

## 3.15 TRIBAL CULTURAL RESOURCES

This section evaluates the potential impacts of the project on known and unknown Tribal cultural resources. Tribal cultural resources, as defined by Assembly Bill (AB) 52, Statutes of 2014, in Public Resources Code (PRC) Section 21074, are sites, features, places, cultural landscapes, sacred places and objects, with cultural value to a tribe. A tribal cultural landscape is defined as a geographic area (including both cultural and natural resources and the wildlife therein), associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values.

One comment letter regarding Tribal cultural resources was received in response to the notice of preparation (see Appendix A). The Native American Heritage Commission (NAHC) requested AB 52 and Senate Bill (SB) 18 compliance information; SB 18 is not a CEQA requirement and, therefore, is not discussed in this EIR. AB 52 compliance is described below. Additionally, one tribe, the United Auburn Indian Community (UAIC), responded during the AB 52 consultation, which concluded on November 14, 2025.

### 3.15.1 Regulatory Setting

#### FEDERAL

There are no federal regulations that apply to Tribal cultural resources.

#### STATE

##### California Register of Historical Resources

All properties in California that are listed in or formally determined eligible for listing in the National Register of Historic Places (NRHP) are also listed in the California Register of Historical Resources (CRHR); a definition of the NRHP is given in Section 3.8.1. The CRHR is a listing of State of California resources that are significant in the context of California's history. It is a Statewide program with a scope and with criteria for inclusion similar to those used for the NRHP. In addition, properties designated under municipal or county ordinances are also eligible for listing in the CRHR.

A historical resource must be significant at the local, state, or national level under one or more of the criteria defined in the California Code of Regulations Title 15, Chapter 11.5, Section 4850 to be included in the CRHR. The CRHR criteria are tied to CEQA because any resource that meets the criteria below is considered a significant historical resource under CEQA. As noted above, all resources listed in or formally determined eligible for listing in the NRHP are automatically listed in the CRHR.

The CRHR uses four evaluation criteria:

- Criterion 1. 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.
- Criterion 2. Is associated with the lives of persons important to local, California, or national history.
- Criterion 3. Embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of a master; or possesses high artistic values.
- Criterion 4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

Similar to the NRHP, a historical resource must meet one of the above criteria and retain integrity to be listed in the CRHR. The CRHR uses the same seven aspects of integrity used by the NRHP.

## California Environmental Quality Act

CEQA requires public agencies to consider the effects of their actions on "Tribal cultural resources." PRC Section 21084.2 establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a Tribal cultural resource is a project that may have a significant effect on the environment."

### Tribal Cultural Resources

CEQA requires lead agencies to consider whether projects will affect Tribal cultural resources. PRC Section 21074 states:

- a) "Tribal cultural resources" are either of the following:
  - 1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    - A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
    - B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
  - 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- b) A cultural landscape that meets the criteria of subdivision (a) is a Tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a Tribal cultural resource if it conforms with the criteria of subdivision (a).

### Public Resources Code Section 21080.3

AB 52, signed by the California Governor in September of 2014, established a new class of resources under CEQA: "Tribal cultural resources," defined in PRC Section 21074 (described above). Pursuant to PRC Sections 21080.3.1, 21080.3.2, and 21082.3, lead agencies undertaking CEQA review must, upon written request of a California Native American Tribe, begin consultation before the release of an EIR, negative declaration, or mitigated negative declaration.

PRC Section 21080.3.2 states:

Within 14 days of determining that a project application is complete, or to undertake a project, the lead agency must provide formal notification, in writing, to the tribes that have requested notification of proposed projects in the lead agency's jurisdiction. If it wishes to engage in consultation on the project, the tribe must respond to the lead agency within 30 days of receipt of the formal notification. The lead agency must begin the consultation process with the tribes that have requested consultation within 30 days of receiving the request for consultation. Consultation concludes when either: 1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a Tribal cultural resource, or 2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.

## Health and Safety Code, Section 7050.5

Section 7050.5 of the Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner conducts an inquiry and can determine whether the remains are those of a Native American. If they are determined to be those of a Native American, the coroner must contact NAHC.

## LOCAL

### City of Roseville's 2035 General Plan

The City of Roseville existing General Plan (2035) includes the following policies related to Tribal cultural resources that may be applicable to the project:

- ▶ **Policy OS4.1** Consult with local Native American Tribes that are traditionally and culturally affiliated with resources that could be affected by City plans or projects, identify areas that may be of cultural or Tribal cultural significance, and determine appropriate treatment for the areas.
- ▶ **Policy OS4.2** When items of historical, cultural, or archaeological significance are discovered within the City, a qualified archaeologist or historian shall be called to evaluate the find and to recommend proper action.
- ▶ **Policy OS4.4** The City shall coordinate with the appropriate federal, state, local agencies, and Native American Most Likely Descendant (MLD) Tribes upon discovery of artifacts. The City shall offer the Maidu Museum & Historic Site as a temporary housing location for artifacts that are discovered and subsequently determined to be removable.

### 3.15.2 Environmental Setting

The following information is from the *Cultural Resources Assessment Report for the Roseville Industrial Park Project* (Ascent 2022).

## ETHNOGRAPHY

The Native Americans who occupied the project area at the time of Euro-American contact (ca. 1850s) are known as the Nisenan, also referred to as the Southern Maidu. Several ethnographers have studied the Maidu people and generally agree that Nisenan territory included the drainages of the Bear, American, Yuba, and southern Feather rivers. Their permanent settlements were generally located on ridges separating parallel streams, either on crests, knolls, or terraces, part way up these ridges.

A typical village consisted of several conical houses covered with bark slabs. The nearest ethnographic village in relationship to the project was called *Pichiku*. The name *Pich-u-gut* is also given for a village site in Roseville. Many long-time residents of Roseville indicate that a village was in the vicinity of present-day Roseville Square off Douglas Boulevard. Also, a village site has been identified and preserved at Maidu Park in Roseville.

Nisenan territory offered abundant year-round food sources. Food gathering was based on seasonal ripening, but hunting, gathering, and fishing went on all year, with the greatest activity in late summer and early fall. They gathered many different staples, not depending on one crop.

Seasonal harvests were gathered for both communal and personal family use. Most activities and social behaviors such as status, sharing, trading, ceremonies, and disagreements were important adjuncts to the gathering and distribution of food. Extended families or whole villages of hill Nisenan would gather acorns. Men would hunt while women and children gathered the acorns knocked from the trees. Buckeye nuts, sugar and digger pine nuts, and hazelnuts were also gathered. Acorns were cracked on an acorn anvil and shelled. They were then ground into flour using a bedrock mortar (grinding rock) and a soaproot brush to control scattering the resulting flour. The flour was leached to remove the tannin then cooked in watertight baskets. Cooking was done with fire heated stones that were lifted with two sticks, dipped in water to clean them, and then dropped into the cooking basket. Enough soup and mush were usually prepared to last several days.

Roots were dug with a digging stick in the spring and summer and were eaten raw, steamed, baked, or dried and pounded in mortars and pressed into cakes to be stored for winter use. Wild onion (*chan*), sweet potato (*si kum*), and "Indian potato" (*dubus*) were the most desired. Wild carrot (*ba*) was used as medicine while wild garlic was used to wash the head and body.

Grasses, herbs, and rushes provided food and material for clothing and baskets. Clover (*Trifolium willdenovii*) was an important food for Nisenan people as it was the first fresh herb available after winter and its emergence set the timing of the Nisenan spring flower dance. Seeds were gathered using a seed beater and tray. They were then parched, steamed, dried, or made into mush. Many varieties of wild plums, native berries, grapes, and other native fruits were eaten. Manzanita berries were often traded to the valley or made into a cider-like drink.

Deer drives were common, with several villages participating and the best marksman doing the killing. The animals were often driven into a circle of fire then killed. Deer were also hunted using deadfalls, snares, and deerskin and antler decoys. Sometimes they were run down on soft ground or snow. Antelope were taken by surround, drives, and flag decoys while elk were usually killed along waterways on soft ground. The bear hunt was very ceremonial. Black bears were usually hunted in the winter. Lighted brands were often used to drive them from their dens. Grizzlies that lived on the valley floor were greatly feared and rarely hunted. Wildcats and California mountain lions were hunted for food and their skins. Rabbits and other small game were killed with blunted arrows and sticks. Traps, nets, snares, fire, and rodent hooks were also used. In the foothills and valley nets were made into a fence where driven rabbits were entangled and clubbed. Drives generally took place in the late spring. The man in charge of the drive divided the catch. Other small animals were often caught and killed, with exception to the coyote. Game meat was baked, roasted, or dried.

Weirs, traps, harpoons, nets, and gorge hooks, as well as tule balsas and log canoes were used in fishing. Fish were poisoned using turkey mullein and soaproot or driven into shallow water and caught by hand. Freshwater mussels were obtained in the larger rivers. On the lower courses, sturgeon and salmon were netted and speared. Whitefish, suckers, and trout were caught at higher elevations. Waterfalls were eel fishing (freshwater lamprey) stations; Salmon Falls, on the south fork of the American River was one such location.

Birds were taken with nets, arrows, snares, traps, and nooses. Owls, vultures, and condors were not killed. Bird skins and feathers were used for regalia, clothing, and decoration. Salt was acquired from springs near Lincoln, Cool, and Latrobe. It was also acquired from a plant with cabbage-like leaves gathered in the summer.

The Nisenan hunting and gathering cycle was altered drastically with the discovery of gold in Coloma in 1848. As miners poured into the Roseville and Auburn areas, the Native Americans were forced out of their winter villages, land was fenced, streams were silted, and food resources became increasingly difficult to procure. Despite this, many Nisenan continued to remain in their homeland, working for Euro-Americans in mines or on ranches. Within the project vicinity, some ranchers, such as the Kasebergs and Fiddyments, also allowed Maidu families to continue to collect acorns, tubers, and grasshoppers on the lands they now owned along Pleasant Grove Creek. Today, descendants of the Nisenan continue to strive to maintain kinship and cultural ties to their ancestral lands despite continual disruptions to time-honored lifeways.

## CONTEMPORARY NATIVE AMERICAN SETTING

Defining Tribal cultural resources involves the knowledge and expertise of living California Native Americans. As the embodiment of a continuous connection between Tribal history and the landscape, they are uniquely qualified to act as the interpreters and stewards of their culture, including the ability to define the significance of the material remains and landscapes of their ancestor's lifeways. Today, many descendants of Valley Nisenan and Plains Miwok still reside on lands once inhabited by their ancestors or on lands set aside for Tribal communities by the federal government, which may or may not be traditionally inhabited by their ancestors.

Contemporary Californian Native American tribes with ancestral connections to the project site and to the Valley Nisenan and Plains Miwok heritage include UAIC, Shingle Springs Band of Miwok Indians (SSBMI), Lone Band of Miwok, and Wilton Rancheria. These tribes today maintain connection to their history and culture in a multitude of ways, including through ceremony, language and traditional knowledge instruction, community service, and Tribal governance. For example, a "Big Time" is typically celebrated every September to mark the start of autumn and acorn gathering time at Chaw'se Grinding Rock State Park in Pine Grove. This celebration includes serving traditional foods, traditional dancing, healing rituals, and worship in the roundhouse. Language and traditional skill classes are offered by most of the tribes, including by the SSBMI, which has a Traditional Ecological Knowledge department to assist

members with learning about respectful and traditional uses of plants and animals, and the UAIC, which has a Pre-K through 8th grade school where key aspects of Indian culture and critical thinking are taught to prepare Tribal members to face future challenges (Private School Review 2025; SSBMI 2025a). Tribal community service departments provide family support services to adults and children to promote the health and well-being of Tribal community members and their families as well as connection to their heritage. Common services offered by all tribes include Indian Child Welfare Act advocacy and intervention, housing assistance, health care assistance, elder programs, and grants and scholarships for higher education (lone Band of Miwok Indians 2025; SSBMI 2025a; UAIC 2025; Wilton Rancheria 2025a). Governance on Tribal lands is typically outlined by tribally prepared constitutions, codes and/or ordinances, and are carried out by Tribal departments that are in turn typically overseen by the Tribal council. This includes the office of Tribal Historic Preservation Officer (THPO). Because tribes retain inherent sovereign powers over their members and territory, SSBMI and the Wilton Rancheria also have Tribal Courts that serve as culturally sensitive, independent judicial forums where Tribal cultural values are held at the forefront of dispute resolutions (SSBMI 2025b; Wilton Rancheria 2025b).

This knowledge of traditions and culture are conveyed through the expertise of the traditionally and culturally affiliated California Native American tribe during consultation with lead agencies, as required by AB 52. During the consultation process, Tribal cultural bearers can share information related to the project areas, such as: what event took/takes place here, and how is that event important to the Tribe; what artistic, professional, and/or ceremonial cultural tradition is represented by the resource; or how can this resource be used to teach others in the Tribe and convey Tribal values.

## NATIVE AMERICAN TRIBAL CONSULTATION

### Native American Consultation

On April 11, 2025, the City of Roseville sent AB 52 notification letters to the following tribal representatives:

- ▶ Nevada City Rancheria Nisenan Tribe, Richard Johnson, Chairman
- ▶ Tsi Akim Maidu, Don Ryberg, Chairperson
- ▶ Tsi Akim Maidu, Ben Cunningham-Summerfield, Cultural Adviser
- ▶ Tsi Akim Maidu, James Moon Jr., Tribal Member
- ▶ Tsi Akim Maidu, Richard Cunningham, Vice Chairman
- ▶ Tsi Akim Maidu, Ben Cunningham, Tribal Council
- ▶ United Auburn Indian Community, Josef Fore, Tribal Historic Preservation Officer
- ▶ Wilton Rancheria, Cultural Preservation Department
- ▶ Wilton Rancheria, Steven Hutchason, THPO
- ▶ Wilton Rancheria, Michelle St. Clair, Executive Director

The United Auburn Indian Community (UAIC) responded to the AB 52 notification letter on April 22, 2025 and requested formal consultation on the project. None of the other tribes responded to the AB 52 notification. Tribal surveys were later scheduled with City staff and UAIC on May 9, 2025, and October 1, 2025, to fully survey the site. On November 14, 2025, consultation with UAIC concluded. UAIC also provided mitigation measures for the City to incorporate into the EIR.

## TRIBAL CULTURAL RESOURCES

Tribal cultural resources are defined in CEQA statute Section 21074 and may include:

- ▶ **Resource Collection Location:** This is a location where Native Americans have historically gone, and are known or believed to go today, to collect resources in accordance with traditional cultural rules of practice.

- ▶ **Spiritual Location:** This is a location where Native American religious practitioners have historically gone, and are known or believed to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice.
- ▶ **Traditional Location:** This is a location associated with the traditional beliefs of a Native American group about its origins, its cultural history, or the nature of the world.
- ▶ **Cemetery:** A cemetery is a location that has been selected for human burial or interment. This also includes the soil.

Additionally, different types of Tribal cultural resources may also be archaeological resources; they include the following features:

- ▶ **Village Site:** Village sites are locations of continuous and concentrated habitation that typically have a large, well-developed cultural soil deposit. They may also contain burials, rock art, bedrock milling stations, or other features.
- ▶ **Burial Site:** A burial site or cemetery is a location where intentional human interments are found, either articulated or disarticulated. Burial soils and offerings are included as significant.
- ▶ **Milling Site:** This is a boulder or group of boulders or bedrock outcrops that contain at least one modified surface (mortar, slick, or metate) caused by the processing of food or other natural resources. Tribes still consider these as the “kitchens” of their ancestors.
- ▶ **Lithic Scatter:** A lithic scatter is a distribution of stone flakes and tool fragments reflecting purposeful modification of parent stone through percussion and/or pressure detachment.
- ▶ **Shell Middens:** Shell middens are locations with large amounts of marine shell that extend to an appreciable depth below ground surface.
- ▶ **Mounds:** These habitation and burial sites were constructed to be areas of high ground during seasonal flooding. Because they were maintained continuously for hundreds or thousands of years in a floodplain where soil was being seasonally deposited, these Mounds are often dozens of feet deep.
- ▶ **Rock Art:** Rock art consists of designs or design elements on rock surfaces created by surface applications (pictographs) or by etching (petroglyphs).
- ▶ **Rock Shelters:** These are natural caves or crevices in rock outcrops in which human use has left artifactual remains.
- ▶ **Cultural Objects:** Objects of cultural significance, such as hand stones or projectile points, that are not directly associated with a known cultural site.

## RECORDS SEARCH, SURVEY, AND CONSULTATION

### Records Search

As part of the Tribal inventory effort for this project, pertinent literature and historic maps were reviewed; a records search using UAIC’s, as the only consulting Tribe under AB52 for this project Tribal Historic Information System (THRIS); and a pedestrian survey were conducted. The THRIS database used by UAIC incorporates information from the California Historic Resources Information System (CHRIS) and is accessed by the THPO Access Policy. The Policy allows THPO Tribes access to all the cultural resource data housed in the regional Information Centers. Also included in the THRIS database are UAIC’s areas of oral history, ethnographic history, and places of cultural and religious significance, including UAIC Sacred Lands that are submitted to the NAHC. The THRIS resources shown in this region include previously recorded indigenous resources identified through the CHRIS North Central Information Center (NCIC) as well as historic resources and survey data.

### Tribal Survey

On May 9, 2025, UAIC Representative Rene Guerrero and associates conducted a Tribal survey for the identification of Tribal cultural resources on the southern portion of the property, south of the creek. Surface visibility was good and there were no limitations to the survey. No resources or landscapes of cultural significance were identified. On

October 1, 2025, UAIC Representatives Luz Salazar, Rene Guerrero, and associates conducted an additional survey in the northern portion of the site (north of the creek) as well as along the open space parcel to the south, where the proposed power line easement will be located. Ground disturbance lead to an early termination of the survey in the northern portion; however, no resources or landscapes of cultural significance were identified.

### Sacred Lands File Search

On September 25, 2025, a letter was sent to the NAHC requesting a search of the Sacred Lands File for the project area (Peak and Associates 2025). Negative results were returned on September 30, 2025 indicating that no cultural resources significant to local Native American tribes had been previously reported to the NAHC as being present on the project site or its immediate vicinity.

## BURIED SITE SENSITIVITY

Three geologic units are present in the project site: the Turlock Lake Formation, the Riverbank Formation, and Holocene alluvium. A preliminary geotechnical study of the project site (Gularte & Associates 2021) found that alluvial silty sands comprise approximately the upper 6 to 13 feet of the project site. Below 13 feet, the project site is underlain with very stiff to hard silt and silty clay with minor beds of very dense silty sand down to approximately 50 feet. North of Pleasant Grove Creek, the soils are composed of interbedded stiff to hard silt, sandy silt, and silty clay with minor beds of very dense silty sand.

In 2008, a comprehensive geoarchaeological study was prepared for the California Department of Transportation (Caltrans), District 3, which includes Placer County (Meyer and Rosenthal 2008). The study found that due to the mid-Pleistocene age of the Turlock Lake Formation (450,000 to 600,000 years ago) and the Riverbank Formation (150,000 to 450,000 years ago), the presence of buried tribal cultural deposits in these formations is extremely unlikely. Conversely, the potential for buried tribal cultural deposits in Holocene alluvium is considered moderate to high depending on the exact age of the deposit. The Caltrans study concluded that the Sacramento River Valley in general has moderate potential for buried sites associated with latest Holocene geological units (Qha). These Holocene soils are typically associated with sites dating to the Upper Archaic and Emergent Periods.

Therefore, because the Riverbank and Turlock Lake formation comprise approximately 90 percent of the project site, the majority of the project site has very low sensitivity for buried tribal cultural deposits. The exception to this is the areas at the west and east ends of the segment of Pleasant Grove Creek (see Figure 3.8-1) and under the 13 feet of fill on the north bank of the creek. Although the south bank is composed of the same fill as the north bank, the south area was disturbed past the 13 feet of fill when it was reconfigured into a retention basin. Therefore, the south area of fill has low potential for intact tribal cultural deposits; the south bank of Pleasant Grove Creek remains sensitive. Figure 3.8-1, in Section 3.8, "Cultural Resources," depicts the area of buried resource sensitivity within the project site. These areas should be considered to have a moderate sensitivity for buried Tribal cultural deposits.

## 3.15.3 Environmental Impacts and Mitigation Measures

### METHODOLOGY

Information related to Tribal cultural resources is based on findings reported in the NAHC Sacred Lands File database search and the results of Native American consultation under AB 52. The analysis is also informed by the provisions and requirements of state and local laws and regulations that apply to Tribal cultural resources.

PRC Section 21074 defines "Tribal cultural resources" as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American [T]ribe" that are listed or determined eligible for listing in the CRHR, listed in a local register of historical resources, or otherwise determined by the lead agency to be a Tribal cultural resource.

For the purposes of this impact discussion, “historical resource” is used to describe historic-period, built-environment resources. Tribal cultural resources, which may qualify as “historical resources” pursuant to CEQA, are analyzed separately from built-environment historical resources.

## THRESHOLDS OF SIGNIFICANCE

Thresholds of significance are based on Appendix G of the State CEQA Guidelines. The project would cause a significant impact related to Tribal cultural resources if it would:

- ▶ cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
  - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

## ISSUES NOT DISCUSSED FURTHER

All potential Tribal cultural resources issues identified in the above thresholds are evaluated below.

## ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

### Impact 3.15-1: Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource

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Tribal consultation under AB 52, the NCIC records search, and the NAHC sacred lands file search did not result in the identification of any Tribal cultural resources. However, excavation activities associated with project construction may disturb or destroy previously undiscovered significant subsurface Tribal cultural resources. This would be a **potentially significant** impact.

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As described above, the City sent AB 52 notification letters to ten tribal representatives. UAIC responded to the AB 52 notification letter. None of the other tribes responded to the AB 52 notification. The City consulted with UAIC and participated with UAIC in a Tribal survey for the identification of Tribal cultural resources on May 9, 2025, and October 1, 2025. On November 14, 2025, consultation with UAIC provided proposed mitigation measures to the City for the EIR, and consultation also concluded. No resources or landscapes of cultural significance were identified. In addition, neither the NAHC Sacred Land File search nor the NCIC record search indicated the presence of indigenous sites within the project site or within a one-half-mile radius. Therefore, no Tribal cultural resources as defined by PRC Section 21074 were identified within the project site.

However, as discussed previously, the areas at the west and east ends of the segment of Pleasant Grove Creek and below the 13 feet of fill on the north bank of the creek have a moderate sensitivity for buried cultural deposits, which could also be Tribal cultural resources. These areas are of Holocene age and represent locations Native Americans could have used in the past. For these reasons, there is potential for ground disturbance during project construction in this area to encounter previously undiscovered Tribal cultural resources. These activities could damage or destroy Tribal cultural resources, and this would be a **potentially significant** impact.

## Mitigation Measures

### **Mitigation Measure 3.15-1a: Retain a Tribal Monitor for the Initial Ground Disturbance and Any Ground disturbance Near Pleasant Grove Creek**

The City and their construction contractor shall comply with the following measure to assist with identification of TCRs at the earliest possible time during project-related earthmoving activities:

The City shall contact the UAIC THPO (thpo@auburnrancheria.com) at least 2 to 3 months prior to project ground-disturbing activities to retain the services of a UAIC Certified Tribal Monitor(s). The duration of the construction schedule and Tribal Monitoring shall be determined at this time.

A contracted UAIC Certified Tribal Monitor(s) shall monitor the initial ground disturbance in the project site, as well as for work within 200 meters (600 feet) of the Pleasant Grove Creek. If there are cultural finds, the UAIC THPO may require additional Tribal Monitoring.

Tribal Monitors or Tribal Representatives shall have the authority to direct that work be temporarily paused, diverted, or slowed within 100 feet of the immediate impact area if sites, cultural soils, or objects of potential significance are identified. The temporary pause/diversion shall be of an adequate duration for the Tribal Representative to examine the resource.

Appropriate treatment of TCRs or other cultural finds may include but is not limited to:

- a. Recordation of the resource(s)
- b. Avoidance and preservation of the resource(s)
- c. Recovery and reburial of the resource(s) onsite or in a feasible off-site location in a designated area subject to no future disturbance. The location of the reburial shall be acceptable to the UAIC.

To track the implementation of this measure, the Tribal Monitor(s) shall document field-monitoring activities on a Tribal Monitor log.

The Tribal Monitor(s) shall wear the appropriate safety equipment while on the construction site.

The Tribal Monitor, in consultation with the UAIC THPO and the project proponent shall determine a mutual end or reduction to the on-site monitoring if/when construction activities have a low potential for impacting Tribal Cultural Resources.

In the event the Tribal Monitor does not report to the job site at the scheduled time after receiving 24 hour business day notice, construction activities may proceed without tribal monitoring. At no time, regardless of the presence or absence of a Tribal Monitor, shall suspected TCRs be mishandled or disrespected.

The City shall assist with resolution of disagreements between the contractor and the Tribe if such occurs on the project.

### **Mitigation Measure 3.15-1b: Unanticipated Discovery of Tribal Cultural Resources**

During ground-disturbing construction activities, if any suspected TCRs or resources of cultural significance to UAIC, including but not limited to features, anthropogenic/cultural soils, cultural belongings or objects (artifacts), shell, bone, shaped stones or bone, or ash/charcoal deposits are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist who meets the secretary of the Interior's professional qualifications.

A Tribal Representative and the City shall be immediately notified, and the Tribal Representative in coordination with the City shall determine if the find is a TCR (PRC Section 21074) and the Tribal Representative shall make recommendations for further evaluation and treatment as necessary.

The culturally affiliated Tribe shall consult with the City to (1) identify the boundaries of the new TCR and (2) if feasible, identify appropriate preservation in place and avoidance measures, including redesign or adjustments to the existing construction process, and long-term management, or (3) if avoidance is infeasible, a reburial location in proximity of the find where no future disturbance is anticipated. Permanent curation of TCRs will not take place unless approved in writing by the culturally affiliated Tribe.

The construction contractor(s) shall provide secure, on-site storage for culturally sensitive soils or objects that are components of TCRs that are found or recovered during construction. Only Tribal Representatives shall have access to the storage. Storage size shall be determined by the nature of the TCR and can range from a small lock box to a conex box (shipping container). A secure (locked), fenced area can also provide adequate on-site storage if larger amounts of material must be stored.

The construction contractor(s) and Lead Agency shall facilitate the respectful reburial of the culturally sensitive soils or objects. This includes providing a reburial location that is consistent with the Tribe's preferences, excavation of the reburial location, and assisting with the reburial, upon request.

Any discoveries shall be documented on a Department of Parks and Recreation (DPR) 523 form within 2 weeks of the discovery and submitted to the appropriate CHRIS center in a timely manner.

Work at the TCR discovery location shall not resume until authorization is granted by the Lead Agency in coordination with the culturally affiliated Tribe.

If articulated or disarticulated human remains, or human remains in any state of decomposition or skeletal completeness are discovered during construction activities, the City shall contact the Placer County Coroner. Upon determination by the County Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendent who will work with the project proponent to define appropriate treatment and disposition of the burials.

#### **Significance after Mitigation**

Implementation of Mitigation Measures 3.15-1a and 3.15-1b would reduce impacts associated with Tribal cultural resources to a **less-than-significant** level by retaining onsite Tribal monitor to properly identify Tribal cultural resources and handle inadvertent discovery of sensitive resources and requiring appropriate treatment and proper care of significant Tribal cultural resources, in the case of a discovery.