

DOCKETED	
Docket Number:	23-OPT-01
Project Title:	Fountain Wind Project
TN #:	248288-8
Document Title:	DEIR Cultural And Tribal Cultural Resources
Description:	N/A
Filer:	Caitlin Barns
Organization:	Stantec Consulting Services, Inc.
Submitter Role:	Applicant Consultant
Submission Date:	1/3/2023 10:55:06 AM
Docketed Date:	1/3/2023

3.6 Cultural and Tribal Cultural Resources

This section identifies and evaluates issues related to Cultural Resources and to Tribal Cultural Resources in the context of the Project and alternatives. It includes information about the physical and regulatory setting and identifies the criteria used to evaluate the significance of resources and potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The information and analysis presented in this section are based in part on the *Fountain Wind Energy Project Cultural Resources Phase 1 Inventory of 4,463 Acres, Shasta County* (Stantec, 2019), the *Addendum 1: Update to The Fountain Wind Energy Project Cultural Resources Phase 1 Inventory of 4,463 Acres, Shasta County, California* (Stantec, 2020a) and *Addendum 2: Updated Cultural Resources Inventory Report: Tribal Coordination and Correspondence* (Stantec, 2020b).

The County independently reviewed these and other materials prepared by or on behalf of the Applicant and determined them to be suitable for reliance on (in combination with other materials included in the formal record) in the preparation of this Draft EIR.¹

During the pre-scoping process, the Pit River Tribe provided initial input for the County's environmental review process shortly after the CUP application was filed for the Project (McDaniels, 2018). This input confirmed that the Project Site is within the Ancestral territories of the Madesi, Itsatawi, and Atsugewi Bands of the Pit River Tribe. Later, in response to the issuance of notice of intention to prepare this Draft EIR, the County received scoping input about potentially affected historical resources including Moose Camp, official historic sites on the Buffum Homestead that were certified after the 1992 Fountain Fire, and a cabin within the Project Site that was built in the 1800s. The potential to disturb human remains, including Native American burials and burial sites, also was identified. The County also received scoping input specifically regarding Tribal Cultural Resources from the Pit River Tribe and Tribal members, including the Ilwami Band, the Madesi Band, and the Atsuge Band. The County also received scoping input about Tribal Cultural Resources from the Susanville Indian Rancheria, a political entity comprised of Maidu, Paiute, Pit River, and Washoe ethnographic tribes. All scoping input received, including regarding Cultural Resources and Tribal Cultural Resources, is provided in Section 4.1 of the Scoping Report, a copy of which is provided in **Appendix J, Scoping Report**.

3.6.1 Setting

3.6.1.1 Study Area

The Project Site (consisting of approximately 4,464 acres of private property) is located approximately 6 miles west of Burney, 35 miles northeast of Redding, immediately north and south of SR 299. The Project Site is located within the southern end of the Cascade Range with

¹ The Report and Addenda are not provided for public review because Shasta County, as the CEQA Lead Agency for this Project, will maintain the confidentiality of sensitive cultural resource inventories or reports generated for this EIR. This decision is consistent with existing law's protecting sensitive cultural information, including, for example, information about the location of an archeological site, sacred lands, graves, cemeteries, and sacred places and records of Native American places, features, and objects (see, e.g., Pub. Res. Code §§5097.9, 5097.993; 14 Cal. Code Regs. §15120(d)).

topography characterized by buttes and peaks separated by small valleys. The Lassen National Forest lies to the southeast, and the Shasta-Trinity National Forest is to the north. Other surrounding lands are privately owned; many are used for timber harvesting purposes.

Elevations within the Project Site range from 3,000 to 6,000 feet above sea level. Little Cow Creek and the south fork of Montgomery Creek cross the Project Site from east to west. Other small tributaries run through the valleys. Existing land uses within the Project Site consist exclusively of managed forest lands. Unpaved logging roads and transmission lines cross the Project Site. The total anticipated construction disturbance is 1,384 acres and the total permanent disturbance is 713 acres. The total disturbance area (1,384 acres) is the *Area of Direct Impact (ADI)* for the analysis of impacts to archaeological resources and human remains; that is, areas that could experience direct ground disturbance from construction, operation and maintenance, and decommissioning of the Project. The Project Site, as well as all areas that could experience indirect impacts such as visual impacts or changes in use, are the *Study Area* for this analysis of impacts to tribal cultural resources.

3.6.1.2 Environmental Setting

This section has been adapted from a Project-specific study (Stantec, 2019) commissioned by the Applicant that has been independently reviewed by the County and found to be suitable for reliance in combination with other sources of data to inform this analysis. All references cited are included in that document.

Natural Setting

The Project is located near the southern end of the Cascade Range between Redding and Burney, California. The area provided, and still provides, a rich resource base that was exploited by prehistoric and historic Native American populations. Beginning in the 1800s, Euroamericans also exploited the area primarily for gold, timber, and ranching. Fauna associated with these habitats includes raccoon, rabbit, mule deer, California ground squirrel, western gray squirrel, coyote, bobcat, black bear, mountain lion, rattlesnakes, gopher snakes, Northwestern pond turtle, turkey vultures, red-railed hawks, great horned owls, killdeers, a variety of sparrow, Steller's jay, western scrub jay, mourning doves, Canadian geese, ducks, other small birds, salmon, and rainbow trout.

The Cascade Range is characterized by a north-south trending chain of large volcanos and is primarily composed of volcanic and sedimentary deposits. Two of the Cascade Range's best-known volcanic peaks, Mount Rainier in Washington and Mount Lassen in California, have both been active in recent or historical time. The Cascade Range also includes areas of flat lava plateaus, lava and cinder cones, plug domes, ash beds, steep ridges, and glacial deposits. The Project Site consists mainly of Tertiary volcanic flow rocks. It is also characterized by several buttes and peaks separated by small valleys formed by a number of tributaries in the Pit River and Cow Creek Watersheds. Other significant waterways in the vicinity of the Project Site include the north and south forks of Montgomery Creek and Little Cow Creek.

Cultural Setting

Prehistoric Overview

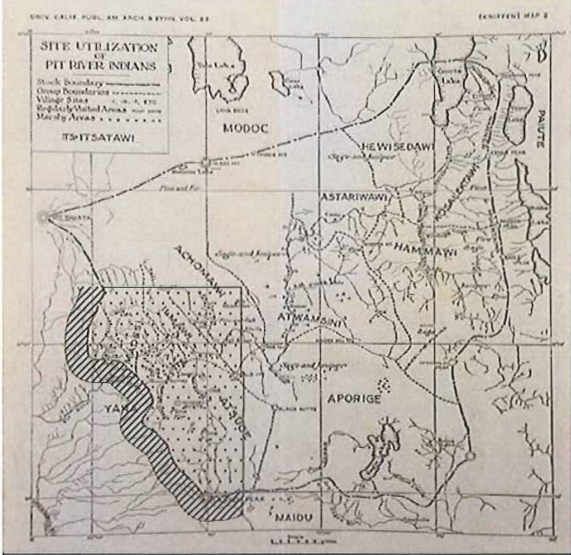
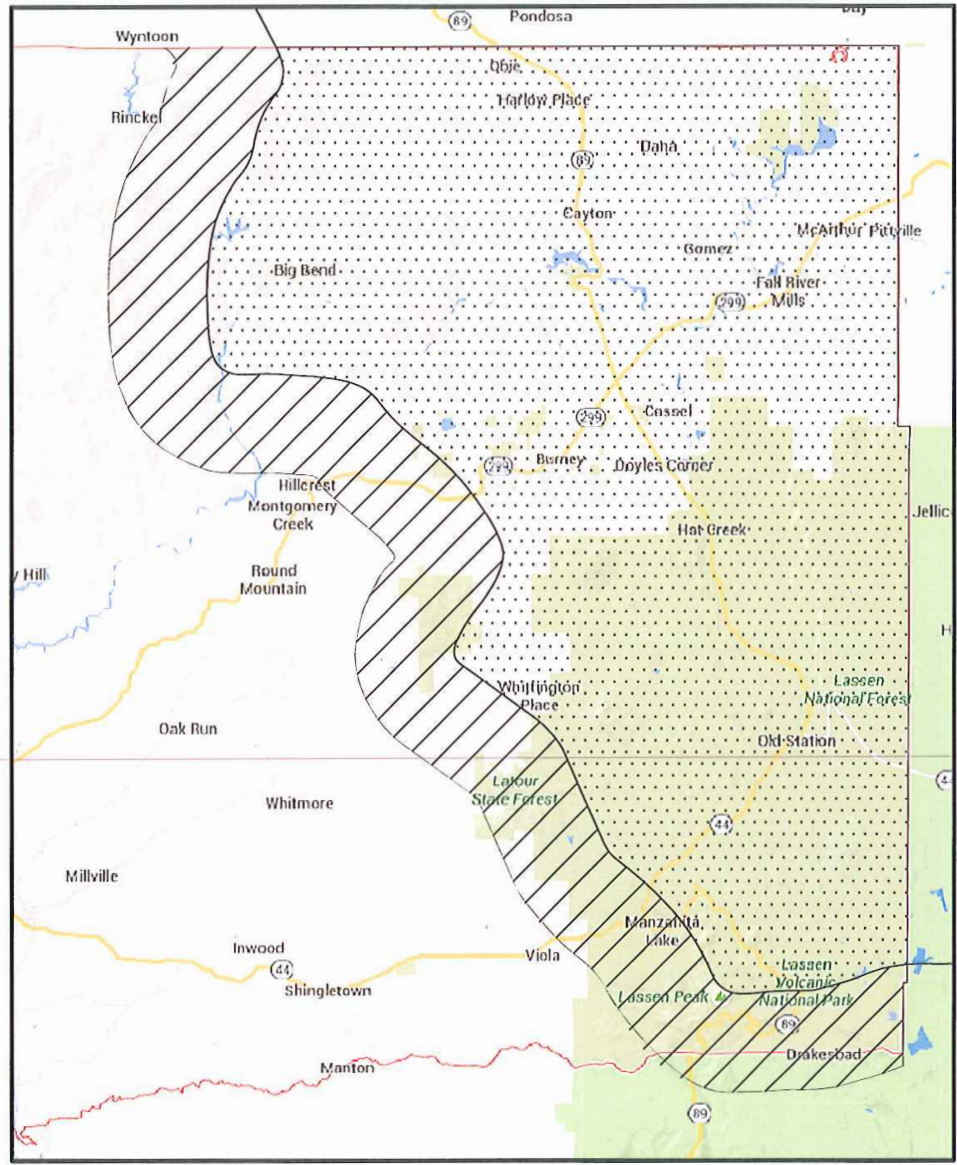
Regional archaeological investigations have developed classification schemes that attempt to place assemblages of cultural material in specific temporal and spatial contexts. Many of these schemes also attempt to associate artifact assemblages with specific groups and/or settlement/subsistence strategies. One of the more comprehensive of these chronologies includes five generalized cultural patterns spanning 8,000 years: the Borax Lake Pattern (6050–3050 B.C.), the Squaw Creek Pattern (3050–1050 B.C.), the Whiskeytown Pattern (1050–950 B.C.), the Tehama Pattern (A.D. 150–1200), and the Augustine Pattern of the Redding Aspect (beginning A.D. 1200). The Borax Lake Pattern included assemblages of wide-stemmed points, handstones, milling slabs, and ovoid flake tools, and is attributed to Hokan speaking peoples entering the area. The Squaw Creek Pattern appears to represent more intensive occupation of the southern Cascade region than the previous period as well as new artifact assemblages, which may reflect the migration of ancestral Yokuts and Miwok into the southern Cascades. The Whiskeytown Pattern appears to represent a shift in settlement and subsistence strategies in the Redding area. The Tehama Pattern appears to be associated with the appearance of the bow and arrow in the region, and is thought to reflect a mobile settlement/subsistence strategy that exploited multiple environments. The Augustine Pattern, Redding Aspect is associated with the prehistoric Wintu, is highlighted by the establishment of permanent villages along the banks of rivers, and a subsistence pattern that is orientated toward riverine resources and acorn processing. Others have proposed revised cultural chronologies; the refinement of these schemes integrate various regional chronologies and research frameworks. In summary, archaeological research in the northern Sacramento Valley and surrounding area has provided cultural chronologies for the area and other information regarding its use and occupation by Native American populations, but questions persist regarding the chronologies, patterns of prehistoric settlement, and subsistence in the region.



Ethnographic Overview

Prior to the arrival of Euroamericans in the region, California was inhabited by groups of Native Americans speaking more than 100 different languages and occupying a variety of ecological settings. The Project location is within or near the ethnographic territory of the Madesi, Itsatawi, and Atsugewi Bands of the Pit River Tribe. Ethnographic and historic records indicate that there were villages associated with these groups in the general vicinity of the Project Site. See **Figure 3.6-1**, *Pit River Tribe Ancestral Boundary*.

Achumawi (meaning River People), also known as the Pit River Indians, have traditionally inhabited areas of Shasta County in northeastern California from southern Goose Lake in the north to Eagle Lake in the south and from the Warner Range in the east to Mount Shasta in the west, including a large segment of the Pit River drainage. Achumawi along with the Atsugewi dialect form the Palaihnihan language family that is part of Hokan stock. Achumawi comprise several bands that function as autonomous political units.

Atsugewi have traditionally inhabited the territory adjacent to the southern boundary of the Achumawi on the north and extending to Mount Lassen on the south. The village is the basic autonomous political unit of the Atsugewi.



LEGEND:
 5-mile buffer
 PRT ancestral area

Boundary is approximate, 5-mile buffer included to account for this approximation.

SCALE: 8 miles

SOURCE: Shasta County Department of Public Works

Fountain Wind

Figure 3.6-1
Pit River Tribe Ancestral Boundary



Yana, also known as the Redding Rancheria, traditionally inhabited the Upper Sacramento River Valley and foothills east of the river. On the east, Yana territory encompasses the upper Deer Creek drainage through the upper Battle, Cow, and Montgomery Creek drainages. Yana speak a Hokan language, and comprise several bands that function as autonomous political units. Much of what is known about Yana culture was provided by Ishi, a Yahi Yana, who was brought to the University of California in 1911 after his family group died and he was left alone to survive.

Technology and subsistence strategies of the Achumawi, Atsugewi, and Yana are relatively similar. However, subsistence strategies (e.g., use of various plants and animals) do vary among the three groups because of access to different plant and animal habitats in their individual territories. Achumawi, Atsugewi, and Yana remain active in their communities and retain strong interests in the management and protection of their heritage and natural resources in the area encompassing the Project Site.

Historic Overview

The expedition of Peter Skene Ogden across the northern Sacramento Valley in 1827–1828 is probably the earliest encounter between Native Americans and Euroamericans in the general area of the Project Site. Succeeding expeditions of Euroamerican explorers and fur trappers brought foreign diseases that took a huge toll on the Native Americans in northern California. In 1846, Mexico granted Pearson B. Reading the 26,000-acre San Buenaventura land grant, also known as Rancho Buenaventura, and Native Americans soon found themselves in competition for resources with settlers who were rapidly moving into the area. In 1848, Reading discovered gold in Clear Creek and his discovery caused an influx of large numbers of gold-seekers to the area. A community named Horsetown located west of present day Redding, quickly grew up around Reading's discovery site, which was also called Reading's Bar or Clear Creek Diggings. The initial dramatic growth of mining and miners in the area was relatively short lived and mining operations declined and eventually stopped. The decline and cessation of mining forced landowners and other residents to turn to other industries to survive. Agriculture, primarily cattle ranching and logging, became the alternatives of choice in the area. Elias Anderson, one of Shasta County's first settlers, purchased the American Ranch in 1856. His original land holdings are approximately the center of present-day Anderson.

The Project vicinity is associated with the development and growth of logging in Shasta County. A sawmill was constructed on the top of Hatchet Mountain in 1872 and an associated flume (known as the Terry Lumber Flume) ran from the sawmill to eventually, the community of Bella Vista through the area of Buzzards Roost. By 1872, the area around Hatchet Mountain was being logged with timber being transported from the area via a 5-mile-long flume. The flume carried rough cut lumber from a mill on Hatchet Mountain to Bella Vista for final processing at Enright's lumber mill. Bella Vista expanded around and along with Enright's logging and milling operations. Flume tender houses were built on stilts level with the flume along the route. These houses were occupied by flume tenders and their families.

In 1897, Joseph Terry took over Enright's holdings, including the flume, and operated the business until 1919 when it and the flume were closed due to financial problems. In 1920, the business was purchased by the Red River Lumber Company, which only remained in business for two years. The

flume, however, continued to and is still known as the Terry Lumber Flume. The only known existing piece of the flume is located at the Shasta College Museum and Research Center in Redding. The Terry Lumber Company also built a railroad system across its holdings. The railroad system connected with a branch of the Central Pacific and subsequently the Southern Pacific Railroad at Bella Vista. The railroad system facilitated the transportation of timber and timber products from sites of more remote logging operations to local mills and eventually to Redding.

The growth and development of the northern Sacramento River Valley and surrounding area between the 1870s and 1880s is highlighted by the founding of the City of Redding in 1872. The city was named in honor of Benjamin B. Redding, a land agent for the Central Pacific Railroad Company. The town was rechristened "Reading" in 1874, to honor the early pioneer Pierson B. Reading, but the railroad would not recognize the name change. Consequently, the original name, Redding, was restored in 1880. Redding was located at the end of the Central/Southern Pacific railroad line until 1883, when the line was extended further north. Redding was incorporated in 1887 as the first municipality in Shasta County and became the county seat in 1888. By 1910, the city had a population of 3,572 that was supported by a significant mineral extraction industry, principally copper and iron. With the decline of these industries, the population dramatically dropped by 1920, but by 1930 the population was recovering and then boomed during the 1930s with the construction of Shasta Dam. The building of the dam, which was completed in the 1940s, caused the population to nearly double by 1940. Logging was an industry in the area since the Gold Rush, but in the late 1940s it expanded in the area and joined agriculture and mining as an important regional industry. From the 1950s to the 1960s, Redding continued to grow with the expansion of the lumber industry, the building of Whiskeytown and Keswick Dams, and the completion of Interstate 5. Logging continues to be an important business in the area today, but tourism also has become a thriving business centered on places such as Shasta Dam and Lake, Whiskeytown Reservoir, Shasta State Historic Park, Lassen Volcanic National Park, and McArthur Burney Falls State Park.

Existing Conditions

To identify the presence or absence of potentially significant cultural resources in the ADI and Study Area that could be considered a historical resource, unique archaeological resource, or tribal cultural resource for the purposes of CEQA, a California Historical Resources Information System (CHRIS) record search, a desktop review of historic-era documents, and a field survey of the proposed ADI were conducted.

Background Research

Personnel conducted a records search at the Northeast Information Center (NEIC) of the CHRIS on September 13, 2017 (NEIC File No. D17-150) to obtain and review previous cultural resource records, cultural resource studies, and any additional documentation pertaining to properties located within a 0.25-mile extent of the ADI. In addition to conducting a record search at the NEIC, historical maps, aerial photographs, and literature were reviewed to determine past land use activities within and surrounding the Study Area that could indicate the likelihood of encountering cultural resources. The results indicate the entire area had been previously studied and 64 previously recorded cultural resources are located within the ADI and within a 0.25 mile of the ADI.

Survey Effort

Between January 17 and September 20, 2018, and October 7 and November 3, 2019, Stantec archaeologists, led by three Secretary of the Interior-qualified archaeologists, conducted six rotations of pedestrian field surveys of the original and revised Project Site. The final Project Site encompassed 4,463 acres of private property. The entire 4,463-acre Project Site was subject to analysis as part of this inventory. The majority (80 percent) of the Project Site was inventoried by archaeologists walking linear transects at an interval not more than 15 meters (m) apart. Areas of extreme slope (defined as greater than 30 percent) or impassable vegetation were considered unsafe to inventory at the set transect interval. These areas (20 percent) were inventoried by walking established safe paths downslope where possible and inspecting adjacent areas visually. If the crew encountered topographical features considered sensitive for cultural resources, such as springs, drainages, or rock outcrops, those features were thoroughly inspected by the individual encountering them when this was safe to do so. No subsurface testing was undertaken in the course of this survey. Areas with limited ground visibility were inspected using a combination of visual inspection of rodent burrows, road cuts, and periodic removal of vegetation cover by the surveyors (done at a frequency of about every 25 meters on a given transect) using shovel and/or boot scrapes. If sites were identified in areas with limited to no surface visibility a visual inspection of boot scrapes, rodent burrows, road cuts, and topography was implemented to determine site boundaries.

The purpose of the Phase I pedestrian surface survey was to inspect the Project Site for cultural resources such as chipped stone (obsidian, chert, and basalt) flakes and tools (e.g., projectile points, knives, scrapers, flake tools), shellfish remains, ground stone, fire-affected rock, and other indicators of prehistoric archaeological resources. The field surveyors also inspected the Project Site for evidence of historic-era archaeological resources, such as surface scatters of logging, and farming or domestic type artifacts (e.g., glass, ceramic, metal), as well as features such as alignments of stone or brick, foundation elements from previous structures, minor earthworks, and historic plantings (e.g., old fruit, nut, or other types of trees and ornamental plants). Certain site types were identified as likely to occur in the Project Site. Because most of the Project Site is located on ridgetops, prehistoric sites are most likely to occur as surface expressions of artifacts associated with subsistence and resource extraction activities. The types of artifacts that might be present include cutting tools and groundstone artifacts associated with seed, nut, and root/tuber collection and processing, as well as projectile points and flake tools associated with capture and butchery of terrestrial fauna. Historic site types could include logging related artifacts and features in forested areas and ranching related features including, barns, houses, roads, corrals, fences, water conveyance features, improved spring areas, livestock loading and unloading (chutes and corrals), and feeding and salt lick sites.

Twelve newly discovered cultural resource sites were recorded on Department of Parks and Recreation (DPR) 523 forms using iPads and paper field notepads. Site recordation included photographic documentation and Global Positioning System (GPS) data, including site area boundary polygons, sketch maps, and location maps. Site boundaries were recorded up to 30 meters beyond the Project Site boundary. Twelve newly-discovered cultural resource sites were distinguished from isolated finds based on density of artifacts per unit area. Artifact concentrations greater than three artifacts within a 10-square-meter area were recorded as sites. All new identified artifacts received an artifact photograph and GPS location, with a distance and

bearing to the site datum. Previously recorded cultural resources were revisited and a continuation sheet documenting any changes was completed. The cabin noted during scoping was not identified during the survey effort. Isolated finds were recorded using a DPR 523 series Primary Record form, including a photograph and a GPS location.

Inventory Results and Evaluations

Stantec archaeologists revisited and updated 8 previously recorded cultural resource sites and recorded 12 newly discovered cultural resource sites in the ADI. Additionally, the crew identified and recorded 24 isolates in the ADI.

FOU0919-1-1

This site consists of two features located approximately 5 meters north of a wetland area. Feature one is a possible collapsed structure and includes a board scatter and tin siding. Feature two is a wooden plank dam and reservoir. Several faunal bones were found in the vicinity. The survey crew was unable to fully record this site due to safety concerns from the deteriorated condition of the resource. This resource is an unassociated habitation debris with undiagnostic artifacts. This site is likely associated with historic logging or hunting located throughout the area.

FOU0919-2-14

This site consists of an irregular mound, approximately 3 feet high with a circumference of 90 feet and is most likely a yarder mound.² The site is located adjacent to a dirt access road in a wooded area. The area is heavily disturbed by modern logging activity. The mound has been heavily disturbed.

FOU0920-2-1

This resource consists of a small can scatter located south of an access road under a transmission line. Artifacts observed include three tin cans, two of which have puncture holes and one is a hinge top. Miscellaneous metal parts also were observed. The site measures 50 feet north/south by 10 feet east/west. The area has been heavily disturbed by the access road.

FOU0922-1-1

This site consists of a small concentration of historic debris located on the north side of Goat Creek Road. The artifacts have been dispersed throughout the area by the construction of a road cut. Artifacts include logging cable, a metal car part, concrete base with iron pipe attached, a metal can, and a crushed metal bucket. The site measures 10 feet by 10 feet.

FOU0923-1-2

This site consists of a small historic trash scatter located on the western side of Supan Road. Artifacts observed include eight fuel cans, one small oil reservoir, one crushed metal bucket, two metal oil cans, and one small metal gas can. The site measures 100 feet north/south by 10 feet east/west. A metal car part is located in the northern portion of the site with no other diagnostic elements.

² A yarder is a machine or system of winches used to haul logs onto a landing.

FOU1015

This resource consists of historic debris and features measuring 85 feet north/south by 100 feet east/west located directly south of 270P Access Road. Feature 1 is a yarder mound measuring 94 feet east/west by 45 feet north/south. Feature 2 is a rail segment measuring 13 feet long. Feature 3 is a linear ditch running northeast/southwest and measuring 14 feet long. Associated artifacts include a logging cable.

FW 03

This is a small historic refuse scatter in a cleared-out forest plantation. The inventory includes one “Bayer Aspirin” tin, one vegetable can, four sanitary cans, one “Kerr Mason” jar lid, various assorted brown and clear glass fragments, two modern bottle caps, and one clear glass jar with screw top and a maker’s mark “40 57.”

FW 06

This site consists of historic debris located within a transmission line corridor. Artifacts include a barrel hoop, tobacco can, and a railroad spike. One obsidian flake also was observed; it was recorded as an isolated find.

FW 09

This site consists of a small historic refuse scatter located within a transmission line corridor. Artifacts include steel cable and two sanitary cans.

FW 11

This multicomponent site consists of a lithic scatter and other prehistoric loci, and historic logging artifacts. The prehistoric (within the primary lithic scatter) cultural resources include four primary, seven secondary, and 12 tertiary grey-black fine grain basalt flakes, as well as two primary, one secondary, and eight tertiary black obsidian flakes. There is also one basalt core fragment and two flake tools consisting of a secondary basalt flake tool with a serrated margin and a black obsidian overshot flake tool with two working margins. One working margin is along an edge of the flake extending from the striking platform and the other working margin is along the distal end of the tool where the flake was cleaved off the edge of a previously formed flake tool.

Outside of the primary scatter, three additional resources were observed that are most likely associated with this site. The first prehistoric locus of artifacts is located approximately 77 meters northwest of the primary lithic scatter and consists of a handstone located on a small terrace east of a drainage that runs downhill into the riparian area in which the primary site is located. Fragments of basalt from the same material in the primary site (possibly flaked) also were found in the drainage.

The second locus of prehistoric artifacts is located across the riparian area 52 meters south of the datum along the edge of a mixed conifer forest and on the north side of an unimproved access road. Though this is outside the primary lithic scatter, low visibility in the marshy meadow between these two resource locations may have additional cultural materials that link the two sites. Resources in this area include one black obsidian biface fragment, proximal end; four tertiary black obsidian

flakes; and one secondary and two tertiary fine grain basalt flakes. Additional historic resources in this area include one segment of logging cable, one colorless clear glass bottle body fragment, one slightly crushed 55-gallon fuel drum, and one choker cable fragment.

The third locus consists of one tertiary grey-black fine grain basalt flake and one tertiary black obsidian flake located 34 meters southeast of the primary lithic scatter in the south side of the riparian area. These flakes are also 51 meters east of the resources in locus 2.

Additionally, historic artifacts in this area include the remains of a rusted chain saw chain, and a non-diagnostic fragment of iron metal sheeting.

FW 12

This is a historic refuse scatter consisting of multiple fragments of white earthenware. Some fragments are crazed, or covered in a web of cracks. Fragments appear to be part of a larger serving plate, possibly all from the same plate. One fragment has a partial makers mark that cannot be identified. Ferrous metal fragments from cans and other domestics are also present. Most are crushed and twisted beyond recognition but appear to be from sanitary cans. Two hole-in-cap lids found (base missing).

FW 13

This site consists of a diffuse historic refuse scatter on a slightly southwest sloping terrace in a mixed conifer woodland. Artifacts include fragments of ferrous metal from crush sanitary cans. Three large hole-in-cap can tops were visible (although the bodies were crushed). One small hole-in-cap sanitary can, also crushed, was observed. Additional artifacts include three fragments of whiteware with medium grain white paste and clear glaze (two vessels), as well as one fragment of a steel knife (partial blade and handle only). Ground visibility at the site is 25–75 percent. The site is 60 feet north/south by 43 feet east/west.

P-45-001986

This site was originally recorded in 1992 consisting of a historic railroad logging camp along a railroad grade. The linear feature is part of the larger P-45-002025 resource (described below). Three features associated with structures were identified and recorded. Associated artifacts include glass, ceramic, and metal. Some artifacts were collected at the time of the recording. On September 20, 2018, Stantec relocated the site. Feature 2, a 15-foot by 20-foot rectangular pit with an earthen berm, was identified. Features 1 and 3 were not relocated. Artifacts associated with the camp were relocated, including barrel hoops, braded cable, nails, cast iron stone part, can fragments, and brown glass fragments.

P-45-001988

This site was recorded in 1993 as a historic-era railroad logging camp. One concrete pad and hearth, two earthen mounds, and a concentration of artifacts scattered over the northeast portion of the site consisting of more than 200 cans. Some artifacts were collected at the time of the 1993 recording. On October 12, 2018, Stantec archaeologists relocated the site. Two possible privy pits and linear ditch depressions were observed. Artifacts included a can scatter, milk glass jar, metal stove parts, logging cables, brown glass fragments, and metal strips. The site extends into P-45-0001989.

P-45-001989

This site was originally recorded in 1993 and consists of a 90-meter north/south by 65-meter east/west historic-era resource. The site consists of the remnants of logging operations and associated artifacts. Some artifacts appear to have been collected at the time of the 1993 recording. Historic debris is present in between the original site boundaries for P-45- 001988 and P-45-001988. These resources are likely one larger site.

P-45-002014

This resource was originally recorded in 1992 as a logging camp with log chutes, loading decks, numerous structures and associated artifacts. The 2018 Stantec visit relocated datum B, a large stump with cable wrapped around it; Feature F12, a large structure flat that does not match its original configuration because its edges eroded away distorting its shape and creating a gradual slope along its edges; a large, diverse artifact scatter; railroad grade segments; twisted cable; butchered bone; condensed milk cans; steel pipe; sheet metal; barrel hoop straps; white improved earthenware; and a heating apparatus. Other features previously recorded, including structures and chutes could not be relocated. The resource has been heavily disturbed and impacted by recent logging, fire, road maintenance, and erosion.

P-45-002025

This resource is the historic-era remains of the Terry Mill Railroad Logging System consisting of through cuts and fills located in various locations. On September 19, 2018, Stantec field crew visited a previously recorded segment of P-45-002025. From the intersection of P Line and T Line road, traveling approximately 2,400 feet west along P Line road, P-45-002025 railroad grade has been destroyed by modern logging activity within the last 5 years. A berm segment follows the railroad grade and has been heavily disturbed by modern logging, including a recently abandoned logging road. The berm is composed of soil and is partially covered in vegetation. Two metal fragments are associated with the berm. To the south, there is a seasonal stream that seems to be a result of a modern erosion control ditch at the east end of the berm. Other sections of the railroad grade were unobserved and likely completely obliterated.

P-45-002939

This resource consists of the 230-kV Transmission line, including towers and lines. This segment runs from the town of Burney to the Cottonwood Substation in Cottonwood, California. Stantec's field crew revisited this resource during survey efforts. This resource remains unchanged since its original recording in 1999.

P-45-003068

On January 19, 2018, Stantec field crews visited P-45-003068. This resource originally was recorded as a yarder mound measuring 1.5 meters tall, 6 meters wide, and 40 meters long. Road 200T bisects the mound. The resource was relocated and is relatively unchanged.

P-45-003069

On September 23, 2018, Stantec field crews attempted to visit P-45-003069. This resource was originally recorded as a water conveyance system. Specifically, a ditch measuring approximately 0.33 meters deep and 0.66 meters wide. The crew failed to relocate this resource.

Newly Recorded Isolates

A total of 24 isolates were identified. Isolated finds can be prehistoric or historic and consist of one to three artifacts. Less than three artifacts in an area 30 meters or less in diameter with a distance of 30 meters from any other site or artifact constitutes an isolate. Isolates are not considered a prehistoric or historic site because of their inability to provide useful data beyond their identification and documentation. Isolates do not qualify for listing in the California Register of Historical Resources (California Register) according to Public Resources Code Section 21083.2(h); therefore, they are not considered historical resources for the purposes of CEQA. These resources may be considered tribal cultural resources and a component of a tribal cultural landscape as described in the tribal cultural resources section below.

Evaluation of Cultural Resources

Based on the recordation and archival research of the cultural resources identified in the ADI, all of the resources (except the prehistoric component of FW 11, see below) are recommended not eligible for listing in the California Register. Historical information was used to evaluate the resources under California Register Criteria 1, 2 and 3 (described in Section 3.6.1.3, *Regulatory Setting*). The resources included typical features of historic and modern logging operations, refuse deposits, transmission lines, and railroad features, and do not contribute to broad patterns of history in Shasta County, California, or the United States. In addition, the resources generally cannot be associated with a specific person or company, do not have a direct association with a household or workspace, and cannot be associated with a specific group of people. As a result, the resources are recommended as not eligible for listing in the California Register under Criteria 1 or 2. The resources do not represent the distinctive characteristics of a type, time period, or methods of construction; nor do they possess high artistic value or represent significant and distinguishable entities whose components lack individual distinction. The resources are recommended as not eligible for listing in the California Register under Criterion 3. There is no evidence to suggest that the resources would yield information important to history and prehistory, and recording of the resources and archival research has essentially exhausted the data potential for the resources to address research questions. The resources are recommended as not eligible for listing in the California Register under Criterion 4.

Table 3.6-1, *Cultural Resources in the ADI*, provides a summary of the cultural resources and evaluations in the ADI.

Evaluation of Prehistoric Component of FW 11

Stantec conducted an evaluation of FW 11 through a review of ethnographic and ethnohistorical data and through analysis of field investigation. The ethnographic and ethnohistorical data was used to examine the eligibility of the site under California Register Criteria 1, 2 and 3. The field investigation was used to gather data to assess the potential of the site to include buried cultural deposits and its ability to yield data important in prehistory. This prehistoric site consists of a possible flaked stone tool manufacturing site and contains identified flaked stone tools.

**TABLE 3.6-1
 CULTURAL RESOURCES IN THE AREA OF DIRECT IMPACT**

Primary #	Trinomial or Other Identifier	Type	Eligibility ¹	In ADI
P-45-001986	CA-SHA-1986-H	Historic railroad logging camp and railroad grade	Not eligible	Yes
P-45-001988	CA-SHA-1988-H	Railroad logging camp and railroad grade	Not eligible	Yes
P-45-001989	CA-SHA-1989	Historic debris	Not eligible	Yes
P-45-002014	CA-SHA-2014-H	Historic logging camp	Not eligible	Yes
P-45-002025	CA-SHA-2025-H	Historic Terry Mill railroad grade	Not eligible	Yes
P-45-002939	---	Transmission line	Not eligible	Yes
P-45-003068	---	Historic yarder mound	Not eligible	Yes
P-45-003069	---	Water conveyance system	Not eligible	Yes
---	FOU0919-1-1	Historic debris	Not eligible	Yes
---	FOU919-2-14	Yarder mound	Not eligible	Yes
---	FOU0920-2-1	Can scatter	Not eligible	Yes
---	FOU0922-1-1	Historic debris	Not eligible	Yes
---	FOU0923-1-2	Historic debris scatter	Not eligible	Yes
---	FOU1015	Historic logging equipment	Not eligible	Yes
---	FW 3	Historic debris	Not eligible	Yes
---	FW 6	Historic debris and isolated lithic	Not eligible	Yes
---	FW 9	Historic debris	Not eligible	Yes
---	FW 11	Multicomponent lithic scatter / historic debris	Prehistoric component eligible, historic component, not eligible	Yes
---	FW 12	Historic debris	Not eligible	Yes
---	FW 13	Historic debris	Not eligible	Yes

NOTE:

¹ Stantec 2019

Research into the ethnographic use of this area did not result in any information that tied this site to any particular event in the past and there was no indication of the site being associated with any person or group important in the past. Thus, the site is recommended as not eligible for listing in the California Register under Criteria 1 and 2. It does not embody the distinctive characteristic of a type, period or method of construction and does not represent the work of a master (e.g., the artifacts are not temporally sensitive); nor does it possess high artistic value or represent a significant and distinguishable entity whose components lack individual distinction. The site is recommended as not eligible for listing in the California Register under Criterion 3.

To examine the site's California Register eligibility under Criterion 4, the first step is to determine if there are cultural deposits that have depositional integrity. This is the basis for looking at the ability of the data contained within a site to address research questions about the past. Though no archaeological excavation was conducted at this site, the presence of a variety of lithics and tools

indicate that there is a possibility to yield additional information in prehistory beyond the existing documentation of the site. Based on these observations, the site is recommended eligible for listing in the California Register under Criterion 4.

Based on the evaluation presented above, the prehistoric component of FW 11 qualifies for listing in the California Register and is therefore considered a historical resource for the purposes of CEQA. See discussion b) in Section 3.6.3.2 for consideration of impacts and proposed mitigation measures for this historical resource.

Tribal Cultural Resources

Stantec requested a Sacred Lands Search (SLS) for the project from the Native American Heritage Commission (NAHC) on September 17, 2017. The purpose of the search was to ascertain whether there are resources or locations that may be of importance to Native Americans who have traditionally resided in the area encompassing the Project Site. The SLS search was conducted as part as the cultural technical report and is not considered to be consultation pursuant to Assembly Bill 52. On September 19, 2017, NAHC responded, stating that a review of their files yielded positive results for sacred lands located within the Project vicinity. NAHC also provided the contact information for several local tribes who may have additional information. Stantec contacted these tribes by letter on November 29, 2018.

Shasta County sent notification letters to tribes on December 8, 2017; however, no tribe requested Assembly Bill 52 consultation within the 30-day time limit. The Initial Study was published on April 6, 2018, with a paragraph noting that Assembly Bill 52 consultation had not been timely requested.

A response letter from the Greenville Rancheria was received by Stantec on December 31, 2018; the tribe has no comments or objections to the Project. On January 4, 2019, a response letter from the Pit River Tribe was received requesting formal consultation. This letter was included in the final technical report submitted to the County. In 2019, the Applicant reduced the Project size from 100 turbines to 72 turbines. Following this reduction in size, Stantec resubmitted a SLS request to the NAHC on October 29, 2019. NAHC's responded on November 13, 2019, stating that a review of their files yielded positive results. NAHC also provided contact information for several local tribes who may have additional information. On November 15 and November 20, 2019, Stantec sent letters by Certified Mail to the contact list provided by NAHC as well as the contact list provided to the Applicant by the California Department of Forestry and Fire Protection (CAL FIRE). Certified Mail receipts were returned for all mailings. Stantec conducted follow-up telephone calls to all of the listed contacts on December 4, 2019. These tribes included: The Pit River Tribe, Wintun Educational and Cultural Council, Nor-Rel-Muk Wintun Nation, Redding Rancheria, Shasta Nation, Winnemem Wintu Tribe, and Wintu Tribe of Northern California. The Pit River Tribe responded to the follow up phone call on December 4, 2019, stating that they would like to continue to discuss the Project and would like to schedule an in-person meeting. The Nor-Rel-Muk Wintun Nation representative responded to the follow-up phone call and stated that the Project was outside of the organization's traditional territory. The Nor-Rel-Muk Wintun Nation indicated interest in what, if any, artifacts are found, but deferred coordination to the Pit River Tribe. No other tribes responded to the Applicant's outreach efforts.

Coordination with the Pit River Tribe during the Hatchet Ridge Project identified Hatchet Ridge–Bunchgrass Mountain, which is located outside the leasehold area, as a culturally significant site, particularly to the Itsatawi and Madesi bands, and possibly the Atsuge, whose traditional territories are separated by Hatchet Ridge (Tiley, 2007; Appendix C in Shasta County, 2007). Hatchet Ridge–Bunchgrass Mountain figures importantly in the lives of the Pit River Tribe. For example:

- Hatchet Ridge (located outside of the Project Site) served as a major transportation corridor for the Pit River Tribe.
- Bunchgrass Mountain (located outside of the Project Site) is used as basketry collection locality.
- Wildlife that are traditionally important to the Pit River Tribe cross Hatchet Ridge (located outside of the Project Site) or use it as a migration corridor.
- Hatchet Ridge and Bunchgrass Mountain (both located outside of the Project Site) contain power places. Power places are important locations to the Pit River Tribe because it is at power places where people can obtain power for healing, doctoring, and other purposes.
- The Pit River Tribe used the Hatchet Ridge–Bunchgrass Mountain route to travel between portions of the Pit River drainage and Goose Valley. A feature labeled “Indian Trail” is mapped on a historic survey plat as extending from the eastern edge of Hatchet Ridge into Goose Valley (General Land Office, 1879). Because it was a major foot route out of the Pit River Canyon, people were sometimes carried along this way for burial, and may have been buried trailside in the case of inclement weather. This ridge was also traveled to reach a small lake just to the east, where traditional doctors made vision quests. Hatchet Ridge is presently used by Pit River Tribe members to travel to Bunchgrass Mountain to gather basketry materials (e.g., redbud, bear grass, willow) and huckleberries. It is possible that a portion of this trail is located within the Project Site.

Additional coordination with the Pit River Tribe identified several potential tribal cultural resources that may be located within or near the Project Site (Stantec, 2020b). These include:

- Unspecified locations of ethnographic trails and quarries;
- Unspecified locations of ancestral burial grounds;
- Unspecified areas where medicinal herbs were gathered;
- Views of Yet-Tey-Cha-Na (Lassen Peak) and Kohm Yamani (Snow Mountain) from ancestral lands through the Project Site; and
- Wildlife that are traditionally important to the Pit River Tribe may occur throughout the Project site;

In addition, the prehistoric component of FW 11 has been recommended eligible as a tribal cultural resource (see description and evaluation above).

Input from Tribes during the scoping process and during meetings between the Tribes and the Applicant note that natural and cultural resources are indistinguishable from the Pit River Peoples and are a central element of the spirituality, traditional ceremonial practices, religious

expressions, history, and identity of the Tribe and Tribal members. Tribal members explain that the Tribe and its nation have deep ties to the area, which they describe as a place of refuge, ceremony, healing, prayer, fasting, hunting, gathering, and other sacred traditional uses. Tribal members indicate that burial grounds are believed to present in the Project Site. Tribal members expressed concern that the construction, operation, and maintenance of the Project could infringe on the freedom of religion and the cultural practices of the Pit River Tribe and other Indian Tribal Nations in the region and that the Project could adversely affect sacred sites, traditional plants, and the viewshed of mountains held sacred by the Tribe including Yet-Tey-Cha-Na (Lassen Peak) and Kohm Yamani (Snow Mountain). An old ridgetop trail that connects the Pit River to Goose Valley to the Lassen area and has traditionally been, and continues to be, used to reach remote areas during vision quests may be located within the Project Site. The ridge also is identified as a boundary between the Itsatawi, Madesi, and Atsugewi Bands. Birds traditionally important to the Pit River culture (such as eagles and eagle nests, osprey, ducks, and geese) cross the ridge and could be injured or killed by the turbine blades. Deer also migrate across the ridge. Commenters suggest that sounds generated by the Project could disrupt bird and animal patterns, as well as human experiences in the area. Existing conditions identified in comments as contributing to ongoing impacts to tribal cultural resources include burdens from power generating activities associated with the Hatchet Ridge Wind Project, power lines, dams, and PG&E hydroelectric activities (Appendix J).

These resources collectively contribute to a potential tribal cultural landscape. In addition, the resources described above are potential tribal cultural resources for the purposes of the CEQA analysis.

3.6.1.3 Regulatory Setting

Federal

Although federal laws address cultural and tribal cultural considerations (including, but not limited to, the National Historic Preservation Act, Archaeological Resources Protect Act, and Native American Historic Resource Protection Act), there is no federal nexus to this Project. Accordingly, there are no federal regulations that apply to the Project with respect to Cultural or Tribal Cultural Resources.

State

California Register of Historical Resources

The California Register is “an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change” (Pub. Res. Code §5024.1[a]). Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register of Historic Places (National Register).

To be eligible for the California Register, a historical resource must be significant at the federal, state, or local level under one or more of the following criteria (Pub. Res. Code §5024.1[c]):

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 construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

“Integrity” is the authenticity of a historic resource’s physical identity as shown by the survival of characteristics that existed during the period of significance. For a resource to be eligible for the California Register, it also must retain enough integrity to be recognizable as a historic resource and to convey the reasons for its significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. A resource that does not retain sufficient integrity to meet the National Register criteria may still be eligible for listing in the California Register.

California Public Resources Code and Tribal Cultural Resources

In 2014, the California Legislature enacted Assembly Bill (AB) 52, which added provisions to the Public Resources Code regarding the evaluation of impacts on tribal cultural resources under CEQA, and requirements to consult with California Native American tribes as defined in Government Code Section 65352.4. In particular, AB 52 requires lead agencies to analyze project impacts on “tribal cultural resources” separately from archaeological resources (Pub. Res. Code §§21074 and 21083.09). AB 52 defines “tribal cultural resources” in Public Resources Code Section 21074 and requires lead agencies to engage in additional consultation procedures with respect to California Native American tribes (Pub. Res. Code §§21080.3.1, 21080.3.2, and 21082.3).

A “tribal cultural resource” is defined in Public Resources Code Section 21074 as either a site, feature, place, or 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:

1. 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
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 Public Resources Code Section 5024.1(c). In applying the criteria set forth in Section 5024.1(c), the lead agency shall consider the significance of the resource to a California Native American tribe.

California Public Resources Code Sections 5097.98 and 5097.99

Public Resources Code Section 5097.98 (reiterated in CEQA Guidelines §15064.5[e]) identifies steps to follow in the event of the accidental discovery or recognition of any human remains in

any location other than a dedicated cemetery, including notification of the most likely descendent. Section 5097.99 prohibits obtaining or possessing any Native American artifacts or human remains that are taken from a Native American grave or cairn (stone burial mound).

California Health and Safety Code Section 7050.5

Health and Safety Code Section 7050.5 protects human remains by prohibiting the disinterment, disturbance, or removal of human remains from any location other than a dedicated cemetery.

Forest Practice Act of 1973

The Z’Berg-Nejedly Forest Practice Act of 1973 (Pub. Res. Code §§4511–4360.2) and its implementing regulations, the Forest Practice Rules (14 Cal. Code Regs. §895 et seq.), govern the management of privately owned forestlands in California, including with respect to the protection of archaeological and historical resources. See, for example:

- Rule 949 Statement of Purpose (14 Cal. Code Regs. §949)
- Rule 949.2 Protection Measures for Plans and Emergency Notices 3 Acres and Larger (14 Cal. Code Regs. §949.2)
- Rule 949.3 Post Review Site Discovery (14 Cal. Code Regs. §949.3)
- Rule 949.4 Archaeological Training Requirements (14 Cal. Code Regs. §949.4)
- Rule 949.5 Site Recording (14 Cal. Code Regs. §949.5)
- Rule 949.6 Protection of Sites During Timber Operations (14 Cal. Code Regs. §949.6)
- Rule 949.7 Determination of Significance (14 Cal. Code Regs. §949.7)

Local

The Shasta County General Plan includes the Heritage Resources Element as authorized by Section 65303 of the Government Code. This Element is intended to identify and protect sites and structures of architectural, historical, archaeological, or cultural significance.

6.10.3 Objective HER-1: Protection of significant prehistoric and historic cultural resources.

6.10.4 Policy HER-a: Development projects in areas of known heritage value shall be designed to minimize degradation of these resources. Where conflicts are unavoidable, mitigation measures which reduce such impacts shall be implemented. Possible mitigation measures may include clustering, buffer or nondisturbance zones, and building siting requirements.

3.6.2 Significance Criteria

CEQA Guidelines Appendix G Section V identifies considerations relating to cultural resources. See Section 3.1.4, *Environmental Considerations Unaffected by the Project or Not Present in the Project Area*, as it relates to the County’s analysis of the potential impacts of this Project to cultural resources considerations suggested in CEQA Guidelines Appendix G. Otherwise, for

purposes of this analysis, a project would result in a significant impact to Cultural Resources or Tribal Cultural Resources if it would:

- a) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5;
- b) Disturb any human remains, including those interred outside of formal cemeteries; or
- c) 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:
 - i) 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
 - ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code Section 5024.1(c). In applying the criteria set forth in Public Resources Code Section 5024.1(c), Shasta County, as the CEQA lead agency, has considered the significance of the resource to a California Native American tribe.

3.6.3 Direct and Indirect Effects

3.6.3.1 Methodology

Historic Architectural Resources

Potential impacts on historic architectural resources are assessed by identifying any activities (during either construction or operations) that could affect resources that have been identified as historical resources for the purposes of CEQA. Once a resource has been identified as a CEQA historical resource, it must be determined whether the project's impacts would "cause a substantial adverse change in the significance" of the resource (14 Cal. Code Regs. §15064.5[b]). A substantial adverse change in the significance of a historical resource means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired" (14 Cal. Code Regs. §15064[b][1]). A historical resource is considered materially impaired through the demolition or alteration of the resource's physical characteristics that convey its historical significance and that justify its inclusion in the California Register (14 Cal. Code Regs. §15064.5[b][2][A]).

Where potential impacts on historical resources are identified, CEQA Guidelines §15126.4(b) states that compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* will generally reduce potential impacts to a less-than-significant level. In addition, "in some circumstances, documentation of an historical resource ... as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur" (14 Cal. Code Regs. §15126.4[b][2]).

There are no impacts to historic architectural resources from the proposed Project.

Archaeological Resources

Archaeological resources can include historical resources according to CEQA Guidelines Section 15064.5, as well as unique archaeological resources as defined in CEQA Guidelines Section 21083.2(g). The significance of most prehistoric and historic archaeological sites is usually assessed under California Register Criterion 4. This criterion stresses the importance of the information potential contained within the site, rather than its significance as a surviving example of a type or its association with an important person or event. Although less common, archaeological resources may also be assessed under California Register Criteria 1, 2, and/or 3.

Impacts on unique archaeological resources or archaeological resources that qualify as historical resources are assessed pursuant to CEQA Guidelines Section 21083.2, which states that the lead agency shall determine whether the project may have a significant effect on archaeological resources. As with architectural resources above, whether the impacts of the project would “cause a substantial adverse change in the significance” of the resource must be determined (14 Cal. Code Regs. §15064.5[b]).

Treatment for archaeological resources could consist of excavation (or data recovery) of a resource, which is restricted to those parts of the resource that would be damaged or destroyed by a project. Excavation is not required for an archaeological resource if the lead agency determines that already completed testing or studies have adequately recovered the scientifically consequential information from and about the resource.

Human Remains

Human remains, including those buried outside of formal cemeteries, are protected under several state laws, including Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. Specifically, CEQA Guidelines Section 15064.5(d) requires a lead agency to work with Native Americans to develop an agreement for treating, with appropriate dignity, human remains and any items associated with the burials. Upon discovery of human remains that the County Coroner determines to be Native American in origin, the Native American Heritage Commission identifies the person or persons it believes to be the most likely descendant from the deceased Native American. This analysis considers impacts on human remains including intentional disturbance, mutilation, or removal of interred human remains.

Tribal Cultural Resources

As defined in Public Resources Code Section 21074, a “tribal cultural resource” is a site feature, place, cultural landscape, sacred place, or object that is of cultural value to a tribe that is either on or eligible for the California Register or a local historic register, or that the lead agency, at its discretion, chooses to treat as a tribal cultural resource. Impacts on tribal cultural resources are assessed in consultation with affiliated Native American tribes in accordance with Public Resources Code Section 21080.3. This analysis considers whether the Project would cause a substantial adverse change in the significance of any tribal cultural resources.

Mitigation for impacts to tribal cultural resources is considered in consultation with the culturally affiliated tribe (or tribes) determined and agreed upon during consultation according to Public Resources Code Section 21083.2(b), and can consist of, but is not limited to:

- 1) Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- 2) Treating the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - (A) Protecting the cultural character and integrity of the resource.
 - (B) Protecting the traditional use of the resource.
 - (C) Protecting the confidentiality of the resource.
- 3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- 4) Protecting the resource.

3.6.3.2 Direct and Indirect Effects of the Project

a) Whether the Project would cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5.

Impact 3.6-1: The Project could cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. (*Less than Significant with Mitigation Incorporated*)

This section discusses archaeological resources, both as historical resources according to Public Resources Code Section 15064.5, as well as unique archaeological resources as defined in Public Resources Code Section 21083.2(g).

Based on the results of the cultural resources analysis completed for the proposed Project (Stantec, 2019), 8 previously recorded cultural resources and 12 newly discovered cultural resources were recorded in the ADI and evaluated for significance as historical resources eligible for listing in the California Register. Based on those evaluations, one cultural resource (the prehistoric component of FW 11) qualifies for listing in the California Register under Criterion 4, for its ability to yield additional information in prehistory. The prehistoric component of FW 11 is therefore considered a historical resource for the purposes of CEQA. Project-related disturbance of a historical resource would be a significant impact and could occur, for example, during grading and excavation associated with construction of turbine foundations, pads, or domestic water wells; trenching for the underground electrical collector lines or other below-ground facilities and infrastructure; or the soil borings that would be collected to an approximately 50-foot depth to ensure that the proposed turbine foundations would be stable.

The potential for such impact would be reduced to a less-than-significant level through implementation of Mitigation Measure 3.6-1 (Archaeological Research Design and Treatment Plan). This measure sets forth protocols and procedures for implementing a data recovery program to provide for the establishment of Environmentally Sensitive Areas; treatment and recovery of important data contained within the portions of the historical resource located within and adjacent to the ADI; construction worker cultural resources sensitivity training; archaeological and Native American monitoring; inadvertent discovery protocols; and provisions for curation or reburial of recovered materials.

Mitigation Measure 3.6-1: Archaeological Research Design and Treatment Plan.

Prior to receiving a County grading permit for the Project, the applicant shall:

1. Relocate Project components to a location that would not potentially impact the known historical resource.
2. If relocation is documented to the satisfaction of the County as infeasible (where “feasible” means “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors” as defined in CEQA Guidelines Section 15364) and the historical resource would potentially be impacted by the Project, design and implement an Archaeological Research Design and Treatment Plan (ARDTP).

The investigation would be completed under the methods and research design outlined in an ARDTP to be prepared in accordance with the California Resources Agency’s Guidelines for Archeological Research Designs (California Resources Agency, 1991). A qualified archaeologist (defined as one meeting the Secretary of the Interior’s Professional Qualification Standards for archaeology) shall prepare the ARDTP in consultation with the culturally affiliated Native American tribe(s). The ARDTP shall address, at a minimum, the following: the establishment of Environmentally Sensitive Areas; treatment and recovery of important data contained within the portions of the historical resource located within and adjacent to the Project Site; construction worker cultural resources sensitivity training; compensated archaeological and Native American monitoring; inadvertent discovery protocols; and provisions for curation or reburial of recovered materials.

The ARDTP shall include the specific methods that will be employed (e.g., the length and depth of excavation, the type of equipment utilized, the percent of area investigated). The ARDTP shall identify how the proposed investigation would preserve any significant historical information obtained and identify the scientific/historic research questions applicable to the resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The results of the investigation shall be documented in a technical report that provides a full artifact catalog, analysis of items collected, results of any special studies conducted, and interpretations of the resource within a regional and local context. All technical documents shall be placed on file at the North Central Information Center of the California Historical Resources Information System. The results report shall include recommendations for archaeological and Native American monitoring in Environmentally Sensitive Areas and the protocol to follow should additional cultural materials be identified during construction activities.

Significance after Mitigation: Less than Significant.

b) Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Impact 3.6-2: The Project could disturb human remains, including those interred outside of formal cemeteries. (*Less than Significant with Mitigation Incorporated*)

Prehistoric archaeological sites may contain human burials. Based on the background research and surface survey there are no known locations in the Project Site that have been used for human burial purposes and thus no features of the Project would disturb known human remains. However, given the prehistoric archaeological sensitivity of the Project Site, the possibility of encountering human remains cannot be discounted. Additionally, coordination with the Pit River Tribe identified the potential for ancestral burial grounds within the Project Leasehold Area. Project-related disturbance of human remains would be a significant impact and could occur if, for example, grading, excavation, or soil borings associated with construction of facilities and infrastructure.

The potential for such impact would be reduced to a less-than-significant level through implementation of Mitigation Measure 3.6-2 (Inadvertent Discovery of Human Remains). The measure sets forth protocols for responding in the event that human remains are identified during ground disturbing activities, including halting construction, contacting the County Coroner to assess the find, among other appropriate actions (including contacting the most likely descendant).

Mitigation Measure 3.6-2: Inadvertent Discovery of Human Remains.

In the event human remains are uncovered during ground-disturbing activities (including construction, operations and maintenance, and decommissioning), the Project proponent or its contractor shall immediately halt work within a 100-foot radius, contact the Shasta County Coroner to evaluate the remains within 48 hours, and follow the procedures and protocols pursuant to Section 15064.5(e)(1) of the CEQA Guidelines. Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person thought to be the most likely descendent of the deceased Native American. The most likely descendent will make recommendations for means of treating, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

Significance after Mitigation: Less than Significant

- c) Whether the Project would cause a substantial adverse change in the significance of a tribal cultural resource, defined in Pub. Res. Code §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 (1) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Pub. Res. Code §5020.1(k) or (2) determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Pub. Res. Code §5024.1(c).**

Impact 3.6-3: The Project would cause a substantial adverse change in the significance of a tribal cultural resource. (*Significant and Unavoidable*)

CEQA requires the lead agency to consider the effects of a project on tribal cultural resources. As defined in Public Resources Code Section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed, or determined to be eligible for listing, on the national, state, or local register of historical resources.

Based on the background research described in Section 3.6.1.2, *Environmental Setting*, there is a prehistoric archaeological site in the Project Site. The prehistoric component of FW 11 is recommended as eligible for listing in the California Register and, for the purposes of CEQA, is considered a tribal cultural resource. In addition, Native American tribes have identified tribal cultural resources in the Project Site.

Tribal comments include concerns for the “numerous historical sites that are part of the region’s Native American heritage...that should be protected and preserved.” In addition, requests included that the “significance of known sites should be determined by the local tribal community.” Hatchet Mountain, Bunchgrass Mountain and the surrounding other specific mountains and ridges, specifically views of Kohm Yamani (Snow Mountain) and Yet-Tey-Cha-Na (Lassen Peak) are considered to be of great spiritual significance to the Pit River Tribe, especially the Itsatawi, Madesi, and Atsugewi Bands. Tribal elders consider these locations sacred and continue to use numerous important spiritual and cultural sites within the region. Hatchet Mountain, Bunchgrass Mountain, Snow Mountain, and Lassen Peak do not occur within the Project Site and Project activities are not anticipated to have a direct effect to these features; however, indirect effects as a result of Project construction, operation, or decommissioning activities could occur. Other tribal cultural resources in the Project Site include unspecified locations of ethnographic trails and quarries; unspecified locations of ancestral burial grounds; unspecified areas where medicinal herbs were gathered; and wildlife that are traditionally important to the Pit River Tribe. In addition, the prehistoric component of FW 11 has been recommended eligible as a tribal cultural resource.

In the event that construction activities disturb tribal cultural resources, damage would be considered a significant impact. Implementation of Mitigation Measure 3.6-1 (Archaeological Research Design and Treatment Plan) described above, as well as Mitigation Measure 3.6-3 (Tribal Cultural Resources Interpretive Program) would ensure that impacts to tribal cultural resources are recognized. In consultation with the appropriate Native American representatives,

Mitigation Measure 3.6-3 also would provide for access to the area. However, unless a tribal cultural resource can be avoided and preserved in place according to the provisions set forth by Public Resources Code Section 21084.3, direct and indirect impacts to tribal cultural resources would not be reduced to a less-than-significant level and the impact would remain significant and unavoidable.

Mitigation Measure 3.6-3a: Implement Mitigation Measure 3.6-1: Archaeological Research Design and Treatment Plan (described above)

Mitigation Measure 3.6-3b: Coordination with the Pit River Tribe during Project Development.

Shasta County and the Applicant will facilitate a preconstruction meeting and field visit with the Pit River Tribe through the Tribe’s chairperson and the Pit River Tribal Historic Preservation Officer to discuss “tribal cultural resources” as defined in Public Resources Code Section 21074 in the Project Site and identify ways to minimize impacts on these locations during construction. The site visit will focus on viewing the location of the Project facilities, describing Project construction and operation activities, and identifying potential cultural significant features.

Mitigation Measure 3.6-3c: Detailed Recordation of Features Considered Culturally Significant to the Pit River Tribe.

The Applicant shall retain a professional ethnographic consultant to undertake a detailed recordation of any locations considered important to the Pit River Tribe. The recordation will commence prior to construction and will include photographic documentation of pre- and post-construction conditions of any identified culturally sensitive location. The information gathered as a result of field, interview, and research tasks will be compiled into a report that will be transmitted to the Pit River Tribe. Detailed recordation of any ethnographic location in this manner will create a photographic and written record of the cultural resource prior to construction of the Project, resulting in partial compensation for Project impacts.

Mitigation Measure 3.6-3d: Cultural Resources Monitoring Program with the Pit River Tribe during Construction.

The Applicant shall offer and provide the opportunity for cultural resource monitors from the Pit River Tribe to monitor initial ground disturbing construction activities in areas identified by the Tribe as culturally sensitive. Monitors will have the authority to ensure that discrete sacred sites in the Project Site are avoided or that impacts on such localities are mitigated to the extent feasible, including but not limited to, avoidance or data recovery (as outlined in Mitigation Measure 3.6-1. Archaeological Research Design and Treatment Plan). The Pit River Environmental Office should coordinate with the appropriate Achumawi bands (Itsatawi and Madesi) to assign monitors.

If the offer is accepted, the Applicant shall provide compensation commensurate with market rates based on the qualifications and experience of the cultural monitor(s). Prior to tendering an offer to the Tribe the Applicant shall provide a copy of the offer to the County for review, including but not limited to the proposed number of monitors to be employed, proposed construction schedule/hours during which monitors would be present on site, proposed level(s) of compensation, and other relevant details of the proposed cultural monitoring program.

Significance after Mitigation: Significant and Unavoidable.

3.6.3.3 PG&E Interconnection Infrastructure

The Project would include interconnection infrastructure as described in Sections 2.4.2 and 2.4.3. These elements would include both overhead and underground collection system and potentially blasting activity to accommodate rocky terrain. Overhead collector systems (rather than trenched construction) would be implemented for stream and wetland crossings, to avoid steep terrain, and for other sensitive resource avoidance areas. Construction of the substation, switching stations, and interconnection components would include up to 19 acres of temporary disturbance, and 13 acres of permanent disturbance (including the footprints of the collector substation, switching station, graveled parking and maintenance areas). Because there are no known historical resources or unique archaeological resources in the area of permanent disturbance, the PG&E Interconnection Infrastructure would cause no impact relating to these considerations. Impacts to tribal cultural resources would be the same as the Project as a whole: significant and unavoidable with the implementation of Mitigation Measure 3.6-3a (implementation of the Archaeological Research Design and Treatment Plan that would be required by Mitigation Measure 3.6-1) and Mitigation Measure 3.6-3b (Tribal Cultural Resources Interpretive Program).

3.6.3.4 Direct and Indirect Effects of Alternatives

Alternative 1: South of SR 299

Under Alternative 1, South of SR 299, no turbines would be erected north of SR 299. Thus, Alternative 1 would avoid all impacts to recorded and unrecorded cultural and tribal cultural resources north of SR 299, if any such resources exist. There would be an overall reduced acreage of temporary and permanent disturbance, limited to a footprint defined in a smaller area with fewer turbines compared to the Project. However, as with the Project, Alternative 1 would require implementation of the same mitigation measures to reduce potential direct and indirect impacts associated with known cultural resources, including the prehistoric component of FW 11, which is considered a historical resource for the purposes of this analysis. Impacts to FW 11 would be significant and potentially reduced to a less-than-significant level with implementation of Mitigation Measure 3.6-1. In addition, impacts to tribal cultural resources would remain significant and unavoidable.

Alternative 2: Increased Setbacks

Under Alternative 2, the Increased Setback Alternative, there would be fewer turbines reducing overall temporary (construction-related) and permanent disturbance. Under the Increased Setback Alternative there would continue to be impacts to the prehistoric component of FW 11 and tribal cultural resources, similar to those described for the Project. The overall quantified disturbance area under Alternative 2 would be decreased compared to the Project. Alternative 2 would require implementation of the same protective measures and mitigation as the Project. Impacts to tribal cultural resources would remain significant and unavoidable.

No Project Alternative

If the No Project Alternative is implemented, none of the proposed wind turbines or associated infrastructure would be constructed, operated and maintained, or decommissioned on the Project Site, and none of the proposed above- or below-ground disturbance would occur. The proposed overhead and underground electrical collector system and communications lines would not be developed; and the meteorological towers, onsite collector substation, switching station, and operation and maintenance (O&M) facility would not be constructed. Laydown areas would not be cleared, no new access roads would be constructed, and no existing roads would be improved. The Project Site would continue to be operated as managed forest timberlands. Because there would be no change relative to baseline conditions, the No Project Alternative would create no impact related to cultural resources and to tribal cultural resources.

The Project Site is zoned for timber production. Pursuant to regulations implementing the California Timberland Productivity Act (Government Code §51100 et seq.; 14 Cal. Code Regs. §897[a]), there is a legal presumption that “timber harvesting is expected to and will occur on such lands.” The regulations further specify that timber harvesting on such lands “shall not be presumed to have a Significant Adverse Impact on the Environment” (14 Cal. Code Regs. §898). Therefore, the No Project Alternative, including anticipated timber harvesting, is not presumed to result in a significant adverse individual or cumulative effect relating to cultural or tribal cultural resources. CAL FIRE would review any future timber harvesting proposal to evaluate any potential project-specific, site-specific environmental impacts.

3.6.4 Cumulative Analysis

The geographic scope for cumulative effects on archaeological resources and human remains includes projects in the Study Area (the Project Site and surrounding area that could be affected by visual or use changes on the Project Site) that would also involve excavation or similar ground disturbance in locations with previously recorded or as yet unknown archaeological resources, potentially with human remains. Similar to the Project as described under Impacts 3.6-2 and 3.6-3, cumulative projects identified in Section 3.1.2.1, *Cumulative Scenario*, in the project vicinity could have a significant impact on both recorded and unrecorded archaeological resources (including the prehistoric component of FW 11), including human remains interred outside of formal cemeteries, given the amount of construction-related ground disturbance that could occur for many of the cumulative projects. The potential impacts of the Project when considered together with similar impacts from other probable future projects in the vicinity could result in a significant cumulative impact on archaeological resources and human remains. The proposed Project’s contribution to this impact could be cumulatively considerable, as documented above under Impacts 3.6-2 and 3.6-3. Mitigation Measures 3.6-1 and 3.6-2 would require implementation of legally required appropriate treatment of human remains as well as archaeological research and treatment to preserve the scientific value of an archaeological resource. Therefore, with implementation of **Mitigation Measures 3.6-1** and **3.6-2**, the proposed Project’s contribution to cumulative impacts to archaeological resources and human remains would not be considerable, and the impact would be *less than significant with mitigation*.

The geographic scope for cumulative effects on tribal cultural resources includes the disturbance areas of past, other present, and reasonably foreseeable future projects within the Tribe's culturally affiliated area (Figure 3.6-1, *Pit River Tribe Ancestral Boundary*). Such projects include, for example, the existing Hatchet Ridge Wind Project, existing utility lines, timber harvest plans, active mining and reclamation projects, and any other projects that could detract from the character-defining qualities of tribal cultural resources that are traditionally important to the Pit River Tribe. Each of these project's incremental impacts would contribute to a significant adverse cumulative impact for purposes of this analysis. The Project's incremental Significant and Unavoidable impact, even with the implementation of Mitigation Measure 3.6-1 (Archaeological Research Design and Treatment Plan) and Mitigation Measure 3.6-3b (Tribal Cultural Resources Interpretive Program), would be cumulatively considerable.

3.6.5 References

- California Resources Agency, Department of Parks and Recreation, Office of Historic Preservation (California Resources Agency), 1991. Preservation Planning Bulletin No. 5: Guidelines for Archaeological Research Designs. February 1991.
- General Land Office, 1879. Plat map of Township 35 North, Range 2 East. Mount Diablo Meridian.
- McDaniels, Brandy, 2018. Letter of Brandy McDaniels, Madesi Band Cultural Representative for the Pit River Tribe, to Bill Walker. February 10, 2018.
- Northeast Information Center, California Historical Resources Information System (NEIC), 2017. NEIC File No. D17-150. September 13, 2017.
- Shasta County Department of Resource Management (Shasta County), 2007. *Section 3.5, Cultural Resources, of the Draft Environmental Impact Report for the Hatchet Ridge Wind Project*. December 2007.
- Stantec Consulting Services (Stantec), 2019. *Fountain Wind Energy Project Cultural Resources Phase 1 Inventory of 4,463 Acres, Shasta County, California*. Prepared for Fountain Wind LLC. December 2019.
- Stantec, 2020a. *Addendum 1: Update to The Fountain Wind Energy Project Cultural Resources Phase 1 Inventory of 4,463 Acres, Shasta County, California*. Prepared for Fountain Wind LLC. March 18, 2020.
- Stantec, 2020b. *Addendum 2: Updated Cultural Resources Inventory Report: Tribal Coordination and Correspondence*. Prepared for Fountain Wind LLC. March 23, 2020.
- Tiley, Shelly, Ph.D., 2007. Consultations with the Pit River Tribe [for the] Hatchet Ridge Wind Project. July 2007.