

4.8 CULTURAL RESOURCES

4.8.1 ENVIRONMENTAL SETTING

This section describes the existing cultural resources setting of the project area. The confidential Archaeological Survey Report (ASR) prepared by HEC (HEC, 2001a), and Historic Property Survey Report (HPSR) prepared by HEC (HEC, 2001b) are available for review at the Trinity County Department of Transportation in Weaverville by qualified individuals on an as-needed basis. These studies were conducted to determine whether properties that appear to meet the criteria for listing in the National Register of Historic Places (NRHP) or CEQA significance criteria exist within the proposed project's Area of Potential Effects (APE). Cultural resources studies require review by Caltrans and FHWA in accordance with Section 106 of the National Historic Preservation Act and by the Trinity County Planning Department under Section 15064.5(a)(2)-(3) of CEQA.

CULTURAL RESOURCES RESEARCH METHODS AND RESULTS

The cultural resources survey for the Hyampom Road and Hayfork Creek Nine Mile Bridge project included archival research, review of available literature and maps; contact with Native American organizations and the local historical society; and an intensive archaeological field survey of the project route. Sources addressed in this section were consulted during January and February 2001. Based on the information provided during archival research, the project was determined to be located in an area considered very sensitive for prehistoric, ethnographic, and historic cultural resources. Archaeological field survey methods and results are discussed below.

Literature Search

A records search was conducted in January 2001 at the Northeast Information Center (NEIC) of the California Historic Resources Information System (CHRIS), located at California State University, Chico. This records search included a review of cultural resources and cultural resource surveys within one mile of Hyampom Road and Hayfork Creek Nine Mile Bridge Improvement Project site.

U.S. Geological Survey (USGS) topographic maps and historical survey plat maps available from the U.S. Bureau of Land Management (BLM) offices in Sacramento were studied to determine where unrecorded historic structures and mining claims were located and to understand details regarding the topography of the project area prior to development. Research was also conducted at the California State Library in January 2001.

No properties within the project APE were found to be listed in, or previously determined eligible for, inclusion in the NRHP, the California Inventory of Historical Resources, or the California Historical

Landmarks program. The NEIC records showed a single previously recorded archaeological site located within the project APE, Site CA-Tri-501 (FS #05-14-52-73). In the late-1980s, the Forest Service conducted limited test excavations at CA-Tri-501 to evaluate its eligibility of the site for the NRHP (Hitchcock 1987). The site consists of both prehistoric and historic components. The prehistoric component can be described as a shallow, sparse lithic scatter. The historic component consists of the remains of a residence and mining activities. Both residential and mining features are post-1940. The residence was removed before the 1960s, leaving a foundation, plantings, fireplace, and garbage. Mining activities (referred to as the “Mermaid Mine”) were superimposed on the residential site in the 1960s through the 1980s and significantly impacted the residential remains at the site. In July 1987, the Forest Service reported its finding that the site had been severely affected by gold mining operations and retained little integrity or significance. In July 1987, the California State Historic Preservation Office (SHPO) concurred with the Forest Service’s determination that the site does not meet the NRHP eligibility criteria.

Outside, but within 0.5 mile of, the APE two additional archaeological sites are recorded: CA-Tri-500 (FS #05-14-52-72), a prehistoric fishing camp site, and CA-Tri-1132 (FS # 05-14-52-410), a small prehistoric site. Neither of these two sites has been formally evaluated for the NRHP. At a distance greater than 0.5 mile, but less than 1.0 mile, records exist for one additional multi-component archaeological site (Site CA-Tri-981/H), comprising a prehistoric fishing camp and historic Depression-era cabin.

In addition to these recorded cultural sites, the 1951 USGS 15 min. Hyampom quad map indicates an unrecorded trail, a mine, and several structures located within the project area. Five buildings, part of a residential complex identified as the “Otis Place” complex, appear on the 1951 USGS map, a short distance downstream (southwest) of the Hayfork Nine Mile Bridge crossing, on a high terrace bordering the south side of Jud Creek. The first mining claim on this land was filed in May 1929. The houses may have been built sometime in the 1940s, according to a local informant to the Forest Service, but certainly before 1951, based on the 1951 USGS map. The main structure was a frame-and-board house, apparently built well, but on a moderate budget for service in a seasonal snowfall area (Nilsson and Flint 1990). The Forest Service evaluated the Otis Place property in 1984 and determined that it did not meet the criteria for listing on the NRHP. Subsequently, in the mid-1980s, the Forest Service removed these structures and bulldozed the site area. From available records, portions of the Otis Place site, including remains of rock retaining walls, extend into the project APE.

Caltrans’ State and Local Bridge Survey (State of California, 1989) gives Hayfork Creek Nine Mile Bridge an historical significance rating of “5,” indicating that it was not eligible for listing on the NRHP at the time of the survey. However, at Caltrans’ request, the bridge was examined for historic significance by JRP Historical Consulting Services in 2001. JRP concluded that the Hayfork Creek Nine

Mile Bridge does not appear to meet the criteria for listing in the NRHP. The bridge was also evaluated in accordance with Section 15064.5(a)(2)-(3) of the CEQA Guidelines and determined not to appear to meet the criteria of historic significance as outlined in those guidelines.

Review at the NEIC did not identify any listed properties within 0.5 mile of the project APE. The nearest properties that appear on these lists are in the towns of Hyampom and Hayfork, at a distance greater than 10 km.

Correspondence

Mark Arnold, Archaeologist with the Shasta-Trinity National Forest, South Fork Management Unit, was contacted in February 2001. Mr. Arnold identified two archaeological surveys within the APE and one archaeological site (CA-Tri-501) that was previously recorded and appeared to be located within the project APE. As noted above, in 1987, the Forest Service determined this site to be ineligible for listing on the NRHP, and SHPO concurred.

In December 2000, HEC mailed letters to the Trinity County Historical Society and the California Native American Heritage Commission (NAHC), seeking contacts with individuals that may have information pertaining to historic and pre-historic resources in the project area. The Historical Society did not respond to the letter, or follow-up telephone calls in January and February of 2001.

The NAHC consulted its Sacred lands File for Native American burial sites and sacred places that could exist in the project area. The NAHC did not indicate the presence of Native American burial sites or sacred places, but provided contacts with persons of Native American descent with an interest in the project area who could have additional knowledge and/or concerns.

Letters were mailed to these contacts in December 2000 and early January 2001, informing them of the proposed project and soliciting their comments and concerns regarding the project. Follow-up telephone calls to each of the contacts were made in late February 2001.

Mr. Raymond Patton, Tribal Chair for the Nor-Rel-Muk Nation, returned a letter expressing concerns regarding a possible archaeological site and possible burials that may be within the project limits. He requested that a monitor from the Nor-Rel-Muk Nation be present during construction at these sites.

Mr. Robert Burns, of the Wintu Educational and Cultural Council, also expressed concerns regarding potential burial sites in the project area and also expressed an interest in monitoring project construction. He asked that the Nor-Rel-Muk Nation be informed when archaeological surveyors were planning to be in the field. HEC conducted a field survey of the APE on March 21, 2001, accompanied by tribal representative Jim Carrigan.

Intensive Archaeological Survey

Project archaeologists conducted intensive-level pedestrian surveys of the entire project APE. The field survey, completed on March 21, 2001, involved walking non-systematic transects back and forth across the study corridor, with transect spacing maintained at approximately 15- to 20-meter intervals.

The field survey identified one new historic-era archaeological site (P 53-001681-H) within the project APE. P 53-001681-H is an historic-era refuse dump, containing a surface scatter of over 80 cans and miscellaneous metal fragments dated to the 1920s and 1930s. The site is located close to Hyampom Road and has been disturbed, most likely from road construction, from rocks falling down onto the site, and by more contemporary human use of the area. Historic site P 53-001681-H does not appear to meet the criteria for listing on the National Register of Historic Places or California Register of Historical Resources and is not considered significant under the California Environmental Quality Act (CEQA).

Site CA-Tri-501, originally thought to be within the APE based on the literature review, was relocated in the field approximately 70 meters to the south of the APE. No other archaeological sites are recorded within the project APE.

During the archaeological field survey, remains of the Otis Place complex were inspected. Some rock wall remnants and concrete associated with this complex were located within the APE to the west of the bridge crossing. The Otis Place remains were already determined ineligible for the National Register and other lists of historic resources and isolated concrete and rock rubble are all that remain of the complex within the APE. Therefore, these remains were not formally recorded during the field survey.

ARCHAEOLOGICAL AND HISTORICAL BACKGROUND

Ethnography

The project is within the ethnographic territory of the Wintu or Northern Wintun Indians. The Wintu speak a language belonging to the Penutian language family, a group that also includes Nomlaki (Central Wintun) and Patwin (Southern Wintu) peoples. The Wintu occupied the upper Sacramento Valley from Cottonwood Creek, north through Redding. In the Hyampom area, the South Fork of the Trinity River provided the recorded demarcation between Wintu peoples on the east and Nongatl peoples on the west. Other neighboring groups included the Shasta and Okwanuchu to the north, the New River Shasta to the northwest, the Lassik and Chimariko to the west, the Nomlaki to the south, and the Yana, and Pit River to the east and northeast.

The Wintu were organized into at least six divisions (LaPena 1978). The Hayfork Wintu, also referred to as Norrelmuk or Ni-iche (Merriam 1962, 1974), Normuk or Norelmok (Powers 1977), or Norelmaq

(LaPena 1978), occupied the lower Trinity River watershed to about Big Bar, as well as the upland areas surrounding Hayfork Creek, south to South Fork Mountain, including the project area.

The expansive territory claimed by the Wintu provided a diversity of environmental settings and natural resources. The Wintu lifeway was oriented towards exploitation of riverine resource. Permanent winter homes were established within villages where streams and upper valleys converge or in favorable upstream locations. The winter village was the focal point of social, political, and economic activities. Fish, primarily salmon, were a staple of the Wintu diet. Lowland and upland Wintu came together for large, communal fish drives during salmon runs on the Sacramento River. Steelhead were taken on the upper Trinity River in the same way as salmon, and trout, whitefish, suckers, mussels, and clams were also harvested (LaPena 1978). Deer, hunted by individuals or groups using projectiles, snares, traps, and drives, were also an important part of the Wintu diet. Other animals hunted and eaten included brown bears, rabbits, gophers, field mice, squirrels, and other small mammals. Grizzly bears were hunted for their skins, but were not eaten (LaPena 1978; DuBois 1935).

Acorns, gathered by family or local groups from specific groves of trees, were another Wintu dietary staple. Acorns had to be shelled, dried, leached, and pounded into a meal that was later made into bread or soup. Nuts from digger pine, sugar pine, hazel, and buckeye trees were also harvested and processed during the fall. Other plant foods gathered included manzanita berries, blackberries, thimbleberries, elderberries, gooseberries, serviceberries, wild onion, clover, bulbs, tuber greens, and grasses (DuBois 1935).

Wintu structures included circular, semi-subterranean earth lodges, conical bark huts, menstrual huts, and earth-covered sweathouses. Large semi-subterranean dance lodges were replaced by dream-dance houses of the Ghost Dance *kuksu* cults after 1870 (Theodoratus Cultural Research 1981).

The Wintu tool kit included obsidian and various flaked stone tools; groundstone tools (e.g., flat-ended pestles, hopper mortars, steatite pipes, and arrowshaft abraders); and bone tools (e.g., daggers, arrowpoints, and awls). Ocean shell was used for decoration (LaPena 1978). The Wintu used bear grass, pine roots, maidenhair ferns, grapevine, redbud, willow, and hazel, among other plants to make twined baskets. Pennyroyal, Oregon grape, milkweed, and salt were used medicinally (DuBois 1935).

Items obtained through trade with neighboring groups included unworked ocean shell and obsidian, salt, and magnesite cylinders. The Wintu offered dentalia and clamshell disk beads, digger pine nut beads, deer and other animal hides, woodpecker scalps, and obsidian knives and spears in exchange (LaPena 1978).

Archaeology

To date, few sites have been investigated in the Hayfork vicinity. Investigations conducted within the neighboring Trinity River region have revealed a long cultural sequence that extends back in time some 5,000 to 6,000 years (Eidsness 1985).

The earliest prehistoric sites from this general vicinity exhibit a great diversity of tool types, but a conspicuous lack of tools associated with intensive acorn processing (e.g., ground stone), possibly reflecting a “forager” approach to subsistence-settlement organization, with little emphasis on storage and frequent movement of residential bases in response to seasonal changes in resource distribution. This pattern, identified as the Borax Lake Pattern, is observed throughout the northern Sacramento Valley and is the earliest identified archaeological culture in the valley. In the project area, the pattern persists until approximately 3,000 years ago. Artifact assemblages from this period are affiliated with the Borax Lake Pattern, the name given to the earliest identified archaeological culture in the northern Sacramento Valley.

Sometime between 4,000 and 1,700 years ago, an entirely new pattern emerged; involving congregation during the fall and winter months around strategically situated residential base camps. These base camps were located in the foothills surrounding the northern Sacramento Valley where salmon and acorns were abundant. During the rest of the year, the base camps broke up into smaller groups that followed a forager strategy, establishing warm-season camps in a variety of upland environments.

Around 1,800 years ago, an association of archaeological traits, originally known as the Shasta Complex, but now assigned to the Redding Aspect of the Augustine Pattern, is observed. During this time, increasing sedentism and an increase use of stored staples, such as salmon and acorns. Trade items became more common, and it is possible that increased trade may have contributed to reduced mobility (people could trade rather forage for seasonally available and location-specific resources). The Augustine Pattern may represent the ancestors of the Penutian-speaking Wintuan peoples in the Sacramento Valley.

Investigations conducted at CA-Tri-1019, a temporary habitation site located some 27 km northeast of the proposed project, represent the most intensive level of archaeological investigation undertaken within Hayfork Wintu territory. This site yielded an array of flaked stone, ground stone, and bone artifacts, as well as faunal remains and other cultural material. A radiocarbon date (ca. A.D. 1270-1670) and temporally sensitive artifacts associate the site with the Augustine Pattern (Nilsson and Flint 1990).

Closer to the proposed project, the Forest Service conducted limited test excavations at CA-Tri-501, as discussed above.

History

Jedediah Smith led a trapping party through northern California into Oregon during the spring of 1828, traveling down Hayfork Creek and the South Fork of the Trinity River toward the coast (Martin et al. 1981; Quint 1961). This was the first recorded account of Euroamericans in the project area.

Hayfork has been an important agricultural and mining area since the mid-1850s. The Hyampom area has also been used for agriculture and some mining, with the earliest ranches established in the 1860s. The Hyampon Trail (spelling correct), an important pioneer travel route and pack trail, passed through the settlement of Hyampom and followed Hayfork Creek to the Sacramento Valley. Hyampom Road was constructed along this route between Hayfork and Hyampom in 1922 (Hoover et al. 1966).

The town of Hayfork is the nearest town to the project. Established in 1851, it was originally named Kingsberrys, after the first Euroamerican family to settle in the area. These early settlers operated a store and trading post and harvested the native hay from surrounding areas. The town later became known as Hay Town for a time before acquiring its current name. E.M. George first visited Hayfork Valley in 1850 and returned several years later with a party of settlers to stake large land claims for ranches in the valley. By the 1860s, Hayfork had a grist mill that was producing 8,000 bushels of flour, supplying nearly all the flour used in Trinity County, and a sawmill that was producing more than 100,000 board feet of lumber per year. The population of the town reached an estimated 1,200 people in 1860. The success of the lumber industry continued in Hayfork Valley until recently (Trinity County Historical Society 1955).

The discovery of gold along the Trinity River in 1848 sparked a gold rush in Trinity County, attracting an array of people including people of Danish, German, French, Chinese, Scottish, and Irish descent. By 1852, mining claims were established along much of the Trinity River and its tributary streams, including Hayfork Creek (HEC 2001b). The town of Hayfork, which had several hotels/saloons, offering dances, meeting places for political rallies, and other community social events, boomed during this time period (Trinity County Historical Society 1955). Local mining reached its peak in the 1920s, but continues to the present.

4.8.2 PLANNING DOCUMENT GOALS, OBJECTIVES, AND POLICIES

TRINITY COUNTY GENERAL PLAN

The Land Use Element of the Trinity County General Plan (Trinity County, 1988) does not contain specific goals, objectives, and policies related to the cultural resources; however, the General Plan does recognize that the history of Trinity County is a valuable community cultural asset and should be preserved. At the same time, this heritage must be integrated with the needs of the present population. As a step towards this integration, Trinity County conducted a Historical Survey of the county in 1978. The survey established the location of historically significant trails, ditches, buildings, sites, and districts.

Classifications were assigned to these locations. The General Plan maps have been annotated to locate places and buildings of historic significance and the General Plan recommends that specific guidelines and standards be established for development within established historic districts.

HAYFORK COMMUNITY PLAN

The Hayfork Community Plan identifies historic and prehistoric sites in and around Hayfork and Hyampom, and notes the potential for prehistoric resources within the Hayfork Planning Area. The Natural Resources element of the Hayfork Community Plan makes the following findings objectives and policies regarding cultural resources:

Finding 15: Both historic and prehistoric resources exist in the Plan Area, although the exact location, nature and significance is not always known. These resources are important to protect for historical, archaeological and cultural reasons and must be addressed during review under the California Environmental Quality Act.

Objective 3.2: Protect the aesthetic and cultural resources of the Plan Area.

- Policy b. Encourage public and private landowners to preserve and/or restore historic sites and structures whenever possible.
- Policy c. Discourage public and private landowners from disturbing prehistoric resources when discovered. Work with landowners to identify methods to preserve, record or otherwise preserve prehistoric resources.

SHASTA-TRINITY NATIONAL FOREST LAND AND RESOURCE MANAGEMENT PLAN

The proposed action area is included in Management Area 17, Hayfork Creek, and Management Area 19, Indian Valley/Rattlesnake of the Shasta-Trinity National Forests Land and Management Plan (LMP; USDA, 1995). The *Shasta-Trinity National Forest Land and Resource Management Plan (LMP)* policies regarding cultural resources that relate to the proposed project are as follows (USDI, 1995):

Applicable Forest Goals related to cultural resources include the following:

- Preserve and interpret significant historic and prehistoric sites for the benefit of Forest visitors.
- Provide archaeological research opportunities for the professional community.
- Develop partnerships with Native American tribes and organizations to enhance those cultural resources that reflect their heritage.

Applicable Forest Standards and Guidelines include the following:

- Manage heritage resources, including “Archaeological Interest” – 36 CFR 296, not covered by Forest Standards and Guidelines or prescription XI, according to the Shasta-Trinity National Forests’ Manual Supplement to Forest Service Manual (FSM) 2361.

- Heritage Resource inventory procedures will comply with the Supplement to FSM 2361. As discussed in the supplement, the intensity of the inventory would depend on how sensitive the project area is for heritage resources, and the extent and kind of project activities. For instance, an area known or thought to have many prehistoric archaeological sites, which will be logged with tractors, will then be inventoried completely with tightly spaced transects. On the other hand, a project involving little or no ground disturbance, located in an area where adjacent parcels have been surveyed without positive findings, might be surveyed only cursorily.
- Evaluate heritage resources that might be effected by project activities for eligibility to the National Register of Historic Places (NRHP). This will be done in consultation with the State Historic Preservation Office as well as interested parties.
- Identify sites that will require protection (e.g., by signing and/or flagging) prior to implantation of management activities adjacent to the site.
- Sign Heritage Resources in areas of recreation use only if visitor use is impairing the site's values or if the site is to interpreted.
- Historic sites, unless assigned to Prescription XI, will not be enhanced or interpreted. They will be managed so that the site is not adversely affected and no hazard is caused to the public. Modifications to historic structures must be compatible with standards and guidelines issued by the Department of the Interior and the Advisory Council on Historic Preservation (ACHP).
- Mitigate adverse effects to heritage resources that are eligible for the NRHP, according to direction issued by the Department of the Interior and the ACHP.

Supplemental LMP management direction for cultural resources within both Management Area 17 and Management Area 19 includes the following:

- Develop a management plan for archaeological sites that are affected by grazing, vehicular traffic, camping, and vandalism.

4.8.3 SIGNIFICANCE CRITERIA

NRHP SIGNIFICANCE CRITERIA

The National Historic Preservation Act (NHPA) of 1966 established the federal government's policy on historic preservation and the programs, including the National Register of Historic Places (NRHP), through which that policy is implemented. Under the NHPA, historic properties include “any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places” (16 United States Code [USC] 470w (5)). The criteria used to evaluate the NRHP eligibility of properties affected by federal agency undertakings are contained in 36 CFR 60.4 and are as follows:

The quality of the significance in American history, architecture, archaeology, 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;
- b) That are associated with the lives of persons significant in our past;
- 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 distinguished entity whose components may lack individual distinction; or
- d) That have yielded or may be likely to yield information important in prehistory or history.

Section 106 (16 USC 470f) of the NHPA requires federal agencies, prior to taking action to implement an undertaking, to take into account the effects of their undertaking on historic properties and to afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment regarding the undertaking.

CEQA SIGNIFICANCE CRITERIA

A project may have a significant effect on the environment if the project could result in a substantial adverse change in the significance of an historical resource (California Code of Regulations (CCR) Section 15064.5[b]). The *CEQA Guidelines* (Section 10564.5[c]) also require consideration of potential project impacts to "unique" archaeological sites that do not qualify as historical resources. Impacts to resources that do not qualify as historical resources or "unique" archaeological sites are not considered significant, and need not be considered further in the CEQA process.

CEQA establishes statutory requirements for establishing the significance of archaeological sites in Public Resources Code (PRC) Section 21083.2 and historical resources in PRC Section 21084.1. Section 21083.2 defines a "unique archaeological resource" as "...an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- It has a special and particular quality such as being the oldest of its type or the best available example of its type.

- Is directly associated with a scientifically recognized important prehistoric or historic event.

Section 21084.1 defines historical resources as those listed on or eligible for listing on the California Register of Historical Resources (California Register). The California Register establishes a second set of criteria for determining the significance of historical resources, which by definition includes both prehistoric-era and historic-era resources (PRC Section 5020 et. seq.). The California Register establishes 50 years as the period in which sufficient time has passed to allow a scholarly perspective in understanding the historic importance of a resource. An historical resource must be significant at the local, state, or national level under one or more of the following four criteria:

- It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States:
- It is associated with the lives of persons important to local, California, or national history:
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
- It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

An historical resource must also retain the integrity of its physical identity that existed during the resource's period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association.

The two PRC sections operate independently to define the significance of a cultural resource. CEQA and the *CEQA Guidelines* also provide guidance, in Appendix G, to determine the significance of a project's impacts on cultural resources, as listed below. Finally, CEQA requires that certain provisions be made for the accidental discovery of archaeological sites, historical resources, or Native American human remains during construction (PRC Section 21083.2[g], CCR Section 15064.5[d and f]).

Appendix G of the *CEQA Guidelines*, the CEQA Environmental Checklist, poses the following questions to be considered in determining whether the project would cause significant cultural resource impacts:

Would the project:

- Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?
- Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?
- Disturb any human remains, including those interred outside of formal cemeteries?

In addition to the criteria listed above, CEQA Guidelines Section 15065 contains the following relevant mandatory significance threshold, which should also be considered in determining whether the project would cause significant impacts to cultural resources:

- Does the project have the potential to eliminate important examples of the major periods of California history or prehistory?
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4.8.4 IMPACTS AND MITIGATION MEASURES

PERMANENT IMPACTS AND MITIGATION MEASURES

Although the potential impacts of this project on cultural resources would occur during construction, these impacts are considered permanent impacts, due to the “non-renewable” nature of cultural resources.

Cultural Impact – 1: Excavations associated with the proposed project could result in the accidental destruction of previously undiscovered archaeological or historical resources, or could result in the uncovering of Native American human remains.

Although no significant cultural resources were discovered within the project Area of Potential Effects through literature review and intensive field surveys, subsurface excavations associated with the project would occur in areas with potential to contain buried prehistoric and historical resources or Native American human remains that have not been identified. If such resources were encountered during construction, the project could result in a substantial adverse change to unique archaeological sites, significant historical resources, or sensitive resources such as human remains.

Significance: Potentially Significant, but mitigated

Cultural Mitigation –1: Members of the Nor-El-Muk Nation and the Wintu Education and Cultural Council will be consulted before construction begins. They will be notified of the construction schedule, and invited to visit the site to view the project limits. If construction is to occur in areas considered by the Nor-El-Muk Nation or Wintu Cultural Council to be likely to contain burials or other archeological resources, then the Nation or Council may assign a representative to monitor construction in that vicinity, at their own expense.

Cultural Mitigation –2: In the event that previously unidentified cultural or paleontological resources are encountered during construction, there shall be no further excavation or disturbance of that area. The contractor shall avoid the materials and their context. The Trinity County DOT Project Engineer shall be notified immediately. A qualified archaeologist shall evaluate the find to determine its historical or archaeological significance. If the find is determined to be a significant historical or archaeological resource, the archaeologist shall make recommendations for appropriate mitigation. Work in the area shall not resume until the mitigation measures recommended by the archaeologist have been implemented.

Cultural Mitigation –3: In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per state law. If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. They will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission, and/or the most likely descendent have been implemented.

Significance After Mitigation: Less Than Significant

TEMPORARY IMPACTS AND MITIGATION MEASURES

As noted above, all potential impacts on Cultural Resources are considered to be permanent, due to the non-renewable nature of these resources.

CUMULATIVE IMPACTS AND MITIGATION MEASURES

Cultural Impact –2: The proposed project could add to the cumulative effects of development within the project vicinity, including increased potential for impacts to cultural resources.

While construction of the several road and bridge projects proposed in the vicinity would increase the potential for disturbance to cultural resources, significant cumulative impacts to cultural resources are not expected to result since each of the proposed transportation projects by TCDOT, Caltrans or CFLHD would be required to perform the same level of research,

field surveys, consultation and mitigation avoid or mitigate any resources discovered during research, or uncovered during construction. In addition, the projects are located in areas on steep terrain, where Native American settlements were uncommon, or within the floodplain of Hayfork Creek where any remains or artifacts would be disturbed or disbursed by flood flows, or along existing roads, where remains or artifacts are likely to have already been disturbed during road construction or subsequent human activities. All of these factors reduce the potential for the uncovering of significant cultural resources during rehabilitation projects along Hyampom Road, or replacement of two bridges in Hayfork.

Private projects however are subject to less stringent review for cultural resources. Agricultural projects, in particular, are likely to be located on terrain that is more prone to support prehistoric sites than the steep terrain and floodplains associated with the transportation projects. Policies in the Hayfork Community Plan regarding cultural resources on private plans should be implemented to protect these resources.

Due to the low probability of disturbance of cultural resources resulting from this project, and due to the mitigation measures proposed to protect such resources if they are encountered, the project's contribution to cumulative cultural resources impacts is less than significant.

Significance: Less Than Significant

Mitigation Measure: None Required