist.
- Research questions relevant to the evaluation of anticipated resource types within the project area, and a research design for the evaluation of such resources. Historic-era mining-related archaeological resources may retain physical Criterion 3 and Criterion 4 values that require detailed mapping and documentation prior to any disturbance. This will require field documentation, updating DPR forms, and preparation of an additional technical report. In addition, if impacted, stacked rock features, also described as “residential features,” shall be disassembled and excavated to inspect these features for possible chronological indicators of the specific mining period, since they may be contributors to the CRHR-eligible Walltown Historic Mining District. Evaluation of precontact archaeological resources and historic-era archaeological sites with artifact deposits and/or domestic-type features will likely require an archaeological testing phase that consists of systematic excavations of a portion of the site within the solar development area to determine the integrity of the archaeological deposits, the horizontal and vertical extent of the deposits, the quantity and diversity of artifacts contained within the deposits (as they relate to the ability to answer potential research questions), and the potential for human remains. The qualified archaeologist shall assess if the archaeological site qualifies as a significant or unique archaeological resource under the criteria of CEQA Guidelines Section 15064.5, in consultation with the lead agency, who may request review by consulting tribes and a Tribal Archaeologist based on requirements of the TCR

AMP, as dependent on the age and/or association of the identified cultural resource. If a potentially-eligible resource is encountered, then the archaeologist and/or tribal monitor, Planning and Environmental Review staff, and project proponent shall arrange for either (1) total avoidance of the resource; or if total avoidance is not feasible (2) data recovery as mitigation. The determination shall be documented in writing and submitted to the County Environmental Coordinator as verification that the provisions of CEQA Guidelines Section 15126.4(b) for managing unanticipated discoveries have been met. When data recovery through excavation is selected as the appropriate mitigation measure, a data recovery plan, which makes provision for recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken.

- Define the requirements for communication and notification to the lead agency and consulting parties, daily monitoring log preparation, and final construction monitoring report. The final monitoring report shall be submitted to the lead agency, consulting tribes, and NCIC.

CR-2b. Construction Monitoring.

Prior to the start of ground-disturbing activities, and with any changes in personnel, work crews shall receive an archaeological awareness training notifying them of the archaeologically sensitive nature of the project site, focusing on common artifact/feature types, stop-work protocol, and notification protocol in the event of a potential unanticipated discovery. A qualified archaeologist shall monitor initial grading, subsurface disturbances as outlined by the CRMP. If unanticipated cultural resources are encountered during construction, the process outlined by the final CRMP shall be followed.

No additional action is required with regard to previously recorded historic-era resources within the solar development area. These areas shall be observed by an archaeological monitor during initial disturbance by construction to ensure that no additional features or unidentified deposits are encountered. In the event that newly recorded features or deposits are encountered within these areas, equipment shall be redirected while these areas are further inspected by the archaeologist. These elements shall be subject to recordation sufficient to capture their physical data potential and to inform updates to the records of these features. Information shall be captured through field methods of recordation meeting standards applied during inventory/evaluation technical studies completed for the project. If these findings do not introduce potentially significant information that would revise the individual eligibility of this resource for NRHP/CRHR eligibility under Criteria D/4, construction may resume. Any newly identified potentially significant resource or contributing element to an existing site shall be subject to provisions provided for unanticipated discovery under Mitigation Measure CR-2a and as defined in the CRMP, including review for feasibility of avoidance and/or other management options such as data recovery, should this be required.

The archaeological monitor shall monitor construction, prepare daily monitoring logs, report and assess inadvertent discoveries, communicate with on-site Native American monitors and contractors, guide installation and tracking maintenance of ESA marking, and ensure implementation of the CRMP and approved mitigation. The final CRMP shall act as a record of compliance with guiding documents and mitigation.

Native American monitoring should be inclusive of those traditionally culturally affiliated tribes and related tribal cultural values expressed through the process of government-to-government consultation. If unanticipated cultural resources are encountered during construction, the process outlined by the final TCR AMP shall be followed.

CR-2c. Walltown Mining District Historic Study and Interpretive Plan.

A Historic Mining Study and Interpretive Plan shall be prepared and implemented. While the documentation may commence prior to or during construction, these elements may be prepared as separate documents or combined, and final drafts are anticipated post-construction, within one year of starting commercial operations on-site. The study component shall focus on providing in-depth research and documentation pertaining to the defining characteristics of Walltown Historic Mining District, specifically those elements that inform ethnicity and nineteenth-century regional mining history (NRHP/CRHR eligibility under Criteria A/1). The study shall address research themes related to placer mining and the social environment, technology, and lifeways of marginalized Chinese immigrant communities. It shall seek out and document how this group interacted with the Euro-American population. The study shall make an effort to contact and interview modern Chinese American descendent communities and/or pertinent historical societies in the region and gain insights as to how these past activities may inform or otherwise interplay with community heritage values.

The history of the Walltown Historic Mining District is a public community resource. As such, the Interpretive Plan shall provide methods for distilling, conveying, and sharing the information gathered in the Walltown Historic Mining District Study to the public. This should build on technical documentation prepared as part of this report and may take the form of a publicly accessible interpretive display, website, interactive map, or other options to be determined by the County. The project proponent shall fund the preparation of the Walltown Historic Mining District Study and Interpretive Plan and implementation of the decided interpretive method for conveying this information to the public.

SIGNIFICANCE AFTER MITIGATION

Implementation of Mitigation Measures CR-2a, CR-2b, and CR-2c would reduce potentially significant project-related impacts on archaeological resources because mitigation would avoid, document, test, establish communication and monitoring protocols, treat discovered resources appropriately, in accordance with pertinent laws and regulations, and outline a study and interpretive plan to convey information to the

public. These measures include development of a CRMP, awareness training, avoidance and protection of archaeological resources through the establishment of ESAs, archaeological and Native American monitoring, reporting, stopping work, notification of the appropriate agencies and/or Native American contacts, and procedures to evaluate, protect, and interpret cultural resources. Therefore, with implementation of these mitigation measures, the impact would be **less than significant with mitigation**.

The impact associated with the Reduced Footprint Project would be the same or reduced when compared to the original proposed project evaluated in the public review Draft EIR.

IMPACT CR-3: DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF DEDICATED CEMETERIES

Human remains and associated grave goods are protected under California law. No human remains have been identified within the solar development area, and all known precontact archaeological sites with the potential for containing human remains have been excluded from the solar development area through project design. The NCIC records search did identify two precontact indigenous sites within the project site (P-34-000250 and P-34-000253) and one precontact indigenous site within 0.5 miles of the project site (P-34-000221) with reported burials. No human remains were observed within these areas during the Dudek archaeological survey, although it is possible that these resources were previously subject to archaeological collection of cultural material and/or that there is not surface evidence of these remains. Forensic dog investigations have also been completed. This study did result in “alerts” within and near P-34-000250 and P-34-000253, indicating that there is further potential human remains may be in these areas. Given that these sites were originally recorded prior to GPS technology and the site records lack clearly drawn maps documenting the distribution of archaeological deposits, the exact boundaries of these sites are unconfirmed. As such, the maximum possible site boundaries have been drawn for these areas—from both previous documentation and the technical studies completed in support of the project—and used in the development of the project design and solar development area. The project design would avoid these sites by a minimum distance of 100 feet. Methods for preservation of these sites and any possible human remains that may be present shall be outlined in the CRMP and TCR AMP, as required under Mitigation Measures CR-2a (Cultural Resource Management Plan [CRMP]), CR-2b (Construction Monitoring), and TCR-1a (Title). This impact is considered **potentially significant**.

MITIGATION MEASURES

CR-3a. Treatment of Human Remains.

If human remains are found during any project-related ground-disturbing activity, the remains shall be treated with appropriate dignity pursuant to the procedures for the treatment of Native American human remains are contained in California Health and Safety Code Section 7050.5 and Section 7052 and California Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(e).

Project-specific requirements shall be included in the CRMP. Management of any human remains of Native American origin must occur in coordination and compliance with agreements and management strategies developed in consultation with traditionally culturally affiliated tribes, as outlined by the TCR AMP.

Implement Mitigation Measure CR-2a (Cultural Resource Management Plan [CRMP]).

Implement Mitigation Measure CR-2b (Construction Monitoring).

Implement Mitigation Measure TCR-1 (Tribal Cultural Resource Avoidance and Minimization Plan).

SIGNIFICANCE AFTER MITIGATION

Implementation of Mitigation Measures CR-2a (Cultural Resource Management Plan [CRMP]), CR-2b (Construction Monitoring), CR-3a (Treatment of Human Remains), and TCR-1a (Title) specifies pre-construction preparation and implementation of an awareness training and archaeological monitoring actions required to reduce impacts to unanticipated human remains in the event of accidental discovery during project implementation. MM-CR-3A includes appropriate compliance with California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and other pertinent regulatory requirements. By implementing these mitigation measures, human remains would be identified and protected, and as a result, would reduce the potential impacts in the event of the accidental discovery or recognition of any human remains during construction. Therefore, with implementation of these mitigation measures, the impact would be **less than significant with mitigation**.

The impact associated with the Reduced Footprint Project would be the same or reduced when compared to the original proposed project evaluated in the public review Draft EIR.

IMPACT CR-4: DAMAGE TO OR DESTRUCTION OF UNIQUE PALEONTOLOGICAL RESOURCES DURING EARTHMOVING ACTIVITIES

The project site is composed of several paleontologically sensitive rock formations; therefore, as further discussed below, construction and decommissioning activities could result in accidental damage to, or destruction of, unknown unique paleontological resources.

The project site is underlain by 10 different rock formations of varying compositions and ages, as shown in Plate CR-2 and described in Table CR-2. As shown in Plate CR-2 (which illustrates the project site and solar development area), some of the proposed solar panels and access roads south and east of the Prairie City SVRA along Coyote Creek would be constructed in undivided Quaternary alluvium. Also, proposed facilities along the existing paved Prairie City SVRA access road would be constructed in dredge tailings. The results of the paleontological sensitivity assessment for the project site (see Table CR-2) indicate that dredge tailings are not paleontologically sensitive, and the

undivided Quaternary alluvium (which is primarily of Holocene age) is of low paleontological sensitivity. Therefore, earthmoving activities in these rock formations would have **no impact** on unique paleontological resources.

Similarly, as presented in detail in Table CR-2, the Laguna, Valley Springs, Salt Springs Slate, and Gopher Ridge Volcanics rock formations, and the gabbro and metagabbro of the Foothills Mélange are either of no or low paleontological sensitivity. Therefore, the proposed project facilities (i.e., switchyard, solar panels, and access roads) that would be constructed in these rock formations would result in **no impact** on unique paleontological resources.

The Mehrten, Lone, and Chico Formations at the project site are of high paleontological sensitivity due to the large number of vertebrate fossils and plant fossil assemblages that have been recovered from these formations in the Central Valley (see Table CR-2). All three of these formations are exposed at the surface within the project site and extend beneath the surface to depths of up to several hundred feet. Therefore, earthmoving activities during construction or decommissioning in these three formations, which are present in the project site where solar panels are proposed, as well as the substation, BESS, maintenance yard, and site access roads south and east of the Prairie City SVRA, could result in accidental damage to or destruction of unique paleontological resources. Therefore, this impact is considered **potentially significant**.

MITIGATION MEASURES

CR-4. Avoid Impacts to Unique Paleontological Resources.

Prior to the start of earthmoving activities associated with the proposed substation, BESS, maintenance yard, solar panels, and all proposed access roads south and east of the Prairie City SVRA, the project applicant shall do the following:

1. Retain the services of either a qualified archaeologist or a qualified paleontologist to provide training to all construction personnel involved with earthmoving activities regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered.
2. If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work within 100 feet of the find and shall notify the project applicant and Sacramento County.
3. If paleontological resources are discovered during earthmoving activities, the project applicant shall retain a qualified paleontologist to evaluate the resource and prepare and implement a recovery plan. The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum curation for any specimen recovered, and a report of findings. The recovery plan shall be submitted to Sacramento County for review and approval. Recommendations in the recovery plan shall be

implemented before construction activities can resume at the site where the paleontological resource(s) were discovered.

SIGNIFICANCE AFTER MITIGATION

Implementation of Mitigation Measure CR-4 would reduce project-related impacts on unique paleontological resources to a level that is **less than significant with mitigation** because construction workers would be alerted to the possibility of encountering paleontological resources and, in the event that resources were discovered, fossil specimens would be recovered and recorded and would undergo appropriate curation.

The impact associated with the Reduced Footprint Project would be the same or reduced when compared to the original proposed project evaluated in the public review Draft EIR.